

Tuesday – March 18, 2008 - 5:00 p.m.

Worksession

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

WORKSESSION RULES

Mayor Bellamy felt that since this was the first worksession in a couple of years, worksession rules should be established, which will be formally adopted at a formal meeting. There was a brief discussion and consensus of the majority of Council on the following items:

- Worksessions will be held on the third Tuesday of each month
- Worksession will begin at 3:00 p.m. (Councilwoman Jones noted that she may not be able to be at the 3:00 p.m. worksession since it a change from the 5:00 p.m. meeting time.)
- Public comment will not be allowed at worksessions (with Council having the ability to waive the rules, if necessary)
- Limited use of taking formal action at a worksession (with notice on the worksession agenda that it would be the intent of Council to take action and public comment being allowed on that matter)
- Public speaking time limits same as formal meetings
- Board/Commission interviews and/or appointments to be considered at a worksession with interviews and formal actions being taken at the next formal meeting
- Meetings with other governmental bodies will be held at worksessions (but if the worksession date is not available to the other body, Council may schedule such meetings at other times, including formal meetings or special meetings), understanding that Council can adjourn the meeting to re-convene the meeting at another location
- Effective April 1, 2008, Council and staff reports will be due to the City Clerk 8 days before the formal meeting or worksession.

BUDGET CALENDAR/GENERAL OBLIGATION BONDS

Chief Financial Officer Ben Durant said that this is the consideration of the proposed Fiscal Year (FY) 2008-09 Budget Preparation Schedule and a possible November 2008 General Obligation (G.O.) bond referendum.

Mr. Durant presented the FY 2008-09 budget schedule (important dates that involve Council, including the proposed dates for budget worksessions in May), reviewed the Capital Improvement Process (CIP) and asked for direction on enhancing the CIP via a G.O. bond referendum.

Regarding the budget schedule, (1) it is a tight budget year; (2) staff is currently completing technical reviews; (3) there will be a budget preview at the April 15, 2008, worksession; and (4) budget worksessions are scheduled for May and June, 2008. The FY 2008-09 budget is scheduled for final adoption on June 17, 2008.

He also reviewed a schedule that would need to be followed in order to hold a General Obligation (G.O.) bond referendum in November 2008. The schedule outlines the various steps that would need to be followed over the next nine months and shows how the G.O. bond schedule would overlap with development of the FY 2008-09 Capital Improvement Program that will take place as part of the normal budget process. The CIP process (1) coincides with the operating budget process; (2) pay-as-you-go funding with some debt for large equipment purchase (fire trucks); and (3) approximately \$9.5 million allocated annually for capital and debt service.

He explained the different types of debt are (1) installment financing (CoPs) - renovation and construction of facilities (municipal bond, fire stations, parking garages); (2) lease-purchase - large equipment; and (3) general obligation (GO) - new public initiatives (parks/greenways, sidewalks).

He then reviewed a chart showing the City's existing debt service, and a chart showing the history of our G.O. bond history.

Pending policy questions/issues are (1) approval of the FY 2008-09 budget schedule; (2) should we continue with current

CIP process or pursue an enhanced CIP with a G.O. referendum; (3) how should the process be structured? Blue Ribbon Committee; (4) what parameters should guide the process? dedicated revenue source; or types of projects (targeted or general); and (5) is now the right time (economic uncertainty).

Throughout discussion, Mr. Durant responded to the following various questions/ comments from Council, noting that information he was not able to provide, he would research and provide Council with that information: what is the interest rate differential on G.O. bonds vs. CoPs; if the City goes with a G.O. bond, how much money will the \$1 Million debt coming off the books let us borrow; which of these different types of debt will allow us to leverage other public and private dollars; regarding the CoPs, is there an essentiality test; can bonds be placed on the ballot outside of Council action, e.g., a petition; what is the feasibility of doing a bond with another governmental entity; what is the amount of debt incurred with cities Asheville's size; are CoPs bonds limited on the type of assets invested in; and which of these types of debt will allow us to achieve more outcomes.

Councilman Mumpower supported a G.O. bond vs. CoPs because of public input. However, we are in a clear state of economic turmoil and our timing to issue bonds could not be worse. He would support using the \$1 Million debt coming off our books be used to help ourselves on our budget.

Councilwoman Cape agreed that we are not in a stable economic climate and facing a tight budget year. She was concerned about the intensive job staff would need to do to have a G.O. bond on the November referendum. She also felt there was not enough time to fully educate and engage the community so they understand what the bonds would be used for. She supported beginning the process at this time, but not with the referendum until 2009.

Mr. Durant said that staff will need to do some type of needs assessment that truly addresses our long-term capital needs, as staff is currently operating under the current CIP process of pay-as-you-go funding. Another key step will be to engage the community in getting their input as to what they feel the City's long-term capital needs are. Staff would also need to determine our bond capacity. After that background work is completed, staff can report back to Council with their research and then Council can direct staff at that point. Those steps can be done without necessarily deciding to do a G.O. bond or not.

Mr. Durant noted that the cost of issuance for a G.O. bond is pretty significant so to justify that level of expense, Council needs a significant package of more than \$10 Million.

Mayor Bellamy challenged staff to look at way other municipalities have been able to secure G.O. bonds without increasing taxes. She is interested in the overall picture of our facilities, with her primary focus on parks and recreation facilities, especially ones that are in disrepair and the ones that have fire stations attached. She stressed that we need to take care of the assets that we have. She would like to know from the Master Planning process not just the programming process regarding the facilities, but what is the plan for the facilities in the future.

City Manager Jackson said that the analysis of our maintenance needs and a comprehensive inventory of capital improvement needs is something we have embarked upon.

Councilwoman Jones asked if we were to follow a process to have a G.O. bond referendum in November, by the time we go through all the steps that it would take to sell the bonds, would we issue debt in time where we would have a new debt service payment next year associated with those new bonds. Mr. Durant replied probably not.

City Manager Jackson said Council's choice is whether or not to have another \$1 Million allocated for capital projects in the current year, or \$1 Million to offset gaps in General Fund revenues and expenditures for the FY 2008-09.

Mr. Durant said that given how far we are into the budget process and the analysis they have to do to balance the budget, he asked that Council allow him to start on July 1 to start the analyses on July 1 regarding whether they pursue a G.O. bond in the near future. He said there is a lot of preliminary work staff can do before July 1, but have July 1 as the official start date.

Mayor Bellamy confirmed by consensus of the majority of Council to instruct staff to (1) begin preliminary work on whether Council should pursue a G.O. bond, with the comprehensive analyses, etc. beginning on July 1; and (2) provide Council with an update in September to coincide with the first quarterly report.

STATE LEGISLATIVE PRIORITIES

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City Attorney Oast said that the North Carolina General Assembly will convene in its "short" session on May 13, 2008. As in the past, the matters that may be considered in the short session are limited, and there is a fairly narrow window for submitting bills to the bill drafting division, and for introducing them in one chamber or the other.

He described the types of bills that are eligible for consideration. Of significance to us is local bills, which may provide means to seek changes to the current local law regarding predatory towing. HB 758 regarding the reconfiguration of the boundary between Asheville and Woodfin in the areas near UNC-A and Newbridge, a local bill from 2007, was referred to a committee.

The relevant deadlines for local bills are May 21, 2008, for submitting bills to the Legislative Services Office (bill drafting), and May 28, 2008, for introduction in either chamber. These deadlines are established by joint resolution.

Council is scheduled to discuss its State Legislative Agenda at the April 15 worksession. This update is provided to make you aware of relevant deadlines and procedural limitations, and to remind you of matters still pending from last year. He reviewed the list of bills introduced in 2007, and remaining eligible for consideration in 2008 as having passed one house or the other ("crossover" bills). There may be other bills that remain eligible for consideration pursuant to other rules.

In response to Councilwoman Cape, City Attorney Oast said that he reviews the titles of the bills and if he sees something of interest, he investigates it more and brings it to Council's attention.

City Attorney Oast noted that he would provide Council with a copy of the resolution adopted last year in case Council wishes to reaffirm their support for those bills. He also suggested Council provide him with specific bills they wish to support one week before April 15, noting that he would do his best to be prepared for the April 15 worksession no matter when Council provided him that information.

Councilman Mumpower said that the Drug Commission has asked for Council's support in asking our state legislators to explore legislation to prohibit an over the counter hallucinogen drug which available in head shops in Asheville and convenience stores.

COUNTDOWN TO ZERO

- Councilwoman Jones explained her invitation from "Countdown To Zero" to the City of Asheville to join community collaboration to reduce euthanasia among healthy animals.

As a brief background, in January the Buncombe County Board of Commissioners made the pledge that by 2012 no healthy animals would have to be euthanized in Buncombe County. The following organizations formed this coalition entitled: Countdown to Zero.

Humane Alliance - spay neuter clinic
Mimi Paige Foundation - public education, creates and produces commercials for radio
and television
Asheville Humane Society
Animal Compassion Network - foster adoption network
Brother Wolf Canine Rescue - foster adoption network
Humane Society of Buncombe County - feral cat program
Asheville Kennel Club - member club of the American Kennel Club (performance dogs,
i.e. show, field, obedience
Buncombe County Sheriffs Department
Buncombe County Government

Many positive things are happening in our community to improve the tragic necessity of euthanasia in Buncombe County. One recent example, the Humane Alliance has just purchased a new building and will in effect become the training center for veterinary students from universities all across this country in the area of high volume spay/neuter.

The county and city's animal control ordinance are unique to the rest of the state and many parts of the country. As a result national animal welfare organizations are looking to Asheville as groundbreakers. We all have the same goal to lower the number of homeless animals. The number of animals euthanized is not only tragic, 41 tons of animals went to our landfill last year but it is also expensive. Tax dollars could be utilized far better.

The ASPCA is looking to target Asheville next year; this would mean attention and reward.

As you can see we have the groups together to work collectively to accomplish this. We want and hope to gain community support. We know that the city has accomplished incredible things and that is why we hope that to add the City of Asheville to the coalition.

She requested Council support the City of Asheville as a collaborating partner in Countdown to Zero and that we authorize someone on our animal control staff to participate.

In response to Councilman Mumpower, Councilwoman Jones said that there are no dollar expectations associated with this request.

Since it was the consensus of Council to support the City of Asheville as a collaborating partner in Countdown to Zero and that someone on our animal control staff participate in the coalition, the City Manager was instructed to place this item on the Consent Agenda for next week.

TRAFFIC CALMING POLICY AND PROCEDURES

- Assistant Director of Transportation and Engineering Ken Putnam said that Council requested on February 19, 2008, a discussion on the City's current traffic calming policy and procedures, which discussion was initiated by Councilman Newman.

Specifically, Councilman Newman wanted to discuss the possibility of focusing the City's efforts on low-tech and low-cost strategies such as speed humps rather than more expensive and controversial measures that have been previously used. Then maybe an action plan could be developed to provide traffic calming relief along residential streets over the next several years.

The current policy, which was approved during February 2000, set forth the criteria and procedures to follow regarding the installation of traffic calming measures along the City's residential streets. The subject policy requires a lot of effort from the affected citizens and City staff. It is important to involve as many people as possible in making decisions regarding the type(s) of traffic calming devices to use because it is difficult if not impossible to reach 100% agreement. The primary goal of traffic calming is to slow vehicles down and/or to discourage "cut-through" traffic from using residential streets.

Under the current policy, the measured 85th percentile speed must be more than 5 mph higher than the posted speed limit (or the statutory 35 mph speed limit) or the traffic volumes along the specific residential street must be greater than 1,000 vehicles per day in order for the residential street to be considered for traffic calming measures.

Since the approval of the current traffic calming policy, projects have been completed along 10 miles +/- of various residential streets throughout Asheville at an estimated cost of about \$300,000 including budgeted funds and private funds.

According to General Statute sec. 136-30, all traffic control devices including traffic calming measures should meet the criteria set forth in the current edition of the Manual on Uniform Traffic Control Devices which is published by the Federal Highway Administration. The purpose of the subject manual is to ensure the consistent use of traffic control devices throughout the state and nation in order to minimize driver confusion and expectations. Excessive use or misuse of traffic control devices causes them to lose their effectiveness and encourages drivers to ignore their intended messages.

Possible strategies include on-street parking, ALL-WAY Stop intersections, posted speed limits, pace car programs, "Keep Kids Alive Drive 25" program, and speed humps.

- On-street parking is probably one of the most effective treatments if not the most effective treatment that can provide immediate positive results with no associated costs. He is a strong advocate of this specific treatment and he encouraged its use along residential streets whenever possible throughout the City of Asheville. According to the City Code of Ordinances sec. 19-140, a clear travel width of 10 feet is to be maintained at all times. (*Asheville Fire and Rescue has suggested the possibility of increasing the clear travel width to 12 feet*). Therefore residential streets that have a width of at least 17 feet can accommodate on-street parking along one side and residential streets that have a width of at least 24 feet can accommodate on-street parking along both sides. As a general rule, on-street parking is allowed along all residential streets meeting the width criteria unless there are specific issues that would warrant a parking prohibition at a specific location and/or along a section of a residential street. For example, the Sanitation Division might have difficulty in providing service along a specific residential service and after an appropriate review; on-street parking might be prohibited at a specific location for a specific day.
- Under certain circumstances, ALL-WAY Stop intersections could have a positive impact on lowering speeds. Although the primary purpose of a STOP sign is to assign right-of-way at an intersection, lower speeds could be achieved if certain conditions exist including low to moderate traffic volumes, intersection sight distance issues, street length of about one mile +/-, and intersections spaced to be able to "break" the street length into thirds. Currently, we are testing the subject treatment at two specific locations, one along West Chestnut Street from Montford Avenue to Broadway and the other one along Michigan Avenue from State Street to Haywood Road.

- Posted speed limits can be effective provided they are set at levels that encourage drivers to accept them as reasonable. Typically, effective compliance is achieved when speed limits are set at or near the 85th percentile speed. As a general rule-of-thumb, speed limits along residential local streets are typically set at 25 mph and speed limits along residential collector streets are typically set at 30 mph. The City of Asheville maintains a total of 394 miles of streets including streets with an average pavement width less than 16 feet. There are posted speed limits (*authorized by ordinance*) ranging from 10 mph to 30 mph along 136 miles (35%) of these city-maintained streets. The remaining 258 miles (65%) have a 35 mph (*statutory*) speed limit. It should be noted that 35 mph speed limit signs might be in place along many of the streets included in the 258 miles but most of the streets would be unposted.
- Pace car programs are citizen-based traffic calming initiatives that encourage citizens to proactively promote driver responsibility and street safety through a unique educational and awareness campaign. Citizens and neighborhood groups participate on an annual basis by pledging to obey traffic laws and traffic control devices not only in their specific neighborhood but throughout the city that they live and work in. Citizens that participate can place a decal on their vehicle indicating their participation. The idea behind the subject program originated in Boise, Idaho, during the year 2000 and is spreading throughout the nation and now includes Durham and Greensboro, North Carolina.
- “Keep Kids Alive Drive 25” is a citizen-based traffic calming initiative targeting the observance of the residential speed limit which is typically set at 25 mph. This program which is similar to the pace car programs empowers residents to proactively take responsibility for their driving behavior and those of their neighbors at a grassroots level. Community relations are improved when residents and community leaders work together to develop and grow the campaign. Encouraging responsible behavior behind the wheel can decrease or eliminate the use of “expensive” traffic calming devices and perhaps avert the need for increased police presence. Studies have shown a 16 percent decrease in average speeds from the subject program.
- Speed humps are one of several traffic calming devices that use forces of vertical acceleration to discourage speeding. Speed control through vertical deflection is achieved from the discomfort experienced by drivers traversing these devices and the subsequent speed reduction needed to reduce the discomfort. They are typically rounded raised areas of asphalt pavement that are either 14 feet or 22 feet long and are spaced from 300 feet to 600 feet apart (*they are difficult to construct precisely so a construction tolerance on the height is generally specified*). Speed humps should be placed at mid-block locations, along straight sections of a street, and along street grades less than eight percent. On average, speeds have been observed to be reduced between 20 and 25 percent. They can cause an approximate delay of between three and five seconds per speed hump for fire trucks and up to 10 seconds of delay for an ambulance with a patient.

He has been researching another type of speed hump (*Traficop*) that is manufactured with a composite of long wearing recycled rubber and fuel and weather resistant polyurethane compressed at over 150 tons that comes in modular units that are bolted to the street. For street widths equal to or less than 22 feet, they are configured in pairs (*one device in each opposing lane of traffic*), which minimizes emergency vehicle delays (*these vehicles can straddle the devices*). A possible negative impact to this type of speed hump would be the reaction of a snow plow when it strikes the device.

Although it might be possible to streamline our current traffic calming policy, it could still involve a lot of effort from residents and staff because it is very difficult to achieve consensus. One of Councilman Newman’s suggestions to possibly limit the traffic calming devices to speed humps and concentrate these devices in high children populated areas such as schools, libraries, and parks has merit and should be discussed in greater detail. A budgeted funding plan for this type of project could probably be established and achieved in a reasonable timeframe with measurable results.

The citizen-based traffic calming initiatives should be pursued and could be funneled through the Transportation & Engineering Department, the Police Department, and the Neighborhood Coordinator. If directed by City Council, staff can research the pace car and the “Keep Kids Alive Drive 25” programs in greater detail. There is a local citizen that has an extensive knowledge of the “Keep Kids Alive Drive 25” program and she has offered her assistance.

Throughout discussion, Mr. Putnam responded to various questions/comments from Council, some being, but are not limited to: is it safe to have on-street parking on 17-foot streets; what is the typical price of a speed limit sign; how many speed limits would need to be installed for one mile of streets in the City; why do speed humps have to be next to each other on a street, or can they be off-set; need to have coordination between the Public Works Department and Engineering Department regarding Americans with Disabilities Act (ADA) compliance; suggestion of a stencil on the approach to a sidewalk ramp if the other side of the street is ADA accessible; are there a lot of additional opportunities to use the on-street parking strategy; when speed humps are installed, what type of signing is required and why; briefly what is the process for implementing traffic calming on a residential street and what is the communication process with the residents on the affected street; and a request to ask staff to consider an appeal process for the 40% of residents who do not wish for traffic calming on their street.

Councilman Newman noted that some of the traffic calming techniques require an enormous amount of signage, which are aesthetically out of place in the community. He felt our traffic calming strategy should coincide with the Safe Routes to School strategy. He felt there should be a single basic plan using these kinds of ideas (funded at a basic level) to install sidewalks and traffic calming mechanisms in key areas that are especially important to our children, e.g., around parks and schools.

Councilman Mumpower was not in favor of obstacles in our streets as they are expensive and marginally effective, in addition to being a concern of the emergency vehicle operators. He advocated for stronger enforcement of our existing laws on a random and active intense basis throughout the City.

Councilwoman Jones said that in conjunction with the Safe Routes to School Program, she hoped we can identify a school in the City limits and dovetail that Program with the Kids Alive Drive 25 and the Pace Car Programs.

At the request of Mayor Bellamy, Mr. Putnam said that he would look into several concerns raised by the Kenilworth Presbyterian Church on Chiles Avenue regarding the loss of on-street parking.

Mayor Bellamy noted that the State funded \$250,000 for the Safe Routes to School Program for Emma.

Councilman Newman felt that the City should have a policy on traffic calming for our community with a near-term plan of what we would like to see and an appropriate level to fund the policy with the kind of traffic calming strategies outlined.

TRAFFIC IMPACT STUDY

Assistant Director of Transportation and Engineering Ken Putnam said that a concerned citizen asked City Council to review the current policy and procedures for traffic impact studies (*analyses*) to determine if any changes are needed to make sure the final documents address the possible broader impacts to the existing street infrastructure as a result of a proposed development project.

In general, the concerned citizen believes the scope of work for a traffic impact study (*analysis*) needs to be expanded. For example, the concerned citizen believes the scope of work for the Ellington Hotel project was too narrow and that it should have included the streets and intersections between the project site on US 25 (Biltmore Avenue) and the Grove Park Inn.

The purpose of a traffic impact study (*analysis*) is to determine the possible impact that the anticipated traffic for a proposed development at full build-out conditions could have on the existing street infrastructure typically during the morning and/or afternoon commuting peak hour(s). The traffic impact study (*analysis*) should identify all possible reasonable mitigation improvements that might be needed to offset any negative impacts to the existing street infrastructure. During the overall review process, some and/or all of the possible reasonable mitigation improvements could be made conditions of approval for a specific development project.

The procedures/criteria for traffic impact studies (*analyses*) required by the City of Asheville are set forth in the Unified Development Ordinance in Section 7-11-6. These procedures are based on nationally recognized methodology and are consistent with communities throughout North Carolina including Charlotte, Durham, Greensboro, Hickory, High Point, Raleigh, Wake County, and the North Carolina Department of Transportation. In addition, the procedures are consistent with the Tennessee Department of Transportation.

Key steps in determining the need for a traffic impact study (analysis) and if needed, the scope of work or area of influence is listed as follows:

1. Determine the anticipated traffic that the development project could generate at full build-out conditions based on the most current version of Trip Generation methodology. A traffic impact study (*analysis*) is required by the City of Asheville when the total peak hour trips equal or exceed 100 vehicles per hour (*The Trip Generation methodology is published by the Institute of Transportation Engineers and is based on information that has been obtained from the research and experiences of transportation engineering and planning professionals throughout the nation. This methodology is recognized as providing the best estimate in determining the number of vehicle trips that a proposed development project could generate*).
2. Determine the annual traffic growth rate to be used to "grow" the existing traffic volumes to background conditions (*The annual traffic growth rate is typically based on past traffic volume and population histories and generally includes a factor for anticipated growth from approved developments. The annual growth rate generally falls in the two to five percent range in the City of Asheville. Background conditions are defined as the conditions representing the existing traffic volumes projected to the full build-out year for a specific development project using an annual growth rate. Under certain conditions, the background conditions could also include the anticipated traffic from already approved development projects in the*

immediate area).

3. Determine the scope of work or area of influence. Generally, the scope of work or area of influence for a specific development project is determined by beginning at the site and moving out in all directions identifying intersections that will have a 10 percent or more increase in the peak hour traffic volumes as a result of the additional traffic generated by the development project.
4. Identify any special condition(s) and/or issue(s) regarding the proposed development project and its location that should be addressed in the traffic impact study (*analysis*).

Traffic impact studies (*analyses*) are typically submitted with other pertinent information by the scheduled due dates for Technical Review Committee meetings. Traffic impact studies (*analyses*) should be submitted, reviewed, and approved before the development project moves to the Planning & Zoning Commission and the City Council.

Although there is an element of subjectivity involved in preparing traffic impact studies (*analyses*) because of the necessary assumptions that need to be made, they are a good tool in assessing the possible impacts that a development project could have on the existing street infrastructure including nearby intersections. Every effort is made to ensure that the reports that are prepared for development projects within the City of Asheville address all of the relevant issues for a specific development project. Every project is reviewed on a case-by-case basis and improvements to the overall process are implemented as soon as they are identified.

One suggestion that could be considered as an improvement in the review process would be to remove the "shall" requirement in identifying the 100 vehicle per hour threshold for requiring a traffic impact study (*analysis*). There are times, depending on a development project's location, that a traffic impact study (*analysis*) would not be needed although the threshold has been satisfied and there are times that a traffic impact study (*analysis*) would be needed although the threshold has not been satisfied. For example, a traffic impact study (*analysis*) for a project with a proposed single access point onto Hendersonville Road that is anticipated to generate more than 100 vehicles per hour might not be needed because an adequate street infrastructure is already in place. Or, a traffic impact study (*analysis*) for a project that is anticipated to generate less than 100 vehicles per hour might be needed because the project location could be near high traffic volume streets, intersections, or existing generators. This change would give staff more flexibility in determining the need for a traffic impact study (*analysis*).

In response to Councilwoman Cape, Mr. Putnam said that staff can establish some criteria that must be met to enable the Traffic Engineer to determine whether or not to require a traffic impact study.

At the suggestion of Mayor Bellamy, Mr. Putnam said that he would include a paragraph on the appropriate staff reports to Council outlining what streets the traffic impact study took into account.

ASHEVILLE POLICE DEPARTMENT'S EFFORTS TO IMPROVE LOCAL TRAFFIC SAFETY

Police Chief Bill Hogan provided Council with the following information on the Asheville Police Department's (APD) efforts to improve local traffic safety.

Traffic management in Asheville has generally been the responsibility of the Traffic Engineering Department, while daily traffic safety concerns have been the responsibility of Asheville police. In recent years, major strides in both of these areas have been made as a result of traffic engineers partnering with law enforcement to help keep motorists and residents safe.

From the law enforcement perspective, highway safety is of vast importance in light of the number of motorists who travel in and around Asheville each day. In a typical year, more people are killed on roadways from vehicle crashes than from other causes.

Overall, the APD receives more complaints regarding traffic issues than any other type of complaint annually. To this end, the police department works toward enhancing highway safety in many different ways.

Since April 2002, the APD has employed a Regional Law Enforcement Liaison for the North Carolina Governor's Highway Safety Program (GHSP) to act as a highway safety campaign coordinator for 9 western counties. Consistent coordination and implementation of campaigns such as Click It or Ticket, Booze It & Lose It, and No Need 2 Speed have been established. We regularly partner with other agencies to coordinate these activities.

In 2007, the APD was awarded a \$200,000 grant by the National Highway Traffic Safety Administration (NHTSA) to conduct a project related to night-time safety belt enforcement and reducing impaired driving offenses. This was a successful

project for both APD and NHTSA. Also in 2007, the North Carolina GHSP awarded the APD with a \$175,000 grant to fund a Traffic Safety Unit dedicated to enforcement, education, crash reduction, and investigation of serious and fatal crashes.

The APD maintains an internal strategy for dealing with traffic enforcement, utilizing crash data, and handling citizen complaints. The following departmental policies were established to streamline these procedures and to ensure that they are followed:

- Accident Investigation Policy # 2320; Outlines the necessity and purpose of traffic crash investigation.
- DWI Enforcement Policy # 2361; Purpose of and guidelines for effective impaired driving enforcement.
- General Traffic Enforcement Policy #2360; General guidelines for enforcement of traffic laws and highway safety.
- Traffic Checkpoints Policy # 2363; Policy outlining requirements for checking stations conducted by officers.
- Traffic Direction Policy # 2330; Guidelines for employees to direct traffic for various purposes.
- Traffic Engineering Policy # 2350; Requires officers responsible for crash reduction efforts and enforcement efforts to maintain contact with traffic engineering for a coordinated response.
- Traffic Support Services Policy # 2340; Directs Police employees to assist motorists when necessary to obtain needed assistance when traveling.

These policies provide guidelines for our established procedures. Additionally, these policies were developed with consideration given to the Commission on Accreditation for Law Enforcement Agencies' (CALEA) standards, to which nationally accredited departments must adhere. Specifically, CALEA standard #6, "Traffic," governs the processes and procedures that enable the agency to execute its traffic related responsibilities and services. These standards also govern relationships with motorists, pedestrians, courts, and prosecutors, as noted in the policy examples below.

Crash Data/Reduction: Each six-month period, officers review crash data and identify the top locations in each district for motor vehicle crashes.

Once a location has been identified, enforcement, education, and, if necessary, engineering efforts are put into motion to alleviate crash frequency and severity at each location. Priority is given to these locations for enforcement efforts because the aim is to reduce property damage, injuries and deaths.

Citizen Complaints: With the Traffic Unit in place, all traffic complaints are routed to the Traffic Safety Unit initially from all sources and then an evaluation is made to determine the depth and scope of response needed. Then a plan is established to analyze and deal with each complaint area. If complainants so choose, a follow-up contact is made in which they are provided with information concerning our efforts.

A speed display trailer is available for use by officers to aid in addressing citizen complaints about speeding on their respective streets. All that is required for this is that a citizen or an officer request that it be deployed and the APD will attempt to schedule it.

Officers go out and evaluate the street to make sure that a safe place exists to place the board so that it does not create a hazard. (Otherwise, there may be the potential for vandalism.) The speed board has software that allows officers to complete a "speed study" for streets where it is deployed.

Education Efforts: Ongoing community meetings are regularly attended. Traffic issues are covered during the regularly held Citizens Police Academy. The APD also works with and emphasizes high school programs such as "WNC Promfest" and the high school safety belt program, "R U Buckled."

The APD is currently researching a relatively new program commonly referred to as the "CAT Program," or "Collision Avoidance Training" for teenagers. This allows parents and teenagers to enroll in a class taught by law enforcement officers which teaches these new drivers the importance of safe and defensive driving techniques.

Throughout discussion, Chief Hogan responded to various questions/comments from Council, some being, but are not limited to: what kind of research is the City doing on the "CAT Program"; how active are routine patrol cars involved in traffic enforcement; how many times in the last 30 days was the speed display trailer used; what percentage of our community speeds; and is the Highway Patrol writing tickets in the City limits.

Councilman Mumpower supported persistent random enforcement. He questioned what we could do to create a renewed respect for police cars and the risk factors that are attached to that respect when speeding laws are violated.

In response to Councilman Mumpower, Chief Hogan said that his staff has requested to purchase, through some federal seizure money, ten additional radar units.

Councilwoman Cape agreed with enforcing our laws, but not necessarily with creating a community that lives in constant fear of getting a ticket. She felt we must cultivate other ideas of how you respect a neighborhood.

Councilwoman Jones said the science is clear that 10% of people will change their behavior if they are scared. For the other 90%, you have to use other methods, like education. She felt we do need to increase our enforcement but fear is not what will get you where you really want to go as a community.

In response to Mayor Bellamy, Chief Hogan said that with the new electronic citation equipment, it allows officers to process the license information quickly and gets the officer out enforcing again. He said they are well on their way to get the equipment installed and employees trained.

Councilman Mumpower asked Council if there was any support for asking Chief Hogan to come up with a proposal to strengthen our enforcement of traffic laws in the City of Asheville.

Councilman Newman felt that Councilman Mumpower is asking for very clear direction at this worksession and that is out of order.

Vice-Mayor Davis suspected that if Chief Hogan felt there is a need for more patrol cars or officers dedicated to traffic enforcement that he would bring that forward.

Mayor Bellamy said that other issues discussed today are not in Council's Strategic Plan. Since making Asheville the safest City in America is one of Council's goals, she felt the appropriate time to address this issue would be in the following retreat follow-up discussion.

Closed Session

At 7:55 p.m., Councilman Mumpower moved to go into closed session for the following reasons: (1) To establish or to instruct the City's staff or negotiating agents concerning the position to be taken by or on behalf of the City in negotiating the terms of contracts for the acquisition of real property on Swannanoa River Road by purchase, option, exchange or lease. The statutory authorization is contained in G.S. 143-318.11(a)(5); and (2) 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 litigation involving the following parties: State of North Carolina; County of Buncombe; and City of Asheville. The statutory authorization is contained in G.S. 143-318.11(a)(3). This motion was seconded by Councilman Russell and carried unanimously.

At 8:25 p.m., Councilwoman Jones moved to come out of closed session. This motion was seconded by Councilman Russell and carried unanimously.

RETREAT FOLLOW-UP

Assistant to the City Manager Lauren Bradley said that the purpose of this discussion is a follow-up to the Council's retreat to receive additional Council direction on the 2008-09 Strategic Plan. Council held a retreat on February 4-5, 2008, facilitated by Andy Atkinson. Council then identified goals, objectives and potential action items for the coming year. Staff has compiled the retreat notes with remaining items from last year's plan. Staff proposes coming back to Council for formal adoption of the Strategic Plan via resolution after receiving direction.

Since Council agreed on five focus areas at the retreat, goals and objectives have been grouped in those areas. The "priority areas" from the 2007-08 Plan were community building; critical services and infrastructure; economic development; growth, development and land use; housing opportunities; natural and built environment; sense of place, heritage and the arts; and intergovernmental relations. The "focus areas" identified at the retreat is that Asheville will be a city that is affordable (The City of Asheville will offer a standard of living that is affordable and attainable for people of all income levels, life stages and abilities), green (Asheville will be the southeastern leader in clean energy and environmental sustainability while preserving and enhancing the city's natural beauty), safe (Asheville will be one of the safest and most secure communities when compared to similar cities), sustainable (Asheville will support a sustainable community and a sustainable city government through a strong commitment to infrastructure maintenance, capital improvements, long-term planning and fiscal responsibility), and commitment to partnerships (Asheville will collaborate with state and local governments, agencies and citizens to achieve regional goals). One additional area for City Council consideration is culturally vibrant (The City of Asheville embraces the community's vibrancy, character, diversity, and cultural heritage)."

Some goals and objectives from the 2007-08 plan have either been eliminated or modified to show that they have been accomplished or have evolved over time. For example, in 2008-09 the goal was to establish ambitious energy conservation goals for the City of Asheville - in 2008-09, the goal was modified to support efforts to reduce the city's carbon emissions by no less than 2% per year. Another example is that in 2008-09, the goal was to open public restrooms downtown - in 2008-09, that goal was accomplished.

In the Asheville City Council's Goals and Visions for 2008-09, she explained that the goals and objectives identified at the retreat have been added, for example: support efforts to hold the line on taxes and find areas for tax and fee relief; reduce energy consumption in privately owned buildings; and develop a long-term plan to address the city's aging infrastructure including facilities and sidewalks. In addition, columns distinguishing between short-term and long-term goals have been eliminated. The goals and objectives were combined into one category at the retreat without distinguishing between short- and long-term timeframes.

Regarding action items, a blank column has been included for potential action items that City Council may wish to add to the 2008-09 Strategic Plan. Action items recorded at the retreat have been grouped according to Council's "Focus Areas" and are listed below the main table.

Direction needed by Council includes (1) Does Council support replacing the "Priority Areas" with the focus areas identified at the retreat; (2) Is the current list of combined goals and objectives acceptable; (3) Are there potential action items Council wants to add to the Plan for 2008-09; and (4) Does Council support scheduling adoption of the resolution affirming the 2008-09 Strategic Plan?

After a brief discussion, it was the consensus of Council to support replacing the "Priority Areas" with the only four focus areas identified at the retreat (affordable, green, safe and sustainable), and not to include the "Culturally Vibrant" focus area or the "Committed to Partnerships" focus area, condensing some bullets and moving them into the other four areas. In addition, the following three action items in the "Culturally Vibrant" focus area would be discussed in a worksession: (1) increase the holiday lighting program; (2) reinstate fireworks on New Year's Eve; and (3) reinstate the Light up Your Holiday Event.

Mayor Bellamy challenged staff to provide Council with the objective criteria used to measure a safe city.

As Mayor Bellamy read out each new goal, objective and action item identified at the retreat, Council members voiced their opinions on word-smithing, redundancy, deletion, addition and general clarification on the item.

After considerable discussion, Mayor Bellamy said that these strategic priorities will be voted on by Council and then as we proceed into the budget process, staff will create their budgets in line with Council's overall priorities. After the budget is approved, staff will then begin working on those priorities.

ADJOURNMENT:

Mayor Bellamy adjourned the meeting at 9:21p.m.

CITY CLERK

MAYOR