

Tuesday - June 2, 1992 - 4:00 p.m.

Asheville Civic Center - Banquet Room

Regular Meeting

Present: Mayor Kenneth M. Michalove, Presiding; Vice-Mayor Eugene W. Ellison; Councilwoman Barbara Field; Councilmen William G. Moore, Chris J. Peterson, Joseph Carr Swicegood and Charles R. Worley; City Attorney William F. Slawter; City Manager Douglas O. Bean; and Associate City Manager/City Clerk William F. Wolcott Jr.

Absent: None

INVOCATION

Councilman Moore gave the invocation.

APPROVAL OF THE MINUTES

Mayor Michalove announced the approval of the May 19, 1992, City Council minutes.

I. PROCLAMATIONS:

A. PRESENTATION ON THE EDUCATION PARTNERSHIP PROGRAM

Mrs. Robin Westbrook, Public Information Officer, said that the City of Asheville has been participating with Asheville Middle School in an Education Partnership Program since February of 1992. Twenty-one City employees signed up to participate in tutoring, classroom presentations and field trips. Currently six of these employees in five different departments are tutoring students at least once a week. She recognized the Asheville Middle School teachers, students and City of Asheville tutors for their participation on this Program.

Mayor Michalove thanked the participants for their participation in this very worthwhile program.

B. PROCLAMATION PROCLAIMING JUNE 4, 1992, AS "PARKS AND RECREATION VOLUNTEER RECOGNITION DAY"

Mayor Michalove proclaimed June 4, 1992, as "Parks and Recreation Volunteer Recognition Day" and presented the proclamation to Ray Kisiah, Director of Parks, Recreation and Public Facilities.

Mr. Kisiah recognized Mr. Joe Noertker of the East Asheville Community Center as the "Outstanding Volunteer" for his consistent and dedicated efforts toward the development of a City-wide chess program for youth.

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Mr. Kisiah invited the Council to the annual volunteer recognition dinner at 6:30 p.m. on June 4, 1992, at Malvern Hills Pool.

II. OLD BUSINESS:

A. RESOLUTION AMENDING THE REPORT OF PLANS FOR EXTENSION OF CITY SERVICES INTO THE BEAVERDAM RUN ANNEXATION AREA

City Manager Bean asked that the City Council take no action on this item.

B. THIRD READING OF ORDINANCE NO. 1970, AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE CITY OF ASHEVILLE TO AN AREA KNOWN AS THE BEAVERDAM RUN AREA UNDER THE AUTHORITY GRANTED BY PART 3, ARTICLE 4A, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA.

City Manager Bean said that the City has received the following letter dated June 1, 1992, signed by Kempton H. Roll, President of the Beaverdam Run Condominium Association. The accompanying executed resolution is attached hereto as Exhibit "A".

"Pursuant to your request, please find enclosed the executed resolution adopted by Beaverdam Run Condominium Association. In consideration for adoption of this resolution, it is the understanding of the Association that the City of Asheville will postpone the current annexation proceeding until 1993 when a new proceeding will be commenced incorporating the entire boundary of the Association no sooner than June 30, 1994. Following annexation, the Association shall be entitled to continue to maintain private security, road maintenance, utility systems, and street lighting within the boundaries of the condominium development. To insure there is no misunderstanding please confirm this by a written response including a copy of any resolution adopted by City Council."

Councilwoman Field moved that the third reading of Ordinance No. 1970 providing for the annexation of the Beaverdam Run Area be removed from the City Council agenda and that the process for the annexation of that area, along with the entire Beaverdam Run Condominium development, be re-initiated in the Spring of 1993 so as to provide for annexation of the area effective June 30, 1994. This motion was seconded by Councilman Moore and carried unanimously.

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III. NEW BUSINESS:

A. QUARTERLY DOWNTOWN REPORT

This item will be considered later in the meeting.

B. ORDINANCE NO. 1972 - BUDGET AMENDMENT FOR FIRE APPARATUS EXTENDED-CONTROL CONSOLES FOR COMMUNICATIONS SYSTEM

City Manager Bean said that this budget amendment is to appropriate \$15,000 received as interest on \$1,600,000 received from Wachovia Bank for lease/purchase of the radio communications system for 15 extended-control console radio units for fire apparatus.

Mayor Michalove stated that members of Council have been previously furnished with copies of the ordinance and it would not be read in its entirety.

Vice-Mayor Ellison moved for the adoption of Ordinance No. 1972. This motion was seconded by Councilman Worley.

On a roll call vote of 7-0, Ordinance No. 1972 passed on its first and final reading.

ORDINANCE BOOK NO. 13 - PAGE 74

IV. CONSENT:

A. RESOLUTION NO. 92-69 - RESOLUTION CALLING FOR A PUBLIC HEARING ON JUNE 16,

1992, FOR THE ADOPTION OF AN ORDINANCE DIRECTING THE DIRECTOR OF BUILDING INSPECTIONS TO DEMOLISH THE DWELLING LOCATED AT 40-1/2 RECTOR STREET.

RESOLUTION BOOK NO. 19 - PAGE 192

B. RESOLUTION NO. 92-70 - RESOLUTION CALLING FOR A PUBLIC HEARING ON JUNE 16, 1992, FOR THE ADOPTION OF AN ORDINANCE DIRECTING THE DIRECTOR OF BUILDING INSPECTIONS TO DEMOLISH THE DWELLING LOCATED AT 34 HAZZARD STREET.

RESOLUTION BOOK NO. 19 - PAGE 194

Vice-Mayor Ellison moved for the adoption of the Consent agenda. This motion was seconded by Councilman Moore and carried unanimously.

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ANNOUNCEMENT - NORTH CAROLINA LESBIAN AND GAY PRIDE MARCH

Mayor Michalove announced that on the weekend of June 13, 1992, an organization by the name of North Carolina Lesbian and Gay Pride will be meeting in Asheville. That organization has obtained appropriate permits to have their public meetings and he asked that the community of Asheville and others respect their right to assemble and that we not discriminate against any group in our community.

He said that he had been requested by that group to proclaim that day as a special day for the group. He said that only the Mayor issues proclamations, not the City Council. He said he had thought long and hard about his position in this matter and he feels that the Mayor needs to reflect the feeling of not only himself, but of the community. He said that because he has not issued proclamations that deal in social issues, he will not issue a proclamation dealing with this matter.

He said that there has been some discussion about whether or not the Council will adopt a change in the City's policy dealing with discrimination. He said that is not a matter on the agenda nor is it a matter in the Council's agenda in the immediate future. He said when it does become a matter for the Council to consider, the Council will make it an agenda item and the public will be notified.

He stressed that he would be glad to talk to anyone after the meeting who would like to discuss his announcement or anyone can call him to talk about it.

V. PUBLIC HEARING:

A. PUBLIC HEARING RELATIVE TO THE 1992-93 ANNUAL OPERATING BUDGET

Mayor Michalove opened the public hearing at 4:35 p.m.

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

City Manager Bean stated that the proposed budget in the amount of \$59,220,181 for 1992-93, reflects a .59% increase adjusted for inflation and salary increases. He said the budget is actually less than last year and it is balanced with a 60 cent tax rate, which is no increase over the existing rate. He said it is a fiscally sound budget at this time.

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Ms. Debra Price asked the City Council to investigate the City's purchasing policy. She proposed the City initiate an effort to consolidate its central purchasing department with Buncombe County as well as both City and County school systems. She also proposed that the central purchasing facility give local businesses equal opportunity to bid on products and services.

Mr. Scott Hughes, speaking on behalf of the Budget Review Committee of the Council of Independent Business Owners, stated that he is pleased that the budget does not result in an increased tax burden to the property owners of the City.

Mr. Hughes suggested that management provide Council with the cost of some curtailed services, i.e., spring and fall leaf pickup, snow removal, training programs, etc. for further analysis. He felt that some of those costs might be covered by the proposed \$400,000 increase in the contingency account in the non-departmental section of the general fund.

He was pleased that the City will be exploring new methods of service delivery, i.e. privatization. He felt that if the private sector can provide services of similar quality to the public at a reduced cost then why should the taxpayer pay more than is necessary.

He supports contracting out sanitation services of the City which would not only result in an immediate annual savings of approximately \$243,000 but also provide an immediate opportunity for curbside recycling. He said CIBO urges the Council to move quickly toward obtaining proposals for this project and, if necessary, pass an interim budget in order to obtain the benefits of this cost saving proposal in the current fiscal year.

He said that if the contracting out of sanitation services becomes a reality, he proposes Council consider converting the garage facilities currently under construction on South Charlotte Street for use as either Police or Fire Department facilities.

He encourages the City to take the lead in proposing a joint centralized purchasing function with Buncombe County.

He also has concerns relative to the City Print Shop in competition with local printers concerning the printing needs of various not for profit organizations.

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Mr. Dick Martin, owner of Quick Copy Printing, stated that he has lost substantial money to the City's Print Shop and feels that the City should only do work associated with a copying machine and let the rest of the work go out to the private sector.

Ms. Gail Gomez, Kituwah, gave statistics relative to the American Indian National Arts Exposition of last year and the proposed festival for 1992.

Mr. A. B. Wexler, urged the City Council to consider the proposal by CIBO for privatization of City services and asked the Council to look at the Print Shop issue.

Mr. Reece Lasher, 1992 Bele Chere Chairman, felt that reimbursement should be the same for all festivals. He felt that Bele Chere should not be the only festival considered to reimburse the City for providing police and sanitation services.

Mr. Dave Johnson, President of Curbside Management, said that a restructuring

of garbage services should be considered. He said it was vital that the household take an active role in waste and that the City might consider an economic incentive based program to accommodate those who do not involve themselves in reduce, reuse and recycling activities.

Mr. Brownie Hyder, Hyder Waste Containers Inc, asked the City Council to consider contracting with his company for garbage collection. He said they will be constructing a new recycling facility this year and that they would be willing to hire the City employees currently working in sanitation.

Dr. Andrea Gravatt, representing the Child Abuse Center, asked the City Council to support the child abuse prevention programs.

Mr. David McFee, representing the Asheville Firefighters, spoke about the unfairness of City of Asheville employees being paid 10% less other comparable cities. He stated that last year the highest merit increase was 4.5% and this year's is only 3%. He asked why the City Council was allowing City employees to go backwards in their pay.

Ms. Karen Korp, member of the "Light Up Your Holidays" Board of Directors , stated that the City now provides organization and services and the public provides volunteer -7-

manpower and fund raising. She feels that if the City were to withdraw its support by placing the burden of providing services on volunteers, the successes of the past may swiftly become distant memories and the entire community - businesses, residents, tourist and tax revenue - may very well be the losers.

Mr. Barry Carlisle, Waste Management of Asheville, urged the City Council to look at privatization. He stated that if the City contracted with this company, they would be prepared to respond immediately.

Ms. Jean Becker, resident of Malvern Hills, asked the Council to study the issues of privatization. She spoke about the condition of the streets in Malvern Hills, in particular School Road and Wendover Road.

Ms. Leni Sitnick hoped that the budget would contain sufficient funds to oversee the enforcement of the UDO process. She hoped the City would cooperate with the County for some type of youth center.

Mr. Bob Emory, member of the Fraternal Order of Police, stated that they were supportive of a flat rate raise to all City employees.

Mr. Wayne Warren, retired police officer, asked the Council to stop the City's practice of eliminating from retirement checks the percentage the state retirement system gives in annual raises.

Mr. Jerry Sternberg suggested the City Council fund the Chamber of Commerce on a commission basis, allotting it funds only after it brings business to Asheville. He also asked the Council to delete the \$18,000 funding for RiverLink, a public-private venture trying to restore business, recreation and light industry to areas along the French Broad and Swannanoa Rivers. He felt RiverLink is a political action committee designed to destroy the political power base of the riverside businesses.

Ms. Linda Wilkerson, Executive Director of the Community Arts Council, asked the City Council to continue its funding for the Community Arts Council.

Mr. Mike Summey spoke in favor of a centralized purchasing facility.

Mr. Bob Seldy, general contractor, spoke about the inefficiencies of the Inspections Division.

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Mr. Mike Knisely, member of the Fire Department, spoke about the unfairness of City employees being paid 10% less than what others are making in comparable cities.

Mr. Roy Birchfield asked the Council not reduce any services relative to snow removal, leaf pickup, etc. He felt that we need to encourage people to clean up their property.

Ms. Karen Cragolin, Executive Director of RiverLink, stated that RiverLink is prohibited from lobbying and is concerned only with revitalizing the river fronts.

Mr. Barry Olen asked the City Council to continue supporting the Asheville Downtown Association.

Mayor Michalove closed the public hearing at 5:43 p.m.

Mayor Michalove stated that the Council will take into consideration all the statements made and incorporate them before the adoption of the budget on June 16, 1992.

III. NEW BUSINESS: Continued

A. QUARTERLY DOWNTOWN REPORT

Mr. Don Martell, gave a detailed report on the parking services function from July 1, 1991 - April 30, 1992. He gave statistics on the new 297 parking meters which were installed and stated that it only took 19 weeks to payback opposed to the 26 weeks anticipated. He said that there were 379 more spaces that they would like to install new meters at and asked the City Council to consider their request to study this. He also asked the City Council to consider strengthening the citation aspect and increase citations as well as the penalties.

Mr. Martell also stressed the need to continue working on the streetscape aspect in downtown. He asked the City Council to consider funding of new streetscape projects.

Councilwoman Field expressed her pleasure of the charts furnished and asked to see a debt service chart on the two parking debts.

Mayor Michalove suggested Councilmen Peterson and Swicegood work with Mr. Martell and bring back a recommendation to the City Council relative to the revenue associated with the new meters, the addition of new meters, and the increase in citations.

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Upon inquiry of Councilman Peterson, Mr. Martell said that there is approximately 100 unmetered parking spaces around the site of the new Federal Building.

Vice-Mayor Ellison stated that the City Council needs to consider the priority list on streets and sidewalks and to be consistent and fair to all citizens of Asheville.

V. OTHER BUSINESS:

A. APPROPRIATION OF FUNDS FOR SUMMER YOUTH PROGRAM

Mayor Michalove said that during the budget process, Vice-Mayor Ellison suggested the City Council consider appropriating \$100,000 for summer jobs for youth of targeted areas. He said that the City could provide some significant jobs with some good supervision and good role modeling and an opportunity for some youths to get out of the drug scene.

Vice-Mayor Ellison hoped that the \$100,000 appropriation out of the contingency fund would enable approximately 100 youths to be employed at \$3.62 an hour for approximately 20-25 hours a week. He stated this summer youth program would employ kids between the ages of 14-17 who are still in school during the time period the Council is making this proposal. He feels that this might be an incentive to the kids who quit school, to get back to school in order to participate in this program.

Vice-Mayor Ellison moved to appropriate \$100,000 out of the contingency fund for the summer youth program. This motion was seconded by Councilman Moore and carried unanimously.

B. MOTION AUTHORIZING THE MAYOR TO EXECUTE A BOUNDARY LINE AGREEMENT WITH BUNCOMBE COUNTY

Vice-Mayor Ellison moved to authorize the Mayor to execute a boundary line agreement with Buncombe County in order to establish a boundary line between the new jail and the City's parking lot. This motion was seconded by Councilman Moore and carried unanimously.

C. CLAIMS

City Manager Bean said the following claims were received by the City of Asheville during the week of May 18 - 22, 1992: Carlos Peleaz, Jr., (Sanitation); Jo Davidson (Water); Roberta Atkins (Water); Nils Swanson (Water); Elaine Haynes (Water); and Darryl Harris (Water).

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He stated that the City also received the following claims during the week of May 25-29, 1992: Elaine C. Taylor (Streets) and Mary Read (Sanitation).

He stated that these claims have been referred to the appropriate insurers for investigation.

VI. ADJOURNMENT

Mayor Michalove adjourned the meeting at 6:10 p.m.

CITY CLERK MAYOR
