

Worksession

Present: Mayor Charles R. Worley, Presiding; Vice-Mayor Terry M. Bellamy; Councilman Joseph C. Dunn; Councilman James E. Ellis; Councilwoman Diana Hollis Jones (arrived in meeting at 3:48 p.m.) Councilman R. Carl Mumpower; Councilman Brian L. Peterson; City Attorney Robert W. Oast Jr.; City Manager James L. Westbrook Jr.; and City Clerk Magdalen Burleson

Absent: None

CONSENT:

Budget Amendment – Section 108 Guaranteed Loan & Economic Development Incentive Grant

After a brief discussion, it was the consensus of City Council to delay consideration of the budget amendment for two weeks in order to give Eagle/Market Street Development Corporation, the neighborhood and interested people an opportunity to meet and discuss concerns. When the matter comes back to Council, City Council asked for additional information concerning the grant, South Pack Square Redevelopment Plan, a timeline for the public input process, and what is Council's role in receiving the grant.

Budget Amendment for Haz-Mat Equipment Grant for Fire Department

Summary: The consideration of a budget amendment, in the amount of \$90,900, to receive grant money from the U.S. Department of Justice, sub-granted through the North Carolina Division of Emergency Management, for procurement of weapons of mass destruction preparedness equipment for Asheville Fire and Rescue Department's Haz-Mat Team.

The City of Asheville Fire and Rescue Department requested \$90,900 from the NC Division of Emergency Management for equipment to better prepare the City for a hazardous materials or terrorism incident. Staff was successful in obtaining those funds. We received money to purchase a variety of equipment that includes chemical agent detectors, chemical protective clothing, multigas monitors, rescue equipment and a search camera. Twenty-two North Carolina cities received the \$90,900 grant.

City staff recommends City Council approve the budget amendment to receive grant money from the NC Division of Emergency Management.

Upon inquiry of Councilman Peterson, Fire Chief Grayson said that most items have multiple purposes and his staff is adequately trained to use the equipment.

Application for FEMA Fire Prevention and Safety Grant

Summary: The consideration of a resolution authorizing the City to apply for a fire prevention and safety grant from the Federal Emergency Management Agency (FEMA).

The City of Asheville Fire and Rescue Department desires to request \$71,126 from FEMA for the purchase of fire safety education materials and promotion as well as a vehicle to transport previous granted equipment. The grant provides 70% of the total project, with the remaining 30% (\$21,338) from city matching funds.

The material, promotion and vehicle are integral to the Department's mission and the grant funding will enable the City to conduct these programs with minimal City funding.

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The program will enable the department to distribute fire safety and injury prevention materials to children. In addition, a vehicle for use in the Department to pull the department's safety houses is included in the grant. 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 authorize the City to apply for a fire prevention and safety grant from the Federal Emergency Management Agency.

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.

ANNEXATION UPDATE

- This item has been removed from the agenda.

DISCUSSION OF CARROLL HOUSE LOCATED AT 19 ZILICOA STREET AS A LOCAL HISTORIC LANDMARK

- Historic Resources Director Stacy Merten said that this is the consideration of motion setting a public hearing on November 25, 2003, to consider the designation of the Carroll House located at 19 Zillicoa Street as a local historic landmark.

The Robert S. and Grace P. Carroll house, built in 1922 is located inside the western edge of the Montford Historic District facing east on Zillicoa Street. It is part of an original complex of single family structures that later became part of Highland Hospital. The house is 2 ½ - story plus attic built in the Normanesque/Tudor Revival style and constructed of randomly laid granite stones.

Psychiatrist Robert S. Carroll, founder of Highland Hospital, a nationally recognized mental health facility, lived at the house until 1946 with his second wife Grace P. Carroll, a world renowned concert pianist with a national and international reputation. The house was connected by proximity, function and association to the Highland Hospital complex. Dr. Carroll may have used the house occasionally for patient treatment and Mrs. Carroll used the music room both as her own studio and also for larger community based musical events.

The Robert S. and Grace P. Carroll House is significant for its association with the Carroll's, who built the house, founded Highland Hospital and made a significant contribution to the arts community in Asheville. It is also significant architecturally as an excellent example of the Norman/Tudor Revival/Craftsman style structure. The entire original configuration and architectural detailing of the exterior of the house remains intact except for the addition on the west elevation of an elevator tower, stairs and retaining wall on the south elevation and a fire escape on the north elevation.

Designation of this site as a local historic landmark makes the property owner eligible for a 50% reduction in property taxes. Currently the tax appraisal for the land is \$194,100 and the structure is valued at \$654,800, for a combined total of \$848,900.

The ordinance designates the Robert S. and Grace P. Carroll House as a local historic landmark. The property included in the designation consists of the Robert S. and Grace P. Carroll House and the .78 acre parcel on which it is located as described on the attached plat. The designation includes the exterior of the house, some interior details and landscape features.

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When a property is designated historic, restrictions are placed on the property, and any modification to the land or structure must receive a Certificate of Appropriateness from the Historic Resources Commission of Asheville and Buncombe County (HRC). All improvements must follow the Secretary of the Interior's Standards for Rehabilitation and Illustrated Guidelines for Rehabilitating Historic Buildings. It is important that properties of local significance are preserved and protected for cultural, historic, and economic reasons and for the benefit of future generations.

The HRC, by unanimous vote, recommends to the Asheville City Council that the Robert S. and Grace P. Carroll House be designated as a local historic landmark. Staff concurs with the recommendation of the HRC for this designation.

City staff recommends City Council set a public hearing on November 25, 2003, to consider the designation of the Robert S. and Grace P. Carroll House located at 19 Zillicoa Street as a local historic landmark.

After discussion by Council, it was the consensus to place this public hearing on the November 25, 2003, formal City Council agenda.

STORMWATER UTILITY FEASIBILITY STUDY

- City Engineer Cathy Ball said that this is the consideration of a resolution authorizing the City Manager to direct staff to complete a study to determine if a stormwater utility is a feasible, equitable, and effective method for funding stormwater quantity and quality needs in the City of Asheville; and a budget amendment, in the amount of \$50,000, from fund balance to fund a portion of the study.

The City of Asheville must comply with the Environmental Protection Agency's National Pollution Discharge Elimination System (NPDES) Permitting and Stormwater Phase II Regulations as part of the Federal Clean Water Act. In March 2003, City Council approved a plan to comply with the "Six Minimum Measures" of the regulations, including strategies for:

1. Public Education and Outreach
2. Public Participation and Involvement in Implementing the Plan
3. Detection and Elimination of Illicit Discharges
4. Construction site Run-off Control
5. Post-Construction Run-off Control, and
6. Pollution Prevention and Good Housekeeping by the Municipality.

Once the plan is approved by NCDENR, Division of Water Quality, the City of Asheville must begin implementing the elements within the plan in order to comply with the State and Federal requirements. Staff has estimated that it will cost approximately \$150,000 to \$200,000 per year to implement this plan. The funding for this program has not been identified at this time.

In order to develop an effective program to improve water quality as part of the Phase II regulations, the City must also develop stormwater management approaches for drainage basins, assess existing outflows to creeks, identify capital improvement needs to manage stormwater, and increase infrastructure maintenance functions. Developing a Stormwater Utility is one means of developing a dedicated funding source for local stormwater management. A stormwater utility is (1) a fair and equitable method of funding Phase II Stormwater Regulations; (2) an enterprise fund much like water, sanitary sewer or parking; (3) a dedicated funding source for water quality and water quantity improvements; and (3) a stable funding source to improve water quality. It is

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not a rain tax because (1) fees are charged to both for profit and not for profit; (2) fees are based upon the impact to the system (impervious surface); and (3) credits are available for developers that treat stormwater runoff prior to discharging to the stream. Other options of developing a dedicated funding source for local stormwater management could include increasing property taxes or implementing an impact fee for development.

The feasibility study will:

- Establish a City Manager's Advisory Committee consisting of representatives from the development, environmental, residential, non-profit, engineering, as well as other stakeholders to manage and oversee the study's progress and make a recommendation to City Council,
- Analyze other possible sources of funding,
- Determine if a Stormwater Utility is the best method of developing a long-term funding source to address water quality issues and meet the required minimum measures, and
- Conduct financial analysis to determine the most equitable and effective framework to develop a utility.

Staff's goal is to complete the feasibility study in a time frame that City Council could review in conjunction with the Fiscal Year 2004-05 Budget. Staff estimates that the total cost of the study would be \$65,000 plus staff time. However, staff is requesting \$50,000 from the City's fund balance to cover the cost of hiring interns and leasing computer equipment for purposes of data collection and quality control. The remaining \$15,000 for some professional service would come from the existing budget.

Approximately \$25,000 of the \$50,000 could be reimbursed to the fund balance from the Stormwater Utility if the Utility is established by City Council.

City staff recommends City Council authorize the City Manager to direct staff to complete a study to determine if a stormwater utility is a feasible method for funding stormwater quantity and quality needs in the City of Asheville; and, a budget amendment, in the amount of \$50,000, from fund balance to fund a portion of the study.

When Vice-Mayor Bellamy asked why this was not a Metropolitan Sewerage District (MSD) issue, Ms. Ball said that it is not a sanitary sewer issue, however, MSD is under somewhat of a similar guideline.

Upon inquiry of Councilman Ellis, Ms. Ball said that the best method for collecting the fee would be through the existing water billing system, which is bi-monthly. She said that most cities have a tiered system for single-family residents. She said that preliminary numbers could range from \$1-2 every two months. All monies collected will be required to go back into stormwater management.

Ms. Ball responded to various questions/comments from Council, some being, but are not limited to: why can only \$25,000 of the \$50,000 be reimbursed to the fund balance from the stormwater utility; what is the rationale behind requiring more sidewalks vs. it's impact on water quality; and how will the stormwater utility affect the agreement that the City has with the Housing Authority.

Councilman Peterson asked Ms. Ball to make sure that the feasibility study will present Council with options and the pros and cons of each one.

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

ADJOURNMENT:

Mayor Worley adjourned the meeting at 4:25 p.m.

CITY CLERK

MAYOR