

Tuesday - March 10, 1987 - 4:00 p.m.

Regular Meeting

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

Absent: None

## **INVOCATION**

The invocation was given by Councilman Walter Boland.

## **APPROVAL OF THE MINUTES - MARCH 3, 1987 MEETING**

1. Consideration was given to the approval of the minutes of the March 3, 1987, meeting.

Mayor Bissette noted that Councilman Michalove had requested several additions to the minutes which had been submitted to the Deputy City Clerk.

Mayor Bissette announced the approval of the minutes as amended.

## **ORDINANCE NO. 1634 - AN ORDINANCE AMENDING ARTICLE 13 OF CHAPTER 30 OF THE CODE OF ORDINANCES OF THE CITY OF ASHEVILLE TO CREATE THE BILTMORE VILLAGE HISTORIC DISTRICT AND TO INCLUDE THE CHESTNUT-LIBERTY HISTORIC DISTRICT**

2. Consideration was given to the second reading of Ordinance No. 1634, an ordinance relative to amending Article 13 of Chapter 30 of the Code of Ordinances of the City of Asheville to create the Biltmore Village Historic District and to include the Chestnut-Liberty Historic District.

Mayor Bissette said the City Council of the City of Asheville has decided to create an additional historic district for the City of Asheville. That district will be known as the Biltmore Village Historic District. The Montford Historic District is described and is regulated in Article 13 of Chapter 30 of the Code of Ordinances of the City of Asheville. The Chestnut-Liberty Historic District is described and is regulated in Article 14 of the Code of Ordinances. Since the provisions regulating the Districts should be identical, it would be more convenient to include all of the Districts in the same Article of the Code of Ordinances of the City of Asheville. This public hearing was continued from the February 24, 1987 meeting. This ordinance passed first reading at the March 3, 1987 meeting.

Mayor Bissette said this ordinance was previously read on first reading and will not be reread in its entirety. He said any individual requesting a copy of the ordinance will be furnished one at no cost.

Ralph Bishop spoke in opposition to the ordinance, and requested a copy of Ordinance No. 1634.

Neil Meyer said he had recently purchased the Tops Service Station

in Biltmore, and requested that this property be excluded from the Biltmore Village Historic District. He said he was concerned that he could not adhere to the Historic Resources Commission guidelines. He said he proposes to renovate the service station into the country store look, and was optimistic that what he has planned will blend with the Biltmore Village theme. He also requested a copy of Ordinance No. 1634.

Mayor Bissette suggested that Mr. Meyer talk with the Director of Historic Resources Commission relative to guidelines for remodeling the Tops Service Station. He said it is Council's desire that all guidelines be reasonable.

On a roll call vote of 5-2, Ordinance No. 1634 passed on second reading.

Councilman Michalove noted that he voted "No" on Ordinance No. 1634 because he felt the current district, as proposed, goes beyond the historic district. He said the historic district boundary should be at the Hendersonville Road line. He said if it is Council's desire to have a historic district that is to be developed for the future, then he felt the proposed district is not large enough and should go to I-40.

### **CAPITAL IMPROVEMENT PLAN FOR FISCAL YEAR 1987-88 - APPROVAL**

3. Consideration was given a motion approving the Capital Improvement Plan for Fiscal Year 1987/88.

Mayor Bisette said the City Council of the City of Asheville has recognized the need to provide funding to address long range capital needs of the City. The Capital Improvement Plan for Fiscal Year's 1987/88 through 1992/93 as presented to City Council on March 10, 1987 recognizes both the funding sources and the capital needs of the City. He said the Capital Improvement Plan provides funding for said needs in the amount of \$72,896,558 for the period Fiscal Year 1987/88 through Fiscal Year 1992/93.

Mayor Bisette noted that the Capital Improvement Plan is a balanced six-year plan that anticipates virtually every capital need the City will have for the next six years and also allocates revenues for each of those expenditures. He said Asheville has, in the past, used an annual capital budget that has met the immediate needs of the City but has not promoted long-range planning for the replacement of vehicles, buildings, and other City-owned property. He said the plan includes street and sidewalk improvements to be budgeted with the \$17,000,000 in bond funds, vehicles, fire trucks, renovation of the City Hall Building, a new Public Works complex and municipal building, and a new radio communication system, as well as a number of improvements to the City's Parks and Recreation system. He said members of Council previously reviewed the plan in detail.

Vice-Mayor Frank moved to approve the Capital Improvement Plan for Fiscal Year 1987/88. This motion was seconded by Councilman Michalove and carried unanimously.

### **APPROVAL OF THE CONSENT AGENDA**

4. Mayor Bisette said the following items are of a routine nature and they have been previously reviewed by the members of the City Council. Therefore, by unanimous vote to approve these items, the City Council may,

pursuant to the procedures established in Ordinance No. 1008, adopt all of the items with one motion without the full reading and/or separate motion adopting each individual item. Upon the request of a citizen, a member of the City Council, and/or a member of the City staff, any single item scheduled for approval on the consent agenda may be considered separately.

### **RESOLUTION NO. 87-42**

**A. Resolution authorizing a \$2,000 "Fair Share" contribution by**

**the City of Asheville to the State and Local Legal Center.**

**HIGHLIGHTS:** The State and Local Legal Center was created in

1973 by the National League of Cities, the Council of State Governments, International City Management Association, National Association of Counties, National Conference of State Legislatures, National Governors' Association, and U. S. Conference of Mayors. The center articulates city issues in cases before the U. S. Supreme Court, providing its services at no charge. The center requires financial support from cities, states and counties if it is to continue its efforts on their behalf. Cities are being asked to make a one time payment with the amount based upon population. Cities with populations between 50,000 and 100,000 are being

asked to contribute \$2,000.

**FISCAL IMPACT:** One-time payment of \$2,000.00. Sufficient funds are available in the Legal Services Division budget.

**Resolution Book 16 - Page 293**

**B. Motion relative to bids received for a radio communications system for the Asheville Transit Authority.**

**HIGHLIGHTS:** Sealed bids were invited to furnish the

Asheville Transit Authority with a radio communications system consisting of 31 bus communication packages; 1 central dispatch console; 1 base station and 9 supervisory and maintenance radio packages. One bid was received. This bid was from Motorola Communications and Electronics, Inc. in

Asheville.

**FISCAL IMPACT:** \$99,448.00 - This purchase is approved by UMTA

Project No. NC-90-X046 and funding to be from

Account No. 67-916-0740.

**C. Motion to schedule a public hearing relative to rezoning Lot**

**93, Sheet 55, Ward 7 from R-5 Residential District to CS Commercial Service District for March 31, 1987.**

**HIGHLIGHTS:** The Asheville Planning and Zoning Commission at

a meeting held February 18, 1987, considered the

petition of Mr. George Morosani, Agent for Mr. David Knapp, Owner, that Lot 93, Sheet 55, Ward 7, be rezoned from R-5 Residential District to CS Commercial Service District. The property is located off Sweeten Creek Road. After review and discussion, the Commission voted to recommend to City Council that Lot 93, Sheet 55, Ward 7, be rezoned from R-5 Residential District

to CS Commercial Service District.

**FISCAL IMPACT:** None

**D. Motion relative to bids received for automobiles and trucks for the Asheville Police Department and Public Works Department.**

**HIGHLIGHTS:** Sealed bids were invited to furnish twelve (12)

Patrol (blue and white), five (5) Unmarked Police Vehicles, one (1) full size station wagon and one (1) mid size station wagon for the Police Department and three (3) 1/2 ton pick-up trucks for the Public Works Department. It is recommended to award this bid to Matthews Ford, Inc. for the cars and to Carolina Truck & Body

Company for the trucks.

**FISCAL IMPACT:** Funding in FY 1986-87 Capital Budget. Amount

budgeted Police - \$240,729.00 - Public Works -

\$30,000.00

Upon motion of Councilman Boland, seconded by Councilman Price, the Consent Agenda was unanimously approved.

**GEORGE E. BANCROFT ELECTED TO CIVIL SERVICE BOARD**

5. The City Manager presented the Certification of the Board of Canvassers for the Asheville Civil Service Board, stating that at an election held on March 5, 1987, the City employees elected George Bancroft as a member of the Civil Service Board.

**REQUEST FOR PARADE PERMIT - BUNCOMBE COUNTY VETERANS COUNCIL**

6. Robert E. Waldrup with the Buncombe County Veterans Council requested a parade permit for a Veterans Day Parade on November 11, 1987.

Mayor Bissette informed Mr. Waldrup that the City staff would be in contact with him relative to the parade permit.

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

7. Ralph Bishop again spoke to members of Council relative to the lottery sales in the City of Asheville.

**JOHNNY WALSH - REQUESTING STATEMENT FROM MAYOR**

8. Johnny Walsh spoke to members of Council relative to his attendance at a Crime Prevention Commission Meeting, and requested a statement from the Mayor prior to his being subpoenaed as a hostile witness.

**CLAIMS - THEODORE CREASMAN (POLICE) - CHARLIE FOX (WATER) - JIMMY SULLIVAN (WATER)**

9. The City Manager presented claims received from Theodore Creasman, Charlie Fox, and Jimmy Sullivan.

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

**ADJOURNMENT**

Upon motion of Councilman Price, seconded by Councilman Boland, the meeting adjourned at 4:45 p.m.

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MAYOR CITY CLERK

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