
KEY RECOMMENDATIONS

- Make a strong recommendation to the City Council and MPO that the alternative alignment developed at the Design Forum receive serious study for inclusion in the project Environmental Impact Statement.
- Make a strong recommendation to the City Council and MPO that the NCDOT, FHWA and local citizens work together as a "Committee on Visual Design" to develop ideas for bridge design, signage, overpass design, landscaping and other aesthetic issues that reflect our community's character.
- Make a strong recommendation to the City Council and MPO that the NCDOT and FHWA expedite the development of new and updated traffic models for use on the ultimate design of this project, including regional air quality modeling.
- Make a strong recommendation to the City Council and MPO that the NCDOT and FHWA explore engineering and signage options to improve the north-to-east connection of eastbound I-26 traffic with I-40 in an easterly direction as part of this project or a simultaneous project. The specific concerns involve limiting commercial truck through-traffic on I-240 and on lesser-classified roadways proximate to residential areas.
- Make a strong recommendation to the City Council and MPO reflecting the Committee's general consensus that the bicycle and pedestrian connectivity be restored to link neighborhoods and the river while simultaneously exploring traffic calming measures to reduce the vehicular impact on residential streets.
- Make a strong recommendation to the City Council and MPO that the NCDOT and FHWA ensure that all interchange design is community sensitive. To achieve this end, it would be helpful to provide artist's renditions of feasible design alternatives for public review.
- Make a strong recommendation to the City Council and MPO that the NCDOT and FHWA seriously examine safety issues in project construction and design including maintenance of traffic during construction and emergency access after construction.
- Make a strong recommendation to the City Council and MPO that the NCDOT and FHWA release any unneeded right-of-way at the completion of this project to the City of Asheville to be zoned and used in accordance with a land use plan to be developed by the City in cooperation with the NCDOT.

-19-

- Make a strong recommendation to the City Council and MPO that the NCDOT and FHWA

keep the I-26 Connector project on its current or, preferably, an expedited schedule.

Section 3 - Potential Tradeoffs

We realize that the achievement of our design goals involves tradeoffs. While the accomplishment of some of them may reduce construction costs, the accomplishment of others may increase the overall cost of the project. Aesthetic improvements may carry their added costs. In order to produce a separation of Patton Avenue from I-240, there may need to be additional bridging of the French Broad River which carries with it

some visual impact. New and improved traffic and air quality modeling, though providing a more accurate picture of transportation system needs, could slow key decisions about capacity and design speed.

In another areas, the selection of a lower design speed to minimize neighborhood impact may affect travel time. Fewer lanes may create challenges to planning for maintenance of traffic during construction. Shrinking the footprint of the highway could result in a more "engineered" highway in terms of landscaped medians and grade differentials between east and west travel lanes.

It is too early in the process to fully understand the costs and benefits of each alternative design for the project. We mention some possible costs we have considered in order to demonstrate our awareness of them, in order to enhance our capability for addressing them, but most of all, in order to express that, despite the potential tradeoffs, we as a community are united in support for achieving our set of project design goals.

Section 4 - Design Forum Background

In December 1999, the Asheville City Council, in response to active and continuing citizen involvement, requested City staff to formulate plans for a community design process related to the I-26 Connector Project that would allow extensive public input while keeping the project on schedule. A month later, the North Carolina Department of Transportation joined the City in this effort by agreeing to incorporate the idea of an I-26 Connector Design Forum into its public involvement program. It was seen as an opportunity to enhance community-wide input from Asheville area citizens to the design of the I-26 Connector. This, in turn, would expand on recent efforts to solicit neighborhood-based involvement.

In April 2000, the North Carolina Department of Transportation and the City of Asheville agreed to create a Community Coordinating Committee (CCC) to guide this public participation in the design process. In addition to planning the design process format, the composition of the CCC would help achieve community consensus in the identification and interpretation of key issues. Representatives from a broad base of community organizations as well as project stakeholders were chosen to comprise the CCC. The design process they selected took place in two stages.

During mid-June, an Education Forum was held to inform the public about project design issues. This was attended by over 300 people who listened to expert presentations and participated in project component breakout sessions.

In late July, an intensive two-day Design Forum was scheduled to draw from the public both general design concepts and specific design ideas. This Forum attracted between 500-600 community residents over the two-day period. It was staffed by representatives of the Federal Highway Administration, North Carolina Department of Transportation, City of Asheville, the

-20-

American Institute of Architects, and several independent consulting engineers and community mediators. Fred Craig, Vice President of Parsons Brinkerhoff's Ohio office, acted as overall Forum facilitator.

The overwhelming sense from participants was one of appreciation for the privilege of taking part in the process. Repeatedly stated was the fact that this highway project could either impose negative impacts or provide beneficial opportunities for the community. Continuing citizen input to defining design criteria was seen as central to maximizing project benefits while minimizing the costs. This report by the CCC contributes to its ongoing function - that of translating community concerns into specific goals which can be achieved through integration into ultimate project design.

Mayor Sitnick praised the Committee for their hard work in compiling this report.

Councilman Peterson said that this is a good example on how citizens can get involved with a project and make a difference.

Councilwoman Field agreed that this was an excellent process. She questioned the issue of who will pay for this, i.e. if Patton Avenue is turned back into a City street, the City takes over a lot of costs that the City doesn't have right now.

Mr. Bissette responded that there is no way to know what the costs are, or whether the project will be within budget. That is something that will need to be worked on as the process continues. He believes that the N.C. Dept. of Transportation wants this to be a success and they want to address as many of the goals as they can and they want to do it within their budget.

Mr. Mickie MaHaffey asked if there was an expected timetable from this point on. Mr. Bissette said that he hoped that the environmental impact statement would be released sometime next year.

In response to an additional question by Mr. MaHaffey, Mr. Newman said that they have asked the NC DOT to perform a new air quality model that will help us determine which of the different scenarios will minimize impacts to air quality.

Mr. Alan Basist spoke in support of bringing 12 acres into the business district in that it will enhance the tax base of Asheville and promote people to want to live in downtown Asheville

Councilwoman Field said that she had some wording issue concerns and felt that perhaps there were too many items on the list and it should be narrowed down to 3-4 top priorities.

Vice-Mayor Cloninger felt that since this report is what the collective community has come up with, that Council should support their recommendations.

Ms. Betty Lawrence spoke in support of the process to date. She felt the report shows the NC DOT that we are aware of the whole situation and that there will be things that the NC DOT will do and there will be things that the City wants to do in order to make the Plan reasonable. Just to look at what the NC DOT's responsibilities would be would leave them feeling as though we want them to fix everything for us.

Councilwoman Field said that she would not vote against this report because the process arriving at this was great. But, she wanted to note that she had concerns about some wording.

-21-

Mayor Sitnick said that members of Council have been previously furnished with a copy of the resolution and it would not be read.

Mayor Sitnick moved for the adoption of Resolution No. 00-168. This motion was seconded by Councilwoman Bellamy and carried unanimously.

RESOLUTION BOOK NO. 25 – PAGE 171

B. ORDINANCE AMENDING THE CURRENT TAXICAB ORDINANCE INCLUDING THE IMPLEMENTATION OF A NEW TAXICAB RATE SCHEDULE

Revenue Manager Deborah Crowder said that this is the consideration of a revision of the current taxicab ordinance including the implementation of a new rate table.

N.C. Gen. Stat. sec. 160A-304 allows a city to license and regulate all vehicles operated for hire in the city.

Staff has reviewed Sec. 18 of the City of Asheville Code which sets forth the provision for regulation of taxicab businesses and drivers and several minor changes have been made to bring the Code up-to-date. For example, the current language of the Code requires a vehicle to have seat belts and heaters. The revision changes the language to terms like standard safety devices, and also includes the provision for air conditioners. Other terminology changes are *medallion* to *insignia*, *Motor Transport* to *Fleet Management*, etc. The driver's renewal period has been changed from the December 31 and June 30 dates to allow expiration one year from the date of issue.

The taxicab rate schedule, formerly included in the City's Fees and Charges Manual, has been revised and moved to the Appendix of the City Code. The last rate change was approved in 1987. The schedule is removed from the Fees and Charges Manual because taxicab rates are not fees paid to the city. They are amounts paid, by the customer, to the business. The Fees and Charges Manual retains those amounts paid to the city, by the business or driver, that are associated with the regulation of taxicab businesses and drivers.

City staff recommends Council adopt the revised ordinance and rate schedule.

At the September 5, 2000, worksession, it was the consensus of City Council to raise the rates to \$1.80/drop; \$1.70 per mile; and \$4.35/1.5 trip. In addition, the minimum total fare shall not be less than \$3.00. In addition, it was the consensus of Council to raise the insurance requirement to \$100,000/person; \$300,000/accident; and \$50,000/property.

City Attorney Oast passed out to Council some technical amendments to the taxicab ordinance which he would incorporate if Council concurred with the amendments. He said that state law does require that regulation of taxicabs be done by franchise. He said that in order to operate a taxicab business in the City, Council would be required to issue a franchise, which does require voting at two different meetings. Any amendments to that franchise, however, would just be a single vote.

Councilman Worley said that he received a call from Mr. Craig Justus, attorney for one of the taxicab companies, and he expressed the concern that the increase in insurance rates will cause an \$1,100 per vehicle increase in the insurance rates and he was concerned as to whether or not the City staff took that into consideration in looking at the increase in rates.

-22-

Ms. Crowder said that Mr. Justus' concern was considered and the City's Risk Manager John Miall assisted them in arriving at the proposed insurance costs. Mr. Miall then responded as to why he agreed with the higher insurance rates.

Upon inquiry of Mayor Sitnick, Ms. Crowder reviewed with Council the insurance rates of cities they polled.

Discussion surrounded if the proposed rate increase would make up for the increased insurance coverage requirement.

Mr. David Crook said that he was struck by a taxicab over two years ago and is still disfigured and disabled. He noted that he still owes hospital bills and urged Council to go with the higher insurance requirements.

Mr. Craig Justus, representing one of the taxicab companies, said that he was told that at the public information meeting, the position of staff was to increase the rates, not to increase the insurance. He was told that the insurance increase was never presented to the taxicab owners. He said that the change in staff position came out of the comments from Mr. Crook made at the public information meeting and then staff started to research the issue. He said that it was then that staff came up with the insurance coverage

increase and presented them to City Council at their 9-5-00 worksession. He said they strongly support the rate increase but feels that they have not had an opportunity to review the insurance increase.

After discussion, Vice-Mayor Cloninger moved to continue this matter until October 10, 2000, in order to give staff ample time to have another public input session to discuss the rate increase and insurance coverage increase requirement. This motion was seconded by Councilman Worley and carried unanimously.

C. RESOLUTION ESTABLISHING THE MINIMUM PRICE AND DIRECTING THE CITY CLERK TO ADVERTISE A REQUEST FOR PROPOSALS REGARDING THE DEVELOPMENT OF EAST END PLACE SUBDIVISION

This matter was pulled from the agenda to be re-scheduled on September 26, 2000.

At this time (7:15 p.m.) Councilwoman Bellamy left the meeting.

D. RESOLUTION NO. 00-169 - RESOLUTION APPROVING POLICIES AND PROCEDURES FOR THE CITY'S HOUSING TRUST

Ms. Charlotte Caplan, Community Development Director, said that this is the consideration of a resolution approving policies and procedures for the Housing Trust Fund, and the request for proposals for Fiscal Year 2000-2001 projects.

On June 13, 2000, City Council approved an allocation of \$400,000 in the Fiscal Year 2000-2001 City Budget to create a Housing Trust Fund. This report proposes:

- 1) General policies and procedures for the management and use of the Fund;
- 2) A request for proposals (RFP) for FY 2000/01 from developers of new housing for rent or for homeownership.

-23-

These documents have been developed by staff after discussion with stakeholders, including housing non-profits, real estate professionals, and developers, and have been approved by the Housing and Community Development Committee.

The key features are mainly as proposed to Council before the creation of the Trust Fund, and include:

- o Creating a permanent fund to assist in developing and preserving affordable housing;
- o Allowing a wide range of eligible uses in principle, with more specific targeting in each year's RFP;
- o Project selection to support the Consolidated Plan and Smart Growth policies;
- o Assistance in the form of loans, not grants, with flexible repayment terms;
- o No Trust Funds to be used for administration, at least for the first year;
- o General oversight and project selection by the Housing and Community Development Committee

City staff recommends City Council approve the resolution adopting policies and procedures for the Housing Trust Fund and the types of projects to be the subject of a request for proposals this year.

At the September 5, 2000, worksession, City staff added sole proprietorships to the types of entities that will be eligible to apply for assistance from the Fund.

Councilman Hay noted Councilwoman Bellamy's disappointment that the structure of this allows the City to be an applicant for Housing Trust Fund monies. It is his understanding from Ms. Caplan that the City does not have any plans proposed, at least this round. He said there really may be opportunities to leverage this money, which is one of the objectives, and it may be that the City is the appropriate one to best leverage what we have. He would hate to foreclose that as a possibility in the future by eliminating that from our structure. We can do that on an ad hoc basis and if it seems inappropriate, then City Council does not have to approve it.

Mayor Sitnick said that members of Council have been previously furnished with a copy of the resolution and it would not be read.

Councilwoman Field moved for the adoption of Resolution No. 00-169. This motion was seconded by Councilman Worley and carried unanimously.

RESOLUTION BOOK NO. 26 – PAGE 173

VI. OTHER BUSINESS:

A. CLAIMS

The following claims were received by the City of Asheville during the period of August 18-25, 2000: George McCracken (Water), Eleanor Hall (Water), Eugene Hadden (Water) and Renee Falls (Water).

The following claims were received by the City during the period of August 26-31, 2000: Ten Thousand Villages (Water), Thomas Reek (Water), Agnes Bergstrom (Water), Robin Hempel (Water), John Ludovico (Water), Clarence Benton (Sanitation) and Steve Hudzik (Police).

-24-

The following claims were received by the City during the period of September 1-7, 2000: Ruth Smith (Streets) and Ronald Hess (Water).

These claims have been referred to Asheville Claims Corporation for investigation.

VII. INFORMAL DISCUSSION AND PUBLIC COMMENT:

A. ENFORCEMENT OF SIGN ORDINANCE

At the request of Councilwoman Field, it was the consensus of City Council to ask the City Attorney to review the recent legislation regarding when people can begin voting to see if our ordinance with regard to enforcement of political signs needs to be clarified.

B. COMMENTS BY MS. SHIRLEY DOZIER

Ms. Shirley Dozier read a prepared statement alleging, among other things, (1) trespass and inverse condemnation for their property at 52 Short Street; (2) illegal down zoning and split zoning of their single lot on Montford Avenue; and (3) harassment by City inspectors.

Mayor Sitnick suggested Ms. Dozier meet with the City Attorney to discuss her complex issues regarding the City.

City Attorney Oast said that he would be happy to meet with Mr. and Mrs. Dozier and has even suggested to them that if they feel like they have a legal claim, that is remedial by the City, that they take it through the proper administrative or judicial channels. City Attorney Oast also said that if the Dozier's have engaged an attorney, he would be glad to meet with them and discuss the legal issues involved.

C. MILLION FAMILY MARCH

Mr. James Muhammad, local Co-Chairman of the local organizing committee of the Million Family March Inc, to be held on October 16, 2000. He presented to City Council the Million Family March program and asked if the Mayor would be willing to endorse the Million Family March.

Mayor Sitnick suggested Mr. Muhammad call her office to discuss the request.

D. COMMENTS BY MICKIE MAHAFFEY

Mr. Mickie MaHaffey, representing Peacemakers, commented about the repeated incidents of police misconduct.

VIII. ADJOURNMENT:

Mayor Sitnick adjourned the meeting at 7:55 p.m.

CITY CLERK MAYOR
