

Tuesday - April 2, 1996 - 12:00 Noon

### Annual Housing Authority Luncheon

City Council Members Present: Mayor Russell Martin; 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; City Manager James L. Westbrook Jr.; and City Clerk Magdalen Burleson

Members of the Housing Authority Board and others were present.

Mr. David Jones, Executive Director of the Housing Authority, presented their Annual Report to the City Council. The presentation covered elements of past performance, present working goals and projects underway, and a glimpse of the Authority's long range plans. Their goal is to report to the City Council on a regular basis and to continue the fine working relationship.

The Housing Authority staff asked that they be included in the policy issue discussions of the UDO as they relate to possibly broadening the uses in the single-family districts (to perhaps include duplexes or triplexes).

The Housing Authority asked that City Council think about waiving the payment in lieu of taxes for perhaps a 10 year period for Mountainside Apartments. That would give them an opportunity to put those dollars back into housing.

The Housing Authority also asked that Mayor Martin consider reappointing the current Chairman of the Housing Authority (Annette Coleman) whose term is due to expire in June of 1997. They understand that she has served the full two year terms, however, the Housing Authority is at a critical and crucial time, and they would like to have the expertise of Ms. Coleman. They suggested her term be extended for maybe an additional two years (a full term being five years).

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CITY CLERK MAYOR

Tuesday - April 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; City Manager James L. Westbrook Jr.; and City Clerk Magdalen Burleson

Absent: None

### PRESENTATION OF SERVICES BY THE BUNCOMBE COUNTY DRUG COMMISSION

Mr. John Ingersoll, Vice-Chairman of the Buncombe County Drug Commission, showed a video and briefed the Council on the services the Buncombe County Drug Commission provides.

Councilman Cloninger, City Council liaison to the Commission, spoke in support of the Commission and their programs.

LIST OF FESTIVALS FOR 1996

Mr. Irby Brinson, Director of Parks and Recreation, said that the Parks and Recreation Department requests City Council approval of the 1996 festival and special events schedule.

In March of 1995, the Asheville City Council adopted a festival policy. A segment of that policy requires that Council approve the list of festivals on an annual basis. Therefore, the Parks and Recreation Department is recommending approval of the following festivals and special events:

EVENT DATE

St. Patrick's Day March 16 - 17  
Very Special Arts Festival May 3  
Tell It In The Mountains May 10-12  
RiverLink Dedication June 8  
Olympic Torch Run June 26  
Shindig on the Green July 6, 13, 20  
August 10, 17, 24, 31  
September 7  
July 4 Celebration July 4  
Bele Chere July 26-28  
Mountain Dance & Folk Festival August 1-3  
Goombay Festival August 30 - September 1  
Greek Festival October 4 - 6  
West Fest October 26  
Light Up Your Holidays November 30 (Premier)  
First Night December 31  
Children's Festival TBS  
Bicentennial TBS

It was the consensus of Council to approve the above 1996 festival and special events schedule.

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BUDGET AMENDMENT RELATIVE TO BELE CHERE 1996

Mr. Irby Brinson, Director of Parks and Recreation, said that this budget amendment, in the amount of \$399,525, is to appropriate funding for the 1996 Bele Chere.

Each year, prior to the annual Bele Chere Festival, the Parks and Recreation Department develops an anticipated budget for expenditures and revenues.

Committees have been formed to operate the festival and this appropriation is divided among each committee. It is anticipated that revenues will be generated at a level to support the expenditures of the festival.

Upon inquiry of Councilman Skalski, Mr. Brinson said that this budget is approximately a \$30-40,000 increase over last year, basically as a result of inflation. He did note, however, that they are looking at some new activities and a very aggressive sponsorship program.

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

#### PEDESTRIAN OVERPASS OVER I-240 TO STEWART STREET

Mr. James Cheeks, Traffic Engineer, said that the City has received a petition from residents of Stewart Street and surrounding areas to close the pedestrian bridge across I-240 at Stewart Street.

The petition received by the City stated that "The bridge has been the source of problems in our neighborhood for many years. We are constantly plagued by noises of motorcycles, loud pedestrians and boom boxes. Since the former Rankin School has been demolished, we see no necessity for this bridge." After researching this request, the City finds:

- The Pedestrian Task Force of the Asheville Area Metropolitan Planning Organization ("AAMPO") is against closing or removing this pedestrian amenity.
- The Transportation Advisory Group of the AAMPO commented that the City should not close a pedestrian bridge, as Asheville is so lacking in other pedestrian amenities.
- The Bikeway Task Force of the AAMPO do not agree with closing any pedestrian facilities. However, they recommended that pedestrian facilities be located where needed.
- Pedestrian facilities maps completed in response to a request by the Pedestrian Awareness Community Evaluation Committee ("PACE") show that the Stewart Street Bridge is a part of the West Asheville pedestrian network.
- NC Dept. of Transportation ("NC DOT") is in the process of formulating a project to widen I-240. NC DOT's policy is to replace pedestrian amenities with any existing major construction project. There is a question as to whether closing an existing facility would jeopardize having it replaced in a more appropriate location should the City desire.
- The Transportation Advisory Committee of the AAMPO ("TAC") has not had an opportunity to address this issue and offer their recommendation due to their March monthly meeting being canceled.

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- The pedestrian bridge across I-240 is under the jurisdiction of NC DOT. Historical data indicates that the pedestrian bridge was constructed after overwhelming support from the City of Asheville and residents of this area. This residential neighborhood was separated due to the construction of I-240.
- The Asheville Police Department, ARGUS Unit, could not agree with the problems outlined by the residents in this area.
- The Public Works Department has installed a metal barrier with reflective

sheeting at both ends of the Stewart Street bridge to deter motor vehicle access.

- Richard Nantelle, President of the Coalition of Asheville Neighborhoods, states that his group and other neighborhood groups across the City are in support of the proposal to close the pedestrian bridge.

Staff recommends that the Transportation Coordinating Committee of the AAMPO make its recommendation to the TAC. They also request that the TAC host a public hearing to get all interested parties together to discuss the issue. Then, the TAC will be able to make a recommendation to City Council.

Mr. Cheeks then handed out a letter dated November 16, 1994, from Ted Lambert, Patrol Division Commander, which stated that "it is the position of the Asheville Police Department that we would not be opposed to the removal or closure of this walk over bridge."

Councilman Worley noted that the overwhelming support from the community for the bridge to be originally built was for the convenience of school children in the community when Rankin Avenue School was on the other side of the bridge - which School is not there anymore.

Mr. Ken Putnam, representative of the NC DOT, said that there is a possibility that NC DOT might not go to the expense of rebuilding another or an alternate pedestrian bridge if the City requests them to close this one.

Vice-Mayor Field, Chairman of the TAC of the AAMPO, suggested that the TCC of the AAMPO and the TAC of the AAMPO be given an opportunity to review this matter and give it's recommendation to City Council. Since NC DOT does replace pedestrian amenities that are existing when they do a widening, the City might be better off not permanently closing the bridge and losing the opportunity for a replacement bridge.

Mr. Ron Fuller, the City's Transportation Planner, said that the Burton Street area was promised an overpass at I-240 but that bridge has not been constructed yet.

Councilman Sellers stressed that the community is asking for the City to support the closing of this walk bridge. They feel it's a real nuisance to the West Asheville community and it should be closed. He noted that there have been objects thrown from the bridge at passing vehicles on I-240, and children climbing on the top of the walk over the bridge which is a very dangerous situation.

Councilman Sellers asked for an immediate solution be to close off this bridge as NC DOT has done with the Hillcrest Bridge. He felt that the community might be willing to only temporarily close the bridge by blocking off both ends.

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Councilman Sellers moved to place on the next formal meeting a resolution requesting NC DOT to temporarily close the pedestrian bridge across I-240 at Stewart Street and to include in the letter to NC DOT that when the widening project takes place that this request for closing the pedestrian overpass is not an indication that the City does not feel a pedestrian link across I-240 is not needed, but may be more appropriate in another location. This motion was seconded by Councilman Cloninger and carried unanimously.

REQUEST TO ACCEPT SHADY CIRCLE AS A CITY SYSTEM STREET

Mr. Mark Combs, Public Works Director, said that the developer of the Laurel Bridge housing development is requesting the City to accept maintenance responsibility for Shady Circle by adding it to the city street system.

The City has received a request from Mountain Housing Opportunities to add Shady Circle to the city street system. By adding Shady Circle to the city street system, the city will be responsible for maintenance of the street. City garbage trucks and other public agency vehicles will be able to use the street to provide services to residents of the Laurel Bridge housing development. Shady Circle was constructed by Mountain Housing Opportunities ("MHO") as part of the development of the Laurel Bridge housing development. The street was constructed to city standards and was inspected during construction by city staff.

The Laurel Bridge housing development consists of ten rental housing units. Shady Circle is a short dead end street approximately 200 linear feet with a turn-around which was constructed to provide access to the Laurel Bridge housing development site. It should be noted that parking for the units exists around the turn-around area which further distinguishes Shady Circle as a private maintenance responsibility. Shady Circle is accessed from Whitson Drive, which connects Tunnel Road with New Haw Creek Road. The only development served by Shady Circle is the Laurel Bridge housing development.

The construction plans for Shady Circle were reviewed as part of the development review process for the Laurel Bridge housing development. The street was designed to city standards and the construction plans were approved by the appropriate city staff; however, the criteria for public maintenance has not been met. Shady Circle has been inspected by the Public Works Department and meets the City standards.

Staff recommends denial of this request due to Shady Circle only serving a single property developed for rental housing; private parking in the cul-de-sac for apartment residents; and the precedence being set for streets in a similar situations that don't meet the City policy.

If the apartments, in the future, did turn into condominiums, then acceptance might be acceptable to the City.

Mr. Scott Dedman, Executive Director of MHO, presented the following information for Council's consideration:

- Laurel Bridge Apartments, which is at the end of Shady Circle, is home for ten working families with children, serving between 20 and 40 Asheville residents at any one time. Laurel Bridge was developed by MHO., a non-profit housing development agency, and funded by the City of Asheville through Community Development Block Grant program, along with other public and private funds.

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- In addition to MHO's property, other properties adjoin Shady Circle and the undeveloped public alley to which Sandy Circle leads, giving the possibility of future use by these other properties.

- MHO does have parking spaces near the turnaround. However, we are proposing that the City take responsibility for maintenance only for the portion between Whitson Road and the beginning of the turnaround/parking areas, thereby leaving responsibility for the maintenance of the turnaround and parking area to MHO.

- When MHO's site plans were received by the City's Technical Review Committee,

the Planning & Zoning Commission, and by City Council, we were required to build the street to City street specifications. We did build to City street specifications, as has been verified by the Public Works Department.

Mr. Dedman then urged City Council to consider the above facts and approve their request that the City accept the approximately 80 feet of maintenance responsibility for Shady Circle, noting that the benefit for the apartments is mainly garbage pickup.

At the request of Councilman Worley, Assistant Public Works Director Larry Ward explained why the Public Works Department has asked that when apartments are built that their streets be built to City standards.

Mr. Combs said that the problem regarding garbage pick-up can be easily solved with a sanitation easement. He then said that if Council decides to accept Shady Circle as a City system street, the Public Works Department recommends that the cul-de-sac be excluded from the maintenance requirement, the tree in the south side curb line be removed; and the curb replaced where the tree was removed. The Traffic Engineering Division feels that the tree is a liability hazard.

Discussion then surrounded why the City felt the tree should be removed. Mr. Dedman felt that there would not be a dramatic loss if the tree was cut.

Vice-Mayor Field felt that since the apartments were partially funded through the City of Asheville's Community Development Block Grant funds, the City should lean toward accepting maintenance responsibility of Shady Circle. She did have a concern about cutting the tree, however.

Ms. Leni Sitnick, member of the Tree/Greenway Commission, suggested that the Commission be asked to look at this particular situation. They might be able to suggest ways that the tree be saved.

Mayor Martin was concerned with the City's liability if the tree remained.

It was the consensus of City Council to have all Council members visit Shady Circle and be prepared to discuss this request again at the next formal meeting.

#### REPORT ON CHARLOTTE STREET PLANNING PROCESS

Ms. Julia Cogburn, Planning & Development Director, said that staff would like Council to approve the process they are proposing for the Charlotte Street Small Area Plan, including the structure and

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appointment of an advisory committee. Additionally, staff requests that one member of City Council be selected by Council to serve as a liaison to the advisory committee.

Small area planning is a collaborative process between the City, the residents, and business and property owners of a particular area. Through this process, issues and opportunities are identified, goals are set, alternative ways to reach those goals are generated and tested, and a plan is prepared. A small area plan consists of sets of recommendations about how to improve an area and spells out policies and specific strategies to help realize the future that has been envisioned. The goal of a small area plan is to arrive at a mutually satisfactory and beneficial plan based upon shared visions for the future of an area.

The Charlotte Street Plan: The Planning Department staff will be preparing a small area plan for the Charlotte Street corridor (from I-240 North to the end of the street). This plan was requested by City Council as a result of development pressures and traffic considerations which have affected the area.

The Planning staff will prepare the plan with guidance from an advisory committee and input from the larger community (i.e. property and business owners and residents from adjacent neighborhoods).

This planning effort will begin this spring and will likely continue until November of 1996.

In preparation for this planning process, staff has held two informational meetings with business/property owners and residents of adjacent neighborhoods.

Staff is proposing the following process and timetable for the Charlotte Street Small Area Plan:

I. Establish an advisory committee consisting of property and business owners on Charlotte Street and representatives of the various neighborhoods which surround the corridor. The advisory committee will provide guidance to the planning staff as the plan is prepared. One member of City Council and one member of the Planning and Zoning Commission will serve as liaisons to the committee. Staff hopes to have the advisory committee in place in early April.

II. Hold at least one advisory committee meeting (prior to the first community meeting) designed to allow the members of the committee to fully understand the process and their roles in it. This meeting(s) would take place in mid/late April.

III. Hold the first community meeting. This meeting is designed to identify issues, problems and opportunities that are important to the community as they relate to the Charlotte Street corridor. Staff anticipates this meeting taking place in early May.

IV. Hold a series of advisory committee meetings. At these meetings, the advisory committee and staff will address the principal issues which were identified by the larger community. Technical people will be brought in as necessary and a draft plan will be prepared which sets goals and identifies specific strategies to achieve those goals. These meetings will take place in May, June and July.

V. Hold a second community meeting at which the draft plan will be presented and comments about the content of the plan will be received. Staff anticipates this meeting taking place in August.

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VI. Another series of advisory committee meetings will be held. These meetings are designed to advise staff as they develop the final draft of the plan. Comments and suggested revisions from the second community meeting may be incorporated into the final plan. These meetings will likely take place in August and September.

VII. A third community meeting will be held to present the final staff draft of the plan. This meeting will likely take place in September.

VIII. The plan will be presented to the Planning & Zoning Commission for review. Staff anticipates P&Z review of the plan in October.

IX. The plan will be presented to City Council for approval and adoption as an amendment to the City's comprehensive plan. Staff is anticipating City Council review of the plan in November.

The Advisory Committee: The advisory committee's function is to provide guidance to staff. The draft plan which is presented to the Planning & Zoning Commission will be staff's recommendation following the outlined work with the larger community and the advisory committee. It is important that the advisory committee represent the groups that have a direct stake in the area (i.e. property/business owners, residents of adjacent neighborhoods). It is also important that the committee have the proper balance which reflects the degree to which each group may be affected by the plan.

Staff is proposing the following makeup for the advisory committee:

- \* Seven property and/or business owners.
- \* Four representatives from adjacent neighborhoods.
- \* One member of City Council as a liaison.
- \* One member of the Planning and Zoning Commission as a liaison.

Staff is proposing the following method of selecting the advisory committee;

- \* The seven (7) property and/or business owners will be elected by a vote of other property/business owners. A ballot will be sent to each of the property/business owners who attended the informational meeting or who called and expressed interest in the process (letters announcing the meeting were sent to property owners and business owners).
- \* The four (4) representatives from adjacent neighborhoods will be selected by the neighborhoods. There are four principal residential areas surrounding Charlotte Street. Each of those four neighborhoods will select one representative to serve on the committee.
- \* The steering committee was addressed at the March 6, 1996, Planning & Zoning Commission meeting. One member of the Planning & Zoning Commission has volunteered to serve as a liaison to the committee.
- \* Staff requests that one member of City Council be selected by Council to serve as a liaison to the committee.

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The Planning and Development Department recommends that Council concur with staff's recommended procedures and select a liaison for the advisory committee.

Mr. Don Williams expressed concern over the lack of notification regarding the Charlotte Street small area plan.

Mr. Mike Matteson, Urban Planner, said that all property owners within the corridor area will receive the ballots and also notification of community meetings. The staff will attempt to notify the surrounding neighborhoods of community meetings through their association newsletters and distribution of flyers. Mr. H.K. Edgerton asked that the NAACP be included on that mailing list.

Mr. Andrew Hart, resident of Baird Street, suggested a committee make-up.



At the request of Council, Ms. Cogburn explained what type of issues are generally looked at in a small area plan, noting that in many instances the plan does not get to the level of zoning. The plan, however, may be a good entry into the UDO mapping.

Ms. Bernie Wolfe made suggestions regarding committee meetings and suggested that a representative from the Historic Resources Committee be included to the Advisory Committee because there are two National Register Historic Districts abutting Charlotte Street.

Ms. Roberta Greenspan, representative of the Hillside/Broad Street neighborhood, noted that whatever happens on Charlotte Street affects the property owners at least three streets back.

Ms. Leni Sitnick, owner of property not in the corridor study area but in the immediate area, noted that it is very important for people in the area to be notified similar to the notification process when rezonings are considered.

After a lot of discussion regarding the balance make-up of the Advisory Committee, Councilman Cloninger moved to accept the staff's recommended procedures outlined above with the following make-up of the Advisory Committee: 4 representatives from adjacent neighborhoods (each neighborhood association will select one representative);

1 person representing the institutions within the corridor; 2 residential property owners within the corridor; 5 representatives would be business property owners within the corridor; 1 business tenant within the corridor; 1 City Council liaison; 1 Planning & Zoning Commission liaison; and 1 Historic Resources Commission liaison (liaisons having no vote). This motion was seconded by Councilman Worley and carried on a 6-1 vote, with Councilman Hay voting "no". Councilman Hay felt that the Committee make-up needed more residential owners.

It was the consensus of Council to appoint Councilman Sellers as the City Council liaison to the Charlotte Street Small Area Plan Advisory Committee.

#### CONSENT:

#### Hominy Creek Bridge Acceptance

Summary: The N.C. Dept. of Transportation ("NC DOT") has developed plans to relocate N.C. 191, Brevard Road, between I-40 and I-240. Upon completion of the relocation of this section of N.C. 191, the

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current N.C. 191 and the Hominy Creek Bridge will be left and ownership given to the City.

NC DOT, upon completion of the N.C. 191 relocation will, at no cost to the City of Asheville, transfer ownership of the Hominy Creek Bridge #216 to the City of Asheville. Upon acceptance of ownership of the bridge, the City will become responsible for all liability and maintenance of the bridge and shall hold NC DOT harmless from any and all claims for damages and liabilities associated with the bridge. NC DOT will require the bridge be limited to pedestrian and/or bicycle usage only. NC DOT reserves the right to inspect the bridge for structural integrity and proper maintenance and should the bridge not be properly maintained in accordance with OSHA standards or is being used for other than pedestrian or bicycle traffic, NC DOT will have the right to remove the bridge at the expense of the City.

NC DOT will continue to own the right-of-way and property upon which the bridge is located, but will provide the City with an access easement for maintenance and emergency purposes. The City will agree to maintain the access easement and hold NC DOT harmless from any claims for damage and/or injury which may result from the public use of said access. If said access is to be utilized as part of a bicycle facility or pedestrian park in conjunction with the bicycle and pedestrian bridge, the City will be required to obtain an encroachment agreement from NC DOT prior to such usage.

The City will be responsible for placement of proper signage for the bicycle and pedestrian use of the bridge and such signing plan must be approved by NC DOT prior to placement.

The agreement requires the City to be responsible for removal and proper disposal of any lead paint residues on the bridge, but there are at present no paints or any type on the bridge. The City must also comply with any Federal or State environmental and safety regulations, specifications, procedures, and policies.

Prior to relinquishing ownership of the bridge, NC DOT will repair spalls in the concrete and add pipe rail on top of the existing bridge railings to meet AASHTO requirements for bicycle railings.

Since the Hominy Creek bridge is very close to the French Broad River, the Farmers Market, the Blue Ridge Parkway, Pisgah National Forest, Biltmore Square Mall and Biltmore Estates, the opinions of Parks and Recreation, Planning and Public Works is that the City should execute the municipal agreement between NC DOT and the City for transferring ownership of the Hominy Creek Bridge #216 from NC DOT to the City of Asheville for future use as a pedestrian and bicycle facility.

#### Establish Fair Reuse Value for Disposal Parcel 5 of the Head of Montford Redevelopment Project

Summary: Disposal Parcel 5 is located at the northwest corner of Montford Avenue and Courtland Avenue. It is generally rectangular in shape containing 8,712 square feet. Two buildings, a former service station and a small cottage are located on the property with each comprising about 700 square feet. It is zoned R-4 High Density Residential and its highest and best use per the appraisal is commercial to the extent permitted by the zoning. The R-4 district is primarily for residential land use. Certain professional, service, executive, governmental and administrative offices are permitted. Businesses which

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commercially create, display, store, exchange or sell goods, wares or merchandise on the premises are excluded.

Disposal Parcel 5 was appraised by David Moore, MAI, and the appraisal was reviewed by Francis Naeger, MAI, who concurred and recommended the appraised value of \$39,000 as fair reuse value.

#### Purchase and Installation of Playground Equipment for Weaver and Murphy-Oakley Parks

Summary: In an effort to make the City's playgrounds accessible under the ADA Act, the Parks & Recreation Department undertook an extensive review and selection process to obtain the best qualified supplier of handicapped-accessible playground equipment and accessories.

In June 1995, bids were solicited from ten manufacturers of playground equipment information. Also manufacturers were asked to give addresses of any nearby locations where their equipment had been installed. During the review and selection process, visits and inspections were made of the playground sites. Findings were documented on the condition of the existing equipment based on age, use and exposure to weather.

Staff also advertised and conducted community meetings to obtain additional input as to the types and styles of playground equipment most requested by the community.

The Parks & Recreation Department has an existing program of replacing worn and outdated playground equipment, and has used several processes to determine which parks are most in need of retrofit with new playground equipment. Based on these processes, the Department has selected Weaver Park and Murphy-Oakley Park for retrofit through this program.

The Parks & Recreation Department has gone through the required Request for Proposal process and has determined that lowest qualified bidder to be Miracle Recreation Equipment Company. Based on identical design specifications for a single-unit play structure to be installed in our parks, the three lowest qualified bidders are as follows (the change orders listed below are to replace all open handrails on the equipment to handrails with spokes, for safety reasons):

Weaver Park

Miracle BCI Burke Game Time

Single Play Unit 17,732 23,674 26,448

Accessory Play pieces 10,680 8,431 8,680

Change Order: Addition

of safety railings 3,100 3,532 3,864

Total Contract 31,512 35,637 38,992

Murphy-Oakley Park

Miracle BCI Burke Game Time

Single Play Unit 17,732 23,674 26,448

Accessory Play pieces 8,344 6,820 6,287

Change Order: Addition

of safety railings 3,100 3,532 3,864

Total Contract 29,175 34,026 36,599

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The Parks and Recreation Department recommends approval of these two contracts, and the corresponding change orders, to the same contractor, Miracle Recreation Equipment Company, through their approved distributor, Larry Hasley & Associates, Inc.

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

#### OTHER BUSINESS

##### Boards and Commissions Vacancies

Vice-Mayor Field distributed to City Council the upcoming quarterly vacancies for various boards and commissions. As an official duty of the Vice-Mayor to oversee the process of board and commission appointments and for her and the committee members to make recommendations to the entire Council, she recommended that if someone has served one term, is interested in reappointment and has met the attendance requirements, that that person be reappointed to serve a second term.

Subject to the City Clerk verifying the criteria above, she recommended the following: Marvin Chambers and Rocky Fulp be reappointed to the Bele Chere Board of Directors; Henry Southworth, Dick Shahan, Lonnie Blair and Janice Van Dine be reappointed to the Citizens/Police Advisory Committee; Richard Bowman and Tom Muncy be reappointed to the Civic Center Commission; Beth Arrowood be reappointed as Chairman to the Civil Service Board; Steve Curtis and Grant Osborne be reappointed to the Crime Stoppers Committee; William Estes and Lewis Isaac be reappointed to the Recreation Board.

It was the consensus of City Council to proceed as outlined above by Vice-Mayor Field.

##### YMI Emergency Funding

Vice-Mayor Field said that the YMI has requested funding from the City and County to cover operating cost for a six month period, while the organization seeks additional ongoing funding to continue operations and programs. City staff and the City Council YMI Committee have met with representatives of YMI, and subject to certain conditions, staff recommends that funding not to exceed the amount of \$16,000 (\$4,000 cap per month) be provided to cover operating costs (excluding salaries, fringe benefits and travel) for the period March - June, 1996. The Committee felt it was very important for the City to maintain the building in the public domain. She explained that

Buncombe County is willing to help out for a couple of months.

Vice-Mayor Field advised Council that the YMI's insurance rates were \$2,400/year and when they attempted to see if better rates could be secured, they were advised that they were considered to be a museum and their rates rose to \$6-7,000/year. Because of that increase, they had to drop their insurance and now can't rent out their space. She noted that the City's Risk Manager will try to help them secure some insurance.

Conditions of the funding are as follows: (1) YMI provide the City with current monthly financial statements; (2) The City will pay on a reimbursement basis. YMI will present invoices for operating costs to the City before City funds are disbursed; and (3) YMI will provide the City with documentation and assurances, that no City funds are used to

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pay prior liabilities and that all such liabilities are being satisfied on a current basis.

She outlined the debts the YMI has incurred. She said that there is a

possibility that the Arts Alliance might take the responsibility of getting a grant for them from the State of North Carolina to pay off the debt on the building because it's a historic building.

An agreement among the City, the County and the YMI outlining the City's conditions will be presented for Council action.

Vice-Mayor Field moved to proceed with appropriate actions at the next formal meeting. This motion was seconded by Councilman Skalski and carried unanimously.

#### Bid to Host the Big South Conference

Councilman Cloninger said that the Asheville Sports Committee has asked for the City of Asheville to bid for the Big South Conference 1997 Men's and Women's Basketball Tournament (February 26 - March 3, 1997). He outlined the following:

Host - City of Asheville

Co-Hosts - The Asheville Sports Committee

Volunteer Support

The Junior League of Asheville

Sponsorship and Ticket Sales

UNC-Asheville

Event Coordination

Tourism Development Authority ("TDA")

\$20,000 Commitment

Coca Cola

Title Sponsor - \$30,000

Request is Pending

He then outlined the following budget:

#### Income:

Coca Cola \$ 30,000

TDA 20,000

Conference Ticket Sales

(800 @ \$25)

Requirement 20,000

Sponsorships

(Junior League) 25,000

Ticket Sales

(Junior League and

Civic Center 1500 @ \$25) 37,500

TOTAL INCOME \$132,500

Expenses:

Civic Center Rent \$ 37,000

Conference Guarantee 70,000

Miscellaneous Hospitality

Expenses 15,000

TOTAL EXPENSES \$122,000

Surplus to Junior League \$ 10,500

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Councilman Cloninger said that if Coca Cola decides not to participate with their \$30,000, then the Asheville Sports Committee will withdraw their request to submit a bid.

There was some discussion of the Civic Center rent and if that rent could be flexible of up to \$15,000 should a shortfall occur.

Councilman Hay, City Council liaison to the Civic Center Commission, said that the Commission had some concerns over this request. They did not think the Southern Conference was good for the Civic Center and now that the Civic Center is breaking even, anything that might threaten that positive direction is not something we should be supporting. Another concern is that the Big South Conference will be displacing other activities planned for that weekend. He noted that perhaps the possible \$15,000 shortfall should not come from the Civic Center rent, but from another expense. Another concern expressed is the whole concept of who is running the show. The Southern Conference was a major undertaking by the Civic Center and they do not want to promote this event. Even though UNC-Asheville is shown to be the event coordinator, the Civic Center might very well within the year be drawn into being the coordinator. He suggested that whatever the City decides, that they be very clear about what the City will be doing and what we expect of the co-hosts.

Even though Councilman Cloninger felt this Conference would be very good for the City's economic development, he understood the Civic Center's concerns and felt the points raised were valid.

It was the consensus of Council to invite interested parties, for example the Civic Center Commission, the Asheville Sports Committee, the Civic Center Director, and others, to the next formal Council meeting to discuss this matter further, noting that the deadline for submitting the bid is April 10, 1996.

Closed Session

At 5:15 p.m., Councilman Worley moved to go into Closed Session as authorized by G.S. 143-318.11 (a) (3) in order to preserve the attorney-client privilege, including matters related to the lawsuit involving Lamont Baird vs. the City, County and others (File # 1:95 CV 63). This motion was seconded by Councilman Skalski and carried unanimously.

At 6:30 p.m., Councilman Worley moved to come out of Closed Session. This motion was seconded by Councilman Skalski and carried unanimously.

ADJOURNMENT:

Mayor Martin adjourned the meeting at 6:30 p.m.

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CITY CLERK MAYOR

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