

Tuesday – August 30, 2011 – 6:30 p.m.
UNC-Asheville, Wilma M. Sherrill Center

Community Meeting – North Asheville

Present: Vice-Mayor Brownie W. Newman, Presiding; Councilman Cecil Bothwell; Councilman Jan B. Davis; Councilwoman Esther E. Manheimer; Councilman William A. Russell Jr.; Councilman Gordon D. Smith; City Manager Gary W. Jackson; City Attorney Robert W. Oast Jr.; and City Clerk Magdalen Burleson

Absent: Mayor Terry M. Bellamy

Vice-Mayor Newman opened the meeting, thanked Chancellor Anne Ponder for allowing the City Council to see their new Center, welcomed the audience and introduced City Council members.

With the consensus of City Council, Vice-Mayor Newman said that a resolution was necessary to allow alcohol at the Asheville Grizzlies Football Game Event 2 this weekend as follows:

RESOLUTION NO. 11-183 - RESOLUTION MAKING PROVISIONS FOR THE POSSESSION AND CONSUMPTION OF MALT BEVERAGES AND/OR UNFORTIFIED WINE AT THE ASHEVILLE GRIZZLIES FOOTBALL GAME EVENT ON SEPTEMBER 3, 2011

Director of Building Safety Robert Griffin Roderick Simmons said that this is the consideration of a resolution making provisions for the possession and consumption of malt beverages and/or unfortified wine at the Asheville Grizzlies Football Game Event 2 on September 3, 2011. He said their original request also included September 11; however, Memorial Stadium was not available on that date.

Asheville Grizzlies has requested through the City of Asheville Development Services Center that City Council permit them to serve beer and/or unfortified wine at the Asheville Grizzlies Football Game Event 2 and allow for consumption at this event.

The Asheville Grizzlies Football Game Event 2 will be held on Saturday, September 3, 2011, from 5:00 p.m. – 11:00 p.m., within the boundaries of Memorial Stadium as per the event area limits referenced on a site map.

This action has no direct connection with the City of Asheville Strategic Operating Plan.

Pro:

- Allows fundraising opportunities for Asheville Grizzlies

Con:

- Potential for public safety issues

City staff recommends City Council adopt the 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 Asheville Grizzlies Football Game Event 2.

When Vice-Mayor Newman asked for public comment, no one spoke.

Vice-Mayor Newman said that members of Council have been previously furnished with a copy of the resolution and it would not be read.

Councilman Russell moved for the adoption of Resolution No. 183. This motion was seconded by Councilman Davis and carried unanimously.

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Chancellor Ponder thanked City Council for coming to the new Wilma M. Sherrill Center, home of the North Carolina Center for Health & Wellness. She briefed Council on things going on at their campus, along with student initiatives and community partnerships.

Director of Transportation Ken Putnam provided Council with an overview of the community-based partnership to improve the walkability of Charlotte Street corridor.

Ms. Deborah Pirie spoke to Council about how the Charlotte Street Corridor Committee came into fruition. They have worked to achieve pedestrian and bike safety along Charlotte Street, particularly between Edwin Place and I-240. They surveyed residents, analyzed the survey, met with City staff to discuss the results with possible changes in the traffic plan with budgeting and traffic flow in mind, invited and met with businesses, formed a Streetscape Committee, and met again with City staff to discuss support and concerns. Concerns focused on traffic volume and safety of the middle lane. They also discussed various options of road diet, bike lanes, additional pedestrian crosswalks, bump-outs, etc – looking for the least expensive yet effective way to increase pedestrian safety and walkability on Charlotte Street while attending to business traffic needs. A particular issue was safety due to the number of power poles in the middle of sidewalks.

Ms. Billie Buie, representing a north Asheville group of residents and business owners, spoke to Council about making north Asheville streets safer and more attractive for pedestrians. Merrimon Avenue area residents also want to make Merrimon Avenue walkable. There are several sections on Merrimon Avenue that sidewalks are non-existent or are not safe. They have noticed foot trails next to sidewalks because people don't want to be so close to the rushing traffic on Merrimon Avenue. She asked for Council's assistance in providing sidewalks on Merrimon Avenue from downtown Asheville to Beaver Lake. She also spoke about the issue of utility poles in the middle of sidewalks, which are unsafe causing baby strollers and wheelchairs to go around the poles into the street. She requested that the City initiate a partnership with Progress Energy that when they move or relocate existing poles that they not be relocated in the existing sidewalks and when new poles are put up that they not be in the sidewalks. In addition, she expressed concern and assistance for sidewalks on Lakeshore Drive which has a lot of traffic.

Regarding power poles in sidewalks, Public Works Director Cathy Ball said that the Public Works Department is working with utility companies to address this issue. We are working (1) to amend the City's Right-Of-Way Ordinance to require all utility companies obtain a permit to replace a pole. This will allow our staff to work with them to provide handicap accessibility around the poles; (2) to amend our Standards & Specifications Detail Manual to require all intrusion into the sidewalk provide for ADA accessibility; and (3) on negotiating a contract with Progress Energy to repair sidewalk in over 200 locations where they are replacing poles. The agreement will specify that the City will provide ADA accessibility and Progress Energy will pay the cost of the repairs.

Mr. Putnam noted that the accessibility guidelines for pedestrian facilities in public right-of-way have been in draft format for over 20 years. The final draft, which was released on July 26, 2011, is now available for public review and comment until November 23, 2011. If all goes well, it is anticipated that the subject guidelines will become law during 2012. The City of Asheville has been using the draft guidelines for several years as best management practices. When they become law, then everyone including the various utilities will be subject to the requirements. Regarding sidewalks, the subject guidelines mandate that a minimum continuous width of 48 inches be maintained along the pedestrian access route section of a sidewalk. This requirement could generate the need for easements from affected property owners and staff would hope that those property owners would cooperate and grant the City an easement at no cost so that the monies can be used for actual construction.

Regarding sidewalks on Lakeshore Drive, Mr. Putnam said that included in the current fiscal year is a project to construct a short section of sidewalk along Lakeshore Drive from Merrimon Avenue to Mt. Vernon Circle at an estimated cost of \$50,000. The design has been completed and staff is in the process of obtaining the necessary easements. Construction should be completed by June 30, 2011.

This project, when completed, will provide good connectivity from existing sidewalks in a well established residential neighborhood to existing sidewalks along Merrimon Avenue. In addition, staff is currently developing a project and/or projects along Lakeshore Drive from Lakeview Road to Mt. Vernon Circle for consideration in the FY 2012-13 and FY 2013-14 fiscal years. This section of sidewalk is identified as a needed linkage in the approved 1999 (updated 2005) Pedestrian Master Plan.

Vice-Mayor Newman then opened up the meeting for questions. Questions/comments responded to by City staff or Council members consisted of: how can citizens become involved in the Charlotte Street planning process; note that there are gas lines, waterlines, fiber optic lines, etc. underneath the sidewalks; what can residents do to facilitate sidewalks on Lakeshore Drive; has the City considered different mediums (like crushed gravel) other than concrete sidewalks; does maintenance of existing sidewalks take precedence over providing neighborhoods that have no sidewalks; request to work quickly on working with Progress Energy on power pole replacements; confirmation that once the ADA law takes effect that all utility companies must abide by it; need for a trash can at the Lakeshore Drive/Cherry Lane bus stop; request for a turn signal at Merrimon & Edgewood; request to raise the 4-inch recessed manhole on Kimberly Avenue; need maintenance of the Urban Trail; request to find Urban Trail pieces that were stored and now cannot be found; in our efforts to make Merrimon Avenue pedestrian and bicycle friendly, make sure cars can flow through the streets too; need for increased bike lanes as some end arbitrarily; request to review the noise ordinance to clearly define hours of night and day with noise limits, assign acceptable decibel limits, and clearly state nuisance noises; asked the City to consider rail service to Asheville; request to mandate developers to set aside money for sidewalks; residents can help the City in getting sidewalks by contacting property owners to give easements; request for City to meet with Fairway Advertising as they are willing to talk about relocating the digital billboard on Merrimon Avenue; why has the bus service on Merrimon Avenue not been changed from every hour to every 30 minutes as was proposed in the Transit Master Plan; vast overuse of fire trucks travelling to medical emergencies and suggestion to use a smaller vehicle; request fire trucks not use alarms through neighborhoods in early morning hours; congratulations for purchasing hybrid buses; request to have the AT&T box on the pole by St. Mary's Church removed as it takes up space on ½ of the sidewalk; request to remove graffiti on the AT&T box at the corner of Edgemont and Charlotte Street; suggestion that the City and/or the Chamber of Commerce consider bus service to the middle part of the state; and concern about bear problem in north Asheville.

Vice-Mayor Newman and Council members expressed their appreciation for the community involvement.

At 8:25 p.m., Vice-Mayor Newman adjourned the meeting.

CITY CLERK

MAYOR