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® Tuesday - February 28, 1989 - 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 A. Robert York; Acting Corporation Counsel Patsy Brison; City Manager Douglas O. Bean; and Associate City Manager/City Clerk William F. Wolcott, Jr.

Absent: Councilman Mary Lloyd Frank and Corporation Counsel

William F. Slawter

INVOCATION

The invocation was given by Councilman Bratton.

APPROVAL OF MINUTES - FEBRUARY 21, 1989 MEETING

Mayor Bissette announced the approval of the minutes of

the February 21, 1989 meeting as submitted.®

I. PROCLAMATIONS:®

II. PUBLIC HEARINGS:®

III. OLD BUSINESS:®

IV. NEW BUSINESS:®

A. Resolution No. 89-28 - Resolution stating the intent of

the City of Asheville to consider the annexation of an area known as Skyland II and fixing the date of a public hearing on the question of annexation.

Mayor Bissette said pursuant to Part 3 of Article 4A of

Chapter 160A of the N. C. General Statutes, the City of Asheville has examined certain areas to determine if they qualify for annexation. By Resolution No. 87-99, adopted June 2, 1987, the City of Asheville identified the Skyland II area as being under consideration for annexation. A report of the plans for extending services to said territory will be available for public inspection in the City Clerk's Office. A legible map of the area to be annexed and a list of persons holding freehold interest in property in the area will be posted in the City Clerk's Office. This resolution will set the date of the public hearing for 4:00 P.M. on April

18, 1989, in the Asheville Civic Center Banquet Room.

By the use of a map, Patty Tallerday with the

Planning Department, outlined the area proposed to be annexed.

Upon motion of Councilman Bratton, seconded by Vice-

Mayor Michalove, Resolution No. 89-28 was
unanimously adopted.

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B. Resolution No. 89-29 - Resolution stating the intent of

the City of Asheville to consider the annexation of an area known as Woods Edge and fixing the date of a public hearing on the question of annexation.

Mayor Bissette said pursuant to Part 3 of Article 4A of

Chapter 160A of the N. C. General Statutes, the City of Asheville has examined certain areas to determine if they qualify for annexation. By Resolution No. 87-99, adopted June 2, 1987, the City of Asheville identified the Woods Edge area as being under consideration for annexation. A report of the plans for extending services to said territory will be available for public inspection in the City Clerk's Office. A legible map of the area to be annexed and a list of persons holding freehold interest in property in the area will be posted in the City Clerk's Office. This resolution will set the date of the public hearing for 4:00 P.M. on April 18, 1989, in the Asheville Civic Center Banquet Room.

By the use of a map, Patty Tallerday with the Planning
Department, outlined the area proposed to be annexed.

Upon inquiry of Ralph Bishop, Mayor Bissette said the
taxes received from these annexed areas would not be
used for downtown revitalization.

Upon motion of Councilman Martin, seconded by Vice-Mayor
Michalove, Resolution No. 89-29 was unanimously adopted.

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C. Resolution No. 89-30 - Resolution authorizing the City

Manager to enter into an encroachment agreement with Peter D. Williams and Kathy M. Williams for encroachment on Westchester Drive.

Mayor Bissette said certain improvements on property

owned by Mr. and Mrs. Williams encroach upon the right-of-way for the City of Asheville on Westchester Drive. This encroachment was made in error and was unintentional. This resolution will authorize the City Manager to execute an encroachment agreement by and between the City of Asheville and Peter D. Williams and his wife, Kathy M. Williams, for encroachments on the right-of-way for Westchester Drive.

Upon motion of Councilman York, seconded by Councilman

Price, Resolution No. 89-30 was unanimously adopted.

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® D. Consideration of Preliminary Subdivision Plat -

Sherwood Heights Extension - located on Elk Mountain Scenic Highway.

Mayor Bissette said the Asheville Planning and Zoning

Commission on February 12, 1989, reviewed and approved the preliminary plat of Sherwood Heights Extension, subject to the following contingencies:

1. City Council granting a variance from City subdivision street grade standards of 12% to 18%;
2. NCDOT approval of connection to Elk Mountain Scenic Highway;
3. Compliance with Erosion Control Ordinance; and
4. Provision of sufficient water pressure to support fire protection.

Tom Elmore with the Planning Department said this

project is a 16 lot subdivision and is an extension of an existing subdivision. He presented maps showing the proposed extension of this subdivision. He said the Planning and Zoning Commission approved the preliminary plat contingent upon the City Council granting a variance from the roadway standards in the subdivision ordinance of a 12% street grade to a 18% grade. He said the Public Works Department reviewed the proposed street and recommended that the 12% street grade be met.

Gary Davis, with McGill Associates, Engineers for

the site development, speaking in support of Council granting the street grade variance, showed several maps and outlined alternatives as to the reason the variance is requested. He explained the pros and cons of each alternative that was considered.

Chief John Rukavina, Asheville Fire Department,

recommended that the 12% street grade standard be met. He said the fire trucks are not built to deal with an 18% grade and this would cause a definite problem.

After discussion, Vice-Mayor Michalove moved to

table action on the preliminary plat until March 7, 1989 giving members of Council an opportunity to visit the site in question. This motion was seconded by Councilman Price and carried unanimously.

®V. CONSENT:

®VI. OTHER BUSINESS:

®CLAIMS - ROSELLA MANTOOTH (STREETS) - JAMES BLACKBURN (PARKS) - SHARON WOODY (WATER) - MELISSA HARRIS (STREETS)

The City Manager presented claims received from Rosella Mantooth, James Blackburn, Sharon Woody, and Melissa Harris.

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

®RALPH BISHOP- LITTER ON KENILWORTH KNOLL ROAD

Ralph Bishop again complained to Council about the litter on Kenilworth Knoll Road across the street from McGuffey's and the Sports Club of Asheville.

®VII. ADJOURNMENT

Mayor Bissette adjourned the meeting at 5:15 p.m.

MAYOR CITY CLERK
