

Tuesday - February 16, 1999 - 3:00 p.m.

Worksession

Present: Mayor Leni Sitnick, Presiding; Vice-Mayor Edward C. Hay Jr.; Councilwoman Barbara Field; Councilman Thomas G. Sellers; and Councilman O.T. Tomes; Assistant City Attorney Patsy Meldrum; City Manager James L. Westbrook Jr.; and City Clerk Magdalen Burleson

Absent: Councilman Earl Cobb, Councilman M. Charles Cloninger and City Attorney Robert W. Oast Jr.

CONSENT:

Budget Amendment re: Sale of 110 Morris Street

Summary: The consideration of a budget amendment appropriating the funds from the sale of 110 Morris Street into capital projects designated for Parks and Recreation.

Over the past year, the City of Asheville has been working to sell the dwelling at 110 Morris Street located on the property at West Asheville Park administered by the Parks and Recreation Department. The closing of this property has occurred and funds totaling \$74,354.00 need to be allocated into a capital fund for improvements at the park. The Parks and Recreation staff currently plans to make improvements and upgrades to the playground facility at West Asheville Park. These improvements will result in the playground being in compliance with the Americans With Disabilities Act and the recommendations by the Consumer Product Safety Commission.

The Parks and Recreation staff is recommending approval of the budget amendment to appropriate \$74,354 into a capital fund for improvements at West Asheville Park.

Support Funding for Land & Water Conservation Program

Summary: The consideration of a resolution to endorse the reestablishment of Land and Water Conservation Funds through the Federal Government.

For over 30 years the Land and Water Conservation Fund (LWCF) established by the Federal Government assisted local parks and recreation departments specifically for the purpose of acquiring and developing natural resources that would provide recreation opportunities for future generations. Funding for the Land and Water Conservation Program was generated from revenues produced from off-shore drilling rights. Over the past three years, funding for LWCF has not occurred which has greatly diminished opportunities for further development of parks and recreation facilities by local governments. During the last session of Congress, Bills were introduced by both the House and the Senate which would reinstate funding from the Land and Water Conservation Fund. City Council is well aware of the needs identified in the Parks, Recreation and Greenway Master Plans. Funding for the LWCF or similar Bill would greatly help meet the needs of this community.

The Parks and Recreation staff recommends City Council approving a resolution supporting funding for the Land and Water Conservation Program.

Naming of Reid Annex in Memory of Lonnie D. Burton

Summary: The consideration of a resolution naming the Reid Annex Building in memory of Lonnie D. Burton.

The Opportunity Corporation has entered into a 10-year lease on the Reid Center Annex Building and is renovating the facility in order to open a Head Start Child Development Center. This program will offer education and socialization activities to low-income children and their families. Mr. Lonnie D. Burton served as Executive Director of this organization for 23 of the 28 years of his employment here. He was passionate about this program and believed that early intervention is a way to move people out of poverty. Therefore, the Opportunity Corporation wants to honor his memory and his family by naming this Head Start facility and City-owned building the "Lonnie D. Burton Child Development Center."

The Parks and Recreation Advisory Board and staff support this request and recommends that City Council approve renaming the Reid Center Annex Building as the "Lonnie D. Burton Child Development Center."

Resolution of Intent to Annex City-Owned Non-Contiguous Property known as "Richmond Hill Property" and setting a public hearing on March 9, 1999

Resolution of Intent to Annex City-Owned Non-Contiguous Property known as "Bent Creek Property" and setting a public hearing on March 9, 1999

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

PEDESTRIAN THOROUGHFARE PLAN

Ms. Suzanne Molloy, Assistant Director of Public Works, said that the Public Works Department is planning to recommend adoption of the Pedestrian Thoroughfare Plan this upcoming May after a series of public meetings, public input, and final revisions to the document.

The Public Works Department in conjunction with the Bicycle and Pedestrian Task Forces and the prior work of the Pedestrian Awareness and Community Evaluation (PACE) Committee has developed a preliminary Pedestrian Thoroughfare Plan. The purpose of the plan is to serve as a basis for pedestrian planning and prioritizing capital improvement and maintenance projects. The goal of the plan is to promote pedestrian activity, provide guidelines and design recommendations, and improve the pedestrian environment in the City of Asheville.

Ms. Molloy and Mr. Oliver Gajda briefed Council on the Plan which identifies: 1) existing sidewalks needing reconstruction, 2) sidewalks requiring ADA improvements, 3) sidewalks with pedestrian obstructions, 4) pedestrian hazard areas, 5) needed pedestrian crossings, and 6) needed pedestrian linkages, including linkages adopted in the *Master Greenway Plan*. The total cost for the plan is estimated at \$35,619,730 with the plan recommending methods for financing which include local funding mechanisms (UDO, posting, impact fees); public/private partnerships (special assessments) and pursuing state and federal funding. The plan also recommends a series of action steps to ensure the implementation of the plan, i.e., establish a bicycle and pedestrian coordinator, update the UDO and engineering standards manual, development funding mechanisms (impact fees, NC DOT), incorporate pedestrian concerns into current and proposed plans, and support the bicycle and pedestrian task forces. Benefits of the plan include smart growth, air quality, health, community safety, economic development, livability and intermodal transportation.

On March 1st, printed copies of the draft plan will be available to the public.

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Ms. Elizabeth Teague, representative from the Land-of-Sky Regional Council, spoke about the joint cooperation between the City and the Asheville Urban Area Metropolitan Planning Organization's Pedestrian and Bicycle Thoroughfare Plan. A series of public meetings will be hosted during the months of March and April. The public comment period will end on April 23rd.

Ms. Molloy said that after incorporation of public comment and recommendations, a final plan will be brought back to City Council on May 25th for adoption. The final adoption of the plan will be coordinated with a series of events (such as Strive Not to Drive Day) sponsored by the City of Asheville, the Bicycle and Pedestrian Task Forces of the Asheville Urban Area Metropolitan Planning Organization, and Land of Sky Regional Council.

Ms. Molloy said that over the next several months, the government access channel, will be running a series "Perils for Pedestrians" which highlights positive pedestrian programs and events. The City of Asheville's draft Pedestrian Thoroughfare Plan and the Urban Trail are both recognized in this program. This series is intended to raise awareness on the importance of pedestrian planning and programs. Additional information pertaining to the plan and public input sessions will be advertised via the newspaper and the government access channel.

The purpose of this report is to apprise City Council of the process to be used to gain public review and input as a part of the ultimate adoption of a Pedestrian Thoroughfare Plan.

Councilwoman Field liked the idea of some kinds of flexibility in the Plan and noted that Portland, Oregon, has some interesting solutions to ADA problems. She stressed that as part of the greenway master plan, we need to make sure that we think about the Pedestrian Thoroughfare Plan as part of that process.

Mayor Sitnick suggested that some type of flow chart be created to inform the public about the structure of local government and what City Council has control over. She also hoped that the City sets aside some funds every year for new sidewalks. She urged City staff to look at all kinds of materials (pervious and impervious) for walkable opportunities.

City Council suggested avenues to try to identify funding sources for the Plan.

PURCHASE OF PROPERTY AT THE CORNER OF BELL ROAD AND NEW HAW CREEK ROAD

Mr. Irby Brinson, Director of Parks & Recreation, said that this is the consideration of a resolution and budget amendment, in the amount of \$55,000 out of Fund Balance, to purchase property located at the corner of Bell Road and New Haw Creek Road to be used for parking at Bullman Park.

Currently, the East Asheville Youth Activities Program is serving over 500 children in the youth baseball and softball program. For many years, problems have occurred in regard to adequate parking for the activities at the park. The Parks and Recreation Advisory Board has identified this needs as a high priority within the department. For several months, staff has been working with an adjacent property owner for the purchase of 2.09 acres at the corner of Bell Road and New Haw Creek Road. This purchase would be used for the development of a parking lot to meet the above need. The current property owner has agreed to a price of \$55,000. Staff is requesting an appropriation from Fund Balance to go towards the purchase of this property.

The Parks and Recreation Advisory Board and staff recommend City Council authorize the City Manager to enter into any agreements for the purchase of this property and approval of a budget amendment in the amount of \$55,000 for the purchase of 2.09 acres at the corner of Bell Road and New Haw Creek Road. -4-

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

PRITCHARD PARK FUNDING STRATEGIES

Mr. Alan Glines, Assistant Landscape Architect, said that the Parks and Recreation Department has been directed by Council to study funding options for the estimated budget for the Pritchard Park project.

Since the presentation to Council by Genesis Group Inc., the City's consultant for the redesign of Pritchard Park on January 5, 1999, staff has reviewed options for funding and organizing the project. The project budget is estimated to be \$1.4 million. This figure does not include possible traffic changes that may be needed throughout the downtown system nor any utility improvements. This major fundraising campaign could take from one to two years.

There are numerous ways to organize the fundraising effort:

1. City Council leads the fundraising effort. They may appoint a member of the community to spearhead the effort. Staff would support their efforts with back up information and grant writing.

Advantages of this option include:

- a strong City identity for the project is created;
- a consistent message is given.

Disadvantages of this option include:

- time consuming commitment for City Council;
- Staff time for this project will compete with other duties;
- experience in handling this unusual type of campaign may be an issue;
- City may not be eligible to apply for some grants which have restricted funding unless a partnership is developed with a Non-Profit Agency which may apply for grants on behalf of the City.

2. Establish a Fundraising Committee led by a professional fundraiser who manages the project and who is paid by way of a grant or a percentage of fundraising manages the project.

Advantages of this option include:

- professional expertise in handling the project;
- fundraiser may be able to devote more time to the project;
- may accelerate the timeline for fundraising.

Disadvantages of this option include:

- negative perception by the public that funds raised are being used to pay a consultant instead of actual project construction;
- success of the campaign is dependent on the experience of this key individual;
- fundraiser may not be a member of this community;
- City may not be eligible to apply for some grants which have restricted funding unless a partnership is developed with a Non-Profit Agency which may apply for grants on behalf of the City.

3. An outside Non-Profit Agency and the Fundraising Committee leads the campaign (either entity could manage the process), writes grants and accepts funds on behalf of the City.

Advantages of this option include:

- ready experience of a Non-Profit Agency in grant writing;
- ability to apply for grants which have restricted funds;
- positive impression of being a community-wide effort;
- may reduce Staff time required on this project.

Disadvantages of this option include:

- the fundraising effort is only as effective as the Non-Profit Agency's resources, experience and skills;
- time commitment may be too great for a Non-Profit Agency in light of their existing commitments;
- a distinct leadership role with the project may be unclear to the community.

4. A Fundraising Committee coordinated by City staff composed of individuals from several departments and disciplines, manages the project. This could include City Council and Non-Profit Agency involvement.

Advantages of this option include:

- diverse skills brought by the different participants;
- restricted funding sources may still be available if a Non-Profit Agency could be involved;
- The project would still have clear City leadership;
- The City benefits from the partnerships formed.

Disadvantages of this option include:

- Staff time constraints with their regular job duties;
- differing interests and priorities from departments participating;
- since this project is large and complex there may not be the needed level of Staff experience;
- fundraising timeline may take longer.

Time Frame - Before May 1999, the fundraising committee could be organized and research begun for grants and donor sources. Thereafter fundraising and grant writing efforts could begin.

Funding Sources for the Project:

- City Capital Improvement Project Budget: Approximately 1/3 of proposed budget over the next two years applied for through the Capital Improvement Project process to provide seed money to match grants.
- Grants: Relevant state, federal and private grant sources can be identified and applied for.

- Donations: Private individuals, organizations and corporations may be a source of funds for the project.
- Grass Roots Fundraising: Community generated activities may be effective in raising funds for the project.

Staff is providing an update for City Council on possible funding scenarios of the Pritchard Park project.

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Council discussed the options presented, stressing that only \$300,000 is for the actual park itself and the rest of the \$1.4 million is for traffic issues, resignalizations, streetscape things, art work, etc.

Councilwoman Field was pleased that there is currently some funds in the Capital Improvement Plan to begin work on this project. She stressed that she would be willing to help raise funds for this very important project.

Councilman Tomes wanted to make sure that we communicate to the community in a precise manner the source of funding, rather than leave the impression that it may end up being a taxpayer responsibility and burden.

Mr. Glines explained why Pritchard Park was not included in the Parks, Recreation and Greenways Master Plan.

City Council suggested some possible funding sources for the project.

City Council expressed interest in hiring a professional fundraiser to help with this fundraising effort, as long as no City money is involved.

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

CHANGING METHOD OF MAYOR AND COUNCIL ELECTION FROM PRIMARY-GENERAL TO GENERAL-RUNOFF

Assistant City Attorney Patsy Meldrum said that this is the consideration of an amendment to the City Charter to change the method of election of Mayor and Council to General Election – Runoff.

She reviewed with Council the current method of election (non-partisan primary and general election) and the method under consideration (general election and run-off).

a. Legal Authority. Part 4 of Article 5 of Chapter 160A permits a municipality to modify certain aspects of its form of government by amending its Charter. This is accomplished by adopting an ordinance following a public hearing. One of the forms of government that may be changed in this way is the manner of election of the Mayor and Council. Past recent changes have included; at large election of the mayor; non-partisan elections; and four-year staggered terms.

b. Process. Currently, the manner in which the Mayor and Council are elected is by primary-general election. In order to change this to the general election - runoff method, Council must first adopt a resolution of intent to consider an ordinance effecting the change. At the time the resolution of intent is adopted, the Council must also set a date for a public hearing on the proposed change, to be held within 45 days. The public hearing must be advertised at least once, not less than 10 days prior to the date of the hearing. At a regular meeting following the public hearing, but not more than 60 days thereafter, the ordinance effectuating the change may be adopted. This will involve amending Section 6 of the Charter.

Assuming that Council adopts the resolution of intent to consider the above-described change at its February 23 meeting, the earliest that a public hearing could be held would be March 9, and the earliest that the ordinance could be adopted would be March 23.

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c. Effect on timing of election; filing. Pursuant to G.S. 163-279, for cities using the non-partisan primary-general election method, the general election is held on the first Tuesday after the first Monday in November, and the primary is 4 weeks earlier. When the method is changed to general-runoff, the runoff is held on the first Tuesday after the first Monday in November, and the general election is four weeks earlier. It appears that the filing date for elections under this system would be the same as it currently is. G.S. 163-294.2(c).

d. Other issues. The statute provides that the ordinance amendment may be put to a vote of the people, either by Council, or by a petition signed by 10% of voters qualified to vote in municipal elections. Obviously, if this occurs, the timing of the process will be altered.

If Council wishes to change its method of election to the primary-runoff method, the resolution of intent should be adopted. The proposed resolution assumes that the schedule discussed above is acceptable, but Council can adjust the schedule within certain limitations.

Vice-Mayor Hay explained why he felt that the current method seems inefficient and is also a campaign finance issue.

Councilwoman Field felt that there are pros and cons to both methods and wanted to hear from the public on how they feel about this.

Upon inquiry of Councilwoman Field, Ms. Meldrum briefed Council on some other municipalities in North Carolina that use the general election-runoff method.

Ms. Meldrum said that she would gather some statistics from the Board of Elections

Mayor Sitnick also felt that there are advantages and disadvantages of the general election-runoff method.

Ms. Meldrum then responded to various questions from Council and on questions which she was unable to respond to, noted that she would research those and be ready to report back to Council when this item is considered at the next formal meeting.

Vice-Mayor Hay suggested Ms. Meldrum contact the City of Wilmington's Board of Elections for a history on their experience with the general election-runoff method, assuming they don't have districts and have non-partisan elections.

Councilman Tomes was concerned that people have the mind-set that the first election is only a primary (with normally very poor turn-out) and normally general election is held in November. If Council changes this method, the general election will be the first election, and only if necessary, a run-off would be in November.

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

ECONOMIC DEVELOPMENT STRATEGIC PLAN

Assistant City Manager Doug Spell said that this is the consideration of selecting a consultant to prepare a Strategic Plan for economic development for the City of Asheville.

One critical component for the future positive growth of the City of Asheville pertains to an aggressive economic development program. In order to have an effective economic development program the focus must be well defined. Therefore, staff prepared a request for proposals (RFP) for a Strategic Plan for Economic Development. The RFP outlined a Scope of -8-

Work consisting of ten (10) tasks as a part of the preparation of a Strategic Plan. He reviewed the Scope of Work from the RFP.

The RFP was advertised in The Asheville-Citizen Times and The Charlotte Observer on December 6, 1998. Additionally, staff sent out notices to prospective consulting firms including three potentially interested firms from the list of certified minority businesses.

The City received proposals from four consulting firms. The cost estimate from the proposals received ranged from \$60,000 to \$162,500. Additionally the range in time schedules outlined in the proposals stipulated that the Strategic Plan would be completed in six to ten months.

A selection panel comprised of Dale Carroll, Executive Director for AdvantageWest, Bruce Tompkins, Local Merchant and Chairman of the City Business and Development Commission, Jim Westbrook, and Douglas Spell reviewed and evaluated the proposals. An evaluation criteria was prepared in order to objectively consider each proposal. The evaluation criteria included items such as:

- prior experience in the tasks comprising the Scope of Work;
- firm's approach to accomplish the plan;
- involvement of stakeholders;
- availability to begin the project and time schedule to complete;
- cost estimate included in the proposal.

The selection panel recommended the selection of Lockwood Greene Consulting, Inc. to prepare the Strategic Plan for Economic Development. This recommendation is based upon the national scale of economic development, experience of the firm, significant client contact, opportunity for new ideas, closer proximity of firm location, and national identity of firm. Their cost estimate is in the amount of \$66,000 plus estimated expenses of \$12,700 for travel and other reimbursables for a total estimate of \$78,700.

The Strategic Plan has been listed as a priority project of City Council. In order to initiate the Strategic Plan a budget ordinance amendment will be required. The amendment will appropriate \$67,700 from Fund Balance for this project. Additionally, funds in the amount of \$11,000 are available from Community Development Block Grant (CDBG) funds which have previously been earmarked for "planning." The Strategic Plan will provide some elements of economic diversification consistent with HUD direction for CDBG funds. If City Council concurs, staff will include the CDBG funds in the budget amendment.

Staff recommends the selection of Lockwood Greene Consulting, Inc. to prepare the Strategic Plan for Economic Development for the City of Asheville in the submitted proposal amount of \$78,700 and approval of an appropriation from Fund Balance to fund this project.

Mr. Bruce Tompkins, Chair of the City Business and Development Commission, spoke in support of the selection of Lockwood Greene.

Discussion surrounded the importance for the selected firm to understand how unique Asheville is and the

need to come up with some creative and innovative ideas. Therefore, it was the consensus of Council to meet with the project manager of Lockwood Greene to discuss Council's desires regarding economic development, to include, but not limited to, discussion of creative ways of going about economic development, how they feel about economic development incentives and what those incentives would be, how they would market Asheville's strengths, etc. -9-

NEXT COMMUNITY MEETING

It was the consensus of City Council to hold their next scheduled community meeting on Tuesday, March 30, 1999, at the East Asheville Community Center, 906 Tunnel Road, Asheville, N.C. City staff will be available beginning at 6:00 p.m. to answer any questions from the public and the community meeting will begin at 7:00 p.m.

REPORTS ON BOARDS/COMMISSIONS

ADJOURNMENT:

Mayor Sitnick adjourned the meeting at 5:17 p.m.

CITY CLERK MAYOR
