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Tuesday - January 31, 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, Russell Martin and A. Robert York; Corporation Counsel William F. Slawter; City Manager Douglas O. Bean; and Associate City

Manager/City Clerk William F. Wolcott, Jr.

Absent:

INVOCATION

The invocation was given by Councilman Martin.

APPROVAL OF MINUTES - JANUARY 24, 1989

Mayor Bissette announced the approval of the minutes of the January 24, 1989 meeting as submitted.

®I. PROCLAMATIONS:

®Resolution No. 89-7 - Resolution in memory of William F. Algary

Mayor Bissette read a resolution in memory of William F. Algary, a former member of the Council of the City of Asheville from September, 1955 until May, 1969.

Upon motion of Councilman Price, seconded by Councilman Frank, Resolution No. 89-7 was unanimously adopted.

Resolution Book No. 17 Page No. 318

® A. "Heart of Asheville Month" - February, 1989

Mayor Bissette read a proclamation proclaiming

February, 1989 as "Heart of Asheville Month" which is to celebrate the revitalization of downtown with fellow Ashevilleians.

Mayor Bissette presented a copy of the proclamation to

Mark Rosenstein, President of the Downtown Association, who explained the activities taking place during February, 1989 to celebrate the revitalization of

downtown.

® B. "American History Month" - February, 1989

Mayor Bissette read a proclamation proclaiming

February, 1989 as "American History Month". He presented a copy to Clare McDowell with the Daughters of the American Revolution.

®II. PUBLIC HEARINGS:

®III. OLD BUSINESS:

® A. Resolution to close a portion of Cliff Street in the City of Asheville, North Carolina.

Mayor Bissette said a petition has been filed by

Westgate Shopping Center of Asheville, Inc. requesting that a portion of Cliff Street which has never been paved or otherwise utilized be permanently closed to the public use. This closing is in connection with the Westgate Shopping Center Expansion Project - Phase II. A public hearing was held on September 27, 1988. Action on the resolution has been continued on several occasions and until January 31, 1989.

The City Attorney said this **resolution should be deleted**

since the petitioners have withdrawn their petition to close a portion of Cliff Street.

®IV. NEW BUSINESS:

® A. Report relative to Pritchard Park Bus Transfer Point.

Bob Carr, Chairman of the Asheville Downtown Commission,

said efforts are being made to redesign Pritchard Park to facilitate multiple events in the park and to allow for a variety of functions necessary for revitalization efforts downtown. He said Pritchard Park is the anchor for downtown retail business and is to be known as the "hot spot" or "happening spot" in downtown.

Mr. Carr said in order to proceed with the redesign a

study was conducted with the assistance of LDR, a consultant for downtown revitalization, to relocate the Pritchard Park Bus Transfer Point. He said meetings were held with the Asheville Transit Authority in a search for a better hub site for a bus transfer point close to downtown. He said after considering all factors involved a site on South Lexington Avenue was chosen as the best possible location. He said this site has advantages and disadvantages but the City already owns the property; it is located on a 2-way street and is 1-1/2 blocks from the present bus transfer point. He said the Downtown Commission and the Asheville Transit Authority would be considering the use of a motorized shuttle bus service to this location.

He said grant funds would more than likely be available

to help with this project; however, they need Council's approval of this idea in order to continue with this project. He said it would cost approximately \$8,000 but federal monies would be available next spring and the City could be reimbursed with grant funds through the Urban Mass Transportation Administration. He said in his opinion this is the next major step in encouraging reinvestment downtown.

Upon inquiry of Councilman Price, Carl Owenby with the

Asheville Transit Authority, said the Authority also had some concerns about receiving input from individuals that

presently use the bus system. He said the bus drivers have been interacting with the users and will be given "handouts" in order to receive comments about moving the bus transfer point.

Vice-Mayor Michalove said he would like to know what additional operational costs would be involved with relocating the bus transfer point.

Councilman York said he would like to know the present income the City receives from the existing parking lot on South Lexington Avenue.

Councilman Frank said some time ago she had requested that a survey be taken of the ridership to determine how many of these individuals are shoppers in downtown. She said she felt there would be a reluctance from the residents of Battery Park and Vanderbilt Apartments in moving the bus transfer point.

Carl Owenby and Mayor Bissette said they felt the implementation of the shuttle bus service would help.

John Daniel with the Downtown Commission, said in essence they are asking the City to appropriate \$8,000 for this project. He said it would probably take two (2) years for implementation of the project.

After discussion, the City Manager was instructed to proceed with the preparation of a budget amendment in the amount of \$8,000 for Council's consideration.

® B. Resolution authorizing the condemnation of property in the Hazel Mill Bridge Replacement Project.

Mayor Bissette said this resolution will authorize

the Asheville Housing Authority to condemn, if necessary, the C. G. Johnson Heirs property on Hazel Mill Road for the Hazel Mill Road Bridge Replacement Project. Offers and negotiations for the acquisition of this property have not resulted in an agreeable settlement and condemnation appears

to be the only remaining method of acquisition.

After discussion, it was decided to postpone action

on this resolution in order for Council to receive additional information and to review the plans for the Hazel Mill Bridge Project.

Councilman Bratton also requested that the individuals involved in the condemnation be notified that Council is considering taking such action.

® C. Resolution authorizing the condemnation of property in the Murdock Avenue Bridge Project.

Mayor Bissette said this resolution will authorize

the Asheville Housing Authority to condemn, if

necessary, the properties at 191 and 200 Murdock Avenue owned by the Congregation Beth Isreal and O'Donald for the Murdock Avenue Bridge Project. Offers and negotiations for the acquisition of this property have not resulted in an agreeable settlement and condemnation appears to be the only

remaining method of acquisition.

After discussion, it was decided to postpone action

on this resolution in order for Council to receive additional information and to review the plans for the Murdock Avenue Bridge Project.

Councilman Bratton also requested that the

individuals involved in the condemnation be notified that Council is considering taking such action.

® D. Resolution authorizing the condemnation of property in the Chestnut Street Bridge Replacement Project.

Mayor Bissette said this resolution will authorize

the Asheville Housing Authority to condemn, if necessary, the properties on Broadway owned by Robert C. & Betty Lawrence and Maxine M. Klutts for the Chestnut Street Bridge Replacement Project. Offers and negotiations for the acquisition of this property have not resulted in an agreeable settlement and condemnation appears to be the only

remaining method of acquisition.

After discussion, it was decided to postpone action

on this resolution in order for Council to receive additional information and to review the plans for the Chestnut Street Bridge Project.

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Councilman Bratton also requested that the

individuals involved in the condemnation be notified that Council is considering taking such action.

®V. CONSENT:

® A. Resolution No. 89-8 - Resolution establishing and appointing members to a Citizen Advisory Committee for the Stormwater Management Program.

SUMMARY: This committee is being established to

discuss the educational program for the Stormwater Management Program.

Resolution Book No. 17 Page No. 319-321

® B. Resolution No. 89-9 - Resolution appointing members to the Asheville Fair Housing Commission.

SUMMARY: This resolution will reappoint Doug Bebber and Edward Hay to the Asheville Fair Housing Commission.

Resolution Book No. 17 Page No. 322

® C. Resolution No. 89-10 - Resolution appointing members to the Board of Adjustment.

SUMMARY: This resolution will reappoint Ben McKenzie as a member of the Board of Adjustment.

Resolution Book No. 17 Page No. 323

® D. Resolution No. 89-11 - Resolution appointing member to the Asheville Transit Authority.

SUMMARY: This resolution will appoint Mabel Hopkins as a member of the Asheville Transit Authority.

Resolution Book No. 17 Page No. 324

® E. Resolution No. 89-12 - Resolution appointing member to the Firemen's Relief Fund.

SUMMARY: This resolution will reappoint Webb Ellis as a member of the Firemen's Relief Fund.

Resolution Book No. 17 Page No. 325

® F. Resolution No. 89-13 - Resolution appointing member to the Asheville Downtown Commission.

SUMMARY: This resolution will appoint Councilman York as a member of the Asheville Downtown Commission.

Resolution Book No. 17 Page No. 326

® G. Resolution No. 89-14 - Resolution authorizing the Mayor

to execute an application and related documents for a grant from the Appalachian Regional Commission for a Foreign Trade Zone Feasibility Study.

SUMMARY: Funds are available through the

Appalachian Regional Commission for a foreign trade zone feasibility study. The Economic Development Task Force of the Asheville Area Chamber of Commerce will conduct the study; however, grant funds

must come through the City of Asheville.

Resolution Book No. 17 Page No. 327

®H. Scheduling public hearing relative to floodway

revisions to Smith Mill Creek for project of Charles S. Livengood at 46 New Leicester Highway for February 14,

1989.

SUMMARY: Staff has reviewed the plans and

calculations regarding this project. The plans indicate that no increase in flood levels will be caused by the project. Staff recommends approval of the project

subject to the following contingencies:

1) Owner to obtain all appropriate

Federal, State and local permits; and

2) Owner to meet all FEMA requirements, and to provide FEMA with all documentation and fees necessary pursuant to amending the Floodway Boundary and Floodway Maps, and Flood Insurance Rate Maps to the area

affected by the project.

Upon motion of Vice-Mayor Michalove, seconded by

Councilman Price, the consent agenda was unanimously

approved.

®VI. OTHER BUSINESS:

®WORKER'S COMPENSATION APPEAL - GEORGE WATKINS - RETAINING ATTORNEY WILLIAM RUSSELL

At the request of the City Attorney, Vice-Mayor Michalove moved to authorize retaining Attorney William Russell to represent the City in the Worker's Compensation Appeal for George Watkins. This motion was seconded by Councilman Bratton and carried unanimously.

®WOODFIN WATER SYSTEM - MAJOR PROBLEMS

Vice-Mayor Michalove said the Woodfin Water System had major water problems this past weekend. He said these problems affect city residents and the residents would probably be asking the Asheville-Buncombe Water Authority to

assume responsibility of these water lines.

**®CLAIMS - JAMES CHAPMAN (WATER) - SIDNEY FELDMAN (WATER) - LOUISE CONLEY (SEWER)
- DENISE WORLEY (WATER) - CHARLES PATTON (STREETS) - MRS. HOWARD COLLINS
(SEWER)**

The City Manager presented claims received from James Chapman, Sidney Feldman, Louise Conley, Denise Worley, Charles Patton, and Mrs. Howard Collins.

Mayor Bissette referred the claims to the

Corporation Counsel for investigation and recommendation.

®ADJOURNMENT:

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

MAYOR CITY CLERK
