

Tuesday - February 2, 1993 - 4:00 p.m.

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

Vice-Mayor Ellison gave the invocation.

APPROVAL OF THE MINUTES

Mayor Michalove announced the approval of the January 19, 1993, City Council minutes as submitted.

I. PROCLAMATIONS:

A. REPORT FROM THE ARSON TASK FORCE

District Attorney Ron Moore, Chairman of the Asheville-Buncombe Task Force ("A-B Arson Task Force") said that earlier this year, Asheville and Buncombe County joined efforts to control arson throughout Buncombe County by forming the A-B Arson Task Force. He then gave a brief report on what the A-B Arson Task Force has accomplished since its formation.

B. PRESENTATION OF QUARTERLY B\*E\*S\*T AWARD

City Manager Bean presented a quarterly B\*E\*S\*T award to Debbie Faulkner from the Police Department. He said Debbie was nominated for rescuing a homeless family which she found sleeping on concrete and no food to eat. The family had fled from city to city hoping to escape drug infested neighborhoods. Debbie worked both on duty and off duty using her own resources to find food and lodging for this family. Debbie is always going above and beyond to help those who are in desperate need.

C. PRESENTATION OF QUARTERLY B\*E\*S\*T AWARD

City Manager Bean presented a quarterly B\*E\*S\*T award to Pam McGrayne, Personnel Director. He said Pam was nominated for noticing one of the elevator operators having -2-

a problem with her arm hurting and advised her to go see the nurse and that she would run the elevator until she got back. Pam has shown us that good customer relation skills cannot only be used with citizens but co-workers as well.

II. PUBLIC HEARINGS:

A. CONTINUATION OF A PUBLIC HEARING RELATIVE TO REZONING GRACE PLAZA PROPERTY (PIN NO. 9740-18-32-8255) FROM R-3 RESIDENTIAL DISTRICT TO CH COMMERCIAL HIGHWAY DISTRICT

B. CONTINUATION OF A PUBLIC HEARING RELATIVE TO PARTIAL REZONINGS OF 21 AND 29 LAKESHORE DRIVE FROM R-3 RESIDENTIAL DISTRICT TO CH COMMERCIAL HIGHWAY DISTRICT

Mayor Michalove said that these public hearings were opened on January 5, 1993, and continued until this date pursuant to a request from the Petitioners' attorney Beth Arrowood.

Mayor Michalove then read the following letter from Hugh Read and Betty Vaughn (petitioners) dated and received in the City Clerk's Office on February 1, 1993: "This is to inform you that Betty Vaughn and Hugh Read have decided not to pursue the rezoning of their property at 21 and 29 Lakeshore Dr., Asheville, N.C."

Mayor Michalove also read the following letter signed by Karl H. Straus, Attorney for Avon Investment Associates, Owner, dated and received in the City Clerk's Office on February 1, 1993: "RE: PIN 9740 18328255 - Avon Investment Associates wishes to withdraw from the February 2, 1993 Agenda of the City Council the matter of the re-zoning of the above-designated lot."

Due to the petitioners withdrawing, no further action on these matters would be taken.

### III. OLD BUSINESS:

#### A. ORDINANCE NO. 2013 - THIRD READING OF AN ORDINANCE ESTABLISHING STREET NAME AND ADDRESS REQUIREMENTS

Mayor Michalove stated that this ordinance passed on its first and second readings on January 19, 1993.

Mayor Michalove then stated that members of Council had been furnished with a copy of the ordinance and it would not be read.

-3-

On a roll call vote of 7-0, Ordinance No. 2013 passed on its third and final reading.

ORDINANCE BOOK NO. 13 AT PAGE 191

### IV. NEW BUSINESS:

#### A. RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE DOCUMENTS TO PURCHASE PROPERTY LOCATED NEAR HARVEST HOUSE

At the request of the City Attorney, this matter was delayed.

#### B. REVIEW OF SPECIFICATIONS FOR BIDDING SANITATION SERVICES

City Manager Bean said that the City Council instructed staff to prepare specifications for contracting sanitation services for approximately 5,700 households. He then reviewed the bid specifications, which included the Instructions to Bidders, the Scope of Work and the contract. He touched upon the areas selected and why, the services to be performed, the time period involved, the alternate of recycling, and the alternatives for City employees should privatization occur.

Councilman Worley stated that privatization was a goal of the Council and was glad the process has come this far.

Councilwoman Field felt the specifications were fair and reasonable but did state some reservations.

Councilman Peterson said he felt the specifications were fair and thought this privatization would allow the City to cut their budget and still give taxpayers good service.

Upon inquiry of Vice-Mayor Ellison concerning the insurance requirements, City Manager Bean said that these requirements were reviewed by the City's Risk Manager and they met his approval.

Upon inquiry of Councilman Swicegood relative to communications, City Manager Bean explained what that specific section is intended to do.

City Manager Bean also stated that the disposal site having to be designated by the City ensures the City that the site is a legal and acceptable place to dump.

-4-

He then confirmed that the contractor will pay for the tipping fee and then bill the City monthly with substantiating tonnage figures which support the request for payment.

City Manager Bean then stated that all discussion relative to these bids should be addressed to the official city representative which is Jim Ewing, Director of Public Works.

Councilman Worley moved to proceed with the bid process. This motion was seconded by Councilman and carried unanimously.

C. RESOLUTION NO. 93-10 - RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AGREEMENTS WITH RESIDENTS OF THE CARTER COVE ROAD AREA

Councilman Moore moved to excuse Councilman Worley from participating in this issue due to a conflict of interest. This motion was seconded by Councilwoman Field and carried unanimously.

Mr. Charles Penny, Assistant City Manager, said that on December 15, 1992, the Council instructed City staff to obtain proposals for the design of the new bridge on Carter Cove Road and the evaluation of the bids. Three bids from engineering firms were received ranging from \$4,500 to \$7,500. One bidder submitted an alternate bid of design and construction at a cost of \$49,090. The City then asked the other two bidders if they could give an alternate bid for design and construction. One engineering firm withdrew their proposal and the other proposal came in at \$65,000, which was higher than the first design and construction proposal.

He explained that the \$100,000 figure given to the City Council for construction of the bridge in December of 1992 was based on the designing of a culvert under the bridge. Now, there will be no piping in the creek.

He said that staff recommends the City award the bid to NCDC for the amount of \$49,090 to design and construct the bridge. He said that the agreement with the property owners calls for the property owners to pay \$12,500 and the City to pay the remainder of the cost. He said his goal is to have the bridge to be in place by May 30, 1993.

Councilman Moore moved to authorize the City Manager to award the contract to NCDC in an amount not to exceed -5-

\$50,000 for the design and construction of the bridge on Carter Cove Road. This motion was seconded by Vice-Mayor Ellison and carried unanimously.

Mayor Michalove said members of Council have been furnished with a copy of the resolution and it would not be read.

Councilman Moore moved for the adoption of Resolution No. 93-10. This motion was seconded by Vice-Mayor Ellison and carried unanimously.

RESOLUTION BOOK NO. 20 AT PAGE 58

V. CONSENT AGENDA:

A. RESOLUTION NO. 93-11 - RESOLUTION AUTHORIZING THE SALE OF A LOT IN SOUTHWICKE ESTATES SUBDIVISION

Summary: The City owns a lot located on Wildwood Drive in Southwicke Estates Subdivision. Mr. and Mrs. Brenton E. Battles have made an offer for the purchase of this property in the amount of \$13,000, which said offer being accompanied by 5% bid deposit received by the City Clerk. On January 22, 1993, the City Clerk advertised a notice which contained a general description of that property, the amount and terms of the offer and a notice that within 10 days any person may raise the bid by not less than 10% of the first \$1,000 and 5% of the remainder of the offered price of \$13,000. The City has not received another offer.

RESOLUTION BOOK NO. 20 AT PAGE 60

B. RESOLUTION NO. 93-12 - RESOLUTION APPOINTING A MEMBER TO THE ASHEVILLE DOWNTOWN COMMISSION

Summary: Theo Pritchett, who was filling in the position of President of the Downtown Association, resigned as a member of the Asheville Downtown Commission. This resolution will appoint Mr. M. Charles Cloninger to serve a term according to the length of his office as President of the Downtown Association, or until his successor has been duly appointed and qualified.

RESOLUTION BOOK NO. 20 AT PAGE 61

Councilwoman Field moved for the adoption of the Consent Agenda. This motion was seconded by Vice-Mayor Ellison and carried unanimously.

-6-

VI. OTHER BUSINESS:

A. CONCERNS REGARDING ASHEVILLE POLICE DEPARTMENT

Police Officer Alan O'Donnell read a prepared statement relative to the police personnel's morale, financial well-being and safety.

Councilman Peterson said that a comparison study of police salaries in other cities should be made. He suggested looking at the Capital Improvements Plan to see if new buildings had to be built or if that money could be used for higher salaries.

Vice-Mayor Ellison felt that the taxpayers would need to be educated if the request from the Police Department of \$1.5 million was addressed. He said the \$1.5 million increase would raise taxes by 8% per \$100 property valuation. He hoped that the officers would give the Council the opportunity to go through the budget process.

Councilwoman Field felt the Council needed to look closely at the pay plan.

Councilman Moore felt that if the City raised salaries in the Police Department, other departments of the City would demand raises also. He said that if a pay increase was given, it would be given to all City employees, not only the Police Department employees.

Councilman Worley said that this issue would be addressed during the upcoming budget process at which time the Council would have the opportunity to look at all resources available to them.

Councilman Swicegood said the Council should consider pay increases instead of devoting money to projects like the new public works facility.

Mayor Michalove stated that the City Council's role is to establish the pay plan for all City employees. He said the pay plan is a high priority that the Council will be considering during the up-coming budget process. He said it was impossible to move out of the context of the budget at this time but the stage can certainly be set now. He urged all employees to work through the system by going to their department head, who in turn goes to the City Manager. He said that the City Council then looks to the City Manager to bring them information.

-7-

#### B. CLAIMS

City Manager Bean said that the following claims have been received for the week of January 18-22, 1993: Aundra Thomas (Water); David Torres (Water); John Naegle (Water); Southern Bell (Water); Asheville Paving (Police); and Caroline Parris (Civic Center).

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

#### VII. ADJOURNMENT.

Mayor Michalove adjourned the meeting at 5:30 p.m.

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CITY CLERK MAYOR

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