

((1))

® Tuesday - January 17, 1989 - 4:00 P.M.

Regular Meeting

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

M. Michalove; Councilmen Mary Lloyd Frank, Norma T. Price, Wilhelmina Bratton, George Tisdale, and Walter Boland; 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 Bratton.

MINUTES - JANUARY 10, 1989

Mayor Bissette announced the approval of the minutes of the January 10, 1989 meeting as submitted.

®I. PROCLAMATIONS:

® A. Proclamation - McGruff the Crime Dog - "Asheville's

Number One Crime Dog"

Mayor Bissette read a proclamation proclaiming "McGruff-the Crime Dog" as Asheville's Number One Crime Dog and presented the proclamation to Major Beaver and "McGruff" of the Asheville Police Department.

Mayor Bissette expressed his appreciation to "McGruff-the Crime Dog" for his work in educating the public, especially school children, on what they could do to prevent crime.

®II. PUBLIC HEARINGS:

®III. OLD BUSINESS:

® A. Ordinance No. 1745 - An ordinance relative to amending

Section 30-5-12. OI- Office Institutional District to

permit banks.

Mayor Bissette said this ordinance was previously read and would not be reread in its entirety unless there was a specific request to do so.

On a roll call reading of 7-0, Ordinance No. 1745 passed on second reading.

® B. Report relative to Inspections Division.

City Manager Doug Bean said since the last meeting, he had followed up on two items that had come up with regard to issues concerning follow-up inspections.

1. Work presently being done at Wind-In-The-Oaks and the Developer can't get an Inspector up for a final inspection:

Mr. Bean said the reason for this was because the developer had taken out a permit to repair faulty attic firewalls and that the permit was for firewalls in **all** of the units rather than just one unit. Therefore, he said an inspection could not be made until all the work was done in all the units.

2. Inspections Division called twice to get an Inspector up to explain inspections finding to me and no one called back:

Mr. Bean said this did in fact happen in the case of a Mr. Robichaud. However, he said the reason for this mistake was due to the call being assigned to an Inspector who suffered a leg injury and had to go home before he could contact Mr. Robichaud. He said this was an oversight and has been corrected.

Mr. Bean said an Inspector has been assigned to this particular area to be sure everything is being done to assist the owners and occupants of the Wind-In-The-Oaks. To date, he said 14 inspections have been scheduled and certified letters will be mailed to those owners/occupants that we haven't heard from.

In addition, Mr. Bean said 40 other buildings throughout the City have been identified as being occupied without final inspections or CO's, and follow-up meetings with these owners have been scheduled.

Mr. Bean said a 30-day spot check is being instituted so that the City would not be put in the position of waiting a year or more to find out a CO had not been issued. Mr. Bean said the City's Industrial Engineer has been asked to conduct a study of the Building Inspections Division to determine how we can do a better job using the same number of people.

Mr. Bean said the following serious violations at Wind-In-The Oaks were found: Four of ten units have cracked foundation walls; in all units fire separation in attics was not finished to Code; fire separation in basement, where holes were put in walls for plumbing, was not finished to Code; and deck supports were not built to Code. He said some less serious problems noted were floor beams not breaking over support posts

and inadequate basement ventilation.

®IV. NEW BUSINESS:

® A. Ordinance No. 1747 - Budget Ordinance Amendment for

Pack Place and Street and Sidewalk Bond.

Mayor Bissette said this budget amendment is to reflect \$8,400,000 bond sale and revisions to the Street and Sidewalk Plan to reflect 1988/89 funding.

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

Councilman Bratton moved for the adoption of Ordinance No. 1747. This motion was seconded by Councilman Martin.

On a roll call vote of 7-0, **Ordinance No. 1747** passed on first and final reading.

Complete text of **Ordinance No. 1747** will be found in

Ordinance Book No. 11, Page 419.

® **B. Resolution No. 89-5 - Resolution authorizing submission**

of an application to the U. S. Department of Housing and Urban Development for Rental Rehabilitation Program

Funds.

Mayor Bissette said this resolution will authorize submission of an application to HUD for funds in the amount of \$63,000 for Rental Rehabilitation Program assistance for investor owners for deferred payment loans to rehab at least eight (8) units.

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

Complete text of **Resolution No. 89-5** will be found in

Resolution Book No. 17, Pages 315 and 316.

® **V. CONSENT:**

® **VI. OTHER BUSINESS:**

® **CLAIMS - JUDY MERCHANT (SEWER), MICHAEL PONDER (WATER), TAMMY DODSON (SEWER), CLATIE THOMAS (WATER) AND SANDRA SMITH (STREETS)**

The City Manager presented claims received from Judy Merchant (Sewer), Michael Ponder (Water), Tammy Dodson (Sewer), Clatie Thomas (Water) and Sandra Smith (Streets).

Mayor Bissette referred the claims to the City Attorney

for investigation and recommendation.

® **LAWSUIT - CAPPER TRAMM V. CITY OF ASHEVILLE**

The City Manager said the City was served with a lawsuit on January 13, 1989, involving Capper Tramm who is suing the City to maintain a roadway.

Mayor Bissette referred the lawsuit to the City

Attorney for investigation and recommendation.

® **REPORT OF GROUP DEVELOPMENT ACTIONS BY THE PLANNING AND ZONING**

COMMISSION

Patty Tallerday said the City Council adopted a procedure whereby the Planning Director reports final recommendations of the Planning and Zoning Commission relative to

group developments at the next scheduled regular meeting of the City Council. She said in accordance with the new procedure, the action of the Commission shall be final unless the City Council determines at their meeting to schedule a public hearing on the matter. She said the following action was taken by the Planning and Zoning Commission at their meeting on January 11,

1989.

® **SITE PLAN - PACK PLACE EDUCATION, ARTS & SCIENCE CENTER, INC.**

PHASE A

Ms. Tallerday said the Asheville Planning and Zoning Commission on January 11, 1989, reviewed and approved the site plan of **Phase A of the Pack Place Education, Arts & Science Center, Inc.** subject to all phases being consistent with the City Streetscape Plan as determined by the Planning Director prior to occupancy of the project; approval of water and sewer service; approval of rubbish removal plans, and erosion control and utility plans being approved by the Engineering Department prior to construction.

Council accepted the recommendation of the Planning and Zoning Commission relative to the site plan for Phase A of the Pack Place Education, Arts & Science Center, Inc.

@INTRODUCTION - NEW PLANNING DIRECTOR

City Manager Doug Bean introduced Julia C. Cogburn as the new Planning Director. He said he was pleased that Mrs. Cogburn had decided to accept the position.

Mr. Bean thanked Patty Tallerday, who had served for the past four and one-half months as the Acting Director of Planning. He said Ms. Tallerday had done a superb job.

@PAY ISSUES FOR CITY EMPLOYEES

Mr. Forrest Howard, resident of Riverview Drive, addressed the City Council relative to higher pay for members of the Asheville Police Department. Mr. Howard said he was a 5-year veteran of APD, but presently works for the U. S. Marshall's Office.

Officer Tom Aardema, President Lodge #1 of the Fraternal Order of Police, spoke in support of higher pay for

police officers. He said the officers just can't live on what they are being paid. He said the officers need a 25% salary increase now to bring them up to what they should be. Officer Aardema said the Police Department is losing experienced officers as soon as they train them.

Mayor Bisette said the Council does want its employees to be compensated on a fair and competitive basis. He realizes it is almost indescribable what police officers go through on one patrol, but that the City Council wants all City employees to be fairly compensated. He said this is why Council authorized the pay studies which compared the salary of City employees to other cities of our approximate size. Mayor Bisette said the City Council expects to receive a report on the pay study within the next month. He emphasized that the main purpose of the study was to be sure that the City of Asheville pay plan is competitive with other cities.

Officer Gary Rickman said he had followed the Grievance Procedure on a pay issue, but that he had not received any satisfaction. He said the Civil Service Board was supposed to write a letter to the City Council making a recommendation on his particular situation.

Mayor Bisette requested that City Manager Doug Bean give Council a report on Officer Rickman's Grievance in an Executive Session.

Upon inquiry of Councilman Frank, Assistant City Manager Charles Penny said as of November 16, 1988, there were 10 vacancies in the Police Department - 6 in patrol, 1 in C.I.D., 1 in Administration, 1 in Technical Services, and 1 in Support Services. At that time, he said three retirements were also anticipated. Mr. Penny said the next Cadet Class will begin in late February or early March of this year.

Mr. Arnold Cremer of the Traffic Engineering Division told Council that low morale was a problem in the Traffic Engineering Division due to low and inadequate pay.

Officer Randy Martin said the job of a police officer is very different in nature from jobs other City employees do. He said police officers' lives hang in the balance every time they respond to a call. For this reason, he said he felt police

officers should be treated differently.

Officer Rick Matthews, 6-1/2 year veteran of APD, said

he presently works alone with no back up and that he has to depend on other agencies.

Officer Paul Reno said there were 12 officers in his rookie class and that 12 graduated. However, he said two officers have quit due to low pay.

Officer Phillip Maxwell, 7-year veteran of APD, said he is currently assigned to Hillcrest - a job he didn't volunteer for. He said he would really have to concur with Mr. Howard's opinion on the shortage of manpower.

Ralph Bishop, speaking from a victim's viewpoint, said he felt police officers were not entitled to any raise in pay until they begin enforcing all of the laws of North Carolina, especially lottery peddling in the City of Asheville.

Officer Michael Lanning took exception to Mr. Bishop's remarks and said that on his second day on the job he was wounded when he responded to an armed robbery. He said the City of Greenville, SC, is currently paying their entry officers \$22,000 and if they have a college education \$23,000. He said people take for granted what police officers do for a living.

Officer Rhonda Castlewitz also took exception to Mr. Bishop's remarks and challenged anyone to do what the officers are doing for what they are making.

@JOHNNY BAXTER - YMI BUILDING REMAINING ON NATIONAL REGISTER

Mr. Johnny Baxter addressed the Council relative to the YMI Building remaining on the National Register of Historic Buildings. Mr. Baxter said the contract calls for the building to be restored to its original character and if this is not done, there is a chance that it will be taken off the National Register. He said there are three (3) serious violations of the contract. Also, he said the name of the auditorium has been changed and this also takes away from the original character of the YMI. He requested Council's assistance in enforcing the terms of the contract and getting the name of the auditorium changed back to its original name. He said the City of Asheville had granted an easement to the YMI; therefore, he felt the City had some authority to assist in this matter.

Mayor Bissette told Mr. Baxter he would have the City Attorney look into the situation and see what legal rights and responsibilities the City has, if any, with regard to the YMI Building.

@VII. ADJOURNMENT

Mayor Bissette adjourned the meeting at 5:40 p.m.

MAYOR CITY CLERK
