

Tuesday - January 13, 1998 - 5:00 p.m.

Regular Meeting

Present: Mayor Leni Sitnick, Presiding; Vice-Mayor Edward C. Hay Jr.; Councilman M. Charles Cloninger; Councilman Earl Cobb; Councilwoman Barbara Field; Councilman Thomas G. Sellers; and Councilman O.T. Tomes; City Attorney Robert W. Oast Jr.; City Manager James L. Westbrook Jr.; and City Clerk Magdalen Burleson

Absent: None

## **INVOCATION**

Vice-Mayor Hay gave the invocation.

## **I. PROCLAMATIONS:**

### **A. PROCLAMATION PROCLAIMING THE WEEK OF JANUARY 12-16, 1998, AS THE "ASHEVILLE AREA CHAMBER OF COMMERCE WEEK"**

Mayor Sitnick read the proclamation proclaiming the week of January 12-16, 1998, as the "Asheville Area Chamber of Commerce Week" in honor of the Asheville Area Chamber of Commerce Centennial. She presented the proclamation to Mr. Jay Garner and Mr. Ray Bailey who thanked City Council for their support.

### **B. PROCLAMATION PROCLAIMING THE WEEK OF JANUARY 12-19, 1998, AS "DR. MARTIN LUTHER KING JR WEEK"**

Councilman O.T. Tomes read the proclamation proclaiming the week of January 12-19, 1998, as "Dr. Martin Luther King Jr. Week" in the City of Asheville and presented it to Ms. Oralene Simmons. Ms. Simmons briefed City Council on some events and activities that would be taking place during the week.

### **C. RECOGNITION AND APPRECIATION TO ANN VASILIK FOR THE BICENTENNIAL PIECE LOCATED ON THE FIRST FLOOR OF THE CITY HALL BUILDING**

Mayor Sitnick recognized the expressed City Council's appreciation to Ms. Ann Vasilik for the bicentennial art piece located on the First Floor of the City Hall Building.

Ms. Vasilik hoped that City Council would allow the art piece to be displayed in other locations such as the library, schools and hospitals.

## **II. CONSENT:**

### **A. RESOLUTION NO. 98-1 - RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE N.C. LEAGUE OF MUNICIPALITIES FOR PROVIDING AID TO OTHER MUNICIPALITIES WITHIN THE STATE OF NORTH CAROLINA IN THE EVENT OF A NATURAL OR MAN-MADE DISASTER**

Summary: The North Carolina League of Municipalities has drafted the first multi-purpose, standardized, mutual aid agreement for providing and receiving assistance among -2-

governments that is more effective and efficient, and also provides faster reimbursement from FEMA, and also covers concerns related to insurance and liability issues.

In responding to mutual aid rendered to municipalities impacted by Hurricane Fran, a generic agreement was drafted which covered the following:

- Basic time for assistance is seven days, but can be modified when parties agree.
- Establishes that needs of 'home' municipal residents are first priority, and a municipality may decline to provide assistance.
- When a disaster strikes, a city may request help if it determines that its own resources are inadequate.
- Requests can be made directly to another city or through an emergency management system.
- Outlines required information such as conditions, type of assistance needed (personnel, equipment), length of time, etc.
- The City receiving a request for aid would agree or decline to provide assistance.
- The *requesting City* is responsible for basic employee needs, work assignments, documented actual costs and expenses (to include personnel, equipment and materials), and direction and record-keeping to provider.
- The *providing City* is responsible for direct supervision of their personnel and equipment, crew communications, daily time records, (personnel, equipment hours, etc.) customary pay (to be reimbursed), and submittal of invoices for reimbursement.
- Each party holds the other harmless from liability.
- All activities performed are declared government functions.
- Agreement to last for at least one year, and for one year in subsequent years, unless terminated by a 60-day notice.

Key staff (including the Legal, Risk Management, Police, Fire, Parks and Recreation, and Public Works Departments) have reviewed the document and agree with the intent and language of the Agreement.

#### **RESOLUTION BOOK NO. 24 - PAGE 321**

#### **B. RESOLUITON NO. 98-2 - RESOLUTION AWARDDING BID TO N.C. EQUIPMENT COMPANY FOR A STREET SWEEPER FOR THE PUBLIC WORKS DEPARTMENT**

Summary: Consideration of a resolution to award Bid Request No. 473-98 for the purchase of a street sweeper for the City of Asheville Public Works Department, Street Division.

Pursuant to N. C. Gen. Stat. sec. 143-129 and in compliance with the City's Minority Business Plan, sealed bids were invited to furnish a street sweeper for the Public Works Department, Street Division. The following two bids were received:

N.C. Equipment Company, Asheville, N.C. \$110,368

Johnston Sweeper Company, Chino, CA \$127,931

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Bids have been reviewed for technical compliance to specifications by the Public Works Department and the

Fleet Management Division, and their concurrence received in the following recommendation.

Funds for this purchase are to be from the Street Division's appropriations, Account Code 20-430-15-427-00-5740.

Subject to Council's approval, it is recommended that the bid be awarded to the low bidder, N. C. Equipment Company, Asheville, N. C., in the amount of \$110,368.00 for the purchase of a 1997 'Ford' CF-8000 cab and chassis with a 'Johnston' model 605 sweeper.

## **RESOLUTION BOOK NO. 24 - PAGE 322**

### **C. RESOLUTION NO. 98-3 - RESOLUTION AWARDING BIDS FOR FLEET VEHICLES**

Summary: Consideration of a resolution to award Bid Request No. 472-98 for the purchase of seventeen (17) assorted fleet vehicles.

Pursuant to N. C. Gen. Stat. sec. 143-129 and in compliance with the City's Minority Business Plan, sealed bids were received to furnish the Police, Fire, Parks, Building Safety and Public Works Departments, and Asheville Transit Authority as bid items 1 through 6. Matthews Ford, Asheville, N.C., was the sold bid meeting specifications for bid items 1,2, 3, 4, and 6 as follows:

Bid Item 1 - Five 1998 Ford Crown Victoria for Police Department \$96,960

Bid Item 2 - Two 1998 Ford F-150 for Fire Department \$39,740

Bid Item 3 - One 1998 Ford F350 Van for Parks & Recreation Dept. \$21,887

Bid Item 4 - Seven 1998 Ford Rangers for Building Safety Dept. \$92,505

Bid Item 6 - One 1998 Ford Taurus for Transit Authority \$14,183

The following bids were received for one 1998 International Cab & Chassis with a Heil Dumping Unit for the Public Works Department:

Bid No. 5:

Carolina Truck Centers, Hickory, N.C. \$37,593.00

Volvo & GMC Truck Center, Hickory, N.C. \$38,480.00

Carolina Truck & Body, Asheville, N.C. \$38,839.00

W. Carolina Freightliner, Asheville, N.C. \$39,800.00

Volvo & GMC Truck Center, Hickory, N.C. \$43,899.50

Bids have been reviewed for technical compliance to specifications by the Fleet Management Division and their concurrence received in the following recommendations.

Funds for the purchase of these vehicles are to be from the requisitioning departments capital equipment appropriations for FY 97/98. All vehicles are budgeted as replacement vehicles.

Subject to Council's approval, it is recommended that awards be made to the low bidder of each item as follows:

Bid items 1, 2, 3, 4, and 6 award to Matthews Ford, Asheville, N. C. in the amount of \$265,275.00 for the purchase of vehicles described above.

Bid item 5 award to Carolina Truck Center, Hickory, N. C. in the amount of \$37,593.00 for the purchase of the 1998 International Cab & Chassis with a Heil Dumping Unit.

Grand total of all awards as recommended \$302,868.00.

**RESOLUTION BOOK NO. 24 - PAGE 324**

**D. RESOLUTION NO. 98-4 - RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH GENESIS INC. FOR DESIGN PHASE II OF THE W.T. WEAVER BOULEVARD GREENWAY**

Summary: The Parks and Recreation Department was directed to select the services of an interdisciplinary firm to provide a complete scope of design and engineering services for the W.T. Weaver Boulevard Greenway - Phase II.

The City of Asheville is continuing its greenway development along Glenn's Creek on W.T. Weaver Boulevard and within the UNC-A campus. The construction of the first phase of this development is complete and extends from Merrimon Avenue to Barnard Avenue (approximately 2,200 feet in length). The second phase of the W.T. Weaver Boulevard Greenway project shall extend from Barnard Avenue to Broadway (approximately 2,100 feet in length). It will tie into the sidewalks and future greenway along Broadway.

The greenway will be located mostly within the campus of the University of North Carolina at Asheville (which includes the land outside of the Botanical Gardens), with some portions located within the City of Asheville's right-of-way for W.T. Weaver Boulevard and the North Carolina Department of Transportation's right-of-way at Broadway. The staff of the City of Asheville and UNC-A have been working together to execute the necessary agreements and easements for this greenway project.

Most of the planning, design and construction was accomplished by City of Asheville staff in Phase I, the majority of the planning and design work in Phase II will be done by private consultants with construction eventually implemented by private contractors. Staff was charged to solicit the services of an interdisciplinary team (landscape architects, architects, engineers, etc.) with one lead firm who can provide planning, design, construction drawings and specifications, contract documents, bidding procedure, quality assurance of construction, and as-built drawings for the W.T. Weaver Boulevard Greenway - Phase II.

The City of Asheville Parks and Recreation Department solicited requests for proposals from qualified planning and design professionals. The proposal review team to select a firm via city policy included Erin McLoughlin (Planning & Development Department), Suzanne Molloy (Public Works), Al Kopf and Alan Glines (Parks and Recreation), Melissa Acker (UNC-A), and Susan Roderick (Tree and Greenway Commission). After reviewing the proposals and interviewing several firms, the team recommended the selection of Genesis Group, Inc. Staff has been negotiating with the Genesis Group, Inc. to reach a reasonable scope of work and fee estimate.

The following scope of work and associated fee estimates reflect "turn-key" professional consultant services by Genesis Group, Inc. (with the exception of trail easements to be performed by staff) as delineated in the city's request for proposal:

Stage I - Pre-Design Analysis \$ 5,200  
Stage II - Conceptual Design 14,520  
Stage III - Construction Documentation 14,382  
Stage IV - Construction Administration 15,000  
Site Survey 2,500  
Soil Testing and Engineering 3,500  
Reimbursable Expenses 2,000  
Total \$57,102

Stages I and II are specific in terms of professional labor estimates, Stages III and IV reflect estimated costs which might vary pending the final design solution. Genesis Group, Inc. proposes a nine month completion process for planning, design, and implementation.

The Parks and Recreation Department recommends that authorization be given to the City Manager to enter into a contract with Genesis, Inc. for the development of the W.T. Weaver Boulevard Greenway - Phase II.

#### **RESOLUTION BOOK NO. 24 - PAGE 328**

#### **E. RESOLUTION NO. 98-5 - RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A SERVICE AGREEMENT RENEWAL WITH MOTOROLA COMMUNICATIONS & ELECTRONICS INC. RELATIVE TO MAINTAINING THE CITY'S RADIO SYSTEM AND ASSOCIATED EQUIPMENT**

Summary: In August of 1994, the City of Asheville entered into a service agreement with Motorola Communications and Electronics, Inc. for the maintenance of the City's radio communication system. Due to the wide range and diversity of high technology used in the City's radio systems and the complex integration of the technologies of each segment, it was determined that a single vendor contract would best fulfill the City's need for reliability of the radio system and rapid response maintenance for any portion of the system that may fail. The agreement provides for a fixed rate maintenance cost per unit of equipment for a three year period. Although the three year period has now expired, a renewal clause in the agreement allows the City to renew for a period of one additional year at the original maintenance cost per unit.

The renewal agreement includes a monthly increase of \$282.50, which covers additional equipment purchased by the City that has come out of warranty during the past year. The total monthly cost of this service during the renewal period will be \$11,619.15.

Funds have been appropriated in the Finance Department, Information Services Division, Account No. 10-410-10-441-08-4400 to cover the monthly cost of this agreement.

#### **RESOLUTION BOOK NO. 24 - PAGE 329**

#### **F. RESOLUTION NO 98-6 - RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT THE FINDINGS OF HUNTER INTERESTS INC. REGARDING ITS PHASE I MARKET OVERVIEW REPORT SUBMITTED TO THE TASK FORCE ON THE FUTURE OF THE CIVIC CENTER AND TO PROCEED WITH PHASE II**

Summary: Based on the market overview analysis, the recommended expansion should include a high

quality 18,000- to 30,000-square foot ballroom that is divisible into four rooms, -6-

and 10,000 to 15,000 square feet of high quality meeting/breakout space which should include tiered seminar rooms. This facility should be supported by a private-sector-developed headquarters hotel of at least 250-guest rooms. It is imperative that the conference/convention component be developed in a first class manner and include sophisticated telecommunication capabilities and an integrated hotel to ensure that Asheville realizes its maximum return on this considerable investment. The Task Force supports these recommendations and recommends City Council proceed to Phase II which is a detailed market analysis.

## **RESOLUTION BOOK NO. 24 - PAGE 330**

### **G. RESOLUTION NO. 98-7 - RESOLUTION ADOPTING THE RECOMMENDATIONS OF THE REGIONAL WATER AUTHORITY TO AWARD THE BID OF ASHEVILLE'S CENTRAL BUSINESS DISTRICT WATERLINES - PHASE I PROJECT TO COOPER CONSTRUCTION COMPANY**

Summary: Sealed bids were received for the Authority's " Asheville Central Business District Waterlines-Phase I" project on December 2, 1997. This Master Plan Phase II project includes the installation of new waterlines on Haywood Street from College Street to Patton Avenue and a section of Biltmore Avenue from Meadow Road to Forest Hill Drive. The project was bid such that either street section could be accepted separately. This project will improve available fire protection, improve the reliability of water service and help reduce the unaccounted for water percentage. Three bids were submitted with Cooper Construction Company submitting the low bid of \$1,656,057. All the bids received are listed below in the order of their bid:

#### **COMPANY BID**

Cooper Construction Company \$ 1,656,057

Hendersonville, North Carolina

Hobson Construction Company \$ 1,742,110

Arden, North Carolina

Ruby-Collins Incorporated \$ 3,201,550

Smyrna, Georgia

Only \$ 760,000 is budgeted for the construction of this project. Staff discussed this project and determined that the Biltmore Avenue component of the project offered greater immediate benefit to the operation of the water system. Also, the Biltmore Avenue waterline component of the project was within the funds allocated, the Haywood Street waterline was not. Accordingly, staff recommended and the Regional Water Authority approved award of a modified contract to Cooper Construction Company for the Biltmore Avenue 12-inch component of the project. Cooper's low bid price for this component of the project was \$ 550,131.00. The planned 12-inch waterline installation on Haywood Street will be considered in the future as possibly a joint project with other utilities desiring to upgrade their existing facilities along Haywood Street. Construction on this project is scheduled to begin in late January, 1998 with 180 days allocated for construction. There is a liquidated damages clause in the contract of \$ 500.00 per day if the project is not completed on time. These bids were received in accordance with NC General Statute 143-129 and in accordance with the City of Asheville's Minority Business Plan.

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The Regional Water Authority approved award of this modified contract to Cooper Construction Company on

December 16, 1997, and staff recommends City Council's concurrence with the Authority's action.

## **RESOLUTION BOOK NO. 24 - PAGE 331**

### **H. MOTION ADOPTING DATE AND TIMES FOR PUBLIC INPUT FOR THE PROPOSED ORDINANCE REGULATING CABLE SERVICE PROVIDERS, THE PROPOSED ORDINANCE GRANTING A CABLE TELEVISION FRANCHISE, AND THE PROPOSED FRANCHISE FEE SETTLEMENT AGREEMENT**

Summary: At the December 9, 1997, Council worksession, staff was given direction by Council to schedule a worksession, a public input meeting and a public hearing for consideration of the proposed ordinance regulating cable service providers, the proposed ordinance granting a cable television franchise to Brenmor Cable Partners, L.P. (d/b/a InterMedia), and the proposed franchise fee settlement agreement ("cable television documents"). The purpose of this report is to recommend the following meeting dates and times for the proposed public input:

A. January 20, 1998 - Council Worksession - 3:00 p.m. - First Floor North Conference Room - City Hall Building. The purpose of this item on the Council worksession agenda will be to review the cable television documents with Council. This will be primarily for the benefit of new Council Members but will also be of benefit to the public in understanding the proposed cable television documents.

B. February 10, 1998 - Community Meeting - 7:00 p.m. - William F. Wolcott Jr., Building - 161 South Charlotte Street. The purpose of the community meeting will be to allow the community to meet with City staff, the City's consultant and the cable television company on an informal basis to discuss the cable television documents and to ask questions. It is my understanding from the previous worksession that Council wants to be part of the audience for this meeting.

C. February 24, 1998 - Public Hearing - 5:00 p.m. - Council Chamber on the Second Floor of the City Hall Building. This will be a regular public hearing held by City Council at a formal Council meeting to receive further input prior to making a decision on the cable television documents.

Staff recommends Council approve the processes outlined in this report to provide public input on the proposed cable television documents.

### **I. MOTION SETTING A PUBLIC HEARING ON JANUARY 27, 1998, TO REZONE 216 SHELBURNE ROAD FROM RM-6 RESIDENTIAL MULTI-FAMILY LOW DENSITY DISTRICT TO INSTITUTIONAL**

Mayor Sitnick said that members of Council have been previously furnished with copies of the resolutions on the Consent Agenda and they will not be read.

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

### **III. PUBLIC HEARINGS:**

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### **A. CONTINUATION OF PUBLIC HEARING RELATIVE TO REZONING EIGHT PARCELS ON THE SOUTH SIDE OF BROAD STREET FROM RM-16 RESIDENTIAL MULTI-FAMILY HIGH DENSITY TO OFFICE**

Mayor Sitnick said that this public hearing was opened on September 9, 1997, and continued until October 14, 1997. On October 14, 1997, the public hearing was again continued until November 25, 1997. On November 25, 1997, the petitioner requested the public hearing be continued again until this date.

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City Attorney Oast reminded City Council that on September 9, 1997, Councilman Cloninger was excused from voting on this matter due to a conflict of interest.

City Attorney Oast also said that a valid protest petition has been received, thus invoking the 3/4's vote requirement. Since Councilman Cloninger has been excused from voting, there would need to be a unanimous vote by City Council to adopt the ordinance.

Mr. Mike Matteson, Urban Planner, said that this is consideration of rezoning eight properties on the south side of Broad Street (between Madison Avenue and Charlotte Street) from RM-16 to Office.

When Council adopted the Unified Development Ordinance and the official zoning maps, it appears that their intention was to zone at least two of these properties as "Office". That intention, however, was not translated by staff onto the official zoning maps. Rather, these properties were designated as being zoned RM-16. Staff is presenting this rezoning as a way to correct this mapping error and has included the additional properties so as to create a more desirable zoning pattern in the area.

The RM-16 zoning district is a high-density multi-family district allowing up to 16 units per acre. The Office district allows a mixture of small scale office uses and residential uses at a density of up to 8 units per acre.

At their August 6, 1997 meeting, the Planning and Zoning Commission voted 4-3 to recommend denial of the rezoning.

Mr. Matteson said that there have been negotiations taking place for the past couple of months between the property owner and Neighborhood Housing Services. Those negotiations have resulted in the Neighborhood Housing Services purchasing the two properties in question. Therefore, the individual making the original request that precipitated this rezoning petition no longer owns the property and the new owner is content with the with the existing zoning. In light of those recent developments, staff is recommending that City Council, as the petitioner in this case, withdraw the petition whereby leaving these properties zoned residentially.

Mayor Sitnick closed the public hearing at 5:30 p.m.

Councilwoman Field moved to withdraw the rezoning petition. This motion was seconded by Councilman Tomes and carried unanimously.

#### **ORDINANCE BOOK NO. 16 - PAGE**

#### **B. PUBLIC HEARING RELATIVE TO REZONING TWELVE LOTS LOCATED OFF BROAD STREET, WASHINGTON ROAD AND MADISON AVENUE FROM OFFICE DISTRICT TO RM-8 RESIDENTIAL MULTI-FAMILY MEDIUM DENSITY DISTRICT**

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#### **ORDINANCE NO. 2444 - ORDINANCE TO REZONE TWELVE LOTS LOCATED OFF BROAD STREET, WASHINGTON ROAD AND MADISON AVENUE FROM OFFICE DISTRICT TO RM-8 RESIDENTIAL MULTI-FAMILY MEDIUM DENSITY DISTRICT**

Mayor Sitnick said that this public hearing was continued from November 25, 1997, pursuant to a request of the petitioners.

Mayor Sitnick opened the public hearing at 5:31 p.m.

City Clerk Burleson presented the notice to the public setting the time and date of the public hearing.



Mr. Mike Matteson, Urban Planner, said that this request is to rezone twelve properties on either Broad Street, Madison Avenue or Washington Road from Office to RM-8 Residential Multi-Family Medium Density.

The twelve properties total approximately 1.8 acres in size and are surrounded by RM-8 zoning to the North, RM-16 zoning to the East and Office zoning to the South and West.

The Office District allows a mixture of small scale office uses and residential uses with a density of up to eight units per acre. The RM-8 District allows single or multi-family residential uses with a density of up to eight units per acre.

Staff recommends approval of the rezoning for the following reasons: (1) All of the properties are currently used for residential purposes; and (2) The 2010 plan calls for residential uses for these properties.

At their November 5, 1997, meeting, the Planning and Zoning Commission voted unanimously to recommend approval of the rezoning.

Ms. Angela Scotchie, 91 Broad Street; Mr. Arthur Davis, 12 Madison Avenue; and Mr. Vincent Ramsuer, 111 Broad Street; all spoke in support of the rezoning of the area.

Mayor Sitnick closed the public hearing at 5:35 p.m.

Mayor Sitnick said that members of Council have previously received a copy of the ordinance and it would not be read.

Councilwoman Field moved for the adoption of Ordinance No. 2444. This motion was seconded by Councilman Cobb and carried unanimously.

## **ORDINANCE BOOK NO. 16 - PAGE**

### **C. PUBLIC HEARING TO REZONE PROPERTY ON GLENDALE AND SPRINGVALE AVENUES FROM RM-16 TO CI**

#### **ORDINANCE NO. 2445 - ORDINANCE TO REZONE PROPERTY ON GLENDALE AND SPRINGVALE AVENUES FROM RM-16 TO CI**

Mayor Sitnick opened the public hearing at 5:36 p.m.

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City Clerk Burleson presented the notice to the public setting the time and date of the public hearing.

Mr. Carl Ownbey, Urban Planner, said that this is consideration of an ordinance to rezone property on Glendale and Springvale Avenues from RM-16 Multi-Family Residential to CI Commercial Industrial.

The majority of these lots are vacant tracts of land and are surrounded on the north and west by commercially zoned lots and on the south and east by residential property. This area of residential lots has diminished over the years and the houses in the area are abandoned or have been demolished. The development trend for this area seems to be toward commercial industrial and not residential.

The Technical Review Committee states that this area has substandard water

flow for fire protection for commercial development with only a 2" line on Springvale and Dogwood. However, the 6" line on Glendale Avenue can be accessed. The Technical Review Committee states that the streets in the area are substandard for any commercial development and any access would need to be upgraded by

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the developer.

This property is within the city limits of Asheville.

The Planning staff reviewed the rezoning request and recommended approval of PIN # 9658.17-21-4378 and 9658.18-21-5239, 5291, 5593, 5636, 6455, 7317 from RM-16 Multi-Family Residential to CI Commercial Industrial except for a 20 foot buffer strip of lots 5291 and 7317 along Dogwood Lane which was recommended to be rezoned to RS-8 to be compatible with the residential zoning on the other side of Dogwood in order to restrict any commercial access from these lots onto Dogwood Lane.

At the December 3, 1997, Planning & Zoning Commission, the Commissioners voted 3 to 2 (with 2 commissioners absent ) to accept staff's recommendation to approve the rezoning request except the buffer strip should be 5 foot instead of 20 foot.

Upon inquiry of Councilman Sellers, Mr. Ownbey explained that buffer strip would keep any commercial development from these lots having direct access onto Dogwood Lane. He noted that there will be a 25 foot buffer strip required in addition to the 5 foot strip.

When Councilman Cobb questioned traffic improvements, Mr. Ownbey said that under the UDO the developer will be responsible to improve McArthur Lane, Springvale Drive and Dogwood Lane to City standards, if they use those as access to the flea market proposed across the street from these lots.

Upon inquiry of Councilwoman Field, Mr. Ownbey said that multi-family can be built on commercial industrial property.

Mr. Ownbey responded to questions from Councilman Cobb as it related to buffer requirements and if the buffer can be reduced if a fence were built.

Mr. Clay Mooney, landscape architect representing one of the property owners involved in this rezoning request, explained that his client owns 4 of the 7 parcels requested to be rezoned. He said the use of the four lots will be for overflow parking from the flea market across the street. In the present plans, there is sufficient parking on the site of the flea market based on a ratio developed by the Planning Department to accommodate the number of vendors anticipated.

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City Attorney Oast reminded City Council that if the rezoning is granted, the property will be available for any use allowed in the Commercial Industrial District.

Due to a conflict of interest, Councilman Hay moved to excuse Councilman Cloninger from voting on this issue. This motion was seconded by Councilman Sellers and carried unanimously.

Due to a conflict of interest, Councilman Hay moved to excuse Councilwoman Field from voting on this issue. This motion was seconded by Councilman Cobb and carried unanimously.

Mr. Bob Mayhew, one of the partners of the property, spoke in support of the rezoning noting that they will also be adding low income housing on 2 of the lots.

Upon inquiry of Mayor Sitnick, Mr. Mayhew said that they will only pave the walk-way in the flea market area. As for the other parking portion, most of it will be gravel mixed with mulch in order to try and get a grass coverage so that in 3-4 years they can mow it and have a compacted area for parking. He said they will not pave the whole 12-15 acres.

Mr. Mayhew responded to Councilman Sellers question about traffic patterns in the area and if there was a need for additional signalization.

Mr. Ron Chandley, representing vendors of the old flea market, urged Council to rezone this property noting that a flea market needs ample parking to be successful.

Mr. Bob Long Jr., attorney representing owner of the lot located at the corner of Glendale Avenue and Dogwood Lane, requested Council to rezone the property and that the buffer be held to five feet.

Mr. Pat Logan, resident in the Oakley community, spoke in support of the rezoning and felt it may help improve a blighted area.

Mr. Ownbey noted that the Planning & Zoning Commission has requested the City Engineer to investigate the possibility of installing no parking signs on Glendale Avenue, Dogwood Lane and Springvale Avenue, even if this area does not get rezoned.

When Mayor Sitnick asked Mr. Ownbey why some Commission members voting against the rezoning, Mr. Ownbey recalled that they basically wanted to retain multi-family residential in the area.

Mr. James Cheeks, Traffic Engineer, responded to questions relative to the traffic in the area.

Mayor Sitnick closed the public hearing at 6:12 p.m.

Mayor Sitnick said that members of Council have previously received a copy of the ordinance and it would not be read.

Councilman Cobb moved for the adoption of Ordinance No. 2445. This motion was seconded by Councilman Tomes and carried unanimously.

#### **ORDINANCE BOOK NO. 16 - PAGE 389**

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#### **D. PUBLIC HEARING FOR THE LEVEL III PLANNING REVIEW FOR THE MEADOWS APARTMENTS - PHASE II LOCATED ON ASCENSION DRIVE IN WEST ASHEVILLE**

Mayor Sitnick said that next on the agenda is the application of Meadows Apartments for a conditional use permit to build Phase II of an apartment complex, which is a Level III project, on property situated on Ascension Drive in West Asheville. This is a public hearing for Council to consider whether the requested permit should be issued. There being no preliminary matters to be considered, she opened the public hearing at 6:21 p.m.

City Clerk Burleson presented the notice to the public setting the time and date of the public hearing. She then administered the oath to anyone who anticipated speaking on this matter.

Mayor Sitnick reviewed the procedures for this hearing by stating that City Council will first hear from staff who will describe the proposal and provide some background information. Then the applicant may make a presentation and then comments from the public will be taken. She said that there will be an opportunity for questions and rebuttal comments, as necessary. Following the hearing, Council will then debate the proposal and will take action on the request. Hearing no questions about the procedure, she asked for staff's presentation.

Mr. Carl Ownbey, Urban Planner, said that this is consideration of Conditional Use approval and permit (as

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outlined in the UDO) for the Meadows Apartments - Phase II located on Ascension Drive in West Asheville.

By use of a map, he reviewed the location of the project with Council. This project is for the 168 unit expansion of the Meadows Apartments. The project has been submitted and reviewed under Level Three - subsection 7-5-9(A) of the UDO by the Technical Review Committee. They have approved this project with several conditions which the developer has addressed except for approval of revised water and sewer installation plans. This property is within the City Limits of Asheville.

City Council must take formal action as set forth in subsection 7-5-5 (E) 2 and shall state if the proposed conditional use meets or does not meet each of the standards set forth

in subsection 7-16-2 (C).

He then reviewed the standards and the recommended findings on those standards as follows:

Conditional Use Standards:

1. That the proposed use or development of the land will not materially endanger the public health or safety:

The proposed development conforms to the development standards of the current zoning ordinance and is the second phase to the existing apartment complex. The proposed development has been approved for water and sewer service.

2. That the proposed use is reasonably necessary for the health and general welfare, such as by enhancing the successful operation of the surrounding area in its basic community functions or by providing an essential service to the community or region:

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The proposed development increases the range of housing opportunities to the community and increases the available affordable housing for the City.

3. That the proposed use or development of the land will not substantially injure the value of adjoining or abutting property:

The proposed development is consistent with the residential development to the south (Meadows Apartments - Phase I) and is adequately buffered from the single-family developments to the west and north.

4. That the proposed use or development of the land will be in harmony with the scale, bulk, coverage, density and character of the area or neighborhood in which it is located:

The proposed 168 unit residential development will be constructed on approximately 17 acres of adjacent land. This equates to approximately 9.8 units/acre. The current zoning permits 16 units/acre. The adjacent single-family residential development is zoned for 8 units/acre.

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5. That the proposed use or development of the land will generally conform with the Comprehensive Plan and other official plans adopted by the City:

The proposed development conforms to the 2010 Plan in that the plan indicates this area to be low to medium density residential which outlines 8 to 10 units/acre.

6. That the proposed use is appropriately located with respect to transportation facilities, water supply, fire and police protection, waste disposal, and similar facilities:

The proposed development is within the city limits and will receive water and sewer services, police and fire protection, and public transportation is provided to the existing apartments.

7. That the proposed use will not cause undue traffic congestion or create a traffic hazard:

The proposed development was required to provide a "traffic impact analysis" outlining the project's impact on the surrounding streets and traffic patterns. The report was reviewed and approved by City staff. The report recommended that access to the Camelot neighborhood through Ector Street be limited. That has been set up in the form of a gate at Ector Street onto Evelake Drive. It will be open only during certain hours during the day allowing no access from Meadows Apartments except during certain hours. The bus will be re-routed to accommodate that gate.

The Planning staff and the Technical Review Committee recommend approval of the Conditional Use Permit for the Meadows Apartments - Phase II located on Ascension Drive in West Asheville with the condition that water and sewer installation plans are approved by the City prior to any construction.

Upon inquiry of Vice-Mayor Hay about who will manage the gate, Mr. Ownbey said that it will be part of Meadows Apartments and they are working out the specifics where it will be accessible for emergency vehicles.

When Councilman Cobb asked about recreational facilities for the children, Mr. Ownbey said that they will have a community building, swimming pool and recreational land.

Responding to questions from Councilman Cobb, Mr. James Cheeks, Traffic Engineer, said that the traffic impact study did not recommend a traffic signal or any kind of modification to -14-

the existing traffic signal at Evelake and Leicester Highway due to the distance between the existing drive and that signal.

When Mayor Sitnick asked if there are any provisions for walkways, Mr. Ownbey said that the project was required to have a sidewalk all the way around the interior plus the green area will have some designs.

Mr. John Crabtree, President of Meridia Inc., briefed Council on how this will be combined with Phase I. He noted that the property is significantly under the maximum density allowed under the zoning and they have complied or exceeded the requirements of the traffic impact analysis.

Upon inquiry of Councilwoman Field, Mr. Crabtree said that the average rental price of a unit would be from mid-\$500 to \$750. He said there are 61 one-bedroom units, 96 two-bedroom units and 12 three-bedroom units. He said the Phase I of the project has predominantly three-bedroom units. He said that the do rent to families with children.

A resident of 37 Evelake Drive stated that it would be nice to have additional space between the end of the backyards and the beginning of the parking lot.

There being no request from the applicant for rebuttal, Mayor Sitnick closed the public hearing at 6:40 p.m.

Councilwoman Field moved to approve the Conditional Use Permit for the Meadows Apartments - Phase II located on Ascension Drive in West Asheville with the condition that water and sewer installation plans are approved by the City prior to any construction. This motion was seconded by Councilman Tomes.

Mayor Sitnick then said that there has been a motion and a second to approve the conditional use permit as presented by staff with the condition that water and sewer installation plans are approved by the City prior to any construction, and the Council is required to determine that certain standards have been met based on the evidence presented at today's hearing. She then said that she would read the list of standards, and if Council wishes to take a separate vote on any one of the standards, so say when she reads it out, or Council's silence, you will be indicating it's agreement that the standard has been satisfied.

Mayor Sitnick said the actual vote should be: The Asheville City Council finds, after consideration of the information presented at this public hearing, that the Conditional Use Permit for the Meadows Apartments - Phase II located on Ascension Drive in West Asheville, if developed as proposed in accordance with the submitted plans and with the condition that water and sewer installation plans are approved by the City prior to any construction, together with any modifications or conditions approved by Council:

- (a) will promote and not endanger the public health or safety.
- (b) will not injure the value of adjoining or abutting property.
- (c) will be in harmony with the character of the neighborhood.
- (d) will generally conform with the comprehensive plan.
- (e) is appropriately located for utilities and service delivery.
- (f) will not cause undue traffic congestion or hazards.
- (g) will comply with all required standards and specifications.

Mayor Sitnick said that hearing no negative votes of the foregoing standards, she asked for a vote on Councilwoman Field's motion to grant the Conditional Use Permit. Said motion carried unanimously.

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## **E. PUBLIC HEARING TO RECEIVE COMMENTS ON THE PROPOSED PURCHASE OF THE FRENCH BROAD RIVER GOLF COURSE BY THE CITY OF ASHEVILLE**

Mayor Sitnick opened the public hearing at 6:42 p.m.

City Clerk Burleson presented the notice to the public setting the time and date of the public hearing.

Mr. Irby Brinson, Director of Parks and Recreation, gave City Council an overview of the flooding situation that occurred at the French Broad River Golf Course. Staff has evaluated the situation over the past few days to determine the best means of removing the water, however, it will be costly. Based upon that, staff is recommending that the City not purchase the French Broad River Golf Course at this time. He did emphasize that this was a mechanism to generate revenue for parks and recreation needs. We still have those needs and they will continue to grow. He estimated approximately \$30 million for the next 15 years. He said that he will not shy away from bringing creative ideas to City Council. He felt that it was in their best interest to look at all alternatives to help increase funding for parks and recreation and they will continue to do that.

The Mayor and Council thanked Mr. Brinson for reaching out to new ways to bring in revenue into the City. They encouraged him to continue to bring those ways to Council along with his recommendations.

Council also thanked the people in the community who called and wrote letters for and against the purchase of the golf course.

Upon inquiry of Frank Young, City Attorney Oast said that if this issue is again considered by City Council, it will be advertised.

Mr. Samuel Camp, member of the Parks and Recreation Advisory Board, felt that the newspaper unfairly reported that there was "undercover dealings" going on with regard to the possible purchase - which is totally inaccurate. He said that the Advisory Board is, and will continue to, look at providing recreation for all citizens of Asheville.

Mr. Jerry Rice, County resident, passed out to Council a list of properties and programs the City gave to the County when the Water Agreement was being negotiated. The tax rate impact on County residents ended up, according to his calculations, being 2.95 cents. He hoped City Council would take these items back.

Dr. Bruce Baker urged Council to look at other places for parks and recreation that doesn't have as much risk as a golf course.

Mayor Sitnick closed the public hearing at 7:04 p.m.

Councilman Tomes moved to accept staff's recommendation that the City not purchase the French Broad River Golf Course at this time. This motion was seconded by Councilman Cobb and carried unanimously.

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## **F. PUBLIC HEARING RELATIVE TO AMENDING CHAPTER 7 OF THE CODE OF ORDINANCES (UNIFIED DEVELOPMENT ORDINANCE) TO ESTABLISH A NEW THRESHOLD FOR THE PREPARATION OF TRAFFIC IMPACT ANALYSES AND MAKING MINOR CLARIFICATIONS IN THE INFORMATION REQUIRED IN THE ANALYSES**

### **ORDINANCE NO. 2446 - ORDINANCE AMENDING CHAPTER 7 OF THE CODE OF ORDINANCES TO ESTABLISH A NEW THRESHOLD FOR THE PREPARATION OF TRAFFIC IMPACT ANALYSES AND MAKING MINOR CLARIFICATIONS IN THE INFORMATION REQUIRED IN THE ANALYSES**

Mayor Sitnick opened the public hearing at 7:07 p.m.

City Clerk Burleson presented the notice to the public setting the time and date of the public hearing.

Mr. Gerald Green, Senior Planner, said that the Unified Development Ordinance currently requires that a Traffic Impact Analysis be prepared for all Level II and Level III projects and for those Level I projects for which the city's Traffic Engineer determines that an analysis is needed. The building size (square footage) of a project determines the level of that project. Therefore, the requirement that a Traffic Impact Analysis be prepared is currently based on the size of a project instead of the traffic generated by the project.

Based upon projects reviewed since the adoption of the UDO, it has become clear that size of a project is not the most reasonable indication of traffic impacts. The proposed amendment would base the requirement that a Traffic Impact Analysis be prepared upon the traffic generated by the development instead of on the building size of the development. Developments generating 100 or more trips during the peak hour will be required by the proposed revision to prepare a Traffic Impact Analysis. This revision fosters a relationship between the traffic impact of a project and the requirement for an analysis, assuring that those projects with

a more significant impact on the traffic identify actions to mitigate them.

The Asheville Planning and Zoning Commission, by a 5 - 0 vote, recommended adoption of the revision to the UDO to revise the threshold for preparation of a Traffic Impact Analysis. The staff of the Planning and Development Department has also recommended approval of the revision.

Mr. Green then explained what a traffic impact analysis is and why and how they chose 100 or more trips as the requirement.

Councilwoman Field said that since there are no traffic engineers in Asheville that a person can hire to do traffic impact analyses and the ones in North Carolina are very busy, could architects be trained and then allowed to do those traffic impact analyses. City Attorney Oast said that it is his opinion that Council can specify appropriate professionals such as planners, engineers, architects, etc. who could obtain the basic training and certification to present that kind of information. Since we do have a traffic engineer on staff, he could analyze that information to make sure that it complies with the requirements.

City Engineer Cathy Ball said that according to state statutes, architects were not supposed to do traffic engineering studies. She did not have a problem with allowing them to perform those studies, as long as they were trained in how to conduct those studies. Her concern was that we may need to look at it from a legal standpoint.

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Councilwoman Field felt that the City should make the language as broad a possible in order that qualified professionals from our own community can provide this service.

Mr. James Cheeks, Traffic Engineer, responded to questions from Mayor Sitnick about the way the traffic impact studies are conducted, noting many adjustments are made in the reports, for instance seasonal adjustments.

Mayor Sitnick closed the public hearing at 7:21 p.m.

Mayor Sitnick said that members of Council have previously received a copy of the ordinance and it would not be read.

Councilman Cloninger moved for the adoption of Ordinance No. 2446. This motion was seconded by Councilman Tomes and carried unanimously.

## **ORDINANCE BOOK NO. 16 - PAGE 391**

### **IV. UNFINISHED BUSINESS:**

#### **V. NEW BUSINESS:**

##### **A. MOTION AUTHORIZING THE MAYOR TO WRITE A LETTER IN SUPPORT FOR A BROWNFIELDS AGREEMENT APPLICATION BEING MADE FOR PROPERTY LOCATED AT 105 FARVIEW ROAD**

Planning & Development Director Julia Cogburn said that at the worksession on January 5, 1998, the Asheville City Council directed staff to look into a request submitted to them by Reese Lasher of Western Investment Company. The request was for the City Council to provide him with a letter of support for a Brownfields Agreement Application being submitted by Western Investment Company for property located at 105 Fairview Road.



The North Carolina General Assembly, during the 1997 legislative session, authorized and approved a new state initiative. The new initiative, named the Brownfields Property Reuse Act, is designed to allow prospective developers to develop a contaminated piece of property with less than complete clean up of the contamination on the site and without threat of legal action by the Environmental Protection Agency. The purpose of the Act is to encourage the reuse or development of properties known as "brownfields properties" (those that may have been or were contaminated by past industrial and commercial activities), but are still attractive locations for redevelopment. The properties are closely monitored during development to ensure safe development.

The property at 105 Fairview Road is a former industrial site. Carolina Production Finishing Incorporated was located there until it closed in the mid-1980's. The property was sold to the proposed developer in early 1997 by Buncombe County at a tax foreclosure proceeding. The property had been unattractive to prospective buyers because of the perceived contamination on the site.

The property is located in a primarily industrial area. It is zoned CI (Commercial Industrial) and is 6.18 acres in size. The current tax value on the property is listed at \$235,600. The property currently contains two buildings. The property had previously been studied as a superfund site but did not qualify. Some cleanup of the property has occurred to date (tank removal, etc.) but the cleanup was not complete in nature.

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The developer proposes to redevelop the property. Their plans are to rehab the existing building on the site and to make it available to some company who wish to use it for appropriate uses in the commercial industrial district --- offices, warehousing, light industrial, etc.

The developer, if receiving designation under the Brownfields Property Reuse Act, would be required to do certain additional cleanup as required by the state to provide for safe development of the site. As she understand it, there has been a Phase II Environmental Assessment that has already been conducted and there are only very minor problems which remain on the site.

As part of the preliminary assessment by the State into the Brownfields Application, letters of support from the community are required. These letters can come from many different sources. One of the most common, obviously, is to seek the support of the local government in whose jurisdiction the property lies. This is why the request has come to Council.

The letter will of course need to indicate that all development will be done in accordance with all city regulations, etc. This appears to be a wonderful opportunity to put a piece of property back to use, to increase the City's tax base on this property and to gain additional and safe cleanup of the site.

Staff recommends that Council direct staff to draft a letter in support of the redevelopment of the property at 105 Fairview Road by Western Investment Company.

Upon inquiry of Councilman Tomes, Ms. Cogburn said that Ms. Jeannette Stanley, with the NC Superfund Section, indicated that the developer is responsible for cleaning up, to their satisfaction, property so that workers would not be jeopardized.

After discussion, Councilwoman Field moved to table this issue until responses to Council's concerns could be addressed, in particular if there has been any indication of off-site substance migration and if there are any reports on ground water contamination. This motion was seconded by Councilman Tomes and carried unanimously.

Councilman Cloninger said that he has read several articles about what other cities in North Carolina are doing to facilitate the reclamation of hazardous sites, including tax breaks. He asked the City Manager to

look into whether there might be some potential for us to do that in Asheville. The City Manager reported to him that thankfully we don't have very many sites that fit into that category. However, he hoped we could keep this in mind and then in the future if we have more of these kinds of sites realized, perhaps on the river, that we might develop some sort of policy to provide incentives for them to be reclaimed.

## **VI. OTHER BUSINESS:**

### **A. APPROVAL OF THE MINUTES OF THE REGULAR MEETING HELD ON DECEMBER 16, 1997, AND THE WORKSESSION HELD ON JANUARY 5, 1998**

Councilman Tomes moved for the adoption of the minutes of the regular meeting held on December 16, 1997, and the worksession held on January 5, 1998. This motion was seconded by Councilman Cobb and carried unanimously.

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### **B. PUBLIC INPUT**

At the request of Councilman Cloninger and as a result of inaccurate information in the newspaper, it was the consensus of City Council that Mayor Sitnick and Vice-Mayor Hay meet with the Citizen-Times editorial staff to advise them of Council's policy regarding public input, when the use of closed sessions are appropriate, and also what Council's policy will be in the future. Mayor Sitnick felt that perhaps a press conference to educate the media would be appropriate as well.

### **C. AMERICAN HERITAGE RIVER INITIATIVE**

Ms. Karen Cragolin, updated City Council on the status of the American Heritage River Initiative, bringing with her 4,000 letters of support for the designation of the French Broad River as an American Heritage River. She urged City Council to contact Representative Charles Taylor and ask that he meet with RiverLink representatives to discuss this Initiative, the benefits it will bring our regional, and his opposition to it.

Councilwoman Field moved that the Mayor contact Representative Taylor and request a meeting with City Council and/or representatives of RiverLink as soon as possible because the announcement will be made soon of the ten rivers which will be part of the program. This motion was seconded by Councilman Sellers and carried unanimously.

### **D. REQUEST OF RICHARD ROBERTS OF 3 OAKS DRIVE**

Mr. Richard Roberts, 3 Oaks Drive off Rice Branch Road, asked the City to help them with the maintenance of their road.

Public Works Director Mark Combs said that he has met with Mr. Roberts and some of his neighbors and have given them a package of materials which contains information on what it would take for the City to legally take over maintenance of a road. He recommended that unless the street is accepted by the City, that the City not provide any maintenance of that street. He said that he would be happy to meet with Mr. Roberts and his neighbors to discuss the policy of 50/50 participation with the City by special assessments or upfront costs for upgrading that street to City standards.

### **E. COMMENTS FROM JERRY RICE REGARDING WATER RESOURCES**

#### **BUDGET**

Mr. Jerry Rice voiced concern over the Water Resources Department mid-year adjustment budget

amendment which was adopted by the Regional Water Authority of Asheville, Buncombe and Henderson, the Asheville City Council and the Buncombe County Commissioners. He felt the errors in the budget were not caused by a computer, but were human errors.

Mayor Sitnick suggested Mr. Rice meet with the City Manager to review the matter and then, if he would like, she would be happy to meet with him.

## **F. ASHEVILLE SISTER CITIES**

Councilwoman Field updated City Council on the massacres in Mexican State of Chiapas, which is close to Asheville's Sister City San Cristobal de Las Casas. She hoped that the Citizen-Times newspaper would report as events occur there in order to keep concerned the public more informed.

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## **G. YMI CULTURAL CENTER REQUEST**

Mayor Sitnick said that she has received information along with a letter of request from Mr. Gene Ellison regarding the establishment of a reorganization committee relative to the YMI Cultural Center. She felt it would be appropriate to establish a Mayor's Committee to meet with Mr. Ellison to discuss his request and to keep City Council informed of whether City Council should take any actions. She appointed Vice-Mayor Hay as Chair, Councilwoman Field and Councilman Tomes.

## **H. CLAIMS**

The following claims were received by the City of Asheville during the week of December 12-31, 1997: Michell Leonard (Water), Vernon L. Grimsley (Fire), Shambra Hall (Police), Nina Smith (Water), Martha Parker (Water), Randy McKinney (Water), Jeff Foster (Parks & Recreation) and William Rickman (Sanitation).

The following claims were received during the week of January 1-8, 1998: Julius Siebert (Streets), Mary Sagonias (Water); Timothy A. Hoglen (Police); Susan Livingston (Sanitation); Sandra Hines (Police); Dillingham Construction (Water); Lalani Roberts (Streets) and Jennifer Stastny (Streets).

These claims have been referred to Asheville Claims Corporation for investigation.

## **I. LAWSUIT**

On December 29, 1997, the City was served with the following lawsuit: Gabriel Ferrari v. City of Asheville - invasion of privacy and miscellaneous other claims.

This lawsuit will be handled by an outside attorney.

## **J. CLOSED SESSION**

At 8:08 p.m., Councilwoman Field moved to go into closed session (1) to consult with an attorney employed by the City in order to preserve the attorney-client privilege between the City and its attorney. The parties in the lawsuits about which the Council expects to receive advice are: Tiffany Livengood, Robert Moore and the American Knights of the Ku Klux Klan, and the City of Asheville; Morris Communications Corporation d/b/a Fairway Outdoor Advertising, Outdoor Communications Inc., and Maple Cove Inc. and the City of Asheville; and the State of North Carolina, City of Asheville, and Elijah Ulysses Jones - statutory authority is G.S. 143-318.11 (a) (3); to (2) establish or to instruct the City's staff or negotiating agents concerning the position to be taken by or on behalf of the City in negotiating the price and other material terms of a contract for the

acquisition of real property by purchase - statutory authority is G.S. 143-318.11 (a) (5); (3) to prevent the disclosure of information that is privileged or confidential pursuant to the law of this State, specifically, the Personnel Privacy Act, G.S. 160A-168 - statutory authority is G.S. 143-318.11 (a) (1); and (4) to discuss matters relating to the location or expansion of industries or other businesses in the area served by the City - statutory authority is G.S. 143-318.11 (a) (4). This motion was seconded by Councilman Sellers and carried unanimously.

At 9:20 p.m., Councilman Sellers moved to come out of closed session. This motion was seconded by Councilwoman Field and carried unanimously.

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**VII. ADJOURNMENT:**

Mayor Sitnick adjourned the meeting at 9:20 p.m.

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CITY CLERK MAYOR

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