

Tuesday - February 14, 1995 - 2:00 p.m.

WORKSESSION

Present: Mayor Russell Martin, Presiding; Vice-Mayor Chris Peterson; Councilwoman Barbara Field, Councilman Gary McClure, Councilwoman Leni Sitnick, and Councilman Herbert J. Watts; City Attorney William F. Slawter; City Manager James L. Westbrook Jr.; and City Clerk Magdalen Burleson

Absent: Councilman Joseph Carr Swicegood (out of town)

SCHOOL BOARD INTERVIEW AND NAMING FINALISTS

City Council interviewed Linda Eubanks. They then asked that the following people be interviewed for the two vacancies on the Asheville School Board: Brian Weinkle, Hugh McCullom, Roy Harris, James Baten, Larry Wilson, Carol Collins and Linda Eubanks. The interviews will be held on Tuesday, February 28, 1995, beginning at 5:00 p.m. in the Council Chamber, City Hall Building.

City Council also gave the City Clerk a list of questions they would like to have answered in written form prior to the February 28 interviews.

HARVEST HOUSE PROPERTY

City Attorney Slawter summarized the action of purchasing a lot adjacent to the Harvest House facility on Kenilworth Road from Brian K. Bailey and wife, Bonnie D. Bailey for \$1,000.

It was the consensus of Council to proceed with appropriate action at the next formal meeting.

SIGN DEFINITION AND NON-CONFORMING SIGNS

A. Sign Definition - Planning Director Julia Cogburn asked that the definition of "sign" as found in the zoning ordinance be clarified. This language clarifies that the sign regulations do not apply to architectural features and awnings (except that portion of the awning identified).

It was the consensus of Council to proceed with appropriate action at the next formal meeting.

B. Non-Conforming Signs - Planning Director Julia Cogburn said that staff wishes to clarify a potential for misinterpretation over the effect of the sign ordinance amendment approved on first reading February 7, 1995, on signs not in compliance with the specifications of the 1977 ordinance but grandfathered by that ordinance.

A question has arisen as to the potential effect of the ordinance amendment which Council approved on first reading on February 7, 1995, on signs not in compliance with the specifications of the 1977 ordinance but grandfathered by that ordinance. The question is whether or not the ordinance would, by grandfathering signs in compliance with the 1977 ordinance, also grandfather signs which do not conform with that ordinance (1977) but which were grandfathered by that 1977 ordinance.

Two clarifying amendments were presented to Council - Alternate 1 provides for signs grandfathered by the 1977 ordinance to be also grandfathered by the amendment to the sign ordinance. Alternate 2 specifies that the signs grandfathered by the 1977 ordinance will not be grandfathered by the amendment

regarding nonconforming signs. -2-

It was the consensus of Council to proceed with appropriate action at the next formal meeting, amending the sign ordinance as staff presented with Alternate 2 - signs grandfathered by the 1977 ordinance will not be grandfathered by the amendment regarding nonconforming signs.

STANDARDS FOR REPLACEMENT OF EXISTING MANUFACTURED HOMES IN ALL ZONING DISTRICTS

Mr. Gerald Green, Senior Planner, briefed the Council by saying that at the request of the Board of Adjustment, the Planning staff has developed standards for new manufactured homes replacing existing manufactured homes in all residential zoning districts.

It was the consensus of Council to proceed with appropriate action at the next formal meeting.

SONDLEY ESTATES SPECIAL ASSESSMENT PROJECT

Mr. Bob Wurst, Audit/Budget Director, explained the project is now complete and it was well within budget for both the construction and associated engineering design, inspection and management.

It was the consensus of Council to proceed with appropriate action at the next formal meeting.

MINORITY BUSINESS ADMINISTRATION FUNDS

Finance Director Larry Fisher explained that a budget ordinance in the amount of \$89,910, will be needed to establish the 1994-95 appropriation for administration of the Minority Business Program of the City. HUD has informed the City that the Minority Business Program was no longer eligible for funding with CDBG program funds.

Councilwoman Sitnick wanted to make sure that when this move is made to the Purchasing Division that the Program and its effectiveness are monitored frequently.

Mr. Fisher said that he would provide documentation to the City Council on a regular basis of the monitoring results.

It was the consensus of Council to proceed with appropriate action at the next formal meeting.

STORMWATER ORDINANCE AMENDMENT

City Engineer Harold Huff explained that the stormwater ordinance and associated standard specifications were adopted on June 7, 1994, to become effective on July 1, 1994. After seven months, it is apparent that minor alternatives to various sections of the specifications manual may from time to time, on a case by case basis, be desired by both the designing professional and City Engineer.

The most recent example involves the proposed Carson Creek Apartments. If the 25 feet distance was not altered, this would eliminate space for one of the proposed building units and may make the project significantly less economically feasible.

It was the consensus of Council to proceed with appropriate action at the next

formal meeting.

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#### COMMUNITY DEVELOPMENT BLOCK GRANT USES

Mr. Marvin Vierra, Community Development Coordinator, explained the six steps involved in the process of determining if CDBG funds may be used to assist a proposed activity. The most important step is the determination if the proposed activity meets one of the three national objectives of the program: (1) benefiting low and moderate income persons; (2) addressing slums or blight; and (3) meeting a particularly urgent community development need.

He then went through the process of determining CDBG eligibility step by step and answered various questions from Council.

After discussion about the Housing and Community Development Committee, Councilwoman Field suggested that the Council members that are on that committee (Vice-Mayor Peterson, Councilwoman Sitnick and Councilman Watts) make the first cut on the applications received for CDBG funding.

#### AUTHORITY TO SIGN CONTRACTS

City Manager Westbrook stated that at the direction of City Council on January 31, 1995, he drafted a new policy on the Manager's authority to sign contracts. He recommended a \$30,000 limit with this policy, which will coincide with the Director of Water Resources Department.

It was the consensus of Council to proceed with appropriate action at the next formal meeting.

#### FEES AND CHARGES UPDATE

Mr. Bob Wurst, Audit/Budget Director, explained various amendments to the fees and charges manual, consistent with the recommendations of the City Council Fees and Charges Committee.

Vice-Mayor Peterson, Chairman of that Committee, explained the various charges and said that each department that manages to raise revenue will be allowed to keep that money in their specific department and with the direction of the City Manager, dedicate that money for specific improvements.

Councilman Watts objected to raising the rental fee at Stephens-Lee Recreation Center to \$250 when other centers only charge \$200, especially due to the condition of the gym and the overall condition of the Center. Mr. Irby Brinson, Executive Assistant in the Parks and Recreation Department, stated that it costs more to operate the Center because when special events take place, there is extra work involved in setting up and cleaning Stephens-Lee, in addition to tables, chairs, etc. having to be brought in from other centers. Mayor Martin and Vice-Mayor Peterson stressed that this is purely business and race is not an issue.

It was the consensus of Council to proceed with appropriate action at the next formal meeting.

#### PARKING FOR SOUTHERN CONFERENCE BASKETBALL TOURNAMENT

City Manager Westbrook stated that the Sports Committee is requesting that the parking meters in the area of the Civic Center not -4-

be ticketed during the Southern Conference March 2-5, 1995. The City Attorney's Office has informed the Manager that he has authority to waive the parking requirements, if he so chooses.

Since no action is required by Council, this is for informational purposes only.

SUBMISSION OF HOME AND CDBG FUNDING APPLICATIONS

Ms. Julia Cogburn, Planning Director, explained the process necessary for the City to seek HOME and CDBG funding for the development of a single-family, owner-occupied housing subdivision affordable to low and moderate income families.

It was the consensus of Council to proceed with appropriate action at the next formal meeting.

RESOLUTION NO. 95-19 - RESOLUTION OF APPRECIATION TO RETIRING EMPLOYEE WILLIAM F. WOLCOTT JR.

Mayor Martin read the resolution stating that William F. Wolcott Jr. has been an employee for 45 years and has requested retirement from his position as Associate City Manager/City Clerk, effective December 31, 1994. He expressed City Council's appreciation to Billy for his service to the City of Asheville and its citizens.

Resolution No. 95-19 was adopted by acclamation.

RESOLUTION BOOK NO. 22 - PAGE 194

OTHER TOPICS

Vice-Mayor Peterson stated that he would be making a motion in the near future to move the Council meeting day to another day other than Tuesday, which conflicts with the Buncombe County Commissioners meeting day. He also would make a motion to change the meeting time from 4:00 p.m. to 5:00 p.m. Councilwoman Sitnick said that she would be pleased to second the motion.

City Manager Westbrook announced that the next joint meeting between the City Council and the Buncombe County Commissioners would be held on Tuesday, May 23, 1995, at 5:00 p.m. in the Buncombe County Courthouse in Room 204.

Councilwoman Sitnick was very disturbed that the Civic Center sold beer during the circus.

Councilwoman Field asked for the City Manager to try to obtain the information she requested from Mr. Larry Holt, representative of the Housing Authority, relative to F. A. Johnson and the South Pack Square Project.

Councilwoman Sitnick asked for an update, at the next Council worksession, on the Broadway Widening Project. She asked that the public have input at the worksession. After much discussion, including Councilwoman Sitnick objecting to having to wait three months for NC DOT to bring in a team to update the Council, it was decided that Council would schedule the update after the State Historic Preservation Office has something to report. It recently met with DOT officials and made -5-

its recommendations as to whether any of the project area should be exempted for historical reasons. City Manager Westbrook was instructed to have staff try to obtain a date when that decision would be reached. Councilwoman Sitnick

stated that she hoped this Council doesn't pay the price for having no public dialog.

Councilman McClure suggested several names for the UDO Steering Committee. This item will be placed on Pre-Council on February 21, 1995.

City Clerk Burleson asked Council if they were going to meet during Easter week in April for scheduling purposes. It was the consensus of Council to have a formal meeting on the following Tuesday, April 18, 1995. Mayor Martin said that he would not be in town on April 4, 1995, during a formal Council meeting and asked if the Council was interested in changing the formal meeting dates in April to the second and fourth Tuesday, instead of the first and third Tuesday. Vice-Mayor Peterson strongly objected to moving the formal meeting date just because the Mayor would not be in town. It was the consensus to continue with the formal meeting dates of April 4 and April 18, 1995.

Mr. H.K. Edgerton asked for information relative to the Sondley Estates Project. City Manager Westbrook asked if Mr. Edgerton would submit his questions in writing and he would be happy to follow-up on those concerns.

ADJOURNMENT

Mayor Martin adjourned the meeting at 5:50 p.m.

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CITY CLERK MAYOR

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