

Tuesday - June 17, 1997 - 3:00 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 Robert W. Oast Jr.; City Manager James L. Westbrook Jr.; and City Clerk Magdalen Burleson

Absent: None

CONSENT:

Bids regarding Asphalt for Street Division

Summary: Pursuant to N. C. Gen. Stat. sec. 143-129 and in compliance with the City's Minority Business Plan, sealed bids were invited to furnish the City's estimated annual requirement of asphalt materials to be purchased as needed for force account re-surfacing and street repair. One (1) bid was received as follows: APAC-Carolina Inc. - \$26.00 per ton.

Since only one bid was received, a survey was conducted to identify other governmental agencies cost for asphalt. By comparison, the price bid to the City of Asheville appears to be consistent with current markets. This bid has been reviewed with Mark Combs and his concurrence received in this recommendation.

Subject to Council's approval, it is recommended the City enter into a contract with Asheville Division, APAC-Carolina, Inc., Asheville, North Carolina, for the purchase, on an as needed basis only, approximately 16,550 tons of assorted asphalt materials for a grand total of \$430,300.00. The contract to become effective from the date of approval through May 30, 1998 with no guarantee of minimum purchase quantity.

Bids regarding Video Vehicle Tracking & Detection System for Traffic Engineering

Summary: Pursuant to N. C. Gen. Stat. sec. 143-129 and in compliance with the City's Minority Business Plan, sealed bids were invited to furnish a video vehicle tracking and detection system including on-site training and technical support during installation. One (1) bid was received as follows: Southeastern Safety Supplies, Inc. (Columbia, S.C.) in the amount of \$35,480.

This piece of equipment will enable the Traffic Engineering Division of the Public Works Department to optimize the existing street system operations and traffic controls in an effort to provide a more efficient flow of traffic. The overall project will include video detection/tracking, loop detection, microwave detection and microloop detection. This system will be compatible with the four Traconex Closed Loop Traffic Signal Systems already located in Asheville.

In addition to evaluating the proposed equipment to determine compliance with bid specifications, an analysis of the sole bidder's price was conducted. From the analysis it was determined that the price bid the City reflects a discount of \$1880.00 off the manufacturer's list price and when compared to other municipalities' cost for comparable equipment, our price is considered to be competitive, fair and reasonable.

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This bid has been reviewed with James Cheeks, Traffic Engineer, and Mark Combs, Public Works Director, and their concurrence received in this recommendation.

Funds for the entire purchase are to be from the Public Works Department, Traffic Engineering Division appropriations, Account Code 20-430-15-425-00-5741.

Subject to Council's approval, it is recommended that this bid be awarded to the sole bidder, Southeastern Safety Supplies, Inc., Columbia, S. C., in the amount of \$35,480 for the purchase of a 'Peek Traffic Inc.' Model VT-900A-2 video vehicle tracking and detection system complete with cameras, interface panels, cables, mounting hardware and 2 days of on-site training and field support.

Bids regarding Brevard Road Annexation Area Phase 3 Sanitary Sewer System Improvements - Contract 1

Summary: The City Council approved 3.2 million dollars for sewer improvements. This project is known as Brevard Road Area Annexation Sanitary Sewer Improvements, Phase III - Contract One. These funds were to be used for priority sewer improvements.

The City Engineering Department and William Lapsley & Associates has developed construction plans for the Brevard Road Area Annexation Sanitary Sewer Improvements, Phase III - Contract One. The engineer's estimate for this project is in the amount of \$162,875.

The project was advertised for one month. On Thursday, June 12, 1997, at 2:00 p.m., the Engineering Department received three bids for the project. A tabulation of bids received is as follows:

Steppe Construction Inc. \$141,723.50

Hobson Construction Co. \$145,149.00

Wheeler Construction Co. \$163,509.00

The construction time for this project is identified as 120 calendar days in the contract documents.

Staff recommends that City Council accept a resolution awarding the bid for Brevard Road Area Annexation Sanitary Sewer Improvements, Phase III - Contract One to the responsible low bidder, Steppe Construction Company in the amount of \$141,723.50, and authorize the City Manager to execute all necessary agreements and contracts.

Assistant City Manager Doug Spell responded to several questions from Councilman Skalski related to the budget for this project.

Right-of-Way known as Orchard Road off Azalea Drive is not part of the Adopted Street Plan for the City

Summary: A right-of-way off Azalea Drive, as shown in plat book #24, page 53, is not part of an adopted street plan in accordance with N. C. Gen. Stat. sec. 136-66.2. According to N. C. Gen. Stat. sec. 136-96, a right-of-way not utilized within 15 years of dedication can be abandoned through a recording of a Declaration of Withdrawal.

To proceed with this process, Gary and Gail Hammond of 35 Azalea Drive have requested that the City of Asheville verify if the specific right-of-way is or is not part of the City's adopted street plan. The statute requires the City to adopt a resolution stating the right-of-way to be abandoned is or is not part of a proposed street plan. The unused -3-

alley right-of-way off of Azalea Drive, named Orchard Road, is not part of any such plan and is not a City maintained right-of-way; therefore, the City has determined that all necessary requirements of the statute will have been met by adopting the resolution.

The Public Works Department staff finds that the right-of-way known as Orchard Road, from the intersection with the Southwest corner of PIN# 9668-09-16-7043 and Southeast corner of PIN # 9668-09-16-8082, in its entirety, as shown in Plat book 24, Page 53 is not part of an adopted street plan and recommends the adoption of this resolution.

Agreement with the N. C. Dept. of Transportation for Stream Restoration at Weaver Park

Summary: The consideration of entering into a municipal agreement with the N. C. Dept. of Transportation for a stream restoration project located in Weaver Park.

The Parks and Recreation Department, the North Carolina Department of Transportation, and the Department of Environment, Health, and Natural Resources have been working on a stream restoration project for Reed Creek located at Weaver Park. This stream restoration project has evolved from DOT's requirement to mitigate environmental impact concerns to Gashes Creek as part of the widening of US 74. This project will include repairing the stream bed at Reed Creek, stream bank stabilization, landscaping, bridge replacement, and walking trail construction. This municipal agreement will allow DOT to meet the requirements placed upon them by the Department of Health, Environment, and Natural Resources and will allow them to proceed with the widening of US 74.

The Parks and Recreation Department and the Legal Division requests approval for the City Manager to enter into a municipal agreement with the N. C. Dept. of Transportation.

Conservation Easement with the Dept. of Environment, Health & Natural Resources for Stream Restoration at Weaver Park

Summary: The consideration of entering into a conservation easement with the Department of Environment, Health and Natural Resources for a stream restoration project located in Weaver Park.

The Parks and Recreation Department, the N. C. Dept. of Transportation, and the Department of Environment, Health, and Natural Resources have been working on a stream restoration project for Reed Creek located at Weaver Park. This stream restoration project has evolved from DOT's requirement to mitigate environmental impact concerns to Gashes Creek as part of the widening of US 74. This project will include repairing the stream bed at Reed Creek, stream bank stabilization, landscaping, bridge replacement, and walking trail construction. This conservation easement is required in order to allow for the above work to occur and to ensure that the stream restoration project meets the requirements established by the North Carolina Department of Environment, Health and Natural Resources.

The Parks and Recreation Department and the Legal Division requests approval for the City Manager to enter into a conservation easement with the Department

of Environment, Health and Natural Resources.

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Conveyance of Ballfield Lights to Eliada Homes

Summary: Several months ago, the Parks and Recreation Department replaced the ballfield lights at Livingston Street Ballfield. The department was approached by Eliada Home regarding the possibility of conveying the used lights to their facility. Under the North Carolina General Statute, Section 160A-279, the City can convey by private sale any real or personal property belonging to the City to any public or private entity which carries out a public purpose. Eliada Home is a non-profit, private entity; therefore, it is possible to convey the lights to them. In exchange, the Parks and Recreation Department will request use of Eliada Home Ballfield for two evenings per week from mid April through late October for use in the adult softball program.

The Parks and Recreation Department recommends approval of the resolution and agreement to convey ballfields lights between the City of Asheville and Eliada Home, Inc.

Budget Amendment regarding Summertime Kids Grant

Summary The consideration of appropriating \$1,000 received from the Community Foundation of Western North Carolina for the Summertime Kids 1997 Program.

The Summer Teen Program is designed to provide recreation activities for teens ages 13-16 for eight weeks during the summer. The program is located in seven locations throughout the city in community centers, parks, and low income neighborhoods. The Teen Program will offer bowling, swimming and pool parties, hiking, skating, tennis, golf, fitness, dances, games, arts and crafts, sports and tournaments, field trips, and special events. Grant funds will be used to implement the enrichment adventure activities of rock climbing, horseback riding, and rollerblading.

The Parks and Recreation Department recommends the City of Asheville to accept the grant funds on behalf of the Parks and Recreation Department into the Summertime Kids 1997 budget for adventure activities in the Summer Teen Program.

Clean Water Management Trust Fund Grant

Summary: The Clean Water Management Trust Fund was established by the N.C. General Assembly to provide money to help finance projects that specifically address water pollution problems as well as funding to build a network of riparian buffers and greenways for environmental, educational, and recreational benefits. Currently, \$39 million has been allocated in this trust fund for the period ending July 1, 1997. The City of Asheville is interested in applying for a grant to partially fund the greenway master plan and land acquisition along the French Broad and Swannanoa Rivers. The total funding requested for this project has not officially been determined; however, due to the total money available, it is estimated that this grant may be in excess of \$1 million.

The Parks and Recreation Department recommends the City Manager be authorized to apply for or enter into an agreement for funding through the Clean Water Management Trust Fund.

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Fire District No. 3 Amendment

Summary: The consideration of adjusting the boundaries of Fire District No. 3 (Biltmore) to accommodate renovation/rehabilitation of existing buildings within that fire district.

State law provides for (and in some cases requires) the establishment of "fire districts"--defined areas where construction materials and occupancy types are limited to prevent major fires. Asheville has three such districts. Fire District No. 3 encompasses the old warehouse district in an area roughly bounded by Hendersonville Road, Thompson Street, Decatur Street and the Norfolk Southern right-of-way.

Over the past three years, major renovation and rehabilitation of buildings in Fire District No. 3 have been undertaken to a point where no significant fire protection purpose is served by leaving those structures in Fire District No. 3. This ordinance redefines the boundaries of Fire District No. 3, so that the rehabilitated/renovated buildings are no longer included in that district.

The boundary proposed is generally defined by Sweeten Creek, Thompson Street, Decatur Street and the Norfolk Southern right-of-way, with provision for exclusion of 38 Garfield Street (which is undergoing renovation at this time) from the revised Fire District No. 3.

The Fire Chief recommends adoption of the ordinance that would amend the description of Fire District No. 3 in the Asheville Fire Prevention Code.

Mayor Martin asked that the record show that City Council has received this information and instructs the City Manager to place these items on the next formal City Council agenda.

PUBLIC HEARING TO CONSIDER AMENDMENT CITY OF ASHEVILLE CHARTER AND RELATED LAWS TO PROVIDE FOR FOUR-YEAR STAGGERED TERMS FOR THE MAYOR AND MEMBERS OF THE CITY COUNCIL

Mayor Martin recognized City Attorney Oast who said that a Resolution of Intent was adopted on June 3, 1997, and the notice of public hearing on this matter was published in the Asheville Citizen-Times on June 6, 1997. He then delivered the staff report on this matter.

Consistent with Council's direction given at the June 3, 1997, worksession, as expressed in the Resolution of Intent adopted that day, a proposed Ordinance has been drafted providing for four-year staggered terms for the Mayor and Councilmembers. Pursuant to G.S. sec. 160A-102, this proposed ordinance is submitted for public consideration and comment at this public hearing.

N. C. Gen. Stat. sec. 160A-102 requires that an ordinance changing the form of government for a city must be finally adopted and approved at least 90 days prior to the first election for which it is effective. By law, final adoption of the ordinance cannot occur at this public hearing, but must wait at least until the next regular meeting, and must occur not later than 60 days after the public hearing. The City primary for 1997 is scheduled for October 7. Accordingly, in order to be effective for that election, the ordinance would have to be finally adopted and approved before July 9. Since the filing period for the 1997 election opens on July 7, it is recommended that the ordinance be

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finally approved, if at all, on or before that date in order to avoid any contention that persons seeking office did not know the length of the term. There are also requirements that notice of the adoption of the ordinance be

published within ten days after its adoption and that a certified copy of the ordinance be filed with several State offices. While these are ministerial actions and probably would not be subject to the same 90-day limitation, it is nevertheless recommended that the ordinance be adopted in time to allow for completion of these actions as well before July 7. With these time constraints in mind, if Council proposes to adopt the proposed ordinance in one form or another, adoption should occur at the June 24 formal meeting.

At the direction of Council, the proposed ordinance provides that the terms of Councilmembers will be staggered so that three seats on Council will be up for election every two years. The proposed ordinance begins this staggering by designating those three individuals who receive the highest vote totals of the entire Council at the 1997 election as serving four-year terms that will expire in 2001, while the remaining three individuals elected to Council will serve two-year terms expiring in 1999. All terms thereafter would be four years. The proposed ordinance provides that the first four-year term for the Mayor would commence with the 1997 election, and expire in 2001.

Since there was some discussion at the June 3 worksession of leaving the Mayor's term at two years, and since at least one Councilmember indicated a desire to hear public comment on that particular option, an alternate proposed ordinance to that effect has been prepared. As adopted, the scope of the Resolution of Intent should be sufficient to encompass this alternate without the need to repeat the process from the beginning, and the public notice specifically mentions that this option will be discussed. Nevertheless, it should be made clear at the outset of the public hearing that comments will be received and consideration will be given to the question of a two-year term for the Mayor.

Both the proposed ordinance and the alternate have been prepared in two forms: one that would be effective upon adoption by Council, and one that would be effective only upon a vote of the people. The law permits, but does not require, that ordinances changing the form of government may be so drawn as to be effective only upon a vote of the people. The Resolution of Intent and the notice of public hearing indicated that this option would be considered.

If Council decides to make the ordinance effective upon a vote of the people, a resolution should be adopted at the same time calling for a special election, which must be held not later than 90 days after the ordinance is adopted. Notwithstanding obvious practical and logistical difficulties, legal notice requirements for special elections preclude a special election being called on this question in time to be effective for the 1997 election. Accordingly, if Council decides to employ this option, consideration should be given to coordinating the special election with the 1997 primary or general election, which the statute, G.S. sec. 163-287, permits, and adoption of the ordinance should be delayed so as to occur within 90 days of the primary or general election.

Finally, though the statute does not require that an ordinance changing the form of municipal government be put to a vote of the people, a referendum petition may be filed by which such a vote would be required. Such a petition must be filed within 30 days of the publication of notice of adoption of the ordinance, and must contain the -7-

signatures and addresses of at least 10% or 5,000, whichever is less, of the City electorate.

Mayor Martin opened the public hearing at 3:18 p.m.

Mr. Ralph Bishop, resident of the City of Asheville, spoke in opposition to the

proposed four-year terms. However, if Council decided to go forward, he suggested giving the citizens of Asheville the right to vote on the matter.

Ms. Hazel Fobes felt that City Council deserved a salary increase. In addition she felt that if Council had staggered terms that there would be a better continuity on what is going on in the process. She supported four-year staggered terms for City Council and did not have any strong feelings one way or the other for the Mayor's position to be either two or four years.

Councilman Hay felt that if the Mayor's term was two years, then the majority of Council would be up for reelection every two years. However, some people might not be willing to expend the enormous amount of time necessary fulfilling the duties of Mayor for four years.

Mayor Martin supported a four year term for the Mayor's position.

Upon inquiry of Councilman Skalski about district elections, Ms. Fobes said that she felt Asheville needed more precincts and that is being taken care of gradually. Mayor Martin felt that district elections might work in large cities, but not in cities the size of Asheville. Vice-Mayor Field did not support district elections in that she felt all citizens should have the right to vote for the entire seven member Council, not two (Mayor and district representative).

When Councilman Skalski asked Ms. Fobes what she thought about making the ordinance effective upon a vote of the people, Ms. Fobes said that she had confidence and trust in this City Council and was sure they would make the right choice.

City Attorney Oast reminded the Council that an ordinance amending the Charter that is not made subject to a vote of the people by the Council may nevertheless be put to a vote upon petition by the people.

Upon inquiry of Ms. Leah Karpen about other cities with four-year staggered terms, Mayor Martin said that he has talked with a number of Mayors and the N.C. League of Municipalities and has received positive comments from all on four-year staggered terms.

Members of the public were encouraged to write or call Councilmembers with their thoughts on this issue.

Mayor Martin closed the public hearing at 3:36 p.m.

CONSULTANT'S REPORT ON THE DEVELOPMENT PERMITTING POLICIES, PROCESSES AND PROCEDURES AND FUNCTIONAL ANALYSIS OF THE FINANCE DEPARTMENT

Mr. John T. Maxwell, Vice-President of Municipal Advisors Inc., said that the purpose of the development permitting policies, processes and procedures analysis was to (1) study the policies, processes and procedures relating to site and building plan review and inspection; (2) evaluate the site and building plan review processes; and (3) develop recommendations to improve the process(es) and procedures to facilitate development in Asheville without compromising the integrity of existing -8-

regulatory processes. He then explained the study methodology. Mr. Maxwell then reviewed the report which delineated the concerns of participants in the development permitting process and the actions the City has taken to address them. He then outlined his findings and recommendations pertaining to (1) improving development permitting

processes, (2) increasing staff productivity, and (3) enhancing communications between and among City departments and members of the development community.

Mr. Maxwell briefly reviewed the functional analysis of the Finance Department. He said the report addresses the concerns and issues pertaining to the functions of the Finance Department. The report contains recommendations regarding the need to strengthen the relationship between capital project coordination, accounting and financial reporting. Also included are recommendations to improve communications and coordination among staff involved in enforcing on-street parking regulations. He noted a major recommendation in the report is the transfer of the Fleet Management Division to the Department of Public Works.

It was the consensus of City Council to instruct the City Manager to proceed with changes based on the findings and recommendations outlined in the reports.

Mayor Martin asked that the record show that City Council has

received this information and instructs the City Manager to place this item on the next formal City Council agenda.

SANITATION RE-ROUTING

Ms. Suzanne Molloy, Assistant Director of Public Works, briefed Council on solid waste collection services which will be substantially modified via route changes and districting to enhance customer service, increase efficiency, and improve performance monitoring.

Over the past year, Public Works staff has carried out a broad evaluation of our current service levels and performance to include field assessments of all routes, surveys of other municipalities, and surveys of all levels of employees. Staff evaluated the current routing system in conjunction with existing equipment and personnel for the purpose of maximizing efficiency, reducing customer complaints, and increasing overall service levels.

Currently, sanitation collection routes and methodologies utilized by the City are based upon routes (home grown) that are unevenly distributed throughout the City and not logically routed to minimize crew time and vehicular traffic within neighborhoods. Furthermore, the current system does not facilitate the goal of collecting yard waste two times per month.

When staff evaluated the data and related information, it was determined that the optimal solution to increase service levels and reduce customer complaints was to designate four Districts with easily identifiable boundaries. District 1, 2, 3, and 4 will be picked up on Monday, Tuesday, Wednesday, and Thursday, respectively. These routes are further grouped such that future growth and development within the City can be accommodated with less impact to existing customers.

The new district system will provide the following benefits to customers and the internal organization:

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- Any future changes in routes will not require changing customer collection days which become habitual;
- Annexation or new customers will not affect nearby or surrounding customers. Route changes can occur within a District without the customer ever being aware;

- Sanitation/recycling traffic in neighborhoods will be reduced to only one day per week;
- Customer Service will be simplified and straightforward, which minimizes potential of miscommunications;
- Distribution of educational materials will be more efficient;
- Yard waste collection services will be formalized and increases to twice monthly without staff additions;
- Since all vehicles will be in one District of town on the same day, vehicle breakdowns which typically cause a lag in service can be covered by other crews due to location grouping (same day general area support);
- Less mid-level supervision will be needed;
- Performance monitoring of crews will be easier;
- Cross-training of employees on routes will be easier; and
- The new system is GIS-based which will facilitate rapid analysis and evaluations in the future.

Customer service relations and education during this time period is extremely important to the success of the transition from existing routes to the new districts. It is staff's opinion that the re-routing of the City's 24,000 customers has the potential for resistance by some of the customers, especially those who do not place their garbage at the curb on the newly prescribed schedule.

In order to facilitate the changes which will take effect on July 7, 1997, staff is providing both written literature directly to all customers, including a calendar. Staff further has initiated an advertising campaign to include Public Service Announcements, City-wide advertising through newspaper and television, and customer service training sessions. Staff will also provide additional collection service to customers during the transition period to assist in cases where customers who fail to set out their materials on the new day of collection.

While the disruption of existing routes may cause immediate trepidation to many customers, the proposed re-routing system will provide numerous benefits city-wide. The Public Works Department is committed to improving services and developing a nucleus around which the Sanitation Division can remain competitive.

GLENDALE AVENUE BRIDGE BIDS AND BUDGET AMENDMENT

Ms. Suzanne Molloy, Assistant Director of Public Works, said that the City, through the Public Works Department, solicited bids for this project. These bids were in response to a readvertisement and rebid of the projects after insufficient bids were initially received at the time of the first bid opening. Two bid proposals were received. The bidders were qualified and are listed below:

MB Participation Bid Base

R.E. Burns and Sons

Statesville, N.C. 9% \$743,825.85

Taylor and Murphy Construction Co.

Asheville, N.C. 11% \$794,892.85 -10-

After review of these bid proposals and the qualification process of the bidders, it was determined that R.E. Burns and Sons, Co., Inc. of Statesville, North Carolina should be selected as the lowest qualified bidder and City staff would seek City Council approval to authorize the City Manager to enter into a contract to construct the replacement bridge in the amount of \$743,825.85 upon concurrence by the N. C. Dept. of Transportation.

The Glendale Avenue Bridge is included in the Federal Aid of System Bridge Replacement Programs. The N. C. Dept. of Transportation will reimburse the City of Asheville for 80% of all associated costs. The requested budget amount for the total project, including preliminary assessment, design, right-of-way acquisition, utility relocation, construction, contract administration, and contingencies is estimated to be \$1,107,125 of which the N. C. Dept. of Transportation will reimburse the City \$885,700. The City of Asheville will expend an estimated \$221,425 after final reimbursements from the N. C. Dept. of Transportation. Currently, funds in the amount of \$103,000 are budgeted for this project. Therefore, a budget ordinance amendment and appropriation is required in the amount of \$1,004,125 for the total project.

The Public Works Department staff recommends City Council adopt a resolution authorizing the City Manager to enter into contract with R.E. Burns and Sons, Co., Inc. to construct a replacement for the existing bridge on Glendale Avenue over Swannanoa River in Asheville, N.C., after final concurrence from the N. C. Dept. of Transportation. Staff further recommends City Council adopt a budget ordinance amendment in the total amount of \$1,107,125 for the entire project.

There was some discussion about what the N. C. Dept. of Transportation estimated the project to cost in 1992 and the actual prices.

Councilman Worley said that he had received a call from someone who asked about preserving the bridge for historical purposes. Ms. Maggie O'Connor, Historic Resources Commission Director, said that she has also talked to someone concerning this matter, but the bridge is rated in very poor condition and the State would probably not agree to preserving the bridge.

Mayor Martin asked that the record show that City Council has

received this information and instructs the City Manager to place this item on the next formal City Council agenda.

APPROVAL OF THE BUNCOMBE COUNTY SOLID WASTE MANAGEMENT PLAN

Ms. Karen Rankin, Waste Management Coordinator, said that in accordance with N. C. Gen. Stat. sec. 130A-309.09A(b), the City of Asheville must develop a ten-year solid waste management plan or participate in a joint plan with other local governments.

The Buncombe County Solid Waste Division has developed a plan to comply with N. C. Gen. Stat. sec. 130A-309.09A(b). The County Commissioners will address approval of the plan at their June 17 session. The City must either approve the county plan or develop its own by July 1, 1997.

Development of a City plan was considered but rejected due to the fact that solid waste collection and disposal in the City is directly tied to County operations. The City currently transports its waste to the Buncombe County Transfer Station and pays the County for disposal at -11-

its landfill. Illegal dumping problems in the City are often handled jointly with County staff.

The Buncombe County plan establishes two goals for the planning period:

- a 40% waste diversion from its Subtitle D lined landfill, based on FY 88-89 waste disposal figures. The County contends it has already achieved a 20% diversion rate.
- a 10% per capita waste reduction based on FY 1995-96 waste generation rates.

The goals are non-binding and can be modified during plan updates and revisions. The plan does not require the City to undertake any specific actions or alter its current programs in any way. With adoption of this plan, the City agrees only to make a good faith effort in assisting the County in achieving its goals.

In the plan, the County expresses its intent to:

- undertake a full cost accounting of solid waste operations in Buncombe County to increase efficiency and waste awareness;
- develop means to encourage cooperation among governmental agencies, non profit organizations, and the commercial/industrial sector;
- promote effective use of available funding; and
- increase waste education efforts.

The County also intends to develop a task force comprised of representatives from each participating municipality to coordinate implementation of the plan. All other municipalities in Buncombe County have expressed their intention to approve the County plan. By participating in the County plan, the City will show its support for intergovernmental cooperation and ensure itself a voice in future County-wide solid waste planning.

Staff recommends adoption of the resolution approving the Buncombe County Solid Waste Management Plan.

Vice-Mayor Field, member of the County Solid Waste Committee, supported Asheville's endorsement of the County's Plan.

Upon inquiry of Councilman Cloninger, Ms. Rankin said that there is not a market for recycling magazines at this time.

Mr. Fobes felt that the County's Solid Waste Management Plan is a good comprehensive plan and the City should become a part of it.

Mayor Martin asked that the record show that City Council has

received this information and instructs the City Manager to place this item on the next formal City Council agenda.

CONSULTANT FOR PARKS & RECREATION MASTER PLAN

Mr. Irby Brinson, Director of Parks & Recreation, said that over the past several months, the Parks and Recreation Advisory Board and staff have gone through an extensive evaluation process to solicit the services of a consulting firm to do a Comprehensive Master Plan for Parks and Recreation for the next 20 years.

This Plan will provide an evaluation of existing recreational facilities and programs and will also provide projections for future -12-

recreation programs and facilities. The Plan will assist the City by developing a comprehensive action plan for future funding and priority needs. The purpose of this Plan is to get a good comprehensive picture of our current recreation services and project what the community wants in the future. The benefit of the Plan will be that citizens will have input on the recreational needs in the future and it will also give City Council an indication on what those needs are so they can plan for those financially.

Proposals were solicited from firms throughout the southeast to provide this service with seven firms submitting proposals. Each of the firms were evaluated based upon a matrix developed by staff to help determine the best qualified consulting firm. Through this extensive evaluation, it was determined that Woolpert, LLP, met all of the qualifications that we required in order to develop a comprehensive plan that was based upon an extensive process of community involvement. The cost for providing this service by Woolpert, LLP, is \$78,120. Funds for payment for this service are currently available within the Parks and Recreation's Capital Improvement Project allocation. The Parks and Recreation Advisory Board and staff feel that this comprehensive plan is necessary in order to adequately address the future recreation needs for the City of Asheville.

Parks and Recreation recommends authorizing the City Manager to enter into a contract with Woolpert, LLP, to develop a Comprehensive Master Plan.

Upon inquiry of Councilman Skalski about a designation for parks in the UDO, Mr. Brinson said that parks are permitted in all districts.

When Councilman Worley asked if the greenway master plan will be addressed in this master plan, Mr. Brinson said it would be addressed separately, but each plan will compliment each other.

Mayor Martin suggested working with surrounding counties to see if a greenway could be developed for the entire length of the Blue Ridge Parkway. Mr. Brinson responded that the Land-of-Sky Regional Council is currently working on that.

Mayor Martin asked that the record show that City Council has

received this information and instructs the City Manager to place this item on the next formal City Council agenda.

HISTORIC SIGN DESIGNATION FOR T.S. MORRISON

Ms. Maggie O'Connor, Historic Resources Commission Director, asked for consideration of the T.S. Morrison goldleaf sign located at 39 North Lexington Avenue to be designated as a landmark sign.

The owner of T.S. Morrison's is requesting landmark designation of one 3" x 30" goldleaf T. S. Morrison sign. Installed in 1932, the T. S. Morrison sign is 3 inches by 30 inches goldleaf reverse on glass. Goldleaf or gilding is both

elegant and durable. These properties made it among the most popular sign materials in the late 19th and early 20th centuries.

The sign meets criteria A & C for landmark designation for the following reasons:

- T. S. Morrison's has been an Asheville retail store since 1891, the goldleaf sign represents and identifies one of Asheville's oldest stores.

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- Goldleaf or gilding is both elegant and durable. These properties made it among the most popular sign materials in the late 19th and early 20th centuries. Reverse on glass goldleaf signs use goldleaf ranging from 12 to 23 karats. The gold is alloyed with copper and silver in varying amounts for differences in color.

At their regularly scheduled May meeting, HRC by a unanimous vote recommended to City Council that the T. S. Morrison goldleaf sign located at 39 North Lexington Avenue be designated a landmark sign.

Mayor Martin asked that the record show that City Council has

received this information and instructs the City Manager to place this item on the next formal City Council agenda.

HISTORIC SIGN DESIGNATION FOR SLUDER FURNITURE COMPANY

Ms. Maggie O'Connor, Historic Resources Commission Director, asked for consideration of the Sluder Furniture Company's four signs that are painted on the interior of the display windows at 25 Broadway be designated as landmark signs.

The owner of Sluder Furniture Company is requesting landmark Designation of four signs that are painted on the interior of the display windows.

The Sluder signs are similar to the original goldleaf signs that were destroyed in the 1987 Globe fire. The two signs on the front windows are 1.23 square feet each and the two signs on the interior faces are 1.25 square feet each.

The signs meet criteria A for landmark designation for the following reasons:

- The signs represent a retail business that contributes to the character and history of the city. Sluders is the fifth oldest business in downtown Asheville.

- The Sluder signs are similar to the original goldleaf signs that were destroyed in the 1987 Globe fire. Remnants of the plate glass with the original signs were saved and duplicated with paint on the new display windows.

At their regularly scheduled May meeting HRC by a unanimous vote recommended to City Council that the four painted Sluder Furniture Company signs located at 25 Broadway be designated as landmark signs.

Mayor Martin asked that the record show that City Council has

received this information and instructs the City Manager to place this item on the next formal City Council agenda.

ASHEVILLE TRANSIT CENTER BIDS

Mr. Carl Ownbey, Urban Planner, said that the Asheville Transit System has received construction bids from four local general contractors to construct the downtown transit center on Aston Street. Of the four contractor's bids, two bids are extremely close to the amount of funds available in the grant. All four of the bidders have been deemed responsive by the architect, who will be the construction administrator.

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The Asheville Transit Authority reviewed the bids at their June 11 meeting and recommended that along with the base bid, Alternates M-1 (heaters), E-2 (electrical panel), and GC-2 (deduct landscaping) be considered. This will make Buncombe Construction's bid low but above the available funds. We would like to negotiate with Buncombe Construction to get the bid below the available funds and request that they provide the landscaping as part of this negotiated bid.

If negotiations are successful, we would request that Council award the contract at their June 24 formal meeting so the contractor can begin immediately.

The Asheville Transit Authority and Planning Staff request approval to enter into negotiations with Buncombe Construction to decrease the amount of the construction bid and include landscaping.

Mr. Ownbey explained that additional funding may be needed (1) if they run across contaminated soil; (2) for possible large rock excavation; and (3) installation of traffic signals.

Upon inquiry of Vice-Mayor Field, City Attorney Oast said that the statutes only allow negotiating with the lowest responsible bidder in this situation.

When Vice-Mayor Field asked if she had a conflict of interest since her firm works closely with all four bidders (but she is only an employee and would not benefit from awarding the contract), City Attorney Oast said that he would research that question and report back at the next meeting.

Upon inquiry of Vice-Mayor Field about fire alarms, Mr. Ownbey said that the Management Company will install fire and burglar alarm systems.

Mayor Martin asked that the record show that City Council has received this information and instructs the City Manager to place this item on the next formal City Council agenda.

CLOSED SESSION

At 5:07 p.m., Councilman Worley moved to go into closed session in order to discuss matters relating to the location or expansion of industries or other businesses in the area served by the City Council - statutory authority is G.S. 143-318.11 (a) (4). This motion was seconded by Councilman Sellers and carried unanimously.

At 5:30 p.m., Councilman Skalski moved to come out of closed session. This motion was seconded by Councilman Worley and carried unanimously.

ADJOURNMENT:

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

COUNCIL CHAMBER RENOVATIONS

Electronic Interiors Inc. presented their preliminary design concept for the Council Chamber. They reviewed (1) presentation sources; (2) presentation displays; (3) audio systems; (4) intuitive presenter control system; and (5) cable coverage system.

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Electronic Interiors will refine the construction bid documents, based upon the input received, and prepare some estimates for the different components.

CITY CLERK MAYOR
