

Tuesday - November 11, 1986 - 4:00 p.m.

## Regular Meeting

Present: Mayor W. Louis Bissette, Presiding; Vice-Mayor Mary Lloyd Frank; Councilmen Wilhelmina Bratton, Walter R. Boland; Norma T. Price, and George M. Tisdale; Corporation Counsel William F. Slawter; City Manager Douglas O. Bean; and Deputy City Clerk Carol Hensley.

Absent: Councilman Kenneth Michalove and Associate City Manager/City Clerk William F. Wolcott, Jr.

## **INVOCATION**

In observance of Veterans Day, Mayor Bissette requested that members of Council and the audience join with him in giving the pledge of allegiance to the flag.

Mayor Bissette gave the invocation.

## **APPROVAL OF THE MINUTES - NOVEMBER 4, 1986 MEETING**

1. Consideration was given to the approval of the minutes of the November 4, 1986, meeting.

Mayor Bissette announced the approval of the minutes as submitted.

## **PROCLAMATION - NOVEMBER 14, 1986 - "OPERATING ROOM NURSE DAY"**

2. Mayor Bissette read a proclamation proclaiming November 14, 1986, as "Operating Room Nurse Day".

Mayor Bissette presented the proclamation to Ann Barrett and Lucia Ruckman of the Association of Operating Room Nurses of Western North Carolina.

## **PROCLAMATION - NOVEMBER 17 - 21, 1986 - "BIG BROTHERS AND SISTERS APPRECIATION WEEK"**

2A. Mayor Bissette read a proclamation proclaiming the week of November 17 - 21, 1986, as "Big Brothers and Sisters Appreciation Week".

Mayor Bissette presented the proclamation to Steve Kirkland, Executive Director, and J. D. Jackson, Board President.

## **PROCLAMATION - NOVEMBER 20, 1986 - "GREAT AMERICAN SMOKE OUT DAY"**

2B. Mayor Bissette read a proclamation proclaiming Thursday, November 20, 1986, as "Great American Smoke Out Day".

Mayor Bissette presented the proclamation to Judith Holt with the American Cancer Society.

## **PROCLAMATION - WEEK OF NOVEMBER 17, 1986, AS "BETA SIGMA PHI WEEK"**

2C. Mayor Bissette read a proclamation proclaiming the week of November 17, 1986, as "Beta Sigma Phi Week".

Mayor Bissette presented the proclamation to Joyce Brown with the Beta Sigma Phi Sorority.

Joyce Brown announced that the Beta Sigma Phi's 30th Annual Snow Carnival Charity Ball will be held November 22 at the Quality Inn On The Plaza.

## **PUBLIC HEARING - ISSUANCE OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY**

**TO HILLIARD L. WRIGHT**

3. Mayor Bisette said Hilliard L. Wright had requested the issuance of a Public Convenience and Necessity for the operation of one taxicab, however, he said he had received notification from Mr. Wright that his request be cancelled.

**ORDINANCE NO. 1614 - BUDGET ORDINANCE AMENDMENT - CDBG PROJECTS - CONTINUATION OF EAST RIVERSIDE PROPERTY MANAGEMENT AND DOLLAR-A-LOT PROGRAMS**

4. Consideration was given to a budget ordinance amendment to close out prior year fund balance for on-going CDBG projects and to provide funds to continue East Riverside property management and dollar-a-lot programs.

Mayor Bisette said this budget ordinance amendment will close out prior year fund balance for on-going CDBG projects and provide funds to continue East Riverside property management and dollar-a-lot programs. The amendment will also appropriate CDBG matching funds for the Champion Sewer/Siphon project. \$50,000 of program income from R-48 land sales will be used to fund dollar-a-

lot and property management projects. \$75,000 from CDBG Contingency will be used to fund the Champion Sewer/Siphon project.

Marvin Vierra, Community Development Director, said appropriations of the surplus funds would be allocated for community development administration in the amount of \$19,350; community development planning \$10,498; dollar-a-lot program \$35,000; East Riverside property management \$15,000; contingency \$36,126; and \$75,000 to the Champion Sewer/Siphon project.

Mayor Bisette said members of Council were previously furnished copies of the ordinance and it would not be read in its entirety; and anyone desiring a copy of the ordinance will be furnished a copy.

Councilman Price moved for the adoption of Ordinance No. 1614. This motion was seconded by Councilman Tisdale.

On a roll call vote of 6-0, Ordinance No. 1614 passed on first and final reading.

Complete text of Ordinance No. 1614 will be found in Ordinance No. **11** at page **90**.

**ORDINANCE NO. 1615 - BUDGET ORDINANCE AMENDMENT FOR IMPROVEMENTS TO WEST ASHEVILLE RECREATION CENTER**

5. Consideration was given to a budget ordinance amendment relative to improvements to the West Asheville Recreation Center.

Mayor Bisette said this budget ordinance amendment is relative to improvements based on recommendations by the Parks and Recreation Department Director to City Council regarding the West Asheville Recreation Center.

Mayor Bisette said as agreed in the Pre-Council work session, this budget amendment would appropriate \$40,000 for improvements to the West Asheville Community Center. He said the improvements would be made only in areas now being utilized for the City Parks and Recreation Department, and will not involve the library portion of the building. He said the funds also will be used to increase parking at the rear of the building.

Councilman Bratton noted that it is her understanding that the appropriation of these funds is not a final distribution of funds to be used in the West Asheville Recreation programs. She said she felt there should be a review of the entire Parks and Recreation budget.

Mayor Bisette said members of Council were previously furnished copies of the ordinance and it would not be read in its entirety and any individual desiring a copy of the ordinance would be furnished a copy.

Ralph Bishop was furnished a copy of the budget ordinance amendment.

Councilman Boland moved for the adoption of Ordinance No. 1615. This motion was seconded by Councilman Price.

On a roll call vote of 6-0, Ordinance No. 1615 passed on first and final reading.

Complete text of Ordinance No. 1615 will be found in Ordinance Book No. **11** at page **91**.

**ORDINANCE NO. 1616 - BUDGET ORDINANCE AMENDMENT TO PROVIDE FUNDS FOR THE ESTABLISHMENT OF A MINORITY BUSINESS LOAN POOL**

6. Consideration was given to a budget ordinance amendment to provide funds for the establishment of a Minority Business Loan Pool.

Mayor Bissette said this budget ordinance will appropriate \$5,000 which will be used as a contribution to the Asheville-Buncombe Development Corporation on behalf of the Asheville Minority Business Loan program. The loan program will be administered by the Cherokee/Asheville Business Development Center. Revenue source will be UDAG loan repayment funds.

Councilman Boland said that he had been working with the Asheville Minority Business Development Center for a number of years to establish a minority business loan pool. He said the loan pool would be established by the Asheville-Buncombe Development Corporation and would be administered by the Cherokee/Asheville Business Development Center. He said the purpose of the loan pool would be to provide modest amounts of business credit to minorities with a low market interest rate. He said it is hoped that \$10,000 - \$15,000 would be put into the loan pool along with matching grants. He said the Asheville-Buncombe Development Corporation, Wachovia Bank, First Union Bank and North Carolina National Bank has committed \$1,000 to the loan pool. He said First Federal and Asheville Federal is also considering committing \$1,000. He said no funds would be spent out of the loan pool until all funds are in place.

Councilman Boland moved for the adoption of Ordinance No. 1616. This motion was seconded by Councilman Price.

Councilman Bratton noted that she could not support the adoption of this ordinance because she felt minorities should not be separated but be a part of the mainstream. She said she would feel more comfortable with the loan pool if it was for the entire community. She said she felt the Cherokee/Asheville Business Development Center should merge with the Asheville Area Chamber of Commerce.

On a roll call vote of 5-1, Ordinance No. 1616 passed on first and final reading with Councilman Bratton voting "no".

Complete text of Ordinance No. 1616 will be found in Ordinance Book No. **11** at page **92**.

**RESOLUTION NO. 86-206 - RESOLUTION APPROVING PAYMENTS TO SUTTON-KENNERLY ASSOCIATES FOR ADDITIONAL ENGINEERING SERVICES IN CONNECTION WITH RE-ROOFING OF THE CIVIC CENTER, FIRE STATION #8/LIBRARY/EAST ASHEVILLE COMMUNITY CENTER AND THE ASHEVILLE TRANSIT AUTHORITY FACILITY**

7. Consideration was given to a resolution approving payments to Sutton-Kennerly Associates for additional engineering services in connection with re-roofing of the Civic Center, Fire Station #8/Library/East Asheville Community Center and the Asheville Transit Authority facility.

Mayor Bissette said this resolution will authorize the Mayor to execute amendments to the contracts by and between the City of Asheville and Sutton-Kennerly Associates for the provision of additional engineering services. Total sum of fiscal impact is \$11,781.18.

Civic Center \$7,590.00

Station #8/Library/Comm. Center 2,528.00

Transit Authority Facility 1,663.18

Mayor Bissette said members of Council were previously furnished copies of the resolution and it would not be read in its entirety. He said any individual desiring a copy of the resolution would be furnished a copy.

Upon motion of Councilman Tisdale, seconded by Vice-Mayor Frank, Resolution No. 86-206 was unanimously adopted.

Complete text of Resolution No. 86-206 will be found in Resolution Book No. 16 at page 197.

### **APPROVAL OF SIGN PERMIT - IDENTIFICATION SIGN AT 45 CHERRY STREET**

8. Consideration was given to a motion approving a sign permit for an identification sign at 45 Cherry Street.

Mayor Bissette said Crawford Sign Company has requested a sign permit to erect an identification sign at 45 Cherry Street advertising "45 Cherry". This sign requires approval of City Council pursuant to the zoning ordinance in that the sign will be situated closer than 600' of a limited access highway.

Verl Emrick, Director of Planning, said the requested sign complies with all criteria of the sign ordinance.

Councilman Tisdale moved to approve the sign permit for the identification sign at 45 Cherry Street. This motion was seconded by Councilman Bratton and carried unanimously.

### **SCHEDULING PUBLIC HEARING - SITE PLAN OF THE PROPOSED CONVERSION OF EXISTING HOUSE AT CHARLOTTE STREET AND HILLSIDE WALK (108 ORCHARD STREET) FOR DECEMBER 2, 1986**

9. Councilman Price moved to schedule a public hearing relative to a site plan of the proposed conversion of an existing house at Charlotte Street and Hillside Walk (108 Orchard Street) for December 2, 1986. This motion was seconded by Councilman Boland and carried unanimously.

### **CLAIMS - SANDERS ROLAND (SEWER) - MIKE BENNETT (STREETS) - WALTER SMITH (PARKS) - CAROLYN TAYLOR (WATER) - JERRY BRADLEY (WATER)**

10. The City Manager presented claims received from Sanders Roland, Mike Bennett, Walter Smith, Carolyn Taylor, and Jerry Bradley.

Mayor Bissette referred the claims to the Corporation Counsel for investigation and recommendation.

### **REQUEST OF IRMGARD GORDOS - CLAIM**

11. Irmgard Gordos, of 61 Bingham Road, Apartment 7-C, spoke to members of Council relative to a claim for damages presented to the City of Asheville. She said she had hit a pothole which damaged her car. She said she had been in contact with the City's Legal Department, the Street Department, and Nationwide Insurance Company. She said the insurance company for the City of Asheville claims the City of Asheville is not negligent. She said Asheville Alignment Service would not state that the hitting of the pothole would cause the damage done to her car. She said she felt if the streets were in good condition, this would not have happened. She requested that Council look into the matter and refund her the cost of repairing her car in the amount of \$127.04. After discussion, Mayor Bissette directed the City Manager and City Attorney to look into this matter further and to report their findings back to Mrs. Gordos.

### **DISCUSSION - HARRY BRUMMER - 10 SUNSET SUMMIT - SPIVEY MOUNTAIN PROJECT**

12. Harry Brummer spoke to members of Council relative to the injustice done to him relative to the construction of his house at 10 Sunset Summit. He requested that the City Council members take action to reissue his building permit for 10 Sunset Summit.

Mayor Bissette said because this matter is in the courts, members of Council would confer with the City Attorney on this matter.

Mayor Bissette informed Mr. Brummer that the City of Asheville has no jurisdiction relative to his project on Spivey Mountain. He said the Asheville-Buncombe Water Authority would have jurisdiction relative to the water being furnished to the project and Buncombe County would be responsible for providing sewer services.

### **RALPH BISHOP - LOTTERY SALES IN THE CITY OF ASHEVILLE**

13. Ralph Bishop again spoke to members of Council relative to the Asheville Police Department and lottery sales in the City of Asheville.

### **ADJOURNMENT**

Upon motion of Councilman Tisdale, seconded by Councilman Boland, the meeting adjourned at 5:20 p.m.

Mayor City Clerk

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