

Tuesday - June 10, 1986 - 4:00 p.m.

Regular Meeting

Present: Vice-Mayor Mary Lloyd Frank, Presiding; Councilmen Wilhelmina Bratton, Walter R. Boland; Kenneth M. Michalove, Norma T. Price, and George M. Tisdale; Corporation Counsel William F. Slawter; City Manager Douglas O. Bean; and Associate City Manager/City Clerk William F. Wolcott, Jr.

Absent: Mayor W. Louis Bissette

INVOCATION

The invocation was given by Councilman Michalove.

APPROVAL OF THE MINUTES - JUNE 3, 1986

1. Consideration was given to the approval of the minutes of the June 3, 1986 meeting.

Vice-Mayor Frank noted a typographical error in the minutes of the June 3, 1986 minutes.

Vice-Mayor Frank announced the approval of the minutes as amended.

PROCLAMATION - JUNE 11-13, 1986 AS "JAIL-A-THON" IN ASHEVILLE FOR THE AMERICAN CANCER SOCIETY

2. Vice-Mayor Frank read a proclamation proclaiming June 11-13, 1986 as "Jail-A-Thon" in Asheville for the American Cancer Society.

Vice-Mayor Frank presented the proclamation to Judith Holt and Susan Johnson with the American Cancer Society.

PROCLAMATION - JUNE 14, 1986 - "FLAG DAY"

3. Vice-Mayor Frank proclaimed June 14, 1986 as "Flag Day" in the City of Asheville.

ORDINANCE NO. 1586 - BUDGET ORDINANCE AMENDMENT TO ESTABLISH A BUDGET FOR HIGHWAY SAFETY GRANT - SEAT BELT PROGRAM

4. Consideration was given to a budget ordinance amendment to establish a budget for highway safety grant - seat belt program.

Vice-Mayor Frank said this budget amendment is to establish a budget for an approved state grant. The funds will be used to cover expenses incurred in establishing and conducting a community passenger safety program. This is a one-third match program to be matched with in-kind services. She said this is a state grant in the amount of \$21,600.00.

Councilman Boland moved for the adoption of Ordinance No. 1586. This motion was seconded by Councilman Tisdale.

On a roll call vote of 6-0, Ordinance No. 1586 passed on first and final reading.

Complete text of Ordinance No. 1586 will be found in Ordinance Book No. 11 at page 19.

RESOLUTION NO. 86-94 - RESOLUTION SETTING POLICY FOR SEWER CONNECTIONS AND EXTENSIONS AS WELL AS REPAIR WORK FOR SERVICE LINE STOPPAGES

5. Consideration was given to a resolution setting policy for sewer connections and extensions as well as repair work

for service line stoppages.

Vice-Mayor Frank said by Resolution No. 69-1, City Council established an interim policy concerning water and sewer line extensions for the City of Asheville both inside and outside the corporate limits. Resolution No. 86-63 sets a policy for sewer line extensions to non-contiguous annexation areas. Neither of these resolutions nor any ordinances set forth the policy for sewer connections or for the responsibility of the City with regard to stoppages in service lines. This resolution is setting a policy for sewer connections and extensions and service line stoppages for the City of Asheville.

Upon motion of Councilman Tisdale, seconded by Councilman Price, Resolution No. 86-94 was unanimously adopted.

Complete text of Resolution No. 84-94 will be found in Resolution Book No. 16 at Page 20, 21, and 22.

RESOLUTION NO. 86-95 - RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ON BEHALF OF THE CITY OF ASHEVILLE AN AGREEMENT BY AND BETWEEN THE CITY OF ASHEVILLE AND ASHEVILLE-BUNCOMBE DISCOVERY TO FUND A MEDIATOR WITH REGARD TO RENOVATION OF THE GROVE ARCADE BUILDING

6. Consideration was given to a resolution authorizing the Mayor to execute on behalf of the City of Asheville an agreement by and between the City of Asheville and Asheville-Buncombe Discovery to fund a mediator with regard to renovation of the Grove Arcade Building.

Vice-Mayor Frank said Asheville-Buncombe Discovery has received a grant from the National Trust for Historic Preservation to hire a mediator to negotiate an agreement between the General Services Administration of U.S. and Asheville-Buncombe Discovery or other representative of the Asheville Community for renovation of the Grove Arcade Building. The grant is in the amount of \$2,000.00 and requires matching funds from the grantee. She said matching funds in the amount of \$2,000.00 are available in the Community Development budget.

Upon motion of Councilman Price, seconded by Councilman Boland, Resolution No. 86-95 was unanimously adopted.

Complete text of Resolution No. 86-95 will be found in Resolution Book No. 16 at Page 23.

BIDS - UNIFORM SHIRTS AND PANTS FOR CITY'S FIRE DEPARTMENT

7. Consideration was given to a motion relative to bids received for uniform shirts and pants for the City's Fire Department.

Vice-Mayor Frank said sealed bids were invited to furnish the estimated annual requirements of uniform shirts and pants for the City's Fire Department. Three (3) bids were received. Low bid was submitted by the Whole Armor Uniform Company, 570 Hendersonville Road, Asheville, North Carolina. This bid fully meets all requirements of our request for quotation and offers guaranteed firm pricing until April 30, 1987.

The City Manager said bids were received from Whole Armor Uniform Company in the amount of \$9,977.94; Kay Uniforms in the amount of \$10,688.20; and Hub-Stinnette Uniforms in the amount of \$10,785.80.

Councilman Tisdale moved to award the bids to the low bidder, Whole Armor Uniform Company in the amount of \$9,977.94. This motion was seconded by Councilman Price and carried unanimously.

APPROVAL OF CONSENT AGENDA

8. Vice-Mayor Frank said the following items are of a routine nature and they have been previously reviewed by the members of the City Council. Therefore, by unanimous vote to approve these items, the City Council may, pursuant to the procedures established in Ordinance No. 1008, adopt all of the items with one motion without the full reading and/or separate motion adopting each individual item. Upon the request of a citizen, a member of the City Council, and/or a member of the City staff, any single item scheduled for approval on the consent agenda may be considered

separately.

Resolution No. 86-96

A. Consideration of a resolution appointing members to the Board of Adjustment.

HIGHLIGHTS: The term of Hal Talbert, as a member of the

Zoning Board of Adjustment expired on January 21, 1986. This resolution will appoint Ben McKenzie, 25 Summerhill Drive, Asheville, N. C. 28804, for a term of three years, term expiring January 21, 1989, or until his successor is duly appointed and

qualified.

FISCAL IMPACT: None

Resolution Book 16, Page 24

Resolution No. 86-97

B. Consideration of a resolution appointing members to the Asheville Regional Airport Authority.

HIGHLIGHTS: The terms of Richard L. Haber and William

F. Wolcott, Jr. will expire on June 30, 1986. This resolution will appoint Mr. William G. Moore, 18 Buckingham Court, Asheville, N. C. 28803, and Mrs. Mimi Cecil, 7 Firth Drive, Asheville, N.C. 28803 to fill the vacancies, terms expiring on June 30, 1990, or until their successors

have been duly appointed and qualified.

FISCAL IMPACT: None

Resolution Book 16, Page 25.

Resolution No. 86-98

C. Consideration of a resolution appointing a member to the Asheville Transit Authority.

HIGHLIGHTS: The term of Murray A. Miller expired on

December 31, 1985. This resolution will appoint Don Patton, 15 Reynolds Place, Asheville, N.C. 28804 to a four (4) year term, term expiring on December 31, 1989, or until his successor has been duly

appointed and qualified.

FISCAL IMPACT: None

Resolution Book 16, Page 26.

Resolution No. 86-99

D. Consideration of a resolution appointing a member to the

Western North Carolina Air Pollution Control Board.

HIGHLIGHTS: Franklin R. Schutz has resigned as a member

of the Western North Carolina Air Pollution Board. This resolution will appoint the Reverend Nilous M. Avery, 46 Chunn's Cove Road, Asheville, N. C. 28805 to fill the unexpired term, term expiring on January 15, 1992, or until his successor has been

duly appointed and qualified.

FISCAL IMPACT: None

Resolution Book 16, Page 27.

Resolution No. 86-100

E. Consideration of a resolution appointing a member of the

Asheville-Buncombe Historic Resources Commission.

HIGHLIGHTS: Jack Westall has resigned as a member of

the Asheville-Buncombe Historic Resources Commission. This resolution will appoint

Mr. Jim Cairnes, 209 Cumberland Avenue, Asheville, NC, 28801 to the Asheville-

Buncombe Historic Resources Commission to serve the unexpired term of Jack Westall, term expiring on July 1, 1988, or until his successor has been duly appointed and

qualified.

FISCAL IMPACT: None

Resolution Book 16, Page 28.

Upon motion of Councilman Michalove, seconded by Councilman Boland, the Consent Agenda was unanimously approved.

SCHEDULING PUBLIC HEARING - ORANGE STREET OFFICE PARK GROUP DEVELOPMENT

9. Councilman Michalove moved to schedule a public hearing relative to the Orange Street Office Park Group Development for July 8, 1986. This motion was seconded by Councilman Price and carried unanimously.

SCHEDULING PUBLIC HEARING - UMTA GRANT - SECTION 9

10. Councilman Boland moved to schedule a public hearing relative to amending the current capital grant contract for the Urban Mass Transportation Administration under Section 9 of the Urban Mass Transportation Act of 1964, as amended, for June 24, 1986. This motion was seconded by Councilman Michalove and carried unanimously.

COUNCILMAN TISDALE - REPORT RELATIVE TO ASHEVILLE CABLEVISION COMMISSION MEETING

11. Councilman Tisdale noted that the Asheville Cablevision Commission held its second meeting on June 9, 1986, at the offices of Asheville Cablevision on Charlotte Street. He said all members of the Commission were present and

toured the entire facilities at the Asheville Cablevision office. He said members of Council would be receiving minutes of the Commission's meeting. He did note, however, that data was presented at the meeting indicating an increase in the expanded subscribers of 1% and basic subscribers dropping 1% which indicated that subscribers are interested in the expanded services offered by Asheville Cablevision. He said he was impressed with the continued efforts of Asheville Cablevision to improve the service in the City of Asheville. He said no complaints were received during the past month relative to cablevision in the City of Asheville.

CLAIMS - EB PREUNINGER (SANITATION) - MRS. B. M. EDINGTON (WATER)

12. The City Manager presented claims received from Ed Preuninger and Mrs. B. M. Edington.

Vice-Mayor Frank referred the claims to the Corporation Counsel for investigation and recommendation.

DISCUSSION RELATIVE TO AMOUNT FOR BOND ISSUE FOR PUBLIC IMPROVEMENTS

13. Councilman Michalove, urging members of Council to increase the bond amount from \$20 million to \$27 million, read the following memorandums to members of Council stating that if the greater amount is not obtained now, the City would be forced to come back to the voters in the near future with another referendum in what is likely to be a much poorer economic climate. He said he did not feel Council members are aware of the total needs for street improvements. He said the information furnished to members of Council relative to streets were from a three-year old map and there has been substantial deterioration of the streets since the map was prepared.

MEMORANDUM

To: Members of City Council

From: Ken Michalove Date: June 10, 1986

The Asheville Alternatives survey forms produced some interesting information regarding the need for a bond issue regardless of the amount we finally set.

Out of the 278 surveys returned 247 said we needed to utilize bond referendum mechanisms to finance major public improvements, 24 said no.

OUT OF THE 278 respondents the following numbers gave their input regarding taxes:

91 said raise 5%

71 " " 10%

30 " " 15%

4 " " 20%

15 " " 25%

2 " " 50%

MEMORANDUM

To Lou Bisette, Mayor

Mary Lloyd Frank, Vice-Mayor

Walt Boland

Wilhelmina Bratton

Norma Price

George Tisdale

From: Ken Michalove Date: June 10, 1986

Subject: \$27 Million Dollar Bond Issue

As you all are aware I have continued to push for the \$27 Million

Bond Issue. The purpose of this memo is to provide you with some information that I hope will help expand your horizons regarding this bond issue. With the \$27 million issue \$ 3 million is earmarked for the Education, Science and Art Center and \$24 million for public works projects. My concern is that we are

currently not thinking broad enough for the public works projects that I feel we should be considering.

Asheville has 325.63 miles of its own streets, not counting the state system streets.

On June 5, 1986 City Manager Doug Bean sent us a memo entitled "Recap of Public Improvement Funding Needs", a recap of needs outlined at the worksession on the Public Improvement Plan as they were included in the \$20,000,000 level bond issue.

In this recap Doug listed Streets: as "A" - Low Volume?residential and "B" - High Volume/collector & thoroughfare.

Rating A B

Fair 21 miles/ \$1.0 million 17 miles/ \$1.3 million

Poor 38 " / 1.7 "

TOTAL

76 miles of A & B streets 4.0 million

add misc. .5

At this point Doug's memo stops with

street improvements but indicates

several items left out Sub Total 4.5

I recommend that we look at some of the following in addition to

the \$4.5 million.

3 years of deterioration since the

study was done - est. damage \$750,000

annually (cost of overlay 2"-2 twelve

foot lanes, 2" thick, one mile \$72,000) 2.25

Right-of-way cost for major corridors

(Hendersonville Road, Leicester Hwy.,

Broadway, I-40/25-A, etc. Average

30% of \$ 8,466.000 (does not include

Broadway greenbelt) 2.54

Beverly Road (Haw Creek to Tunnel Rd.) .28

Fairview Road (ROW, 2 twelve ft. lanes

sidewalk and some drainage) 2.50

Kenilworth Road (ROW, 2 twelve ft. lanes

sidewalk and some drainage) 3.25

Computerized signalization (N,E,S,W,

all major state system streets to the

City limits to compliment what we have

borrowed money to do downtown) 1.00

Pay off existing loan to state for

signals .26

Pay off existing ROW to state .15

Haywood Rd. (milling, sidewalk) 1.00

Old Toll Road (min. drainage, 5"

shoulders, 2 ten foot lanes w/

guard rail) 2.20

GRAND TOTAL \$ 19.93

You can probably think of some roads that should also be

considered or some other projects that fall into the other public works categories.

I feel that the \$20 million Issue as currently structured calls for too much to be spent on sidewalks in relationship to the street work and storm drainage work that needs to be done.

I think that some sidewalk work around schools, recreation centers, and some other public areas is appropriate but I also feel that in other areas we should follow the policy of the City doing the work and the property owner supply the ROW and materials.

On drainage work I agree that a storm drainage master plan should be done, but I also feel that we need to adequately fund this accordance with my recommendation to the Council May 27, 1986.

Other considerations in the cost of this are as follows:

Estimated cost of referendum \$ 20,000

" " " bond counsel

not to exceed 20,000

Cost to issue the bonds 6,000

Based on this information I would hope that the Council would reconsider the level of the bond issue and raise the amount from \$20 million to \$27 million.

Councilman Michalove moved to advertise a notice of intent for the City of Asheville to hold a referendum on the issuance of \$27 million in bonds for needed improvements. This motion was seconded by Councilman Boland.

Councilman Boland said the \$27 million bond issue would be minimally sufficient. He said he felt the interest rate was right for issuing bonds, and the needs of the City of Asheville are massive. He said he felt the concerns expressed by the citizens of Asheville during the Alternatives for Asheville meetings, and concerns expressed through the Urban Design Workshop have indicated that the citizens are aware of the needs of the City's public improvements.

Councilman Tisdale said he would not be in favor of issuing a \$27 million bond issue with a 10 cent tax increase. He said he felt if a bond issue should fail, the tax levy should not be increased. He said the citizens of Asheville should decide the amount of tax increase.

Upon inquiry of Councilman Tisdale, Councilman Michalove said he

would be in favor of increasing the tax rate by 10 cents in this year's budget, even though a bond referendum of \$27 million dollars failed.

Councilman Price said she would be willing to support submitting the \$27 million referendum to the voters, but increasing the tax rate only 7 cents in this year's budget, rather than the 10 cent required to repay the \$27 million dollar issue. She said if the citizens of Asheville approved the referendum of \$27 million, the additional 3 cents necessary to repay the higher bond debt could be added to the tax rate in next year's budget. She said if the bond vote fails, the 7 cents tax increase would remain in the budget, but the additional 3 cents would not be added.

Vice-Mayor Frank said she could not support the motion to have a \$27 million bond issue. She said she felt \$20 million would be sufficient, since the County of Buncombe would also be experiencing a tax increase this year.

Councilman Bratton said she could not support more than a \$20 million bond referendum. She said she felt industries in the area have had cutbacks and many industries have closed which greatly affects the citizens of Asheville. She also said she did not feel Council should take action of this importance with the Mayor being absent. She said she felt every Council member had digested and reviewed the needs and problems of the City of Asheville, and she resented one Council member pushing other Council members into another decision. She said it was her hope that the Council members, as a whole, could seek approval of a \$20 million bond issue to address the needs of the City of Asheville.

Upon inquiry of Councilman Price, the City Manager said, in his opinion, itemizing improvements on the bond referendum, such as streets, sidewalks, and storm drainage would put the bond issue in jeopardy. He said the wording on the bond referendum needs to be simple. He said if the specific projects were itemized, it would severely restrict Council's use of funds.

Councilman Tisdale requested a roll call vote on Councilman Michalove's motion.

Augusta Young, of Kenilworth Road, spoke in favor of increasing the bond amount to \$27 million, stating that during the Alternatives for Asheville meetings, the needs of the community were expressed. She said she would be willing to help Council pass the bond issue, however, in her opinion, Council should pass the \$27 million bond issue and make the public improvements necessary.

Mr. Gaston Brackett of 9 Main Street, Oakley, spoke in opposition to any tax increase in the City budget. He said the majority of the residents of the City of Asheville could not afford any more tax. He suggested that everyone pay for the needed public improvements, including tourists, perhaps through the use of sales tax.

Ralph Bishop also spoke in opposition to a tax increase in the City of Asheville.

Upon inquiry of Councilman Price, Corporation Counsel Slawter said a roll call vote on Councilman Michalove's motion was in order.

On a roll call vote of 3-3, Councilman Michalove's motion to increase the bond amount to \$27 million failed for a lack of majority votes, with Councilman Boland, Councilman Price, and Councilman Michalove voting "aye", and Councilman Tisdale, Vice-Mayor Frank, and Councilman Bratton voting "no".

RALPH BISHOP - LOTTERY SALES IN THE CITY OF ASHEVILLE

14. Ralph Bishop again spoke to members of Council relative to lottery sales in the City of Asheville.

ADJOURNMENT

Upon motion of Councilman Tisdale, seconded by Councilman Boland, the meeting adjourned at 5:30 p.m.

MAYOR CITY CLERK
