

Tuesday - January 2, 1996 - 2:00 p.m.

## Worksession

Present: Mayor Russell Martin, Presiding; Vice-Mayor Barbara Field; Councilman M. Charles Cloninger; Councilman Edward C. Hay Jr.; Councilman Thomas G. Sellers; Councilman James J. Skalski; and Councilman Charles R. Worley; City Attorney William F. Slawter; Assistant City Manager S. Douglas Spell; and City Clerk Magdalen Burleson

Absent: City Manager James L. Westbrook Jr.

### HOUSING AUTHORITY UPDATE

Mr. David Jones, Executive Director of the Housing Authority, briefed Council on Project 19 for the replacement of 50 units, 48 units which have been sold to date and the other two are under contract. He then went through all 16 sites and explained what type of unit would be built on each site. He also invited Council to a luncheon in March with the Housing Authority.

Upon inquiry of Mayor Martin regarding displacement, Mr. Jones said that the people who could not purchase a unit were offered vouchers to move into the private sector or offered units in other public housing units.

Mr. Jones then answered various questions from Council and the audience as they related to the Housing Authority being the first and second mortgage owner, what if a person moves out of the unit before the loan is paid back (Councilman Skalski asked for some specific numbers), the approximate average cost per unit, the maintenance of the units, and whether the units will meet ADA requirements.

Councilman Skalski suggested the Housing Authority meet with the Coalition of Asheville Neighborhoods once or twice a year to keep them informed. Councilman Cloninger suggested this presentation be given to the Coalition because it is so informative. Mr. Jones said that he would be happy to meet with the group because they do want community and Council input.

Vice-Mayor Field suggested a topic at the upcoming City Council retreat be the philosophy of housing.

Mr. Richard Nantelle, President of the Coalition of Asheville Neighborhoods, said that the Coalition has established a fair housing committee to perform their own study to try to develop certain areas of the City and then offer to the Housing Authority their recommendations.

### MUNICIPAL BUILDING RENOVATIONS

Mr. Lyle Willis, Contract Administrator and City ADA Coordinator, said that due to concerns relating to the Municipal Building, improvement costs have been compiled to make a decision in regard to the direction that needs to be taken concerning this building.

In March 1991, the building was inspected by city inspectors, who documented approximately 130 code violations. The inspection report was discussed by City staff at some length, with no major changes resulting in the building's condition.

In April and May of 1994, the City conducted design meetings concerning the feasibility of constructing a new Municipal Building or renovating the existing

building to meet life safety requirements, -2-

building codes and ADA accessibility guidelines. The local architectural engineering firm ENG/6A, headed by R. Marshall Fields, P.E., was hired to conduct a feasibility study analyzing the cost of a new building versus renovating. The following is a recap of the summary report based on Option No. 5 of the feasibility study, which was presented to City Council in July 1994.

Building New:

Construction of new building for police department only ..\$8,200,000

Construction of new multi-level parking deck ..... 3,696,000

Renovating:

Renovation of existing Municipal Building to house fire administration and Fire Station No. 1 only, to meet all codes and requirements for an existing building..... 2,888,000

Renovation of existing Municipal Building to meet ADA requirements only, by Jan. 1995..... 190,000

Renovation of existing Municipal Building to meet life safety, building code & fire protection requirements only..... 900,000

Because of the federal requirements to complete ADA accessibility-related renovations by January 26, 1995, City staff became concerned about liability exposure and the general conditions of the building. These concerns generated a request to obtain design specifications for ADA renovations to the building and to determine the actual construction industry costs of such renovations.

The ADA renovations project was bid out, and one bid was received at that time. Under contracting guidelines this single bid could not be opened and was therefore returned to the contractor. The project was readvertised a few months later, and a second bid opening was set, again with only one bid received. Total estimated ADA costs were bid at \$457,000, working with a base bid and seven alternates. This bid proposal did not incorporate renovations to meet building code, fire protection and life safety requirements.

The bid for ADA renovations was analyzed by the architectural engineering firm that produced the project's design specifications. The possible reasons why the bid was so much higher than the original \$190,000 estimate include:

1. Many contractors are busy at this time and prefer bidding on less complicated projects if they have the option.
2. Because the bidding package is so fragmented (base bid and seven alternates), it is compared to bidding eight separate projects with no certainty of the size of the final package. And, because of this uncertainty, the bidders (if they did choose to submit a bid) would have to include a significant mark-up for fixed expenses, overhead, etc., on each individual line item.

Regardless of why the bid prices for these renovations were so high, it must be noted that this higher cost could increase the cost estimates outlined earlier in this report. The current estimate of \$2,888,000 to make all necessary improvements to the Municipal Building (ADA, building code, life safety and fire protection) to house the fire department was almost certainly an underestimation of true costs for such corrections sometime in the future.

The feasibility study lists several options for consideration. The above information pertains to Option No. 5, but the high cost of the work detailed in that option renders it not feasible at this time. Consideration must then be focused on Option No. 6, which addresses the continued operation of both the police and fire departments in the existing Municipal Building, and expanding these departments into the space now assigned to the Asheville City Schools maintenance department, which could be relocated elsewhere, and into the truck bay areas behind the current dormitories in the fire department portion of the building. This work can be phased in with the ultimate goal of providing room for expansion of the police and fire departments in years to come.

Currently, we do not have cost estimates for the Municipal Building renovations of Option No. 6 to house both the fire and police departments. Architectural engineering firm ENG/6A, which performed the feasibility study, is currently under contract.

Due to the high cost of Option No. 5 (\$14,784,000), staff seeks concurrence from City Council to amend the current architectural engineering feasibility study contract (increase of \$6,300) to include a detailed analysis of Option No. 6 with projected costs for renovations to the Municipal Building housing both the police and fire departments. These costs can reflect a phased-in construction process to lessen the burden of initial funding costs.

Mayor Martin saw the need for renovations at this time, however, he stressed that Council needs to plan for the future. Mr. Willis said that through the extension of this contract, the City should have a clearer picture of the overall construction renovation.

Assistant City Manager Spell gave some specifics on how the building might be renovated for additional space and said that a new building can be included in the Capital Improvements Budget.

Vice-Mayor Field stressed two issues regarding this renovation project, i.e., parking and use of the space after the Police Department moves out. Her concern was if the City continues to use the building for an additional 15 years, it will run into more parking problems. She suggested the City Manager "dust off" the parking study. She also suggested that when the Police Department does move out of the building that the most reasonable use of their space would be to move inspections in.

Councilman Hay suggested a City/County garage might be feasible. He also felt the City needed to look to the future with regard to this building.

When Councilman Cloninger asked how long the feasibility study would take, Mr. Willis was unsure because there would also have to be extensive interviews with the Police Department. Councilman Cloninger stressed the need to move quickly on this issue.

Vice-Mayor Field inquired if there was any money in the Capital Improvement Plan for ADA compliance.

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

At this time, 3:25 p.m., Mayor Martin announced a ten minute break.

## LEVY SPECIAL ASSESSMENTS FOR RHODODENDRON CIRCLE PROJECT

Mr. Larry Ward, Assistant Director of Public Works, said that the City of Asheville Public Works Department received a petition from the property owners on Rhododendron Circle requesting that the street be upgraded to City street standards and placed upon the City Street System.

Public Works staff has determined that the street will need spot repairs to the base and patching with asphalt in the spot areas that are badly "alligatored" along with total resurfacing. The cost of these repairs has been estimated at \$32,038.52. The current policy in Public Works is that if the majority of the petitioning property owners who represent a majority of the front footage agree to pay their share of the cost, which is 50% of the total, that the petition will be presented to City Council for consideration. Each property owner along the street has been contacted and given their 50% share of the cost as well as the opportunity to respond as to whether they agree to participate or not. Over 50% of the property owners who represent over 50% of the front footage have responded that they agree to participate in the share of their estimated amount. Out of 11 property owners, six responded "yes" to sharing the cost, four responded "no" to sharing in the cost and no response was received from one owner. The "yes" response represents 54.44%. The total front footage along the street is 1,358.91 feet. The "yes" responses represented 904.44 feet. The "no" responses including the one owner who did not respond represented 608.18 feet of frontage. The "yes" responses represents 66.56% of the frontage along the street.

Rhododendron Circle is a through street that runs between Old Haw Creek Road and Rhododendron Place. The area was annexed into the City in 1988. When the area was annexed, the City accepted all streets in the area that were publicly maintained by the N.C. Dept. of Transportation as City System Streets, with the exception of Haw Creek Road. Rhododendron Circle was not maintained by N.C. Dept. of Transportation so it did not become a City System Street.

Public Works staff recommends that City Council adopt a resolution calling for a public hearing to levy special assessments for the petitioned Rhododendron Circle Project.

Mr. Ward responded to questions from Council as they related to who pays the bill when new streets are built, the length of time required when a petition is received by the City and the time it reaches City Council, and if acceptance of this street would be of any benefit to the City.

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

## BOARDS AND COMMISSIONS

Councilman Hay, Chairman of the Boards and Commissions Committee, reported on the recommendations of the Committee. The Committee suggested (1) all appointments be made on a quarterly basis with formal votes taken at the last formal meetings held in May, August, November and February of 1997; (2) a month prior to the formal vote, a procedure be established that allows time for screening and interviewing; (3) an official duty of the Vice-Mayor be to oversee the process; and (4) after an appointment is made, an orientation meeting be scheduled for new and current board members to meet with appropriate staff and Council.

Councilman Hay said that the Committee would like to continue working on the

recruitment procedure. Since recruitment is very important, other avenues for recruitment have been and will be explored, e.g., posting on buses, hand outs at different locations, different and more group notices, and strong Council support. The Committee was also interested in reviewing the meeting times of the different boards and commissions. The Committee also wants to continue to work toward eliminating unnecessary boards or consolidating boards when feasible. The Committee will also be obtaining information from other cities to see how they handle making appointments.

Mayor Martin asked that an agenda item be included on the annual board/commission luncheon agenda dealing with the strong Council support of it's boards and commissions.

Councilman Skalski said that many people do not know that the committees set internally their own meeting time and date.

Assistant City Manager Spell said that should their be a determination that some boards need to be consolidated or eliminated, the legal staff will review those and then recommendations will come before the full Council.

Councilman Cloninger suggested looking at the size of each committee.

City Council then proceeded with the immediate vacancies:

Board of Adjustment - City Council asked to interview Bud Taylor, Judy Long, Dennis Hodgson, Max Haner, Joe Adams, Allen Roderick, Beth Lazer and Rose Rose.

Community Relations Council - At the request of City Clerk Burleson, City Council was agreeable to postponing these appointments.

Downtown Commission - Consensus of Council to proceed with taking action at the next formal meeting to reappoint Alan Levy, Bonnie Hobbs and Chuck Pickering. Council agreed to add the Downtown Commission, as it relates to the expanded role of City Development, as a topic for the upcoming retreat. Councilman Cloninger moved to proceed with taking action at the next formal meeting to appoint Victor Trantham to fill the unexpired term of Barbara Logan, term to expire December 31, 1996. This motion was seconded by Councilman Sellers and carried unanimously. Council decided to postpone making the final appointment on the Commission, as well as the appointment of Chairman, until after their retreat.

Fair Housing Commission - Councilman Hay moved to proceed with taking action at the next formal meeting to reappoint Jim Drummond, Joyce Harrison and Jim Barrett to the Fair Housing Commission. This motion was seconded by Vice-Mayor Field and carried unanimously.

Firemen's Relief Fund - Councilman Worley moved to proceed with taking action at the next formal meeting to reappoint Mitch McEntire to the Firemen's Relief Fund. This motion was seconded by Councilman Skalski and carried unanimously.

Metropolitan Sewerage District Board - Councilman Worley moved to proceed with taking action at the next formal meeting to reappoint Larry Casper to the Metropolitan Sewerage District Board. This motion was seconded by Councilman Cloninger and carried unanimously.

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Asheville Transit Authority - City Council asked to interview Jim McCulley and H. Victor Schwimmer.

CONSENT:

Hill Street Right-of-Way

Summary: Approximately one year ago, the Hill Street Baptist Church added an addition to the existing church located on Hill Street. During examination of the title for the new addition, it was discovered that a small portion of property that abuts the new addition is still under the ownership of the N.C. Dept. of Transportation ("NC DOT"). NC DOT acquired said property for right-of-way purposes to widen Hill Street when Interstate 240 was constructed. After construction of I-240 and finalization of the repair work on Hill Street, that portion of the property was left in the ownership of NC DOT. The Hill Street Baptist Church asked NC DOT to abandon/vacate said unused right-of-way. NC DOT stated that they had no opposition to the request as long as they received some acknowledgment or approval from the City since Hill Street is a City-maintained Street. City staff has reviewed the request made by Hill Street Baptist Church. As a result, staff has no opposition to NC DOT abandoning/vacating said right-of-way since the thoroughfare plan does not identify Hill Street as either a major or minor thoroughfare. This resolution provides the City's approval of NC DOT vacating said right-of-way as long as NC DOT reserves a five-foot easement for right-of-way purposes starting at the edge of the existing sidewalk and running the length of the property.

Sale of Surplus Barn on Mills River Property

Summary: The City owns 327 acres of land in the Mills River area on which the Water Resources Department plans to construct a water treatment plant. The barn is of no use to the City and unless sold for salvage it will be destroyed during construction.

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

OTHER BUSINESS:

COMMENT BY H.K. EDGERTON

Upon inquiry of Mr. H. K. Edgerton about the City's position on funding the YMI Cultural Center, Mayor Martin asked the Assistant City Manager to contact Mr. Edgerton about this.

ADJOURNMENT:

Mayor Martin adjourned the meeting at 4:47 p.m.

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CITY CLERK MAYOR

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