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® Tuesday - March 1, 1988 - 4:00 P.M.

Regular Meeting

Present: Mayor W. Louis Bissette, Presiding; Vice-Mayor Kenneth

M. Michalove; Councilmen Norma T. Price, Wilhelmina Bratton, Russell Martin and Walter Boland; Corporation Counsel William F. Slawter; City Manager Douglas O. Bean; and Associate City Manager/City Clerk William F.

Wolcott, Jr.

Absent: Councilman Mary Lloyd Frank.

**INVOCATION**

The invocation was given by Vice-Mayor Michalove.

**APPROVAL OF MINUTES - FEBRUARY 23, 1988**

Mayor Bissette announced the approval of the minutes of the February 23, 1988 meeting as submitted.

**®I. PROCLAMATIONS:**

**® A. Proclamation - Architecture Week -**

**February 28 - March 5, 1988**

Mayor Bissette read the proclamation and presented a copy to Danie Johnson and Walter Boggs, Architects.

**® B. Proclamation - March, 1988 as "Nutrition Month"**

Mayor Bissette read the proclamation and presented a copy to Laurel Yaeger, President, Western N. C. District Dietetic Association and Elaine Currie.

**® C. Presentation by Quality Forward - "Crystal Clean"**

Susan Roderick with Quality Forward introduced Debbie

Hay, who is now portraying "Crystal Clean" in an effort to educate children of the need to keep our community clean. "Crystal Clean" replaced "Kati Clean-Up" the character from Quality Forward.

"Crystal Clean" said she goes into the schools and gives

programs to children relative to keeping the community clean. She said she uses what is called an

"environmental danger protector" to zap litter.

**®II. PUBLIC HEARINGS:**

**®III. OLD BUSINESS:**

**® A. Ordinance No. 1676 - Second reading of an ordinance**

**amending Chapter 12-A of the Code of Ordinances of the City of Asheville with regard to floodplain regulations.**

Mayor Bissette said the Federal Emergency Management

Agency has adopted new final rules which require changes in local ordinances with regard to flood plain regulations. The North Carolina Department of Crime Control and Public Safety has prepared model ordinances for local communities to use in revising their flood plain regulations. This ordinance will revise the City's flood plain ordinance to comply with federal regulations. This ordinance passed on first reading on

February 23, 1988.

Mayor Bissette said this ordinance was previously read

and will not be reread in its entirety.

Verl Emrick, Director of Planning, said a draft of the

ordinance was sent to Raleigh and tentative approval has been received.

The City Manager said no opposition has been received

relative to the ordinance.

On a roll call vote of 6-0, Ordinance No. 1676 passed on

second reading.

Councilman Michalove moved to suspend the rules and

proceed to the third and final reading of Ordinance No. 1676. This motion was seconded by Councilman Boland and carried unanimously.

On a roll call vote of 6-0, Ordinance No. 1676 passed on

third and final reading.

**Ordinance Book No. 11 Page No. 232-239**

**®IV. NEW BUSINESS:**

**® A. Ordinance No. 1679 - An Ordinance amending Chapter 13**

**of the Code of Ordinances of the City of Asheville entitled "Garbage and Refuse"**

Mayor Bissette said this ordinance amends Chapter 13 of

the Code relative to littering; accumulation, removal of weeds, trash, refuse, and other material; debris; trash; and rubber tires.

Mayor Bissette said this ordinance was previously

presented to members of Council and will not be read in its entirety.

Charles Penny, Assistant City Manager, highlighted the major changes in the ordinance in relation to the current ordinance.

Upon inquiry of Council, Mr. Penny said junk vehicles are not covered by this particular ordinance.

Council members expressed a real commitment to having strict enforcement of this ordinance and to clean up the community.

Councilman Price said she felt an effort should be made to encourage citizens not to put out their garbage until the actual pick-up day.

LaRue Bolick, with Quality Forward, said there is a need to encourage downtown business owners to clean up around their businesses and to keep their dumpster doors closed.

Evelyn Wyatt, from the Montford Community, suggested that the City contract with neighborhood communities to clean up vacant lots in their particular area.

Ralph Bishop commented about the littering on Kenilworth Knoll Road. He said he believes the litter is coming from the Carolina Sports Club and McGuffy's.

After discussion, Councilman Bratton moved for the adoption of Ordinance No. 1679. This motion was seconded by Councilman Price.

On a roll call vote of 6-0, Ordinance No. 1679 passed on first reading.

Councilman Price moved to suspend the rules and proceed to the second reading of Ordinance No. 1679. This motion was seconded by Councilman Bratton and carried unanimously.

On a roll call vote of 6-0, Ordinance No. 1679 passed on second reading.

Councilman Price moved to suspend the rules and proceed to the third and final reading of Ordinance No. 1679. This motion was seconded by Councilman Bratton and carried unanimously.

On a roll call vote of 6-0, Ordinance No. 1679 passed on third and final reading.

**Ordinance Book No. 11 Page No. 245-248**

**® B. Ordinance No. 1680 - An Ordinance deleting portions of**

**Chapter 14 of the Code of Ordinances of the City of Asheville entitled "Health and Sanitation".**

Mayor Bissette said portions of Chapter 14 of the Code of Ordinances that are being deleted are no longer needed.

Mayor Bissette said this ordinance was previously presented to members of Council and will not be read in its entirety.

Councilman Price moved for the adoption of Ordinance No. 1680. This motion was seconded by Councilman Martin.

On a roll call vote of 6-0, Ordinance No. 1680, passed on first reading.

Councilman Price moved to suspend the rules and proceed to the second reading of Ordinance No. 1680. This motion was seconded by Councilman Martin and carried unanimously.

On a roll call vote of 6-0, Ordinance No. 1680, passed on second reading.

Councilman Price moved to suspend the rules and proceed to the third and final reading of Ordinance NO. 1680. This motion was seconded by Councilman Bratton and carried unanimously.

On a roll call vote of 6-0, Ordinance No. 1680 passed on third and final reading.

**Ordinance Book No. 11 Page No. 249**

**® C. Approval of bids for Automobiles and Trucks for the**

**Police Department, the Planning Department and the Public Works Department.**

Mayor Bissette said the bids were received for fourteen

(14) patrol (blue and white), (3) unmarked police vehicles for the Police Department; one (1) mid-size sedan for the Planning Department and two (2) 3/4 ton four wheel drive pick-ups for the Public Works Department. Staff recommends the acceptance of the following bids: 14 each Police Vehicles - Patrol (blue and white) for the Police Department, Harrelson Ford, Inc. for 1988 Ford LTD Crown Victoria at \$12,118.25 each = \$169,655.50; 2 each police vehicles - unmarked for Police Department, Harrelson Ford, Inc. for 1988 Ford LTD Crown Victoria at \$11,725.00 each for a total of

\$23,450.00; 1 each police vehicle - unmarked with Cruise Control for Police Department, Harrelson Ford, Inc. for 1988 Ford LTD Crown Victoria at \$11,839.00; 1 each mid-size sedan for Planning Department, Harrelson Ford, Inc. for 1988 Ford Taurus at \$10,053.00

Mayor Bisette said it was his understanding that there

was concern expressed relative to awarding this bid to an out of town firm. He said this matter was discussed with the local dealer and the city staff has researched the law to see if the City could give preference to a

local dealer. He said the staff also checked with the Institute of Government relative to the City giving preference to a local dealer over the low bid firm.

The City Manager said from the research it was

determined that giving preference to a local dealer was not criteria to use in not awarding a bid to a low bidder.

After discussion, Vice-Mayor Michalove moved to accept

the recommendation to award the bids to Harrelson Ford, Inc. This motion was seconded by Councilman Martin and carried unanimously.

**®V. CONSENT:**

**® A. Resolution No. 88-34- Resolution authorizing submittal**

**of an application to the U. S. Department of Housing and Urban Development for a grant to carry out Fair Housing**

**activities.**

Mayor Bisette said the grant application will

provide \$29,000 to the City to carry out the second year of Fair Housing Enforcement activities. The City will contract with the Asheville-Buncombe Community Relations Council for staff support to the

Fair Housing Commission to carry out the program.

Councilman Boland requested that the Fair Housing

Commission give members of Council a status report.

**Resolution Book No. 17 Page No. 94**

**® B. Resolution No. 88-35 - Resolution authorizing free**

**parking at metered parking spaces on March 4, 5, and 6,**

**1988 for the Southern Conference Basketball Tournament.**

Mayor Bisette said the Southern Conference

Basketball Tournament will be held in the Asheville Civic Center on March 4, 5, and 6, 1988. The capacity of the Civic Center Parking Garage is 600 cars. The number of persons attending the Southern Conference Basketball Tournament exceeds this capacity. It is the desire of the City of Asheville to encourage attendance at this tournament and to make parking as convenient as possible. The Asheville City Council has determined that the best solution to this

problem is to provide on-street parking without the necessity of leaving the Civic Center from time to time in order to feed the

meters.

**Resolution Book No. 17 Page No. 95**

**® C. Resolution No. 88-36 - Resolution authorizing the City**

**Manager to execute a contract with Tennoca Construction Company, Inc. for the Haywood Street and North French**

**Broad Drainage Improvements.**

Mayor Bissette said this resolution will authorize

execution of a contract for drainage improvements at the intersection of Haywood Street and North French Broad Avenue, associated with the Chamber of

Commerce building expansion.

**Resolution Book No. 17 Page No. 96**

Upon motion of Vice-Mayor Michalove, seconded by

Councilman Boland the consent agenda was unanimously

approved.

**®VI. OTHER BUSINESS:**

**®CLAIMS - EDGAR TODD (SEWER) - JOHN EDMONDSON (STREETS) - BRADY BLACKBURN (WATER) - TIM SPENCE (STREETS) - GLORIA GRAYLOR (STREETS) - LJ REALTY COMPANY (SEWER) - ROBERT LUTZ (STREETS) - MARY HEUER (PARKS) - RANDY SUTHARD (STREETS)**

The City Manager presented claims received from Edgar Todd, John Edmondson, Brady Blackburn, Tim Spence, Gloria Graylor, LJ Realty Company, Robert Lutz, Mary Heuer, and Randy Suthard.

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

**®RALPH BISHOP - COMMENTS RELATIVE TO SIGN ORDINANCE AND LOTTERY SALES**

Ralph Bishop commented to members of Council that the Sign Ordinance punishes local businesses. He also spoke relative to lottery sales in the City of Asheville.

**®ADJOURNMENT:**

Upon motion, the meeting adjourned at 5:55 p.m.

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**MAYOR CITY CLERK**

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