

Tuesday - December 1, 1998- 3:00 p.m.

Worksession

Present: Mayor Leni Sitnick, Presiding; Vice-Mayor Edward C. Hay Jr.; Councilman M. Charles Cloninger; Councilman Earl Cobb; Councilwoman Barbara Field; and Councilman Thomas G. Sellers; City Attorney Robert W. Oast Jr.; City Manager James L. Westbrook Jr.; and City Clerk Magdalen Burleson

Absent: Councilman O.T. Tomes

**CONSENT:**

**Intent to Close an Unnamed Alley between Michigan Avenue & Richmond Avenue**

Summary: The consideration of a resolution of intent to set a public hearing on January 12, 1999, to close an unnamed alley between Michigan Avenue and Richmond Avenue.

A petition has been received from James H. and Mona G. Justice, Richard A. and Shirley J. Page and Jose and Guiller Nina T. Valazquez, owners of parcels 9638-15-54-5274, 5196, and 6293 requesting that a portion of an unnamed and unopened alleyway between Richmond Avenue and Michigan Avenue be permanently closed to public use. These individuals own all of the property with frontage on the portion of the unopened alleyway between Richmond Avenue and Michigan Avenue that has been petitioned to be closed.

The Public Works Department staff recommends City Council adopt the resolution of intent to set a public hearing on January 12, 1999, to permanently close the unnamed and unopened alleyway between Richmond Avenue and Michigan Avenue.

**Acceptance of Remainder of Bear Knoll Drive**

Summary: The consideration of a resolution authorizing the City Manager to accept the remaining portion of Bear Knoll Drive for street maintenance.

Trappers Run is an existing subdivision in the City. The developer completed the streets in the subdivision several years ago and turned the streets over to the City to maintain. Since that time, Bear Knoll Drive has been extended and a cul-de-sac constructed. The developer has now completed this portion of the street and is requesting that the City accept the street for maintenance. Engineering Department staff along with Public Works staff have inspected the road and found it to be in compliance with our Standard Specifications.

Staff requests Council authorize the City Manager accept the remaining portion of Bear Knoll Drive for City maintenance.

**Section 108 Loan Guarantee**

Summary: The consideration of a resolution to authorize the mayor to execute a Contract for Loan Guarantee Assistance, Fiscal Agency Agreement, Notes, and other documents in connection with a Section 108 Loan Guarantee from the U. S. Department of Housing and Urban Development (HUD) to generate \$1.5 million for rental rehabilitation loans.

On April 1, 1998, the Mayor executed a Funding Approval/Agreement with the Dept. of HUD for a 1.5 million dollars Section 108 loan guarantee pursuant to the application for same approved by City Council Resolution No. 97-211 and -2-

submitted by the City of Asheville on December 16, 1997. The Section 108 loan guarantee program enables Community Development Block Grant (CDBG) entitlement grantees to borrow money from the federal government at low interest rates for CDBG eligible activities. The proceeds of the proposed loan will be loaned to investor owners through the City of Asheville Rental Rehabilitation for Owners and Tenants (CARROT) loan program. The Section 108 loan funds will be used to provide decent housing opportunities for low and moderate income households at affordable rents.

The Section 108 loan will be secured by a series of ten (10) Notes of \$150,000 each with different maturity dates ranging from one to ten years to be repaid using program income from the CARROT loans, program income from the existing rehabilitation loan portfolio and as necessary a portion of the CDBG entitlement funds. The CARROT loans will be secured by deeds of trust which will be assigned to the Dept. of HUD. The goal of the Section 108 project is to rehabilitate 150 rental units over a three year period of time.

Community Development staff recommends approval of the resolution.

### **Storefront Door Replacement at Civic Center**

Summary: The consideration of a resolution to authorize the City Manager to enter into a construction contract to replace the storefront doors at the Civic Center.

An ADA accessibility study was completed for the Civic Center and City staff has determined that the storefront doors at the entrance to the Civic Center do not meet Federal Guidelines for accessibility. City staff solicited sealed bids from ten General Contractors, three of which were minority contractors, for the replacement of storefront doors at the Civic Center. The following bids were received:

KEKO, Inc. \$ 179,672

Carolina Construction and Investment Co. \$ 180,909

R P F Construction, Inc. \$ 142,880

Approved funding is available in the Civic Center account to pay for this renovation to replace the storefront doors at the Civic Center.

The Parks and Recreation Department staff requests City Council to direct the City Manager to enter into a contract for \$142,880 with R P F Construction, Inc., to replace the storefront doors at the Civic Center.

### **Project Budget Authorization**

Summary: The consideration of a budget amendment to officially establish project budgets in the amount of \$220,000 for Phase II of W.T. Weaver Boulevard Greenway, \$200,000 for Pritchard Park, \$50,000 for Haw Creek Park, and \$20,000 for park improvements.

Funds for Phase II of the W.T. Weaver Boulevard Greenway, Pritchard Park development, Haw Creek Park, and park repairs and renovations were authorized through the City of Asheville's Capital Improvement Program. Funds had been held in a capital reserve account until it was necessary to begin work on these projects. This ordinance will officially establish project budgets for W.T. Weaver Boulevard, Pritchard Park, Haw Creek Park, and park improvements using funds formerly held in capital reserve. -3-

Staff recommends City Council officially establish budgets for the aforementioned projects.

### **Acceptance of Elderly and Disabled Transportation Assistance Program Grant**

Summary: The consideration of entering into an agreement with Buncombe County through its Mountain Mobility System program in order to take advantage of a \$5,000 grant to transport the elderly to recreation programs.

The City of Asheville has obtained a \$5,000 grant of state money routed through Buncombe County for use in the Mountain Mobility System, and which may only be used to transport the elderly to recreation programs. The Parks and Recreation Department will use this money for special events and additional transportation to events for seniors. These events include such things as the Asheville Symphony, Home Shows, The WNC Fair, concerts at Civic Center, the N.C. Arboretum, etc. These are new trips which the Department has not provided prior to this grant.

This grant involves no commitment of City funds to match or otherwise contribute to this grant. The grant will take the form of a credit, and will be applied to Mountain Mobility System use by the Parks and Recreation Department.

City staff recommends City Council authorize the City Manager to enter into an agreement with Buncombe County through its Mountain Mobility System program to transport the elderly to recreation programs.

### **Setting a Public Hearing to Reallocate CDBG Funds from Hill Street/Cherry Street to City-Wide Rehabilitation**

Summary: The consideration of a motion setting a public hearing on January 12, 1999, to reallocate \$160,000.00 of Community Development Block Grant (CDBG) funds from the Hill Street/Cherry Street Project to the City Wide Rehabilitation Program in order to utilize current funds according to immediate needs.

The Hill Street/Cherry Street Project is the CDBG budget title for the Head of Montford Redevelopment Project activities. The need for Redevelopment Project activities has diminished with the increase in private investment in the Montford area. Indeed the increase in property values in Montford has outdone the average for Asheville by two times. To a large extent all of the goals of the redevelopment plan have been realized. Although some work remains to be done, funding for such activities should be routed through the CDBG funding process as specific projects are developed. The project budget has a current balance of \$172,600.00 which has been carried over from prior years and represents funds that were not needed to carry out the activities for which they were originally scheduled. The projected need to fund currently planned activities amounts to approximately \$12,600.00 leaving a balance of \$160,000.00. The City Wide Rehabilitation Program has an immediate need for funds for homeowner rehabilitation loans. In assessing the need for funds in Montford compared to the shortfall of funds for homeowner rehabs CD staff have determined that a greater need exists in the City Wide Rehab Program.

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The reallocation of \$160,000.00 for which no activities are currently planned from the Hill Street/Cherry Street Project to the City Wide Rehabilitation Program will enable the rehabilitation of an additional five to seven homes.

The Community Development staff recommends City Council set a public hearing on 1/12/99 to consider the reallocation of \$160,000.00 of Community Development Block Grant funds from the Hill Street/Cherry Street Project to the City Wide Rehabilitation Program.

### **Office Space for VISION**

Summary: The consideration of a request from the VISION for Asheville-Buncombe for an extension of time for use of city office space.

City staff has received a request from the VISION to extend the commitment for donated office space from the City of Asheville from December 31, 1998 to June 30, 1999. Currently, the VISION utilizes office space in the City Development Office located at 29 Haywood Street. The VISION Board of Directors has indicated that they will call an Executive Committee meeting in the near future to discuss options for VISION office space. They have indicated that they will review available options over the next several months. As of this time, City staff is not aware of any other available space from the City of Asheville that could meet the needs of VISION.

Due to the addition of the Cable Coordinator position and associated equipment, all of which will be housed at the City Development office, it is anticipated that this office space will be needed by the City. This position will likely be filled by February 1, 1999.

Staff recommends that City Council approve the extension of time from December 31, 1998, through June 30, 1999, for the VISION office space to allow them an opportunity to make alternate arrangements for office space.

Mayor Sitnick was interested in using the space left vacant by VISION for possibly a central location for the City to sell souvenirs.

Mayor Sitnick 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.

### **RECOGNITION OF OFFICER GROVER MATHEWS**

On behalf of City Council, Mayor Sitnick praised Officer Grover Mathews from the Asheville Police Department who saved a life by performing the Heimlich maneuver.

### **UPDATE ON THE TREE/GREENWAY COMMISSION'S ACTIVITIES**

Mr. Kasty Lavtin, Chairman of the Tree/Greenway Commission, said that the mission statement for the Commission is to support the vitality of the City's trees through professional arboricultural practices and conscientious stewardship. The Commission also assists in decisions about tree planting and preservation, engages in dedicated advocacy, and promotes public awareness concerning the importance of trees and greenways. This is accomplished through education and code enforcement. He said that the Commission has worked hard in the past year to establish itself as a community resource advocating trees and flora amenities.

He reviewed the Commission's accomplishments in 1998: (1) "Trees Today - Tomorrow" Seminar in March of 1998; (2) Commission retreat in August of 1998 in which they drafted the -5-

mission statement and goals and objectives for next year; (3) Tree Response Committee for proactive field work and pragmatic solutions; (4) participation in Pritchard Park Planning; (5) Greenway liaison for master planning; (6) participation in the Unified Development Ordinance's Technical Review Committee; and (7) development of administrative procedures regarding permits, letters and code enforcement..

Mr. Lavtin outlined their goals and objectives, which are (1) Education Program consisting of verbal - slide program, brochures and booklets, and seminar; (2) Continuing "Tree Response" activities; (3) Pro-active code enforcement; and (4) Commission funding mechanism.

Mayor Sitnick spoke very highly of the Tree/Greenway Commission members and it's important role in the City of Asheville.

## **DOWNTOWN PLAN COMMITTEE**

Ms. Karen Tessier reviewed with City Council the background of the Downtown Master Plan process to date. She said the downtown Asheville has experienced tremendous growth and change during the last ten years. There is now a variety of diverse needs, agendas and opportunities that have evolved since the revitalization process began. Things to consider now include a compatibility of new market segments and socio-economic groups as well as lifestyle and business patterns. New goals need to be set to develop central public/private goals, policies, ordinances, incentives and an economic strategy to retain and continue to recruit desired growth. Many new downtown "niche" organizations have developed and Asheville needs to review its organizational structure to ensure consistent, effective communication. A strong leadership system must be in place in a now very dynamic Central Business District to meet the demands of differing businesses, consumer, tourist and residential living components. The downtown community needs a new plan to coordinate, focus and give guidance to downtown's next stage of development.

The Downtown Commission members have been carefully researching planning options and processes that have worked effectively in comparable cities. A Master Plan Committee was established. The Committee decided it needed an assessment of the downtown and recommendations on what to focus on when developing a downtown plan for Asheville's next stage of growth. The Committee became interested in inviting the National Main Street Center to bring a technical assistance team to Asheville. After the committee consulted with Savannah Renewal and Development Authority they felt professionals from a non-profit organization specializing in downtown revitalization (such as National Main Street Center) complemented with an expert from another community similar to Asheville (such as Savannah) would be an effective and affordable step to get advice and to focus on input from our community. The National Main Street Center's team visited on September 21-23, 1998, and the following summarizes their visit and report:

The Downtown Plan Committee set three main goals: (1) facilitate meaningful public participation by meeting with community organizations and individuals; (2) review/assess current downtown status and recommend what elements an Asheville as to the best process/structure to design and implement the plan given that it is possible Asheville will be using current staff and volunteers rather than hiring an outside consultant; (3) use other cities and organizational models to propose the best and most efficient structure for an entity to implement the plan and manage the downtown (look at funding and personnel issues).

The National Main Street Center worked with the Downtown Plan Committee and the City to advise and facilitate the first steps in developing a Downtown Plan that will guide and manage future growth in downtown Asheville. The team of downtown revitalization efforts leading the technical assistance visit included Mr. Mac Nichols of the National Main Street -6-

Center, Washington, D.C., Ms. Cuffy Sullivan of the Savannah Renewal and Development Authority, Savannah, Georgia, and Mr. Rodney Swink of the N.C. Division of Community Assistance, Raleigh N.C. This team of experts (1) met with members of our community to assess downtown to solicit input for a downtown plan; (2) took a tour and gave an assessment of downtown; (3) gave recommendations on what to focus on to guide downtown's future success; and (4) addressed recommendations on organizational structure that would need to be in place to implement a downtown plan. A final presentation was made at the end of the three days with a summary of recommendations following the visit.

To accomplish the goals, the staff of the City Development Office worked with the Downtown Plan Committee to develop an agenda, coordinate logistics, provide key information and facilitate the three day strategy input sessions.

The guidelines for development of a Downtown Master Plan are (1) concentrate on supporting local small businesses; (2) support residential; (3) transportation issues; (4) institutions need to be kept downtown; (5) infrastructure; (6) be involved in catalytic development; (7) policy/resource development (use local talent); (8)

provide incentives and protections so that public and private investments are protected; (9) know the roles and responsibilities of groups involved in downtown; and (10) decide how to staff and how to pay for staff.

Mr. Jim Samsel explained to City Council the next step in the process which will be to hold a planning retreat to (1) review ordinance governing the Downtown Commission; (2) recommend ordinance revisions; (3) internal assessment (structure); and (4) infrastructure issues. He said that they would like to come back to City Council in 60 to 90 days for an update.

On behalf of City Council, Mayor Sitnick thanked the Downtown Commission and Master Plan Committee for their tremendous amount of work they have accomplished to date.

### **1998 BELE CHERE REPORT**

Mr. Irby Brinson, Director of Parks and Recreation, presented, on behalf of the Parks and Recreation Department and the 1998 Bele Chere Board, the final report for the 1998 Bele Chere Festival which includes a financial statement and an update of the Strategic Plan.

In January of 1997, City Council approved the Bele Chere Strategic Plan for the next five years. Part of that plan included an annual report to City Council each year after the festival. He updated City Council on the Strategic Plan and financial statement for the 1998 Festival. As can be seen from the financial statement, Bele Chere made a total of \$59,140.84. This represents the third year in a row that the Festival has made a profit. This is due largely to an overall increase in sponsorships, souvenir sales and shuttle services. The profit made from Bele Chere will go into the Festival Fund and will be used to enhance Bele Chere as well as other festivals, therefore reducing the City's taxpayers' support of these events. Tremendous headway was made this year in relationships with the downtown merchants which include reducing vendor fees and allowing restaurants rent-free space for the "Taste of Asheville" area. This dialogue has resulted in better communication and trust between both groups.

Mr. Brinson then highlighted various objectives relating to the following goals: (1) To develop financial stability for the festival by becoming self-sustaining, without effecting the quality of the event; (2) To enhance the festival's image with the media and throughout the community; (3) To enhance the quality of the vendors, entertainment, events, and overall festival logistics; (4) To restructure the festival by re-evaluating the roles and responsibilities associated with producing the festival; (5) To improve relationships with the downtown merchants; (6) To resolve the issues surrounding the selling and consumption of alcohol at the -7-

festival; (7) To use the excess revenue generated to foster improvements in festival operations, downtown and at the river; and (8) To make the festival as safe as possible for those attending.

Mr. Brinson reviewed the results of the survey conducted by ProGen during the 1998 Festival noting that the estimated direct economic impact of the 1998 Bele Chere was almost \$23 Million. Recognition should be given to all City departments for their involvement with the Festival. Without their support and commitment to improving the quality of Bele Chere, the Festival could not continue to be successful.

The Parks and Recreation Department and the Bele Chere Board recommend City Council's endorsement of the Annual Report for Bele Chere.

Upon inquiry of Councilwoman Field, Mr. Brinson said that the Alcohol Task Force is still meeting and they will be prepared to present City Council with an extensive report on that issue in January.

Upon inquiry of Councilman Cobb, Mr. Brinson said that the total of City in-kind services for the 1998 Bele Chere festival is \$206,860. The break-down for that figure is police \$22,033; fire \$10,000; finance \$5,781; public works \$39,440; building safety \$750; and parks and recreation \$128,858. He said that in the Parks & Recreation Department more than half of that is overtime.

Mayor Sitnick asked that there be more aggressive recycling opportunities at the festival, with the possibility of a litter free zone or some pre-festival awareness of recycling. Also, she requested that the Bele Chere Board will work with the dance community to address some issues they raised. Mr. Brinson said that they are currently addressing both of those issues.

Mayor Sitnick 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.

**LEASE WITH HABITAT FOR HUMANITY FOR 9 BILTMORE AVENUE**

Mr. Ed Vess, Field Services Coordinator, said that this is the consideration of a lease of 9 Biltmore Avenue to the current tenant Asheville Area Habitat for Humanity, Inc.

City Council previously authorized holding the subject property for a period of two years (until August, 2000) before considering its sale. In the interim the property is being leased. The current tenant, Asheville Area Habitat for Humanity, Inc., has been paying \$150.00 per month. The proposed lease calls for incremental increases beginning December 1, 1998, as follows:

12/1/98 - 11/30/99	12/1/99 - 5/31/00	6/1/00 - 8/31/00
\$300.00 per mo.	\$400.00 per mo.	\$1,100.00 per mo.

The property comprises 2,070.5 sq. ft. in a 20.5' X 101' space. The space has heat but not air conditioning. The Lessee is responsible for paying utilities and maintenance of the interior including cleaning, glass breakage, electrical, heating, and plumbing. The Lessor is responsible for the exterior walls and roof along with the parking area.

Asheville Area Habitat for Humanity operates a used furniture and home accessories store on the premises. The store proceeds are used for Habitat's non-profit housing production. -8-

Community Development staff recommends adoption of the resolution as does the Housing & Community Development Committee.

Mayor Sitnick 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.

**RESOLUTION NO. 98-187 - RESOLUTION SETTING A PUBLIC HEARING TO CONSIDER APPLYING TO THE SECRETARY OF COMMERCE FOR DESIGNATION OF A STATE DEVELOPMENT ZONE**

Ms. Charlotte Caplan, Community Development Director, requested City Council set a public hearing to consider a resolution to apply to the Secretary of Commerce for designation of a State Development Zone (SDZ) for the City of Asheville, under the Economic Opportunity Act of 1998.

The NC Economic Opportunity Act of 1998 builds on the existing William Lee Act by recognizing that areas of economic disadvantage exist within otherwise prosperous counties. It creates State Development Zones which are urban areas of high poverty within which certain types of businesses creating new jobs or investing in new equipment can claim significant state tax credits. Similar tax incentives have been available for some time under the Lee Act but at very much lower levels because Buncombe County qualifies only for the minimum ("Tier 5") incentives.

**Eligible Areas**

- Contiguous census tracts or block groups with total population more than 1000, in a municipality with population more than 5000
- More than 20% poverty within SDZ
- Part of each census tract and/or block group must lie within the municipality

### **Eligible business types**

- Manufacturing
- Warehousing and wholesale trade
- Data processing
- Air Courier Services
- Central Administrative Offices (must create at least 40 jobs to qualify)

### **Tax credits available in SDZs**

- Eligible businesses with 5 or more employees receive \$4000 tax credit for each new job created, in addition to credit under Lee Act (\$500 in Buncombe County)
- 7% tax credit for investment in machinery and equipment - no threshold
- 7% tax credit for costs of establishing a CAO creating at least 40 jobs
- Up to \$1000 tax credit for new employee training

### **Restrictions**

- New jobs must not be offset by job loss at another NC location
- New jobs must pay average weekly wage no lower than 110% of County average (currently \$493 a week, or \$12.32 an hour)

### **SDZ Designation Procedure**

- Local government or individual taxpayers can request designation
- Local government request requires public hearing and Council action
- Simple request form to be submitted to Dept. of Commerce after November 2, 1998

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- Secretary of Commerce will designate SDZ after 10 day eligibility review period
- Lasts for four years - SDZ can be enlarged in that time, but not made smaller.

The legislation becomes effective January 1, 1999. We need to get the application to the State by mid-December. Any jobs created after January 1 but before the designation is approved would not receive a tax

credit.

## **Description of Proposed SDZ**

SDZ options were studied by a task force comprised of City Planning and Development staff and representatives of Asheville Chamber of Commerce, Asheville Merchants Association, Asheville Business Development Office, Buncombe County, Land of Sky Regional Council, Pisgah Legal Services, and the NC Department of Commerce (as advisor). The yellow area on the map is the SDZ recommended by the task force. The table provides demographic information.

The proposed SDZ is based on eight complete census tracts with more than 20% poverty plus block groups from other census tracts selected either because they join up these tracts (the SDZ cannot contain non-contiguous areas), or because they contain significant areas with suitable zoning (e.g. along the rivers, near the airport).

The orange on the map represents areas included in the proposed SDZ that are zoned for the eligible business types. The brown represents the area with the same zoning, that will remain outside the proposed SDZ. The proposed SDZ includes a significant part of Buncombe County outside the City, mainly in Census tract 23, Block Group 9, which enlarges the SDZ and makes it possible to include the airport. A minority opinion within the task force wanted to limit the SDZ to the city core in order to concentrate job creation incentives in the area of highest poverty. The majority felt that low income persons would be best served by including as much developable land as possible, even though transportation difficulties might prevent some people from accessing new jobs. Location and land availability are key to business development. If suitable land is not available, businesses may simply choose another city.

City staff and the Task Force recommend that City Council authorize the Mayor to apply to the Department of Commerce for designation of the proposed area as a State Development Zone.

Mayor Sitnick requested that as much public notice as possible be given to this real positive effort regarding economic development, making sure that the public is fully aware of the designation impact.

Councilwoman Field moved to waive the rules and take action at this meeting. This motion was seconded by Councilman Sellers and carried unanimously.

Councilwoman Field moved for the adoption of Resolution No. 98-165. This motion was seconded by Councilman Cobb and carried unanimously.

## **RESOLUTION BOOK NO. 25 - PAGE 75**

### **DISCUSSION ON DATE OF TOUR OF THE URBAN AREAS AROUND THE CITY**

Assistant City Manager Doug Spell said that this is the consideration of establishing a date for the tour of urban areas by City Council. -10-

The City retained the consulting firm of BenchMark, Inc. to perform an annexation study. On March 31, 1998, staff and the consultant presented information to City Council regarding "annexation issues". At that meeting, the consultant outlined the need to try and organize a tour of urban areas with City Council as a part of the annexation study. From a timing standpoint, it was preferable to try and accomplish this during the winter when leaves were no longer on trees and one could better see development which has occurred around the City of Asheville.

In order to coordinate the tour of urban areas, staff has organized to have a 24 passenger mini-bus to accommodate City Council, staff members and media on the proposed tour. It is anticipated that the tour will

take approximately three hours. Staff recommends that the tour begin around 12:30 p.m. on a Tuesday afternoon of a City Council formal meeting. At that time, staff will have a briefing of the tour agenda and lunch for City Council members. The tour itself would begin around 1:00 p.m. such that we would return to City Hall approximately three hours later.

The timing for the tour of urban areas is important in that this topic is proposed to be further discussed as a part of the City Council Retreat on January 29, 1999, and this background will be beneficial to City Council.

Mayor Sitnick 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 to schedule the tour for January 12, 1999, with January 26, 1999, being the alternate date.

### **ESTABLISHMENT OF A DEVELOPMENT ISSUES FORUM**

City Manager Jim Westbrook said that staff requests authority to establish a Development Issues Forum to provide a forum to discuss with the entire development community the City's development review process and regulations.

City staff would like to formalize their relationship with developers and the building/ construction community by establishing a Development Issues Forum. The purpose of the forum would be to discuss the City's processes beginning with land use through the issuance of Certificates of Compliance. Through the ongoing issues forum, staff could receive invaluable input on needed changes with development ordinances, create a better understanding of existing ordinances, seek input on recommended changes to the Unified Development Ordinance (UDO) and the Engineering Standard Specifications and Details Manual, and establish better lines of communication between the development community and City staff.

We feel having operated under the Unified Development Ordinance and Engineering Standard Specifications Manual for more than a year, it is an opportune time to establish a mechanism for discussion on these and other issues to take place. Other cities having completed major revisions to their UDO, Standard Specifications, and other development ordinances have found this a useful tool in helping the development community understand the ordinances and having the development community assist staff in understanding the impact, whether positive or negative, on them.

City staff would like to organize and insure participation by a broad spectrum of individuals and organizations in the development community. Knowledgeable persons from the Planning and Development Department, the Water Resources Department, the Building Safety Department, the Engineering Department and the Fire Department would be present to discuss issues. Staff sees this as an ongoing process and a means of receiving continuous feedback from the development community.

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The staff recommends that Council authorize staff to initiate and organize a Development Issues Forum for the purpose and reasons outlined above.

Mayor Sitnick 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 CITY MANAGER'S PARTICIPATION IN ASHEVILLE AREA CHAMBER OF COMMERCE'S POLITICAL INSTITUTE**

City Manager Westbrook said that beginning in January, the Asheville Area Chamber of Commerce will host a Political Institute, which is a nine week program to encourage and educate business people who are interested in running for public office or becoming more involved in political campaigns. He said a couple of

weeks ago Ms. Angie Chandler, with the Chamber of Commerce, asked if he would be agreeable to speak at the Institute on non-political issues. He agreed to it because he wanted to help the Chamber on any issue he could, however, because it was a political institute, he wanted to get City Council's approval first. He said that he would be speaking on the nuts and bolts of local government, council/manager form of government, etc. They have not asked that he speak on any other issue, however, he wanted to make sure there was no misunderstanding on the Council on what his role would be.

Ms. Angie Chandler explained that this program is a service to their members and aimed at educating business people on the political and the governmental process and how government works. Other government leaders participating in the program will be state representatives, County Manager Wanda Greene, representatives from local boards of education, and leadership from boards and commissions. She said that there will also be a session on people who are interested in running for public office or becoming more involved in political campaigns.

Councilman Cobb was uncomfortable in supporting the City Manager's participation in that he felt that this could be aimed at the three Council members who are coming up for election in the fall.

City Manager Westbrook said that since he did not have the entire support of City Council on his participation, he may decide not to participate. However, Mayor Sitnick felt that

maybe having an opportunity for input might be beneficial and Council could rely on City Manager Westbrook's experience to make his presentation.

Mayor Sitnick said that because of the particular timing of this request, along with the Council being under the threat of recall, there might be a feeling amongst some of Council that there is some hidden purpose for the Institute.

Ms. Chandler stressed that this is not directed at the City in that the Chamber has been looking at this for quite some time. The Institute was in their plan of action that was determined back in July and this is just part of their overall strategic plan.

Mayor Sitnick 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.

## **OTHER ISSUES**

### **Election Process**

At the request of Vice-Mayor Hay, City Attorney Oast was instructed to provide City Council with a brief report on the election process regarding general election to run-off rather -12-

than primary to general election. City Attorney Oast said that he will research that issue and advise City Council on whether they can make the change or if it requires legislative action. If it does require legislative action, Council can discuss that at their annual retreat in January.

### **Mayor's Roundtable on The Block**

Mayor Sitnick asked that the City Manager to begin the process of re-scheduling the Mayor's roundtable on The Block.

### **Public Comment**

Mayor Sitnick said that she would like to place an item on the next agenda regarding the reconsideration of

Council's policy regarding public comment. She said that she voted against the current policy and would like for it to be reconsidered.

**CLOSED SESSION**

At 4:52 p.m., Councilman Cloninger moved to go into closed session in order to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee - statutory authorization is N.C. Gen. Stat. 143-318.11 (a) (6). This motion was seconded by Councilman Sellers and carried unanimously.

At 4:57 p.m., Councilman Cloninger moved to come out of closed session. This motion was seconded by Councilman Sellers and carried unanimously.

**ADJOURNMENT:**

Mayor Sitnick adjourned the meeting at 4:57 p.m.

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CITY CLERK MAYOR

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