

Monday – February 4, 2008 - 1:00 p.m.
Tuesday - February 5, 2008 - 1:00 p.m.
Municipal Building - Asheville, NC
Council Retreat

Present: Mayor Terry M. Bellamy, Presiding; Vice-Mayor Jan B. Davis; Councilwoman Robin L. Cape; Councilwoman Diana Hollis Jones; Councilman R. Carl Mumpower; Councilman Brownie W. Newman; Councilman William A. Russell Jr.; City Manager Gary W. Jackson; and City Clerk Keisha Lipe

Mayor Bellamy welcomed everyone to the City Council retreat. She then introduced Mr. Andy Atkinson who will be the facilitator for this meeting. He in turn reviewed the agenda, the role of the facilitator and the ground rules. Mayor Bellamy offered Council members to make any changes to the agenda, which they did not.

City Council Committees, Meetings & Worksessions

Worksessions

Mayor Bellamy brought forward discussion about how Council can address moving issues forward using the City Council Committees, if that is Council's wish. She felt that Council should return to having one worksession a month to work through issues, without public comment or votes. One of the main reasons worksessions were discontinued was because Council was taking positions, almost offering motions, and issues from the worksession were then being discussed again at the next formal meeting. The worksession will be an opportunity for Council to hear and work through longer-term issues from the staff, committees and Council.

Discussion surrounded whether Council will be overwhelmed with the City's business if they hold only two formal meetings a month; suggestion of the model the Buncombe County Commissioners use, which is a set amount of time before their formal meetings; concern that the worksessions prior to the formal meetings will bump into other Committee meetings, board and commission interviews, or business will not be finished prior to the formal meeting time; using worksessions to hear reports and presentations have the potential for moving the formal meetings along quicker; should worksessions be televised or not; suggestion to use the first Tuesday of the month as the worksession date and keep the second, third and fourth Tuesdays as formal meetings; worksession starting time at 3:00 p.m. vs. 5:00 p.m.; and why is the 3rd Tuesday recommended for worksessions.

City Manager Jackson said that staff is recommending reintroducing non-televised worksessions to incorporate more informal Council-staff discussions.

After discussion of reinstating worksessions, it was the majority of Council's consensus to hold a televised worksession on the 3rd Tuesday of each month (beginning in March of 2008), and if a worksession is determined not to be needed for a particular month (which will be the exception, not the norm), that the 3rd Tuesday be a formal meeting. Worksessions will (1) consist of reports from the Committees, presentations, etc.; (2) start at 5:00 p.m.; and (3) be for informational purposes only.

Scheduling of Meetings

Mayor Bellamy advised Council members on the procedure of Council members placing an item on the formal meeting. She said that City Clerk Lipe will provide Council with a PDF form which Council members can fill out via e-mail with their agenda item request and send back to her. At that time City Clerk Lipe will meet with her and she will look at the future agendas and assign a meeting time for the Council member's request (which Council can expect the item will be on an agenda within 6 weeks, if possible). City Clerk Lipe will then e-mail the Council member back with the formal meeting date the item is scheduled, along with deadline within which the material needs to be submitted to her. City Clerk Lipe will be logging in the requests as they are received.

After a brief discussion about the procedure for placing Council items on the agenda, it was the majority of Council's consensus to (1) support Mayor Bellamy's PDF agenda request form; and (2) include on the form a space that notes if the agenda item is timely and also a space that shows if the Council member has contacted two other Council members to support the agenda item being placed on the agenda that the item be scheduled sooner than later.

Public Comment at Meetings - Copies

Councilman Newman initiated discussion about people who wish to use visual aids during the public comment portion of the meeting should not have to provide Council with 15 copies.

Mayor Bellamy said that anyone can put their visual aid on the presenter without providing 15 copies. City Council's Rules & Procedures provide that "Any documentary information that is to be used in a public hearing or public comment period shall be furnished in advance to the City Clerk in electronic format or 15 copies thereof." She said that Council can amend their rules, if they wish.

Mayor Bellamy asked former-City Clerk Maggie Bureson to advise Council of the reasoning behind 15 copies being provided.

In response to Mayor Bellamy, Information Services Technology Director Jonathan Feldman said that it is technically possible to load a PowerPoint Presentation on the presenter during the meeting, however, there will be a delay in the meeting to do that and/or the PowerPoint Presentation may not be compatible with the City's equipment. He said that he will provide Council with some options on how this process may work.

After discussion, it was the consensus of the majority of Council to amend the City Council rules to provide that "Any documentary information that is to be used ... shall be furnished in advance to the City Clerk in electronic format or 3 copies thereof."

Public Comment at Meetings - Content

- Mayor Bellamy asked for clarification as to whether Council will or will not allow public comment, under the Informal Discussion and Public Comment section, if the item was discussed on the agenda.

Councilman Newman felt that if Council received the agenda item purely for information purposes only and no public comment was allowed at that time, that it would be appropriate for the public to comment on that item at the end of the meeting.

Mayor Bellamy said that this issue will be brought back to Council to make a decision on this item.

Deadlines for Providing Information to City Clerk

- City Manager Jackson initiated discussion on a City Council Rule 4 (b) which stated in part "... In order to facilitate preparation of the agenda package, written materials ... that will be used in presenting an agenda item ... shall be provided to the city clerk no later than two Thursdays prior to the day of the meeting at which the item is scheduled. The preceding sentence does not apply to items originating with the City Manager or City Attorney." He explained that the department directors sometime need additional time to compile their materials in order to give Council the most up-to-date information sometimes obtained at the last minute through meetings, etc. He asked the department directors be given the same latitude as the City Manager or City Attorney.

It was the consensus of Council to allow department directors the same latitude as the City Manager or City Attorney, but only as an exception and not the rule. Department directors are to continue to work aggressively to meet the deadline established in the rules. Mayor Bellamy instructed the City Manager monitor those exceptions. City Manager Jackson said that he would work with City Clerk Lipe on a timeframe for reports.

City Council Committees

Mayor Bellamy initiated discussion concerning whether the four City Council Committees are worthwhile of Council's time.

Councilman Mumpower felt strongly that Council should filter all major policy issues through the Committees.

After a short discussion, it was the consensus of the majority of Council to continue with the four City Council Committees, with the full Council paying particular attention to and having the flexibility to decide which policy decisions should go to one of the Committees prior to being considered by the full Council.

Mayor Bellamy said that when she receives a Council request, she will ask if this issue has been reviewed by the appropriate City Council Committee, if necessary. City Clerk Lipe will send out an e-mail to Council asking for their preferences on which Committee, if any, they wish to serve on.

Goals for 2008

Community Forum Report

Assistant to the City Manager Lauren Bradley, briefly reviewed with Council the executive summary expressed by citizens

at the City Council's community goal setting forum held on January 29, 2008, at the Randolph Learning Center: The top 5 results are as follows: (1) Improving mass transit and enhancing options for multi-modal transportation; (2) Affordable housing with a focus on public housing sustainability; (3-A) Keeping Asheville green with emphasis on greenways, open space and sustainability; (3-B) Protecting Asheville's sense of place/identity; and (3-C) Fiscal responsibility.

Ms. Bradley said that over the past year our organization has done a good job at taking seriously Council's commitment to promoting inclusive decision-making. We have had lots of public input sessions, neighborhood meetings, etc. In our last quarterly report to Council, we have had 15 input meetings in 3 months. In the last 6 weeks we have almost been doing 2 meetings a week. She felt staff has been doing a good job at the grass roots level to help make our programs better. She noted that she will be soliciting Council's input surrounding our strategic communications and coming up with a plan that looks beyond just public input and inclusive decision-making and whether we need to look at developing more strategic tools and strategies for communicating with the public.

In response to Vice-Mayor Davis about the how to obtain input from the broader community, Ms. Bradley explained how the City has contracted with a firm to do a statistically valid survey, which survey should yield results by June, 2008. The survey will be performed either by mail or telephone.

Financial and Management Background - Five-Year Financial Forecast

Chief Financial Officer Ben Durant updated Council on the long-range financial forecast. He said that one theme in the long-range forecast is the economic slowdown. Regarding property taxes, staff recently received the official 2007-08 assessed valuation data from Buncombe County and it showed that the City's tax base grew by 2.3% in the current year, after growing by 5.5% in the previous fiscal year. Regarding sales tax revenue, sales tax growth has slowed to 1.0% through the first months of the current fiscal year. We do, however, expect the sales tax growth to pick up in the second half of this year, but remain below the 5+% growth rates that have been experienced in recent years. He then explained that there will be limited funding available for any major new initiatives. He asked that Council keep that in mind in setting goals and to be cognizant of strategic initiatives that are already in place. He said it may be this year that Council's focus this year should be on maintenance of our existing programs. If we do undertake any new initiatives, he would recommend that Council identify new and recurring revenue sources for that major new initiative. We always need to take care of our deferred maintenance and infrastructure. If Council decides to make that a priority, staff needs to know that soon so staff can look at various funding options, one of which could be a bond issue, etc.

Major Conclusions from Department Director Retreat

Assistant City Manager Jeff Richardson briefed Council on the staff discussion at the Department Director retreat held in December, 2007. He touched upon the themes of (1) invest more in our greatest asset, our people; (2) better quality vs. increased quantity; and (3) More opportunity for informal communication and dialogue to build elected official confidence and trust in staff.

City Manager Jackson touched on some issues from the Department Director retreat of staff doing a better job of making sure we keep everyone on Council informed, especially when we are committing significant staff time and energy to a particular item. Department directors have also committed additional time to meet in order to keep abreast of important issues for better communication.

Councilman Mumpower initiated discussion surrounding the following issue brought up at the Department Director retreat, as this issue has come up before: "Develop trusting relationships that allow staff to be candid and blunt about policy analysis, without fear for political retribution." He suggested an informal arrangement that any time there is a concern of political retribution or a Council member being involved in the day-to-day operations, that the Mayor, Vice-Mayor and City Manager meet and then make some decision on how to formally or informally act on that concern.

City Manager Jackson explained that when Council second-guesses staff or reviews policies or decisions from 2-3 years ago, those comments break-down staff's confidence that Council believes in them. Assistant City Manager Richardson also said that if Council has concerns of a Department Director's performance, to share those concerns with him and the City Manager (before those concerns are aired on the television or in the community) and let them hold the Department Director's performance accountable. He hoped that as staff moves forward with their business plans that staff puts that kind of data in front of Council and that their effort and performance is what it should be. Mayor Bellamy summarized that staff is asking for Council's respect and Council is asking for staff's respect as well.

Councilwoman Cape initiated discussion on when Council can talk to staff. City Manager Jackson requested Council try to reach him or Assistant City Manager Richardson with any questions. He will in turn get the information for Council and provide that information to all of Council as well. In addition, he said that many times he can provide Council with additional information on that topic. After discussion, it was the consensus of Council for Council to direct their questions through either the City Manager or the

Assistant City Manager. However, if a situation arises that it is very convenient to obtain information from staff or if time is of the essence and the City Manager or Assistant City Manager cannot be reached, then it is appropriate for Council to contact staff directly. Additionally, if the information is something that has already been provided to all of Council, then the City Clerk can provide that information to Council. However, if Council is asking for information that requires a report to be generated, then the request should go to the City Manager or the Assistant City Manager.

Council Discussion

After a short discussion, City Manager Jackson said that if he receives an e-mail from a citizen who purports to have spoken with a Council member supporting a specific request, that he would contact the individual Council member first to verify the request.

Mayor Bellamy noted that staff's issue about interacting with Council members in more informal settings is a good idea; however, sometimes the media makes the statement about Council spending taxpayer money to socialize.

Mayor Bellamy felt that the building maintenance and operations budget should not be placed in the Parks & Recreation Department budget. City Manager Jackson explained that he is in the process of exploring reorganization, but in any event, building maintenance and operations will be an enterprise activity regardless of where it ends up.

In response to Mayor Bellamy's inquiry on how we can be more transparent with our finances, City Manager Jackson explained how we are instituting communication and marketing plans for each department.

Upon inquiry of Councilman Newman, Mayor Bellamy said that when a Council member requests someone to come up and respond to a question after the public hearing has closed, to remember to make sure the Council member thanks and dismisses the person so they can take their seat again.

Councilwoman Cape questioned the process of Council discussion. Mayor Bellamy explained that if a Council member has questions after they have already talked, that she will call on other members of Council who have not spoken yet, prior to allowing that Council member to speak again.

At 4:15 p.m., Mayor Bellamy said that the City Council retreat will continue at 12:00 Noon on February 5, 2008, and advised Council to bring their goals and priorities for discussion.

City Clerk Lipe reminded Council that at 12:00 Noon tomorrow, the retreat will begin with a closed session.

Tuesday, February 5, 2008 - Noon
Municipal Building - Asheville, NC

Present: Mayor Terry M. Bellamy, Presiding; Vice-Mayor Jan B. Davis; Councilwoman Robin L. Cape; Councilwoman Diana Hollis Jones; Councilman R. Carl Mumpower; Councilman Brownie W. Newman; Councilman William A. Russell Jr.; City Manager Gary W. Jackson; City Attorney Robert W. Oast Jr.; and City Clerk Keisha Lipe

Absent: None

Mayor Bellamy welcomed everyone to the continuation of the City Council retreat.

At 12:00 p.m., Councilwoman Cape moved to go into closed session pursuant to NCGS 143-318.11(a)(3) to consult with the City Attorney on a matter with the respect to which the attorney-client privilege between the City and its attorney must be preserved, including litigation involving the following parties: the City of Asheville, the State of North Carolina, and Buncombe County (lawsuit regarding the validity of the Sullivan Acts). This motion was seconded by Vice-Mayor Davis and carried unanimously.

At 1:00 p.m., Councilwoman Jones moved to come out of closed session and return to the formal meeting. This motion was seconded by Vice-Mayor Davis and carried unanimously.

Goal Setting & 2008 Action Planning

Mr. Andy Atkinson, facilitator, explained how City Council needs to work on the City's vision, mission and goals and City staff will work on the objectives.

Mayor Bellamy said that it was her hope that City Council will have 3-4 measurable items that we feel we can move forward as a community.

At 2:00 p.m., Mayor Bellamy asked for a moment of silence for former City employee Johnny Coxton, elevator operator in the Parks & Recreation Department.

Using the long-term goals from the 2007-08 City Council's goals and vision, discussion took place when each Council member explained their goals for the year as follows, categorizing them into one of the eight priority areas, being (1) community building; (2) critical services and infrastructure; (3) economic development; (4) growth, development and land use; (5) housing opportunities; (6) natural and built environment; (7) sense of place, heritage and the arts; and (8) intergovernmental relations. If a goal did not fall into one of the eight priority areas, the new goal would be noted as an action item and would not be lost in the strategic operating plan process.

Mayor Bellamy

- Develop a long-term capital plan for the City's aging infrastructure including sidewalks, parks and recreation facilities, parks and greenways and City Hall (critical services and infrastructure)
- Work with the Land-of-Sky Regional Council, the community and neighboring communities on transportation, growth and development issues (intergovernmental relations)
- Work for a better relationship with our state and federal legislators (intergovernmental relations)
- Alternatives for gangs for our youth (action item)
- Continue to foster conversations with our County Commissioners and State delegation on the issue of water and financial fairness to the City of Asheville (intergovernmental relations)
- Asheville to have their own supply of emergency supplies opposed to waiting on the emergency supplies coming from Charlotte, North Carolina (action item)
- Bond program (action plan)

Vice-Mayor Davis

- Pursue HOPE VI-type opportunities for public housing (housing opportunities)
- Improve customer service experience at the Civic Center (sense of place, heritage and the arts)
- Under new leadership at the Civic Center, the deferred maintenance and facility improvements should be funded through a more aggressive schedule, perhaps part of a bond package (sense of place, heritage and the arts)
- Pursue Riverfront redevelopment (action item)
- Expand partnership with UNC-Asheville (intergovernmental relations)
- Full partner with the Economic Development Coalition (action item)
- Support a nuisance court (action item)
- Reinstitute fireworks on New Year's Eve (action item)
- Beef up the Light Up Your Holidays decorations downtown (action item)

Councilwoman Cape

- Recognize the critical role that City government plays in issues of climate and energy (natural and built environment)
- Implement an adaptation planning task force or focus group (action item)
- Certificate of Energy Performance (action item)
- Encourage and reduce energy consumption of privately-owned buildings (natural and built environment)
- Energy efficiency funding in City facilities and in City operations (natural and built environment)
- Promote community peace and justice (community building)
- Establish a Community Peace and Justice Committee (action item)
- Place a moratorium on downtown business development until the Downtown Master Plan is adopted

Councilwoman Jones

- Explore opportunities to provide tax relief for Asheville citizens (economic development)
- Prioritize infrastructure investments that support children's health and safety (critical services and infrastructure)
- Proactively pursue strategies to increase the supply of workforce housing (housing opportunities)
- Assess City-owned properties for the appropriateness for redevelopment for workforce housing (action item)
- Reaffirm a stronger commitment for the safety of our children from pornography on the internet (action item)

Councilman Mumpower

- Embrace public safety as an economic development tool and make Asheville the safest City in America (critical services and infrastructure)
- Reaffirm our commitment to eliminate the open air drug market in Asheville (action item)
- Realistically match our strategic planning goals with resources and predictable policy outcomes (critical services and infrastructure)
- Ensure City government's operational effectiveness through fairly applied market based compensation packages and the proper match between policy decisions and staffing requirements (critical services and infrastructure)
- Filter our strategic planning through the probability of near-term economic downturn (critical services and infrastructure)
- Strengthen our efforts to create measurable goals, accountabilities and outcomes for all City policies and operations (critical services and infrastructure)
- Strengthen our emphasis on enforcing existing laws and regulations (action item)
- Renew water negotiations with an eye on compromise on timeline but not on Asheville's ability to manage its water resources as other cities do (action item)
- Avoid any further erosions of our fund balance in terms of percentages and dollar amounts (action item)
- Stop funding non-profit organizations with tax dollars (action item)
- Continue to push for proper funding of our district court system (action item)

Councilman Newman

- Work to enable Asheville to utilize voluntary annexation to support the healthy growth of the City (growth, development and land use and intergovernmental relations)
- Streamlining planning and development services with a focus on a more streamlined development review process so that people who are proposing development will have a higher degree of certainty of the outcome but setting very high standards for development in the City (growth, development and land use)
- Encourage and foster clean energy (natural and built environment)
- Explore opportunities to provide tax relief for Asheville citizens (economic development)
- Create workforce housing in the downtown area (housing opportunities)
- Continue to promote minority recruitment in the City organization, especially in public safety
- Make Asheville the leader for clean energy in the southeastern United States (natural and built environment)

Councilman Russell

- Explore opportunities to provide tax relief for Asheville citizens (economic development)
- Develop strategies to support diversified job growth and support small businesses (economic development)
- Streamline planning and development services (growth, development and land use)
- Proactively pursue strategies to increase the supply of workforce housing in downtown (housing opportunities)

Mr. Atkinson then asked Council to review the goals and action items above, along with the long-term goals in Council's Goals and Visions for 2007-08 (which are already being worked on), and focus on 3-5 goals that Council wants to achieve next year. Once the goals are set, then Council will need to determine what the economic financial impact is of those goals and if the City has the right amount of staff to achieve those goals.

Mr. Atkinson explained that once the goals are given to staff, they will come back with a plan that they think can address and achieve that goal. Then it will be up to Council to determine whether financially the goal can be achieved.

Arising out of Council discussion, the following 2008-09 goals were arrived at by Council: (1) Public safety (including all aspects of safety); (2) Intergovernmental relations - negotiate with County Commissioners and State delegation on the issues of water and financial fairness to the City of Asheville and voluntary annexation; (3) Make Asheville the leader for clean energy and sustainability in the southeastern United States; (4) Regional growth management; (5) Long-term debt to address infrastructure issues; and (6) Support efforts to hold the line on taxes and explore opportunities to provide tax and fee relief for Asheville citizens.

In response to Councilman Russell, City Manager Jackson said that in the future staff reports will include sections on fiscal impact and staffing impact.

It was the consensus of the majority of Council to reaffirm the Department Director's three priority areas coming out of the Department Director retreat in December, 2007.

Mayor Bellamy said that since Council members may wish to add other items to the action item list, staff will put everything in order for Council and Council will then add their additional action items, after which time Council will vote on whether or not to

keep an action item. After that has happened, then staff can come back to Council with a plan for the new goals.

City Manager Jackson said that City staff will go through the Council's goals and vision for 2007-08 and delete any of the goals that have been addressed this year. After Council has agreed upon the new goals, he suggested Council affirm by resolution their priority areas and their strategic goals for the following year.

At 4:25 p.m., Mayor Bellamy adjourned the meeting.

CITY CLERK

MAYOR