

Tuesday - September 19, 1995 - 3:00 p.m.

WORKSESSION

Present: Mayor Russell Martin, Presiding; Vice-Mayor Chris Peterson; Councilwoman Barbara Field, Councilman Gary McClure, Councilwoman Leni Sitnick, and Councilman Joseph Carr Swicegood; City Attorney William F. Slawter; Assistant City Manager S. Douglas Spell; and City Clerk Magdalen Burleson

Absent: Councilman Herbert J. Watts and City Manager James L. Westbrook Jr.

RICHMOND HILL PARK

Mr. Irby Brinson, Director of Parks & Recreation, said that last June Vice-Mayor Peterson approached the Parks and Recreation Department to develop a conceptual park design and general observation of cost for the Richmond Hill site. The following basic features were to be incorporated in the design: four soccer fields (225' x 360'); one Little League field (300'); one Little League field (225'); two T-League fields (150'); two driveways (from the south and the west); bicycle and nature trails (access to French Broad River if possible); and parking lots. The approximate cost would be \$4,668,000.

On August 1, 1995, Vice-Mayor Peterson, along with representatives of the North Asheville Little League, met with staff to discuss the conceptual design and general costs which were developed by Al Kopf. The Parks and Recreation staff stated that the goals could fit the site only with substantial physical and financial costs, many of which were unknown without further research and engineering. Staff also stated that the land was not conducive for this kind and scale of recreational use because of the tract's steep grades, on and off-site access, and inadequate utility resources. Although Vice-Mayor Peterson and the representatives of the North Asheville Little League acknowledged staff's concerns, they also felt that there were no other realistic land options to serve the northern portion of the City. Staff was then requested to investigate other specific alternatives and an easement which would be necessary to access the property from Richmond Hill Drive.

By use of boards, Mr. Al Kopf, Landscape Designer, then detailed each alternative. Alternate No. 1 consists of four soccer fields (225' x 360'); one Little League field (300'); one Little League field (225'); two T-League fields (150'); two driveways (from the south and the west); bicycle and nature trails (access to French Broad River if possible); and parking lots. The approximate cost would be \$4,668,000.

Alternate No. 2 consists of two soccer fields (225' x 360'); one Little League Field (300'); one Little League Field (225'); two T-League fields (150'); one driveway (from the south); bicycle and nature trails (access to French Broad River if possible); and parking lots. The approximate cost would be \$2,292,000.

Alternate No. 3 consists of one Little League Field (300' without lighting); one driveway (from the south in gravel); nature trail with picnic tables (unpaved); parking lots (gravel) and restroom (concession stand optional). The approximate cost would be \$497,000.

The Parks and Recreation staff feel that a portion of this site should be saved for recreational use. Out of the three alternatives presented, City staff recommends Alternative No. 3, since it represents the minimal impact on the landscape.

Discussion then surrounded ingress and egress from the property, utilities for the site, the future reserved Department of Transportation right-of-way for the northwest connector and what effects that would have on the property, the possibility of a fund-raising campaign for lights, the possibility of a bridge over the railroad in order to access the French Broad River, the terrain, and the pros and cons of using other parks for soccer fields.

Mayor Martin felt that the 180 acres could be developed for low and moderate income housing with stipulations that a park be developed. He felt the area could be developed along those lines, annexed into the City and be put on the tax rolls. Even though he felt ballfields were needed, at this point he could not support any option until a plan for action of the area is developed in the future.

Upon inquiry of Vice-Mayor Peterson about the availability of money for Alternate No. 3, Mr. Bob Wurst, Audit/Budget Director, said that there is only fund balance available at this point in time. The Council always has the option of going back into the Capital Improvements Plan, deleting some of the projects and directing money to be used for this project.

Councilwoman Sitnick suggested some type of cooperative effort with Buncombe County since this area is in the extraterritorial jurisdiction area and since County residents will be using the park.

Councilman Swicegood felt that the City should keep the property for future use. He thought that the area might not be suitable for housing due to the topography and underground rocks. He did feel, however, that Alternate No. 3 could be built, with long range plans to upgrade it in the future. He also suggested looking into the possibility of lease agreements similar to those in Mecklenburg County.

Mr. Brinson said that the Parks and Recreation Advisory Commission and staff would like to bring to Council a priority list of projects in the near future. Councilwoman Sitnick asked that information be included on what would be involved in a City-wide park bond.

Vice-Mayor Peterson was very supportive of starting the project with Alternate No. 3 and phasing the other fields, etc. in. He hoped the project could get started soon.

Councilman McClure was also supportive of building some soccer fields for the youth in our community. He felt that a comprehensive plan was needed.

Councilwoman Sitnick supported recreational activities for the youth, noting that ballfields are not the only recreation activities that should be considered. She felt that some money should be set aside for neighborhood based recreational activities. She felt that planning for future recreational activities is valid and perhaps more public/private cooperation in this area would be good. She felt that we should investigate the options that might bring in tax dollars.

Mr. Samuel Camp, member of the Parks and Recreation Advisory Commission and resident in the Richmond Hill area, felt that the only items needed in that area were some playground equipment and a small ballpark. The area residents do not want to see anymore development. He urged Council to finish renovating the Stephens-Lee gym.

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Ms. Dorothy Davis-Dodge hoped Council would just finance the park because she

felt it would increase the property values of some of the homes in West Asheville, which she feels has been neglected in the past.

Mr. Dennis King, President of the North Asheville Little League, stated that there is a critical need for fields in the North Asheville area. He said the League would be willing to work with the City to find ways to help with this project, including fund-raising to help put lights in at the fields.

Mr. H. K. Edgerton suggested a public hearing be held on this issue. He also hoped that if a fund-raising effort was organized, that not only the North Asheville ballfields be the concentrated effort, but also include the Stephens-Lee gym renovation project. He suggested looking into the cost of selling the rocks and trees from the site.

When Councilwoman Sitnick asked for more information on the northwest connector, Ms. Patty Joyce, Senior Planner, said that she would be happy to furnish that information to her.

Mayor Martin suggested, and the Council agreed, to having the Parks & Recreation Department and the Planning & Development Department staff look into this matter further, i.e., working with the North Asheville Little League regarding fund-raising efforts, providing information on a City-wide parks bond, obtaining a figure for engineering and actual soil testing in the area, reporting back on the pros and cons of annexing the area, etc., and bring it back to the Council, if possible, at the next worksession.

#### RESOLUTION ESTABLISHING A NEW POLICY GOVERNING CITY COUNCIL APPOINTMENTS

City Attorney Slawter said that City Council has had prior discussions regarding its policy governing appointments to boards and commissions. The existing policy was established by Resolution No. 92-193 which was adopted on December 2, 1992. This new policy attempts to incorporate the various concerns raised by Council members.

As the changes were outlined by Mr. Slawter, Council either agreed to the change, made additional changes or suggested changes to the draft policy. Mr. Slawter said that all changes would be made prior to final adoption of the policy at the next formal meeting.

Councilwoman Sitnick suggested including in the policy that Council meet with some of the boards or commissions perhaps once a term. The majority of Council felt the Council already had that option and it did not need to be included in the policy.

Councilwoman Sitnick then reminded Council that G.S. 160A-362 gives the County appointees to the Planning & Zoning Commission and the Board of Adjustment the right to vote on matters at issue within the City or within the extraterritorial jurisdiction. She asked Council again to consider whether or not they want to continue to allow County appointees to vote on matters that involve City zoning issues or not.

Councilwoman Field explained the Minority Business Commission ("Commission") appointment process to Mr. H. K. Edgerton noting that the Commission has been given Mr. Edgerton's request to include representation of the NAACP on that Commission.

It was the consensus of Council to proceed with the appropriate action at the next formal meeting.

BUS SHELTER SIGNAGE

Mr. Gerald Green, Senior Planner, said that several months ago City Council adopted a resolution requesting that the Planning staff and the Planning & Zoning Commission ("Commission") take a look at amending our current sign ordinance to allow signs on bus stop shelters.

At the June 7, 1995, Commission meeting, the Commission voted unanimously to deny the wording amendment. The principal reason for their denial seemed to be that this would be allowing the City to have a type of signage not available to others.

Vice-Mayor Peterson said that he was the liaison to the Transit Authority and the purpose of the suggested amendment was to generate some money in order to cut the City's \$800,000 subsidy to the Transit Authority.

Council members who spoke felt they would not be able to support the wording amendment and they would accept the recommendation of the Planning & Zoning Commission.

Vice-Mayor Peterson said that he would inform the Transit Authority.

ADDITIONAL FUNDS FOR DOWNTOWN CLEANUP

Public Works Director Mark Combs said that the City Manager has directed him to develop methods to improve the cleanliness of downtown areas, especially during warm weather months where pedestrian/tourist usage is high. City staff determined that increasing the frequency of cleaning from two to three days per week will provide the necessary resources to impact the downtown area's appearance. Of course staff can adjust the cleaning frequency up or down as needed in unusual circumstances.

He recommended the implementation of increasing the present Monday and Thursday schedule to Monday, Wednesday and Friday utilizing existing personnel and overtime pay (April through October - 7 months). However, any long term increase (more than 3 days/week) in scheduling would affect daily sweeping/flushing operations. The estimated cost is \$7,500 per year. He estimated the additional cost being \$5,500, based on the remaining five months of this fiscal year. To allay any possible problems with the overtime budget, he recommended that the Public Works Department budget be increased by this amount to cover services. He said that no budget amendment would be required because he anticipated a savings from the Fairview sidewalks project. Staff will continue to evaluate and recommend alternative methods (especially using qualified retired personnel) to maximize resources.

As a result of questions raised by Councilman Swicegood about whose responsibility it was to keep sidewalks and curbs free of grass, Mr. Combs said that Asheville does have an ordinance that requires property owners to keep their sidewalks free of debris, however, fines are not normally assessed. He said that he is currently working on an Adopt-a-Street and an Adopt-a-Block concept.

Councilwoman Sitnick suggested Mr. Combs talk to the Police Chief about the possible use of community service folks to help keep the Asheville clean. She also suggested using the youth who are not in school (for various reasons) not to be taken home to do nothing, but obtain some type of authority to have those kids help in this type maintenance for Asheville. -5-

Councilman Swicegood said that the Buncombe Alternatives Program is already in use by Asheville in its Sanitation Division.

At the request of Councilman Swicegood, Mr. Combs said that he is studying the use of a two man crew vs. a three man crew on garbage trucks and he should be able to report his findings to Council in the near future.

Councilwoman Sitnick had a request for additional trash barrels in the downtown area with a early Monday morning pick-up.

At 5:05 p.m., Mayor Martin announced a ten minute break. The meeting resumed at 5:15 p.m.

#### SALE OF PROPERTY PROCEEDS

Councilman McClure urged Council to have as its number one priority, from the sale of City properties, the purchase of additional property to develop parks. He stressed the need for additional soccer and ballfields in our area and backed his comments up with a letter detailing the substantial economic impact that youth soccer tournaments can bring into an area. He talked about the possibility of a joint venture with various government agencies and non-profit groups to develop the Lake Craig property into a recreation area.

Mayor Martin felt that we did need to move forward with parks in our area, however, we also need to support economic development and infrastructure improvements.

Vice-Mayor Peterson felt Asheville is getting behind in developing parks and needs to move forward.

Councilman McClure recalled that at the joint City/County meeting held on August 15 when he specifically asked Buncombe County if the City bought the Lake Craig property would the County develop the park, the response was yes.

Mr. Irby Brinson, Director of Parks & Recreation, said that if an agreement was worked out with the different groups in the development of the Lake Craig property, there needed to be an understanding amongst all parties what each agency's role would be for the construction of the facility, as well as the maintenance of the area after the park has been completed.

Councilwoman Sitnick said that she was fully in favor of recreational activities. However, she asked Council postpone any action on this matter until she and other Council members have had an opportunity to meet with all of the 5th through 12th grade students in Asheville to find out exactly what they want in terms of recreation. These meetings, which will include surveys, will be held at the end of October.

Councilman McClure felt that since we already know that soccer and ballfields are needed, we should move forward and when other recreational things are identified, they can be included.

Councilman Swicegood felt that before any priorities are given, Council should find out what kind of money the City is talking about from the sale of property proceeds and when that money will be available. He spoke in support of using some of the proceeds for streets.

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Councilwoman Field supported more money for streets and sidewalks.

Mr. Samuel Camp hoped that the City would start enforcing the ordinance requiring property owners to clean up their property.

It was the consensus of Council that a plan be developed for the use of the proceeds from the sale of City properties.

#### CONSENT AGENDA:

##### Public Auction

Summary: This action authorizes the Purchasing Director to hold a public auction to dispose of motor vehicles, off-road equipment, and other miscellaneous property declared as surplus by various City departments and divisions. The auction will be held Saturday, October 14, 1995, at 10:00 a.m. in the Public Works Complex.

##### MSD Easement Agreement/West Asheville Park

Summary: MSD desires to rehabilitate a manhole in the City of Asheville park known as "West Asheville Park. This action will authorize the Mayor to execute an easement agreement by and between the City and MSD for manhole rehabilitation at West Asheville Park.

##### School Crossing Guards

Summary: For the past five years the City has contracted with DAP Security Inc. to provide school crossing guard services. A request for proposal to provide such services to the City for the 1995 school year was solicited by advertisement in the Asheville Citizen-Times and no proposals were received. DAP Security Inc. has proposed to continue to provide services to the City for the school year 1995-96 with a two percent cost increase. This service (22 sites) is during early morning hours and early afternoon hours, Monday through Friday. Funds are allocated in the amount of \$74,200.

When Councilman McClure asked if the Police Department had considered using volunteers or retirees as school crossing guards, Police Chief Annarino responded that this is a serious job and an experienced group is needed. They have found that it is more cost effective to hire the school crossing guards than to let Asheville officers perform the work.

##### FAA Grant Agreement

Summary: This grant, in the amount of \$2,428,000, is for the following projects: overlay and groove Runway 16/34; expand ARFF maintenance building; acquire snow removal equipment; and extend Runway 16 safety area, Phase I. The Airport Authority is providing the local match through Passenger Facility Charges.

##### Amendments to Various Ordinances regarding fees and charges

Summary: The City Council has previously determined to remove fees and charges from the Code of Ordinances and to adopt them in a Fees and Charge Manual. This ordinance would eliminate fees and charges from the Code where they still remain, would grant authority for the fees to be set forth in the Fees and Charges Manual where none now exist and would set forth certain penalties which had been previously included in the Fees and Charges Manual.

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##### Readoption of the Fees & Charges Manual

Summary: City Council initially adopted a Fees and Charges Manual for Fiscal Year 1987/88 and a revised Fees and Charges Manual in Fiscal Year 1988/89.

Various changes have been made in subsequent years to fees and charges, without a revised Fees and Charges Manual being adopted. The User Fee Committee of the City Council has considered further changes to existing fees and charges. A revised Fees and Charges Manual for Fiscal Year 19985/96 has been prepared.

Councilwoman Field suggested the Fees & Charges Committee look into the possibility of contractors paying an extra fee if they would like to "reserve an inspector after hours" in order to obtain the proper permits that will allow them to continue with their work first thing the following morning.

Assistant City Manager Spell said that some fees proposed by the Public Works Department will need to be reviewed further by the Fees & Charges Committee. There are also some minor revisions to be made to the Manual. It was the consensus of Council to proceed with appropriate action at the next Council meeting to adopt the revised Fees and Charges Manual with additional information to be presented at the October 3 worksession.

#### Budget Amendment relative to PACT

Summary: This budget amendment, in the amount of \$59,164, is for various items approved in the Police Department Police and Community Together (PACT) and Selective Traffic Enforcement Program (STEP) grants that were not included in the original operating budget. The amendment also increases the operating budget for various administrative costs relating to new ordinances concerning false alarm fees and police escorts, increasing services in property control, new utility charges, and the charges for the refurbishing of two vehicles. The offsetting revenue for these additional appropriations come from the PACT grant that was also not included in the original budget. The grant revenue is anticipated to be more than the new appropriation of \$59,164.

#### Crime Analysis Mapping Project

Summary: The Asheville Police Department is seeking federal support for a project designed to implement a geographic information system which will aid crime analysis activities within the community policing environment of the City. The geographic information will also serve as a community policing evaluation tool. Federal support is requested for 100% of project costs. In the event 100% federal funding is not available, the resolution authorizes a local match of 25% of project costs. The project budget is \$31,753. If a local match is required, that amount will be \$7,938 (new appropriation required). The project will also serve as a pilot project for the N.C. Department of Crime Control and Public Safety to automate community policing statewide. It is designed to accommodate the small law enforcement agency by being efficient and self contained. The project is one work station using off the shelf applications centered around geographic information systems and incident based reporting and computer mapping. Staff is limited to one data entry clerk. This is a one year project.

#### Renewal of Fair Housing Amendment

Summary: The Agreement will renew the Memorandum of Understanding (as amended) that was executed with HUD in 1987 which describes -8-

procedures to be followed by HUD and the City in the processing of complaints related to housing discrimination. The renewal of the Agreement will provide for rights and remedies under the amended Fair Housing Law.

#### Urban Trail Grant

Summary: The Urban Trail Committee is seeking approval to submit a grant

proposal to the N.C. Adopt-A-Trail program in the amount of \$2,000. The grant would provide funding for 13 granite markers placed in specific locations in downtown along the Urban Trail to assist walkers to following the self-guided "trail" walk. The grant will provide covering the costs of materials, installation and administration for 13 different sites.

It was the consensus of Council to proceed with appropriate actions regarding the Consent Agenda items at the next formal meeting.

#### OTHER BUSINESS:

##### Water Efficiency Task Force

Councilwoman Sitnick said that the Water Efficiency Task Force should have been recognized for their work in Asheville receiving the Water Use Efficiency Award awarded by the Environmental Protection Agency. She suggested Mayor Martin recognize the WET Force's work by letter.

##### Wood Walls on Biltmore Avenue

Councilwoman Sitnick suggested that the two wood walls on Biltmore Avenue, which walls are owned by the City of Asheville, be cleaned up. Given the nature of the outline of the walls looking like the top of buildings, she suggested the City contact Ms. Gilley, an art teacher at Asheville High School, and see if she would let her students paint some buildings on those walls.

She noted that the Chamber of Commerce showed interest in placing kiosks around town in order to discourage people from putting flyers on telephone poles and buildings.

##### School Summit

Councilwoman Sitnick asked that this item be verbatim:

Sitnick - I want to designate a tentative date, before the holidays, to hold a school summit. I want that school summit to be well advertised. I want it to be advertised everywhere and in every way possible. I want to make sure that there are specific people targeted to be notified. Everybody from the School Board to parents, teachers and students of the schools, to anybody involved in any school projects at this time - like the School Foundation Listening Project - Barbara had some good ideas, I'll let her tell you about them. I want the school summit to be open to the public. I want it to take place at 7:00 p.m. as we would a regular City Council community meeting. I would like staff to come up with a place to hold it that would be appropriate. And I would like it to be billed as an opportunity to get things out on the table, to be heard, to be listened to, to have dialog.

McClure - I support what Leni is saying 100%.

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Field - I was just thinking that, certainly the cities and schools project which has just put together a board of I think about 50 people in the community, and there's also another school, the Asheville City Schools has another committee that's working on communications between parents, teachers and the administration, and that has about 35 people on it of representatives from every PTO, PTA and all of the schools, the teachers and so forth on there, as well as members of the community. It sounds to me like the issue out there is communication.



Sitnick - I would like all of the ministerial alliances contacted. The African American and I don't know whether you have a method by which you can contact, I don't expect to contact the minister of every single church in town, but maybe there is a board of ministers and they can get the word out to their membership. I want this thing to be advertised so that those folks who choose to come it to can attend it.

Mayor - Maggie, what's your schedule look like for the next two weeks to a month and a half out. How long will it take to make sure everyone is ...

Burleson - Whenever you want to do it, I'll set it up for. Your choice. Do you want it on a Tuesday?

Mayor - I would think a worksession, and we need to get it out in time to make sure everybody is notified. I would want to call Carol Mathews, who is the Chairman, tonight really to advise her of our wishes. ... to go out including the School Board.

Leni - Let me just say this. I have no problem with advising the School Board that we are going to do this. I have absolutely no problem with including them and inviting them. This is not a school summit public gathering for the School Board. This is City Council's effort to participate in a chronic problem in this City that we hear as members of Council, that we hear as parents, and that every candidate running for office is being overwhelmed with. There is a major problem in this City with schools and with parents and students and teachers. And it's not being dealt with. It is our responsibility, as representatives of the people who represent them. And if our only authority with the School Board is to appoint them to the School Board, we need to know who to appoint. The kind of people who can deal with these problems. And if appointing isn't right, this will give us some good food for thought as to whether we ought to consider an elected School Board or an appointed and an elected School Board in combination. But we've got a major problem in this community that's not being dealt with. And it's our responsibility to deal with it.

Burleson - Anytime? If you want to give me a date, I'll work towards that.

McClure - How about November 8. That's a Wednesday and that's a worksession.

Sitnick - When is the election? I want to avoid any political overtones.

McClure - That's after the election.

Peterson - Are we excluding the School Board now or?

Sitnick - They're invited to come as part of the.

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Burleson - Obviously they'll get notice of it - as much notice as is going to be done.

Peterson - It's imperative that they be there.

Sitnick - Wednesday is church night.

Mayor - Let me call Carol Mathews and see how we can schedule this and come back.

Sitnick - Wait a minute. We're not scheduling this for Carol or the School

Board. We are scheduling this and they are invited. We've been doing this now for four months and I'm at the end of my patience ... here. We waited until they responded, we waited until they had more meetings and we've been waiting and waiting and waiting. But Wednesday night is church night and I don't think that's a good idea. I mean I wouldn't even mind having it on a Friday night.

McClure - Friday's football and you're not going to get many there.

Sitnick - How about a Thursday night? There are no great nights.

Mayor - I will be glad to call Carol and talk to her about this and I think it's necessary to include the School Board.

Sitnick - All I'm saying is I used the word "tentative" and you'll forgive me but some of you were talking so you didn't hear me say it. Let's do a tentative date and then inform the School Board. I don't want to call and ask them. I want to inform them. This is our thing, not theirs. They've done their thing.

Burleson - If it's tentative though, Leni, if you want as much notice out as possible, I need to have a firm date.

Sitnick - The reason I say tentative is because we can set a date right now, but I just wanted to make sure that we look at everyone's calendars and make sure there's nothing major going on in the City at that time.

Swicegood - I'll make a motion for November 9 at 6:00 p.m. sharp. How about that?

Burleson - Are you sure you want it at 6:00 p.m.? I thought you wanted 7:00 p.m. Leni.

Swicegood - 7:00 p.m. is fine.

Sitnick - 7:00 p.m. I'm honored to have you make the motion.

Burleson - And it will be up to me to find a place or do you have any suggestions?

Sitnick - A school summit.

Burleson - Would you like to have it at a school?

Peterson - Yes. Asheville High is good. It's centrally located. In the auditorium.

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McClure - We should be able to get that. If you'll call Larry Liggett.

Burleson - Asheville High Auditorium is where you want it?

Sitnick - Let's just make sure that there are no major events going on in this City that will conflict with that. You know, like Travis Tritt.

Field - Maybe you and Rock and Maggie get together and sit down and give her a little better direction.

Mayor - I will call Carol.

ADJOURNMENT:

Mayor Martin adjourned the meeting at 6:00 p.m.

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CITY CLERK MAYOR

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