

April 5, 1992

Doug Bean
City Manager
PO Box 7148
Asheville, NC 28802

Dear Doug,

I would like to respond to your letter of April 1 point by point. At this time I would rather keep the issue narrowly focused on what you had to say about the meaning and intent of my letter of March 29 to Bob McDonald.

Following are excerpts from your letter:

1. *"I certainly understand your concern [about signals, street signs], and in every instance where you have brought something to my attention, I have directed staff to look into these items and to move forward where reasonable."* The purpose of my letter to Bob was not to ask you to look into these items. My letter simply stated the problem and asked for a response as to **if and when** the problem might be addressed. I also simply asked if responding to a citizen's specific complaints was or was not a policy of the city government and if it was, then I expected a reply. These simple questions have not been answered and were not answered in your letter.

2. *"I trust that any time anything has been brought to my attention we have at least been responsive."* It has been my hope that you had an able staff who could be communicated with directly, and who could be counted on to respond directly with the citizens who are requesting help on problems within that staff person's area of expertise. If you are saying that all of my direct communication with Jim or Bob is supposed to bring a response from you rather than directly from them, then I can say that you, as well as they, have not been responsive.

We do appreciate that some of the complaints from Pedestrian Action League have been acted upon. We would be even more appreciative of a response from Bob or Jim to us in advance of the correction of a particular problem, so we won't have to find out by accident that a matter has, will, or will not be addressed, and why or why not. After all, that is what my letter of March 29th was all about.

3. *"I would appreciate, however, that if you are having a problem with any of the City staff that you give me the opportunity to see if what is being requested is reasonable and to insure that you get a response on what can be done and in what time period."* My letter mentioned nothing about having a problem with the city staff. It has been my understanding that Bob is the appropriate person to deal with about street name signs and traffic signals. I was under the impression that Bob was authorized to respond as to whether the street name signs would be put up in 30 days, or whenever, or not at all. Again, that is all I requested in my letter - a response. If it is inappropriate for Bob to respond, then I as a citizen would like to know to whom I should write for a response. Again, you did not answer that simple question.

4. *"By sending letters to one of my staff members that sounds somewhat threatening..."*. To me, a threat is "an expression of an intention to inflict pain, injury, evil, or punishment. (American Heritage Dictionary). In my letter I said, "I expect a prompt reply describing what will or will not be done...". I didn't follow that with something like "or I will make your life miserable." I do not understand how my request for a response can be interpreted as somewhat threatening. So, in addition to not responding to my questions, you have attempted to put my request in a falsely negative light.

5. *"...and at the same time indicate carbon copies to Councilmen and community leaders..."*. Sending copies of letters about problems of concern to the public to other important people is, in my opinion, not an underhanded action but rather an effective tool used by any good community activist who knows about getting government to move. My practice of sending copies is fairly recent and born out of desperation with the city's lack of responsiveness.

6. *"...it destroys any working relationship that I would hope our staff could develop with a concerned and informed citizen such as yourself."* Doug, I want to list quotes from several letters I have sent to Jim Ewing and Bob McDonald and some from Jim and you that demonstrate a pattern of my desire to form a working relationship that I wanted, and that the staff apparently didn't. It is impossible to destroy something (a working relationship) which never existed and likely never would exist. I have enclosed copies of all the letters I have sent and all I have received with the exception of a letter from Jim of September 6 (which I have lost).

From Julian:

- *"Thanks for your concern and help. If you ever need my help in identifying particular problems feel free to call me. I think you and I as well as the citizens of Asheville want a city that tells the walker 'Welcome to a safe city.' "* (Letter dtd 12-26-90 to Bob).

- *"I hope that we can work together to bring about safety changes and to raise the status of the pedestrian to at least be equal with that of the automobile and public transportation. I look forward to a good relationship with you and your department. I welcome your help and knowledge so that I may be more effective as an advocate."* (Letter dtd 1-24-91 to Bob).

- "Please feel free to call me about anything relating to pedestrian safety. I do have a fairly intimate knowledge of the situation in the downtown." (Letter dtd 4-24-91 to Jim).
- "I enjoyed meeting with you about the pedestrian situation in Asheville. I am heartened by your support. I have written to Bob McDonald and Jim Ewing to express my hope for their support." (Letter dtd 5-2-92 to Doug Bean). So far not a word or indication that anyone cared that I knew anything or that I wanted to help.
- "I appreciate the scope of the changes and can appreciate that there are many pressing needs in the Public Works Department. Your help in implementing many of these recommendations will be appreciated by a lot of citizens in Asheville. If you have any questions or suggestions, please feel free to contact me." (Letter dtd 6-29-91 to Jim). This letter accompanied an extensive list of pedestrian safety recommendations. The obvious thought, time, and expertise that went into compiling this data is an indication of the extent to which I care about this issue.
- "I will be going to a pedestrian conference in Bethesda, Maryland October 2-5 to further my education. If you have any interest in sending anyone from your department let me know." (Letter dtd 8-9-91 to Jim). Jim never expressed any interest in the conference, but after the conference was over Jim said he was sorry no one from Public Works was able to attend.

From Jim:

- "I ...commit the Public Works Department to working with the Pedestrian Action League on pedestrian safety concerns through utilization of sound and economical engineering techniques." (Letter dtd 10-3-91 to me from Jim). Hey, that's the best news since I started this almost a year ago. During that year, I had written pages of sound recommendations and had made numerous requests to be involved.

However, if Public Works were truly committed to working with PAL, they would have reached out to use me as a resource and resident consultant. Unfortunately, Public works never responded to my several requests for this working relationship (that I allegedly destroyed with the stroke of a pen on March 29th).

From Julian:

- "I am requesting that you correct two problems. One is the pedestrian signal at College and Haywood...Please contact me within ten days of receipt of this letter." (Letter dtd 11-15-91 to Jim). I had presented this problem months before as a serious safety matter but it was ignored. By asking for just two things I was hoping for a victory. I asked for a response and got none.

Doug, can you imagine how frustrating it is to continually get no response to these requests? The only way I can find out if a matter will be resolved, is to go to the site repeatedly to see if it's been corrected. A simple call or note to let me know the status is just plain courteous, besides being good management.

- *"If you are ready to give me a date for the completion of the two problems I mentioned in my letter of 11-15-91, then I will be happy to run the Thank you ad." (Letter dtd 12-4-91 to Jim). I am happy to report that both of the problems were corrected within a few weeks. Why did I have to promise to take out an ad in order to get something done that was an obvious safety problem? Neither Jim nor Bob denied that this was in fact a safety problem.*
- *"I'm glad that you found a device to satisfy both pedestrian safety and proper vehicular movement...Thanks for your concern for pedestrian safety." (Letter dtd 1-11-92 to Jim). We can thank Ray Ragan and his crew at the signal shop for coming up with the creative modification of the existing signal box in order to achieve this.*
- *"Not just me but all the pedestrians in town can appreciate your efforts toward making this a pedestrian friendly city." (Letter dtd 2-6-92 to Bob).*
- *"I want to bring to your attention the street signs I have discovered missing downtown....I would also appreciate your filling out and returning the enclosed complaint form when the job is completed." (Letter dtd 2-3-92 to Bob). I was given the complaint form by a City Councilman and understood this was a policy. I did not get the form returned after the work was completed.*
- *"I want to thank you for your prompt response to putting up the street name signs we discussed. They look good...I also want to thank you for the proper timing for the pedestrian signals at College and Haywood." (Letter dtd 2-16-92 to Bob).*

The notion that this one letter of March 29th damages our working relationship is ludicrous. After all my offers to form a good working relationship with city staff, I never once was asked to come in or report on my findings. I have done extensive research on virtually every downtown intersection and its pedestrian safety situation; I have noted almost every street name-sign missing in the downtown. City staff never once consulted with me, or otherwise indicated that they wanted a working relationship with me or my group. As you can see from the enclosed material I have:

- received an award by the Pedestrian Federation of America.
- made a presentation at the 1991 Pedestrian conference.
- had an article published in the Pedestrian Federation newsletter.
- documented virtually every area of concern in downtown.

Frankly, I am puzzled as to why staff has not taken advantage of my expertise that has been recognized by others in this field.

Continuing from your April 1st letter:

7. *"Your comments and ideas on the downtown have always been very constructive and very helpful. I hope you can understand how it makes Bob McDonald and the rest of our staff feel when they are working with problems all around the City and they receive a letter such as the one of March 29th."*

If my ideas on the downtown have been so helpful, how come I have never gotten one ounce of appreciation from you or your staff? I have rarely complained and have consistently thanked Jim and Bob for every improvement they have made. Yet, I am castigated for a letter that simply expects a response as to if and when a problem will be dealt with.

Alternative Scenario

Doug, here's an alternative as to how you might have handled my letter which might have resulted in a win-win situation for us all, as well as the city:

When the letter landed on your desk you might have asked yourself, *"Why is this man Price, who has been patient and polite and treated every city worker with respect, now being so firm about wanting a response?"* Being the effective manager that I know you are, you might have called up Bob, and said something like, *"Hey, Bob, Julian seems upset. All he really seems to be asking for is a response that the work will or will not be done. Why don't you send him a note and tell him when we'll have the work completed or why it can't be done."*

I must say that your defensive letter to me really came as a shock. I believe that you have interpreted the letter in a way that is light years away from my intent.

8. *"We hope that we can continue to meet without making issues cause for community alarm."* I assume you are referring to the **Safety Alert** headline describing the safety problem at Biltmore near Cafe on the Square. I fail to see why informing you that this situation needs to be dealt with immediately can be construed as causing community alarm. When I had previously politely suggested that a pedestrian signal was out of whack and was a potential safety problem it took several months and the promise of a newspaper ad to get any action. I hope that you can see the tone of the March 29th letter in the context of my year-long efforts and frustrations rather than as some isolated incident.

So, how can we now resolve this situation?

Your letter seems to question my credibility as an effective community activist and good citizen who respects the people who work for this city. I believe that an impartial observer would agree that my letter was not "somewhat threatening", and that I did nothing to undermine working relationships with anybody.

So, what I would like is a mediated meeting with you and Bob and Jim to air our differing points of view and opinions about this whole affair so that we can all get on with the business of making this a better city. I would like to bring along a friend and supporter. It is important to me that everyone who has any knowledge of this matter be informed of any resolution that emerges from the mediation.

Before I close this lengthy letter, let me leave you with some observations. You have said I was acting in a somewhat threatening manner. I want to tell you about some real threats that you have not mentioned and perhaps are not aware of:

- The threat to citizens who choose to walk around Asheville under less than safe conditions.

- The threat to citizens who may need help from the police, fire department or rescue squad which could have trouble quickly finding a residence because there is not a street name sign.

There are many citizens who would say that "expecting a response" about such unsafe conditions is not a "threat" but an act of good citizenship.

I am sending this letter and enclosures to the people listed below for obvious reasons. I certainly trust that we can move as quickly as possible to settle this matter. I await your response.

Sincerely,

Julian Price

cc: Leslie Anderson
Jim Ewing
Barbara Field
Bob McDonald
Ken Michalove
Chris Peterson

Enclosures