

Tuesday - July 20, 1993 - 4:00 p.m.

Regular Meeting

Present: Vice-Mayor Eugene W. Ellison, Presiding; Councilwoman Barbara Field; Councilmen William G. Moore, Chris J. Peterson, Joseph Carr Swicegood and Charles R. Worley; City Attorney William F. Slawter; City Manager Douglas O. Bean; and Associate City Manager/City Clerk William F. Wolcott Jr.

Absent: Mayor Kenneth M. Michalove

INVOCATION

Councilman Worley gave the invocation.

I. PROCLAMATIONS:

A. RESOLUTION NO. 93-105 - RESOLUTION OF APPRECIATION TO RETIRING EMPLOYEE REEVES O'NEIL FISHER

Vice-Mayor Ellison read the resolution stating that Reeves O'Neil Fisher has been an employee for 9 years and has requested retirement from his position as Line Maintenance Worker I. He expressed City Council's appreciation to Mr. Fisher for his service to the City of Asheville and its citizens.

Resolution No. 93-105 was adopted by acclamation.

RESOLUTION BOOK NO. 21 - PAGE 35

B. RESOLUTION NO. 93-106 - RESOLUTION OF APPRECIATION TO RETIRING EMPLOYEE WILLIAM LEE LYTLE

Vice-Mayor Ellison read the resolution stating that William Lee Lytle has been an employee for 6 years and has requested retirement from his current position as Labor Crew Leader in the Water Department. He expressed City Council's appreciation to Mr. Lytle for his service to the City of Asheville and its citizens.

Resolution No. 93-106 was adopted by acclamation.

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C. RESOLUTION NO. 93-107 - RESOLUTION OF APPRECIATION TO RETIRING EMPLOYEE WILLIAM ARBOGAST

Vice-Mayor Ellison read the resolution stating that William Arbogast has been an employee for 11 years and has -2-

requested retirement from his position as Line Maintenance Worker I. He expressed City Council's appreciation to Mr. Arbogast for his service to the City of Asheville and its citizens.

Resolution No. 93-107 was adopted by acclamation.

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D. RESOLUTION NO. 93-108 - RESOLUTION OF APPRECIATION TO RETIRING EMPLOYEE ALVIN BALLARD

Vice-Mayor Ellison read the resolution stating that Alvin Ballard has been an employee for 32 years and has requested retirement from his position as Firefighter Senior in the Asheville Fire Department. He expressed City Council's appreciation to Mr. Ballard for his service to the City of Asheville and its citizens.

Resolution No. 93-108 was adopted by acclamation.

RESOLUTION BOOK NO. 21 - PAGE 38

II. PUBLIC HEARINGS: None

III. OLD BUSINESS: None

IV. NEW BUSINESS:

A. REPORT ON THE URBAN TRAIL

Ms. Grace Pless thanked the various departments of the City for their help with the Urban Trail and updated the Council on the 1-1/2 mile loop downtown. She highlighted the 27 different stations.

Vice-Mayor Ellison thanked the members of the committee who worked on the Urban Trail and expressed Council's appreciation for their efforts and hard work.

B. RESOLUTION NO. 93-109 - RESOLUTION OF THE CITY OF ASHEVILLE, NORTH CAROLINA, ESTABLISHING THE INTEREST RATES TO BE BORNE BY THE CITY'S \$1,300,000 STREET AND SIDEWALK BONDS, SERIES 1993A, \$500,000 STREET AND SIDEWALK BONDS, SERIES 1993B AND \$10,305,000 GENERAL OBLIGATION REFUNDING BONDS, SERIES 1993C AND CORRECTING CERTAIN PROVISIONS OF THE BOND RESOLUTION

City Manager Bean said that City Council adopted resolutions authorizing \$1,300,000 Street and Sidewalk -3-

Bonds, 1993 Series A; \$500,000 Street and Sidewalk Bonds, 1993 Series B; \$11,500,000 Refunding Bonds, 1993 Series C on May 18, 1993. This resolution confirms the details of the sale of those bonds. He said the Series A and B Bonds will provide new funding for street and sidewalk repairs. The Series C Bonds refund the 1987 and 1988 Street and Sidewalk Bonds. The refunding will save approximately \$596,000 over the remaining life of the bond.

Vice-Mayor Ellison said that members of Council have been previously furnished with a copy of the resolution and it will not be read.

Councilwoman Field moved for the adoption of Resolution No. 93-109. This motion was seconded by Councilman Moore and carried unanimously.

Councilwoman Field moved to authorize Vice-Mayor Ellison to sign any documents relative to the closing on this bond sale in the event Mayor Michalove is not back in town at the time of closing. This motion was authorized by Councilman Moore and carried unanimously.

RESOLUTION BOOK NO. 21 - PAGE 39

C. ORDINANCE NO. 2041 - BUDGET AMENDMENT TO APPROPRIATE HOME INVESTMENT PARTNERSHIP PROGRAM GRANT FOR ASHEVILLE REGIONAL HOUSING CONSORTIUM

Mr. Marvin Vierra, Community Development Coordinator, said that the City has recently received notification of approval of \$837,000 from the U.S. Department of Housing and Urban Development HOME Investment Partnership Program for the

Asheville Regional Housing Consortium. The City, as Lead Entity of the Consortium, will administer the program through the Community Development Division. The allocation of these funds were approved by the City Council on March 2, 1993, in Resolution No. 93-32. This ordinance will appropriate the \$883,956 into the budget under the HOME Investment Trust Fund - Asheville \$46,956, Buncombe County \$40,262, Madison County \$6,660, and NCHFA \$97,500.

Vice-Mayor Ellison said that members of Council have been previously furnished with a copy of the ordinance and it will not be read.

Councilman Worley moved for the adoption of Ordinance No. 2041. This motion was seconded by Councilman Moore.

On a roll call vote of 6-0, Ordinance No. 2041 passed on its first and final reading.

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ORDINANCE BOOK 14 - PAGE 3

D. ORDINANCE NO. 2042 - BUDGET AMENDMENT TO APPROPRIATE NINETEENTH YEAR CDBG ENTITLEMENT GRANT FUNDS

Mr. Marvin Vierra, Community Development Director, said that the City has received approval from HUD for the 19th Year CDBG program in the amount of \$1,481,000. Program income is estimated to be \$12,000 for a total budget of \$1,493,000. This ordinance will appropriate the funds into the budget for the year beginning July 1, 1993.

Vice-Mayor Ellison said that members of Council have been previously furnished with a copy of the ordinance and it will not be read.

Councilman Worley moved for the adoption of Ordinance No. 2042. This motion was seconded by Councilwoman Field.

On a roll call vote of 6-0, Ordinance No. 2042 passed on its first and final reading.

ORDINANCE BOOK 14 - PAGE 6

V. CONSENT AGENDA:

A. APPROVAL OF THE MINUTES OF THE MEETING HELD ON JULY 13, 1993.

B. RESOLUTION NO. 93-110 - RESOLUTION AUTHORIZING THE PURCHASING DIRECTOR TO SELL A SURPLUS FIRE TRUCK AT PUBLIC AUCTION

Summary: This truck was previously approved by City Council by Resolution No. 93-100 for private sale. Subsequent to published notice, other interest has been expressed.

At the request of Councilman Swicegood, City Manager Bean said that he would provide the Council with a report relative to possible refurbishment of the fire trucks versus sale as surplus property.

RESOLUTION BOOK NO. 21 - PAGE 42

C. RESOLUTION NO. 93-111 - RESOLUTION AUTHORIZING THE PURCHASING DIRECTOR TO SELL SURPLUS MOTOR VEHICLES AND OFF ROAD EQUIPMENT AT PUBLIC AUCTION

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Summary: This resolution will authorize the Purchasing Director to sell surplus motor vehicles and off road equipment at public auction on September 11, 1993.

RESOLUTION BOOK NO. 21 - PAGE 44

D. MOTION SETTING A PUBLIC HEARING ON AUGUST 3, 1993, TO AMEND THE ZONING ORDINANCE TO REZONE 720 REED STREET FROM R-3 RESIDENTIAL DISTRICT TO CH COMMERCIAL HIGHWAY DISTRICT

E. MOTION SETTING A PUBLIC HEARING ON AUGUST 3, 1993, TO AMEND THE ZONING ORDINANCE TO PARTIALLY REZONE ON PINEY MOUNTAIN DRIVE FROM R-2 RESIDENTIAL DISTRICT TO OI OFFICE INSTITUTIONAL DISTRICT

Councilman Moore moved for adoption of the Consent Agenda. This motion was seconded by Councilwoman Field and carried unanimously.

VI. OTHER BUSINESS:

A. BELE CHERE 1993

On behalf of City Council, Vice-Mayor Ellison urged everyone to attend Bele Chere 1993 and have fun and be safe.

B. GEORGE SATTERFIELD - DISCONTINUANCE OF BUS

ROUTE #3

Representing a number of individuals, Mr. George Satterfield pleaded with the City Council not discontinuing Route #3 to the Biltmore Square Mall. He stated concerns that Ms. Wanda Winslow, Chairman of the Transit Authority, knew that the bus route would be discontinued in January of 1993 and public hearings were not held until July of 1993. He urged the Council not to discontinue the route because it was the only means of transportation for many individuals.

Councilman Moore sympathized with the individuals but stated that two years ago the route was started on an experimental basis only. Since that time, there just has not been enough riders to offset the money spent on the route.

Vice-Mayor Ellison stated that since the area is still developing quickly, a worksession with the Transit Authority would be requested in order to see if there might be an alternate way to offset the Transit Authority's financial -6-

concern and still keep the bus route operable. He said that the Council would request a copy of the Transit Authority's minutes of the public hearing held concerning the discontinuance of the bus route.

C. RALPH BISHOP

Mr. Ralph Bishop urged the Council to take whatever steps necessary to stop the operation of a gambling establishment by the river.

VII. ADJOURNMENT.

Vice-Mayor Ellison adjourned the meeting at 4:45 p.m.

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CITY CLERK MAYOR

