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Tuesday - August 1, 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 Vice-Mayor Michalove.

APPROVAL OF MINUTES

Mayor Bisette announced the approval of the minutes of the July 25, 1989 meeting as submitted.

PARTISAN/NONPARTISAN ELECTION AND DISTRICT REPRESENTATION ISSUE

Mayor Bisette announced that Council would discuss the partisan/nonpartisan election and district representation issue on August 15, 1989.

TASK FORCE ESTABLISHED - "PEOPLE FOR JUSTICE"

Mayor Bisette said at last week's Council meeting Council established a Task Force to formulate the concerns from the "People for Justice" Task Force. He said the make up of that committee would be Councilman York, Police Chief Gerald Beavers,

City Manager Doug Bean, Dwight Mullen, Chairman of the Asheville-Buncombe Community Relations Council and four representatives from the "People for Justice" Task Force to include Andrea Purcell, Marilyn Bass, Otis Ware, and Lydia James. He said the group would be working through the Asheville-Buncombe Community Relations Council.

BELLY-FLOP CONTEST - ASHEVILLE AREA AMERICAN RED CROSS

Mayor Bisette announced that Vice-Mayor Michalove won the Asheville Area American Red Cross Belly-flop Contest "hands-down".

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I. PROCLAMATIONS:

II. PUBLIC HEARINGS:

A. Public hearing relative to rezoning property located at

614 Hendersonville Road for Mr. Robert Reeves.

Ordinance No. 1774 - An ordinance rezoning property

located at 614 Hendersonville Road for Mr. Robert Reeves

Mayor Bissette said the Asheville Planning and Zoning

Commission on July 5, 1989, reviewed and recommended approval of rezoning Ward 7, Sheet 5, Lot 17, from R-3 Residential District to CH Commercial Highway District.

Mayor Bissette opened the public hearing at 4:20 p.m.

The City Clerk presented the notice to the public

setting the time and date for the public hearing and the affidavit of publication.

Carol Alberice, from the Planning Department, presented

the rezoning request. She said the property is located on the corner of Hendersonville Road and Fairview Road and is currently used as a commercial automobile repair shop. She reviewed the surrounding zoning in the area and said the rezoning is in accordance with the comprehensive plan. She said two comments were received from area residents - one requesting that their property be rezoned and one opposed to the noise from the repair shop but not opposed to the rezoning.

Robert Reeves, petitioner, requested that the ordinance

be read on all three readings at today's meeting. He said he was faced with a time problem in dealing with the North Carolina Department of Transportation on a right-of-way problem.

Mayor Bissette closed the public hearing at 4:28 p.m.

Mayor Bissette said members of Council were previously

presented copies of the ordinance and it would not be read in its entirety.

Vice-Mayor Michalove moved for the adoption of Ordinance

No. 1774. This motion was seconded by Councilman Frank.

On a roll call vote of 7-0, Ordinance No. 1774 passed on

first reading.

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B. Public hearing relative to Grove Park Inn - Staff

Housing - Group Development

Mayor Bissette said the Asheville Planning and Zoning

Commission on July 5, 1989, reviewed and recommended approval of the site plan subject to the following contingencies:

1. Approval of erosion control plan by the Planning Department.

2. Approval by Planning Director of on-site

lighting; and

3. Approval by Planning Director of on-site noise

generating mechanical units.

Mayor Bissette opened the public hearing at

4:29 p.m.

The City Clerk presented the notice to the public

setting the time and date for the public hearing and the affidavit of publication.

Mayor Bissette said a request has been received to

continue this public hearing until August 8, 1989.

Councilman Price moved to continue the public

hearing until August 8, 1989 without further advertisement. This motion was seconded by

Councilman Martin and carried unanimously.

C. Public hearing relative to 4-unit apartment North and

Forsyth Streets - William R. Lewis, Owner - Group Development

Mayor Bissette said the Asheville Planning and Zoning

Commission on July 5, 1989, reviewed and recommended approval of the site plan subject to the following contingencies:

1. Approval of erosion control plan by the Planning

Department prior to soil disturbance; and

2. Planning Director approval of a revised site

plan depicting: a) a proposed buffer meeting the specifications of the buffer ordinance, and b) a

functional parking arrangement that meets the

standards of the ordinance.

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Mayor Bissette opened the public hearing at

4:31 p.m.

The City Clerk presented the notice to the public

setting the time and date for the public hearing and the affidavit of publication.

Tom Elmore, with the Planning Department, said the

developer plans to construct a two-story four unit house at the corner of North and Forsyth Street. He said the property is zoned R-3 Residential. He said there is a buffer proposed on the north and south of the property. He said the Board of Adjustment approved a 20' setback for the front yard; lot area of 12,501; and lot width of 50'. He said all contingencies placed on the approval by the Planning and Zoning Commission have been resolved.

Mr. Elmore said a petition was presented to the

Planning and Zoning Commission by Norma Creighton, with thirty-three (33) signatures in general opposition. He said the petition stated such concerns as maintenance, setbacks, grading, and screening of garbage dumpsters.

A discussion was held relative to the screening of

garbage receptacles. It was determined that a dumpster was not required for the project that a maximum of six (6) garbage cans could be used.

Mayor Bissette closed the public hearing at

4:40 p.m.

Councilman York moved to approve the site plan for

the 4-unit apartment at North and Forsyth Streets as recommended by the Planning and Zoning Commission and further that appropriate screening be maintained around the garbage receptacles. This motion was seconded by Councilman Price and carried

unanimously.

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III. OLD BUSINESS:

A. Ordinance No. 1774 - Third reading of an ordinance

rezoning property at 391-393 Hendersonville Road for

Buncombe County Board of Education.

Mayor Bissette said the Asheville Planning and

Zoning Commission on June 7, 1989, reviewed and recommended approval of rezoning Lot 52, Sheet 4, Ward 7, from R-3 Residential District and CS Commercial Service District to CH Commercial Highway District excepting that portion of Lot 52 lying 150 feet from the centerline of Vanderbilt Road and that portion be rezoned from R-3 Residential District to R-1 Residential District.

Mr. Yarborough, Superintendent of the Buncombe

County School System, spoke in support of the rezoning.

Mayor Bissette said the ordinance was previously

read on first and second readings and would not be reread in its entirety.

On a roll call vote of 7-0, Ordinance No. 1774

passed on third and final reading.

Ordinance Book No. 11 Page No. 465

B. Ordinance No. 1775 - Second reading of an ordinance

zoning property annexed into City of Asheville effective July 1, 1989 known as Pawn World Gun Supply

Mayor Bissette said the Asheville Planning and Zoning

Commission on July 5, 1989, reviewed and recommended approval of zoning the property CH Commercial Highway District.

Mayor Bissette said the ordinance was previously

read on first and second readings and would not be reread in its entirety.

On a roll call vote of 7-0, Ordinance No. 1775

passed on second reading.

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IV. NEW BUSINESS:

A. Resolution No. 89-100 - Resolution authorizing Mayor to execute an inter local agreement for the War on Drug Commission.

Mayor Bissette said this resolution will allow the Mayor

to execute an inter local agreement for the establishment of a Buncombe County War on Drug Commission to consist of ten (10) members composing a Board of Directors. The ten members will be professional individuals appointed by the Buncombe County Commissioners, Asheville City Council, and all of the incorporated townships existing in Buncombe County.

Mayor Bissette said the City Council appointees to the

Commission would be William Young and Arthur Eddington.

Upon motion of Councilman Martin, seconded by Councilman

Price, Resolution No. 89-100 was unanimously adopted.

Resolution Book No. 17 Page No. 452 - 453

V. CONSENT:

A. Resolution No. 89-101 - Resolution of intent to close a portion of Westwood Place and calling a public hearing on the question for August 29, 1989.

SUMMARY: A petition was received requesting a portion of

Westwood Place from 312 Westwood Place to its Dead End be closed to public use. This portion of Westwood Place is totally surrounded by property owned by the petitioner.

Resolution Book No. 17 Page No. 454 - 455

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B. Resolution No. 89 - 102 - Resolution authorizing the

Mayor to execute on behalf of the City of Asheville a right-of-way agreement between the City of Asheville and Mack McCoy and wife, Glenda Marlene McCoy.

SUMMARY: A portion of property required as right-of-way

for the Hazel Mill Road Bridge Replacement Project will require a driveway right-of-way for access to the McCoy property. The property owned by Norman Smith had a right-of-way for the McCoy driveway, which must be relocated to accommodate the new bridge. This right-of-way agreement will establish a right-of-way through the property to accommodate a driveway to the McCoy property.

Resolution Book No. 17 Page No. 456 - 457

C. Resolution No. 89 - 103 - Resolution authorizing

execution of a cooperative agreement with the U.S. Department of Housing and Urban Development for a Fair Housing Assistance Grant.

SUMMARY: The City has received a Cooperative Agreement

from HUD for the third year funding of \$3,650 to continue implementation of the fair housing program.

Resolution Book No. 17 Page No. 458

Upon motion of Councilman Frank, seconded by Councilman

York, the consent agenda was unanimously approved.

VI. OTHER BUSINESS:

CITY MANAGER - COMMENTS RELATIVE TO BELE CHERE

The City Manager said he was very pleased with the manner in which the thousands of volunteers and the many city employees conducted the Bele Chere Festival. He said in his opinion there were less problems this year than any other year. He said even though the employees were paid their attitude was that of pride in working for the City and making Bele Chere a success. He said he has received many positive comments about the success of Bele

Chere.

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CLAIMS - MRS. JAMES HYATT (WATER) - CLARENCE WORRALL (WATER) - GEORGIA JEFFERSON (STREETS)

The City Manager presented claims received from Mrs. James Hyatt, Clarence Worrall, and Georgia Jefferson.

Mayor Bissette referred the claims to the City Attorney for investigation and recommendation.

VII. ADJOURNMENT

Mayor Bissette adjourned the meeting at 5:00 p.m.

MAYOR CITY CLERK
