

Tuesday - March 28, 1995 - 2:00 p.m.

WORKSESSION

Present: Mayor Russell Martin, Presiding; Vice-Mayor Chris Peterson; Councilwoman Barbara Field, Councilman Gary McClure (came in at 2:10 p.m.), Councilwoman Leni Sitnick, and Councilman Joseph Carr Swicegood (came in at 2:35 p.m.); City Attorney William F. Slawter; City Manager James L. Westbrook Jr.; and City Clerk Magdalen Burleson

Absent: Councilman Herbert J. Watts (in hospital regarding knee problem)

REQUEST FROM WEST ASHEVILLE RESOURCE CENTER

Mr. Tommy Sellers, President of the West Asheville Business Association, explained that the West Asheville Resource Center is requesting a \$5,000 financial contribution from the City of Asheville. The money will be used to install a gas furnace and central air conditioning.

Councilwoman Field moved to proceed with appropriate action at the next formal meeting to contribute up to \$5,000 to the West Asheville Resource Center. This motion was seconded by Councilwoman Sitnick and carried unanimously.

FESTIVALS

Mr. Irby Brison, Interim Parks and Recreation Director, explained that the City is involved with over 20 festivals and special events annually to which the City provides technical and logistical support in a variety of ways. In an effort to better define and to establish continuity in providing these services, staff has developed a recommended Festival and Special Event Policy.

Mr. Brinson then briefed the Council on the policy. In addition to this policy, he prepared a history of festivals and special events that were conducted in 1994. Each festival and special event contained a brief description which included the role City staff has provided, volunteer involvement, and economic impact where feasible.

Upon inquiry of Councilman McClure, Mr. Brinson stated that the annual total for all festivals is approximately \$100,000, however, the economic impact runs around \$15-30 Million of which \$9-11 Million comes from Bele Chere alone.

Councilwoman Sitnick felt that the alcohol provision in the policy was not strict enough considering the fact that security and insurance are someone else's responsibility but it is also the City's image that we must consider. She wanted stricter guidelines placed on the use of alcohol, especially during the Bele Chere Festival.

Ms. Beth Atkins, Chairman of the 1995 Bele Chere Committee, said that the Committee was also concerned about the use of alcohol at festivals and they have hired a consultant to do an alcohol assessment for the Bele Chere Festival which will show areas where we can improve.

Mr. Brinson stated that once the report has been submitted by the consultant, we can incorporate their recommendations for all City festivals.

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Vice-Mayor Peterson and Councilwoman Field stated that they both have noticed a decrease in problems regarding Bele Chere within the past couple of years.

Vice-Mayor Peterson asked the City Attorney if he would have a conflict of interest since he was very involved with the Greek Festival and the St. Patrick's Day Festival. City Attorney replied he saw no conflict on him voting on a policy.

Vice-Mayor Peterson said that in the last two years he has seen dramatic changes in the Bele Chere Festival and he now feels more comfortable regarding the Festival from a financial standpoint.

Mr. Brinson answered questions from Councilman Swicegood as they related to grant funds for festivals.

Councilwoman Sitnick moved to proceed with appropriate action at the next formal meeting. This motion was seconded by Councilwoman Field and carried unanimously.

NORTH LOUISIANA AVENUE SEWER PROJECT

Mr. Mike Holcombe, Water Resources Director, explained that this area was annexed into the City in 1960 and since that time there has been no sewer service extended to these properties. In March 1994 this area was rezoned from R-3 Residential to OI Office Institutional and without sewer service it is unlikely that this intended use will be realized.

The property owners applied and were turned down from Metropolitan Sewerage District in January to extend a collector sewer to this area. Several of the septic systems serving these taxpayers are or will be at capacity.

The cost estimate for the City is approximately \$100,000 to install this sewer. Several of the property owners have indicated plans for expansion and additional economic development pending the installation of this main. Property owners will donate easements to the City which will be their form of financial participation. This could offset the City's cost approximately \$25-30,000. This project would demonstrate a "public-private" partnership for infrastructure projects.

In response to a question by Councilman Swicegood, City Attorney Slawter said the annexation laws are not the same as they were back in 1960.

Upon inquiry of Vice-Mayor Peterson, Mr. Holcombe said that the sewer line could be in place in approximately 12 months if Council approval is given.

Councilwoman Field moved to proceed with appropriate action at the next formal meeting. This motion was seconded by Councilman Swicegood and carried unanimously.

FLOODPLAIN ORDINANCE AMENDMENT

Ms. Julia Cogburn, Planning Director, briefed Council on N.C. Department of Transportation's design relocation of NC 81 at Haw Creek and the problems that exist in the City's current floodplain ordinance.

She suggested setting a public hearing on a proposed floodplain ordinance amendment. The amendment will be that new construction or -3-

substantial improvement of non-structural public improvements (such as streets, water and sewer systems, etc.) be allowed provided that they not result in an increase of more than one foot in the regulatory flood elevation.

Vice-Mayor Peterson moved to proceed with appropriate action at the next formal

meeting. This motion was seconded by Councilman McClure and carried unanimously.

LANDMARK SIGN DESIGNATION

Ms. Maggie O'Connor, Historic Resources Commission Director, summarized by saying that the owners at 29 Montford Avenue have requested landmark designation for their Hunter Banks sign.

Councilwoman Sitnick moved to proceed with appropriate action at the next formal meeting. This motion was seconded by Vice-Mayor Peterson and carried unanimously.

\$3 MILLION GENERAL OBLIGATION BONDS

Mr. Larry Fisher, Finance Director, briefed the Council on the schedule of events for the issuance of \$3,000,000 General Obligation Bonds and requested Council's authorization to proceed with the activities necessary to sell the bonds.

Mr. Fisher requested Council authorize the engagement of Donald P. Ubell (in the amount of \$7,500 plus expenses) as bond counsel for this transaction.

Mr. Fisher answered various questions from Councilman McClure as they related to the debt service and if there were any local bond attorneys.

Upon inquiry of Councilman McClure, Mr. Mike Holcombe, Director of Water Resources, said that the sale of these bonds would not have any impact on water rates.

Vice-Mayor Peterson moved to engage the services of Donald P. Ubell as bond counsel for this transaction and authorized the Finance Director to proceed with activities necessary to sell the bonds. This motion was seconded by Councilman McClure and carried unanimously.

\$21 MILLION WATER REVENUE BONDS

Mr. Larry Fisher, Finance Director, said that at the Council's retreat in January, Council approved the issuance of Water Revenue Bonds to construct new water intake facilities on the Mills River. He then briefed the Council on the schedule of events for the issuance of \$21,000,000 Water Revenue Bonds and requested Council's authorization to proceed with the activities necessary to sell the bonds.

He requested Council authorize the engagement of Donald P. Ubell (in an amount not to exceed \$25,000 plus expenses) as bond counsel for this transaction.

Mr. Mike Holcombe, Director of Water Resources, responded to various questions raised by Council regarding negotiations with the City of Hendersonville and what those negotiations would mean with regard to the sale of the \$21 Million in water revenue bonds.

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Vice-Mayor Peterson moved to engage the services of Donald P. Ubell as bond counsel for this transaction and authorized the Finance Director to proceed with activities necessary to sell the bonds. This motion was seconded by Councilman Swicegood and carried unanimously.

PUBLIC INFORMATION PLAN

Ms. Robin Westbrook, Water Efficiency Coordinator, said that a public information/education plan was developed as a result of a request made by City Council at the annual City Council retreat. This plan significantly reduces the amount that has been allocated to public information in the past. For a total of \$43,695 the City will provide information to the public through newspaper ads, three newspaper tabloids, bi-monthly water bill inserts, and an ad in the Yellow Pages and Black Pages listing ARNIE codes.

It is a basic plan that relies on a minimum of media coverage disbursed throughout the year. Each month will have a minimum of two areas of exposure with the exception of September, January and May. These months will rely on newspaper as the main information point.

Councilwoman Sitnick presented information about The Gainesville Sun's public record tabloid and asked Ms. Westbrook to contact Mr. Pope who felt that there is a possibility of a public records page in the Citizens-Times. She also asked Ms. Westbrook to contact the General Manager of TCI Cablevision regarding a crawl on Channel 10 and possibly the taping of Council meetings by Asheville High students to be shown on Channel 10.

Discussion surrounded changing the name of ARNIE, changing the phone number to ARNIE, the advertisement of ARNIE, a jingle for ARNIE and possibly changing the name of CityWorks.

Council discussed the \$10,974 cost for bi-monthly water bill inserts. It was determined that the cost could be greatly reduced once a new piece of equipment was in place that could stuff 8-1/2 x 11 inserts. This piece of equipment would probably be in operation a year from now.

Councilwoman Field moved to incorporate this plan in the 1995/96 budget up to \$44,000 and have staff take a hard look at reducing the cost of water bill inserts. This motion was seconded by Councilwoman Sitnick and carried unanimously.

SUMMER YOUTH PROGRAM

Ms. Roxie Wynn, Assistant Personnel Director, highlighted the City's Summer Youth Programs for 1992, 1993 and 1994. She provided Council with additional information regarding the types of jobs, participation from the public and private sector and Buncombe County's summer program. She then submitted the 1995 proposal for Council's support.

Councilman Swicegood said that beautification of the City was brought up at the retreat and felt this would be a good time to use some summer youth to perhaps pick up trash, and other similar jobs that would beautify the City. He felt the City needed to be benefiting from these jobs and we didn't need to make up work just to employ the youth.

Councilwoman Sitnick asked Ms. Wynn to contact Jim Conschafter at WLOS-TV who might be willing to work with the City on this program.

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Ms. Wynn responded to questions from Councilman McClure as they related to the need for counselors.

City Manager Westbrook said that Council could direct staff to look more toward litter pickup and general maintenance type jobs.

In response to Councilman Swicegood about the jobs in the non-profit sector,

City Manager Westbrook said that this is a good way to get the youth involved in areas that the City doesn't move in.

Vice-Mayor Peterson moved to proceed with the Personnel Department's 1995 Summer Youth Program proposal. This motion was seconded by Councilwoman Field and carried unanimously.

It was the consensus of Council that Vice-Mayor Peterson be the Council liaison to the Summer Youth Program.

Councilman McClure suggested contacting the United Way to see if the City could use their counselors if they participate in this program.

SALE OF DISPOSAL PARCELS & APPROVAL OF ADJACENT OWNER INCENTIVE PLAN

Mr. Marvin Vierra, Community Development Director, explained that the Housing Authority, acting as Redevelopment Commission, is seeking approval to sell property in the East End/Valley Street area to adjacent property owner Laurie Bennett. Disposal Parcels 78 and 80 are not independently buildable due to topography and utility easements.

He then explained a new Plan called the Adjacent Owner Incentive Plan has been designed by the Housing Authority to promote the sale of non-buildable lots to adjacent owners. They believe the Plan is a win/win situation. It provides an affordable means for lower income homeowners to purchase adjacent non-buildable lots to combine with the property they own and place the property back on the tax rolls and away from public responsibility for liability and maintenance.

Council members suggested possible uses for the small vacant lots, such as small play areas and community gardening.

Councilwoman Sitnick moved to proceed with appropriate action at the next formal meeting. This motion was seconded by Councilwoman Field and carried unanimously.

CONSENT AGENDA:

Budget Amendment regarding Three Canine Units

Summary: This action, in the amount of \$60,255, is to fund acquisition, training and operating costs for three canine units for the Asheville Police Department.

Grant Application for Summer Day Camp Nutritional Service

Summary: The Parks & Recreation Department is seeking authorization for the City Manager to apply for and enter into an agreement with the N.C. Department of Public Instruction for the provision of food services for the participants of the Summer Day Camp and Summer Playground Programs. This grant proposal will be approximately \$46,000 of reimbursable funds.

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Budget Amendment regarding Annexation Funding

Summary: This action provides funding for personnel and operating costs incurred as a result of annexations effective since June 30, 1994.

Bids on Digital Recording System

Summary: Recommend award be made to low bidder, Lanier Worldwide, Asheville, N.C., for a 48 channel Lanier Model LDL-848 Digital Recording System with no trade-in allowance for a total bid of \$46,911.

Budget Amendment regarding Pay Plan Allocation to Departments

Summary: This action transfers funds to the various departmental line items to provide funding for the pay plan costs during 1994/95.

Councilwoman Sitnick moved to proceed with appropriate actions regarding the Consent Agenda items at the next formal meeting. This motion was seconded by Councilwoman Field and carried unanimously.

OTHER ITEMS

Economic Development

Councilwoman Sitnick asked Council to consider placing a time limit on money the Council allocates on economic development projects.

City Manager Westbrook said up until this time, Council has only stated their intent to allocate money, but there has been no appropriation of funds nor is there a budget at this time for economic development projects. A public hearing would need to be held and a budget amendment would need to be adopted before any funding could be committed.

Homeless Grant Application

Councilwoman Sitnick explained the Super NOFA Program (homeless grant) and how the City can apply for the grant. She further explained the matching funds aspect of this grant application and felt Asheville would be looked at favorably for this grant due to the already existing transitional homes. She stated that CDBG funds are not to be used as leverage. The deadline for submission of the grant application is April 7, 1995. She asked Council to consider hiring William B. Farris on a brief consulting basis to prepare the grant application. She has contacted Mr. Farris who has agreed to prepare the grant application for \$2,400-\$3,000 which includes expenses.

City Manager Westbrook said that the City did not have the in-house capabilities to prepare this application and there is such a short turn-around time period he had no problem with Council contracting with Mr. Farris for up to \$3,000. He did state, however, that a budget amendment would have to be prepared for action at the next Council meeting.

Councilman McClure felt that creating jobs is the best way to help the homeless.

It was the consensus of Council that Councilwoman Sitnick be the contact person with Mr. Farris concerning this grant application.

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Vice-Mayor Peterson moved to proceed with the appropriate actions at the next Council meeting. This motion was seconded by Councilwoman Field and carried on a 4-2 vote, with Councilmen McClure and Swicegood voting no.

CLOSED SESSION

At 5:00 p.m. Councilwoman Sitnick moved to go into closed session to discuss a legal issue which requires consulting with the City Attorney in order to

preserve the attorney-client privilege. This motion was seconded by Councilwoman Field and carried unanimously.

At 5:20 p.m. Councilwoman Sitnick moved to come out of closed session. This motion was seconded by Councilwoman Field and carried unanimously.

ADJOURNMENT

Mayor Martin adjourned the meeting at 5:20 p.m.

CITY CLERK MAYOR
