

Tuesday - September 3, 1996 - 3:00 p.m.

Worksession

Present: Mayor Russell Martin, Presiding; Vice-Mayor Barbara Field; Councilman M. Charles Cloninger; Councilman Edward C. Hay Jr.; Councilman Thomas G. Sellers; Councilman James J. Skalski; and Councilman Charles R. Worley; City Attorney William F. Slawter; City Manager James L. Westbrook Jr.; and City Clerk Magdalen Burleson

Absent: None

CONSENT AGENDA

It was the consensus of Council to place the Consent Agenda at the beginning of Council worksessions and immediately following the Proclamation Section at formal meetings.

CONSENT AGENDA:

Report on Disposal of City-Owned Personal Property

Summary: Resolution No. 85-99 adopted on June 25, 1985, established procedures for disposing of personal property valued at less than \$500. Pursuant to these procedures, the attached resolution identifies property disposals for the Fleet Management Division and the Water Resources Department during the period of January 1, 1996, through June 30, 1996.

Public Auction

Summary: This resolution authorizes the City's Purchasing Division to hold a public auction to dispose of motor vehicles, transit coaches, off-road equipment, and other miscellaneous property declared surplus by various City departments. The auction to be held Saturday, October 19, 1996, at 10:00 a.m. in the Public Works Complex at 161 S. Charlotte Street.

Mr. G. Carroll Hughes, Chairman of the San Cristobal School Bus Committee, read a letter to City Council requesting, on behalf of Asheville Sister Cities, that two buses in the best condition be reserved for donation to the Town of San Cristobal, State of Chiapas, Mexico, and to include all available parts and service the vehicles for long distance driving. They will plan to load one bus with school supplies for the local children at several schools and load the other bus with badly needed medical supplies for use by the Mexican Red Cross.

On the Sister Cities recent trip to San Cristobal, they learned first hand of the needs of the community. They want to respond as they can and to donate two of the best running buses to this cause will help firmly establish our city-to-city ties as well as help 1,100 school children, who have no access to transportation, attend school.

City Attorney Slawter said that, although he did not have the appropriate statutes in hand, he did not think there would be a problem with the City donating the buses to another governmental body. However, he did state that he would confirm to Council their authority to do that before any formal action would be taken at the next Council meeting.

City Manager Westbrook said that there might only be one bus that is in running condition and it may need to have minor repairs. He was not sure what condition the other bus would be in.

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Mr. Hughes said that they would like to have two buses so they can have the parts. Sister Cities will take on the responsibility of getting the buses to San Cristobal, even if they have to tow them.

Mr. Carl Ownbey, Transportation Planner, said that he has reviewed the list and the two buses he would recommend will each take about \$1,000 to get them running.

Upon inquiry of Councilman Hay, Mr. Norwood Dunn, Purchasing Director, said that if they were sold at public auction, each bus might raise \$500-\$1,000.

Upon inquiry of Mr. H.K. Edgerton about having a bus or van donated to the NAACP to transport children to and from athletic events and recreation centers, Mayor Martin suggested Mr. Edgerton make his request in writing to the City Manager.

City Manager Westbrook noted that the two buses being requested to be donated to Sister Cities are in the best condition and it would take approximately \$5-6,000 to get any others in running condition.

If there are no legal restrictions, Vice-Mayor Field moved to proceed with appropriate action at the next formal meeting to delete from the City's auction two of the best running buses (and available parts) to be donated to the Town of San Cristobal, State of Chiapas, Mexico. This motion was seconded by Councilman Sellers and carried unanimously.

Motion to Set Public Hearing to Designate the Stephens-Lee Community Center as a Local Historic Landmark

Summary: A public hearing is necessary to adopt an ordinance designating the Stephens-Lee Gymnasium and the site of the former high school as a local historic landmark. This action will be to set a public hearing for September 24, 1996.

Councilman Sellers asked if the City designated this Center as historic property, would it cost more to renovate. Mr. Irby Brinson, Director of Parks & Recreation, responded that based on his conversations with the architect, the price will not be any higher, in fact, the designation will help them secure grants.

Amendment to the South Pack Square Redevelopment Plan

Summary: The South Pack Square Redevelopment Plan was adopted by City Council on June 15, 1993. Technical changes are needed to include reference to the Eagle/Market Streets Development Corporation ("EMSDC") instead of the YMI CDC. The amended plan will also include reference to the City of Asheville instead of the Housing Authority as Redevelopment Commission. Formation of the EMSDC is included in the section on "History".

The Community Development staff recommends adoption of the resolution amending the plan.

Outdoor Dining Areas/Alcohol Regulation

Summary: Consideration of a revision of Section 11-11 of the Code of Ordinances to amend subsection (f) which will allow outdoor dining permits during community events and festivals.

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The new subsection (f) of the revised Section 11-11 of the Code still provides that the City permits for outdoor dining areas, but will be temporarily suspended at locations designated for community events and festivals which was permitted under section 16-97 of the Code. As you recall, Ordinance No. 2303 amended subsection 16-143(b) to delete the provision that outdoor dining permits were temporarily suspended for community events and festivals. When that amendment occurred, it was also necessary to amend subsection (f) of Section 11-11 of the Code. In order to clarify this issue, the Parks and Recreation Department wishes to amend Section 11-11 by deleting it in its entirety and substituting a new Section 11-11 which removes that language from subsection (f).

Parks and Recreation Department, along with Planning, Police and Legal recommend that Section 11-11 be deleted and substituted with the new Section 11-11 which will allow outdoor dining permits during festivals and community events.

HUD Homeownership Zone Funding Application

Summary: City Council will consider approving the submittal of an application to HUD for funding through the HUD Economic Development Initiative (EDI) program to increase homeownership opportunities in a target area to be designated as a homeownership zone. The target area will include the West End/Clingman Avenue neighborhood under Phase I and be expanded to surrounding neighborhoods such as West Asheville's WACT 10 area for the second phase. The goal will be to create at least 300 new single family homes as a result of the project.

The City will also be applying for other funding through the HUD Section 108 loan program to augment the EDI funds within the next 60 days. Separate Council action will be needed to authorize the Section 108 loan application at a later date.

Pisgah Legal Services will be responsible for preparing the EDI funding application and coordination with the private sector to leverage additional funding.

Deadline for submittal of the application is September 16, 1996. The Housing & Community Development Committee will discuss the project on September 10, prior to full Council action.

The Community Development staff recommend approval of submitting the funding application.

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

RESOLUTION FROM ASHEVILLE DOWNTOWN COMMISSION REGARDING PARKING STUDY

Mr. Alex Gourlay, President of the Asheville Downtown Association and member of the Asheville Downtown Commission, presented Council with a resolution asking City Council to consider moving forward with parking studies for downtown.

At a meeting several months ago, the Asheville Downtown Commission adopted a resolution concerning parking studies for downtown. Conducting parking studies for three areas of downtown (City-County area, South Patton area and Battery Hill area) has been discussed off and on for several years. The Downtown Commission has a task force working on parking issues and it is felt by the

Commission and the task force that the need for the studies is still critical.

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The previous City Council was presented, in early 1995, with a proposal to fund \$5,000 of a total \$24,000 cost for these studies but decided not to proceed at that time. The Downtown Commission would encourage City Council to again look at conducting these studies. Initial steps would involve contacting those parties previously committing funding and contacting the consultant previously selected to see if these parties are interested in continuing to work with the City on this effort.

Vice-Mayor Field said that in the work program for the Transportation Advisory Committee, \$3,000 has been set aside for a parking study for downtown.

When Councilman Cloninger asked why the studies were being conducted for those three areas, it was recalled that the entire downtown area was considered, but those were the three greatest areas of need.

It was the consensus of Council to direct staff to contact those parties previously committing funding to see if they are still interested in continuing to work with the City on this effort.

City Manager Westbrook said that he would have staff report back to Council with a recommendation on how to proceed with the parking studies, including possibly a Request for Proposals for a consultant, along with the funding costs.

STEPHENS-LEE RECREATION CENTER RENOVATIONS UPDATE

Mr. Irby Brinson, Parks & Recreation Director, said that concerns have been raised by members of the Stephens-Lee Alumni Association regarding funding and timing of the renovation of the Stephens-Lee Recreation Center.

The renovation of Stephens-Lee Recreation Center was approved in the Capital Improvement Plan ("CIP") budget for Fiscal Year 1996-97. Funding for this project included the sale of Certificates of Participation ("COP") for \$1.25 million to be paid back at \$100,000 per year. In addition, another \$100,000 was approved to come from outside sources. A total of \$450,000 has been appropriated from prior years with the \$1.25 million and \$100,000, a total of \$1.8 million would be available to complete this project.

On July 19, 1996, Edward Parrish, Sam Camp, Jim Westbrook, Bob Wurst and Irby Brinson met to discuss concerns in regard to two issues which had been raised. The first issue dealt with why \$100,000 was being requested from outside sources and why it is necessary to secure this money prior to beginning the renovations. The second issue dealt with the timing of the project. It was shared with Mr. Parrish and Mr. Camp that the sale of the COP's would occur at the same time COP's for the Municipal Building were sold. This would occur next summer in order to keep the cost of the transaction at a minimum. Both of these issues were deemed unacceptable by Mr. Parrish and Mr. Camp and requested this issue be brought before City Council.

The Parks & Recreation Department requests clarification in regard to the above issues in order to proceed with the project.

Mayor Martin recalled that the prior City Council requested the community to come up with \$600,000 and the present City Council reduced that amount to \$100,000, which could be in the form of grants. The Parks & Recreation Department staff is willing to help write the grants

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for the community and/or the Stephens-Lee Alumni Association. He felt that there needed to be some participation by the community on this renovation.

Vice-Mayor Field concurred with Mayor Martin's comments noting that Council felt this was a high priority and there was a strong feeling that we needed support and buy-in from the community.

Mr. Everett E. Parrish, representative of the Stephens-Lee Alumni Association, briefed Council on the background of this request which started in 1993. He noted that in October of 1994 City Council was presented with a petition containing 850 names asking that this renovation be started. He questioned the funding for the project and why City Council has not yet started the renovations. He felt that asking the community to come up with \$100,000 was double taxation.

Staff reiterated that \$350,000 (from the sale of Airport property) is earmarked for the renovations; \$100,000 has been allocated in the CIP from Fiscal Year 1994/95 budget; \$100,000 has been requested as a buy-in from the community - noting that the \$100,000 could be in grants that the community has been able to secure; and \$1.25 million will be in COP's - totaling a \$1.8 million project.

Mayor Martin stressed that Council is trying to get this project started, but a \$1.8 million project takes a lot of planning. Council is very much interested in this project. Since the bulk of the money for this project will be in COP's, construction cannot begin until those are sold, which won't be until the spring or summer of 1997. There is a savings of approximately \$100,000 by combining the sale of the COP's for the Municipal Building Project and this project.

Mr. Samuel Camp stressed that this building is an investment to the City and construction needs to be started as quickly as possible.

Vice-Mayor Field noted that you can't begin a project of this size until the funding is in place and it is to the benefit of the taxpayers and the City to combine the COP's. She noted several projects that the City has had private/public participation in, most recently the park in Haw Creek.

Vice-Mayor Field also clarified the funding again by stating that the previous City Council had agreed to fund \$350,000 from the sale of Airport property plus \$100,000 a year for three years, totaling \$650,000, and that the community would come up with the remaining \$600,000. The present funding calls for \$350,000 from the sale of Airport property, \$100,000 in City cash, \$100,000 from the community, and \$1.25 million from sale of COP's, with debt service budgeted at \$105,000 for 20 years.

Mr. H. K. Edgerton stressed that this is a community center for the entire community, not just the African-American community center and he felt that the Stephens-Lee Alumni Association should not have to raise the entire \$100,000. He felt there might be a better way to finance the project other than the sale of COP's.

CITY'S PARTICIPATION IN SIDEWALKS ON I-40/SWEETEN CREEK ROAD INTERCHANGE

Mr. Ron Fuller, Transportation Planner, said that the N.C. Dept. of Transportation ("NC DOT") has expressed a willingness to participate with the City of Asheville in constructing sidewalks along one side (the east) of the project associated with a new interchange at I-40 and Sweeten Creek Road.

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The scope of the project goes from Roberts Road (just south of I-40) to the northern terminus of the project (a few hundred feet north of the interstate). The NC DOT has stated that this would be a shared venture. The State would provide 60% with the City picking up the remaining 40%. They have preliminary estimated the total cost at \$37,000. The City would be asked to provide \$14,800.

NC DOT is also improving Sweeten Creek Road from Roberts Road to Rock Hill Road and the Asheville City Council agreed to participate in a sidewalk along that section of roadway. That project is scheduled to begin construction in mid-1999 and the City's estimated contribution was \$37,000 for 1.5 miles of sidewalk.

The construction date for the interchange project is late fall of 1997 or early in 1998. If the City is willing to participate, then that should give ample time to program needed funds into the Capital Improvement Plan. The first step in this process is for the City to provide a letter to NC DOT indicating our willingness to participate. Following this, a municipal agreement would be prepared and forwarded to the City to review and execute. As part of the approval of the agreement, staff would prepare a budget amendment to appropriate funds for the City's cost participation in the sidewalk construction.

The Transportation Advisory Committee recently looked at this request and unanimously recommended that we pursue sidewalks.

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

OTHER BUSINESS:

Next Community Meeting

It was the consensus of City Council to hold their next community meeting on Tuesday, October 29, 1996, at 7:00 p.m. in the west area of town. A location will be determined at a later date.

Bicentennial; PACE Committee; Kiosks

Ms. Leni Sitnick said that the Bicentennial T-shirts are now available and she would like to have each member of Council have one. She also questioned when the PACE Committee was going to be meeting again and was informed that the Committee would be meeting soon and a notice would be placed in the paper. Ms. Sitnick felt that there needed to be some kiosks placed downtown that people could put their posters and flyers on without destroying the look of downtown. The boards that people are using now to post on might look better if some students from Asheville High paint buildings on them. She welcomed Council's creativity.

City Manager Westbrook said that Council has approved one or two kiosks for the downtown and the Public Works Department is looking for the most appropriate spots.

CLOSED SESSION

At 4:20 p.m., Councilman Worley moved to go into closed session, pursuant to G.S. 143-318.11 (a) (6) in order to consider the qualifications of prospective City officers or employees. This motion was seconded by Vice-Mayor Field and

carried unanimously.

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At 4:50 p.m., Councilman Worley moved to come out of closed session. This motion was seconded by Vice-Mayor Field and carried unanimously.

ADJOURNMENT:

Mayor Martin adjourned the meeting at 4:50 p.m.

CITY CLERK MAYOR
