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Tuesday - January 8, 1991 - 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, and Eugene W. Ellison; Corporation Counsel William F. Slawter; City Manager Douglas O. Bean; and Associate City Manager/City Clerk

William F. Wolcott, Jr.

Absent: Councilman William W. Estes

### **INVOCATION**

The invocation was given by Councilman Price.

### **APPROVAL OF MINUTES**

Mayor Michalove announced the approval of the minutes of the December 18, 1990 meeting as submitted.

### **I. PROCLAMATIONS:**

#### **A. Invitation to American Indian National Art Exhibit**

Pamela Adams, Chairperson for the American Indian

National Art Exhibit, said the High Country Arts Guild and the Eastern Bank of Cherokee are sponsoring the American Indian National Art Exhibit on September 25 - 29, 1991. She requested Council's support through the adoption of a resolution or a proclamation.

Ms. Adams invited members of Council to a reception on January 17, 1991 at 5:00 p.m. at the Haywood Park Hotel to kick off this exhibit.

#### **B. Introduction of Asheville High School Representative**

Charles Penny, Assistant City Manager, introduced

Michal Shapira, the Asheville High School Student

Representative for the next four (4) weeks.

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

#### **A. Public hearing relative to Memorial Mission Hospital - East Parking Deck.**

Mayor Michalove opened the public hearing at 4:12 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.

Don Sherrill, from the Planning Department, said the

Planning and Zoning Commission has recommended to the

Council that the site plan of the Memorial Mission Hospital East Parking Deck at the intersection of Biltmore Avenue and Doctors Drive be approved subject

to the following contingencies:

1. Compliance with conditions to assure adequate fire protection, as identified in memo from Mike

Jones dated October 12, 1990;

2. Approval by City Council of a variance to permit the reduction in the front yard setback;

3. The parking deck be constructed in the exact location shown on plan C2.2, revised on November

29, 1990 and giving the Planning Director the authority to approve movement of the proposed parking deck up to 2 feet closer to Biltmore

Ave.;

4. Receipt of water availability letter; and

5. DOT approval of driveway permit.

Mr. Sherrill said this would be a five-story parking deck

with 605 spaces. By the use of a map, he reviewed the surrounding zoning and use of the properties. He said the variance would allow construction of the deck to be

16.9' from the right-of-way line and giving the Planning Director the authority to approve movement of the parking deck up to 2 feet closer to Biltmore Avenue or 14.9' from

the right-of-way line.

Mr. Morrison, speaking on behalf of Memorial Mission

Hospital, said the parking deck could not be built in the

proposed location if the variance is not granted.

A representative of the Kenilworth Residents Association said

the Homeowner's Association endorse Memorial Mission Hospital's efforts for a new parking deck.

Mayor Michalove closed the public hearing at 4:30 p.m.

Councilman Bratton moved to approve the group development

plan for the Memorial Mission Hospital - East Parking Deck with the contingencies outlined by the Planning and Zoning Commission and approval of the variance as requested and recommended by the Planning and Zoning Commission. This motion was seconded by Councilman Frank and carried unanimously.

### **III. OLD BUSINESS:**

### **IV. NEW BUSINESS:**

#### **A. Ordinance No. 1886 - Budget ordinance amendment for staff vehicles.**

The City Manager said these vehicles were originally

budgeted in the Planning Department as part of the Fleet Management Program. They are actually being purchased for Fleet Management and put in the Motor Pool so that all departments will be able to use the vehicles. This budget amendment simply transfers Capital funds budgeted in the Planning Department for the Fleet Management Internal Budget Fund.

Mayor Michalove said members of Council were previously furnished copies of the ordinance and it would not be read in its entirety.

Councilman Ellison moved for the adoption of Ordinance

No. 1886. This motion was seconded by Vice-Mayor Moore.

On a roll call vote of 6-0, Ordinance No. 1886 passed on first and final reading.

#### **Ordinance Book No. 12 Page No. 299**

#### **B. Ordinance No. 1887 - Budget ordinance amendment for YMI Community and Economic Development Program.**

The City Manager said this budget amendment will

reflect an amendment to the economic development

funding for the YMI Cultural Center, in the amount of \$12,500, which is one-half of the years funding to staff the Minority Loan Pool program.

Mayor Michalove said members of Council were previously

furnished copies of the ordinance and it would not be

read in its entirety.

Councilman Ellison moved for the adoption of Ordinance No. 1887. This motion was seconded by Councilman Bratton.

On a roll call vote of 6-0, Ordinance No. 1887 passed on first and final reading.

**Ordinance Book No. 12 Page No. 300**

**C. Report of plans for Downtown Design Review Public**

**Meeting.**

Councilman Frank said the Council Committee for

Downtown Design Review, comprising Vice-Mayor Moore, Councilman Estes and herself, will hold a public hearing relative to the Downtown Design Review on February 13, 1991 at 7:00 p.m. in the Lord Auditorium in the Pack Memorial Library.

She said the Planning and Zoning Commission and the

Downtown Commission will give a status report on the Downtown Design Review. She said property owners and tenants are encouraged to attend.

She said comments from this hearing will be reviewed prior to finalization of the downtown design review.

**E. Resolution No. 90-1 - Resolution authorizing the City**

**Manager to sign an agreement providing for delivery of fire protection services to the Veteran's Administration Medical Center at Oteen through January**

**31, 1991.**

The City Manager said the present contract expired

December 31, 1990. The Veterans Administration has had a fire protection contract with the City since 1975. They and the Fire Department staff are and have been renegotiating a contract. This will extend the contract through January 31, 1991 until a new contract can be negotiated.

Mayor Michalove said copies of the resolution had

previously been distributed to members of Council, and the resolution would not be read unless there was a specific request to do so.

Upon motion of Councilman Price, seconded by Vice-Mayor Moore, Resolution No. 90-1 was unanimously adopted.

**Resolution Book No. 18, Page 320**

**V. CONSENT:**

**VI. OTHER BUSINESS:**

**A. Introduction of City Manager Interns**

The City Manager introduced Corrine Meade from the Fire

Department and David Adams from the Street Department. They will be serving as City Manager Interns for the next three (3) months.

**B. South Market - Two Way Traffic - Request for**

**Information from Councilman Ellison**

Upon inquiry of Councilman Ellison, the City Manager

said the South Pack Square Redevelopment Committee would be giving a recommendation on the feasibility of opening South Market to two way traffic.

After discussion, Councilman Ellison asked that the

City Staff also provide a recommendation on the opening of South Market to two way traffic.

**C. Councilman Price - Middle East Crisis - Letter to**

**Saddam**

Councilman Price said as a member of the National

Federation of Women's Club, she has written a letter to Saddam encouraging Iraq to accept the United Nations resolution to ending the Middle East Crisis. She said she has the New York address to write to Saddam if anyone would be interested in writing a letter.

**D. ABC Local Government Opinion Form Approval - East**

**Village Delicatessen & Grille, 1177 Tunnel Road, Asheville, N. C. - "On Premises" Beer/Wine**

The City Manager presented an ABC Local Government

Opinion Form Approval for East Village Delicatessen & Grille, 1177 Tunnel Road, Asheville, N. C. for "On Premises" Beer/Wine license. He said after researching the matter it was determined that the N.C. General Statute require local government board approval and the authority can not be delegated. He said Council only needs to take action if they wish to deny a permit - no action indicates approval.

Council took no action thereby approving the ABC Local

Government Opinion Form for East Village Delicatessen & Grille, 1177 Tunnel Road, Asheville, N. C. for "On Premises" Beer/Wine license.

**E. Ralph Bishop - Comments relative to lottery sales**

Ralph Bishop again addressed members of Council

relative to lottery sales in the City of Asheville.

**F. Claims - Wallace Burnette (Streets) - Sharon Reynolds**

**(Water) - Larry Williams (Streets) - East Asheville Medical Lab (Water) - City of Asheville (Damage to Vehicle) -Janie Morrow (Streets) - William Bobb (Inspections) - Mary Ann McKinley (Parks)**

The City Manager said claims were received from

Wallace Burnette, Sharon Reynolds, Larry Williams, East Asheville Medical Lab, City of Asheville, Janie Morrow, William Bopp, and Mary Ann McKinley.

These claims have been referred to the appropriate

insurers for investigation.

**VII. ADJOURNMENT.**

Mayor Michalove adjourned the meeting at 4:50 p.m.

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**MAYOR CITY CLERK**

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