

Tuesday - August 27, 1985 - 4:00 p.m.

Regular Meeting

Present: Mayor Larry McDevitt, Presiding; Vice-Mayor Wilhelmina

Bratton; Councilmen Mary Lloyd Frank, Norma T. Price, Gordon Myers, and Louis

Bissette; Corporation Counsel William F. Slawter; City Manager Neal Creighton;

and Associate City Manager/City Clerk William F. Wolcott, Jr.

Absent: Councilman Walter R. Boland

REPORT ON CITY MANAGER SELECTION PROCESS

Mayor McDevitt said less than a year ago the City Council advertised widely and extensively for a new city manager. He said over 250 applications were received at that time. He said City Council will not be readvertising the position for City Manager; however, they would be accepting applications for the next ten days. He said City Council would be considering all applications previously filed, and any reapplications, and others who had not previously filed.

ORDINANCE 1528 - AN ORDINANCE AMENDING ORDINANCE NO. 322 KNOWN AS "AN ORDINANCE PROVIDING FOR THE ZONING OF THE CITY OF ASHEVILLE," AS AMENDED - PROPERTY LOCATED ON SWEETEN CREEK ROAD AND OLD WEST CHAPEL ROAD (EUGENE CARR PETITION)

2. Consideration was given to the third reading of Ordinance No. 1528, an ordinance amending Ordinance No. 322 known as "An ordinance providing for the zoning of the City of Asheville," as amended - property located on Sweeten Creek Road and Old West Chapel Road (Eugene Carr Petition).

Mayor McDevitt said the Asheville Planning and Zoning Commission at a meeting held July 10, 1985, considered the petition of Mr. Eugene M. Carr, Jr. that Ward 7, Sheet 55, Lot 7 be rezoned from R-5 Residential District to CS Commercial Service District. The property is located on Sweeten Creek Road at Old West Chapel Road. After review and discussion, the Commission voted to

recommend to City Council that Ward 7, Sheet 55, Lot 7 be rezoned from R-5 Residential District to CS Commercial Service District. This ordinance was read on first reading on August 13, 1985 and on second reading on August 20, 1985.

Mayor McDevitt said this ordinance was previously read on first and second reading and would not be reread in its entirety unless there was a specific request to do so.

On a roll call vote of 6-0, Ordinance No. 1528 passed on third and final reading.

Complete text of Ordinance No. 1528 will be found in Ordinance Book No. 10 at page 290 and 291.

ORDINANCE NO. 1529 - AN ORDINANCE AMENDING ORDINANCE NO. 322, KNOWN AS "AN ORDINANCE PROVIDING FOR THE ZONING OF THE CITY OF ASHEVILLE," AS AMENDED - PROPERTY LOCATED AT 105 BUCHANAN ROAD (DR. E. BROWN CROSBY PETITION)

3. Consideration was given to the third reading of Ordinance No.

1529, an ordinance amending Ordinance No. 322, known as "An Ordinance providing for the zoning of the City of Asheville," as amended - property located at 105 Buchanan Road (Dr. E. Brown Crosby Petition).

Mayor McDevitt said the Asheville Planning and Zoning Commission at a meeting held July 10, 1985, considered the petition of Dr. E. Brown Crosby, Asheville Hand Center, that Ward 1, Sheet 8, Lot 70, be rezoned from R-3 Residential District to OI Office Institutional District. The property is located at 105 Buchanan Avenue. After review and discussion, the Commission voted to recommend to City Council that Ward 1, Sheet 8, Lot 70, be rezoned from R-3 Residential District to OI Office Institutional District. This ordinance was read on first reading on August 13, 1985 and second reading on August 20, 1985.

Mayor McDevitt said this ordinance was previously read on first and second reading and would not be reread in its entirety unless there was a

specific request to do so.

On a roll call vote of 6-0, Ordinance No. 1529 passed on third reading.

Complete text of Ordinance No. 1529 will be found in Ordinance Book No. 10 at page 292-293.

ORDINANCE NO. 1531 - AN ORDINANCE AMENDING SECTIONS 28-81.3, 28-82 and 28-82.1 OF ARTICLE IV, SPEED REGULATIONS, OF CHAPTER 28 OF THE CODE OF ORDINANCES FOR THE CITY OF ASHEVILLE

4. Consideration was given to the second reading of Ordinance No.

1531, an ordinance amending Sections 28-81.3, 28-82, 28-82.1 of

Article IV,

Speed Regulations, of Chapter 28 of the Code of Ordinances for the City of Asheville.

Mayor McDevitt said a petition has been submitted by the Aston Towers

Tenants Association to set the speed on South French Broad Avenue, between

Hilliard Avenue and Choctaw Street at 25 m.p.h. This petition is supported by

the YWCA and Asheville Junior High School, and has also been endorsed by a

resolution from the Asheville Housing Authority. The Traffic Engineering

Division also recommends that the speed limit on South French Broad, between

Timothy Street and Phifer Street, be set at 20 m.p.h. during designated school

hours. This ordinance passed on first reading on August 20, 1985.

Mayor McDevitt said this ordinance was previously read on first

reading and would not be reread in its entirety unless there was a specific

request to do so.

On a roll call vote of 6-0, Ordinance No. 1531 passed on second

reading.

ORDINANCE NO. 1532, AN ORDINANCE AMENDING SECTION 28-81.6 OF ARTICLE IV, SPEED REGULATIONS, OF CHAPTER 28 OF THE CODE OF ORDINANCES OF THE CITY OF ASHEVILLE

5. Consideration was given to the second reading of Ordinance No. 1532, an ordinance amending Section 28-81.6 of Article IV, Speed Regulations, of Chapter 28 of the Code of Ordinances of the City of Asheville.

Mayor McDevitt said Riceville Road (SR 2002) had an established speed limit of 45 m.p.h. upon annexation by the City. This action will establish a Municipal Ordinance declaring the 45 m.p.h. speed limit and requests a concurring ordinance by the Department of Transportation for this portion of Riceville Road. This ordinance passed on first reading on August 20, 1985.

Mayor McDevitt said this ordinance was previously read on first reading and would not be reread in its entirety unless there was a specific request to do so.

On a roll call vote of 6-0, Ordinance No. 1532 passed on second reading.

APPROVAL OF SALE OF DISPOSAL PARCELS 117, 187-A, 187-B, 187-C, 187-D, 187-E and 187-F - EAST RIVERSIDE RENEWAL AREA

6. Consideration was given to a motion approving the sale of Disposal Parcels 117, 187-A, 187-B, 187-C, 187-D, 187-E and 187-F in the East Riverside Urban Renewal area.

Mayor McDevitt said the Housing Authority has tentatively accepted the following bids for certain disposal parcels in the East Riverside Urban Renewal Area.

PARCEL REUSE PRICE BID REDEVELOPER

117 Residential \$2,300.00 \$2,400.00 R & R Associates
187-A Residential 6,200.00 6,351.00 Clarence & Malina McAfee
187-B Residential 5,750.00
5,800.00 R & R Associates
187-C Residential 5,650.00
5,700.00 R & R Associates
187-D Residential 5,600.00

5,750.00 Sandra Smith

187-E Residential 4,750.00

4,800.00 R & R Associates

187-F Residential 4,950.00 5,000.00 R & R Associates

Mayor McDevitt said members of Council had been advised that the bid for Parcel 187-B by R & R Associates had been withdrawn.

Councilman Price moved to accept the recommendation of the Housing Authority to sell Disposal Parcels 117, 187-A, 187-C, 187-D, 187-E and 187-F in the East Riverside Renewal Area. This motion was seconded by Councilman Frank and carried unanimously.

RESOLUTION 85-146 - RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE ON BEHALF OF THE CITY OF ASHEVILLE AN AGREEMENT BY AND BETWEEN THE CITY OF ASHEVILLE AND ROGER'S PLUMBING AND HEATING, INC., WITH REGARD TO CERTAIN IMPROVEMENTS IN THE SOUTH PACK SQUARE AREA STREETScape PROJECT

7. Consideration was given to a resolution authorizing the City Manager to execute on behalf of the City of Asheville an agreement by and between the City of Asheville and Roger's Plumbing and Heating, Inc., with regard to certain improvements in the South Pack Square Area Streetscape Project.

Mayor McDevitt said the City of Asheville, through its agents or employees, is undertaking an improvement project in the South Pack Square area, including improvements to existing sidewalks and landscaped area. A retaining wall located at the corner of South Spruce Street and Wilson Alley, on property owned by Rogers Plumbing and Heating, Inc., is in disrepair. Improvement plans of the City for this project area include plans to partially remove and stabilize the retaining wall with an earthen embankment. This resolution will authorize the City Manager to sign the necessary agreement to permit said repairs. Funds for this project are currently budgeted in the South Pack

Square Streetscape Project.

Mayor McDevitt said members of Council were furnished copies of the resolution and it would not be read in its entirety.

Mr. Broadbrooks, Architect, presented the detailed plans for the improvements in the South Pack Square Area Streetscape Project for work to be done by Rogers Plumbing & Heating, Inc.

Upon motion of Councilman Frank, seconded by Councilman Price, Resolution No. 85-146 was unanimously adopted.

Complete text of Resolution No. 85-146 will be found in Resolution Book No. 15 at page 290.

RESOLUTION 85-147 - RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE ON

BEHALF OF THE CITY OF ASHEVILLE A CONTRACT AND ANY CHANGE ORDERS WITHIN THE BUDGETED AMOUNT WITH A & B CONSTRUCTION AND DEVELOPMENT, INC. FOR THE SOUTH PACK SQUARE AREA STREETScape PROJECT

8. Consideration was given to a resolution authorizing the City Manager to execute on behalf of the City of Asheville a contract and any changes orders within the budgeted amount with A & B Construction Development, Inc. for the South Pack Square Area Streetscape Project.

Mayor McDevitt said plans, specifications, and other contract documents for streetscape improvements have been prepared by John A. Broadbooks, ASLA, Landscape Architect/Planner, and were advertised for bids pursuant to Article B of Chapter 143 of the North Carolina General Statutes.

The Community Development Division recommends award of the contract to the low bidder, A & B Construction and Development, Inc. This resolution will authorize the City Manager to sign the contract and any change orders within the budgeted amount. Funds in the amount of \$178,803.70 are budgeted in the Community Development Fund for this project.

Marvin Vierra, Director of Community Development, said this project

was in no way a part of the Pack Plaza Project.

John Broadbrooks, Architect, detailed the work to be done by A & B Construction & Development, Inc. for the South Pack Square Area Streetscape Project stating that the components of the project would be sidewalks and landscaping, steps from a parking lot leading up to Biltmore Avenue, a minipark on the southernmost portion of Market Street and the paving of Wilson Alley. Upon inquiry of Councilman Price, Mr. Broadbrooks said the project should be completed within six months from the beginning of the construction.

Upon motion of Councilman Price, seconded by Councilman Frank, Resolution No. 85-147 was unanimously adopted.

Complete text of Resolution No. 85-147 will be found in Resolution Book No. **15** at page **291-292**.

RESOLUTION NO. 85-148 - RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN THE NECESSARY CONTRACTS FOR THE LEASE, INSTALLATION, AND MAINTENANCE OF A CENTRAL COMPUTER SYSTEM AND OPERATING SOFTWARE

9. Consideration was given to a resolution authorizing the City Manager to sign the necessary contracts for the lease, installation, and maintenance of a central computer system and operating software. Mayor McDevitt said this resolution will authorize the City Manager to execute contracts with Burroughs Corporation for the lease, installation, and maintenance of the City's center computer system. Fiscal impact for leases is \$140,707.00.

Mayor McDevitt said members of Council were furnished copies of the resolution and it would not be read in its entirety.

Upon motion of Councilman Bissette, seconded by Councilman Frank, Resolution No. 85-148 was unanimously adopted.

Complete text of Resolution No. 85-148 will be found in Resolution

Book No. **15** at page **293**.

**SCHEDULING PUBLIC HEARING - SITE PLAN FOR PROPOSED OVERLOOK CONDOMINIUMS -
OVERLOOK ROAD**

10. Councilman Frank moved to schedule a public hearing for the site plan of the proposed Overlook Condominiums to be located on Overlook Road for September 10, 1985. This motion was seconded by Councilman Myers and carried unanimously.

Mayor McDevitt said the Asheville Planning and Zoning Commission at a meeting held August 21, 1985, reviewed the site plan of the proposed Overlook Condominiums to be located on Overlook Road. The site plan was prepared by Pankow Engineers for Burnett Associates, Developers, and submitted in accordance with the Group Development Section of the Asheville Zoning Ordinance. After review and discussion, the Commission voted to recommend approval of the site plan to City Council subject to the following conditions;

1) That the fire hydrant be located on an 8" line as shown on the plans submitted 8/21/85; and 2) Compliance with the Erosion Control Ordinance.

**SCHEDULING A PUBLIC HEARING - SITE PLAN OF PROPOSED STOWAWAY WAREHOUSES -
WILMINGTON STREET**

Councilman Price moved to schedule a public hearing relative to the site plan of the proposed Stowaway Warehouses to be located on Wilmington Street for September 10, 1985. This motion was seconded by Councilman Myers and carried unanimously.

Mayor McDevitt said the Asheville Planning and Zoning Commission at a meeting held July 10, 1985, reviewed the site plan of the proposed Stowaway Warehouses to be located on Wilmington Street. The site plan was prepared by J. Bertram King, Architect for Burlison Construction Co., Johnson City, TN, developer and submitted in accordance with the Group Development Section of the Asheville Zoning Ordinance. He said after review and discussion, the Commission voted to recommend approval of the site plan to City Council subject

to the following items: 1) Compliance with Erosion Control Ordinance;
2) City Engineering Department to review the storm drain placement with the paved areas to determine adequacy of grades for flow; 3) Identification sign to be placed no closer than 200' as measured for the northern property lines; and 4) That a (30') buffer strip be provided on the northern property line to visually protect the residential property.

RESOLUTION NO. 85-149 - RESOLUTION APPOINTING MEMBER TO THE ASHEVILLE AREA CIVIC CENTER COMMISSION (MRS. SHERYL M. GROCE)

Consideration was given to a resolution appointing Mrs. Sheryl M. Groce as a member to the Asheville Area Civic Center Commission. Upon motion of Councilman Frank, seconded by Councilman Myers, Resolution No. 85-149 was unanimously adopted.

Complete text of Resolution No. 85-149 will be found in Resolution Book No. **15** at page **249**.

CLAIMS - PAUL JACKSON (WATER) - CHRIS WREN (WATER) - THOMAS EDWARDS (WATER)

The City Clerk presented claims received from Paul Jackson, Chris Wren and Thomas Edwards.

Mayor McDevitt referred the claims to the Corporation Counsel for investigation and recommendation.

RALPH BISHOP - LOTTERY SALES AND OBTAINING CITY RECORDS

Ralph Bishop again spoke to members of Council relative to lottery sales in the City of Asheville and his difficulty in receiving police pension records.

COMPLAINT OF REVEREND WILLS - ALARM AT T.K. TRIPPS

Reverend Wills spoke to members of Council relative to the T. K. Tripps Restaurant alarm going off in the early morning hours disturbing the neighborhood. He asked Council members to look into the situation to see what can be done.

Mayor McDevitt advised Reverend Wills that the staff would look into the situation and get back with him on his complaint.

REVEREND WILLS - COMPLAINT RELATIVE TO BARFIELD STREET(

Reverend Wills spoke to members of Council relative to Barfield Street being only 9' wide. He said it is impossible for his trucks to get into the neighborhood. He asked that the City staff look into widening this street.

RESOLUTION NO. 85-150 - RESOLUTION AUTHORIZING THE SALE OF APPROXIMATELY 16.4

ACRES OF CITY-OWNED PROPERTY LOCATED EAST OF THE INTERSECTION OF FANNING BRIDGE

ROAD AND AIRPORT ROAD

Consideration was given to a resolution authorizing the sale of approximately 16.4 acres of City-owned property located east of the intersection of Fanning Bridge Road and Airport Road.

Mayor McDevitt said the City of Asheville has received an offer for the purchase of a tract of land containing 16.4 acres, more or less, located east of the intersection of Fanning Bridge Road and Asheville Airport Road. He said Resolution No. 85-140 directed the City Clerk to advertise the offer pursuant to North Carolina General Statutes 160-269. He said no upset bids have been received within the time required by the Statutes. He said the Asheville City Council has determined that it does not need this property for City purposes and desires to sell this property to American Die Cast Engineering, Inc., a California corporation doing business under the name of "Ronal Wheels". He said this resolution would accept the offer of Ronal Wheels to purchase the property and authorize the Mayor to execute the offer to purchase by and between the City of Asheville and Ronal Wheels and any other documents required to complete the conveyance of the property.

Upon motion of Vice-Mayor Bratton, seconded by Councilman Bissette, Resolution No. 85-150 was unanimously adopted.

Complete text of Resolution No. 85-150 will be found in Resolution

Book No. **15** at page **295**.

PRESS CONFERENCE RELATIVE TO RONAL INTERNATIONAL MANUFACTURING PLANT

Robert Turner, President of the Asheville Area Chamber of Commerce, said after many months of planning, the Asheville Area Chamber of Commerce and the North Carolina Department of Commerce are pleased to announce that Ronal International, a West German manufacturer of aluminum alloy wheels will build its first U.S. factory on 16.5 acres near the Asheville Regional Airport. He said the factory initially will employ 75 workers and eventually will have 150 employees. He said the plant which will provide wheels for General Motors Corporation and American Motors Corporation will be located near Fanning Bridge
