

Tuesday - August 7, 1990 - 4:00 P.M.

Regular Meeting

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

### **INVOCATION**

The invocation was given by Councilman Bratton.

### **APPROVAL OF THE MINUTES**

Mayor Michalove announced the approval of the minutes of the July 31, 1990 meeting as submitted.

### **I. PROCLAMATIONS:**

#### **A. Presentation of Certificate for "B E S T" Quarterly**

##### **Winner.**

The City Manager said Gary Willis from the Sanitation

Department was chosen by the "B E S T" Committee to receive the "B E S T" Quarterly Winner Award. He said Mr. Willis was chosen out of 14 candidates considered.

He said every week Mr. Willis waives to a little girl as

he passes her house while on his routine pickup route. This makes the little girl very happy that he takes the time to do this week after week. He said Mr. Willis has received several compliments through the Public Response Center and these extra efforts creates an excellent example for Customer Relations.

The City Manager presented Mr. Willis a Certificate for

being the "B E S T" Quarterly Winner.

The City Manager also introduced the little girl to

members of Council.

### **II. PUBLIC HEARINGS:**

#### **A. Public hearing relative to closing a portion of Beaver**

##### **Drive.**

Mayor Michalove opened the public hearing at 4:08 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.

Jim Ewing, Director of Public Works, said a petition

signed by all property owners along the unopened portion of Beaver Drive has been received. There would be no adverse effects from closing the right of way. The Lake View Park Commission has been notified of the proposed closing.

He said there are no utilities in the portion proposed to be closed and the Public Works Department recommends that the request be granted.

June McCracken, adjoining property owner, said if Beaver

Drive is closed as proposed and the property is divided among the property owners her driveway will be on another's property.

Joe Lamy, property owner, spoke in support of the

closing of Beaver Drive. He said he would have no problem with Ms. McCracken keeping her driveway on her property.

After discussion, Councilman Price moved to continue the

public hearing for two (2) weeks, August 21, 1990, without further advertisement, giving the Public Works Department an opportunity to survey Ms. McCracken's driveway and legally describe the portion of Beaver Drive to be closed allowing the road with Ms.

McCracken's driveway to remain open. This motion was seconded by Councilman Frank and carried unanimously.

## **B. Continuation of a public hearing relative to the**

### **Cottages at Richmond Hill Inn.**

Mayor Michalove said this public hearing was continued from the July 17, 1990 meeting.

Gerald Green, from the Planning Department, said the

Planning Staff is still working with the developer on the project. He said the staff and the developer mutually request that the public hearing be continued for six (6) weeks.

Councilman Frank moved to continue the public hearing

for six (6) weeks, September 18, 1990, without further advertisement. This motion was seconded by Councilman Price and carried unanimously.

## **III. OLD BUSINESS:**

## **IV. NEW BUSINESS:**

### **A. Ordinance relative to an ordinance amending Chapter 19A**

**of the Code of Ordinances of the City of Asheville (Personnel Ordinance).**

Mayor Michalove said a draft comprehensive Personnel

Ordinance has been developed. It incorporates the recommendations of several employee committees. The ordinance will be supplemented by Civil Service Rules and Regulations and City-wide personnel policies.

The City Manager said there are several unresolved

questions regarding the Personnel Ordinance and these questions are currently being addressed by the employee committees.

A discussion was held, initiated by Councilman Estes, relative to payroll deductions for various organizations.

The City Manager said there is a current policy that was

implemented in 1979 which allows for payroll deductions when the deduction applies to all city employees. He said the separate organizations that currently have payroll deductions for dues was granted that privilege in the early 1960's. He this concern needs to be addressed as a separate policy and be consistent.

It was the consensus of Council that the policy should be fair and consistent.

Councilman Estes said he felt the City should provide whatever days were needed for military leave.

Pam McGrayne, Personnel Director, said the Leave

Committee reviewed comparable leave schedules and recommended a package they felt would be in the best interest of the City.

Councilman Ellison, referring to Civil Service Member

Shelia Fellerath's statement made during the public hearing, said there should not be any dissention between the Civil Service Board relative to the Civil Service Law and the proposed Personnel Ordinance. He said there should be a clear cut understanding of their respective responsibilities.

Upon inquiry of Councilman Ellison, the City Manager

said the budget package for the proposed Personnel Ordinance has not been put together.

Councilman Ellison said he would like to have a report

from the City Manager defining the relationship between the Civil Service Board and the proposed Personnel Ordinance as well as policies and rules and regulations.

Mayor Michalove and several members of Council said they were not prepared at this time to take action on the ordinance.

Mayor Michalove suggested that the proposed Personnel

Ordinance be discussed during Council's scheduled midyear retreat.

**V. CONSENT:**

**VI. OTHER BUSINESS:**

**Councilman Estes - Sale of Biltmore School Property**

Councilman Estes said when the Biltmore School property

is sold the City of Asheville will be losing a valuable playground area. He said he felt when a government agency decides to take such action they should involve other government entities. He said this action will cost the City of Asheville in order to replace this playground.

Councilman Price requested a report from the City

Manager regarding recreation in the south part of town, particularly as it relates to the use of the playground at Biltmore School.

It was decided that the Mayor would write a letter to

the County of Buncombe advising them of the impact the loss of this playground would have on the City of Asheville.

**Councilman Ellison - Loud Music - Congregation of Gangs**

Councilman Ellison expressed concern about the loud

music being played in automobiles. He said he was also concerned about the number of gangs hanging out on the streets. He suggested that a Police Task Force be formed to look into these situations before they get out of hand.

Mayor Michalove said the Citizen's Police Advisory

Committee has recommended that the committee be expanded in order to look into similar situations.

Councilman Bratton said the city is in need of wholesome activities for the children.

**Announcement - Approval of Radio Communication System Financing**

The City Manager announced that the Local Government

Commission has approved the application for the Radio Communication System Financing.

**Demolition of 3 and 5 Walton Street**

Charles Penny, Assistant City Manager, noted that

3 and 5 Walton Street has been demolished. He said members of Council previously expressed concern about these houses.

**Ralph Bishop - Lottery Sales**

Ralph Bishop again spoke to members of Council relative

to lottery sales in the City of Asheville.

**Street Vendor - Concerns about insurance requirement**

A resident of 116 West Chestnut Street said he was a

local street vendor. He said he has a cart and sells flowers on the streets. He expressed concern about the City's requirement for liability insurance for street vendors. He said he felt the amount of insurance required is exorbitant for a small vendor. He said the amount of insurance should be based on the type of cart, the type of business, and the income of the vendor.

He also expressed concern about the drugs on the

streets. He said the Police Department should be more aware of certain areas in the city and the penalties should be made more unattractive.

**VII. ADJOURNMENT**

Councilman Frank moved to adjourn the meeting to

executive session to discuss a property matter. This motion was seconded by Councilman Bratton and carried unanimously.

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**MAYOR CITY CLERK**

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