

((1))

Tuesday - April 11, 1989 - 4:00 P.M.

Regular Meeting

Present: Mayor W. Louis Bisette, 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 Frank.

APPROVAL OF MINUTES - APRIL 4, 1989 MEETING

Mayor Bisette announced the approval of the minutes of the April 4, 1989 meeting as submitted.

APPROVAL OF MINUTES - MARCH 21, 1989 MEETING

Mayor Bisette announced the approval of the minutes of the March 21, 1989 meeting as submitted.

I. PROCLAMATIONS:

A. Proclamation - "Parkinson Awareness Month" - April, 1989

Mayor Bisette read the proclamation and presented a copy to Mrs. Samuel A. Bingham, President of Asheville Parkinsons Support Group.

B. Proclamation - "Optimist Bike Safety Week" -

April 16 - 22, 1989

Mayor Bisette read the proclamation and presented a copy to John Teeter with the Asheville Optimist Club.

((1))

C. Proclamation - "Clean Streams Day" - April 15, 1989

D. Proclamation - "Glad Bag-A-Thon" - April 22, 1989

Mayor Bissette read the proclamations and presented them to Janie Wilson, Keep America Beautiful/Clean Community Coordinator with Quality Forward.

E. Proclamation - "Laboratory Week" - April 9 - 15, 1989

Mayor Bissette read the proclamation and presented a copy to Kathy Hill, from the Laboratory Department of the VA Medical Center.

II. PUBLIC HEARINGS:

III. OLD BUSINESS:

A. Ordinance amending the Charter of the City of Asheville

to provide for nonpartisan elections with two or four year staggered terms.

Mayor Bissette said the North Carolina General Statute

sec. 160A-101 provides that any city may change various aspects regarding its form of government, including the manner in which municipal primaries and elections are conducted. Municipal elections in the City of Asheville are currently conducted on a partisan basis and City Council members serve concurrent two year terms. A public hearing was held on this ordinance on April 4, 1989.

Mayor Bissette said members of Council discussed the

issue of nonpartisan elections during their pre-council work session and reached a consensus to schedule a referendum on the issue of nonpartisan municipal elections. He said the tentative schedule for this process is as follows:

6/27/89 Adoption of Resolution of Intent

7/11/89 Publication of Notice of Public Hearing

(must be at least 10 days before public hearing)

((1))

7/25/89 Pubic hearing

(must be within 45 days of Resolution of Intent)

8/1/89 First reading of Ordinance

(no earlier than next regular meeting after public hearing)

8/8/89 Second reading of Ordinance

8/15/89 Final adoption of ordinance

(must be within 60 days after public hearing)

8/15/89 Adoption of Resolution scheduling

referendum

8/22/89 Publication of Ordinance

(must be within 10 days of adoption)

11/7/89 Referendum

(must be within 90 days of adoption of Ordinance)

Herbert Hyde, Chairman of the Buncombe County

Democratic Executive Committee, said in 1985 more than 100 members of the Buncombe County Democratic Party adopted a Statement of Principles, one of which stated that partisan political parties are necessary for good government. He said members of Council must have someone to answer to and the only way that can happen is through political government. He said nonpartisan elections would lower the esteem and accountability of government officials.

Shirley Birdie, President of the League of Women

Voters, said they did not wish to take a position on the issue of nonpartisan municipal elections; however, they are strongly in favor of a referendum on the issue and the establishment of an educational forum on partisan/nonpartisan elections.

((1))

John Fobes said he was in favor of a referendum on the

issue of nonpartisan elections and felt that more public discussion on the subject is needed.

Ralph Bishop said the City of Asheville needs honest

people on Council and in government.

Vice-Mayor Michalove moved to postpone action on the

issue of nonpartisan elections until June 27, 1989. This motion was seconded by Councilman York and carried unanimously.

IV. NEW BUSINESS:

A. Resolution No. 89-51 - Resolution endorsing the recommendations of the NC Highway Study Commission.

Mayor Bisette said this resolution was requested by the

US 23/I-26 Corridor Association. The resolution will be presented, as part of a total Western North Carolina effort, to the Governor, the Secretaries of Transportation and Commerce and key legislators on April 12, 1989 in Raleigh.

Upon inquiry of Councilman Price, Mr. Burroughs from the

Land-of-Sky Regional Council, outlined a portion of the recommendations of the NC Highway Study Commission. He said a complete list of the recommendations could be furnished to members of Council.

Councilman Frank commented that the proposed Highway

Bill will increase Powell Bill funds by one-third and funds will be made available for unpaved secondary roads.

Upon motion of Councilman Frank, seconded by Councilman

Martin, Resolution No. 89-51 was unanimously adopted.

Resolution Book No. 17 Page No. 394

((1))

V. CONSENT:

A. Bids for one (1) truck mounted asphalt patching machine

for Public Works Department, Street Division

SUMMARY: Recommendation for award of Bid Request No.

347-89 for one "Pro-Patch" model TCM 415-160 Asphalt Patching Machine mounted on a 1989 "GMC" model C7D042 Cab and Chassis with options as specified to the low bidder, H. D. Industries, Inc., Jacksonville, Texas, in the amount of \$57,509.08.

B. Resolution No. 89-52 - Resolution endorsing the

restated bylaws of the Economic Development Partnership

of Asheville-Buncombe Area, Inc.

SUMMARY: The Chairman of the Economic Development

Partnership has recommended that Council endorse the recommended revised bylaws. The only change is in the membership terms. Rather than July to June, the terms as proposed will run January to December. This allows the membership of the partnership to be reflective of November elections. It also allows continuity when proposing budgetary expenditures to each of the agencies. The recommendation come to Council with unanimous endorsement, after having been proposed by the partnership's legal advisor, Jack Stevens.

Resolution Book No. 17 Page No. 395

C. Resolution No. 89-53 - Resolution authorizing

submission of an application to the Governor's Crime Commission for funding under the Victims Assistance Program.

SUMMARY: The grant will provide funding for the Housing

Authority of the City of Asheville to administer a preventive victims assistance program. The program is designed to reduce crime in public housing through education and awareness programs for potential victims of crime.

Resolution Book No. 17 Page No. 396-397

((1))

Councilman Price said she would like to be assured

that the funds from the Governor's Crime Commission for the Victims Assistance Program are going to be used for the victims of crime rather than just for personnel.

Marvin Vierra, Community Development Director, said

it is his understanding that the funds were to be used mainly for educational purposes; however, David Jones, Executive Director of the Housing Authority could present members of Council with more information about the funds and there proposed use.

Councilman Bratton said there are strict federal

guidelines that have to be met in receiving these

grant funds.

Upon motion of Vice-Mayor Michalove, seconded by

Councilman Price, the consent agenda was unanimously

approved.

VI. OTHER BUSINESS:

CLAIMS - BILLY HAGAN (WATER)

The City Manager presented a claim received from Billy

Hagan.

Mayor Bissette referred the claim to the City Attorney

for investigation and recommendation.

®REPORT OF GROUP DEVELOPMENT ACTIONS BY THE PLANNING AND ZONING

COMMISSION

Carol Albrice, from the Planning Department, 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 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 April 5, 1989.

((1))

®(1) KENNETH HAIR APARTMENTS OFF EDGEWOOD ROAD

Mrs. Albrice said the Asheville Planning and Zoning Commission on April 5, 1989, reviewed and approved the site plan of **Kenneth Hair Apartments off Edgewood Road** subject to the City sewer easement being shown on the site plan and compliance with the Erosion Control Ordinance. She said the project will consist of four two-story units. She said no public comments were

received during the meeting.

Council accepted the recommendation of the Planning and Zoning Commission relative to the Kenneth Hair Apartments off Edgewood Road.

®(2) COUNTRY TOWNES OF HAW CREEK, PHASE II - WATERS ROAD

Mrs. Albrice said the Asheville Planning and Zoning Commission on April 5, 1989, reviewed and approved the site plan of **Country Townes of Haw Creek, Phase II - Waters Road** subject to buffering of development to comply with 1985 site plan and ordinance as approved by the Planning Director and compliance with the Erosion Control Ordinance. She said the project will consist of twenty-two residential duplexes. She said no public

comments were received during the meeting.

Council accepted the recommendation of the Planning and Zoning Commission relative to the site plan for the **Country Townes of Haw Creek - Phase II on Waters Road.**

®(3) LaPIER DEVELOPMENT - - PEARSON BRIDGE ROAD

Mrs. Albrice said the Asheville Planning and Zoning Commission on April 5, 1989, reviewed and approved the site plan of **the LaPier Development on Pearson Bridge Road** subject to the site being reduced to .99 acres as shown on the plan; buffer planted across east, north and south property lines; legal access being maintained from Pearson Bridge Road to LaPier Court; parking lot tree requirement being satisfied; and compliance with the Erosion Control Ordinance. She said the project will consist of five residential duplexes. She said no public comments were received during the meeting.

((1))

Council accepted the recommendation of the Planning and Zoning Commission relative to the site plan for the **LaPier Development on Pearson Bridge Road.**

COUNCILMAN BRATTON - REQUEST FROM RESIDENTS OF RECTOR STREET TO OPEN STREET

Councilman Bratton said she had received a petition from the residents of Rector Street requesting that the street be opened.

Mayor Bissette referred the petition to the City Manager for investigation and recommendation.

LITTER - COMMENTS BY COUNCILMAN PRICE

Councilman Price expressed thanks and appreciation to Assistant City Manager Charles Penny for his efforts in eliminating many of the litter problems this spring. She said even though the City of Asheville still has litter the City's appearance has improved this spring. She asked that these efforts be continued.

ANNOUNCEMENT OF BUDGET WORK SESSION BY COUNCIL

The City Manager announced that members of Council will be having a budget work session on Thursday, April 13, 1989 in the Asheville Area Chamber of Commerce Board Room beginning at 1:00 p.m.

RALPH BISHOP - OBTAINING CITY RECORDS

Ralph Bishop again spoke to Council relative to obtaining city documents relative to the new parking garages.

VII. ADJOURNMENT

Mayor Bissette adjourned the meeting at 5:20 p.m.

MAYOR CITY CLERK
