

Worksession

Present: Mayor Charles R. Worley, Presiding; Vice-Mayor Terry M. Bellamy; Councilman Joseph C. Dunn; Councilman James E. Ellis; Councilwoman Diana Hollis Jones; Councilman R. Carl Mumpower; and Councilman Brian L. Peterson; City Attorney Robert W. Oast Jr.; City Manager James L. Westbrook Jr.; and City Clerk Magdalen Burleson

Absent: None

CONSENT:

Resolution setting a Public Hearing on May 28, 2002, for the Voluntary Annexation of Reynolds Mountain Subdivision, Phase I

Budget Amendment for Mobile Safety House Grant from Federal Emergency Management Agency

Summary: The consideration of a budget amendment, in the amount of \$52,277, to receive grant money from the Federal Emergency Management Agency (FEMA) for a mobile safety house and associated equipment.

The City of Asheville Fire and Rescue Department requested \$52,277 from FEMA for the purchase of a mobile safety house and associated equipment. Staff was successful in obtaining those funds and was awarded Federal grant EMW-2001-FG-06774. The grant provides 70% of the total project, with the remainder from Fire Department's operating budget.

The safety house is primarily designed to educate adults about fire safety and home safety. Part of the mobile house is also to educate the public about residential fire sprinkler systems.

City staff recommends City Council approve the budget amendment to receive grant money from FEMA.

Contract to Audit City Accounts

Summary: The consideration of a resolution authorizing the Mayor to execute a contract with Crisp Hughes Evans LLP, Certified Public Accountants, for auditing services for Fiscal Year 2001-2002.

N.C. General Statute sec. 159-34 requires that local governments of North Carolina have their accounts audited each fiscal year and submit a copy of the audit to the Local Government Commission.

In 1998 the City solicited proposals from 36 accounting firms to perform the City's annual audit. City Council selected Crisp Hughes Evans LLP to conduct the Fiscal Year 1997-98 audit and has re-engaged them annually through Fiscal Year 2000-2001. They completed all of those engagements in a satisfactory manner and have now submitted an engagement letter for the Fiscal Year 2001-2002 audit. The base fee has been proposed at \$54,000 (this is the same fee as last year and \$700 less than two years ago). Funds are appropriated in the budget of the Accounting Division of the Finance Department.

City staff recommends City Council adopt the resolution, which authorizes the Mayor to execute a contract with Crisp Hughes Evans LLP for auditing services for Fiscal Year 2001-2002.

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Budget Amendment for Master Street Tree Plan, Phase III

Summary: The consideration of a budget amendment, in the amount of \$10,000, from a grant from the North Carolina Department of Environment and Natural Resources for implementation of the Master Street Tree Plan, Phase III.

The City of Asheville applied for funds in August 2001 for a grant from the North Carolina Department of Environment and Natural Resources, Division of Forest Resources in the Urban and Community Forestry Grants Program. The grant was recently awarded in the amount of \$10,000 and designated for implementing the next phase of the Master Street Tree Program (MSTP) in the east area of Asheville.

The Parks and Recreation Department has completed the first two phases of the MSTP, and the Public Works Department

will complete the remaining phases. Once complete, the MSTP will be an inventory of all the street trees on City right-of-ways located within the City limits of Asheville. The existing inventory is almost fifteen years old and does not accurately reflect the trees of the City. The next phase of the process will identify the location, size, condition, and site conditions of trees located in the east area of Asheville. The MSTP will serve as a critical link in developing a long term management plan for Asheville's urban trees, provide information for future tree planting and forestry planning, and provide educational and volunteer opportunities for community organizations.

The Parks and Recreation Department recommends City Council to approve the budget amendment in the amount of \$10,000 to establish a budget for the next phase of the MSTP.

Youth Employment Program

Summary: The consideration of accepting a proposal by Community Solutions for Youth Employment to fund and manage the Youth Employment Program for the Summer of 2002, and approval of a budget amendment, in the amount of \$37,400, to fund the program.

Community Solutions for Youth Employment (CSYE), part of a multi-agency support system for high risk youth ages 14 – 21 years of age, was informed of the City's inability to continue its youth employment program for 2002 due to budget constraints caused by State revenue shortfalls. CSYE is a program of Eliada Homes, Inc. CSYE, in cooperation with the Parks and Recreation Department, immediately began work to determine the best way to continue funding the youth employment program.

CSYE is proposing to fund summer jobs for 26 youth for eight weeks at 30 hours per week. In addition, CSYE agrees with the department that employment for these youth is only one part of the overall assistance that they need and therefore has agreed to manage the program for the Department at no additional cost. This management will include: recruitment of applicants, application activities, recruitment of employers in addition to the City of Asheville, interviewing activities, hiring, pre-employment training and orientation, job retention activities, mid-summer training, and volunteer placement for any additional youth needing experience but not included in the employment process. CSYE staff will provide weekly onsite contact with each youth employee to monitor their work and to supply support. CSYE will conduct an evaluation of the program. A special event at the end of the eight weeks is planned to celebrate the successful conclusion of the program.

The City of Asheville will accept a grant from the Community Solutions for Youth Employment for \$37,400 to fund the cost of the program. The City of Asheville will use these funds to pay the wages and social security for each youth and provide pre-employment drug

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screening. Cost to the City will be the staff and time necessary to process payroll and to administer the drug screening program.

Traditionally, youth employed through this program have worked in a number of different City Departments including Parks and Recreation, Fire, Public Works and Human Resources.

The Parks and Recreation Department recommends that the City accept the proposal and grant funds from CSYE for the 2002 summer youth employment program and approve the budget amendment to fund the program.

Upon inquiry of Vice-Mayor Bellamy, Superintendent of Recreation Butch Kisiah explained the recruitment procedure.

Provisions for Possession & Consumption of Malt Beverages and/or Unfortified Wine at Goombay Festival, Greek Festival, Asheville Mountain Sports Festival, Asheville Downtown Association's events and the Bele Chere Festival

Summary: The consideration of resolutions making provisions for the possession and consumption of malt beverages and/or unfortified wine at the following events: 2002 Goombay Festival, 2002 Mountain Sports Festival, 2002 Greek Festival, Asheville Downtown Association's 2002 events and Bele Chere 2002.

The Asheville Goombay Festival is a unique celebration of African heritage and traditions. The Festival is co-sponsored by the Asheville Parks and Recreation Department and will be held August 23-25, 2002. The 2002 Goombay Festival has requested permission to allow possession and consumption of beer and wine during these events as they have been allowed in the past.

The Asheville Greek Festival is a unique celebration of Greek heritage and traditions at City/County Plaza. The Festival is co-sponsored by the Asheville Parks and Recreation Department and will be held September 27-29, 2002. The 2002 Greek Festival has requested permission to allow possession and consumption of beer and wine during these events as they have been

allowed in the past.

The Asheville Mountain Sports Festival is a unique combination of competitions and demonstrations throughout Asheville. The Festival is co-sponsored by the Asheville Parks and Recreation Department and will be held September 27-29, 2002. The 2002 Mountain Sports Festival has requested permission to allow possession and consumption of beer and wine during these events.

For many years, the Asheville Downtown Association has co-sponsored with the City of Asheville events to bring both the public and visitors to the downtown area. These events include: *Moonlight Over Downtown* and four *Downtown After Five* activities. The Asheville Downtown Association has requested permission to allow possession and consumption of beer and wine during these events as they have been allowed in the past.

For many years, the Bele Chere Board in cooperation with the Asheville Parks and Recreation Department has produced Bele Chere to bring both the public and visitors to the Downtown area. This year the request is being made for July 26-27, 2002. The Bele Chere Board and Asheville Parks and Recreation has requested permission to allow possession and consumption of beer and wine during this event as they have been allowed in the past.

The Asheville Parks and Recreation Department recommends approval of the resolutions to authorize the possession of malt beverages and/or unfortified wine for the above-mentioned events at specific locations and times noted in the resolutions.

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Vice-Mayor Bellamy asked that these be voted on separately at the next formal meeting.

Grant from U.S. Dept. of Justice for Three New Police Officer Positions

Summary: The consideration of a resolution authorizing the City Manager to apply for a federal grant from the U.S. Department of Justice to fund three new police officer positions.

The City is eligible to receive a \$225,000 grant from the U. S. Department of Justice, Office of Community Oriented Services, to fund three new police officer positions for a period of three years. It is intended to assign three police officers to provide additional police services to the City's public housing communities. In consideration thereof, the Housing Authority of the City of Asheville has agreed to provide \$107,736 for the required local cash match. No City funds are required for the match.

City staff recommends City Council authorize the City Manager to apply for and enter into an agreement with the U.S. Department of Justice to fund three new police officer positions.

Police Chief Will Annarino answered various questions from Council regarding these three positions.

Mayor Worley 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.

I-26 CONNECTOR UPDATE

Metropolitan Planning Organization Coordinator Dan Baechtold said that this is a presentation to City Council on the traffic projections to be used in the design of the I-26 Connector Project.

Mr. Baechtold said that Stantec Consulting, traffic consultant from Raleigh, recently completed an update to the traffic model for the Asheville urban area. The traffic model is a computer simulation of traffic patterns that predicts traffic volumes on major streets and highways over the next 25 years. This traffic data will be used as the basis for designing the I-26 Connector project in Asheville. Stantec had a contract with the City of Asheville in the amount of \$145,300 to produce this product. Eighty Percent (80%) of this cost was paid for with federal funds. The City of Asheville provided the local match of twenty percent (20%) in the amount of \$29,060.

He said the traffic model presentation would also be given to the Community Coordinating Committee, which is the citizen's group that has been working with the NCDOT on the design of the connector project. That presentation will take place on the morning of May 7th. The following day, on May 8th, the presentation will be given to the Transportation Advisory Committee for the Asheville Area MPO (TAC). The TAC serves as the body that provides local input to the NCDOT. The TAC will be asked, after their public hearing on May 16, 2002, to give their input to the NCDOT.

Mr. Drew Joyner, with the N. C. Dept. of Transportation (NC DOT) Project Development and Environmental Analysis Department, explained that for the past 1-1/2 years they have (1) added I-26/I-40/I-240 interchange; (2) updated the I-26 Connector website; (3) added two new alternatives – beginning functional design and completing field studies for environmental impacts; (4) worked with NC DOT staff to provide visualization of project alternatives; and (5) updated the Asheville Urban Area Traffic Model.

The traffic data was one of the factors used to determine the number of lanes that will be built through West Asheville. He explained the results of the traffic model stating that the NC

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DOT would like to continue forward with their planning. Since the NC DOT now has the information they need to make a determination on the number of lanes, and in order to move forward, the NC DOT recommends an 8-lane cross-section on I-240. After the TAC provides input to the NC DOT, then Stantec will be able to provide NC DOT with updated full traffic forecasts. After receiving that information from Stantec, then the NC DOT can work on detail functional designs for each of the four alternatives.

Ms. Beverly Williams, Asheville Coordinator for the NC DOT Statewide Planning Branch, explained some specifics of the traffic model, noting that City staff provided the housing, land use and employment data. She reiterated that the NC DOT recommendation is that this portion of the project receives an 8-lane cross-section on I-240. She noted that the NC DOT is not asking for concurrence on the larger I-26 Connector at this time, just the I-240 west traffic.

NC DOT and Stantec representatives answered various questions from Council with regard to the traffic model, some being, but are not limited to: how much is through trip traffic; was peak traffic considered in the model; what does the different level of services mean; what is the existing level of service; how many people would be relocated; any consideration in the traffic model for public transportation or new railway; will a short delay of a decision from the TAC slow the project down from its anticipated 2008 construction date; and what happens if the TAC makes a recommendation of 6 lanes.

Councilwoman Jones, member of the TAC, asked for Council's support to ask the TAC to postpone their decision for at least 30 days in order for members to hear more from the public and understand the project more fully. She stressed that this request is not to delay the project.

After discussion, it was the consensus of City Council to add on the formal meeting agenda next week a discussion of a 30-day extension regarding the I-26 connector.

On behalf of Council, Mayor Worley thanked the NC DOT and Stantec representatives for their presentation.

STANDARDS FOR LIGHTING OF MOST NON-RESIDENTIAL DEVELOPMENT

Planning and Development Director Scott Shuford said that this is the consideration of an ordinance to amend the Asheville Standard Specifications and Details Manual to establish standards for lighting of parking lots, outdoor display areas, vehicular canopies and similar activities/uses to ensure adequate safety, night vision, and comfort and not cause excessive glare onto adjacent properties and public street rights-of-way.

Citizens have consistently identified glare and light trespass as an adverse impact of non-residential development. In addition, citizens have expressed concern about the "over-lighting" of uses such as gas stations and convenience stores. In response to these concerns, the staff of the Public Works and Planning and Development Departments have worked with staff of CP&L to develop lighting standards designed to ensure adequate lighting for all uses while minimizing glare and light trespass. The ordinance establishes general lighting standards and specific standards for the following uses:

- Parking lots and outdoor areas;
- Vehicular canopies;
- Outdoor display areas;
- Outdoor sports fields and performance areas;
- Parking decks; and
- Signs.

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The goal of the proposed standards is to provide developers, contractors, and property owners with standards that will ensure adequate lighting for the development being proposed while minimizing adverse impacts on adjacent properties and public

rights-of-way caused by glare and light trespass. The City staff was fortunate to have the assistance of a lighting expert employed by CP&L to assist in the development of the lighting standards. Our goal was to provide reasonable standards that would meet the needs of and benefit the entire community.

The Public Works and Planning and Development staff recommend approval of the ordinance establishing lighting standards for the City of Asheville.

Mr. Shuford noted that before staff requests final action by Council they will run the ordinance through a focus group which will include neighborhood representatives and people in the lighting industry. After that focus group reviews the changes, they will bring the final ordinance before Council for action.

PUBLIC COMMENT AT PUBLIC HEARINGS

When Councilman Dunn asked if any suggestions have been forthcoming on how to structure public comment at public hearings, Mayor Worley replied that Council members have not given him any input but would welcome such input.

CLOSED SESSION

At 5:04 p.m., Councilman Mumpower moved to go into closed session to consult with an attorney employed by the City about matters with respect to which the attorney-client privilege between the City and its attorney must be preserved, including lawsuits involving the following parties: City of Asheville, Kenneth Bowman, Joseph Boerner and others. This is the City's appeal of the Civil Service Board decision on the police officer pay grievance and unless a request is made, the list of about 25 names will not be read. The City Attorney has a written list of the names if anyone wants to see it. The statutory authorization is contained in G.S. 143-318.11(a)(3). This motion was seconded by Councilman Dunn and carried unanimously.

At 6:20 p.m., Councilman Ellis moved to come out of closed session. This motion was seconded by Councilman Dunn and carried unanimously.

At 6:20 p.m., Mayor Worley recessed the meeting to be reconvened at 6:30 p.m. at the Asheville City Schools Administrative Offices at 85 Mountain Street.

JOINT CITY COUNCIL/SCHOOL BOARD MEETING

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At 6:30 p.m., Mayor Worley reconvened the meeting at the Asheville City Schools Administrative Offices to hear the State of the System address by Superintendent Robert L. Logan.

ADJOURNMENT:

Mayor Worley adjourned the meeting at 9:00 p.m.

CITY CLERK

MAYOR