

Tuesday - October 16, 1990 - 4:00 P.M.

Regular Meeting

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

G. Moore; Councilmen Mary Lloyd Frank, Wilhelmina Bratton, Eugene W. Ellison and William W. Estes; Corporation Counsel William F. Slawter; City Manager Douglas O. Bean; and

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

Absent: Councilman Norma T. Price

INVOCATION

The invocation was given by Councilman Ellison.

APPROVAL OF MINUTES

Mayor Michalove announced the approval of the minutes of the October 9, 1990 meeting as submitted.

I. PROCLAMATIONS:

A. Resolution No. 90-154 - Resolution of recognition to Colonel

Robert Morgan.

Mayor Michalove read a resolution of recognition to Colonel

Robert Morgan for his heroic deeds performed during World War II. Colonel Morgan served and defended his country as Captain of the Memphis Belle, the first B-17 Bomber to complete 25 missions without a casualty.

Upon motion of Councilman Bratton, seconded by Vice-Mayor

Moore, Resolution No. 90-154 was unanimously adopted.

Mayor Michalove presented the resolution to Colonel Robert Morgan.

Resolution Book No. 18 - Page 246

B. Proclamation proclaiming October, 1990 as "Symphony Month."

Mayor Michalove read a proclamation proclaiming October, 1990 as "Symphony Month" and presented the proclamation to Philip K. Messner and Jack Sherman.

II. PUBLIC HEARINGS:

A. Public hearing relative to the adoption of a resolution to

close Alley extending from Short Street in a Westerly direction.

Resolution No. 90-155 - Resolution to close alley extending from Short Street in a westernly direction in the City of Asheville, North Carolina.

Mayor Michalove opened the public hearing at 4:14 p.m.

The City Clerk presented the notice to the public setting the time and date for the public hearing and the affidavit of publication.

Jim Ewing, Director of Public Works, said a petition to

close the unnamed alley off Short Street and adjoining Lots 99, 100, 101, and 102 of Ward 3, Sheet 1 of the Buncombe County Tax Maps has been received from the Asheville Housing Authority. The closing has been checked with City departments and public utility companies and should have no effect upon the operation of either the City or utility companies. He said the Public Works Department recommends the closing of this alley.

Mayor Michalove closed the public hearing at 4:17 p.m.

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

Upon motion of Councilman Estes, seconded by Councilman Ellison, Resolution No. 90-155 was unanimously adopted.

Resolution Book No. 18 - Page 247-248

III. OLD BUSINESS:

A. Resolution No. 90-156 - Resolution authorizing the sale of property on Bear Creek Road.

The City Attorney said the City owns a parcel of land on

Bear Creek Road. Adjacent property owner, Grover C. Mathews, has made an offer to purchase the property in the amount of \$4,500. The City has no anticipated use for the property, other than reservation of certain utility easements. The offer to purchase was advertised in the Asheville Citizen-Times on September 14, 1990, and no upset bids have been received within the time required. This resolution will authorize the Mayor to execute the deed conveying the property and any other closing documents.

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

Upon motion of Councilman Frank, seconded by Vice-Mayor Moore, Resolution No. 90-156 was unanimously adopted.

Resolution Book No. 18 - Page 249

IV. NEW BUSINESS:**A. Report from Tax Collector.**

Elizabeth Taylor, Tax Collector, gave members of Council a

report on the settlement of taxes for year ending June 30, 1990. She said due to strong enforcement measures being taken they now have a 97.23% collection rate. She said the collection rate for the years 1981-1987 is now at 99.28% and for 1988 the figure is at 98.02%. She said she is proud of these figures and would continue to strive for a good collection rate.

B. Presentation on the Police Department's participation in the accreditation process.**Resolution No. 90-157 - Resolution of City Council****endorsement of the Asheville Police Department's intention to acquire accreditation from the Commission for Law Enforcement Agencies, Inc.**

Police Chief Gerald Beavers said one of his goals since

becoming Police Chief has been to become an accredited law enforcement agency. He said the Commission on Accreditation for Law Enforcement Agencies, Inc., was established in 1979 as a national body of law enforcement experts to oversee the development of professional standards for law enforcement agencies.

He said the Commission awards accreditation to those

agencies which meet applicable standards. He highlighted the process and national criteria for becoming accredited.

He said the Police Department seeks to become accredited and

be recognized for achieving this professional status. He said this goal represents a 3 to 4 year project for the Department requiring extensive evaluation of all aspects of organizational management and operations. He said the process will provide the means and motivation to initiate and sustain positive change in the department to meet and maintain compliance with applicable standards.

He said Captain Mike Berry has been named as Accreditation

Manager for the Asheville Police Department.

Police Chief Beavers said incidental expenses to meet

standards will be budgeted over several years. A one-time initial accreditation commission fee of approximately \$15,000 will be requested in the FY 1992-93 Budget.

Mayor Michalove said members of Council were previously

furnished copies of the resolution and it would not be read in its entirety.

Upon motion of Vice-Mayor Moore, seconded by Councilman

Frank, Resolution No. 90-157 was unanimously adopted.

Resolution Book No. 18 - Page 250

C. Report by Transit Authority.

Vice-Mayor Moore, Council liaison to the Asheville Transit

Authority, presented members of Council with the Asheville Transit Authority projections.

He said the Asheville Transit system is a tightly well

managed system serving the City of Asheville. He said route adjustments have been made which has saved money and only caused minor inconveniences to the ridership.

Vice-Mayor Moore said one of the major problems is finance

and according to the projections - unless drastic changes are made - the 1995 cost to the City will be from \$1.2 to \$1.4 million in order to keep the transit system running as it is currently.

Paul Hensley, Chairman of the Asheville Transit Authority,

presented the new route changes. He said a comprehensive report to Council will be ready by December 1, 1990.

D. Ordinance No. 1872 - Budget amendment to appropriate Fair

Housing Assistance Program Grant Funds.

The City Manager said the City has received approval from

the Department of Housing and Urban Development for the fourth year funding of the Fair Housing Assistance Program in the amount of \$4,000. This action will appropriate the funds into the budget. The project will be administered by the Asheville-Buncombe Community Relations Council under contract with the City of Asheville.

Mayor Michalove said members of Council were previously

presented copies of the ordinance and it would not be read in its entirety.

Councilman Bratton moved for the adoption of Ordinance No.

1872. This motion was seconded by Councilman Ellison.

On a roll call vote of 6-0, Ordinance No. 1872 passed on

first and final reading.

Ordinance Book No. 12 - Page 267

E. Ordinance No. 1873 - Budget amendment to appropriate funds

for Downtown Marketing Program in the Downtown Development

Department.

The City Manager said this budget amendment will set up

appropriations for the Downtown Marketing Program.

Mayor Michalove said members of Council were previously

presented copies of the ordinance and it would not be read in its entirety.

Councilman Ellison moved for the adoption of Ordinance No.

1873. This motion was seconded by Councilman Bratton.

On a roll call vote of 6-0, Ordinance No. 1873 passed on first and final reading.

Ordinance Book No. 12 - Page 268

F. Ordinance No. 1874 - Budget amendment to appropriate funds for the Globe Furniture Facade stabilization project.

The City Manager said this amendment will enable revenues to be accepted and bills to be paid to perform the Globe Furniture Facade stabilization project.

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

Councilman Ellison moved for the adoption of Ordinance No.

1874. This motion was seconded by Councilman Bratton.

On a roll call vote of 6-0, Ordinance No. 1874 passed on first and final reading.

Ordinance Book No. 12 - Page 269

G. Resolution No. 90-158 - Resolution relative to Hazardous Waste.

The City Attorney said this resolution will authorize the County to enforce its hazardous waste ordinance within the City of Asheville. Before beginning enforcement, the County must also amend its hazardous waste ordinance.

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

Upon motion of Councilman Ellison, seconded by Vice-Mayor

Moore, Resolution No. 90-158 was unanimously adopted.

Resolution Book No. 18 - Page 251

Mike Plemmons with the Council of Independent Business

Owners (CIBO) said they supported the resolution but would request that the City ask the county to furnish a hazardous

waste storage facility at the landfill.

V. CONSENT:

A. Bids for workstations/office furnishings for the City Hall

Building.

SUMMARY: Recommendation to award to second low bidder

meeting specifications and delivery requirements, Office Environments, Asheville, North Carolina, for the purchase and installation of Steelcase, Movable Wall workstations as specified in the

third through sixth floors of City Hall.

B. Resolution No. 90-159 - Resolution authorizing Purchasing

Director to sell surplus property at public auction.

SUMMARY: This resolution will authorize a public auction to

sell surplus motor vehicles and other equipment.

Resolution Book No. 18 - Page 252

C. Schedule public hearing relative to rezoning property

located on Old County Home Road from CS Commercial Service District to LI Light Industrial District for November 6, 1990 (Petitioned by Tunamics, Inc.).

SUMMARY: The Asheville Planning and Zoning Commission on

October 3, 1990, reviewed and recommended approval of the rezoning. Subject property is 5.23 acre site with existing warehouse manufacturing facility on part of the acreage. The facility currently is on nonconforming

grandfathered use in a commercial service zone.

Upon motion of Vice-Mayor Moore, seconded by Councilman

Ellison, the consent agenda was unanimously approved.

VI. OTHER BUSINESS:

Elizabeth and Harold Garland - Parking fees in Civic Center Garage

Mrs. Elizabeth Garland, owner of Elizabeth's in downtown,

expressed concern over the increase in monthly parking fees for the Civic Center Garage. She said she pays for her employees to park at the Civic Center Garage and feels it is unfair for the businesses downtown to have to pay such high fees for parking.

Mrs. Garland also expressed concern about the loud music in the

Civic Center Garage.

Mr. Harold Garland said he was also concerned about the high

parking fees at the Civic Center Garage.

After discussion, Mayor Michalove said her concerns would be

considered and Council would get a recommendation from the Downtown Commission relative to changing the monthly parking

fees at the Civic Center Garage.

VII. ADJOURNMENT.

Mayor Michalove adjourned the meeting at 5:15 p.m.

MAYOR CITY CLERK
