Tuesday - January 26,1999 - 5:00 p.m.

Regular Meeting

Present: Vice-Mayor Edward C. Hay Jr., Presiding; Councilman M. Charles Cloninger; Councilman Earl Cobb; Councilwoman Barbara Field; Councilman Thomas G. Sellers; and Councilman O.T. Tomes; City Attorney Robert W. Oast Jr.; City Manager James L. Westbrook Jr.; and City Clerk Magdalen Burleson

Absent: Mayor Leni Sitnick (National Conference of Mayors in Washington, D.C.)

#### **INVOCATION**

Vice-Mayor Hay gave the invocation.

#### ADDITION TO AGENDA

Vice-Mayor Hay asked that the City Council retreat agenda beginning on Friday, January 29, 1999, be discussed under Other Business.

#### I. PROCLAMATIONS:

#### A. PROCLAMATION PROCLAIMING 1999 AS "THE YEAR OF THE OLDER PERSONS"

Councilman Cobb read the proclamation proclaiming 1999 as "The Year of the Older Persons" in the City of Asheville. He presented a proclamation to Mr. Willie Jones, Senior Volunteer of the Year, and Ms. Emma Williams, President of the Senior Opportunity Center Seniors Advisory Board.

Ms. Williams said that she would present Ms. Roberta Anderson, President, NC Association of Senior Citizens Clubs - District IX and Ms. Betty Moody, President of the Harvest House Senior Advisory Board, with a copy of the proclamation as well.

#### II. CONSENT:

## A. MOTION SETTING A PUBLIC HEARING ON FEBRUARY 9, 1999, TO CONSIDER AMENDMENTS TO THE CITY OF ASHEVILLE PERSONNEL POLICY

#### B. RESOLUTION NO. 99-15 - RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A SERVICE CONTRACT WITH OFFICE ENVIRONMENTS OF ASHEVILLE INC. TO RELOCATE AND REFURBISH EXISTING FURNITURE FOR THE MUNICIPAL BUILDING

Summary: The consideration of a resolution authorizing the City Manager to enter into a service contract with Office Environments of Asheville Inc. to relocate and refurbish existing furniture to be used at the Municipal Building, when renovations are complete.

In an effort to reduce costs for new furniture in the Municipal Building, when renovations are complete, City staff will be using refurbished existing furniture as much as possible. City staff solicited sealed bids from 18 furniture contractors, 3 of which were minority contractors, for relocation and refurbishing of 585 pieces of existing furniture currently being used by City staff throughout the City. Only one bid from Office Environments of Asheville, in the amount of \$37,100 was received. -2-

Approved funding is available in the Municipal Building construction account to pay for the relocation and refurbishing of existing furniture, designated for use in the Municipal Building.

The Parks and Recreation Department requests City Council authorize the City Manager to enter into a service contract with Office Environments of Asheville Inc., in the amount of \$37,100, to relocate and refurbish existing furniture to be used at the Municipal Building, when renovations are complete.

## **RESOLUTION BOOK NO. 25 - PAGE 124**

### C. ORDINANCE NO. 2538 - BUDGET AMENDMENT FOR THE COMMUNITY IMAGE PROJECT

Summary: Private funding to carryout the Community Image Survey Project has been identified and a request that the City act as fiscal agent on behalf of the Metropolitan Planning Organization for the project will need City Council approval.

An overview of the Community Image Survey Project was presented to City Council at their February 17, 1998, meeting. Since that time, private funding of \$55,000 has been identified and should be adequate to carry out the project. The Metropolitan Planning Organization can sponsor the project, however, since they are not a fiscal entity, the City will need to act as fiscal agent for the project and provide limited staff support as such. If City Council desires that the City participate in the project by being the fiscal agent, a project budget ordinance will be prepared and presented to City Council for adoption.

Upon City Council concurrence to act as fiscal agent, City staff recommends City Council adopt a budget for the Community Image Project, in the amount of \$55,000, with the funding provided by private sources.

#### **ORDINANCE BOOK NO. 17 - PAGE 245**

## D. RESOLUTION NO. 99-16 - RESOLUTION AWARDING BIDS FOR NEW FURNITURE FOR THE MUNICIPAL BUILDING

Summary: The consideration of a resolution to award Bid Request No. 488-99 for the purchase of new office furniture for the Municipal Building.

Pursuant to <u>N. C. Gen. Stat.</u> sec. 143-129 and in compliance with the City's Minority Business Plan, sealed bids were received to furnish and install miscellaneous office furniture, as described in Section A through G of the bid documents, in the Municipal Building. Seven bids were received. Bids have been reviewed for technical compliance to specifications by Lyle Willis, Project Coordinator and his concurrence was received in the following recommendations.

Funds for these purchases have been budgeted in Account No. 666-4680-461.70-04.

Subject to Council's approval, it is recommended that awards be made for the furniture proposed by the low bidder of each section as follows:

Section A - Metal Bookcases, Shelving - award to the low bidder, Interior Systems, West End, N. C., in the amount of \$14,469.00.

<u>Section B - Metal Casegoods, Desk, Credenza</u> - award to the low bidder, Corporate Express, Greenville, S. C., in the amount of \$26,627.63. -3-

<u>Section C - Wood Casegoods</u> - award to the low bidder, Corporate Express, Greenville, S. C., in the amount of \$9,672.55.

<u>Section D - Wood Bookcases</u> - award to the low bidder, Mac Thrift Office Furniture, Winston-Salem, N. C., in the amount of \$3,146.86.

<u>Section E - Panels System</u> - award to the low bidder, Corporate Express, Greenville, S. C., in the amount of \$41,553.36.

Section F - Metal Seating - award to the low bidder, Hoyle Office Supply, Arden, N. C., in the amount of \$40,324.96.

Section G - Wood Seating - award to the low bidder, Office Environments, Asheville, N. C., in the amount of \$11,596.00.

Grand total of all awards as recommended \$147,390.36.

## **RESOLUTION BOOK NO. 25 - PAGE 126**

## E. RESOLUTION NO. 99-17- RESOLUTION ADOPTING THE 1999 CITY COUNCIL MEETING SCHEDULE

The following schedule of the meetings of the Asheville City Council for 1999 be, and the same is, hereby established as follows: (1) City Council Worksessions - 3:00 p.m. - 1st and 3rd Tuesdays of each month - 1st Floor North Conference Room - City Hall Building, Asheville, N.C.; and (2) City Council Formal Meetings - 5:00 p.m. - 2nd and 4th Tuesdays of each month - Council Chamber - 2nd Floor - City Hall Building, Asheville, N.C.

#### **RESOLUTION BOOK NO. 25 - PAGE 131**

## F. RESOLUTION NO. 99-18 - RESOLUTION IN SUPPORT OF THE STUDY OF THE BASF SITE FOR FUTURE ECONOMIC DEVELOPMENT POTENTIAL

Summary: Carolina Power and Light (CP&L) and BASF have entered into an agreement which gives CP&L the exclusive right to evaluate and assess the BASF property for possible future economic development. One of the critical elements in economic development for the City of Asheville is identifying potential sites for quality economic development. The study by CP&L could possibly identify the BASF site as a strong economic development candidate and, thus, enhance Asheville's ability to attract quality economic development. The City, therefore, should endorse and cooperate with CP&L in its endeavor to perform this study.

After the City Council adopts the resolution, City staff will work with CP&L and others to provide any information we have concerning the BASF site. The City and CP&L feel this is a team effort which also includes the County and the Chamber of Commerce.

#### **RESOLUTION BOOK NO. 25 - PAGE 132**

Vice-Mayor Hay said that members of Council have been previously furnished with a copy of the resolutions and ordinances and the Consent Agenda and they would not be read.

Councilman Tomes moved for the adoption of the Consent Agenda. This motion was seconded by Councilwoman Field and carried unanimously.

#### **III. PUBLIC HEARINGS**:

# A. PUBLIC HEARING RELATIVE TO AMENDING THE UNIFIED DEVELOPMENT ORDINANCE TO CREATE AN OFFICE II ZONING DISTRICT

-4-

## ORDINANCE NO. 2539 - ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE TO CREATE AN OFFICE II ZONING DISTRICT

Vice-Mayor Hay opened the public hearing at 5:05 p.m.

City Clerk Burleson presented the notice to the public setting the time and date of the public hearing.

Senior Planner Gerald Green said that this is the consideration of an ordinance amending the Unified Development Ordinance (UDO) to create an Office II District.

The Asheville Planning and Zoning Commission, at their January 6, 1999,

meeting, reviewed and recommended approval of an amendment to the UDO which would create an Office II District. The need for this district was identified during the annual review of the UDO. The proposed Office II District would serve as an intermediate office district between the current Office District and the Office Business District. As proposed, the Office II District would permit a range of office uses similar to those permitted in the Office District. In addition to the office uses, a limited number of related uses are permitted. These include beauty shops and salons, day care centers, and restaurants (with restrictions). Structures within the proposed Office II District may have a footprint of up to 8,000 square feet, with a gross floor area up to 16,000 square feet. The minimum lot size permitted in the proposed district is 10,000 square feet. Single family and multi-family residential uses are permitted at maximum density of 12 units per acre. The Planning and Zoning Commission has tentatively identified locations for the mapping of the Office II District. This matter will be brought to Council at a later date.

Mr. Green said that an omission in the ordinance before Council is an amendment to section 7-16-1 (c) 37. A subsection (d) should be added which reads "Restaurants shall not exceed 4,000 square feet in gross floor area.

The Asheville Planning and Zoning Commission voted 6 to 0 to recommend approval of the wording amendment. The Planning and Development staff recommends approval of the amendment.

Upon inquiry of Councilman Tomes, Mr. Green explained that staff interprets the term accessory apartment to mean that that apartment is not the principle use on that site, but is secondary to some other principle use, whether it's an office, a church or a single-family home on that site.

Mr. Green also explained the definition of assisted living.

Vice-Mayor Hay closed the public hearing at 5:15 p.m.

Vice-Mayor Hay said that members of Council have previously received a copy of the ordinance and it would not be read.

Councilwoman Field moved for the adoption of Ordinance No. 2539. This motion was seconded by Councilman Sellers and carried unanimously.

## **ORDINANCE BOOK NO. 17 - PAGE 247**

## B. PUBLIC HEARING RELATIVE TO ZONING SECTION 12 OF BILTMORE PARK TO RS-4 RESIDENTIAL SINGLE-FAMILY MEDIUM DENSITY DISTRICT -5-

Mr. Bruce Black, Urban Planner, said that the RS-4 Residential Single-Family Medium Density District zoning, which was requested by the petitioner Mr. Robert Sulasky, would give the developers at 25 foot front setback. A recorded plat was discovered that shows 20 foot front setbacks. Therefore, Mr. Sulasky has

requested that he be allowed to withdraw this request and go back through the zoning process to request an RS-8 Residential Single-Family High Density District zoning.

Upon inquiry of Councilwoman Field, City Attorney Oast said that since the petitioner is requesting a more intensive zoning than RS-4 and there is not a problem regarding the timing of the zoning, it was his recommendation that it go through the normal review process of the Planning & Zoning Commission and then back to City Council.

Councilman Sellers moved to withdraw this item from the agenda, pursuant to the petitioner's request. This motion was seconded by Councilman Tomes and carried unanimously.

#### C. PUBLIC HEARING RELATIVE TO ZONING SECTION 11 OF BILTMORE PARK TO RS-4 RESIDENTIAL SINGLE-FAMILY MEDIUM DENSITY DISTRICT

#### ORDINANCE NO. 2540 - ORDINANCE ZONING SECTION 11 OF BILTMORE PARK TO RS-4 RESIDENTIAL SINGLE-FAMILY MEDIUM DENSITY DISTRICT

Vice-Mayor Hay opened the public hearing at 5:16 p.m.

City Clerk Burleson presented the notice to the public setting the time and date of the public hearing.

Mr. Bruce Black, Urban Planner, said that this is the consideration of an ordinance to zone Section 11 of Biltmore Park District.

The owner and applicant, Biltmore Farms Inc., has requested the zoning of Section 11 of Biltmore Park Subdivision to RS-4 Residential Single-Family Medium Density District. This section was annexed into the City of Asheville effective December 23, 1998.

The Planning staff reviewed the rezoning request and recommended to the Planning and Zoning Commission. At their January 6, 1999, meeting, the Planning & Zoning Commission voted six to to recommend of the initial zoning of Section 11 of Biltmore Park Subdivision as RS-4 Residential Single-Family Medium Density District.

Vice-Mayor Hay closed the public hearing at 5:21 p.m.

Vice-Mayor Hay said that members of Council have previously received a copy of the ordinance and it would not be read.

Councilwoman Field moved for the adoption of Ordinance No. 2540. This motion was seconded by Councilman Tomes and carried unanimously.

## ORDINANCE BOOK NO. 17 - PAGE 252

#### D. PUBLIC HEARING RELATIVE TO REALLOCATION OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS TO NEW HOPE COMMUNITY HEALTH CENTER -6-

ORDINANCE NO. 2541 - BUDGET AMENDMENT TO REALLOCATE \$27,000 OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS TO NEW HOPE COMMUNITY HEALTH CENTER

RESOLUTION NO. 99-19 - RESOLUTION AMENDING THE 1998/99 CONSOLIDATED COMMUNITY DEVELOPMENT BLOCK GRANT/HOME PLAN TO PROVIDE FOR A \$27,000 GRANT TO NEW HOPE COMMUNITY HEALTH CENTER Vice-Mayor Hay opened the public hearing at 5:22 p.m.

City Clerk Burleson presented the notice to the public setting the time and date of the public hearing.

Ms. Charlotte Caplan, Community Development Director, said that this is the consideration of a resolution amending the 1998/99 Consolidated CDBG/HOME Plan to provide for a \$27,000 grant to New Hope Community Health Center and adoption of a budget amendment to reallocate surplus Community Development Block Grant (CDBG) funds from the Section 108 Debt Service project to New Hope Community Health Center.

One hundred and sixty-four thousand (\$164,000) in CDBG funds was allocated for repayment of Section 108 Loan Program debt in 1998-99. Since that program is only now getting under way, there will be a substantial surplus (about \$160,000) in the allocation.

The Housing and Community Development Committee has approved the reallocation of \$27,000 of this surplus to New Hope Community Health Center. These funds will be used to support the Social Behavior Modification Plan and Drug Abuse Prevention Plan. The remainder of the surplus Section 108 debt service funds will be reallocated in the spring along with 1999-2000 funds.

New Hope Community Health Center, located at 46 South Market Street, has proposed a two-pronged attack on adverse social conditions in the Eagle/Market Streets area (the Block):

- 1) Social Behavior Modification Plan
- Teams of volunteers will hold a nightly dusk to dawn vigil in the area
- They will be trained in non-confrontational outreach and vigilance
- Two community coordinators will organize and oversee the vigil
- Positive activities will be organized (e.g. musical events)
- The goal will be to decrease current antisocial behaviors (public drinking, drug use, prostitution, littering, loitering, gambling, panhandling, and profanity)
- Reducing the number of 911 calls from the area will be a key performance measure.
- 2) Drug Abuse Prevention Plan
- The Center will contract with a certified substance abuse counselor
- Community substance abuse advocates will be recruited and trained
- Substance abuse counseling sessions will be held
- Case management services will be provided
- A women's drop-in center will be opened

The proposed \$27,000 grant will enable the program to start and operate for at least 6 months.

-7-

Since opening in 1994 (full-time in 1998) the New Hope Community Health Center has been a positive force for change on the Block, offering medical and some social services in a non-traditional, client-friendly setting. The proposed programs will enable the Center to reach out to some of the most disadvantaged and despairing people in our community. If successful, these programs may achieve lasting social changes on the Block, paving the way for economic regeneration.

Staff recommends City Council hold a public hearing to consider the reallocation of surplus CDBG funds.

Ms. Bonnie Love, Project Coordinator of New Home Community Health Center, spoke in support of the appropriation and talked about the many activities they have planned for their project. She also described the training for the volunteers and their productive goals for the programs.

Vice-Mayor Hay Councilwoman Field and Councilman Tomes all spoke in support of these projects.

Mr. Randall Richardson, Executive Director of New Hope, loaned through the Executive Loan Program at Mission-St. Joseph's Health Care System, said that he was excited about this opportunity to participate not only in the CDBG initiative, but in other initiatives as well.

Vice-Mayor Hay closed the public hearing at 5:40 p.m.

Vice-Mayor Hay said that members of Council have previously received a copy of the ordinance and the resolution and they would not be read.

Councilman Tomes moved for the adoption of Resolution No. 99-19. This motion was seconded by Councilwoman Field and carried unanimously.

#### **RESOLUTION BOOK NO. 25 - PAGE 133**

Councilman Tomes moved for the adoption of Ordinance No. 2541. This motion was seconded by Councilwoman Field and carried unanimously.

#### **ORDINANCE BOOK NO. 17 - PAGE 254**

#### **IV. UNFINISHED BUSINESS:**

#### V. NEW BUSINESS:

#### A. MOTION TO ALLOW AN APPROVED NON-PROFIT ORGANIZATION TO BE RESPONSIBLE FOR THE ALCOHOL BEVERAGE SALES AT THE BELE CHERE FESTIVAL, ESTABLISH SUNDAY AS AN ALCOHOL-FREE DAY AT THE FESTIVAL, AND A REVIEW OF THE OPTION 2 POLICY CHANGE BE INCLUDED IN THE ANNUAL REPORT ON FESTIVALS

Mr. Irby Brinson, Director of Parks & Recreation, said that in January, 1997, a five-year strategic plan for the Bele Chere Festival was approved by City Council. One goal of that plan was to empower the Alcohol Task Force to resolve the issues surrounding the selling and consumption of alcohol throughout the Festival. The Task Force has met consistently since 1997 to resolve the Festival's alcohol concerns. The Task Force is made up of members from downtown merchants, a representative from both the Asheville Police Department and Alcohol -8-

Law Enforcement, Councilman Sellers, City Attorney, Festival staff and Bele Chere Board Members. Since 1997, significant improvements have been made in regard to alcohol sales and consumption which have resulted in major improvements to the festival. These include reduction of arrests by 60%, merchants selling responsibly and self-policing their operations, a stricter accountability system with mandatory alcohol training,

use of wristbands to curtail under age drinking in the Festival, and exceeding the requirements of State law in regard to rules and regulations.

The Task Force has developed three options in regard to alcohol sales and consumption at future Bele Chere Festivals. These options were reviewed in depth at the January 19, 1999, City Council worksession, along with the advantages and disadvantages which were developed during the meetings of the Task Force. Based upon discussion with City Council on January 19, 1999, the Alcohol Task Force is recommending that Option 2 be approved that would allow an approved non-profit organization to be responsible for the alcoholic beverage sales along with the establishment of Sunday as an alcohol-free day at the festival.

Councilwoman Field asked about what impact this might have on the Asheville Downtown Association ("ADA") since they have been holding the alcohol permit for the City in the past. Mr. Brinson said that even though the ADA has held the permit, they were reluctant to do that because of the liability concerns. Mr. Brinson did say that the details still need to be worked out on what non-profit organization would be responsible for the beer and wine sales at Bele Chere.

Mr. Keith Thompson, owner of a downtown business, suggested that in the future we look to re-direct some of this economic development from downtown into other areas of the City like Haywood Road or the River area.

Councilwoman Field personally preferred Option 1, however, would be willing to support Option 2 as the compromise. She did, however, want to see some strong follow-up to find out what kind of impact this is having on the festival and how people are responding to it. She also suggested keeping the Bele Chere Festival the same for at least 2 years for consistency.

Councilman Cobb felt that Option 2 was a good compromise.

Councilman Sellers felt that Option 2 will be a good test to see how the alcohol fee day works. He asked that this issue be re-visited after this year's festival in order to try to get a handle on the effect of Option 2.

Upon inquiry of Vice-Mayor Hay, Mr. Brinson said that as part of the Strategic Plan, they report back to City Council annually on the festivals. He said that as part of the annual report, he would include not only the financial impact of Option 2, but the attendance and the programmatic side information as well.

Upon inquiry of Mr. H.K. Edgerton, Mr. Brinson said that this has no affect on the Goombay Festival.

Councilman Sellers moved to allow an approved non-profit organization to be responsible for the alcoholic beverage sales at the Bele Chere Festival, establish Sunday as an alcohol-free day at the Festival, and a review of the Option 2 policy change be included in the annual report on festivals. This motion was seconded by Councilman Cloninger and carried unanimously.

Councilman Cloninger thanked the Alcohol Task Force for their efforts on this particular issue. -9-

## B. RESOLUTION NO. 99-20 - RESOLUTION AWARDING THE SALE OF THE 1999 REFUNDING BONDS

Finance Director Bill Schaefer said that this is the consideration of a resolution which confirms the sale of the City's refunding bonds to Wachovia Capital Markets, Inc., establishes the interest rates for said bonds and provides direction to the Finance Director regarding disposition of the proceeds of the sale.

At the City's request, the Local Government Commission solicited bids for \$17,170,000 of City of Asheville General Obligation Refunding Bonds, Series 1999; the proceeds of which will be used to pay cost of issuance of the Refunding Bonds and to refund:

\$2,600,000 General Obligation Street and Sidewalk Bonds, Series 1986;

\$1,950,000 General Obligation Street and Sidewalk Bonds, Series 1990;

\$8,800,000 General Obligation Water Bonds, Series 1992; and

\$2,425,000 General Obligation Water Bonds, Series 1994.

Five bids were received. Wachovia Capital Markets, Inc. submitted the lowest bid which produced a true interest cost of only 4.013998%. The resulting savings to the City from the refunding totals \$914,000 over the life of the bonds. Savings during the remaining five months of this fiscal year will be \$26,781 and savings each year thereafter, until the bonds' final maturity in 2012, will range from \$66,230 to \$70,030. The present value of those savings is \$818,151.

The proposed resolution establishes the interest rate for each maturity of the bonds (the interest rate corresponds to that offered in Wachovia's bid); awards the bonds to Wachovia Capital Markets, Inc. and provides direction to the Finance Director regarding disposition of the proceeds of the sale.

City staff recommends City Council adopt the proposed resolution.

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

Councilman Tomes moved for the adoption of Resolution No. 99-20. This motion was seconded by Councilman Cobb and carried unanimously.

## **RESOLUTION BOOK NO. 25 - PAGE 134**

#### VI. OTHER BUSINESS:

# A. APPROVAL OF THE MINUTES OF THE REGULAR MEETING HELD ON JANUARY 12, 1999, AND THE WORKSESSION HELD ON JANUARY 19, 1999

Councilman Tomes moved for the adoption of the minutes of the regular meeting held on January 12, 1999, and the worksession held on January 19, 1999. This motion was seconded by Councilwoman Field and carried unanimously.

#### **B. CITY COUNCIL 1999 RETREAT SCHEDULE**

Vice-Mayor Hay said that Mayor Sitnick had requested that the economic development discussion and the annexation study discussion be rescheduled to Saturday, January 30, instead of Friday, January 29, in order that she may participate in the discussions. Vice-Mayor Hay -10-

noted that the Mayor would not be back from her trip from Washington, D.C., until Saturday morning.

City Manager Westbrook said that the economic development discussion would pose no problem to reschedule since staff was making that presentation. However, he asked for Council's guidance relative to the annexation study discussion since the consultants who would be making the report are not available to come to the retreat on Saturday.

Councilman Cobb suggested moving the annexation study discussion to a worksession. City Manager Westbrook said that the two hours scheduled on this topic could be handled at a short worksession agenda, however, staff needs direction from City Council soon on this particular issue.

Councilwoman Field said that since Mayor Sitnick is pretty up-to-speed on this issue, perhaps that topic could remain on Friday and the City Manager or the consultant brief her. She also suggested that the discussion be recorded.

Vice-Mayor Hay said that the purpose of the retreat is goal and priority setting for the upcoming year and if we don't take into account what we may or may not do about annexation, he was not sure Council could set goals in other areas.

It was the consensus of City Council to reschedule the Civil Service Law topic to Friday instead of Saturday and in it's place on Saturday, hear the economic development topic. It was also the consensus of Council to keep the annexation study discussion on Friday.

#### C. CLAIMS

The following claims were received by the City of Asheville during the weeks of December 8, 1998 - January 14, 1999: Elizabeth Douglass (Water), John Leslie (Water), Dan Fiore (Water), Stroupe Sheet Metal (Streets), Phillip D. Stover (Water) and Mike Evolga (Police).

The following claims were received by the City of Asheville during the weeks of December 15, 1998 -January 21, 1999: Pauline Hessler (Water), Jeanette Turner (Water), BellSouth (Water), BellSouth (Water) and Elbert Taylor (Finance).

These claims have been referred to Asheville Claims Corporation for investigation.

#### VII. INFORMAL DISCUSSION AND PUBLIC COMMENT:

#### A. RETREAT

Upon inquiry of Mr. H.K. Edgerton, Vice-Mayor Hay said that the retreat is for City Council to work together and there will be no opportunity for public input. He did note that the public is invited and encouraged to attend and observe.

Mr. Edgerton asked if the Rule of 3 would be part of the Civil Service Law discussion. City Manager Westbrook said that in the context of the staff's discussion, it would be discussed in general as a problem that we see from the staff's standpoint. Mr. Edgerton urged City Council to consider the Rule of 3 since it does not allow ethnic minorities to advance in City government, especially as it relates to employment in the Asheville Police Department.

Mr. John Hayes also urged City Council to seriously review the Civil Service Rule of 3.

-11-

#### VIII. ADJOURNMENT:

Vice-Mayor Hay adjourned the meeting at 6:10 p.m.

## CITY CLERK MAYOR