

Tuesday - October 15, 1996 - 4:00 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:

Bids on Two Fire Pumpers

Summary: The consideration of the award of Bid Request No. 459-97 to purchase two fire pumpers for use in the Fire Department.

Pursuant to N. C. Gen. Stat. sec. 143-129, and in compliance with the City's Minority Business Plan, sealed bids were received to furnish one (1) fire rescue pumper and one (1) pumper retrofitted with a telesquirt for the Fire Department. Two bids were received as follows:

Vendor Net Cost

Bid Item No. I:

Chief's Fire & Rescue Inc., Jefferson, NC \$146,950.00

KME Fire Apparatus, Nesquehoning, Pennsylvania \$180,381.08

Bid Item No. II:

KME Fire Apparatus, Nesquehoning, Pennsylvania \$222,281.00

These units will be an addition to the City's fleet. Bids have been reviewed for technical compliance to specifications by the Fire Department and Fleet Management, and their concurrence received in the following recommendation.

Subject to Council's approval, it is recommended that the bid be awarded as follows:

Bid Item No. I:

Award to the second low bidder, KME Fire Apparatus, in the amount of \$180,381.08 for the purchase of a 1996 Freightliner model FL-80 with a KME Rear Mount Rescue Pumper.

The low bid from Chief's Fire & Rescue, Inc., is not recommended because the unit they proposed to furnish fails to meet minimum bid requirements/specifications. Major exceptions include a lighter weight cab and chassis than specified and failure to provide passenger compartments large enough to transport assigned firefighters.

Bid Item No. II:

Award to the sole bidder, KME Fire Apparatus, in the amount of \$222,281.00 for the purchase of a 1996 KME model MFD with a 174 Aerial retrofitted with a

Telesquirt from vehicle no. 922.

In addition to evaluating bids for compliance to specifications, etc., cost was also considered. When compared to other governmental agencies cost for like equipment, the amounts bid the City are determined to be fair and reasonable.

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Funds for the purchase of this equipment are to be from the Fire Department's appropriations, Account Code 20-420-40-471-00-5741. (Item no. (I) is budgeted to be acquired by lease/purchase arrangements, funds for item no. (II) to be provided in FY 96/97 budget, as amended.)

Intent to Close Evelake Drive where it Dead Ends and Intersects with the City of Asheville Territorial Line, adjacent to Hazel Township

Summary: The residents of Camelot Community and members of Camelot Community Watch have requested that Evelake Drive at a point 2305 feet from the intersection with Leicester Highway be permanently closed to public use. The attached map shows the street and location of proposed closure.

The request to close the street contained 134 signatures from residents of the Camelot neighborhood. Residents reported that through traffic from an illegal driveway connection outside the City limits had resulted in safety problems on the residential street. In response to the request, City staff installed temporary barricades at this dead end portion of Evelake Drive to further evaluate the problem. Subsequent to the installation of the barricades, motorists disregarded the temporary safety improvement and destroyed the barricades. This particular access point continued to be used as a short cut for motorists entering and exiting a local mobile home park in Buncombe County. Said mobile home park maintains permanent existing access at Smith Graveyard Road.

City staff has found that motorists transversing Evelake Drive from the mobile home park were disregarding posted speed limits, children playing, pedestrians, residents backing out of driveways, and littering the roadway. Staff has determined that this closure will promote the public safety of all residents living on Evelake Drive. All owners of adjoining property effected by the street closing will be notified by certified mail of the Resolution of Intent to permanently close the street.

The Public Works Department staff recommends the Resolution of Intent to permanently close Evelake Drive at a location 2305 feet from the intersection with Leicester Highway be approved due to safety concerns and based upon the fact that the adjacent property in Buncombe County has access to Smith Graveyard Road.

Speed Limit Reductions

Summary: Change to 15 mph on Reservoir Road; Change to 20 mph Baker Drive Extension (entirety), Wood Avenue (entirety), Bradley Road (entirety), Edgewood Road (South) (entirety), Westwood Road (entirety), Stoner Road (entirety), Trappers Run (entirety), Granada Street (entirety), Cordova Street (entirety), Stewart Street (entirety), Short Michigan Avenue (entirety); Change to 25 mph Baker Drive (entirety), Sleepy Hollow Drive (entirety), Edgewood Road (Enka) (entirety), Oakley Road (entirety), Vermont Road (entirety), Michigan Avenue (entirety), Mitchell Avenue (entirety); Change to 35 mph Fairview Road - from Sweeten Creek Road to NC 81, and Brevard Road - from I-240 to Haywood Road (US 19-23 Business); and Establish at 45 mph Brevard Road - from Sardis Road to I-240.

Budget Amendment for Bus Shelters and Benches

Summary: The City of Asheville received another capital grant for the purchase and installation of additional shelters and benches for the transit system.

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The City of Asheville applied last year for another capital grant in the amount of \$110,000 for the purchase and installation of additional shelters and benches to be placed at specific locations along bus routes. These shelters and

benches will add to the existing ones that have already shown to be a positive asset to the transit system. A budget amendment is required to place this funding into the system. The City's CIP has outlined this project the past two years.

The Planning staff and the Asheville Transit Authority recommend that City Council adopt the proposed budget for the purchase and installation of the additional shelters and benches.

Grant for Food Service in After School Program

Summary: Funds are available through the North Carolina Department of Environment, Health and Natural Resources, Division of Maternal and Child Health, Child and Adult Care Food Program to provide breakfast, lunch, and snacks. The City of Asheville wishes to apply for funding to provide food service in the After School Program.

The Parks and Recreation After School Program provides supervised licensed child care, recreation, enrichment activities, and food service to children ages 5 to 12 during after school hours and holidays at seven program sites. Sites are located at Claxton, Dickson, Hall Fletcher, Jones, Randolph, and Vance Elementary Schools; and Reid Recreation Center. Sites are licensed by the State of North Carolina with a child/staff ratio of no less than one staff person for 15 children. Breakfast is provided as needed, and after school snacks provided daily. Lunch is provided on holidays and teacher work days. Activities include arts and crafts, games, sports, science, music, free choice time, and computer lab. Fees are based on the number of children from each family and frequency of attendance. Parks and Recreation will contract with Asheville City Schools for food service at a rate of \$.75 per breakfast, \$1.25 per lunch, and \$.60 per snack. The grant will reimburse Parks and Recreation approximately one third of the cost of providing food service in the After School Program. The number of meals will vary based on the total meals actually served each month.

The Parks and Recreation Department recommends the City of Asheville apply for the grant funds through the Child and Adult Care Food Program.

Financing of Fire Truck

Summary: The consideration of the authorization for execution of documents in connection with the installment purchase of a fire truck.

The City of Asheville Capital Improvements Plan ("CIP") includes an appropriation in Fiscal Year 1996-97 for the installment purchase of a pumper fire truck. The CIP anticipated financing the purchase at 5.50% interest for 10 years.

City Council will have earlier in their October 22, 1996, meeting, approved the purchase of a 1996 Freightliner model FL-80 with a KME Rear Mount Rescue Pumper

at a bid price of \$180,381.08.

To obtain the best cost of funds for financing the fire truck, the Finance Department used a Request for Proposal process to solicit proposals from 20 banks and other financing companies. The lowest cost response was submitted by United Financial of North Carolina, Inc.

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Their proposal includes a 5.24% interest rate for the duration of the financing and includes no closing costs or origination fees.

This resolution will authorize the Mayor, City Manager and City Clerk and/or Finance Director to execute any and all documents for funding the purchase of the fire truck at a principal purchase amount not to exceed \$180,381.08.

The Finance Department recommends approval of the resolution.

Dispensing Motor Fuel at Unattended Enmark Corporation Service Stations

Summary: The consideration of a request from the Enmark Corporation asking the City's permission to dispense gasoline and diesel fuel from its two Asheville service stations when those stations are unattended.

A number of service stations around the U.S. provide for customer access to gasoline and diesel fuel when the station is unattended. This access is most often via special credit card.

It is possible for such facilities to be safely operated if safety concerns are satisfied.

The Enmark Corporation has asked for permission to operate two such service stations in Asheville. Enmark officials have met with the Fire Chief and staff of the Fire Department's Life Safety Division to identify how an unattended service station could be operated in the safest possible manner. The conditions identified include:

- telephone within 75 feet (handicapped-accessible)
- emergency fuel shutoff within 75 feet (handicapped-accessible)
- signs with clear emergency-action instructions
- limit on the amount of fuel that can be dispensed from any automated pump
- on-site availability of sufficient flammable-liquid absorbent material to handle a fuel spill at the fuel-dispensing limit
- U.S. Department of Transportation-approved container for holding absorbent material after any spill
- time limit for removal of contaminated absorbent by certified waste disposal firm after a spill

Enmark Corporation has agreed to these conditions. The Asheville Fire Code requires City Council approval, which is recommended by the Fire Chief.

Based on Enmark Corporation's agreement to the conditions described above, the Fire Chief of the City of Asheville recommends City Council adoption of a resolution authorizing the Enmark Corporation to operate two service stations capable of unattended fuel dispensing after regular service station hours.

Mayor Martin asked that the record show that City Council has received this information and instructs the City Manager to place these Consent Agenda items on the next formal City Council agenda.

PRESENTATION OF JOHN NOLEN'S 1925 CITY PLAN

Ms. Erin McLoughlin, Urban Planner, presented each member of Council with John Nolen's 1922 City Plan, adopted in 1925, which frames were donated by Mr. Ken Pitts from the Frugal Framer.

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HOLIDAY LIGHTING

Mr. Mark Combs, Public Works Director, said that in recent months, the subject of holiday lighting has surfaced. Staff and others are seeking new and alternative ways to more efficiently and effectively decorate Asheville during the Holiday season.

As a result, the Arts Alliance, Asheville Downtown Commission, interested businesses/individuals, and City Staff are seeking to:

- Increase Christmas lighting in the downtown areas to augment present efforts.
- Find more cost effective/efficient ways to implement existing lighting.
- Organize and coordinate business efforts for long-term improvements to include potentially lighting buildings in downtown areas.

Due to the privatization of mowing services in the Parks & Recreation and Public Works Departments, fewer staff persons are available for placement of lights than in previous years. Additionally, feedback from individuals suggesting improved holiday lighting in Downtown Asheville and specifically in City-County Plaza has prompted a review of existing practices.

In light of the changes in manpower, staff met with Mr. Joey Moore, Chairman of the Tree/Greenway Commission, and the Downtown Association to seek input for potential modifications or changes to present arrangements. General concerns and comments from these meetings were:

- To encourage businesses to decorate their buildings at their own expense;.
- To continue to light the trees at City-County Plaza until such time that lights on buildings may diminish the need to light (all) trees;
- To consider an "incentive" program for businesses. For example, purchase lights at cost and sell to businesses;
- To consider modifications to City-County Plaza tree lighting in an effort to make the lighting brighter and more reliable;
- To consider public/private partnership for the lighting of trees in City-County Plaza. The City will provide boom trucks, limited labor, and private party(s) would provide maintenance, labor, materials.

Bruce Tompkins and Stan Collins of Biltmore Village spoke at several meetings and encouraged the lighting of buildings based on the success they have had in the Village, both in terms of aesthetics and increased sales volume. The Parks and Recreation Department has budgeted approximately \$9,500 for lighting and electricians. The Public Works Department is currently making preparations to facilitate lighting placement to begin in the next two weeks.

In consideration of the factors discussed, staff recommends:

- Continuance of City-County Plaza tree lighting with annual report and review to Council;

- Solicitation for quotes from private sector:

- 1) To develop methods to more reliably hang and maintain lighting; and

- 2) To maintain lighting in subsequent years (to include utilization of reduced City staff and equipment).

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- Promotion and encouragement of building lighting by businesses via various means in order to enhance and possibly replace/diminish necessity of lighting trees in City-County Plaza in the near future.

Mr. Combs suggested contracting with Mr. Dave Burnette (in an amount not to exceed \$1,500) to work with City staff to help encourage businesses to light their buildings, to teach his staff how to wrap the trees more permanently and how to make the lights virtually maintenance free for three years. He said that the estimate for this whole program (which will include purchasing additional strands of lights) will be less than \$5,000. He said that he would be asking Mr. Burnette for a bid to maintain the lighting in the City in subsequent years.

Mayor Martin said that the City has been working with the West Asheville residents to decorate Haywood Road during the holidays and hoped the City's efforts toward that end will continue.

Vice-Mayor Field supported the idea but wanted to point out that

it will be difficult to outline the detail of the third and fourth floors of the buildings in downtown. She noted that the scale of the buildings in downtown Asheville are different than the scale of the buildings in Biltmore Village, i.e., the buildings in Biltmore Village are off the road more and you can see the details, however, in downtown, the sidewalks and streets are narrow and if the businesses light the tops of their buildings, you won't be able to see it. She suggested, and Mr. Combs agreed, that the downtown buildings be limited to lighting only two stories. She hoped that the City would continue purchasing the white lights and let the businesses purchase them from the City. She commended Mr. Combs for his recommendations.

Upon inquiry of Councilman Sellers, Mr. James Cheeks, Traffic Engineer, said that they are in the process of ordering 20 additional wreaths for Haywood Road.

Upon inquiry of Mr. H.K. Edgerton, Mr. Combs said that he is suggesting to contract with Mr. Burnette due to his expertise and the minimal amount of the contract.

Mayor Martin asked that the record show that City Council has received this information and instructs the City Manager to place the item on the next formal City Council agenda.

Parking Study

Ms. Julia Cogburn, Planning & Development Director, said that staff is

recommending to Council the next steps to be taken toward conducting a parking study for Downtown Asheville.

At a recent Council meeting, staff was directed to gather information on and make a recommendation concerning conducting a parking assessment study for Downtown Asheville. Staff has reviewed, working with the Parking Task Force of the Downtown Commission and the Asheville Downtown Association, the needs and possible approaches for conducting such a study.

In recent years a study had been recommended which proposed evaluating the parking situation in three sections of the downtown (Battery Hill; City-County Plaza; and South Patton). After researching the issues, staff and the Task Force recommend that the scope of the study be expanded to encompass the entire downtown. They feel this is necessary in order to obtain a thorough assessment of the integration of

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available parking in the downtown area and to adequately evaluate our management systems, fee structure, etc.

Due to this change in scope, staff recommends that we prepare a new Request for Proposals and receive new proposals from interested consultants. We propose that a staff committee evaluate the proposals received and recommend to Council the selection of the consultant and appropriation of any additional funds needed to fund the study. Staff asks Council to approve proceeding in this manner.

Lastly, staff seeks direction from Council with respect to a request from the Biltmore Village Merchants Association to be included in a parking study should the City undertake one.

Staff requests approval from Council to do the following:

1. Prepare and solicit Request for Proposals for a parking study for all of downtown Asheville (basically the free zone area for the transit system).
2. Evaluate proposals received.
3. Report back to Council with a recommendation on the selection of a consultant and the funding and timing for the study.

City Manager Westbrook said that the Biltmore Village Merchants Association will apply for grants to build their garage, however, they need to have a study upfront before they can apply for those grants. They did not expect the City to build the garage.

Upon inquiry of Mayor Martin, Ms. Cogburn said that she is still waiting to hear from the State and the County on whether they will participate in funding this study. She said there is \$3,000 in the City's transportation planning work program, \$2,500 from the private businesses downtown and at least one outstanding pledge.

It was the consensus of Council to include Biltmore Village as an add alternate in the Request for Proposals and to ask if the Merchants Association would be willing to help fund the study.

City Manager Westbrook said that when staff does come back with a recommendation for the consultant, Council will then need to award the contract and appropriate the necessary funds.

Mr. Mark Combs, Public Works Director, asked if the Haywood Road area could also be included as an add alternate in the Request for Proposals. Parking is a big issue around the West Asheville corridor.

Ms. Cogburn responded to questions from Councilman Skalski relating to the total transportation system in Asheville.

Ms. Cogburn, at the request of Vice-Mayor Field, said that Asheville's Thoroughfare Plan and other pilot programs could be looked at with regard to the parking study.

It was the consensus of Council to add Haywood Road as an add alternate in the parking study too.

Upon inquiry of Councilman Cloninger, Ms. Cogburn said that it will take staff approximately three months to bring a recommendation back to Council for their consideration.

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Upon inquiry of Mr. H.K. Edgerton, Mayor Martin said that this parking study will not affect parking on the river.

Mayor Martin asked that the record show that City Council has received this information and instructs the City Manager to place the item on the next formal City Council agenda.

Direction on City Business & Development Initiatives

Ms. Julia Cogburn, Planning & Development Director, said that the staff of the City Business and Development Division seeks Council direction on initiatives regarding the City's Economic Development Incentive Policy and the development of a Strategic Plan for Economic Development for Asheville.

The City Council of the City of Asheville has directed staff in recent months to broaden the focus of the City Development Office. A new Division Manager has been hired and the newly-established City Business and Development Commission will meet for the first time in November.

Staff recommends that one of the first initiatives undertaken by this Commission and office be the development of a Strategic Plan for Economic Development for the City. This plan would be used as guidance for the focus of operations of the City Development Office and the City Business and Development Commission. The development of such a Strategic Plan is proposed to take approximately one year.

Staff further recommends that Council support immediate work by staff on revisions to Asheville's Economic Development Incentive Policy. The current policy, adopted in 1994, needs to be revisited and evaluated for its effectiveness. It also needs to be reexamined in light of recent state court cases heard on this issue. We have recently been in discussions with representatives of the State Department of Commerce who support Council looking at its policy for possible amendment. It is proposed that a recommendation will be brought to Council on this matter by February, 1997.

Staff requests direction from Council on both of these program recommendations. Staff would also request that Council appoint a working committee (members of Council) to advise and assist staff with these endeavors.

City Manager Westbrook said that since Vice-Mayor Field and Councilman Sellers

are the Council's appointments to the City Business & Development Commission, that they would like to start working with them right away.

City Manager Westbrook responded to Councilman Cloninger's inquiry as it related to the plans of the City Business & Development Manager in the interim until the strategic plan is adopted. Three specific projects include the assistance with the Civic Center Task Force, becoming involved with development on the river and the Grove Arcade Project from an economic development prospective.

Mayor Martin asked that the record show that City Council has received this information and instructs the City Manager to place the item on the next formal City Council agenda.

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Upcoming City Council Staff Retreat

It was the consensus of City Council to hold their winter retreat on January 10-12, 1997, at Kanuga Conference Center, Hendersonville, N.C.

CLOSED SESSION:

At 5:05 p.m., Councilman Sellers moved to go into closed session as authorized by G.S. 143-318.11 (a) (3) to consult with the City Attorney in order to preserve the attorney-client privilege. This motion was seconded by Councilman Worley and carried unanimously.

At 5:45 p.m., Councilman Worley moved to come out of closed session. This motion was seconded by Councilman Sellers and carried unanimously.

ADJOURNMENT:

Mayor Martin adjourned the meeting at 5:45 p.m.

CITY CLERK MAYOR
