

Tuesday - November 6, 1990 - 4:00 P.M.

Regular Meeting

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

William G. Moore; Councilmen Mary Lloyd Frank, Norma T. Price, 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 Wilhelmina Bratton

### **INVOCATION**

The invocation was given by Councilman Ellison.

### **APPROVAL OF MINUTES**

Mayor Michalove announced the approval of the minutes of the October 30, 1990 meeting as submitted.

### **I. PROCLAMATIONS:**

#### **A. Presentation by David Donally, President of Region 9 of the North Carolina Parks and Recreation Society.**

David Donally, President of Region 9 of the North

Carolina Parks and Recreation Society presented Ann Whisenhut the Annual Region 9 Award of Excellence for Recreation Professionals of the Year for the seventeen (17) county region.

#### **B. Resolution No. 90-167 - Resolution in memory of Margaret**

**Simmons.**

Mayor Michalove read a resolution in memory of Margaret

Simmons who recently passed away. Margaret Simmons was employed by the City of Asheville from 1934 to 1971. During her 37-year career, Ms. Simmons served as Secretary to the City Attorney, Secretary to the City Manager, and served for 25 years as City Clerk.

Upon motion of Councilman Frank, seconded by Councilman

Price, Resolution No. 90-167 was unanimously adopted.

#### **Resolution Book No. 18 - Page 263**

#### **C. Resolution No. 90-168 - Resolution recognizing and welcoming Akiko Iribe**

Mayor Michalove read a resolution which stated that in

order to increase mutual understanding and to exchange information between local government officials in the United States and Japan, the Academy for State and Local Government and the Japan Local Government Internationalization Association are sponsoring a two-week orientation/internship program for Japanese local government officials in selected North Carolina cities.

The City of Asheville has been selected to participate in the program starting Monday, October 29 through Saturday, November 10, 1990.

The City Council of the City of Asheville does endorse

this program and commends the sponsoring organizations for their efforts towards international friendship and mutual understanding.

Akiko Iribe, through her efforts, is contributing to international friendship and mutual understanding between our two countries.

The City of Asheville does hereby recognize and welcome

Akiko Iribe of Kumamoto, Japan, as a distinguished visitor and extends their best wishes to Akiko Iribe for a pleasant and rewarding visit.

Upon motion of Councilman Ellison, seconded by Vice-Mayor Moore, Resolution No. 90-168 was unanimously adopted.

**Resolution Book No. 18 - Page 264**

## **II. PUBLIC HEARINGS:**

**A. Public hearing relative to rezoning property located on Old County Home Road - petition of Turnamics, Inc., Owner.**

**Ordinance No. 1877 - An ordinance rezoning property located on Old County Home Road - petition of Turnamics, Inc., Owner.**

Mayor Michalove opened the public hearing at 4:16 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.

Carol Alberice, from the Planning Department, said 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 a nonconforming grandfathered use in a commercial service zone. She reviewed the surrounding zoning and property use.

She said the Planning Staff recommended tabling the

rezoning request at this time. She said the staff was concerned that the zoning would not be appropriate for the area;

however, the staff was very supportive of this type of development in this area.

Pat Whalen, Attorney for petitioner, said Turnamics

wants to enlarge their plant which would produce more jobs for the Asheville area. He said Turnamics has been in this location for the past twenty years and is a non-polluting business. He said they contacted the residents and commercial businesses in the area and received no objections to the rezoning.

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

Mayor Michalove said members of Council were previously

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

Councilman Ellison moved for the adoption of Ordinance

No. 1877. This motion was seconded by Councilman Estes.

On a roll call vote of 6-0, Ordinance No. 1877 passed on first reading.

Councilman Ellison moved to suspend the rules and

proceed to the second reading of Ordinance No. 1877. This motion was seconded by Councilman Estes and carried unanimously.

On a roll call vote of 6-0, Ordinance No. 1877 passed on second reading.

## **B. Continuation of a public hearing relative to Richmond**

### **Hill Inn Group Development.**

Mayor Michalove said this public hearing was continued from the September 18, 1990 meeting.

Julia Cogburn, Director of Planning, again requested that the public hearing be continued until December 18, 1990.

Vice-Mayor Moore moved to continue the public hearing until December 18, 1990 without further advertisement. This motion was seconded by Councilman Frank and carried unanimously.

## **III. OLD BUSINESS:**

### **A. Ordinance No. 1875 - Second reading of an ordinance relative to the annexation of property located on Richmond Hill Drive.**

Mayor Michalove said the owners of property contiguous

to the City Limits of the City of Asheville have requested to be annexed. The property is owned by the Education Center, Inc. and is the site of the Richmond Hill Inn and Conference Center (Ward 12, Sheet 24, Lot 80). On October 30, 1990, a public hearing was held and

this ordinance passed on first reading.

Mayor Michalove said the ordinance was previously read

on first reading and would not be read in its entirety.

On a roll call vote of 6-0, Ordinance No. 1875 passed on

second reading.

Councilman Ellison moved to suspend the rules and

proceed to the third and final reading of Ordinance No. 1875. This motion was seconded by Vice-Mayor Moore and carried unanimously.

On a roll call vote of 6-0, Ordinance No. 1875 passed on

third and final reading.

**Ordinance Book No. 12 - Page 270-271**

**B. Ordinance No. 1876 - Second reading of an ordinance**

**creating the Asheville-Buncombe Fair Housing Commission.**

Mayor Michalove said the City Council created the

Asheville Fair Housing Commission on October 15, 1985. This ordinance establishes the Asheville-Buncombe Fair Housing Commission under authority of Chapter 213 of the 1989 North Carolina Session Laws. This ordinance passed on first reading on October 30, 1990.

Mayor Michalove said the ordinance was previously read

on first reading and would not be read in its entirety.

On a roll call vote of 6-0, Ordinance No. 1876 passed on

second reading.

Councilman Ellison moved to suspend the rules and

proceed to the third and final reading of Ordinance No. 1876. This motion was seconded by Vice-Mayor Moore and carried unanimously.

On a roll call vote of 6-0, Ordinance No. 1876 passed on

third and final reading.

**Ordinance Book No. 12 - Page 272 - 273**

**IV. NEW BUSINESS:**

**V. CONSENT:**

**A. Resolution No. 90-169 - Resolution appointing members to the Asheville-Buncombe Fair Housing Commission.**

SUMMARY: The City of Asheville and County of Buncombe

created the Fair Housing Commission, and this Commission is charged with the duty of enforcing the State Fair Housing Act in Buncombe County. The ordinance creating the Commission provides for the City of Asheville to have three (3) appointees to said Commission. This resolution will appoint Edward R. Schell, Claude Drake, and Edward Hay to 2-year terms, term expiring December

31, 1992.

**Resolution Book No. 18 - Page 265**

**B. Resolution No. 90-170 - Resolution authorizing the Mayor**

**of the City of Asheville to execute easement in favor of the Carolina Power and Light Company for property at the**

**Asheville Regional Airport.**

SUMMARY: Carolina Power and Light Company has

requested that the City of Asheville execute a right-of-way easement on property belonging to the City of Asheville at the Asheville Regional Airport, being the land described in a lease from the City of Asheville to the Asheville Regional Airport Authority dated July 1, 1980, and recorded in Deed Book 1287, Page 570, Buncombe County Registry, as shown on Carolina Power and Light Company Drawing AA-5287, dated October 19, 1990;

**Resolution Book No. 18 - Page 266**

Upon motion of Vice-Mayor Moore, seconded by Councilman

Ellison, the consent agenda was unanimously approved.

**VI. OTHER BUSINESS:**

**Mike Plemmons - Council of Independent Business Owners**

Mike Plemmons with the Council of Independent Business

Owners, said with the pending economic recession Council should not threaten businesses with impending zoning regulations that would not take place for two to three years. He said Council should not do anything that would

delay business expansions.

**VII. ADJOURNMENT**

Mayor Michalove adjourned the meeting at 4:45 p.m.

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MAYOR CITY CLERK

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