

## Staff Presentations

Staff presentation will be improved in terms of clarity and information, style of presentation and the amount of information. In cases where staff has presented a more detailed report in a worksession, they will present a brief highlight at a formal Council meeting, which would include to the best of their knowledge any controversial points. At both worksessions and formal Council meetings, staff would be prepared to answer any detailed questions Council may have based on their briefing or the written material provided.

Should Council desire to implement any of the above suggestions, staff will need to prepare changes to appropriate documents such as Council's Rules of Procedure.

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Staff recommends Council review the list of suggestions and give staff further direction on how they would like to proceed.

Councilwoman Whitmire suggested that when the public is asked to give their names, that their addresses not be asked, but just that if they live in the City of Asheville or in the extra-territorial jurisdiction.

Mayor Sitnick asked staff to encourage people to have proclamations presented outside the formal meeting, however, if proclamations are scheduled on the agenda that she will keep the proclamations brief and ask the person accepting the proclamation to speak briefly.

Mayor Sitnick said that she will make every attempt to start the meetings on time and when there is a recess called that it be held to the specific number of minutes stated for that recess. She also stated that if there is a quorum of Council present, she will begin the meeting if a Council member has not arrived yet. She also requested Council members notify the City Clerk if they find they will be late in attending a meeting.

Mayor Sitnick said that she will strictly adhere to the time limit requirements for speakers and urged City Council to refrain from asking questions of the speaker until their speaking time has expired.

City Manager Westbrook noted that staff presentations will be limited to 10 minutes and will be improved in terms of clarity and information, style of presentation and the amount of information. City staff is also working on possible revisions to the Unified Development Ordinance which will be brought back to Council as has been done in the past.

Councilman Worley suggested City Council set a time limit for formal Council meetings of 10:00 p.m. He said that after Council finishes the item they are currently considering, the rest of the meeting be continued to the next day, or the day after, or even the next worksession. Mayor Sitnick saw all kinds of logistical problems with Councilman Worley's suggestion and felt that perhaps a better job of scheduling items on the agenda could help alleviate lengthy meetings.

Councilman Hay encouraged City staff to review the possible UDO amendments and bring those forward to City Council with recommendations.

Vice-Mayor Cloninger felt that perhaps the public may not feel they are getting all the information if Council receives staff input for public hearings at the worksessions and then only receives a short explanation of the item at the formal public hearing.

Councilman Peterson spoke in support of delegating some conditional use permit authority to the Planning & Zoning Commission.

Vice-Mayor Cloninger felt that letters should not be read into the record, but just given to the City Clerk for inclusion. The City Clerk should then make a copy of that letter for all Council.

Councilman Worley felt that City Council should not require people to sign up for public comment because he felt it would deter people from speaking.

Councilman Worley suggested the public be able to comment on any items under the consent agenda, but only City Council have the authority to remove an item from the consent agenda.

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Upon inquiry of City Council, City Attorney Oast said that he would provide information regarding the appropriateness of receiving information on conditional use permits outside of the hearing.

### **BOARDS AND COMMISSIONS**

Councilman Hay gave a very brief update on the latest Future of the Civic Center Task Force meeting.

### **CONTINUATION OF MEETING**

At 6:10 p.m., Councilman Worley moved to continue the meeting until 7:00 p.m. in the Council Chamber of the City Hall Building for the public hearing on the future of the WNC Regional Air Pollution Control Agency and Board. This motion was seconded by Councilwoman Whitmire and carried unanimously.

### **PUBLIC HEARING ON THE FUTURE OF THE WNC REGIONAL AIR POLLUTION CONTROL AGENCY**

Present: Mayor Leni Sitnick, Presiding; Vice-Mayor M. Charles Cloninger; Councilwoman Barbara Field; Councilman Edward C. Hay Jr.; Councilman Brian L. Peterson; Councilwoman Terry M. Whitmire; and Councilman Charles R. Worley; City Attorney Robert W. Oast Jr.; City Manager James L. Westbrook Jr.; and City Clerk Magdalen Burlison

Also Present: Buncombe County Chair Tom Sobol; Commissioner David Gantt (arrived at 8:30 p.m.); Commissioner William H. Stanley; and Commissioner David W. Young

Mayor Sitnick reconvened the meeting and opened the public hearing at 7:00 p.m.

Mayor Sitnick said that originally the City Council and County Commissioners had anticipated holding a joint public hearing. However, the Commissioners only anticipated having two members present due to previously arranged travel plans. Since that time, some Commissioners changed their plans to make an effort to attend, however, proper legal notice could not be met. Therefore, this cannot be a joint meeting of both bodies. She does understand that the Commissioners anticipate having an opportunity for public comment sometime in the future.

The following individuals spoke in favor of keeping the WNC Regional Air Pollution Control Agency and Board independent and autonomous, that the City and County agree to this before June 30, 2000, that a new Interlocal Agreement be drawn up between Asheville and Buncombe County looking toward a future regional approach to air control which incorporate other counties and municipalities of WNC:

Dr. Lou Patrie, representing President of the WNC Physicians for Social Responsibility

Ms. Hazel W. Fobes, representing the Citizens for Safe Drinking Water and Air

(submitted statement for record)

Mr. David Stewart, President of Smart Growth Partners of WNC (submitted statement for record)

Ms. Rachael Queen, representing Taxpayers for Accountable Government

Mr. Arlis Queen, City representative on the WNC Regional Air Pollution Control Board, but speaking only as an individual and not for the Board

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Mr. James Gaddy

Ms. Abby Gage, representing the Buncombe County League of Women Voters and Chair of the Environmental Committee

Mr. Don Yelton

Mr. Jeff Fobes, Publisher of Mountain Xpress newspaper (submitted 19 letters from industries in support of current WNC Regional Air Pollution Control Agency)

Ms. Susan Hutchinson, representing the WNC Alliance and Chair of the Clean Air Task Force

Mr. Brett Boyce

Mr. Mickie MaHaffey

Dr. Rick Maas, County representative on the WNC Regional Air Pollution Control Board, but speaking only as an individual and not for the Board

Ms. Kitty Boniske, member of the Buncombe County Environmental Affairs Board, but speaking only as an individual and not for the Board

Mr. David Herbert, representing the Clean Water Fund of North Carolina

Mr. Ed Stine

Ms. Dee Eggers, faculty member of UNC-A in the Environmental Studies Program, but speaking only as an individual and not the University or Program

Ms. Barber Melton, President of the Coalition of Asheville Neighborhoods

Ms. Beth Fogleman, Co-Chair of Active Students for Healthy Environment at UNC-A

Mr. Keith Thompson

Ms. Susan Andrew

Mr. Ted Prosser

Mr. Gary Semlak

Ms. Candice Carr, Student at UNC-A (submitted statement for record)

Ms. Elizabeth Bennett

Ms. Huma Alvarado, Student at UNC-A studying Environmental Science

Ms. Julie Brandt

Ms. Eileen Wilson, Board of Directors for the Board of Trustees of the local Audubon

Chapter

Mr. Mike Lewis

Mr. John Yarnell

Ms. Brenda Robinson, Environmental Task Force of the Social Action Committee of the

Unitarian Church

Ms. Laura Whitley (submitted a statement for the record)

Mr. Jack Fobes

Ms. Sarah Blankenship

Ms. Nancy Lance Hanover

Mr. Jerry Rice

Ms. Sharon Martin

Mr. Bob Tinkler (submitted statement for record)

Mr. Bob Camby, Director of the WNC Regional Air Pollution Control Agency, but

speaking as an individual

Ms. Nelda Holder, Chair of the WNC Regional Air Pollution Control Board, but speaking only as an individual and not for Board, said whatever model is chosen, she had some requests: (1) the Fund Balance would be dedicated as it is now to air pollution control activities; (2) the revenue stream, including permit fees, gasoline tax allocation, fines, and grants continue to be dedicated solely for the purpose of air pollution control activities; (3) the civil penalty procedure will at minimum be maintained and potentially be strengthened; (4) in terms of staffing levels, the present comprehensiveness of inspections, monitoring, enforcement and other service be maintained; (5) the citizens will always be guaranteed a place at the table in developing and

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reviewing policy; (6) the advisory council will remain focused on consensus building between environmental, industrial, health, and scientific communities; and (7) the strategic planning continue. She submitted her

statement for the record.

Councilman Hay entered into the record a series of letters from the following people who support continuation of the Agency and Board as it currently is: Mr. James Hall, Mr. Brian Cole, Ms. Doesha McDade, Ms. Linda King, Ms. Carolina McCready, Deaconess Debra Sue Chenault, Ms. Chitra Alvarado, Ms. Karin Heiman, Ms. Judy Williamson, Mr. Alex Page, and Ms. Gina Parise.

Chairman Sobol said that there is no question about keeping the Agency a local agency. The staff recommendation to put this under a County department is only a staff recommendation. There is no proposal on the table right now. They do feel strongly that they owe it to everyone that is concerned to be heard. There will be a meeting set up shortly with the Mayor and others to reach some type of working agreement. The Commissioners are concerned that if this remains an autonomous board that there be some performance measures and benchmarks which do not exist at this point. They will try to work on this as quickly as possible. He stressed that this is not a political issue.

Commissioner Young said that as they start discussions with City Council, they will take into consideration all the comments heard tonight and put together a strong organization that can clean up the air. He said that if it is set up between the City and County, it should be structured to allow other counties to join in. He is in favor of seeing the City and County work together and then to work regionally.

Commissioner David Gantt was in support of an autonomous policy-making board. He felt we needed the best air quality here and we need to encourage other governing units to join us so we have more leverage, more political impact and we can do a better job with more people involved. He encouraged the audience to also come to the County Commissioners' public hearing to be scheduled.

Commissioner Bill Stanley stated that he wanted to protect the mountains.

Councilman Worley was in support of the regional aspect of this issue and felt we need to invite and encourage other regional partners to join us for the protection of our air.

Councilwoman Field noted at we all care about our air quality and the decision which needs to be made is what is the best way to get there. She felt that we need to challenge whatever structure is set up to meet the attainable goals and to also balance that with the needs of the rest of the community.

Mayor Sitnick thanked the members of the County Commissioners for attending as well as the City Council and citizen activists. It has been made clear tonight that the environment is no longer and never should have been a political issue. What matters is that we move forward together in the spirit of cooperation. We need to double our efforts to lobby the federal and state governments to make sure that what we do from now on keeps the air from being polluted. Prevention is cheaper than clean-up. She said that whatever the Environmental Management Commission re-confirms, if it isn't working, she will lead the charge to make changes.

### **ADJOURNMENT:**

Mayor Sitnick adjourned the meeting at 10:04 p.m.

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CITY CLERK MAYOR

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