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Tuesday - December 19, 1989 - 4:00 P.M.

Regular Meeting

Present: Mayor Kenneth M. Michalove, Presiding; Vice-Mayor

William G. Moore; Councilmen Mary Lloyd Frank, Norma T. Price, Wilhelmina Bratton, Eugene W. Ellison and William W. Estes; 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 Ellison.

APPROVAL OF MINUTES

Mayor Michalove announced the approval of the minutes of December 12, 1989 meeting as submitted.

I. PROCLAMATIONS:

A. Resolution No. 89-184 - Resolution of appreciation for Joe Merrill, recent retiree.

Chief John Rukavina said Joe Merrill has been employed with the City of Asheville since August, 1960. He is an Executive Assistant in the Fire Department. He said he will be retiring on January 1, 1990.

Mayor Michalove read the resolution.

Upon motion of Councilman Price, seconded by Councilman Frank, Resolution No. 89-184 was unanimously adopted.

Mayor Michalove presented the resolution to Joe Merrill.

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B. Proclamation - 1989 North Pole Substation

Ho Ho Hotline - Hillhaven Resthome

Mayor Michalove read the proclamation and presented it to Natalie Frost, Director of Activity Therapy,

Hillhaven Resthome.

II. PUBLIC HEARINGS:

III. OLD BUSINESS:

IV. NEW BUSINESS:

A. Resolution No. 89-185 - Resolution authorizing

execution of an agreement with the U. S. Department of Housing and Urban Development for a Section 312 Rehabilitation Loan Program.

Larry Holt, Executive Director of the Housing

Authority, said the Agreement authorizes the City to process and submit to HUD applications by private property owners for rehabilitation loans under Section 312 of the Housing Act of 1964, as amended. The Agreement also delineates the legal relationship between HUD and the City with respect to making such loans. The City will contract with the Housing

Authority for administration of this project.

Upon motion of Councilman Price, seconded by Councilman

Ellison, Resolution No. 89-185 was unanimously adopted.

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B. Motion amending the Fees and Charges Manual relative to taxi cab rates.

The City Manager said members of Council discussed this

matter in detail during a Pre-Council worksession last week and this action will increase the taxi cab rates to \$1.15 for pickup and \$.10 for each 1/12 mile.

Joe Penland spoke in favor of the increase; however, he

stated that he felt the increase should be more and the amendments requested by the taxicab operators should be addressed.

Councilman Ellison requested that he be excused from

participation and vote on the taxicab rate increase because he represents several of the taxicab operators.

Councilman Price moved that Councilman Ellison be

excused from vote and participation on the taxicab rate increase matter. This motion was seconded by Councilman Bratton and carried unanimously.

Councilman Frank moved that the fees and charges manual

be amended to reflect a taxicab rate increase to \$1.15 for pickup and \$.10 for each 1/12 mile. This motion was

seconded by Councilman Estes and carried
unanimously.

C. Resolution No. 89 - 186 - Resolution authorizing the

**City Manager to execute a contract for a five-year Transit Services Plan between the City of Asheville and
Weslin Consulting Services, Inc.**

The City Manager said the FY 1990 Planning Work

Program for the Asheville Urban Transportation Area specifies that a Five-Year Services Plan for the Asheville Transit System be conducted to evaluate and make recommendations for the improvement of the Asheville Transit System. He said a consultant, Weslin Consulting Services, Inc. of Bellevue, Washington has been selected by the Asheville Transit Authority to conduct the evaluation of the present route structure and management company, present options for the relocation of the downtown bus transfer system and prepare a long range

improvement plan for the entire system.

Upon motion of Councilman Price, seconded by
Councilman Ellison, Resolution No. 89-186 was
unanimously adopted.

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**D. Recommendation from Asheville Transit Authority that
the Skyland Route #10 be discontinued on
December 30, 1989.**

The City Manager said the Asheville Transit

Authority, after a six month trial transit service, recommends to the Asheville City Council that the Skyland Bus Route be discontinued on December 31,

1989. This is due to very low ridership and revenue figures which were monitored monthly and showed very little sign of increase throughout the

trial period.

Mayor Michalove presented a petition with approximately 30 signatures requesting that the
Skyland Route #10 be continued.

After a brief discussion, Councilman

Frank moved to accept the recommendation of the Asheville Transit Authority to discontinue Skyland Bus Route #10. This motion was seconded by

Councilman Bratton and carried unanimously.

V. CONSENT:

A. Scheduling public hearing relative to rezoning property

on I-240 for Wyatt Development for February 6, 1990.

SUMMARY: The Asheville Planning and Zoning

Commission on November 1, 1989, voted to deny the rezoning petition of Lot 1, Sheet 16, Lower Hominy; Lot 6-1/2, Sheet 17, Lower Hominy; and Portion of Lot 1, Sheet 16, Ward 5, from R-3 Residential District to CH Commercial Highway District. They voted to continue this petition for reconsideration to the December 6 meeting. There was no motion to reconsider, therefore, the denial of November 1 stood.

B. Scheduling public hearing relative to a wording

amendment to the Zoning Ordinance regarding mini-storage

warehouses for January 16, 1990.

SUMMARY: The Asheville Planning and Zoning Commission

met on December 6, 1989 and voted to recommend to City Council that Article 5 Chapter 30 of the Code of Ordinances be amended.

C. Scheduling public hearing relative to rezoning property

on Rock Hill Road for January 9, 1990.

SUMMARY: The Asheville Planning and Zoning

Commission on December 6, 1989, reviewed and recommended approval of zoning Lot 14, Sheet 32 & 44, Ward 13, from LI Light Industrial District to R-3 Residential

District.

D. Scheduling public hearing relative to designating the

E. W. Grove Office and Park Benches as a local historic

property for January 9, 1990.

SUMMARY: The Grove Office Building is significant to

the architecture and history of the City of Asheville because of its association with Asheville's remarkable 1900-1929 real estate boom. The building served as the development office of one of Asheville's key community leaders and represents the rustic English cottage architectural style of Asheville's

well known architect, Richard Sharp Smith.

E. Scheduling public hearing relative to designating the

Public Service Building as a local historic property for

January 9, 1990.

SUMMARY: Constructed in 1929, the Public Service

Building is a fine example of the commercial "Skyscraper" architecture popular across the nation from 1890 to 1930. Reflecting Romanesque features with elements popularized by architect Louis Sullivan, the structure is richly ornamented with polychrome terra cotta,

tile and structural detail.

F. Resolution No. 89-187 - Resolution of intent to close a portion of Rosewood Avenue and calling a public hearing on the question for January 23, 1990.

SUMMARY: The petition requests that an unopened portion

of Rosewood Avenue be closed. This unopened remnant of Rosewood Avenue occurred when adjoining property was resubdivided and the developers of the subdivision redesigned the street system. The closing has been reviewed by the Technical Review Committee and found to have no effects upon water or sewer utilities

or any other uses advantageous to the City.

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G. Resolution No. 89 - 188 - Resolution calling for a public hearing for the adoption of an ordinance directing the Director of Building Inspections to demolish the dwellings located at 36, 38 and 40

Cumberland Avenue for January 16, 1990.

SUMMARY: This resolution will establish a date for a

public hearing to adopt an ordinance directing the Director of Building Inspections to demolish the dwellings located at 36, 38, and 40 Cumberland Avenue, Asheville, North Carolina.

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H. Resolution No. 89 - 189 - Resolution calling for a public hearing for the adoption of an ordinance directing the Director of Inspections to demolish the dwelling located at 224 Flint Street for January 16, 1990.

SUMMARY: This resolution will establish a date for a

public hearing to adopt an ordinance directing the Director of Building Inspections to demolish the dwellings located at 224 Flint Street, Asheville, North Carolina.

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I. Resolution No. 89 - 190 - Resolution calling for a public hearing for the adoption of an ordinance directing the Director of Inspections to demolish the dwelling located at 10 Birch Street for January 9, 1990.

SUMMARY: This resolution will authorize a public hearing for City Council to adopt an ordinance to demolish 10 Birch Street.

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Upon motion of Councilman Price, seconded by Councilman Frank, the consent agenda was unanimously approved.

VI. OTHER BUSINESS:

CLAIMS - EARL TARLTON (WATER) - BOB GRIFFIN (WATER) - BRIAN HOLT (WATER) - RICKY HUGHES (WATER)

The City Manager presented claim received from Earl Tarlton, Bob Griffin, Brian Holt and Ricky Hughes.

Mayor Michalove presented the claims to the City Attorney for investigation and recommendation.

LIFE ADVOCATES - PROPOSED CHANGES TO ASHEVILLE PICKETING ORDINANCE

A representative of Life Advocates spoke to members of Council requesting the following changes to the Picketing Ordinance:

- 1) Eliminate the \$10.00 permit fee.
- 2) Exchange permit requirement for 24 hour advance notification.
- 3) Allow sign size to include 28" x 22". (This is a regular poster board size)
- 4) Permit lath to be used on signs as handles. (1/4" thick, not longer than 3' below bottom of poster, not pointed on either end, not sticking out on top.)
- 5) Remove restrictions on cameras. (They are not weapons)
- 6) Relax the 15 foot spacing rule and the continuous motion provision. (Our concern is that a distinction be made between picketers, who carry signs, and sidewalk counselors, who do not.)
- 7) Fairly enforce the equal time rule.

Mayor Michalove said Council members would look into these recommendations.

VII. ADJOURNMENT

Vice-Mayor Michalove adjourned the meeting at 5:20 p.m.

MAYOR CITY CLERK
