

Tuesday – August 9, 2016 - 5:00 p.m.

Regular Meeting

Present: Mayor Esther E. Manheimer, Presiding; Vice-Mayor Gwen C. Wisler; Councilman Cecil Bothwell; Councilman Brian D. Haynes; Councilwoman Julie V. Mayfield; Councilman Gordon D. Smith; Councilman W. Keith Young; City Manager Gary W. Jackson; City Attorney Robin T. Currin; and Deputy City Clerk Jaime Matthews

Absent: None

**PLEDGE OF ALLEGIANCE**

Mayor Manheimer led City Council in the Pledge of Allegiance.

**I. PROCLAMATIONS:**

**II. CONSENT AGENDA:**

- A. APPROVAL OF THE MINUTES OF THE REGULAR MEETING HELD ON JULY 26, 2016**
- B. RESOLUTION NO. 16-191 - RESOLUTION AUTHORIZING THE CITY MANAGER EXECUTE A ONE-YEAR CONTRACT EXTENSION WITH RIVERTOP CONTRACTING INC. FOR THE DOWNTOWN CLEANING PROJECT**

Summary: The consideration of a resolution authorizing the City Manager to execute, on behalf of the City of Asheville, a one year extension in the amount of \$250,026 plus a contingency of 15% (\$37,504) with Rivertop Contracting Inc. for the project known as Downtown Cleaning, City of Asheville Project #DC-16-01, and further authorizing the execution of any change orders to said contract which may arise during execution of said project up to the budgeted amount of \$300,000.

Rivertop Contracting started working the current contract on October 1, 2015, and will complete work on September 30<sup>th</sup>, 2016. The proposed extension will take effect on October 1, 2016 and run through September 30, 2017.

The contractor will work in the Central Business District with their primary duty being pressure washing City owned sidewalks. The contractor is also responsible for the non-chemical removal of weeds from City owned sidewalks, tree grates and curblines.

Pros:

- Will result in the most heavily used areas of the CBD being pressure washed completely 4 times in the life of the contract and the lesser used areas being pressure washed completely 2 times in the life of the contract.
- Will result in undesirable vegetation being removed from City sidewalks, curblines and tree grates

Con:

- Project management and contract administration will consume staff time.

\$300,000 was budgeted for Downtown Cleaning in the general fund. This amount was approved by City Council and included in the Fiscal Year 2016-2017 budget.

City staff recommends City Council adopt the resolution authorizing the City Manager to execute, on behalf of the City of Asheville, a one year extension of the current Downtown Cleaning contract in the amount of \$250,026 PLUS a contingency of 15% (\$37,504) with Rivertop Contracting, Inc. for the project known as Downtown Cleaning, City of Asheville Project #DC-16-01 and further authorizing the execution of any change orders to said contract which may arise during execution of said project up to the budgeted amount of \$300,000

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**C. RESOLUTION NO. 16-192 - RESOLUTION AUTHORIZING THE CITY MANAGER TO ACQUIRE AND ACCEPT AN EASEMENT NEEDED TO INSTALL TWO SIGNAL POLES FOR A TRAFFIC LIGHT AT VICTORIA ROAD AND FERNIHURST DRIVE**

Summary: The consideration of a resolution authorizing the City Manager to acquire and accept an easement needed to install two signal poles for a traffic light at Victoria Road and Fernihurst Drive.

Asheville's traffic engineer has been working with AB Tech Community College to install a traffic light at Victoria Road and Fernihurst Drive. The project requires that two signal poles with guy wires be installed on property owned by Buncombe County. Although the land is owned by Buncombe County, the property is currently being used by the Asheville City Schools to operate Asheville High School. The signal poles would be installed near the rear property line of the parcel. The City is requesting a 700 square foot or 0.016 acres of permanent easement to install and maintain two wood poles that will have guy wires. The parcel's PIN is 9648-32-7199 and its physical address is 419 McDowell Street. Authorization from Buncombe County to grant the easement to the City was approved on August 2, 2016.

Pros:

- The installation of public infrastructure at the intersection of Victoria Road and Fernihurst Drive will facilitate the smooth flow of traffic at this well-traveled intersection.
- AB Tech Community College has plans at a later date to use this street as primary access to the college.

Con:

- The City would be responsible for ongoing maintenance of improvements.

None noted, as the easement will be granted to the City for this purpose at no cost to the City.

City staff recommends that the City Council approve a resolution authorizing the City Manager to accept by donation an easement needed to install two signal poles for a traffic light at Victoria Road and Fernihurst Drive.

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**D. RESOLUTION NO. 16-193 - RESOLUTION THE MAYOR TO ADOPT THE BUNCOMBE-MADISON REGIONAL HAZARD MITIGATION PLAN**

Summary: The consideration of a resolution to adopt the Buncombe Madison Regional Hazard Mitigation Plan.

In an effort to reduce the Nation's mounting natural disaster losses, the U.S. Congress passed the Disaster Mitigation Act of 2000 (DMA 2000) in order to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act. Section 322 of DMA 2000 emphasizes

the need for state, local, and Tribal government entities to closely coordinate on mitigation planning activities and makes the development of a hazard mitigation plan a specific eligibility requirement for any local or Tribal government applying for federal mitigation grant funds. Therefore, the Federal Emergency Management Agency (FEMA) requires that local governments have an approved Hazard Mitigation plan in place to remain eligible for disaster recovery funding and both pre- and post-disaster hazard mitigation funding. Approved plans must be updated, approved, and adopted every five years. The current plan was approved in 2011 and expires in early Fall of this year.

During the most recent update cycle the North Carolina Division of Emergency Management advocated the transition to regional hazard mitigation planning. The jurisdictions in the Buncombe and Madison Region joined together to create the Buncombe Madison Regional Hazard Mitigation Plan (Plan). This allowed resources to be shared amongst the participating jurisdictions and combining the existing county plans into one multi-jurisdictional plan. Planning efforts began in late 2013.

The Plan was prepared in coordination with FEMA Region IV and the North Carolina Division of Emergency Management (NCDEM) to ensure that it meets all applicable FEMA and state requirements for hazard mitigation plans and was funded through a mitigation planning grant administered by Madison County Emergency Management. FEMA plan approval was granted in late 2015. Upon local adoption, the regional plan will be in effect until 2021.

This matter was heard before the Public Safety Committee on July 25, 2016, and was supported for approval.

Pros:

- An approved hazard mitigation plan establishes the broad community vision and guiding principles for reducing hazard risk, and further proposes specific mitigation actions to eliminate or reduce identified vulnerabilities.
- Communities with an adopted and federally approved hazard mitigation plan thereby become pre-positioned and more likely to receive available mitigation funds before and after the next disaster.

Con:

- None

City staff recommends the City Council adopt a resolution to adopt the Buncombe Madison Regional Hazard Mitigation Plan.

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#### **E. RESOLUTION NO. 16-194 - RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH PATTON CONSTRUCTION GROUP, INC. FOR THE CONCRETE MAINTENANCE AND ADA IMPROVEMENTS PROJECT**

Summary: The consideration of a resolution authorizing the City Manager to execute a contract in the amount of \$184,900 with Patton Construction Group Inc. for the project known as Concrete Maintenance and ADA Improvements Fiscal Year 2017, City of Asheville Project #ST-16-17-001, and further authorizing the execution of any change orders to said contract which may arise during execution of said project up to the budgeted amount of \$200,000.

This contract is our annual Concrete Maintenance Contract. This year the maintenance work will be concentrated around several Asheville City schools. The project was advertised on July 7, 2016, and bids were opened on July 28, 2016, with the following results:

Patton Construction Group, Arden, NC	\$184,900
J & E Concrete Construction, LLC, Harmony, NC	\$198,611
Appalachian Paving and Concrete, Swannanoa, NC	\$199,193
Armen Construction, Charlotte, NC	\$217,656

Below is list of the proposed project sites to be completed under the maintenance contract:

<u>School</u>	<u>Street</u>
Asheville High	Victoria Road
Claxton Elementary	Hillside, Annandale, Merrimon
Isaac Dickson Elementary	Hill Street
Hall Fletcher Elementary	Ridgelawn and Garden Circle
Oakley Elementary	Liberty and School Road E

Pros:

- Will correct a number of sidewalk issues near City of Asheville schools.
- Addresses pedestrian safety by providing the required sidewalk maintenance.

Con:

- Project management and contract administration will consume staff time.

\$200,000 was budgeted for concrete repair and maintenance in the general fund. This amount was approved by City Council and included in the Fiscal Year 2016-2017 budget.

City staff recommends City Council adopt the resolution awarding the contract to Patton Construction Group, Inc. and authorizing the City Manager to execute a contract in the amount of \$184,900 with Patton Construction Group, Inc. for the project known as Concrete Maintenance and ADA Improvements FY 17 and further authorizing the execution of any change orders to said contract which may arise during execution of said project up to the budgeted amount of \$200,000.

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**F. RESOLUTION NO. 16-195 - RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE HOUSING AUTHORITY OF THE CITY OF ASHEVILLE TO FUND AND CONTINUE THE ASHEVILLE POLICE DEPARTMENT HOUSING POLICE UNIT**

Summary: The consideration of a resolution authorizing the City Manager to enter into an agreement with the Housing Authority City of Asheville (HACA) which amends and extends the previous Asheville Housing Unit Police Intergovernmental Memorandum of Agreement. (Agreement") which expired 2015.

In December 2012, the City of Asheville (City) and HACA entered into an agreement which provides additional sworn police resources as a way to supplement regular patrols and community policing within HACA developments. The agreement, which expired and whose terms continued to be implemented by both parties, provides for a 9 member APD Public Housing Unit (Housing Unit). Through the proposed extension of the agreement, the APD will continue to:

- be responsible for criminal enforcement, crime prevention, community policing and enforcement of HACA regulations in public housing; and
- partner with the HACA and its residents to foster an atmosphere focusing on community policing to create a safe environment and improve the quality of life in public housing, while simultaneously reducing crime; and

- a continued partner with HACA in funding the Housing Unit.

The HACA will reimburse the City for expenses related to four officers' salary and benefits. This will enable the continued operation of the 9 member unit responsible for providing law enforcement services the 11 public housing communities.

Pros:

- Establish a dedicated number of sworn officers to provide direct law enforcement services to the eleven (11) public housing developments in the City.
- Foster an atmosphere focusing on community policing to create a safe environment and improve the quality of life in public housing.
- Improve lines of communication and cooperation between the residents, staff and the police in public housing.

Cons

- The City is responsible for the initial expenses related to 4 officers, until reimbursed by the HACA.

Funding for four (4) Housing Unit officers salary and benefits, would be through the HACA at an annual cost of approximately \$260,000. The City would be required to fund five (5) additional sworn personnel (4 officers and 1 Sergeant) to fully staff the APD Public Housing Unit at an annual cost of approximately \$330,000. The revenue and expenses associated with this program are already included in the Police Department's FY 2016-17 budget.

Staff recommends that City Council approve the resolution authorizing the City Manager to enter into an agreement with the Housing Authority City of Asheville to fund and continue operating the APD Public Housing Unit.

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**G. RESOLUTION NO. 16-199 - RESOLUTION AUTHORIZING THE POSSESSION AND/OR CONSUMPTION OF ALCOHOLIC BEVERAGES AND/OR UNFORTIFIED WINE AT THE CLIPS BEER & FILM TOUR**

**RESOLUTION NO. 16-200 - RESOLUTION AUTHORIZING THE POSSESSION AND/OR CONSUMPTION OF ALCOHOLIC BEVERAGES AND/OR UNFORTIFIED WINE AT THE BREWGRASS FESTIVAL**

**RESOLUTION NO. 16-201 - RESOLUTION AUTHORIZING THE POSSESSION AND/OR CONSUMPTION OF ALCOHOLIC BEVERAGES AND/OR UNFORTIFIED WINE AT RIVERMUSIC**

Summary: The consideration of resolutions authorizing the City Manager to approve making provisions for the possession and consumption of malt beverages and/or unfortified wine at Clips Beer & Film Tour, Brewgrass Festival and RiverMusic.

- Asheville on Bikes has requested through the City of Asheville Community & Economic Development Department that City Council permit them to serve beer and/or unfortified wine at Clips Beer & Film Tour and allow for consumption at this event.

Clips Beer & Film Tour will be held on Friday, August 26, 2016, from 6:30 p.m. to 10:00 p.m. within the boundaries of Pack Square Park as per the area limits referenced on the accompanying site map.

- Asheville Brewers Alliance has requested through the City of Asheville Community & Economic Development Department that City Council permit them to serve beer and/or unfortified wine at the Brewgrass Festival and allow for consumption at this event.

The Brewgrass Festival will be held on Saturday, September 17, 2016, from 1:00 p.m. – 7:00 p.m. within the boundaries of Memorial Stadium including a fenced extension of the premises as per the area limits referenced on the accompanying site map.

- Riverlink has requested through the City of Asheville Community & Economic Development Department that City Council permit them to serve beer and/or unfortified wine at RiverMusic and allow for consumption at this event.

RiverMusic will be held on Friday, September 9, and Friday, October 7, 2016, from 5:00 p.m. to 10:00 p.m. within the boundaries of Carrier Park as per the area limits referenced on the accompanying site map.

These actions have no direct connection with the City Council 2036 Vision.

Pro:

- Allows fundraising opportunities for Asheville on Bikes, Asheville Brewers Alliance and Riverlink

Con:

- Potential for public safety issues.

Staff recommends City Council adopt resolutions authorizing the City Manager to approving making provisions for the possession and consumption of malt beverages and/or unfortified wine at Clips Beer & Film Tour, Brewgrass Festival and RiverMusic.

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**H. RESOLUTION NO. 16-196 - RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE CENTER FOR CRAFT, CREATIVITY & DESIGN IN ORDER TO FUND AN ARTSPACE MARKET AND FEASIBILITY ANALYSIS**

Summary: The consideration of a resolution approving \$25,000 for the Center for Craft, Creativity & Design to fund an Artspace Market and Feasibility Analysis.

The Center for Craft, Creativity & Design has requested \$25,000 from the City of Asheville to support a market analysis regarding artist housing and creative spaces uses for the Center's facilities, to be conducted by Artspace.

Artspace is a national-non-profit organization that has successfully developed artist live/work space throughout the country. Artspace has proposed providing consulting services (Artspace Feasibility Assessment), to The Center for Craft, Creativity & Design (CCCD) to determine the feasibility of artist live/work housing here, and perhaps the development of other dedicated arts services space. According to CCCD Executive Director Stephanie Moore, "The Artspace due diligence process begins with a two-part assessment that works with community and creative sector leaders to 1) identify suitable parcels, and 2) measure the market capacity of the creative sector, including artists and creative sector businesses. The process results in relevant and actionable data to inform and develop arts-based development pro-formas using national best practices. The process includes in-depth community education and stakeholder engagement."

According to Moore, "The Artspace Feasibility Assessment includes an Arts Market Survey, which will provide similar data as the previously proposed AAAC Cultural Resources Asset Inventory, a project that was contingent on funding from the National Endowment for the Arts (NEA). In April 2016, the community was informed that the Cultural Resources Asset Inventory did not receive NEA funding."

The proposed cost of the study is \$98,325. Partner commitments to funding include \$10,000 from State Senator Terry Van Duyn and \$10,000 from the Duke Energy Foundation pending City and County financial support. The Community Foundation of Western North Carolina has invited a \$25,000 grant request. Should the City agree to the \$25,000 funding request, CCCD would move forward with the first phase, at a cost of \$44,850, and continue fundraising to achieve the full two-part study.

The Part 1: Preliminary Feasibility Study & Visit entails a fact-finding process that includes meetings with artists, city officials, funders and community stakeholders. The scope of work includes a three-day visit from Artspace staff to facilitate meetings, give presentations and collect information about potential arts-based development projects, including a preliminary assessment of multiple sites. Customized scope-of-work includes an extended tour of 5-7 potential project sites for new construction or building reuse. The visit would also include a separate meeting with City of Asheville Planning Department staff to review site details, zoning information, etc. The Part 1 Deliverables will be a Preliminary Feasibility Report and a Preliminary Site Matrix Evaluation.

The Part 2 Arts Market Study, at a cost of \$53,475, would provide a clear picture of the demand for arts spaces in an area. Artspace recommends that Asheville commission a comprehensive survey, which includes 1) survey of individual artists and creative and 2) arts/cultural organizations and creative businesses.

The Housing and Community Development Committee heard this request at their meeting on July 19, 2016, and voted to recommend its approval to Council.

Pros:

- Provides an economic development analysis of the current CCCD space;
- Creates an assessment of various spaces for their potential use as affordable housing and art facilities;
- Energizes partnerships for the continued assessment and development of infrastructure necessary for the enhancement of the creative economy;
- Provides new perspectives on the issues of gentrification.

Cons:

- The potential for Artspace participation in a local affordable housing project may be small. Their material states, "In an average year we make 15 to 20 feasibility visits to cities around the country; of these, two to four typically lead to projects."
- Funding for affordable housing, particularly for the 9% LIHTC program is extremely competitive. Although allowable under federal law, dedicated artist housing using that resource may be perceived as not meeting the broadest community need.

The \$25,000 will be funded from the Affordable Housing allocation within the CIP.

The Housing and Community Development Committee recommends City Council approve the \$25,000 request of the Center for Crafts, Creativity & Design to fund an Artspace Market and Feasibility Analysis.

Mayor Manheimer asked for public comments on any item on the Consent Agenda, but received none.

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

Councilman Smith moved for the adoption of the Consent Agenda. This motion was seconded by Vice-Mayor Wisler and carried unanimously.

### **III. PRESENTATIONS & REPORTS:**

#### **IV. PUBLIC HEARINGS:**

##### **A. GENERAL OBLIGATION BOND REFERENDUM**

Director of Finance Barbara Whitehorn said that this is the consideration of (1) holding a public hearing on Bond Order authorizing issuance of \$32,000,000 of General Obligation Transportation Bonds of the City of Asheville, North Carolina; (2) holding a public hearing on Bond Order authorizing issuance of \$25,000,000 of General Obligation Housing Bonds of the City of Asheville, North Carolina; (3) holding a public hearing on Bond Order authorizing the issuance of \$17,000,000 of General Obligation Parks and Recreation Bonds of the City of Asheville, North Carolina; (4) adopting the Transportation Bond Order without change or amendment and direct the Clerk to publish a notice of adoption; (5) adopt the Housing Bond Order without change or amendment and direct the Clerk to publish a notice of adoption; (6) adopt the Parks and Recreation Bond Order without change or amendment and direct the Clerk to publish a notice of adoption; and (7) adopt a resolution setting a special bond referendum and directing the publication of notice of a special bond referendum and notification of the Buncombe County Board of Elections.

Ms. Whitehorn said that this is the consideration of adopting a \$74,000,000 general obligation bond referendum on November 8, 2016. The referendum includes \$32,000,000 of transportation bonds, \$17,000,000 of park and recreation bonds, and \$25,000,000 of housing bonds. The statutory requirements for the legal process include applying to the Local Government Commission (LGC) for approval, holding a public hearing on the proposed bond orders, setting of the special referendum, and certification of the results. The LCG application was timely submitted with a date of July 18, 2016.

The current action is the third of four City Council actions. This third action is comprised of the following:

- 1) Public Hearings
  - Hold public hearing on bond order authorizing the issuance of \$32,000,000 of General Obligation Transportation Bonds of the City of Asheville, North Carolina
  - Hold public hearing on bond order authorizing the issuance of \$25,000,000 of General Obligation Housing Bonds of the City of Asheville, North Carolina
  - Hold public hearing on bond order authorizing the issuance of \$17,000,000 of General Obligation Parks and Recreation Bonds of the City of Asheville, North Carolina
- 2) Adoption of Bond Orders
  - Adopt the Transportation Bond Order without change or amendment and direct the Clerk to publish a notice of adoption
  - Adopt the Housing Bond Order without change or amendment and direct the Clerk to publish a notice of adoption
  - Adopt the Parks and Recreation Bond Order without change or amendment and direct the Clerk to publish a notice of adoption



3) Adoption of Resolution Setting Special Referendum

- Adoption by the City Council of a resolution setting a special bond referendum and directing the publication of notice of a special bond referendum and notification of the Buncombe County Board of Elections

After November 8, the City Council will be asked to adopt a resolution certifying and declaring the results of the special bond referendum. This action will occur after the Buncombe County Board of Elections certifies the results of the vote.

This action furthers the City Council's strategic themes set forth in January, 2016, by providing funding to address transportation infrastructure needs, ensuring a high quality of life to the residents of the City of Asheville and addressing the City's affordable housing challenge.

Pros:

- Provides funding for transportation, parks and housing needs as identified in City master plans and Council strategic goals.
- Ensures City's compliance with North Carolina General Statutes.

Con:

- None.

A general obligation bond commits the full faith and credit of the City of Asheville to repayment of the bonded debt. Additional tax levy may be required to fund the debt service over the life of the bonds.

Staff recommends that Council conduct the public hearings and adopt the resolution allowing staff to proceed with the necessary action to conduct a general obligation bond referendum on November 8, 2016.

Deputy City Clerk Matthews then reported to the City Council that the bond orders entitled, "**BOND ORDER AUTHORIZING THE ISSUANCE OF \$32,000,000 OF GENERAL OBLIGATION TRANSPORTATION BONDS OF THE CITY OF ASHEVILLE, NORTH CAROLINA,**" "**BOND ORDER AUTHORIZING THE ISSUANCE OF \$25,000,000 OF GENERAL OBLIGATION HOUSING BONDS OF THE CITY OF ASHEVILLE, NORTH CAROLINA,**" and "**BOND ORDER AUTHORIZING THE ISSUANCE OF \$17,000,000 OF GENERAL OBLIGATION PARKS AND RECREATION BONDS OF THE CITY OF ASHEVILLE, NORTH CAROLINA,**" which were introduced at a meeting of the City Council on July 26, 2016, were published on July 29, 2016, with notice that the City Council would hold a public hearing thereon on August 9, 2016, at 5:00 p.m. She also reported that there had been filed in her office a statement of debt complying with provisions of the Local Government Bond Act, and such statement as filed showed the net indebtedness of the City to be 0.77% of the assessed valuation of property in said City subject to taxation.

**PUBLIC HEARING ON BOND ORDER AUTHORIZING THE ISSUANCE OF \$32,000,000 OF GENERAL OBLIGATION TRANSPORTATION BONDS OF THE CITY OF ASHEVILLE, NORTH CAROLINA**

Mayor Manheimer said that as part of Council's discussion, they talked about the need to possibly include a new transit center or renovate the existing transit center facility in the bond process. Bond counsel advised City Council that they cannot due to the wording of the bond question and the process already followed. However, if Council wanted to allocate some funding, (staff suggests approximately \$1,000,000), to make some renovations to the transit center, we can do that within our Capital Improvement Plan budget at a different time.

Mayor Manheimer opened the public hearing at 5:06 p.m. and announced that the City Council would hear anyone who wished to be heard on the questions of validity of the General

Obligation Transportation Bond Order and the advisability of issuing the General Obligation Transportation Bonds.

Mr. Sidney Bach felt that these public hearings are merely window dressings as he felt Council has already determined to foist a poorly-planned, unnecessary pie-in-the-sky \$74 Million financial burden upon the City and its residents for years to come. In addition, all the tax increases will be passed along to renters as rent increases, thus creating more unaffordable housing for those already paying high rents. The entire bond package does not include any funds for fire, police, emergency personnel or equipment, or public schools and wondered where Council's priorities lay.

Ms. Betty Council, an African American community activist, said that if the bonds pass she strongly recommended that since over 13+ percent of Asheville's population is African American that Council allot 13-20% of the funds be focused on the African American communities in the three areas of the bonds.

After the City Council heard all persons who requested to be heard in connection with the foregoing questions, Mayor Manheimer closed the public hearing at 5:11 p.m.

Mayor Manheimer noted that there was a public safety bond package Council considered but Council decided it was not appropriate to move forward with that as a bond package. Public safety is a priority of the City and almost every year half of the City's general fund budget is allocated to public safety. Council does keep that as a priority.

Mayor Manheimer also noted that it is her understanding that cities cannot use General Obligation Bonds for teachers and schools. In terms of the fiscal impact of the total bond package, the implication equates to 4.1-cents in property taxes. For example, for a home valued at \$275,000 it would mean an annual tax implication of \$110 per year, if it was necessary to raise taxes to meet the debt service for these bonds. If Council sees growth in revenues or property values it may not be necessary to raise additional taxes to pay for these bonds.

Councilman Bothwell said that if you are a renter and the unit you are renting happens to be worth \$275,000, it could increase your rent by \$10/month.

Councilwoman Mayfield moved to adopt the Transportation Bond Order without change or amendment and direct the City Clerk to publish notice of adoption of the Bond Order entitled "Bond Order authorizing the issuance of \$32,000,000 of General Obligation Transportation Bonds of the City of Asheville, North Carolina" as introduced at the meeting of the City Council held on July 26, 2016. This motion was seconded by Councilman Bothwell and carried unanimously.

**PUBLIC HEARING ON BOND ORDER AUTHORIZING THE ISSUANCE OF  
\$25,000,000 OF GENERAL OBLIGATION HOUSING BONDS OF THE CITY  
OF ASHEVILLE, NORTH CAROLINA**

Mayor Manheimer opened the public hearing at 5:14 p.m. and announced that the City Council would hear anyone who wished to be heard on the questions of validity of the General Obligation Housing Bond Order and the advisability of issuing the General Obligation Housing Bonds.

Mr. Greg Borom, with Children First/Communities in School of Buncombe County, spoke in favor of the Housing Bonds. He was pleased that Council continues to focus on making housing affordable to more families in our community. They asked that Council share data around how the proposed bond will forward Council's goals on racial equity and housing and economic mobility. They also supported the City looking at ways to direct funding towards deeply affordable and extremely affordable housing per HUD's definitions. Around the goals of home ownership, they asked that the City look at ways when the money is available that we can

address closing the racial wealth gap on homeownership lines in the City. Finally, they also support the Housing Trust Fund flexibility.

Mr. Timothy Sadler spoke in favor of the Housing Bonds. He hoped Council will look at creative ways to encourage homeownership, particularly as it pertains to racial equity in our community.

After the City Council heard all persons who requested to be heard in connection with the foregoing questions, Mayor Manheimer closed the public hearing at 5:19 p.m.

Councilman Smith was excited about these bond packages. Council has heard from the community what issues they are facing in their neighborhoods and their lives. Council has been doing its level best to meet those needs. What these bond questions will allow is for the people of Asheville to decide whether to accelerate towards those aspirations that they have communicated to Council. If they choose to do so, Council will stand with them.

Councilman Smith moved to adopt the Housing Bond Order without change or amendment and direct the City Clerk to publish notice of adoption of the Bond Order entitled "Bond Order authorizing the issuance of \$25,000,000 of General Obligation Housing Bonds of the City of Asheville, North Carolina" as introduced at the meeting of the City Council held on July 26, 2016. This motion was seconded by Vice-Mayor Wisler and carried unanimously.

**PUBLIC HEARING ON BOND ORDER AUTHORIZING THE ISSUANCE OF \$17,000,000 OF GENERAL OBLIGATION PARKS AND RECREATION BONDS OF THE CITY OF ASHEVILLE, NORTH CAROLINA**

Mayor Manheimer opened the public hearing at 5:20 p.m. and announced that the City Council would hear anyone who wished to be heard on the questions of validity of the General Obligation Parks and Recreation Bond Order and the advisability of issuing the General Obligation Parks and Recreation Bonds.

Mayor Manheimer opened the public hearing at 5:20 p.m. and announced that the City Council would hear anyone who wished to be heard on the questions of validity of the General Obligation Parks and Recreation Bond Order and the advisability of issuing the General Obligation Parks and Recreation Bonds. When no one stepped forward to be heard in connection with the foregoing questions, Mayor Manheimer closed the public hearing at 5:20 p.m.

Mayor Manheimer said that from the polling data, people within the African American community in Asheville, 80% supported the Parks and Recreation Bond Order.

Councilman Bothwell said that there are arguments on both sides of any of the bond orders, but the point of presenting it to the people to vote is to let us have a debate about this from now until the referendum. We will let the people in the community decide whether they want to take on this obligation and make these improvements or not.

Councilman Bothwell moved to adopt the Parks and Recreation Bond Order without change or amendment and direct the City Clerk to publish notice of adoption of the Bond Order entitled "Bond Order authorizing the issuance of \$17,000,000 of General Obligation Parks and Recreation Bonds of the City of Asheville, North Carolina" as introduced at the meeting of the City Council held on July 26, 2016. This motion was seconded by Vice-Mayor Wisler and carried unanimously.

**RESOLUTION NO. 16-197 - RESOLUTION SETTING A SPECIAL BOND REFERENDUM AND DIRECTING PUBLICATION OF NOTICE OF A SPECIAL BOND REFERENDUM AND NOTIFICATION OF THE BUNCOMBE COUNTY BOARD OF ELECTIONS**

Mayor Manheimer opened the public hearing at 5:23 p.m. on setting a special bond referendum and directing publication of notice of a special bond referendum and notification of the Buncombe County Board of Elections. When no one spoke, she closed the public hearing at 5:23 p.m.

Vice-Mayor Wisler moved for the adoption of Resolution No. 16-197, Resolution setting a special bond referendum and directing publication of notice of a special bond referendum and notification of the Buncombe County Board of Elections. This motion was seconded by Councilman Smith and carried unanimously.

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#### **B. PUBLIC HEARING TO CONSIDER AN AMENDMENT TO THE UNIFIED DEVELOPMENT ORDINANCE ESTABLISHING REQUIREMENTS FOR UTILITY SUBSTATIONS**

Councilman Bothwell moved to continue the public hearing until September 6, 2016. This motion was seconded by Councilman Young and carried unanimously.

#### **V. UNFINISHED BUSINESS:**

#### **VI. NEW BUSINESS:**

#### **A. RESOLUTION NO. 16-198 - RESOLUTION APPOINTING A MEMBER TO THE SUSTAINABILITY ADVISORY COMMITTEE ON ENERGY & THE ENVIRONMENT**

Vice-Mayor Wisler, Chair of the Boards & Commissions Committee, said that Lawrence Pittman, as a member of the Sustainability Advisory Committee on Energy & the Environment, thus leaving an unexpired term until December 31, 2018.

The following individuals applied for the vacancy: Rich Lee, Kendra Sherrod, Brad Rouse, April Brown, Emily Boyd, Amanda Fairley, Bridget Herring and Michael Whitmire. On July 26, 2016, City Council instructed the City Clerk to arrange interviews for Brad Rouse, Emily Boyd and Bridget Herring.

After Council spoke highly of all candidates, Brad Rouse received 1 vote, Emily Boyd received 2 votes, and Bridget Herring received 4 votes. Therefore, Bridget Herring was appointed to serve as a member of the Sustainability Advisory Committee on Energy & the Environment, to serve the unexpired term of Mr. Pittman, term to expire December 31, 2018, or until her successor has been appointed.

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

Ms. Terri March spoke about the Open Streets Event, which is a healthy family fun event, on September 18, 2016.

A resident of east Asheville asked Council to sign a letter that honors the International Day for Natural Disaster Reduction on October 12, 2016. To ensure our economic prosperity, to protect our health and children, and to ensure our security and safety, we need to act now to protect forests adequately. He asked that the European Commission on Bioenergy incorporate their concerns into its policy.

Mr. Chris Peterson spoke in opposition of the bond orders due to the financial impact on Asheville taxpayers.

Mr. Timothy Sadler spoke about Hemp X Asheville on August 19-20, 2016, at Highland Brewing Company.

Councilman Smith was pleased with the successful LEAF event on August 6 in downtown Asheville.

Councilman Bothwell said that he makes less than \$29,000 per year and our taxes are an amazing bargain. That is why he is willing to continue to support City efforts.

Councilwoman Mayfield said the bond packages are very exciting and now it's up to the community to make their decision about whether they want to support the investments.

Councilwoman Mayfield said that the I-26 Connector meetings are continuing and are productive. Also, she noted that on August 12, there will be the monthly meeting of the Energy Innovation Task Force.

### **Closed Session**

At 5:40 p.m., Councilman Young moved to go into closed session for the following reasons: (1) To prevent disclosure of information that is privileged and confidential, pursuant to the laws of North Carolina, or not considered a public record within the meaning of Chapter 132 of the General Statutes. The law that makes the information privileged and confidential is N.C.G.S. 143-318.10(a)(3). The statutory authorization is contained in N.C.G.S. 143-318.11(a)(1); and (2) To consult with an attorney employed by the City about matters with respect to which the attorney-client privilege between the City and its attorney must be preserved, including litigation involving the following parties: State of North Carolina and the City of Asheville. The statutory authorization is N.C. Gen. Stat. sec. 143-318.11(a)(3). This motion was seconded by Councilman Bothwell and carried unanimously.

At 6:35 p.m., Councilman Bothwell moved to come out of closed session. This motion was seconded by Vice-Mayor Wisler and carried unanimously.

### **VIII. ADJOURNMENT:**

Mayor Manheimer adjourned the meeting at 6:35 p.m.

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CITY CLERK

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MAYOR