

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 Magdalen Burleson

Absent: None

EMPLOYEE RECOGNITIONS

-
City Manager Jackson recognized the following City Employees: (1) Greg Grayson – Outstanding Executive Manager; Michael L. Coggins – Outstanding Technical Assistant or Aide; Erika Germer – Co-Winner for Outstanding Contribution to Improvement Diversity; Sergeant Stony Gonce – Outstanding Heroic Act Award - Excellence in Public Service Awards Program; (2) Michelle Massey, Brenna Cook, Pam Carter, Sonia Salgado and Phillip Buckner – Trainer - Women's Champion Water Line Tapping Team; Erail June and Det. Mike Downing – Asheville Police Department Employees of the Year; Captain Mike McCoy - Optimist's Firefighter of the Year; Allen Dunlap - Optimist's Police Officer of the Year; and Battalion Chief Barry Hendren - Chief Fire Officer Designation.

Mayor Bellamy announced that we have a professional organization and it's Council's goal to promote our organization. She was pleased that we have new police officers that have been trained in-house; and was pleased to hear of our assistance with the Town of Brevard. She was proud of City staff and looked forward to highlighting more accomplishments.

WATER DROUGHT AND CONSERVATION UPDATE

-
Mayor Bellamy said that Water Resources Director David Hanks has accepted a position in Florida and it will be a great loss to our community. On behalf of City Council, Mayor Bellamy wished Mr. Hanks much success in his future endeavors.

Superintendent of Water Production Leslie Carreiro updated City Council on the water drought and Conservation Plan. The Conservation Plan includes the computerized drought model which looks at (1) historic and current precipitation and lake levels; and (2) North Fork Water Treatment Plant consumption demand. It also monitors the North Fork lake level and precipitation daily and runs the drought model twice weekly.

Current water levels and capacities include (1) system-wide capacity of 43.5 million gallons per day; (2) system-wide safe yield of 31.5 million gallons per day; (3) average daily consumption of 21.5 million gallons per day; (4) current (8-15-08) North Fork lake level is 2588.58 feet – 12.42 feet below full capacity; (5) current Bee Tree lake level is near full; and (6) Mills River Water Treatment Plant is unlimited (draws from Mills River and French Broad River).

Regarding area water usage, customers of the Asheville Water System conserve water: (1) average residential customer uses 5 CCF's per month; (2) continue to encourage customers to conserve water; (3) no large industrial users; and (4) largest customer by volume is the City of Hendersonville – wholesale customer – currently buys 1 million gallons per day – could supply up to 3 million gallons per day. The City of Asheville is continuing their conservation education program and focus on proactive media and customer awareness plan of water conservation efforts.

She said when she ran the drought model on August 14, it showed that in 10 weeks we could potentially be down 26 feet. However in 10 weeks it will be the end of October and typically with the cooler weather demands drop off and we get more precipitation.

Throughout discussion, Ms. Carreiro responded to various questions/comments from Council, some being, but are not limited to: how does Asheville citizens use of 5 CCF's per month compare to other water distribution systems; and what does the City's conservation education program consist of.

Council members voiced pleasure in noting that Asheville has been very proactive and invested in a plan that has a good drought model. In addition, Asheville's residents are very good at conserving.

When Councilwoman Jones asked about the City's conservation education program, City Manager Jackson said that he will provide Council with a status report containing the work plan for the water conservation staff person and when they will be hired. He said that staff will be coming to Council for guidance regarding public relations and marketing plan for transit and other services as well.

Councilwoman Jones said that the Revenue and Finance Committee will look at our water rate structure of the more you buy, the less it costs. She felt that that issue needs to be reviewed and some decisions made before the state imposes their standards upon us.

Mayor Bellamy stressed that Asheville is willing to sell water to the City of Hendersonville noting that we have the capacity to provide 3 Million gallons per day to them.

City Manager Jackson said that Asheville has been in regular conversations with Henderson County and the City of Hendersonville, both of whom are aware that Asheville has the ability to sell additional water to them. He noted that he has also spoken with the Town of Marshall regarding their options regarding water.

Councilwoman Cape noted that Asheville has undertaken a huge water conservation program of repairing major water lines.

UPDATE ON I-26 CONNECTOR PROJECT

Mr. Derrick Weaver, N.C. Dept. of Transportation (NCDOT) Project Engineer, updated Council on the latest alternative. He said that earlier this year Figg and Lockner presented the N.C. Dept. of Transportation an alternative that was an attempt to bring the original Asheville Design Center (ADC) alternative to the same design standards as the other alternatives in Section B. Regarding the revised ADC alternative, several iterations were made to address design and capacity concerns. On June 28, 2008, the NCDOT did accept the Figg and Lockner design, called Alternative 4-B, with the acknowledgement that is still a need for future refinements, particularly at some of the ramp intersections. As further refinements are made, the NCDOT will discuss them with the Technical Review Committee. In order to proceed with project development, they will hold a public hearing on September 16, 2008, at the Renaissance Hotel and will show Alternative 4-B, as well as the other alternatives in the draft Environmental Impact Statement (EIS). There will be a local officials meeting at 11:00 a.m., followed by a public open house from 3-6:30 p.m. and then the formal presentation at 7 p.m. – all on September 16. He said that Figg and Lockner delivered quantities for their alternative to the NCDOT last week and they are currently working to prepare a cost estimate for the September 16 public hearing, so that alternative will be comparable with the other alternatives. They will have a map displaying this alternative as well as the other alternatives. At the public hearing there will also be visualizations on all of the alternatives, including Alternative 4-B. They are giving the Aesthetics Advisory Committee an opportunity to have input on the visualizations. The next step in the process is to hold the September 16 public hearing. After the public hearing they will review the public comments and reassess the schedule. However, currently they are on track to meet the currently funded Transportation Improvement Plan (TIP) right-a-way and let schedules. Once they have the cost estimates and the preliminary designs for Alternative 4-B, they will be able to address the human and natural environment impacts so they will be comparable with the other alternatives. At that time, they will determine if they need to include that in a supplemental draft EIS.

Throughout discussion, Mr. Weaver and Mr. Alan Thornburg, Board Member on the N.C. Dept. of Transportation, responded to various questions/comments from Council, some being, but are not limited to: why Alternative 4-B isn't already included in the draft EIS; Alternate 4-B originally had the intersection with Patton Avenue going under it and now the current plans envision it going over Patton Avenue; will economic opportunities for the City be considered with Alternative 4-B; is there any change in the timeline; is there an informal cost estimates of Alternate 4-B; what is the revenue picture for the NCDOT going forward with this project; what is the revenue drop this quarter compared to this quarter last year; when will the community know what pieces of property will be acquired and the date for the preferred alternative; and has Buncombe County been updated on this project by the NCDOT.

Mr. Weaver said that they have worked hard and close with the team of Figg and Lockner to make sure that this project stays on schedule.

Mayor Bellamy noted that the 21st Century Transportation Committee recently met and they heard that the funding for the first phase for this project is in place.

Councilwoman Cape felt we will be seeing dramatic changes in the role of transportation.

In response to Mayor Bellamy, Mr. Weaver said that the preferred alternative will be chosen next year and then a final design public hearing will be held in 2010. Then right-of-ways will be acquired in 2011.

Mayor Bellamy noted that information is available to the community on the NCDOT website at www.ncdot.org along with information on the City's website at www.ashevillenc.gov.

FACILITIES MASTER PLAN UPDATE

Assistant City Manager Jeff Richardson reviewed with Council the following PowerPoint presentation:

Facilities master planning is planning to provide for the orderly growth and location of municipal services to best serve citizens. It addresses immediate needs while remaining flexible enough to respond to future changes. Its purposes are (1) it identifies opportunities to improve delivery of services to citizens; (2) it evaluates land values and land use compatibility in the context of overall community development goals; and (3) it's a long-term financial planning tool.

We are proceeding with the facilities master planning now in order to (1) achieve City Council's strategic goals (a) sustainable – develop a long-term plan to address the city's aging infrastructure including facilities; (b) sustainable – reform and streamline the development review process to improve the customer's experience; (c) affordable – support redevelopment of city-owned land to achieve affordable housing goals; and (d) green – support energy efficient facilities and operations; and (2) align with Council's policy direction (a) facilities master planning is a component of the comprehensive capital planning effort kicking off this fall; and (b) the effort also aligns with planning efforts necessary to achieve Council's redevelopment goals of city-owned property.

Based on Council's strategic plan, policy direction and immediate facility needs in the organization, staff has started a three-phase project to comprehensively evaluate municipal facilities. Phase I is the critical needs assessment and recommendations. Phase II is a comprehensive facility analysis included in capital planning project. And, Phase III is implementation planning for mid – and long-term needs.

Project goals include (1) achieve Council's strategic goals & policy direction (a) City Council's Strategic Plan, redevelopment goals for city-owned property, Downtown Master Plan, 2025 Plan, etc.; and (b) align with upcoming comprehensive Capital Improvements Analysis; (2) enhance service delivery/accessibility; (3) provide services at lowest possible cost; (4) emphasize proper maintenance of existing buildings; (5) plan for staffing and security needs; and (6) incorporate citizen input throughout the project.

Phase I – Complete a space needs analysis for critical areas: (1) focus on facilities where lack of space for staffing and/or public access is expected to have a negative impact in the next 12-24 months; (2) develop recommendations for mitigating space constraints while improving customer service and aligning with long-term strategic goals; and (3) timeline - (a) space needs analysis complete; (b) develop recommendations complete; and (c) planning for Fiscal Year 2009 implementation during August 2008 – June 2009.

Phase II – In conjunction with the capital planning project, evaluate all city facilities on current condition, best use, and future community needs based on growth: (1) examine facility needs in the next 5-10+ years including fire stations, police substations, recreation facilities, and other municipal facilities; (2) develop recommendations and prioritize capital projects; (3) identify funding source(s) to support facility improvements, relocation and/or deferred maintenance where necessary; and (4) timeline – capital planning project – July 2008 – Fiscal Year 2009 budget process.

Phase III – Develop implementation plan for addressing mid-term and long-term facility needs identified through capital planning project: (1) timeline and implementations will be based on findings and Council direction from capital planning project; and (2) identify opportunities to co-locate functions where appropriate and beneficial.

The purpose of this presentation is to share findings and recommendations from Phase I only and seek Council feedback on preliminary recommendations. The Phase I update includes (1) critical space needs analysis completed; (2) short-term priority projects to mitigate space and citizen service constraints identified; and (3) feasibility analysis, project planning and stakeholder input underway.

From the Phase I findings, the following are near-term priority areas. The analysis showed significant constraints in the following facilities: (1) City Hall (all floors) – impacts customer service division, development services, internal support services; (2) Public Works Building (Department of Public Works and Building Safety) – impacts development services and Public Works administrative operations; (3) Municipal Building (Police & Fire) – impacts downtown public safety operations; (4) Oakley Police Community Center – inadequate space with critical building code issues; (5) Parks Maintenance Facility (Aston area property) – inadequate space to maintain location and achieve redevelopment goals; and (6) Hunt Hill Purchasing Facility (McCormick Heights area) – inadequate space to maintain location and achieve redevelopment goals.

Regarding City Hall, the current challenges include inadequate customer parking and citizen access; space constraints; inadequate meeting space; loading/unloading challenges; long-term deferred maintenance issues; and building security.

Regarding the Public Works Facility, the current challenges include employee office space constraints; customer parking

constraints; development services is fragmented between several city buildings; no opportunity to co-locate services due to space constraints; lack of storage; and lack of plans review/meeting space.

Regarding the Municipal Building, the current challenges include forty additional police personnel since Fiscal Year 2002-03; existing building space inadequate to meet service demands; inadequate storage space; inadequate customer parking; inadequate employee offices; no ability for future growth; and renovated in 1998.

The Oakley police community center is a 1910 residential structure – 1200 usable square feet; serves as northeast district office; 40 assigned sworn personnel; structural issues – space compatibility issues; and renovation analysis underway.

Regarding the Parks Maintenance Facility, the current challenges include (1) address land use compatibility issues with surrounding properties; and (2) pursue housing affordability and other strategic goals through redevelopment.

Regarding the Hunt Hill Purchasing Facility, the current challenges include (1) address land use compatibility issues with surrounding residential neighborhood; and (2) potential to pursue housing affordability and other strategic goals through redevelopment.

Phase I recommendations include (1) One-Stop Citizen Service Center (a) relocate Customer Services Division; and (b) complete planning for relocating development services in one location; (2) optimize police substation locations (a) pursue location for downtown police substation; and (b) complete renovation analysis for Oakley substation; and (3) consolidate maintenance and purchasing facilities (a) complete master development plan for Aston area property; and (b) complete master development plan for Armory property as potential relocation site for maintenance and purchasing facilities.

The One-Stop Citizen Service Center would be located in the Innsbrook Mall (a) customer services and water administration; (b) development services “one-stop-shop”; and (c) property remains past of tax base with City leasing space.

Step 1 for the One Stop Citizen Service Center would be relocation of key citizen services (1) customer service (City Hall First Floor) – citizen access for utility payments, establishing water service, processing business privilege licenses, paying parking tickets, etc.; (b) water maintenance staff dedicated to development services; (c) 60 staff total; and (d) estimated completion of Spring, 2009.

Step 2 for the Development Services One Stop Shop: (1) development review center to house key staff from Planning, Engineering, Building Safety, Fire, and Water Resources; (2) 10,180 square feet office space to Customer Service Center; (3) development review process based on improved customer experience; and (4) planning and recommendations completed June 2009 and budgeting and physical implementation in Fiscal Year 2009-10.

Regarding optimizing police substation locations (1) pursue location for downtown substation; (2) complete renovation analysis for Oakley substation; and (3) evaluate all police substations in Phase II.

Regarding consolidating the maintenance and purchasing facilities (1) complete Aston area development master plan in December 2008; (2) complete Armory site development master plan in March 2009; and (3) budgeting and physical implementation is to be determined.

Next steps include (1) receive Council feedback on Phase I recommendations; (2) prepare project plans for Phase I recommendations and schedule ongoing updates; (3) incorporate implementation with upcoming capital planning project and Fiscal Year 2009-10 budget process; and (4) incorporate ongoing public participation in planning and implementation phases.

Mr. Richardson responded to various questions/comments from Council, some being, but are not limited to: is this an opportunity to eliminate some of the redundancy in the 911 PSAP; hope that we give consideration to police substations in public housing; how does Asheville measure up with other cities our population in terms of square footage that we use for City services; and are we being realistic financially in restoring the armory and moving City facilities.

Councilwoman Jones supported the next steps and hoped the One Stop Shop can proceed quickly as it will be good for the community. City Manager Jackson explained that when you change work places, lines of supervision, communication flows and business processes, it's easy to under-estimate the challenges that has and we don't want an impact on the customers. As this will be a significant change for the organization, he felt that it will take approximately 12 months to do it right, borrowing from best practices in other states and the commitment of key staff members.

In response to Councilman Mumpower, City Manager Jackson said that in terms of water customer service, there is a lease involved. They currently lease space in City Hall so it should be a neutral impact on the water rate customer. We have good

negotiations with the Innsbrook Mall property and staff will be bringing that to Council with what they have offered to the City. There is an impact for moving the One Stop Shop to the Innsbrook Mall and a cost for implementing the software systems. The Park Maintenance Facility and the Hunt Hill Facility are on our own land so we are not acquiring land to relocate these facilities. We are freeing up land that we hope will go back on the tax rolls. We will also be doing as much design and master planning as we can in-house, but there will have to be some structure modifications to accommodate these facilities.

In response to Councilman Mumpower, City Manager Jackson said that we used City employee project teams in bringing this to Council.

Councilwoman Cape felt this is the right move and supported the next steps; however, she hoped to see the costs as we move forward.

Councilman Newman supported looking at these opportunities and other opportunities to put City land back into the private sector and back on the tax rolls.

Mayor Bellamy said that staff has received support from Council to move forward to the next steps. She said that accessibility and communication between departments is important to the community. Access to parking is important as well. She said that a lot of the land that we are looking at freeing up was done with redevelopment dollars and personally she will not be supportive of any additional sale. She would be open to seeing some land leases and creativity with that issue, but a lot of public dollars were used to acquire land in the East End. City Manager Jackson said that private development on long-term leases is taxable as well.

At 5:00 p.m., Mayor Bellamy announced a short recess.

TRANSIT POLICY ISSUES

Director of Transportation and Engineering Cathy Ball provided council with a memorandum dated July 15, 2008, of follow-up to transit issues from the Council's June 24, 2008, meeting; staff report and minutes of the June 10, 2008, meeting where City Council approved the professional service agreement with First Transit Inc. for management of the City's transit system; the Asheville Transit System's start-up plan action items from the new management company; and the minutes from the Asheville Transit Commission's retreat on November 9, 2007.

She explained that the Transit System's key values are (A) environmentally sustainable (1) environmentally sensitive operations; (2) response to dynamic transportation needs; and (3) support air quality and land use goals; (B) fiscally responsible (1) reduce expenses/increase revenues; (2) accountable; and (3) effective and efficient operations; and (C) increase mobility (1) coordinate integrated transportation planning; and (2) support economy.

The system aligns itself with the Council's Strategic Operating Plan with action plans as follows: (A) affordable (1) maintain or reduce taxes (a) increase efficiency of system (new management company and Transit Master Plan); and (b) develop alternate funding sources (Transit Master Plan); (B) green (1) reduce emissions by 2% (a) evaluate current routes for efficiency (Transit Master Plan); (b) replace buses; and (c) continue implementation of PassPort Program; (2) sustainable funding sources (a) identify additional funding sources (Transit Master Plan); and (3) environmentally efficient decisions (a) develop an environmentally sustainable operations plan (environmental/management system grant and new management company); and (C) sustainable (1) leverage funding for transportation initiatives (a) increase ridership (Transit Master Plan and increase marketing initiative); and (b) identify additional funding sources (Transit Master Plan); and (2) comprehensive growth management plan (a) integrated transportation planning.

Next steps include (1) consider revised rate structure for advertising – September 2008; (2) capital purchasing – bus technology analysis – October 2008; (3) receive six-month progress report on management company transition – October 2008; (4) approve transit budget – July 2009; and (5) review and approve Transit Master Plan transition – October 2009.

Councilman Mumpower suggested seeking public input from the people that are closest to reality and encouraged the City, as part of the Transit Master Plan to ask those people to provide input. City Manager Jackson said that this is a contract and transit service employees are unionized employees. We are open to further guidance on that but previous advice would caution him against dialoging directly with the unionized employees or not holding the contractor responsible. If we are doing strategic planning and if Council is suggesting that as we do long-range planning that we encourage the contractor to gather input from the drivers, dispatch operators, etc. and feed that input into the transportation planning, he would want to be clear that would be the limit. There has been some misunderstanding about dialoging, day-to-day reporting, maintenance, etc. by the unionized employees directly to City Council. The transit employees are not City employees – they are contract employees for a management company.

In response to Councilman Mumpower, Ms. Ball clarified that the general manager for the former management company was part of the Steering Committee and was present when the Request for Proposals were being developed.

City Manager Jackson said that the new management company is systematically going through every aspect of the operation as seen on the start-up plan of action items provided to Council. They have already identified some "low-hanging fruit" problems and have remedied those. They have also identified issues with documentation internal to that operation in claims and benefits. Some of these questions were raised and looked at prior to the change of management company and were a factor in the decision to go with a new management company. There is a comprehensive transition that is taking place. Their initial work has been to manage the transition with the employees and deal with the concerns the employees had about their benefits, their compensation, supervisory relationships, etc. This is a wholesale change of a management company and we need to give them an opportunity to address the issues. If there are specific things, under collective bargaining, that union employees need to grieve and bring forward to the management company, they've had the meetings to communicate on how that occurs. If there are specific issues with the new management company's performance, those concerns can be forward to him or Ms. Ball for follow-up.

Mayor Bellamy supported the next steps outlined by Ms. Ball and supported a budget amendment being brought to Council to purchase the fare boxes.

Ms. Ball responded to Mayor Bellamy when she asked if a consolidation effort with Mountain Mobility is part of the master planning process.

When Mayor Bellamy asked if there has been any consideration to Sunday bus service, Ms. Ball said that was the Transit Commission's number one request but it was very difficult to fund due to increases already experienced as a result of gas prices. She said that it basically comes down to an economically decision. Mayor Bellamy asked for more information on that and maybe phase it in.

Mayor Bellamy supported the continuation of the route on Leicester Highway out to the Land-of-Sky Regional Council. There are great number of new residents along that route that could benefit from bus service. There is also a need that goes beyond our master planning process and that is a truly integrated transportation plan for our area. She encouraged Council to be supportive of a true multi-modal system for our region.

Councilwoman Jones spoke in support of the next steps outlined by Ms. Ball and looked forward to the updates.

Councilman Newman supported the next steps and said that a lot of positive things have been happening in the transit system. Management transitions are inherently challenging, even in the best of circumstances. Last month the ridership was 22% higher this year than 12 months ago. Some of our challenges come from our success. The community involvement process will help us tweak our system in good ways and help determine where the best places are to strategically invest in the system that will have a good return on investment.

RESOLUTION NO. 08-161 - RESOLUTION MAKING PROVISIONS FOR THE POSSESSION AND CONSUMPTION OF MALT BEVERAGES AND/OR UNFORTIFIED WINE AT THE GOOMBAY FESTIVAL

Summary: The consideration of a resolution making provisions for the possession and consumption of malt beverages and/or unfortified wine at the Goombay Festival on August 22-24, 2008.

The YMI has requested, through the City of Asheville Parks, Recreation & Cultural Arts Department, that City Council permit them to serve beer and/or unfortified wine at the Goombay Festival and allow for consumption at this event.

The Goombay Festival will be held on Friday, August 22, 2008, from 12:00 PM – 10:00 PM, Saturday August 23, 2008, from 12:00 PM – 10:00 PM and Sunday, August 24, 2008 from 1:00 PM – 6:00 PM within the boundaries of Eagle Street, South Market Street & Wilson Alley, as per the event area limits referenced on the accompanying site map.

This action ties into the previously approved plan for event co-sponsorships.

Pro:

- Allows fundraising opportunities for charity

Con:

- Potential for public safety issues

The fiscal impact would be the overtime pay for Asheville Police Department officers.

City staff recommends City Council adopt a resolution authorizing the City Manager to approve a resolution making provisions for the possession and consumption of malt beverages and/or unfortified wine at the Goombay Festival.

When Mayor Bellamy asked for public comment, no one came forward.

Councilwoman Jones moved to waive the rules and take formal action at this meeting. This motion was seconded by Vice-Mayor Davis and carried on a 6-1 vote, with Councilman Mumpower voting "no."

Mayor Bellamy said that members of Council have received a copy of the resolution and it would not be read.

Councilwoman Jones moved for the adoption of Resolution No. 08-161. This motion was seconded by Councilman Newman and carried on a 5-2 vote, with Mayor Bellamy and Councilman Mumpower voting "no".

RESOLUTION BOOK NO. 31 – PAGE 261

BOARDS/COMMISSIONS

- It was the consensus of Council to re-advertise for the east vacancy on the Citizens-Police Advisory Committee.

It was the consensus of Council to hold interviews for the Civil Service Board.

It was the consensus of Council to interview Matthew Menne, Matthew Raker, Herbert Kupfer and Ryan Blau for a vacancy on the Sustainable Advisory Committee on Energy & the Environment.

It was the consensus of Council to interview Betty Young, Mildred Nance-Carson, John Metcalf and Sara Manuel for vacancies on the Recreation Board. It was noted that Davidson Jones was previously interviewed and Wanda Hawthorne will be an interviewee as well. On behalf of the entire City Council, Vice-Mayor Davis expressed City Council's deepest sympathy to the family of Sam Camp who was a very valuable member on the Recreation Board.

It was the consensus of Council to reappoint Eric Scheffer to the Buncombe County Tourism Development Authority.

At the request of Councilman Newman, it was the consensus of Council to reschedule the Transit Commission restructuring to the September 16, 2008, worksession as he would like some additional time to prepare some materials.

Regarding the filling of a vacant Council seat, Vice-Mayor Davis submitted the following proposal: "There currently is no clear guideline to fill unexpired terms of Council members because of resignation and fourth seat replacement created by Mayoral election. There is provision for the unexpired term to be filled by approval of Council. The Boards and Commissions Committee recommends consideration of a process similar to the way other important board seats are filled, i.e., the School Board, Planning & Zoning Commission and Board of Adjustment. The opening will be advertised, applications taken, the applications interviewed by Council and finally a selection by Council vote. The individual selected will then complete the term of the resigning Council member." The Board recognized there was a lot of open-endedness in this proposal but the seat needs to be filled very quickly. It was the consensus of the Committee that the applications contain essay questions; the interviews be longer than 10 minutes; and that person vacating the seat not vote on their replacement.

Councilman Mumpower suggested the existing Boards & Commissions Committee, along with the City Attorney's input, flesh the proposal out.

There was a brief discussion about the timing of the applications, interviews and appointment of the new member. City Attorney Oast said that he would investigate when other bodies hold their swearing in ceremonies.

Councilwoman Cape felt this is an opportunity to reach out to the community in another way than an election. She felt this would be an interesting process and would like to investigate that and see what other options are.

It was the consensus of Council to ask the Boards & Commissions Committee flesh out the specifics of this proposal.

Other Items

- **Grove Park Inn Area Traffic Calming Project**
-

Councilman Mumpower asked for Council discussion on the staff report on the Grove Park Inn area traffic calming project. He felt to wait until the next worksession on this item will close a window of opportunity.

Councilman Newman did not support discussing this item as he would like to have the materials first to review and be prepared.

When Vice-Mayor Davis recalled asking for this topic to be discussed in the worksession, Mayor Bellamy refreshed his memory with a telephone conversation in which he said he would wait and not request the item be placed on a worksession agenda.

In response to Councilwoman Cape, City Manager Jackson said that the only policy direction Council could give would be to reconsider the contract and stop the project.

Mayor Bellamy instructed City Clerk Bureson to place this item on the August 26, 2008, formal meeting for community input as well as Council discussion. It was the consensus of Council that the project proceed as scheduled and not stop.

City Manager Jackson said that the City has been very deliberate in getting appropriate input.

E-Verify

Councilman Mumpower asked for Council discussion on the staff report regarding the E-verify tool being made more visible on the City's website.

Councilman Newman did not support discussing this item as he would like to have the materials first to review and be prepared.

Councilman Mumpower wondered if it was possible for old issues to be automatically placed on an agenda if it is a prior open-ended issue. Mayor Bellamy recalled discussing this under the issue of illegal immigration. She said there was not policy direction other than to make people aware of this system and to make E-verify system available on the City's website.

Councilman Mumpower recalled it differently in that staff was asked to develop a report for Council so they could act on that report in terms of some of the concerns raised regarding the utility of the E-verify availability on the website. Staff has now given Council the report and he felt that Council should act on the report.

City Manager Jackson felt the staff report answered the question about how the City could use the E-verify system and how it might interface with the current screening that we do. He said the second question was to look at how we make it available on our website. He felt staff answered the questions by Council. If that suggests policy direction from Council, he would be open to that, but he didn't recall a request to develop a staff report with a recommendation for Council action.

Mayor Bellamy felt there was Council support for the E-verify link on our website and for staff to use it in the way they felt it was appropriate. She didn't recall anything having to come back to Council. She asked City Clerk Bureson to review the minutes for clarification.

Councilman Mumpower requested this item be placed on the agenda.

2008 Ambassadors for Cities Award

Mayor Bellamy was pleased to acknowledge that the National Association of Realtors presented the City of Asheville and the Asheville Board of Realtors the 2008 Ambassadors for Cities Award on August 14, 2008, in recognition of excellence in promoting housing opportunities through public-private partnerships for the work of the Mayor's Task Force on Affordable Housing and the U.S. Conference of Mayors.

She said that one of the things coming out of the report from the Mayor's Task Force on Affordable Housing was the faces of affordable housing. The Board of Realtors working with Mission Hospitals have already put together a public service announcement to talk about who needs affordable housing in our community to dispel some of the myths out there about affordable housing. She said that the Realtors are working on a plan to really look at affordable housing in our community and some alternative products for financing affordable housing.

Closed Session

At 6:23 p.m., Councilman Mumpower moved to go into closed session for the following reason: (1) 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: City of Asheville, State of North Carolina and County of Buncombe. The statutory authorization is contained in G.S. 143-318.11(a) (3); and (2) To establish or to instruct City 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 by purchase, option, exchange or lease. The location of the property is on Swannanoa River Road. The statutory authority is contained in G.S. 143-318.11(a)(5). This motion was seconded by Councilwoman Cape and carried unanimously.

At 7:25 p.m., Councilman Russell moved to come out of closed session. This motion was seconded by Councilman Newman and carried unanimously.

ADJOURNMENT:

Mayor Bellamy adjourned the meeting at 7:25 p.m.

CITY CLERK

MAYOR