

Tuesday - September 18, 1990 - 4:00 P.M.

Regular Meeting

Present: Vice-Mayor William G. Moore, Presiding; Councilmen

Norma T. Price, Wilhelmina Bratton, Eugene W. Ellison and William W. Estes; Assistant City Attorney Patsy Brison; Assistant City Manager Charles Penny; Deputy

City Clerk Carol Hensley.

Absent: Mayor Kenneth M. Michalove - out on City business

Councilman Mary Lloyd Frank - out of town

Corporation Counsel William F. Slawter-

out on City business

City Manager Douglas O. Bean - out on City business

Associate City Manager/City Clerk

William F. Wolcott, Jr.- vacation

INVOCATION

The invocation was given by Vice-Mayor Moore.

APPROVAL OF MINUTES

Upon motion of Councilman Ellison, seconded by

Councilman Estes the minutes of the September 11, 1990,

meeting were approved as submitted..

I. PROCLAMATIONS:

A. Resolution No. 90-128 - Resolution of appreciation for recent retiree, James E. Roberts.

Vice-Mayor Moore read a resolution stating that Mr.

Roberts has been with the City for 14 years. He worked in the Water Production Department as a Maintenance Mechanic and is now retiring.

Upon motion of Councilman Price, seconded by Councilman

Ellison, Resolution No. 90-128 was unanimously adopted.

Resolution Book No. 18 - Page 213

B. Proclamation - "Minority Enterprise Development Week" -

September 23 - 29, 1990

Vice-Mayor Moore read a proclamation proclaiming the week of September 23 - 29, 1990 as Minority Enterprise Development Week.

Marvin Vierra, Director of Community Development,

introduced Dee Williams, with the Asheville Business Development Council, who accepted the proclamation and explained the importance of Minority Enterprise

Development Week..

C. Proclamation - "World Summit for Children" -

September 23 - 29, 1990

Vice-Mayor Moore read a proclamation proclaiming the

week of September 23 - 29, 1990 as "World Summit for Children Week" and presented the proclamation to John Waterhouse, Asheville Vigil Coordinator, who highlighted the activities taking place during the week.

D. Proclamation - "Greek Heritage Week" -

September 17 - 23, 1990

Vice-Mayor Moore read a proclamation proclaiming the

week of September 17 - 23, 1990 as "Greek Heritage Week" and presented the proclamation to Chris Moutos, who highlighted the activities taking place during the week.

II. PUBLIC HEARINGS:

A. Continuation of a public hearing relative to group development - Cottages at Richmond Hill Inn.

Vice-Mayor Moore said the Asheville Planning and Zoning

Commission on June 6, 1990, reviewed and approved the site plan with one contingency. This public hearing was continued from the August 7, 1990 meeting.

Julia Cogburn, Director of Planning, said members of

Council had been furnished an extensive report relative to the Cottages at Richmond Hill Inn. She requested that the public hearing be continued until November 6, 1990.

Councilman Ellison moved to continue the public hearing

until November 6, 1990 without further advertisement. This motion was seconded by Councilman Bratton and carried unanimously.

III. OLD BUSINESS:

A. Ordinance No. 1864 - Third reading of an ordinance

amending Chapter 19A of the Code of Ordinances of the City of Asheville. (Personnel Ordinance)

Vice-Mayor Moore 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. This ordinance was read on first reading on August 28, 1990, and on second reading on September 11, 1990.

Upon request of Councilman Ellison, Pam McGrayne,

Director of Personnel, clarified the actions to be taken at today's meeting. She also explained that payroll deductions are allowed under an administrative policy which allows for payroll deductions that are offered to all city employees. She said that policy will remain the same. She said the worker's compensation provisions had been amended to provide employees with the same net they had been able to receive under the existing policy.

On a roll call vote of 5-0, Ordinance No. 1864 passed on third and final reading.

Ordinance Book No. 12 - Page 229 - 257

IV. NEW BUSINESS:

A. Resolution No. 90-129 - Resolution authorizing the City Manager to institute an updated Personnel Policy.

Vice-Mayor Moore said the City Council desires to

incorporate into a single document a personnel policy setting forth the rules of the Civil Service Board, the grievance procedure adopted by ordinance of the City Council and all remaining policies affecting personnel of the City of Asheville.

Councilman Ellison asked if this policy or the following rules to be adopted changes anything that is currently in effect.

Mrs. McGrayne said it changes the responsibility of the

Civil Service Board as far as residency and leaves of absences provisions are concerned.

Upon motion of Councilman Price, seconded by Councilman

Bratton, Resolution No. 90-129 was unanimously adopted.

Resolution Book No. 18 - Page 214

B. Resolution No. 90-130 - Resolution approving rules of the Civil Service Board of the City of Asheville.

Vice-Mayor Moore said that amended Rules of the Civil

Service Board have been submitted to the City Council as part of a consolidation of all rules and regulations concerning personnel of the City of Asheville into a single personnel policy.

Upon motion of Councilman Price, seconded by Councilman

Bratton, Resolution No. 90-130 was unanimously adopted.

Resolution Book No. 18 - Page 215

V. CONSENT:

A. Resolution No. 90-131 - Resolution of intent to close

alley extending from Short Street in a westerly direction and calling a public hearing on the question for October 16, 1990.

SUMMARY: A petition to close the unnamed alley off

Short Street and adjoining Lots 99, 100, 101, and 102 of Ward 3, Sheet 2 of the Buncombe County Tax maps has been received from the Asheville Housing Authority. The closing has

been checked with City departments and public utility companies and should have no detrimental effects upon the operation of either the City or utility companies.

Resolution Book No. 18 - Page 216-217

B. Resolution No. 90-132 - Resolution authorizing the Mayor

to execute on behalf of the City of Asheville a North Carolina Department of Transportation, Grant Agreement for Project 9.9584894 for the Asheville Regional Airport

Authority.

SUMMARY: The North Carolina Department of Transportation

has offered a grant to the Asheville Regional Airport Authority in the amount of \$401,967 for "Phase II Baggage Claim/Rental Car/Second Floor Administrative Office Addition". Since the City of Asheville holds fee simple title to the property on which this project is to be and the City of Asheville leases same to the Airport Authority, the Department requires that the City of Asheville execute the Grant Agreement. This resolution will authorize the Mayor to

execute the Grant Agreement.

Resolution Book No. 18 - Page 218

C. Resolution No. 90-133 - Resolution authorizing the Mayor

to execute on behalf of the City of Asheville a Federal Aviation Administration Grant Agreement for Project 3-37-0005-11 for the Asheville Regional Airport Authority.

SUMMARY: The Federal Aviation Administration has

offered a grant to the Asheville Regional Airport Authority in the amount of \$701,599 to "Acquire Runway 16 Clear Zone; Approach Clearing; Install perimeter fence; provide terminal graphics; and relocation assistance". The FAA requires that all sponsors execute the Grant Agreement. This resolution will authorize the Mayor to execute the Grant Agreement.

Resolution Book No. 18 - Page 219

Upon motion of Councilman Ellison, seconded by Councilman Bratton, the consent agenda was unanimously approved.

VI. OTHER BUSINESS:

A. Resolution No. 90-134 - Resolution appointing a member to the Asheville Regional Airport Authority

Councilman Price moved to appoint Otis Michael to the Asheville Regional Airport Authority to serve the unexpired term of Ivor Barrett who recently resigned as a member, term expiring June 30, 1994. This motion was seconded by Councilman Bratton and carried unanimously.

Resolution Book No. 18 - Page 220

B. Resolution No. 90-135 - Resolution authorizing the Mayor to grant a right-of-way easement for a road across city-owned property for the Wind-in-the Oaks Project

The Assistant City Attorney said Royall Development Co.

Inc. has requested that the City grant an easement across property owned by the City which is adjacent to the Wind-in-the-Oaks Project in order to permit construction of a road which would tie other portions of the project to the new portion being developed as Tracts II and III.

Upon motion of Councilman Bratton, seconded by

Councilman Ellison, Resolution No. 90-135 was unanimously adopted.

Resolution Book No. 18 - Page 221

C. Ralph Bishop - Right to Address Council

Ralph Bishop spoke to members of Council relative to his right to address Council.

D. Bill Fass - Problems with Water Service

Bill Fass said he was a resident of the county but owns

businesses in the city. He said he was concerned about the problems with the water service in the city. He said the recent water breaks have caused many problems with area businesses particularly in the west area. He said it was his

understanding that City Council funds the water system and the Water Authority oversees the

operations. He said it is also his understanding that a meeting has been scheduled by the Water Task Force for October 11, 1990 for individuals to voice their concerns about water service. He encouraged members of Council to attend this meeting. He said another source for water is needed and he encouraged the use of the French Broad River. He offered his assistance to this problem in any way possible.

Dennis Holder, businessman on Brevard Road, said he was

also concerned about the water system and the problems water breaks have on businesses, particularly when businesses have to shut down their operations because of no water.

Vice-Mayor Moore and members of Council thanked Mr.

Fass and Mr. Holder for their comments and accepted their offer of assistance.

CLAIMS - JACK HOWERTON (WATER) - MOLLY SURRETT (WATER) - RICK COLEMAN (WATER) - LORETTA LEDFORD (WATER) - HELEN LYDA (SEWER) -

THOMAS MORGAN (SEWER) - NORMAN C. BRADFORD (INSPECTIONS)

Claims were presented from Jack Howerton, Molly

Surrett, Rick Coleman, Loretta Ledford, Helen Lyda, Thomas Morgan, and Norman C. Bradford.

These claims have been referred to the appropriate

insurers for investigation.

A permanent record of all claims is maintained by the

Office of Risk Management.

VII ADJOURNMENT.

Councilman Estes moved to adjourn to executive session

to discuss a legal matter. This motion was seconded by

Councilman Price and carried unanimously.

MAYOR CITY CLERK
