

Tuesday - June 18, 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, Walter R. Boland, and Louis Bisette; Corporation Counsel William F. Slawter; City Manager Neal Creighton; and Associate City Manager/City Clerk William F. Wolcott, Jr.

Absent: None

CITY RESOLUTION NO. 85-91 - COUNTY RESOLUTION NO. 18173 - JOINT RESOLUTION OF THE CITY OF ASHEVILLE AND THE COUNTY OF BUNCOMBE EXPRESSING SUPPORT AND CONCERN FOR DR. RICHARD Y. MOON AND THE OTHER HOSTAGES CURRENTLY BEING HELD

Consideration was given to a joint resolution of the City of Asheville and the County of Buncombe expressing support and concern for Dr. Richard Y. Moon and the other hostages currently being held.

Doris Giezentanner, Vice-Chairman for the Buncombe County Board of Commissioners, read the resolution.

Upon motion of Vice-Mayor Bratton, seconded by Councilman Boland, Resolution 85-91 was unanimously adopted.

Complete text of Resolution No. 85-91 will be found in Resolution Book No. **15** at page **227** and **228**.

Commissioner Ledbetter moved that a copy of the Resolution be sent to the President. This motion was seconded by Vice-Mayor Bratton and carried unanimously.

Mayor McDevitt dispensed with the normal invocation of the City Council meeting and called for a moment of silence in honor of the hostages.

APPROVAL OF THE MINUTES - JUNE 11, 1985 MEETING

1. Approval of the minutes of the June 11, 1985 meeting.

Mayor McDevitt announced the approval of the minutes as submitted.

PROCLAMATION - "DEPARTMENT OF PARKS, RECREATION, AND PUBLIC FACILITIES VOLUNTEER RECOGNITION DAY IN THE CITY OF ASHEVILLE" - JUNE 18, 1985

2. Mayor McDevitt read a proclamation proclaiming June 18, 1985 as "Department of Parks, Recreation, and Public Facilities Volunteer Recognition Day in the City of Asheville".

Mayor McDevitt presented a copy of the resolution to Ray Kisiah, Director of Parks, Recreation and Public Facilities, and recognized Hazel Robinson, Director of the Montford Recreation Center who was named the "Outstanding Volunteer of the Year".

RESOLUTION NO. 85-92 - RESOLUTION OF APPRECIATION AND COMMENDATION TO LOGAN DELANY

3. Consideration was given to a Resolution of Appreciation and Commendation to Logan Delany.

Mayor McDevitt said Logan Delany has served the citizens of Asheville as a dedicated City employee and involved community leader for many years. He has earned the admiration and friendship of his co-workers, colleagues, and the citizens of Asheville, whom he has faithfully served for so long. His leadership and involvement with the Asheville community has impacted positively on the quality of life for Asheville and its citizens. On June 30, 1985, Logan

Delany will retire from full-time employment with the City of Asheville.

Mayor McDevitt read the Resolution.

Upon motion of Vice-Mayor Bratton, seconded by Councilman Boland, Resolution No. 85-92 was unanimously adopted.

Complete text of Resolution No. 85-92 will be found in Resolution Book **15** at Page **229**.

ORDINANCE NO. 1523 - AN ORDINANCE ADOPTING THE OPERATING BUDGET AND FIXING THE TAX RATE OF THE CITY OF ASHEVILLE FOR THE FISCAL YEAR 1985/86.

4. Consideration was given to the second reading of Ordinance No. 1523, an ordinance adopting the operating budget and fixing the tax rate of the City of Asheville for the Fiscal Year 1985/86.

Mayor McDevitt said this budget ordinance fixes the tax rate for the City of Asheville for fiscal year 1985/86 at \$.59 per \$100 Assessed Valuation.

Bob Wurst, Director of Audit and Budget, gave a status report on the proposed budget for Fiscal Year 1985/86. He said several changes had been made to the proposed budget which would have no direct budget impact. He said employees would be given the option of receiving a separate longevity check for 1986 only, rather than their longevity being added to their base pay on July 1, 1985. He said stand by pay, employees making more than supervisors, and time and grade discrepancies are being addressed by staff. He said in implementing a full performance grading system, employee participation will be sought. He said in response to concerns expressed by some employees, it is being recommended that the Group Health Insurance Program be amended to allow for out-of-pocket expenses during a year for an individual at \$600 and \$1,800 per family. He said this amendment to the Group Health Insurance Plan would be monitored throughout the year. He said the proposed budget also includes life insurance benefits to be one times the annual salary rather than having a maximum of \$20,000. He said one additional holiday will also be added for City employees.

After discussion, Councilman Price moved to amend Ordinance No. 1523 to include a right-of-way clearing activity in the Parks, Recreation and Public Facilities budget in the amount of \$64,738. This motion was seconded by Councilman Myers and carried unanimously.

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Mayor McDevitt read the Resolution.

Upon motion of Vice-Mayor Bratton, seconded by Councilman Boland, Resolution No. 85-92 was unanimously adopted.

Complete text of Resolution No. 85-92 will be found in Resolution Book **15** at Page **229**.

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In response to a question of Mr. Ralph Bishop, Clark Brown, Director of Public Works, said the problem with Murdock Avenue is the installation of a sewer line and it would be corrected. He also said that Aston Street is on the priority list for improvements.

Vice-Mayor Bratton 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 7-0, Ordinance No. 1523 passed on second reading.

ORDINANCE NO. 1524 - BUDGET ORDINANCE AMENDMENT - CIVIC CENTER PROMOTIONS

BUDGET

5. Consideration was given to a budget ordinance amendment to adjust the Civic Center's promotions budget for increased promotions activities in FY 1984/85.

Vice-Mayor Bratton said this amendment would increase the budget to provide for increased promotions activity for FY 1984-85. The additional events sponsored this year have generated net revenues of \$38,102 to the departmental budget. Events sponsored by the Civic Center using allocated promotions funds exceeded budget amounts. However, revenues exceeded projection by \$55,321 and will offset these unbudgeted expenditures.

Vice-Mayor Bratton said members of Council were furnished copies of the ordinance and it would not be read in its entirety.

Councilman Boland moved for the adoption of Ordinance No. 1524. This motion was seconded by Councilman Bisette.

On a roll call vote of 7-0, Ordinance No. 1524 passed on first and final reading.

Complete text of Ordinance No. 1524 will be found in Ordinance Book No. **10** at Page **285**.

ORDINANCE NO. 1525 -BUDGET ORDINANCE AMENDMENT - FUNDING FOR COMPREHENSIVE PLAN

6. Consideration was given to a budget ordinance amendment to provide funding for public participation in development of comprehensive plan.

Vice-Mayor Bratton said this amendment would provide funding for public participation in development of a Comprehensive Plan. This amendment will appropriate \$7,000 from the contingency fund into the Planning Department Comprehensive Plan.

Vice-Mayor Bratton said members of Council were furnished copies of the ordinance and it would not be read in its entirety.

Councilman Price moved for the adoption of Ordinance No. 1525. This motion was seconded by Councilman Myers.

On a roll call vote of 7-0, Ordinance No. 1525 passed on first and final reading.

Complete text of Ordinance No. 1525 will be found in Ordinance Book No. **10** at Page **286**.

MOTION - APPROVAL OF THE WATER FUND BUDGET

7. Consideration was given to a motion relative to approval of the Water Fund Budget.

Mike Holcombe, with the Water and Sewer Department, said the Water Fund Budget was prepared in accordance with the North Carolina Local Government Budget and Fiscal Control Act and City budget policy. He said the

budget had been approved by the Water Authority and by the County of Buncombe.

Councilman Frank moved to approve the Water Fund Budget. This motion was seconded by Councilman Myers and carried unanimously.

RESOLUTION NO. 85-93 - RESOLUTION ACCEPTING DEDICATION OF STREETS IN ASHEVILLE HOUSING AUTHORITY PROJECTS AND AUTHORIZING THE MAYOR TO EXECUTE THE DEDICATION AGREEMENT ON BEHALF OF THE CITY OF ASHEVILLE

8. Consideration was given to a resolution accepting dedication of streets in Asheville Housing Authority projects and authorizing the Mayor to execute the dedication agreement on behalf of the City of Asheville.

Vice-Mayor Bratton said the Asheville Housing Authority has formerly dedicated certain streets to the City of Asheville. The Asheville Housing Authority desires to dedicate streets serving certain other Public Housing Projects to the City of Asheville. The City and the Asheville Housing Authority have executed Cooperation Agreements

Vice-Mayor Bratton said the Stockwood Association, Inc. has petitioned the City of Asheville to accept by grant certain streets in the Stockwood Subdivision with said streets being more particularly described in the Deed conveying said streets from Stockwood Association, Inc. to the City of Asheville. Also Stockwood Association, Inc. has asked the City to accept maintenance of the sewer lines located in those streets. There would be an increase in revenues from Powell Bill if the streets are accepted prior to July 1, 1985. There would also be an increase in street maintenance expenditures which should be off-set by an increase in revenues.

Upon inquiry of Councilman Bissette, Clark Brown, Director of Public Works, said the streets in the Stockwood Subdivision are in average condition. He there would be minor repairs needed, and recommended approval of the resolution. He said the streets in the Stockwood Subdivision met State standards when there were built. However, they were not up to City standards now.

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

Upon motion of Councilman Price, seconded by Councilman Frank, Resolution No. 85-94 was unanimously adopted.

Complete text of Resolution No. 85-94 will be found in Resolution Book No. **15** at page **232**.

Mayor McDevitt presiding over the meeting at 4:50 p.m.

BIDS - ONE (1) TRAILER MOUNTED SEWER RODDER MACHINE FOR WATER MAINTENANCE, SEWER DEPARTMENT

10. Consideration was given to bids received for a trailer mounted sewer rodder machine.

Mayor McDevitt said sealed bids were received to furnish one (1) trailer mounted sewer rodder machine for Water Maintenance, Sewer Department. Four (4) bids were received and evaluated considering past performance, service record and reliability. References were provided upon request from

the two low bidders, Sewer Equipment Company and America and Cities Supply Company, Inc. As a result of the reference checks, Cities Supply Company, Inc.'s past performance, service record and reliability far exceeded that of the low bidder. It is recommended to award to Cities Supply Company, Inc. as the lowest responsible bidder.

Bid summary is as follows:

BIDDER BID

Cities Supply Company, Inc. \$12,700.00

Sewer Equipment Company of America 12,200.00

Bidder Jet - Vac Sanitary Services, Inc. 16,314.20

Public Works Equipment and Supply 14,980.20

Councilman Boland moved to award to bid to Cities Supply Company, Inc. in the amount of \$12,700.00. This motion was seconded by Councilman Price and carried unanimously.

APPROVAL OF THE CONSENT AGENDA

11. Consideration was given to a motion approving the consent agenda.

Mayor McDevitt said the following items are of a routine nature and they have been previously reviewed by the members of the City Council. Therefore, by unanimous vote to approve these items, the City Council may, pursuant to the procedures established in Ordinance No. 1008, adopt all of the items with one motion without the full reading and/or separate motion adopting each individual item. Upon the request of a citizen, a member of the City Council, and/or a member of the City staff, any single item scheduled for approval on the consent agenda may be considered separately.

Resolution No. 85-95

A. Consideration of a resolution reappointing a member to the Recreation

Board for Asheville.

HIGHLIGHTS: This resolution will reappoint Mr. Tommy Saunooke as a member of the Recreation Board.

FISCAL IMPACT: None **Resolution Book 15, Page 233**

Resolution No. 85-96

B. Consideration of a resolution supporting the Western North Carolina Soap

Box Derby and authorizing the closing of certain streets in the City of

Asheville for said event.

HIGHLIGHTS: The WNC Soap Box Derby Association, an affiliate of the West Asheville Rotary Club, is sponsoring a Soap Box Derby for participants in WNC on July 13, 1985. The City has received a request from the Rotary Club to close South French Broad Avenue from Bartlett Street south to the end of South French Board Avenue, Ralph Street from Ora Street to South French Broad Avenue, Livingston Street from Depot Street to Hibernia Road and Choctaw Street from Adams Street to South French Broad Avenue on June 29 (Practice Run Date), July 13 (Race Date) and if necessary, July 20 (Rain Date) from 9:00 A.M. until 4:00 P.M. The street closings are conditioned upon allowing emergency vehicles to pass if the need arises.

FISCAL IMPACT: None **Resolution Book 15, Page 234**

Resolution No. 85-97

C. Consideration of a resolution to name a new street in the City of Asheville.

HIGHLIGHTS: A new street was constructed and completed in 1984 connecting Curve Street and Windswept Drive and it is now necessary to select a name for the street. The right-of-way for the new street was dedicated by the Perry Alexander family. It has been suggested that the street be named Alexander Drive to become effective July 1, 1985.

FISCAL IMPACT: None **Resolution Book 15, Page 235**

D. Consideration of a motion authorizing the Mayor to execute and file revised applications for Section 5 and Section 9 Urban Mass Transportation Grants for operating, planning, and capital assistance for the Asheville Transit Authority.

HIGHLIGHTS: On May 7, 1985 City Council adopted Resolutions No. 85-68 and 85-69 authorizing the filing of applications with the Department of Transportation, United States of America, for grant under the Urban Mass Transportation Act of 1984, as amended (Sections 5 and 9). The U. S. Department of Transportation has requested that revised applications be

filed reappropriating funding for Section 5 and Section 9. This motion authorized the Mayor to execute the revised applications as requested by the U. S. Department of Transportation. The funding amounts for the grants will not be increased.

FISCAL IMPACT: Funding for Section 5 grant:

Local - \$503,062

Federal - \$503,062

Funding for Section 9 grant:

Local - \$ 83,200

State - \$ 83,200

Federal - \$665,600

Resolution No. 85-98

E. Consideration of a resolution authorizing the City Manager or his designee to execute certain contracts for Bele Chere 1985.

HIGHLIGHTS: This will authorize the City Manager to execute contracts with a variety of entities such as performers, a talent agency and vendors. Bele Chere Festival has been a successful event for the past six years and will be held again July 26-28, 1985.

FISCAL IMPACT: None **Resolution Book No. 15, Page 236**

Upon motion of Councilman Bisette, seconded by Councilman Frank, the Consent Agenda was unanimously approved.

CLAIMS - JOHNNY E. JOHNSON (INSPECTIONS) - WANDA BURRELL (WATER) - FRANK GREEN (WATER) - RODERICK SANDERS (SANITATION)

The City Manager presented claims received from Johnny E. Johnson (Inspections) - Wanda Burrell (Water) - Frank Green (Water) and Roderick Sanders (Sanitation).

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

BLUE RIDGE PARKWAY 50TH ANNIVERSITY

Councilman Price spoke relative to the Blue Ridge Parkway celebrating its 50th anniversary in 1985. She said brochures relative to the events taking place are available to the public and encouraged the citizens to be involved in the celebration.

DANIE A. JOHNSON, ARCHITECT - RESPONSE TO QUESTIONS RELATIVE TO PROPOSED PARKING

STRUCTURE ON RANKIN AVENUE

In response to concerns expressed by Danie A. Johnson, Architect, relative to the request for proposals for the proposed parking garage on Rankin Avenue, Councilman Bissette requested that Tom Tarrant, City Engineer, explain the City's procedure on selecting consultants for request for proposals.

Mr. Tarrant, City Engineer, said both he and the City Manager had in the past encouraged architects and engineers to request being on the City's mailing list for request for proposals. He said each and every project is advertised in the newspaper on Sunday. He said in response to Mr. Johnson's concerns, the City Engineering Department is delaying the deadline on receiving requests for proposals on the Parking Garage for Rankin Avenue until July 5th instead of June 21st. He said he is also sending information relative to the request for proposals to all architects and engineers in the telephone book, and also advising them of the City's procedure in furnishing information for request for proposals.

Danie Johnson, Architect, said he appreciated the changes being made by the City Engineering Division relative to the proposed parking structure on Rankin Avenue. He said he had a host of concerns about the request for proposals. He requested that Council seek input from local architects and engineers about this particular project.

Mayor McDevitt noted that Council is sensitive to the number of issues that were raised in Danie Johnson's letter dated June 13, 1985. He said the fact that no local people were sent request for proposals does not reflect an adopted policy by the Asheville City Council. He said Council makes every effort to get involvement from local business people.

A copy of Danie A. Johnson's letter is attached to the minutes.

RALPH BISHOP - LOTTERY SALES

Ralph Bishop again spoke to members of Council relative to the lottery sales in the City of Asheville.

ADJOURNMENT

Upon motion of Councilman Frank, Seconded by Councilman Myers, the meeting adjourned at 5:20 p.m.

MAYOR CITY CLERK

DANIE A. JOHNSON, ARCHITECT - RESPONSE TO QUESTIONS RELATIVE TO PROPOSED PARKING STRUCTURE ON RANKIN AVENUE

In response to concerns expressed by Danie A. Johnson, Architect, relative to the request for proposals for the proposed parking garage on Rankin Avenue, Councilman Bissette requested that Tom Tarrant, City Engineer, explain the City's procedure on selecting consultants for request for proposals.

Mr. Tarrant, City Engineer, said both he and the City Manager had in the past encouraged architects and engineers to request being on the City's mailing list for request for proposals. He said each and every project is advertised in the newspaper on Sunday. He said in response to Mr. Johnson's concerns, the City Engineering Department is delaying the deadline on receiving requests for proposals on the Parking Garage for Rankin Avenue until July 5th instead of June 21st. He said he is also sending information relative to the request for proposals to all architects and engineers in the telephone book, and also advising them of the City's procedure in furnishing information for request for proposals.

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