

Tuesday - March 17, 1987 - 4:00 p.m.

Regular Meeting

Present: Mayor W. Louis Bisette, 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

At the request of Councilman Tisdale, the audience stood for the Pledge of Allegiance to the Flag. The invocation was given by Councilman Tisdale.

APPROVAL OF THE MINUTES - MARCH 10, 1987 MEETING

1. Consideration was given to the approval of the minutes of the March 10, 1987 meeting.

Mayor Bisette announced the approval of the minutes as submitted.

RESOLUTION NO. 87-44 - RESOLUTION IN MEMORIAM OF HARRY W. CLARKE

1a. Consideration was given to a resolution in memoriam of Harry W. Clarke expressing Council's sorrow over his recent passing.

Mayor Bisette read the resolution.

Upon motion of Vice-Mayor Frank, seconded by Councilman Tisdale, Resolution No. 87-44 was unanimously adopted.

Complete text of Resolution No. 87-44 will be found in Resolution Book No. **16** at page **295**.

RESOLUTION NO. 87-43 - RESOLUTION COMMENDING ASHEVILLE HIGH SCHOOL FOR ITS PARTICIPATION IN THE INTERNATIONAL EXCHANGE PROGRAM AND RECOGNIZING THE FOREIGN EXCHANGE STUDENTS AND TEACHER FROM JAPAN, FRANCE, GERMANY, NORWAY, AND JORDAN THAT ARE PARTICIPATING IN THE PROGRAM

2. Consideration was given to a resolution commending Asheville High School for its participation in the International Exchange Program and recognizing the foreign exchange students and teacher from Japan, France, Germany, Norway, and Jordan that are participating in the program.

Mayor Bisette read the resolution.

Mr. Sherrill, Principal of Asheville High School, introduced the instructor from Kofu Junior High School, Kofu, Japan. The instructor introduced the students, and Mayor Bisette presented each student with a welcome letter and a copy of the resolution.

Upon motion of Councilman Price, seconded by Vice-Mayor Frank, Resolution No. 87-43 was unanimously adopted.

Complete text of Resolution No. 87-43 will be found in Resolution Book No. **16** at page **294**.

PUBLIC HEARING - HEAD OF MONTFORD REDEVELOPMENT PLAN

RESOLUTION NO. 87-45 - RESOLUTION APPROVING THE REDEVELOPMENT PLAN FOR THE HEAD

OF MONTFORD/HILL STREET/CHERRY STREET REDEVELOPMENT AREA

3. A public hearing relative to the Head of Montford Redevelopment Plan continued.

Mayor Bissette said the Asheville Planning and Zoning Commission certified the area to be a Blighted Redevelopment Area under N.C.G.S. 160A-500-526 on November 12, 1986. The plan was prepared by the Head of Montford Planning Committee and staff of the City Planning Department and Asheville Housing Authority. The plan was approved by the Asheville Housing Authority on January 13, 1987, and by the Asheville Planning and Zoning Commission January 14, 1987. This public hearing was continued from the March 3, 1987 meeting. He said the cost of the entire Head of Montford Redevelopment Project is estimated at \$17,326,058.00. The City has committed \$688,000.00 in CDBG Funds to the project to date.

Julie Cogburn, with the Planning Department, summarized changes in the Redevelopment Plan in response to questions raised at the March 3, 1987 meeting. She said the proposed amendment outlines in detail what is to be done relative to project activity, acquisition, and funding in the first year plan.

Upon inquiry of Councilman Bratton, Larry Holt defined major and minor revisions as land use changes and major expenditures which would require approval from the Montford Community Club, The Housing Authority, and the Asheville City Council. He said, for example, the acquisition of an additional piece of property, utility changes and infrastructure changes would be authorized by the Housing Authority as minor revisions.

Upon inquiry of Councilman Tisdale, Julie Cogburn said there were no owner/occupied dwellings to be acquired in the first year plan.

Councilman Michalove noted that the three-page report, as summarized by Julie Cogburn, would be attached to the resolution as Attachment A.

Ralph Bishop spoke in opposition to the Redevelopment Plan.

Ernie Thurston, with the Montford Planning Committee, thanked members of Council and the City staff for their time and effort in developing the Redevelopment Plan.

Jim Cairnes of 209 Cumberland Avenue requested unanimous support of the Head of Montford Redevelopment Plan.

Clarence Benton of Courtland Place spoke to members of Council stating that he had not been contacted by any of the Montford Planning Committee members or the City staff relative to the Redevelopment Plan. He questioned how many residents would be required to be relocated under this plan. He also stated that he felt when residences were demolished, that residences should be put back on that parcel.

Julie Cogburn responded to Mr. Benton, stating the plan does not call for massive relocation of existing residents. She reviewed the land use plan map for Mr. Benton.

Tony Clarke-Sayer of 30 Blake Street, Chairman of the Montford Planning Committee, spoke in support of the Redevelopment Plan. He said it was his hope that the Montfor Planning Committee and the City staff could continue working together on this plan that will be a credit to the neighborhood and the City.

Mayor Bissette requested that Corporation Counsel Slawter and Julie Cogburn meet with Clarence Benton to review the map and Redevelopment Plan.

Councilman Boland said that he felt Council and the City staff should make every effort toward stimulating infill housing in the area as well as rehabilitation.

Mayor Bissette closed the public hearing at 5:11 p.m.

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 requesting a copy of the resolution would be furnished one at no cost.

Upon motion of Councilman Bratton, seconded by Councilman Price, Resolution No. 87-45 was unanimously adopted.

Councilman Michalove said he was concerned about the large impact on financial resources in order to implement the plan. He requested that Council members go on record, that for at least the next three years, and as long as Community Development Block Funds are available, that the majority of the discretionary funds from Community Development go to the Montford redevelopment area. He said he felt this action would help to make the neighborhood feel that there is a commitment by the City beyond the \$688,000 that has previously been appropriated. He requested that Council members adopt a motion relative to his request, particularly for the benefit of future Council members.

Mayor Bissette noted that the Corporation Counsel and Marvin Vierra with the Community Development Department, and Councilman Michalove work on the wording of a motion relative to the use of the Community Development funds for the Montford Redevelopment plan for action at next week's meeting.

ORDINANCE NO. 1624 - 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

4. Consideration was given to the third reading of Ordinance No. 1624, 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 ordinance passed first reading at the March 3, 1987 meeting and second reading at the March 10, 1987 meeting.

Mayor Bissette said this ordinance was previously read on first and second reading and would not be reread in its entirety.

Mayor Bissette said he had received comments from property owners and tenants in the Biltmore Village area requesting that the Local Historic Committee be made up from broad based representation, including merchants and property owners in the Biltmore area. He requested that Council members be notified of the potential members of the Local Historic Committee.

Ralph Bishop spoke in opposition to the ordinance.

_____, member of the Historic Resources Commission, invited Council to the Preservation Society Meeting at 7:30 p.m. on March 18, 1987, on the Lord Auditorium relative to a update on the Montford Historic area.

On a roll call vote of 5-2, Ordinance No. 1624 passed on third and final reading, with Councilman Michalove and Councilman Boland voting "no".

Complete text of Ordinance No. 1624 will be found in Ordinance Book No. 11 at Page 110-125.

RESOLUTION NO. 87-46 - RESOLUTION OF INTENT TO CLOSE AN UNANMED ROAD BETWEEN PATTON AVENUE AND OLD HAYWOOD ROAD AND CALLING A PUBLIC HEARING ON QUESTION FOR APRIL 28, 1987

5. Consideration was given to a Resolution of Intent to close an unnamed road between Patton Avenue and Old

Haywood Road, and calling a public hearing on the question for April 28, 1987.

Mayor Bisette said a petition has been filed by Mary R. Thrash, owner of property adjoining an unnamed roadway, between Patton Avenue and Old Haywood Road, asking that said unnamed road adjoining lots 1-3/4 and 89 of Ward 5, Sheet 24, and lots 72 and 73 of Ward 5, Sheet 29, of the Buncombe County Tax Maps be permanently closed to public use. The unnamed roadway is under the sole and exclusive authority and control of the City of Asheville and is not under the control and authority of the North Carolina Department of Transportation. The permanent closing of said unnamed roadway will not be either detrimental to or contrary to the public interest or the property rights of any individual and no individual owning property in the vicinity of the unnamed roadway will, by the permanent closing of the roadway be deprived of reasonable means of ingress and egress to his property.

Mayor Bisette said members of Council were previously furnished copies of the resolution, and it would not be read in its entirety. He said any individual requesting a copy of the resolution will be furnished one at no cost.

Upon motion of Councilman Tisdale, seconded by Councilman Price, Resolution No. 87-46 was unanimously adopted.

Complete text of Resolution No. 87-46 will be found in Resolution Book No. 16 at Page 298.

RESOLUTION NO. 87-47 - RESOLUTION OF INTENT TO CLOSE AN UNNAMED ALLEY BETWEEN PICKWICK ROAD AND AN UNNAMED ALLEY IN REAR OF LOTS FRONTING PICKWICK ROAD AND CALLING A PUBLIC HEARING ON QUESTION FOR APRIL 28, 1987

6. Consideration was given to a Resolution of Intent to close an unnamed alley between Pickwick Road and an unnamed alley in rear of Lots fronting Pickwick Road and calling a public hearing on the question for April 28, 1987.

Mayor Bisette said a petition has been filed by David L. and Mary G. Evers, owners of property adjoining an unnamed alley between Pickwick Road and an unnamed alley in the rear of property fronting Pickwick Road, asking that said unnamed alley adjoining Lots 146 and 148 of Ward 8, Sheet 2, of the Buncombe County Tax Maps, also shown as Lots 11 and 12 of Plat Book 5, Page 79 of a plat recorded in the Register of Deeds Office of Buncombe County, be permanently closed to public use. The unnamed alley is under the sole and

exclusive authority and control of the City of Asheville and not the North Carolina Department of Transportation. The permanent closing of said unnamed alley will not be either detrimental to or contrary to the public interest or the property rights of any individual and no individual owning property in the vicinity of the unnamed alley will be deprived of reasonable means of ingress and egress to his property.

Mayor Bisette said members of Council were previously furnished copies of the resolution and it would not be read in its entirety. He said any individual requesting a copy of the resolution would be furnished one at no cost.

Upon motion of Councilman Boland, seconded by Vice-Mayor Frank, Resolution No. 87-47 was unanimously adopted.

Complete text of Resolution No. 87-47 will be found in Resolution Book No. 16 at Page 299.

CLAIMS - SHIRLEY BRADLEY (WATER)

7. The City Manager presented a claim received from Shirley Bradley.

Mayor Bisette referred the claim to the Corporation Counsel for investigation and recommendation.

LAWSUITS - GRACE BALLEW VS. CITY OF ASHEVILLE (PERSONAL INJURY)

8. The City Manager said the City was served on March 9, 1987, with a lawsuit involving Grace Ballew vs. the City of Asheville in regards to a personal injury - fall on stairs at Civic Center.

Mayor Bisette referred the lawsuit to the Corporation Counsel for investigation and recommendation.

RALPH BISHOP - LOTTERY SALES

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

PRESENTATION OF ASHEVILLE SCHOOL BOARD NOMINATIONS

9. Mayor Bissette presented the following names as candidates for appointment to the Asheville School Board. He said the entire list would be posted in the City Clerk's office.

Bacon, Thomas J. Haynes, Harlen F. 72 Brookwood

Road 14 Spooks Branch Road Asheville, NC 28804 Asheville, NC 28804

Bryson, Dick Hillier, David R. P. O. Box 15011 144 Stratford Road Asheville, NC 28803 Asheville, NC 28804

Chicurel, Isaac N. Holcombe, Ms. Betty 141 Deerlake Drive 49 Mildred Avenue

Asheville, NC 28803 Asheville, NC 28806

Coleman, Wanda Henry Holt, Larry D. 146 Blanton Street 21 Farrwood Avenue Asheville, NC 28801 Asheville, NC 28804

Dabney, Thomas F. Horton, Bill B. 19 Rolling View Drive 49 Tampa Avenue Asheville, NC

28805 Asheville, NC 28806

Davis, Rosa Howard, Sara Jo 60 Taft Avenue 433 Fairview Road Asheville, NC 28803 Asheville, NC 28803

Delany, Logan D., Sr. Iovacchini, Dr. Eric 36 Bartlett Street 17 Marne Road Asheville, NC 28801 Asheville, NC 28803

Ferikes, Joseph A. Jernigan, Linda 200 Bent Tree Road 55 Robinwood Avenue Asheville, NC 28804 Asheville, NC 28806 Fetty, Rosaleen Kazimir, Larry 44 Bent Tree Road 74 St. Dunstan's Circle Asheville, NC 28804 Asheville, NC 28803

Gran, Willa (Mrs. Doublas) Kouns, John H. "Jack" 29 Linden Avenue 18 Stockwood Road Asheville, NC 28801 Asheville, NC 28803

Green, Kevin Marshall, Lyman R. 12 Chateau Place 10 Northwood Road Asheville, NC 28801 Asheville, NC 28804

Haldane, Douglas W. McCoy, Oscar L. 12 Brookwood Road 268 South French Broad Asheville, NC 28804 Asheville, NC 28801

McDevitt, Dershie B. McElrath, Virginia 56 Elk Mountain Scenic Hwy. 2 Pine Meadows Drive Asheville, NC 28804 Asheville, NC 28804

Morris, Sara M. Oglesby, Erby R. P. O. Box 8732 60 Kimberly Avenue Asheville, NC 28804 Asheville, NC 28804

Phillips, Jeanne Roberts Phillips, John Carnes, M.D. P-3 Crowfields P-3 Crowfields Asheville, NC 28803 Asheville, NC 28803

Ramsey, Harry E. Ray, Kieth Edgewood Knoll 31 Wildwood Avenue Asheville, NC 28804 Asheville, NC 28804

Schramm, Sara Ellen Scully, Bonnie D. 222 Brevard Road 17 Blue Briar Road Asheville, NC 28806 Asheville, NC 28804

Smith, Carol Jean, M.D. Smith, Robert G. 38 Homeland Park 193 Tocomo Circle Asheville, NC 28805 Asheville, NC 28801

Winner, Linda C. York, Mrs. A. Robert 67 Stratford Road 174 Beaverdam Road Asheville, NC 28804 Asheville, NC 28804

Cooper, Betty H.

ADJOURNMENT

Mayor Bissette adjourned the meeting at 5:30 p.m.

Mayor City Clerk
