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Tuesday - May 1, 1990 - 4:00 p.m.

Regular Meeting

Present: Mayor Kenneth M. Michalove, Presiding; Vice-Mayor

William G. Moore; Councilmen Mary Lloyd Frank, Eugene W. Ellison, William W. Estes and Norma Price; Assistant City Attorney Patsy Brison; City Manager Douglas O. Bean; and Associate City Manager/City Clerk William F. Wolcott Jr.

Absent: Councilman Wilhelmina Bratton and City Attorney William

F. Slawter

INVOCATION

The invocation was given by Councilman Price.

APPROVAL OF THE MINUTES

Upon motion by Vice-Mayor Moore, seconded by Councilman Frank, the minutes of the April 24, 1990, City Council meeting were approved as submitted.

Mayor Michalove stated that the April 10, 1990, minutes had not been reviewed by the City Attorney and approval would be considered at the May 8, 1990, meeting.

I. PROCLAMATIONS

A. Presentation of B*E*S*T Quarterly Award

City Manager Douglas O. Bean stated that the City has an employee recognition program called "B*E*S*T" which stands for Becoming Excellent Service Teammates. He stated that on April 16, 1990, the B*E*S*T Committee met and chose Mr. Carnell Lordman in the Sanitation Department, to receive the quarterly award. On December 29, 1989, Mr. Lordman observed an employee having medical problems and took immediate action. He put the employee in the cab of the truck, gave him food, and made arrangements to transport him to the Infirmary.

The City Manager introduced Mr. Lordman and presented him with a Certificate of Recognition for being the City's B*E*S*T employee for that quarter.

B. Proclamation - "Senior Power Day" - May 5, 1990

Mayor Michalove proclaimed May 5, 1990, as "Senior Power Day."

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C. Proclamation - "Clean Streams Day" - May 5, 1990

Mayor Michalove proclaimed May 5, 1990, as "Clean Streams Day" and presented the proclamation to Mr. Bob Kendrick, Treasurer of the French Broad River Foundation.

D. Proclamation - "North Carolina Teacher Appreciation Week" - May 6 - 12, 1990

Mayor Michalove proclaimed the week of May 6 - 12, 1990, as "North Carolina Teacher Appreciation Week."

E. Proclamation - "Parks and Recreation Volunteer Recognition Day" - May 1, 1990

Mayor Michalove proclaimed May 1, 1990, as "Parks and Recreation Volunteer Recognition Day." Mayor Michalove introduced Mr. Ray Kisiah, Director of Parks, Recreation and Public Facilities. Mr. Kisiah introduced Mrs. Margaret Carter who was chosen as Volunteer of the Year. Ms. Amy Pruett, Recreation Center Director of North Carolina, was the person who nominated Mrs. Carter and she stated the many fine qualities Mrs. Carter possessed. Mayor Michalove then presented the proclamation to Mrs. Carter.

F. Proclamation - "Bike-to-Work Day" - May 2, 1990

Mayor Michalove proclaimed May 2, 1990, as "Bike-to-Work Day" and presented the proclamation to Ms. Mary Helen Duke, Land-of-Sky Regional Council, and Mr. Will Neville, Co-Chairman of the Bikeways Task Force.

G. Proclamation - "Nursing Ostomy Week" - May 1 - 8, 1990

Mayor Michalove proclaimed the week of May 1 - 8, 1990, as "Nursing Ostomy Week."

H. Proclamation - "Shrine Hospital Weekend" - May 4-5, 1990

Mayor Michalove proclaimed May 4 and 5, 1990, as "Shrine Hospital Weekend" and presented the proclamation to Mr. Bill Oglesby.

I. Proclamation - "National Prayer Day" - May 3, 1990

Mayor Michalove proclaimed May 3, 1990, as "National Prayer Day" and presented the proclamation to Ms. Karen Wynott. Ms. Wynott introduced her husband, Roger Wynott, Earl Rickey and Steve Cooper.

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J. Resolution No. 90-59 - Resolution recognizing recent retiree Mr. John R. Smith.

Mayor Michalove presented a resolution of appreciation to John R. Smith, who has been employed with the City of Asheville since October, 1970. Mr. Smith was a Building Inspections Specialist in the Inspections Division and retired in March 1990.

Upon motion of Vice-Mayor Moore, seconded by Councilman Price, Resolution No. 90-59 was unanimously adopted.

Resolution Book No. 18 - Page 124.

II. PUBLIC HEARINGS

A. Ordinance No. 1846 - Public hearing relative to allowing horse stables as a conditional use in CBD, CS, LI and HI zoning districts.

At this time a speaker phone was brought into the Council Chamber. Councilman Bratton, who was at the University of North Carolina in Chapel Hill, was on the line and participated in the Council meeting.

Mayor Michalove opened the public hearing at 4:36 p.m.

City Clerk William F. Wolcott, Jr. presented the notice to the public setting the time and date of the public hearing and the affidavit of publication.

Ms. Carol Alberice, Urban Planner II in the Planning Department, said that the Planning and Zoning Commission, at its April 4, 1990, meeting, reviewed and approved an amendment to Chapter 30 of the Code of Ordinances to allow horse stables for horse drawn carriage operations to be allowed as a conditional use in the Central Business,

Commercial Service, and Light and Heavy Industrial Districts.

She highlighted the amendments as follows:

1. In Section 30-5-11 (B) the definition of horse stables was added.

2. In Section 30-2-1 (B), CBD Central Business District, horse stables was added as a conditional use.

3. In Section 30-5-8 (B), CS Commercial Service District, horse stables was added as a conditional use.

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4. In Section 30-5-13, LI Light Industrial District, a new section F was added listing horse stables as a conditional use.

5. In Section 30-5-14 (A), HI Heavy Industrial District,

"horse stables (subject to the conditions provided for in Article 7 of this ordinance)" was added to the uses permitted section.

6. Section 30-7-1, Conditional Uses, was amended by adding the following section:

L. Horse Stables

1. All horses, mules, or other beast of burden must be stabled, washed, and fed within an enclosed building.

2. An annual inspection by a licensed veterinarian (D.V.M.) shall be conducted for both the sanitary conditions of the stable facility and health of the animals and submitted to the Downtown Development Department within 30 days of inspection.

3. On-site waste collection receptacles shall be housed within the stable building and serviced by private sanitary carrier.

4. The drainage of all liquid by products from stable shall be discharged into a permitted sanitary sewer line and shall not be disposed of by way of storm sewers.

Upon inquiry of Mayor Michalove, Ms. Alberice stated that the Grove Park Inn's horse carriage operation will be grandfathered. Following up on this inquiry, Assistant City Attorney Patsy Brison stated that it would be a nonconforming use and structure and subject to the Code provisions regulating nonconforming uses and structures.

When Councilman Price asked about the space of the stalls that must be provided for each animal, Ms. Alberice stated

that the sub-committee which drafted this ordinance had not addressed that point but that would certainly be looked into.

Councilman Price stated that the more specific requirements the Council can put in the ordinance, the better the ordinance would be. Councilman Ellison agreed with this stating that since this is a new experience for Asheville, the Council wants to do the best job it can.

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Councilman Ellison asked staff to provide him and other members of Council with ordinances from Charleston, S.C., and Covington, Kentucky, in order that they might study the other ordinances to determine if the amendment to Section 30-7-1 is sufficient.

Ms. Brison stated that she believed that only the Covington, Kentucky, ordinance had a section about stabling and the other ordinances which the Legal Services Division had only related to the regulation of horse-drawn carriage business.

In reply to Councilman Ellison's question about whether any people who opposed the horse-drawn carriage ordinance were on the sub-committee who drafted this ordinance, Ms. Brison and Ms. Alberice stated that there wasn't, but there was a public hearing held and the people who came mainly had concerns about the horse-drawn carriage regulation ordinance, not the stabling requirements.

Mayor Michalove said that the Council appreciates the work the staff has done but would feel more comfortable in having the opportunity to review zoning ordinances from other cities that deal with stabling requirements and language that deals with the size of stalls for housing the animals. Along this line of thought, Councilman Price stated that in looking at these other ordinances, the Council might get a better insight into how the other cities address this in perhaps other ordinances, i.e. animal control ordinances.

Mayor Michalove asked if all Planning and Zoning Commission members were present at the April 4, 1990, Planning and Zoning Commission meeting. Ms. Julia Cogburn, Planning Director, said that Pat Hutchison was not present but the vote was unanimous. Ms. Brison provided information on the motions and votes of the Commission on this issue to Councilman Bratton.

Ms. Virginia Schmidt handed Council members a policy report entitled "Recommended Guidelines - Urban Horse and Carriage Operations" published by the University of Minnesota in cooperation with the Minnesota Horse Council. She read from sections relative to stable construction and operation.

When Ms. Schmidt questioned who would be enforcing and/or inspecting these stables and whether it would be enforced by a fine, Patsy Brison stated that the enforcement mechanism is in the zoning ordinance and those violations are enforced by the zoning enforcement officers whom the City currently employs.

Ms. Sally Rhodes asked if the stables would be open for inspection by the SPCA Advisory Board or other humane groups during any time during the year.

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Councilman Ellison responded to Ms. Rhodes by stating that any group would have the right to check it out and report their findings to the City Manager. He stated that the violation of this ordinance would be no different from a violation of any other ordinance in the City.

Vice-Mayor Moore felt that we needed to involve the humane groups and there should be a requirement in the ordinance for a qualified SPCA member, or any other humane group member, to be able to inspect the stables at any time. Councilman Price agreed with Vice-Mayor Moore.

Mayor Michalove instructed Ms. Brison to amend the the horse-drawn carriage ordinance to provide for at least one

required inspection and inspections at other times as complaints are received by the Carriage Permit Advisory Board. He also instructed her to give the Council members a report covering the different topics discussed at this meeting. He said it was not necessary to put them in the ordinance at this time.

Ms. Lynn Howard, President of Friends of Animals, stated that cruelty violations are very hard to prosecute. In reply to Councilman Ellison's question about what the recourse is now for animal cruelty, Ms. Howard stated that there is only one animal cruelty officer that has been appointed by the Buncombe County Commissioners.

In response to Ms. Howard's question about who would be owning the stables, Mayor Michalove stated that the stable operator would own the building or rent it.

Ms. Brison responded to Ms. Howard's question about the jurisdiction of the City to enforce this ordinance if the stable for the horse-drawn carriage business in the City were located in the County. Ms. Brison said that the City has no jurisdiction over stables in the County, only jurisdiction of the care of the horses in the City. She also stated that we could not regulate the size of the stalls, sanitary requirements or the location of the stables in the County. Ms. Howard suggested some type of agreement with Buncombe County be drawn to allow the City to enforce this ordinance in the County.

Upon inquiry of Ralph Bishop about the different zoning districts, Ms. Alberice showed Mr. Bishop the different districts on a color-coded map.

Ms. Hazel Fobes stated that she was opposed to having horse-drawn carriages in the City. She did, however, support the Council's concerns and hoped the Council did not make a mistake by letting this type of operation in the City.

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Mr. Rodney Jarvis stated that he has been in several cities that allowed horse-drawn carriage businesses and would join forces with Mr. Robert Fleming in giving the Council whatever information they needed in order to allow this type of business in the City.

Councilman Frank suggested Ms. Brison contact the City of Minneapolis, Minnesota, to see if they adopted the guidelines which Ms. Schmidt handed out earlier to Council members.

Mayor Michalove closed the public hearing at 5:26 p.m.

Mayor Michalove stated that members of Council have previously received copies of this ordinance and it would not be read in its entirety.

Councilman Bratton moved for the adoption of Ordinance No. 1846. This motion was seconded by Vice-Mayor Moore.

On a roll call vote of 7-0, Ordinance No. 1846 passed on its first reading.

III. OLD BUSINESS

A. Third reading of Ordinance No. 1838 - An ordinance regulating the operation of horse-drawn carriages in the City of Asheville

Mayor Michalove stated that members of Council have been furnished with the third draft of the horse-drawn carriage ordinance. He stated that Mr. Robert Fleming called to let the Council know that, due to business obligations, he would not be able to be present at the Council meeting. Mayor Michalove then stated that since there were people at this meeting, the Council would hear comments and deal with the changes made to the ordinance to date.

Mayor Michalove instructed Ms. Brison to look into the reason that Charleston, S.C., requires \$1 Million for liability insurance.

Assistant City Attorney Patsy Brison highlighted the changes the Council requested since the last draft as follows:

1. In Section 10 (A) regarding insurance, the following

sentence was added: "All permits issued hereunder shall include a notarized statement of the permit holder to incorporate the provisions set forth herein."

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2. In Section 11 regarding the horse-drawn carriage

driver's permit, a chauffeur's license must be obtained by the applicant, a training/apprenticeship requirement was added.

3. In Section 13 regarding safety equipment required, turn

signals, lights and reflectors must be visible for a distance of at least 1000 feet.

4. In Section 18 regarding other requirements for the

safety of the animals, a poly-urethane shoe must be used, the temperature of the horse must be taken after each carriage tour, no animals shall pull the carriages when the temperature reaches certain maximums and minimums, and requirements were added stating the number of hours and days horses can be worked and the rest periods required.

5. In Section 25 regarding hours of operation, the hours

of 11:30 a.m. to 1:30 p.m. were added during which operation of carriages is prohibited.

6. A new Section 29 was added appointing a Carriage Permit

Advisory Board.

Upon inquiry of Councilman Price about no horse being in harness for more than 5 days in a 7 day period, Ms. Brison stated that she was instructed to use the Covington, Kentucky, ordinance as a guide and that wording came directly from that ordinance.

Mayor Michalove and Councilman Frank felt the hours restricting operation during the lunch hour were too restrictive. City Manager Bean stated that the Traffic Engineering Division had done a study and felt the morning and afternoon hours should be hours during which operations should be restricted.

Councilman Price suggested expanding the responsibilities of this Advisory Board to help with the stabling provisions.

Upon inquiry of Vice-Mayor Moore regarding the legality of requiring access to the stables by members of the Advisory Board, Ms. Brison stated that the City would have the right to inspect the stables at reasonable times. She said the City's zoning enforcement officers have authority to inspect these stables and not people from other agencies.

Vice-Mayor Moore felt that the driver's should not have to have a chauffeur's license. He felt it was much to stringent.

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After some discussion between Vice-Mayor Moore and Councilman Ellison regarding the need for chauffeur's licenses, Councilman Ellison suggested that the staff call the Department of Motor Vehicles and ask about the requirements for obtaining a chauffeur's license, such as whether or not it would be unreasonable to require that type of license for a horse-drawn carriage and the expense involved.

Mayor Michalove then asked for comments from the public.

Ms. Jill Wilson is opposed to this type of business in the City but is encouraged by the changes proposed in this latest draft. Her main concern is the enforcement of the ordinance and the role of the Advisory Board.

Mr. Jack Westall, attorney for the Grove Park Inn, stated that he had written a letter to Ms. Brison dated April 30, 1990, stating the Grove Park Inn's concerns as it relates to this proposed ordinance. The summary is as follows:

1. They do not understand the intent of the sentence added

in Section 10 (A).

2. The chauffeur's license requirement would present them

with a substantial amount of difficulty and they request, at the very least, that the ordinance be revised so that a chauffeur's license is required only if the carriage contains 8 or more passengers.

3. The training requirement would disqualify all their

drivers and put them out of business.

4. The requirement that turn signals be visible for a

distance of 1,000 feet may be irrelevant because they do not think there will be many streets where there is a 1,000 foot straight line of sight. Also they did not feel there would be much need for a fire extinguisher.

5. They felt poly-urethane shoes would not prove to be

satisfactory. They request that the operator have the option of using the metal shoes with the provision that the City Inspector would have appropriate authority, after careful review, to direct that poly-urethane shoes be used if it is apparent that the metal shoes are not satisfactory.

6. The Grove Park Inn tours usually range from 10-15

minutes and they feel that having to take the horse's temperature after each tour is not practical.

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7. They feel that the provision relative to animals not

being allowed to pull carriages above or below certain temperatures would put a very serious damper on the use of the horses in the summer at the Grove Park Inn.

8. They feel that the owner and/or operator of the horse-

drawn carriage business should be legally entitled to at least one notice of violation before the Carriage

Inspector has a right to suspend the operation.

Vice-Mayor Moore felt that if a chauffeur's license is required, then it should be required for all the carriages, regardless of the number of people being carried.

Mr. Westall felt that more authority should be given to the inspector to determine the type of shoes which should be used.

Upon inquiry of Councilman Price about the knowledge of these type inspections by the inspectors, City Manager Douglas Bean stated that our inspectors would make their decisions based on data gathered. He said that it would not be feasible to train one person to enforce the requirements of the horse-drawn carriage operation.

It was the consensus of Council that taking the temperature of the horses after every Grove Park Inn tour was excessive. They did note, however, that the type tours that would be taking place in the downtown area would be approximately 1 hour long.

Mayor Michalove thanked Mr. Westall for bringing these concerns to the attention of Council and stated that they would be taken under advisement.

Ms. Sally Rhodes was concerned about the number of people allowed in a single carriage because of the terrain of Asheville. She also requested representation of humane groups on the Advisory Board. She questioned the procedure of registering a complaint and how they would be handled.

Councilman Price suggested that there be one representative from the Humane Society, one representative from the Friends of Animals and one representative from the SPCA on the Advisory Board.

Mr. Bill McKelvy of Swannanoa, stated that Tommy West inspects horse's hooves and legs at the Western North Carolina Agricultural Center and feels that inspections should be made more frequent than once every 4 months as required by the ordinance. He stated that he has spoken with several meteorologists and feels the section relative to the temperatures above which horses could be used is much too lax and heat strokes would not be uncommon in the horses.

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Mayor Michalove said that the third and final reading of this ordinance would be held in two weeks (May 15, 1990) in order to give the staff time in which to address the many concerns

raised at this meeting.

Councilman Ellison suggested someone travel to Charleston to see firsthand how they enforce their ordinance, where training is done, observe the care of the animals and see the stabling operations. Councilman Bratton thought Councilman Ellison's suggestion was good and she suggested he chair a committee in order to do just that.

Upon inquiry of Mayor Michalove, Ms. Rhodes said that training is available locally to become an animal cruelty investigator. She stated that if the City chose that route, they would need to have that person deputized.

Mayor Michalove said that the City Manager would be preparing the information requested by the Council at this meeting and would make a decision about a trip to Charleston.

B. Resolution No. 90-60 - Resolution awarding bids and authorizing the City Manager to sign contracts for renovation of the Martin Building (located on Haywood Street).

City Manager Douglas Bean summarized a memorandum dated April 26, 1990, to the City Council relative to the history of the Martin Building Project and how the project fits in with our Downtown Revitalization Program. He stated that if public restrooms are desired, an additional \$15,000 would need to be added.

Councilman Price stated that the City now owns the Building and needs the space. She said that in the future, we could sell the space, lease it or turn it over to private enterprise. She said that we are not bound to this Building forever and that upfitting this space would benefit the City in the longrun.

Councilmen Frank, Bratton and Vice-Mayor Moore all stated that it was very important to include the public restrooms in the building.

Upon inquiry of Councilman Estes, City Manager Douglas Bean stated that the County has \$66,000 as paid their part in the walk-through part of the project.

Councilman Ellison was troubled by the increased costs as compared to the estimates but he would support this because he felt we were too far into the project to back off and it would

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cost more money not to finish than to finish. He also stated that, in the future, the Council needed to prioritize better, i.e. purchasing a building vs. correcting storm water problems and sewer line problems.

Councilman Estes stated that the City needed to get information out to the general public so they could have a better concept of what is going on. He felt we needed to do a better job of explaining the projects beforehand, not afterwards.

Councilman Bratton stated that this was part of the building process in downtown Asheville - not only a building. She felt this was a very positive step in the right direction.

The contracts to be awarded (all lowest responsible bidders) with the addition of public restrooms are as follows:

Southworth Construction Company

(General Contract) \$173,000

McNutt Service Group

(Mechanical Contract) \$ 29,498

King Electric

(Electrical Contract) \$ 30,485

A & B Construction & Development

(Plumbing Contract) \$ 16,822

Upon motion of Vice-Mayor Moore, seconded by Councilman Frank, Resolution No. 90-60 was unanimously adopted, including the addition of public restrooms.

Resolution Book 18, Pages 125-126

C. Ordinance No. 1847 - Budget Ordinance Amendment - Downtown Redevelopment Fund - Rankin Haywood Arcade.

City Manager Douglas O. Bean stated that this budget ordinance amendment would provide funding to complete the Haywood Rankin Arcade construction in the amount of \$165,000 (including public restrooms).

Upon inquiry of Councilman Ellison, City Manager Bean stated that only minor furnishings would be needed to furnish the City offices, i.e., conference room furniture, a small copying machine and some utilities.

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

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Councilwoman Price moved for the adoption of Ordinance No. 1847, with the additional \$15,000 for public restrooms, in the total amount of \$165,000. This motion was seconded by Vice-Mayor Moore.

On a roll call vote of 7-0, Ordinance No. 1847 was approved on first and final reading.

Ordinance Book 12 at Page 119.

At this point (7:00 p.m.), Councilman Bratton was excused from the meeting.

D. Second reading of Ordinance No. 1843 - An ordinance amending Chapter 12, Fire Prevention and Protection, of the Code of Ordinances of the City of Asheville regarding fire hydrant testing.

City Manager Douglas Bean said that this ordinance was amended to expand the requirement of testing other hydrants within the City limits which are used by the Asheville Fire Department and which are not maintained and operated by the Asheville-Buncombe Water Authority.

On a roll call vote of 7-0, Ordinance No. 1843 passed on its second reading.

E. Resolution No. 90-61 - Resolution authorizing the Mayor of the City of Asheville to convey real property on Ivanhoe Avenue to Margaret Heissenberg.

City Manager Douglas O. Bean said that the City owns a vacant lot on Ivanhoe Avenue adjacent to the home of Margaret Heissenberg. Ms. Heissenberg made an offer to purchase the property for its appraised value of \$3,250. The City has no anticipated use for the property and has not received an upset bid.

Mayor Michalove said that members of Council have previously been furnished with copies of this resolution and it would not be read.

Upon motion of Councilman Price, seconded by Councilman Frank, Resolution No. 90-61 was unanimously adopted.

Resolution Book 18 at Page 127.

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F. Resolution No. 90-62 - Resolution authorizing the sale of property on Sunset Mountain.

City Manager Douglas O. Bean said that the City owns a strip of land on Sunset Mountain, off of Blue Briar Road. He said that adjacent property owners, Mr. and Mrs. C. Foster Aldridge, have made an offer to purchase the property in the amount of \$2,000. The City has not received an upset bid.

Mayor Michalove said that members of Council have previously been furnished with copies of this resolution and it would not be read.

Upon motion of Councilman Ellison, seconded by Councilman Estes, Resolution No. 90-62 was unanimously adopted.

Resolution Book 18 at Page 128.

VI. NEW BUSINESS

A. Ordinance No. 1848 - Budget ordinance amendment requesting appropriation of funds necessary to expand day camp program from one site to four sites.

City Manager Douglas Bean said that the purpose of this budget amendment is to appropriate funds for the summer day camp program which will be expanded from one school site to four sites. The three additional sites are Aycock, Randolph and Claxton. He said the fees will be charged to participants in the program to cover all costs.

Mayor Michalove said members of Council have previously been furnished with copies of this ordinance and it would not be read.

Councilman Ellison moved for the adoption of Ordinance No. 1848. This motion was seconded by Vice-Mayor Moore.

On a roll call vote of 7-0, Ordinance No. 1848 was passed on its first and final reading.

Ordinance Book 12 at Page 120.

V. CONSENT

A. Resolution No. 90-63 - Resolution of intent to close a portion of Irving Street and calling for a public hearing on May 29, 1990.

Resolution Book 18 at Pages 129 & 130

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B. Resolution No. 90-64 - Resolution authorizing the City Manager to execute a special order with the Environmental Management Commission.

Resolution Book 18 at Pages 131 & 132

C. Resolution No. 90-65 - Resolution authorizing the City Manager to execute a right-of-way agreement with Asheville Community Theatre.

Resolution Book 18 at Pages 133

Upon motion of Councilman Frank, seconded by Councilman Price, the consent agenda was unanimously adopted.

VI. OTHER BUSINESS

A. Reminder - Budget Worksession

The City Manager reminded the Council of their first budget work session to be held on Thursday, May 3, 1990, at 4:30 p.m. in the Chamber of Commerce's Board Room on the 2nd Floor. He said it would last approximately 3-4 hours.

B. Planning and Zoning Commission Meeting

The City Manager said the City Council was invited to a Planning and Zoning Commission meeting to discuss changes in the erosion control ordinance. That meeting will be held on Wednesday, May 2, 1990, at 7:00 p.m. in the Council Chamber.

C. Report requested relative by Councilman Price

Councilman Price requested that staff look at the "repair shop" at the intersection of I-240 and Haywood Road (where the Greyhound Bus Station used to be). She said that she would like to see if it is properly zoned for a junkyard and if it is, she would like to have the screening requirements enforced.

D. Claims

City Manager Douglas Bean stated that the following claims were received by the Legal Services Division for the week ending April 27, 1990: Bob Fitzpatrick (Traffic Engineering), Nancy Venturella (Water), Tammy Curtis (Water), David M. Brown (Water), Charlene Hopper (Water), Jennifer Peek (Streets), and Paul Arrowood (Streets). He stated that these claims have been referred to the appropriate insurers for investigation.

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City Manager Bean also stated that the City was served with a lawsuit on April 23, 1990, in which Wind in the Oaks Homeowners' Association Inc., et al, are the petitioners. The nature of the suit is alleged negligent inspection of Wind

in the Oaks Condominiums.

VII. ADJOURNMENT

Mayor Michalove adjourned the meeting at 7:10 p.m.

CITY CLERK MAYOR
