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® Tuesday - March 8, 1988 - 4:00 P.M.

Regular Meeting

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

M. Michalove; Councilmen Norma T. Price, Mary Lloyd Frank and Russell Martin; Corporation Counsel William F. Slawter; City Manager Douglas O. Bean; and Associate

City Manager/City Clerk William F. Wolcott, Jr.

Absent: Councilmen Walter Boland and Wilhelmina Bratton

INVOCATION

The invocation was given by Councilman Martin.

APPROVAL OF MINUTES - MARCH 1, 1988

Mayor Bisette announced the approval of the minutes of the March 1, 1988 meeting as submitted.

®I. PROCLAMATIONS

® A. Proclamation - "Volleyball Week"- March 7-13, 1988.

Mayor Bisette read the proclamation and presented the proclamation to Donnie Luke.

®II. PUBLIC HEARING

®A. Public hearing relative to rezoning property located at 11

State Street.

Mayor Bisette opened the public hearing a 4:23 p.m.

The City Clerk presented the notice to the public and the affidavit of publication.

Verl Emrick, Director of Planning, said at a meeting held on January 13, 1988, the Planning and Zoning Commission considered the petition of Mr. John White that Ward 5, Sheet 11, Lot 72 be rezoned from R-3 Residential District to CS Commercial Service District. He said the Commission, after reviewing the request, voted to recommend to City Council that the petition be denied and that the property remain as it is currently zoned due primarily to the way the property is situated on State Street and also because the proposed zoning would go back too far into the residential area.

Mr. Emrick said Mr. White, the petitioner, had appealed the recommendation of the Commission and requested a hearing before the City Council.

Mr. White said he felt the "commercial service" designation was the only reasonable zoning for the property. He said he did not have any specific use planned for the property, but that he hoped to put something on the lot that would be acceptable to the neighborhood, but would also benefit him economically.

Mayor Bisette said he had received a letter from Mrs. Maxine Painter, 15 State Street, objecting to the rezoning.

Mr. Jay Steward of Beverly-Hanks spoke in support of the rezoning.

Mayor Bissette closed the public hearing at 4:36 p.m.

Mayor Bissette said copies of the ordinance were previously distributed and the ordinance would not be read unless there was a specific request to do so.

Councilman Price moved to remand the request back to the Planning and Zoning Commission for further consideration in regard to thoroughfare zoning or any alternatives that may arise. This motion was seconded by Vice Mayor Michalove and carried unanimously.

Mr. Emrick said the request would be taken before the Planning and Zoning Commission at their April meeting at no additional expense to Mr. White.

®B. Public hearing relative to the site plan for West Terrace

Center, Phase II to be located on West Patton Avenue.

Mayor Bissette opened the public hearing at 4:40 p.m.

The City Clerk presented the notice to the public and the affidavit of publication.

Mayor Bissette said Vice Mayor Michalove had requested to be excused from the discussion and vote on this matter due to conflict.

Councilman Frank moved to excuse Vice Mayor Michalove from the discussion and vote on the site plan for Phase II of the West Terrace Center. This motion was seconded by Councilman Martin and carried unanimously.

Verl Emrick, Director of Planning, said the site plan for Phase II comprises 14 acres. He said the project would consist of 4 buildings which total 42,000 square feet. He said the developer Mr. Stewart Coleman has complied with all parking and water and sewer requirements. He said the new streets to be constructed would be privately owned. He said any motion by Council to approve the project should include the contingencies outlined by the Planning and Zoning Commission.

Mr. Stewart Coleman, property owner, said this is merely a continuation of an existing project and requested that Council approve the site plan.

Mayor Bissette closed the public hearing at 4:52 p.m.

Councilman Price moved to approve the site plan for Phase II of the West Terrace Center subject to the following conditions:

- (1) Compliance with Sedimentation and Erosion Control Ordinance;
- (2) Submission of utility letters from Water and Sewer Department and MSD;
- (3) Proper closing of Parkwood Avenue, Oakwood Street, Oakwood Place, and a portion of Green Briar Road Extension;
- (4) Installation of 20 foot buffer on eastern property line to meet city standards;
- (5) Submission of sign package in accordance with Zoning Ordinance to be reviewed by staff;
- (6) Submission of street and parking lot lighting plan to be reviewed by staff;

(7) Construction of new/unrelocated streets and parking lots to city standards.

This motion was seconded by Councilman Martin and carried unanimously.

®III. OLD BUSINESS

®IV. NEW BUSINESS

®A. RESOLUTION NO. 88-37 - Resolution adopting a Fiscal Policy

for the City of Asheville.

Mayor Bissette said this resolution will adopt a fiscal policy statement consolidating varying policies regarding City fiscal affairs into a comprehensive document which will serve as a guide to promote fiscal responsibility.

Mayor Bissette said copies of the resolution had previously been distributed to Council Members, and the resolution would not be read unless there was a specific request to do so.

Upon motion of Councilman Frank, seconded by Vice Mayor Michalove, Resolution No. 88-37 was unanimously adopted.

Complete text of **Resolution No. 88-37** will be found in

Resolution Book No. 17, Page 97.

®B. RESOLUTION NO. 88-38 - Resolution adopting the 1988-89

Strategic Plan for the City of Asheville.

Mayor Bissette said the City Council has identified the

major goals for the City for 1988, and these goals have been incorporated into a Strategic Plan to serve as a guide in carrying out city affairs.

Mayor Bissette said copies of the resolution had previously been distributed to Council Members, and the resolution would not be read unless there was a specific request to do so.

Upon motion of Councilman Price, seconded by Councilman Martin, Resolution No. 88-38 was unanimously adopted.

Complete text of **Resolution No. 88-38** will be found in **Resolution Book No. 17, Page 98.**

®V. CONSENT

®A. RESOLUTION NO. 88-39 - Resolution of intent to close First

Street and scheduling a public hearing for April 12, 1988.

Resolution Book No. 17, Pages 99 and 100

®B. RESOLUTION NO. 88-40 - Resolution authorizing the Purchasing

Director to sell surplus motor vehicles, equipment, and other surplus property at public auction.

Resolution Book No. 17, Page 101

Upon motion of Councilman Frank, seconded by Vice Mayor

Michalove, the consent agenda was unanimously adopted.

@VI. OTHER BUSINESS

@A. RESOLUTION NO. 88-41 - Resolution of intent to close

Parkwood Avenue, Oakwood Street, Oakwood Place (a/k/a Parkwood Place) and a portion of Green Briar Road Extension as shown on Exhibit A and scheduling a public hearing for

April 19, 1988.

Mayor Bissette said the closing of these streets is in conjunction with site plan for Phase II of the West Terrace Center.

Mayor Bissette said copies of the resolution had previously been distributed to Council Members, and the resolution would not be read unless there was a specific request to do so.

Upon motion of Councilman Frank, seconded by Vice Mayor Michalove, Resolution No. 88-41 was unanimously adopted.

Complete text of **Resolution No. 88-41** will be found in

Resolution Book No. 17, Page 102 and 103.

@B. CLAIMS - TROY WILLIAMS (STREETS) - SUSIE MOSELY (STREETS) -

WACHOVIA BANK & TRUST COMPANY (STREETS)

The City Manager presented claims received from Troy Williams (Streets), Susie Mosely (Streets), and Wachovia Bank & Trust Company (Streets).

Mayor Bissette referred the claims to the City Attorney for

investigation and recommendation.

@C. LAWSUITS - UNITED GLAZED PRODUCTS, INC. VS. BLOSAM

CONTRACTORS, INC., ET AL - FRED W. EGGERTON VS. CITY OF

ASHEVILLE

The City Manager said the City of Asheville was named a party in lawsuits involving United Glazed Products, Inc., vs. Blossam Contractors, Inc. et als (lien perfection; City named a party since it has Deed of Trust) and Fred V. Eggerton vs. City of Asheville (property damage from automobile accident).

@D. RALPH BISHOP - REQUEST FOR COPIES OF COUNCIL ACTION

Ralph Bishop requested copies of the records involving the \$1,800,000 approved for the Schneider Nine Project and the \$100,000 approved for downtown development.

Mayor Bissette advised Mr. Bishop that the \$100,000 was approved for the Economic Development Partnership in last year's budget. He requested that staff furnish Mr. Bishop with copies of the records he had requested.

@VII. ADJOURNMENT

Upon motion of Councilman Frank, seconded by Councilman Price, Council adjourned to Executive Session at 5:25 p.m.

MAYOR CITY CLERK
