Thursday – November 13, 2025 - 11:00 a.m.

Agenda Briefing Worksession - For November 18, 2025, Council Meeting

Present: Mayor Esther E. Manheimer, Presiding; Councilman Bo Hess; Councilwoman Kim Roney; Councilwoman Sheneika Smith; Councilwoman Sage Turner; Councilwoman Maggie Ullman; City Manager Debra Campbell; City Attorney Brad Branham; and City Clerk Magdalen Burleson

Absent: Vice-Mayor S. Antanette Mosley

City Council held an agenda briefing worksession to discuss the upcoming and future agenda items. In addition, City Council reviewed upcoming City Council committees that will be taking place during the next two weeks.

Discussion occurred on the following other issues and updates:

- Human Resources Department Assessment Update
- Transit Comprehensive Operations Analysis
- Point- In-Time Count

At 12:47 p.m., the agenda briefing worksession was adjourned

Thursday – November 18, 2025 - 4:00 p.m.

Special Meeting - Closed Session

Present: Mayor Esther E. Manheimer, Presiding; Councilman Bo Hess; Councilwoman Kim Roney; Councilwoman Sage Turner; City Manager Debra Campbell; City Attorney Brad Branham; and City Clerk Magdalen Burleson

Absent for Motion to Go Into Closed Session: Vice-Mayor S. Antanette Mosley; Councilwoman Smith and Councilwoman Ullman.

At 4:00 p.m., Councilman Hess 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 statutory authorization is contained in N.C. Gen. Stat. § 143-318.11(a)(1). The laws that make the information privileged and confidential are N.C. Gen. Stat. § 143-318.10(e); and (2) To consult with an attorney employed or retained by the City about matters with respect to which the attorney-client privilege between the City and its attorney must be preserved, including, but not limited to, the handling or settlement of a claim regarding the following: Roth v. City of Asheville; Case Number 21 CVS 1458-100. The statutory authorization is contained in N.C. Gen. Stat. § 143-318.11(a)(3). This motion was seconded by Councilwoman Roney and carried unanimously.

At 4:32 p.m., Councilwoman Turner moved to come out of closed session. This motion was seconded by Councilwoman Ullman and carried unanimously (all of Council were present)..

Tuesday – November 18, 2025 - 5:00 p.m

Regular Meeting

Present: Mayor Esther E. Manheimer, Presiding; Vice-Mayor S. Antanette Mosley; Councilman Bo Hess; Councilwoman Kim Roney; Councilwoman Sheneika Smith; Councilwoman Sage Turner; Councilwoman Maggie Ullman; City Manager Debra Campbell; City Attorney Brad Branham; and City Clerk Magdalen Burleson

PLEDGE OF ALLEGIANCE

Mayor Manheimer led City Council in the Pledge of Allegiance.

I. PROCLAMATIONS:

A. PROCLAMATION PROCLAIMING NOVEMBER 18, 2025, AS "DEBRA D. CAMPBELL DAY"

Mayor Manheimer read the proclamation proclaiming November 18, 2025, as "Debra D. Campbell Day " in the City of Asheville. On behalf of the entire City Council, she urged all citizens and employees to join me and the City Council in congratulating Debra on an outstanding career with the City of Asheville and expressing our sincere appreciation to her for her unwavering dedication and service to the City of Asheville. We wish her many years of happiness and good health. And, in her honor, may you all prepare a google slide deck that begins and ends with "key takeaways". She presented the proclamation to City Manager Campbell, who will be retiring on December 5, 2025.

Ms. Holly Jones, representing Governor Josh Stein, and Fire Chief Mike Cayse were proud to present Ms. Campbell with The Order of the Long Leaf Pine.

B. JOINT STATEMENT FROM MAYOR ESTHER MANHEIMER, BOARD OF COMMISSIONERS CHAIR AMANDA EDWARDS, AND MEMBERS OF THE ASHEVILLE CITY COUNCIL AND THE BUNCOMBE COUNTY BOARD OF COMMISSIONERS

Mayor Manheimer read the following statement: "Our community's strength comes from our diversity, and we are unwavering in our commitment to ensuring Asheville and Buncombe County remain safe and welcoming places where everyone can grow and thrive. All our residents deserve to feel secure while going about their daily lives. Expected U.S. Customs and Border Protection operations are causing unnecessary fear in our community. We've seen what happened in other cities, people without criminal records detained, violent confrontations erupting. We don't want that here. Our community is still recovering from Hurricane Helene. We do not need additional stress and fear. We stand with all residents who simply want to go about their lives and contribute to our community. We are committed to following the law and protecting the rights and dignity of everyone who calls Asheville and Buncombe County home. Know your rights. Organizations including Pisgah Legal Services stand ready to assist individuals seeking legal guidance on immigration matters. If you need police, call 911. The Asheville Police Department and Buncombe County Sheriff's Office do not participate in ICE or CBP operations and are not involved in federal immigration enforcement activities. We know many people want to speak out and make their voices heard, that is your right. We ask that, as a community, we do so peacefully. In closing, we call on our community to stand together. No matter our political beliefs, we are united in support of hard-working and law-abiding families who call this place home."

Vice-Mayor Mosley said that shortly before this meeting she heard from representatives of the Latino community in conjunction with faith leaders and they requested that we move forward with the statement and take a pause and slow down to consider a little bit more the

resolution. Perhaps it's one we can pick up at another date, but at this time they had concerns about moving in a way that potentially could cause more risk than originally anticipated.

Councilwoman Roney said that as someone who presented the resolution to her colleagues this weekend (and thank you for your consideration), she will continue to work in alignment with both impacted communities and also with state representatives and people across the country who have experienced federal government overreach. She remains ready to support Council on meaningful action, be that 4th amendment workplace like a place Carrboro has done, or an ordinance or a resolution that backs our staff, whether that be parks and recreation, sanitation or the police department with the full faith and confidence of the City regarding our values.

II. CONSENT AGENDA:

Mayor Manheimer said that Consent Agenda Item "D" was removed from the Consent Agenda and referred to the Public Safety Committee. Councilwoman Roney said the East/West Asheville Neighborhood Association did present some questions and also the Heart of West Asheville Coalition Business Owners and neighbors on the corridor as well have more curiosity about what public safety looks like and would like to be more engaged in the decision on the police station on Haywood Road.

Mayor Manheimer also received a request to remove Consent Agenda "R" from the Consent Agenda for discussion and/or an individual vote.

A. APPROVAL OF THE COMBINED MINUTES OF THE AGENDA BRIEFING WORKSESSION HELD ON OCTOBER 23, 2025, AND THE FORMAL MEETING HELD ON OCTOBER 28, 2025; AND THE NOVEMBER 7, 2025, SPECIAL MEETING

B. RESOLUTION NO. 25-262 - RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE THE FULL AND FAIR DISPOSITION OF CITY-OWNED REAL PROPERTY AT 99999 WILMINGTON STREET TO THE N.C. DEPT. OF TRANSPORTATION FOR $135,000

Action Requested: Adoption of a resolution to facilitate the disposition of Parcel 67, located at 99999 Wilmington Street, Asheville, NC, identified by PIN No. 963856154, to the North Carolina Department of Transportation (NCDOT) for the I-2513B project.

Background:

- As part of the I26 improvement project the North Carolina Department of Transportation (NCDOT) is seeking to condemn a 0.387 acre property situated at 99999 Wilmington Street in Asheville, NC, with the Parcel Identification Number (PINNUM) 963856154, and otherwise known as Parcel 67 on NCDOT's TIP #I-2513B.
- The disposition of this property is a necessary step in the NCDOT's right-of-way acquisition process, which aims to secure all required land parcels for the expansion and improvement of the Interstate system.
- The City of Asheville has been working with NCDOT to ensure that all necessary municipal approvals and processes are completed efficiently to support timely project execution.
- A real estate appraisal generated by NCDOT as part of this potential condemnation estimates the property's fair market value to be $135,000. Staff agrees with this estimate.

Council Goal(s):

- A well-planned and livable community.

Committee(s):
- None

Pro(s):
- Facilitates a state transportation improvement project to expand local infrastructure.
- Eliminates City responsibility for vacant land that has no current or future municipal transportation purpose.
- Supports the City's broader goals of implementing master plans.

Con(s):
- The City maintains an existing 10-inch water line that crosses this property. Disposition of this parcel will require increased coordination with NCDOT to relocate the water line prior to installing planned improvements on this parcel.

Fiscal Impact:
- The offer of $135,000 from NCDOT will be recorded as revenue in the General Fund.

Motion:
- Motion to adopt a resolution to authorize the City Manager to take all necessary actions to effectuate the disposition of the real property including but not limited to, executing a deed, accepting payment for the property, and executing any other documents necessary to complete the transaction.

RESOLUTION BOOK NO. 46 - PAGE 168

C. RESOLUTION NO. 25-263 - RESOLUTION TO RATIFY THE EXECUTION OF A LEASE WITH TPI LAND INVESTMENT LLC AT 599 TUNNEL ROAD, ASHEVILLE, N.C., TO PROVIDE ONGOING OPERATIONS OF THE CITY'S PARKS AND RECREATION MAINTENANCE AND OFFICE FACILITIES FOR EMPLOYEES; AND TO EXECUTE ANY NECESSARY CHANGE ORDERS TO SAID LEASE

Action Requested: Adoption of a resolution to ratify the execution of a lease with TPI Land Investment LLC at 599 Tunnel Road, Asheville, NC, to provide ongoing operations of the City's Parks and Recreation maintenance and office facilities for employees; and to execute any necessary change orders to said lease with a total investment not to exceed $792,838.14 in the initial three-year lease term.

Background:
- On September 27, 2024, the City's Parks and Recreation Maintenance Facility at 81 Thompson St. was destroyed by Tropical Storm Helene.
- The Parks Maintenance Facilities staff have operated under a scattered site model while searching for a replacement facility.
- The search for a suitable maintenance facility that met requirements proved challenging.
- The Parks Management and the Maintenance team, along with Capital Management, Development Services, IT, Legal, and Real Estate,determined that a facility located at 599 Tunnel Road met the maintenance and office requirements.
- City staff worked with the property owner to negotiate a lease so that Parks maintenance could take possession at the beginning of October.
- Lease Terms:
    - 13,361SF of combined office and maintenance space;

    - Base rent $240k/yr (0% annual escalation); plus additional rent of annual property taxes and insurance;
    - Initial term of three years beginning October 2, 2025, with an option to renew for two (2) additional one-year periods.
- To ensure this property was not leased to another party, the City Manager signed this lease on October 2, 2025.
- North Carolina General Statute 160A-240.1 provides that the City may acquire by lease or any other lawful method, the fee or lesser interest in real property for use by the City of any department or agency of the City.
- Approval of the City Council is not required by the statute, but the City's Contracting Policy requires City Council approval of such lease acquisitions if the total lease amount exceeds $90,000.

Council Goal(s):
- Infrastructure and Environment

Committee(s):
- None

Pro(s):
- The Parks maintenance team can operate more efficiently in a dedicated, centralized location.

Con(s):
- The short lease will require relocation within three to five years.

Fiscal Impact:
- Funding for this contract is available in the FY26 Parks and Recreation operating budget.
- Initial term of three years beginning October 2, 2025 at a base rate of $240k per year plus additional rent in property taxes and insurance with an option to renew at the same rate for two additional one-year periods.

Motion:
- Motion to approve the ratification of the lease with TPI Land Investment LLC at 599 Tunnel Road, for a three-year period with the option to renew for two additional one-year periods.

RESOLUTION BOOK NO. 46 - PAGE 169

D. RESOLUTION TO RATIFY THE EXECUTION OF A LEASE WITH TANGER ASHEVILLE LLC AT 822, TANGER OUTLET "SHOPPING CENTER," ASHEVILLE, N.C., TO PROVIDE ONGOING A NEW RESOURCE CENTER LOCATION FOR THE ASHEVILLE POLICE DEPARTMENT WEST

This item was removed from the Consent Agenda and referred to the Public Safety Committee.

E. RESOLUTION NO. 25-264 - RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT AMENDMENT WITH CAVANAUGH AND ASSOCIATES, P.A., FOR THE ADVANCED METERING INFRASTRUCTURE PROJECT

Action Requested: Adoption of a resolution authorizing the City Manager to execute a contract amendment with Cavanaugh and Associates, P.A., on Contract #92300140, in the amount of $679,650.00, for the Advanced Metering Infrastructure Project.

Background:

- Cavanaugh and Associates, P.A. was selected through a Request for Qualifications and they are currently under contract with the City for On-Call Professional services, executed in 2020.
- The City of Asheville entered into a three (3) year contract with Cavanaugh and Associates, P.A. for project management services for the Water Resources Department Advanced Metering Infrastructure (AMI) project on August 31, 2022.
- This project is to replace the aging, failing meters currently in use by the City customers.
- Additional services are required beyond the original contract scope to accommodate a project schedule extension and other related services due to delays resulting from Tropical Storm Helene.
- The AMI project was delayed several months due to the impacts of Tropical Storm Helene. The cumulative impact of delays associated with Helene increased the length of project delivery by approximately one year, and required additional support work with the City of Asheville, Aclara and PVI.
- This contract amendment is not related to a minor warranty issue that requires replacement by the contractor.

Vendor Outreach Efforts:

- Cavanaugh and Associates, P.A. is already under contract.
- As this is a contract amendment, no further outreach was performed.

Council Goal(s):

- Financially Resilient City
- Connected & Engaged Community
- A Well Planned and Livable Community

Committee(s):

- N/A

Pro(s):

- Replacement of failing infrastructure
- Reduces the need to deploy vehicles to read meters, perform re-reads, etc.
- Allows customers to interface and manage water usage, detect leaks, etc.
- Provides a smooth transition to monthly billing

Con(s):

- None

Fiscal Impact:

- $679,650.00 to be funded within the existing Water Capital Projects Fund budget.

Motion:

- Motion to adopt a resolution authorizing the City Manager to execute a contract amendment with Cavanaugh and Associates, P.A., on Contract #92300140, to add additional services in the amount of $679,650.00, for a total contract amount not to exceed $2,476,262.85 and to extend the contract through December 31, 2026.

RESOLUTION BOOK NO. 46 - PAGE 170

F. RESOLUTION NO. 25-265 - RESOLUTION AUTHORIZING THE SOLE SOURCE PURCHASE WITH KMSTRUP WATER METERING, INC., FO LARGE CUSTOMER METERS IN CONNECTION WITH THE ADVANCED METERING INFRASTRUCTURE PROJECT

Action Requested: Adoption of a resolution authorizing the sole source purchase with Kamstrup Metering, LLC as a sole source provider of large customer meters, (3" to 8"), in Connection with the Advanced Metering Infrastructure Project.

Background:

- A request for proposals (RFP-WATERAMI-21-298) was issued on July 7, 2021.
- Aclara was selected as the preferred responsive provider for the Advanced Metering Infrastructure (AMI) Project.
- The AMI project included retro-fitting existing large meters, rather than replacement of those large meters.
- New large meters will need to be installed by the City in the future, either for replacing existing large meters as they fail, or to accommodate new customers and system growth.
- It is necessary to standardize the large customer meter manufacturer and type, to ensure compatibility with the AMI system and operational efficiency.
- A sole source for large customer meters provides standardization of equipment that accommodates the installation needs for system upkeep and system growth.
- Pricing will be calculated at the time of purchase based on the Producer Price Index.
- Sole source arrangement will be applicable for the life of the AMI system.

Vendor Outreach Efforts:

- Staff performed outreach through solicitation processes which include posting on the State's Interactive Purchasing System and requiring prime contractors to perform outreach to subcontractors in accordance with applicable purchasing policies. The solicitation was conducted as an IT-Exception Request for Proposals (RFP).
- RFP Responses were received from six (6) respondents, and scored by an evaluation committee following the City's standard evaluation procedures.
- Kamstrup Water Metering, LLC received the highest evaluation score among all RFP respondents, and is the preferred responsive provider..

Council Goal(s):

- Financially Resilient City
- Connected & Engaged Community
- A Well Planned and Livable Community

Committee(s):

- N/A

Pro(s):

- Replacement of failing infrastructure
- Standardization of infrastructure materials and equipment
- Support full functionality and future expansion of the Advanced Metering Infrastructure system

Con(s):

- None

Fiscal Impact:

- The contract is anticipated to cost $69,654.12. Funding is available in the Water Resources Fund.

Motion(s):

- Motion to adopt a resolution authorizing the sole source purchase with Kamstrup Metering, LLC as a sole source provider of large customer meters in connection with the Advanced Metering Infrastructure Project.

RESOLUTION BOOK NO. 46 - PAGE 171

G. RESOLUTION NO. 25-266 - RESOLUTION AUTHORIZING THE CITY MANAGER TO AMEND THE CONTRACT WITH RESPONDER SUPPORT SERVICES FOR COUNSELING SERVICES TO EMPLOYEES AND THEIR FAMILIES

Action Requested: Adoption of resolution authorizing an amendment to the contract with Responder Support Services for counseling services to employees and their families.

Background:

- The City of Asheville contracts with RSS to provide individual counseling services to employees and their families.
- The current contract expired 10-31-25 and the Department issued an RFP on August 20, 2025, but the process was unsuccessful. No submissions met the unique needs of our public safety employees and their families.
- The amendment will extend the contract through 3-31-26 and increase the total contract amount by $43,500 to for a total amount of $224,749.
- The requested amendment will allow time for HR to develop an updated RFP while ensuring no disruption in services to employees and families utilizing counseling services.

Vendor Outreach Efforts:

- Current Contract - N/A

Council Goal(s):

- Clean, Safe & Healthy Environment

Committee(s):

- N/A

Pro(s):

- Fulfills employee and employee family benefit needs.

Con(s):

- None

Fiscal Impact:

- Funding for this contract is available in the Health Fund operating budget.

Motion:

- Motion to approve an amendment to the contract with RSS to extend the provision of counseling services to employees through March 31, 2026 and to increase the current contract by $43,500 for a total contract amount not to exceed amount of $224,749; and authorizing the City Manager to execute any documents necessary to give effect to this resolution.

RESOLUTION BOOK NO. 46 - PAGE 172

H. RESOLUTION NO. 25-167 - RESOLUTION AUTHORIZING THE CITY ATTORNEY TO AMEND A CONTRACT WITH TEAGUE, CAMPBELL, DENNIS & GORHAM LLP FOR EXTERNAL LEGAL SERVICES FOR EMPLOYMENT LAW MATTERS

Action Requested: Adoption of a resolution authorizing the City Attorney to amend the contract with Teague, Campbell, Dennis & Gorham LLP to add $31,000.00 for external legal services for employment law matters.

Background:

- The City Attorney contracted with Teague, Campbell, Dennis & Gorham LLP on April 21, 2025 to cover gaps in case coverage following the resignation of two senior staff attorneys.
- The City Attorney's Office is now fully staffed, but additional funds are needed for Teague, Campbell, Dennis & Gorham LLP to complete the case work they've already started.
- Funding for the contract is included in the Department's Legal Services Budget.

Vendor Outreach Efforts:

- Vendor is self performing, and exempted per City Council Resolution - not applicable

Council Goal(s):

- A well-planned and livable community
- Connected and engaged community

Committee(s):

- Not applicable

Pro(s):

- Provide crucial stop gap legal services to the City during legal staff turnover.

Con(s):

- None

Fiscal Impact:

- The Contract Amendment will add $31,000 to the contract, for a total contract cost of $120,000.00. This is included in the City Attorney's operating budget.

Motion:

- Move to adopt a resolution authorizing the City Attorney to amend a contract with Teague, Campbell, Dennis & Gorham LLP by adding 31,000.00 to cover legal services for a total contract cost of $120,000.00.

RESOLUTION BOOK NO. 46 - PAGE 173

I. RESOLUTION NO. 25-268 - RESOLUTION RATIFYING A CONTRACT AMENDMENT WITH FIRST DUE FOR A RECORD MANAGEMENT SYSTEM FOR THE ASHEVILLE FIRE DEPARTMENT TO EXPIRE DECEMBER 31, 2025

Action Requested: Adoption of a resolution authorizing the City Manager to ratify the amendment of a contract with First Due in the amount of $80,797.50 (total contract amount with amendment is $113,715.00) for a record management system to expire December 31, 2025.

Background:

- The City of Asheville entered into a contract with First Due for a records management system for the Asheville Fire Department on August 25, 2023. This contract expired on June 30, 2024.
- The contract price for the initial term was $32,917.50.
- The Asheville Fire Department has continued to use, and First Due has continued to provide, the services past June 30, 2024 and intends to do so until December 31, 2025.
- This continued use requires an amendment to the initial contract, extending the term for 18 months, and adding an additional monetary amount of $80,797.50.
- Since the additional monetary amount brings the total contract amount to $113,715.00, in order for the amendment to be ratified by the City Manager, authorization by Council is required.
- This Records Management software provides the following services for the Asheville Fire Department:
    - Inspections: Field Inspections, Configurable Checklists, Violation Management, Virtual Inspections, Inspections Scheduler, and Integrated Pre-Incident Planning.
    - Incident Reporting & Personnel Management: Store, Manage and Access Employee Records including demographic data, certifications and employment information.
    - Basic Training Records: Assign Training, Record Completions, View Training Logs, and Manage Certifications.
    - Events & Activities: Create Events, View Global Activity Log, and Access Global Calendar.
    - Assets & Inventory: Assets, vehicles, equipment and inventory management, assets and equipment checks, and work order management.

Vendor Outreach Efforts:
- N/A

Council Goal(s)):
- Clean, Safe, and Healthy Environment
- Financially Resilient City

Committee(s):
- N/A

Pro(s):
- Provides critical service to Fire for their records management software.

Con(s):
- None noted

Fiscal Impact:
- $80,797.50 in City's General Fund: contracted services included in the FY26 budget.

Motion:
- Motion to authorize the City Manager to ratify the amendment to a contract with First Due in the amount of $80,797.50 for a record management system to expire December 31, 2025

RESOLUTION BOOK NO. 46 - PAGE 174

J. RESOLUTION NO. 25-269 - RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH BULLINGTON CONSTRUCTION INC. FOR THE TROPICAL STORM HELENE GUARDRAIL REPAIR CONTRACT, AND FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE ANY CHANGE ORDERS THAT MAY ARISE DURING THE PROJECT UP TO THE CONTINGENCY AMOUNT

ORDINANCE NO. 5185 - BUDGET AMENDMENT FOR HELENE GUARDRAIL REPAIR CONTRACT

Action Requested: Adoption of a resolution authorizing the City Manager to execute a contract with Bullington Construction, Inc., in the amount of $182,936, for the Tropical Storm Helene Guardrail Repair contract, and further authorizing the City Manager to execute any change orders that may arise during the project up to the contingency amount of $27,440 for a total budget amount of $210,376; and approval of a budget amendment of $210,376 to add federal and state funds to the General Capital Projects Fund.

Background:

- Over the course of September 26-29, 2024, the City of Asheville experienced unprecedented rainfall from Tropical Storm Helene and a predecessor heavy rain event, resulting in heavy damage to sections of the City's guardrail, primarily from ensuing landslides and fallen trees.
- The storm damaged or destroyed approximately 2,700 linear feet of guardrail, along with numerous posts and end sections
- Guardrails are used to redirect vehicles away from severe hazards, absorb impacts, and reduce injuries, and thus the destroyed/damaged guardrails result in increased safety risks.
- The equipment and staffing needed for replacement/repair of the guardrails exceeded that which was available of the City's internal capacity, rendering it necessary to contract for these services.
- An Informal Advertisement for Bids, Project No. 298-FY26-PW-Bid-HeleneGuardrail, was issued on July 16, 2025, and bids were opened on August 13, 2025.
- The following bids were received:
    - Bullington Construction, Inc., of Oakboro, NC bid $182,936; and
    - Reynolds Fence and Guardrail, Inc., of Indian Trail, NC bid $332,385.
- Bullington Construction, Inc., was selected as the lowest, responsive, responsible bidder.
- A 15% contingency of $27,440 is planned, which, with the bid total of $182,936, results in a maximum budget amount of $210,376.

Vendor Outreach Efforts:

- Staff performed outreach to minority- and women-owned businesses through solicitation processes, which included posting on the State's Interactive Purchasing System.
- The NC Historically Underutilized Businesses (HUB) and NCDOT DBE databases were checked for potential contractors, along with the City of Asheville's ABI database.
- Two companies from an identified disparity group - women - were found in the ten-county area, and staff directly contacted those companies. Neither company submitted a bid.
- One woman-owned company that was not directly contacted - Reynolds Guardrail and Fence - did submit a bid.

Council Goal(s):

- Clean, Safe & Healthy Environment

Committee(s):

- None

Pro(s):
- Public Works will be able to contract for services needed to complete Tropical Storm Helene-related recovery efforts, which exceeds the department's internal capacity.
- The award of this contract will allow for the replacement/repair of approximately 2,700 linear feet of guardrail and any needed posts and end sections to provide safety to the traveling public.

Con(s):
- None

Fiscal Impact:
- The proposed contract for this project, including contingency, totals $210,376.
- The cost is expected to be reimbursed with a combination of FEMA-Public Assistance and State of NC funding, with the 90/10 cost share.

Motion:
- Motion to adopt a resolution authorizing the City Manager to execute a contract with Bullington Construction, Inc., in the amount of $182,936 for the Tropical Storm Helene Guardrail Repair contract and further authorizing the City Manager to execute any change orders that may arise during the project up to the contingency amount of $27,440 for a total budget amount of $210,376; and approval of a budget amendment of $210,376 to add federal and state funds to the General Capital Projects Fund.

RESOLUTION BOOK NO. 46 - PAGE 175
ORDINANCE BOOK NO. 36 - PAGE 358

K. RESOLUTION NO. 25-270 - RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH APPALACHIAN PAVING AND CONCRETE INC. FOR THE FISCAL YEAR 2026 UTILITY CUT CONCRETE REPAIR PROJECT

Action Requested: Adoption of a resolution authorizing the City Manager to execute a contract with Appalachian Paving and Concrete, Inc., in the amount of $314,675.00 for the Fiscal Year 2026 Utility Cut Concrete Repair contract.

Background:
- The City of Asheville Public Works Streets Division administers the Street Cut Utility Program. This program is an enterprise fund that is supported by the participation and work generated by partner agencies (Current members: Metropolitan Sewerage District, Dominion Energy, City of Asheville Water Resources, and City of Asheville Stormwater Division, future potential member: Duke Energy).
- As part of this program, both internal and external utilities partner with the Streets Division to make repairs to City-owned infrastructure that results from utility improvements and repairs.
- At times, these activities cut into concrete infrastructure such as curbs and sidewalks. When this occurs, the Utility Cut Program must have a method to address these areas.
- The equipment and staffing needed for repair of these areas exceeds that which was available of the City's internal capacity, rendering it necessary to contract for these services.
- City staff are currently in discussions with Duke Energy to join the Utility Cut Program. If

they join, this will create an increased utilization of this contract and funds.
- An Informal Advertisement for Bids, Project No. 298-FY26-PW-Bid-UtilityCutConcrete1, was issued on September 23, 2025, and bids were opened on October 19, 2025. The following bid was received:
    - Appalachian Paving and Concrete, Inc. of Swannanoa, NC bid $314,675.00.

Vendor Outreach Efforts:
- Staff performed outreach to minority- and women-owned businesses through solicitation processes, which included posting on the State's Interactive Purchasing System.
- The NC Historically Underutilized Businesses (HUB) and NCDOT DBE databases were checked for potential contractors, along with the City of Asheville's ABI database.
- Ten companies from identified disparity groups (woman 4, Black 2, Hispanic 4) were found in the ten-county area, and staff directly contacted those companies. One of these companies submitted a bid - Appalachian Paving and Concrete - woman owned.

Council Goal(s):
- Transportation and Accessibility

Committee(s):
- None

Pro(s):
- Provides for the timely repair of concrete infrastructure that has been damaged by the installation of utilities.

Con(s):
- None

Fiscal Impact:
- The Street Cut Utility Program is an enterprise fund that is funded by fees paid by the four partner agencies participating in the program.
- The partners will be billed 100% of the repair cost, meaning that the City realizes full cost recovery.
- Funding for this contract is available in the FY 2025-26 Street Cut Utility Fund operating budget.

Motion:
- Motion to adopt a resolution authorizing the City Manager to execute a contract with Appalachian Paving and Concrete, Inc., in the amount of $314,675.00 for the FY26 Utility Cut Concrete Repair.

RESOLUTION BOOK NO. 46 - PAGE 176

L. RESOLUTION NO. 25-271 - RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT NHM CONSTRUCTORS FOR THE CONSTRUCTION OF THE AIRPORT ROAD SIDEWALK PROJECT

Action Requested: Adoption of a resolution authorizing into a construction contract with NHM Constructors, LLC in the amount not to exceed $2,553,241.00 plus a construction contingency of

$255,325.00 for a total not to exceed contract of $2,808,566.00 for the construction of the Airport Road Sidewalk project.

Background:

- The Airport Road Sidewalk is part of the 2016 Transportation Bond funded sidewalk improvements. This project will construct just over a half-mile of sidewalk along Airport Road (SR 3526) from the south Walmart Driveway to Hendersonville Rd (US 25). The purpose of this project is to expand the pedestrian network within the city, providing an ADA, PROWAG compliant and safe route for pedestrians to access amenities.

- Sidewalk construction also includes the installation of curb ramps, pedestrian safety railing, bus boarding areas, crosswalk striping, and pedestrian crossing improvements.

- The anticipated Construction timeline is QTR1 2026 – QTR1 2027.

- In June 2022, the City of Asheville entered into a design contract with SEPI Engineering & Construction, Inc. for the engineering and design of sidewalk along Airport Road. Final Design was completed in April 2023.

- Bidding required many rounds in order to receive acceptable bids:
    - In May, 2023, the project was bid. No bids were received.
    - In June, 2023 the project was rebid. No bids were received.
    - In August, 2025, an updated project manual was bid and no bids were received.

- In October 2025, the project was rebid, and two bids were received. The bidders and bid totals listed below:

    NHM Constructors, LLC (Asheville, NC) ……$2,553,241.00
    Appalachian Sitework, Inc. (Waynesville, NC)…… $3,146,008.52

- NHM Constructors, LLC was deemed the lowest responsive, responsible bidder and therefore they are recommended for Award.

.

Vendor Outreach Efforts:

- Staff performed outreach to minority and women owned businesses through solicitation processes that included emailing MWBE vendors after bid issue, posting on the State's Interactive Purchasing System, and conducting a Pre-Bid meeting with the Asheville Business Inclusion Office (ABI), wherein ABI policy was clearly explained to attendees.

- The established goal for this project is 8.83% participation. The recommended Bidder will be utilizing minority-owned businesses with this participation representing 9.47% ($241,878) of the Total Bid.

Council Goal(s):

- Transportation and Accessibility
- Connected and Engaged Community

Committee(s):

- None

Pro(s):

- Expanding the pedestrian transportation network which provides a safe and comfortable route that is ADA and PROWAG-compliant.

Con(s):

- Impacts to local traffic due to construction (to be addressed through required traffic control and pedestrian safety measures).

Fiscal Impact:
- Funding for this contract is available in the General Capital Projects fund.

Motion:
- Motion to authorize the City Manager to execute a contract with NHM Constructors, LLC in the amount of $2,553,241.00 for the construction of Airport Road Sidewalk, and further, authorizing the City Manager to execute contract documents for any additional service requests that may arise during the project up to the contingency amount of $255,325.00 (10%).

RESOLUTION BOOK NO. 46 - PAGE 177

M. RESOLUTION NO. 25-272 - RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH UNIVERSAL SECURITY GUARD ASSOCIATION INC. FOR SECURITY PRESENCE AT CITY BUILDINGS, GARAGES AND PARKS

ORDINANCE NO. 5186 - BUDGET AMENDMENT FOR SECURITY PRESENCE AT CITY BUILDINGS

Action Requested: Adoption of a resolution authorizing the City Manager to execute a General Services contract with Universal Security Guard Association, Inc. for City Building Security for $1,456,002.00 to ensure the safety of City employees, visitors and other occupants of City facilities; and approval of a budget amendment of $494,333 to appropriate fund balance to cover the unbudgeted cost increase associated with the expanded service levels.

Background:
- City buildings and parks are valuable public assets where City employees serve and welcome community members and visitors, and that house important equipment, and infrastructure. Security measures safeguard these assets from theft, vandalism, and damage, ensuring their longevity and continued availability for public use.

- Security personnel and systems help maintain order, manage crowds, and prevent disruptive behavior in public areas. This is particularly important during events or in highly frequented locations, ensuring a positive experience for everyone.

- Security guards provided under this contract will be responsible for monitoring access, maintaining building security, responding to emergencies and enforcing city policies in sixteen city owned locations.

- Visible and effective security measures build public trust and confidence in city management. When facility users feel safe and protected in public spaces, they are more likely to utilize these resources and participate in civic life.

- The Security Bid was advertised on September 23rd, 2025. Bids were due on October 20th, 2025, and 8 complete, responsive bids were received, Universal Security Guard Association, Inc. was the lowest responsive, responsible bidder.
    - Allied Universal (Charlotte NC) $1,654,526.45
    - The Dominion Group (Fletcher NC) $1,673,766.10
    - ENC Protection (Kingston NC) $1,954,341.60

- Forza Security (Apex NC) $3,263,953.00
- The Renfrow Group (Raleigh NC) $1,618,782.78
- Safe Haven Security Group (Austin TX) $1,762,688.04
- Universal Security Guard Association, Inc. (Raleigh NC) **$1,456,002.00 low bid**
- Weatherspoon Enterprises (Charlotte NC) $1,665,346.70

Vendor Outreach Efforts:

- Staff performed outreach to minority and women owned businesses through solicitation processes using the NC electronic Vendor Portal (eVP) and requesting prime contractors to reach out to Minority & Women-Owned Business Enterprise (MWBE) service providers for subcontracted services. Staff reached out to two minority security companies for bid submission.
- Universal Security Guard Association, Inc. was deemed the lowest responsible, responsive bidder and is a certified MWBE.

Council Goal(s):

- Clean, Safe & Healthy Environment

Committee(s):

- None

Pro(s):

- City-wide security enhances community safety, deters crime, and ensures rapid response to incidents through coordinated efforts between contractors and staff

Con(s):

- This contract adds locations not previously covered by security services, which adds additional operating expenses. Funds dedicated to this operating expense draw upon resources that might otherwise be used on other City priorities.

Fiscal Impact:

- As noted above the annual cost of this contract in year 1 is $1,456,002, which is for the time period from December 2025 through November 2026.
- The amount needed for the remainder of the current fiscal year (through June 2026) is $849,333. The Capital Management Department included $355,000 in its adopted budget for this contract in the current fiscal year; therefore an additional $494,333 in budget is needed to cover current year anticipated costs.
- The total anticipated costs are higher primarily due to additional services related to security at Parks facilities, not previously covered by security services. The budget amendment appropriates General Fund fund balance to cover this additional cost.
- Available fund balance in the General Fund was 14.0% at the end of fiscal year 2025 (FY2025). Based on revenue and expense estimates for the current fiscal year (FY2026), including this additional fund usage for security, staff estimates that FY2026 fund balance will be 13.6%.
- Future years fees will be built into upcoming budgets, which will require additional resources since the cost has increased.

Motion:

- Motion to adopt a resolution authorizing the City Manager to execute a contract with Universal Security Guard Association, Inc. in the amount of $1,456,002.00, for City Wide Building Security for a period of one year with the option of three, one year renewals, for a total contract amount not to exceed $5,824,008. over the life of the contract, and

adoption of a budget amendment of $494,333 to appropriate fund balance to cover the unexpected cost increase for adding parks facilities, not previously covered by security services.

RESOLUTION BOOK NO. 46 - PAGE 178
ORDINANCE BOOK NO. 36 - PAGE 359

N. RESOLUTION NO. 25-273 - RESOLUTION AUTHORIZING THE CITY MANAGER TO AMEND A CONTRACT WITH FRANK L. BLUM CONSTRUCTION COMPANY, IN ASSOCIATION WITH W.C. CONSTRUCTION COMPANY, FOR THE CONSTRUCTION OF THE MCCORMICK FIELD IMPROVEMENTS, AND FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE ANY CHANGE ORDERS THAT MAY ARISE DURING THE PROJECT UP TO THE CONTINGENCY AMOUNT

Action Requested: Adoption of a resolution authorizing the City Manager to amend the contract with Frank L. Blum Construction Company, in association with W.C. Construction Company in the amount not to exceed $405,224 for the construction of the McCormick Field improvements; and further authorizing the City Manager to execute any change orders that may arise during the project up to the contingency amount of ~10% ($40,522).

Background:

- The City of Asheville has owned the property located at 30 Buchanan Place, known as Lewis McCormick Field, since 1984 and leases the property for operation as a minor league baseball stadium.
- On March 14, 2023, the City Council authorized the City Manager to sign a funding letter of commitment to MLB regarding the City's intent to bring McCormick Field into compliance with new facility standards.
- Buncombe County Government approved funding towards the project on March 21, 2023.
- In July 2023, staff advertised a request for qualifications for Construction Manager at Risk (CMAR) services in accordance with N.C.G.S. 143-128.1. A construction contract was awarded in July 2024.
- In September 2024 the first phase of a three phase construction project began in the off season of Tourists baseball. The second construction phase began during the 2025 baseball season. The project is currently in its final phase, with completion planned by April 2026 in time for the Tourist baseball's 2026 season.
- An increase in the construction contract is necessary to accommodate the addition of sports light poles, concrete repairs and parking lot improvements that were not anticipated in the original construction scope.
- The increase in construction contract is being funded by $175,000 in lease payments and the remaining balance by previously budgeted McCormick project contingency.

Vendor Outreach Efforts:

- Staff performed outreach on the CMAR selection to minority and women owned businesses, through solicitation processes using the State's Interactive Purchasing System and requesting prime contractors to reach out to Minority & Women-Owned Business Enterprise (MWBE) service providers for subcontracted services.
- The selected Blum-WC Construction team is structured as an association with WC Construction, a certified HUB firm.
- MWBE Subcontractor participation as of September 2025 is tracking at 12.2% MWBE participation.

Council Goal(s):

- A well planned and liveable community.
- Thriving Local Economy
- Fiscally Resilient City

Committee(s):
- None

Pro(s):
- Provides for construction improvements on an asset with a demonstrated need for improvements.
- The construction improvements will allow for greater facility use for programming other than baseball including facility usage through all twelve months of a calendar year.
- Utilizes grant and lease funding to maximize non-City funding on a City owned asset.

Con(s):
- When under construction, this project will have an impact on the activities that occur in this facility, in particular baseball.
- Construction activities may impact adjacent neighborhoods, similar to the current Memorial Stadium construction work.

Fiscal Impact:
- Funding for this contract was previously budgeted and is available in the General Capital Projects Fund. As previously shared with Council, the funding model for the project includes debt service contributions from the Asheville Tourists, Buncombe County, and BCTDA. Additional contributions have been committed to the project by the Asheville Tourists throughout the construction phase of the project.

Motion:
- Motion to adopt a resolution authorizing the City Manager to amend the contract with Frank L. Blum Construction Company, in association with W.C. Construction Company in the amount not to exceed $405,224 for the construction of the McCormick Field improvements; and further authorizing the City Manager to execute any change orders that may arise during the project up to the contingency amount of ~10% ($40,522).

RESOLUTION BOOK NO. 46 - PAGE 179

O. RESOLUTION NO. 25-274 - RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR GRANTS IN THE FEDERAL EMERGENCY MANAGEMENT AGENCY HAZARD MITIGATION GRANT PROGRAM, AND AUTHORIZING THE CITY MANAGER TO ACCEPT FUNDS IF GRANTED, AND TO EXECUTE ALL DOCUMENTS RELATED TO IMPLEMENTATION AND MANAGEMENT OF HAZARD MITIGATION GRANT PROGRAM PROJECTS

Action Requested: Adoption of a resolution authorizing the City Manager to to apply for grants in the Federal Emergency Management Agency Hazard Mitigation Grant Program, and authorizing the City Manager to accept funds if granted, and to execute all documents related to implementation and management of Hazard Mitigation Grant Program projects

Background:
- The Tropical Storm Helene Hazard Mitigation Program (HMGP) is funded by the Federal Emergency Management Agency (FEMA). The program uses a state-centric model. Program priorities are managed at the state level, and funds are distributed to the state as the primary applicant. Subapplicants (local governments, state agencies, etc.) apply

to the state for project approval, and grant reimbursement.

- On July 29, 2025 City Council authorized nine infrastructure project applications based on the letter of interest (LOI) submitted to the North Carolina Division of Emergency Management (NCEM).
- This resolution would authorize the submission of one new application and one amended application as follows:
    - The City of Asheville is requesting $702,450.00 in funding to develop a strategic framework for the long-term stewardship of properties acquired by the City of Asheville as through the Hazard Mitigation Grant Program (HMGP) to reduce future risk from natural hazard to flooding, stormwater impacts, slope instability, and other natural hazards.
    - Amend the North Fork Alternate Route Utility Protection application to include pretreatment to increase the city's capacity to handle storm-induced sediment and turbidity. The total funding request for this application is amended to $233,830,105.00.
- City staff will submit all grant subapplications for projects based on the readiness of each submittal.
- Projects funded by this program are required to meet strict eligibility criteria, and most of the
  projects must demonstrate cost effectiveness as measured by the FEMA benefit cost analysis.
- The period to complete the project is 48 months, starting at the receipt of a letter of award.
- Future formal action for City Council, related to awarded projects, will come in the form of a Budget Amendment to receive the funding, and adjust the CIP.

Council Goal(s) and Priorities:

- Clean, Safe and Healthy Environment
- Financially Resilient
- Thriving Local Economy
- Well-planned and Livable Community

Committee(s):

- Policy, Finance & Infrastructure Worksession

Pro(s):

- Allows the City to participate in the Hazard Mitigation Grant Program, and pursue projects that mitigate potential hazards caused by natural disasters, or improve resiliency measures.
- Matching funds are expected to be paid by the State.
- The scale of funding available provides an opportunity to make significant inroads towards mitigation and resiliency efforts, which may overlap with the City's broader goals.

Con(s):

- Mitigation projects that lead to construction are anticipated to have a lengthy FEMA review process, between one to three years.
- Program performance schedules are aggressive and will require significant staffing, and resources to meet deadlines.

Fiscal Impact:

- No fiscal impact at this time. A budget amendment will be presented to the City Council

for each individual project grant award.
- All projects will be reimbursement based.
- FEMA requires a 25% match for HMGP community infrastructure mitigation projects. The City expects that matching funds are to be paid by the state of North Carolina.

Motion:
- Motion to adopt a resolution authorizing the City Manager to submit subapplications for the Federal Emergency Management Agency Hazard Mitigation Grant Program and authorizing the City Manager to accept grant funds if awarded and to execute all documents related to implementation and management of Hazard Mitigation Grant Program projects.

RESOLUTION BOOK NO. 46 - PAGE 180

P. RESOLUTION NO. 25-275 - RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR GRANTS IN THE NORTH CAROLINA EMERGENCY MANAGEMENT (NCEM) - DISASTER RELIEF AND MITIGATION FUND 2025; AND AUTHORIZING THE CITY MANAGER TO ACCEPT GRANT FUNDS IF AWARDED, AND TO EXECUTE ALL DOCUMENTS RELATED TO IMPLEMENTATION AND MANAGEMENT OF NCEM - DISASTER RELIEF AND MITIGATION FUND 2025 PROJECTS

Action Requested: Adoption of a resolution authorizing the City Manager to apply for grants in the NCEM - Disaster Relief and Mitigation Fund 2025, and authorizing the City Manager to accept funds if granted, and to execute all documents related to implementation and management of NCEM - Disaster Relief and Mitigation Fund 2025 projects.

Background:
- North Carolina Emergency Management (NCEM) is administering the Disaster Relief and Mitigation Fund (DRMF), authorized through multiple legislative acts including the Disaster Recovery Act of 2025 to directly address impacts experienced during Hurricane Helene and other natural disasters.
- The program is designed to reduce future flooding and transportation disruptions by investing in both structural (e.g., drainage upgrades, culvert replacements) and non-structural (e.g., relocation, elevation) mitigation strategies.
- Approximately $20 million in State funds are available statewide, with a minimum of $15 million dedicated to the Helene-impacted region — emphasizing support for the most vulnerable communities.
- Projects can be funded at 100% with no local match, up to $2 million per project and $4 million per county, and may span up to 36 months from award to completion.
- Funding is distributed on a reimbursement basis, requiring standard documentation, inspections, and compliance measures.
- Applications are evaluated by NCEM's Long-Term Recovery Group based on impact, mitigation value, cost clarity, readiness, and community benefits.
- Application deadline: November 28, 2025, with awards anticipated in January 2026 and grant agreements finalized February 2026.
- If awarded, Council will approve all applicable procurements.
- Should community engagement be needed prior to the implementation of any resulting projects, the relevant Recovery Boards will be engaged prior to Council consideration.
- The State intends to notify applications in January 2026.
- All grant funded projects must be completed within 36 months or by February 2029.

Council Goal(s):

- Clean, Safe and Healthy Environment
- Financially Resilient
- Thriving Local Economy
- Well-planned and Livable Community

Committee(s):

- Policy, Finance & Infrastructure Worksession

Pro(s):

- Provides 100% State funding for mitigation projects, easing local budget burdens.
- Prioritizes Hurricane Helene–impacted communities ($15M minimum allocation).
- Supports both construction and engineering/design for shovel-ready projects.
- Enhances public safety, infrastructure resilience, and community preparedness.
- Aligns with long-term mitigation and capital planning goals.

Con(s):

- Reimbursement structure may require upfront cash flow capacity.
- Limited eligible categories, primarily flood and transportation resilience.
- A competitive scoring process may reduce funding certainty.
- Administrative compliance required (quarterly reporting, inspections, documentation).
- Grant administration costs are not eligible for reimbursement.

Fiscal Impact:

- No fiscal impact at this time. A budget amendment will be presented to City Council for each individual project grant award.
- All projects will be reimbursement-based and require no cost share.

Motion:

- Motion to adopt a resolution authorizing the City Manager to submit an application for the North Carolina Emergency Management (NCEM) - Disaster Relief and Mitigation Fund 2025 and authorizing the City Manager to accept grant funds if awarded and to execute all documents related to implementation and management of North Carolina Emergency Management (NCEM) - Disaster Relief and Mitigation Fund 2025 projects.

RESOLUTION BOOK NO. 46 - PAGE 182

Q. RESOLUTION NO. 25-276 - RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR GRANTS IN THE OFFICE OF STATE BUDGET AND MANAGEMENT (OSBM) - HELENE LOCAL GOVERNMENT CAPITAL GRANT PROGRAM, AND AUTHORIZING THE CITY MANAGER TO ACCEPT FUNDS IF GRANTED, AND TO EXECUTE ALL DOCUMENTS RELATED TO IMPLEMENTATION AND MANAGEMENT OF OSBM - HELENE LOCAL GOVERNMENT CAPITAL GRANT PROGRAM

Action Requested: Adoption of a resolution authorizing the City Manager to apply for grants in the Office of State Budget and Management (OSBM) - Helene Local Government Capital Grant Program, and authorizing the City Manager to accept funds if granted, and to execute all documents related to implementation and management of OSBM - Helene Local Government Capital Grant Program.

Background:

- The Office of State Budget and Management is administering the Helene Local Government Capital Grant Program, authorized through multiple legislative acts including the Disaster Recovery Act of 2025 to directly address impacts experienced during Hurricane Helene and other natural disasters.
- The program funds capital projects to repair, renovate, or replace damaged infrastructure that is ineligible or denied for FEMA Public Assistance.
- Grant prioritization favors communities with populations under 300,000 and projects ineligible under FEMA PA, verified in coordination with NC Emergency Management.
- Nearly $50 million in funding is available, with OSBM awarding grants according to statutory caps of 20% per county and 5% per eligible recipient or qualifying zip code.
- Grant funds must be spent by June 30, 2030, are disbursed as a lump sum up front, and recipients must report project expenses to OSBM.
- Applicants should submit each project individually, can indicate priority projects via a written explanation, and are encouraged to apply for smaller projects as well.
- If awarded, Council will approve all applicable procurements. Should community engagement be needed prior to the implementation of any resulting projects, the relevant Recovery Boards will be engaged prior to Council consideration.

Council Goal(s):

- Clean, Safe and Healthy Environment
- Financially Resilient
- Thriving Local Economy
- Well-planned and Livable Community

Committee(s):

- Policy, Finance & Infrastructure Worksession

Pro(s):

- Provides 100% State funding for mitigation projects, easing local budget burdens.
- Enhances public safety, infrastructure resilience, and community preparedness.
- Aligns with long-term mitigation and capital planning goals.
- Projects ineligible or denied for FEMA Public Assistance can still receive support.
- Funds are disbursed upfront once the grant contract is executed, helping with project cash flow.
- Multiple projects can be submitted individually, and applicants can highlight priority projects.

Con(s):

- Applications are due by November 21, with no rolling submissions.
- All grant funds must be spent by June 30, 2030, which may limit long-term or phased projects.
- Statutory caps may limit funding: Maximums per county, recipient, and zip code could restrict funding for larger projects.
- Evaluation is competitive: Grants are awarded based on statutory priorities and eligibility verification, so not all applications may be funded.

Fiscal Impact:

- No action at this time. A budget amendment will be presented to City Council for each

individual project grant award.
- Funding will be disbursed in a lump sum once the grant contract is approved. The grantee will need to report expenses for the grant project to OSBM, but the funds are disbursed up front.

Motion:
- Motion to adopt a resolution authorizing the City Manager to submit an application for the OSBM - Helene Local Government Capital Grant Program and authorizing the City Manager to accept grant funds if awarded and to execute all documents related to implementation and management of the OSBM - Helene Local Government Capital Grant Program.

RESOLUTION BOOK NO. 46 - PAGE 183

R. RESOLUTION REMOVING JARED WHEATLEY FROM THE ASHEVILLE PLANNING & ZONING COMMISSION

This item was removed from the Consent Agenda for discussion and/or an individual vote.

S. MONTHLY MUNICIPAL PROPERTY TAX REFUNDS OR RELEASES PER N.C. GEN. STAT. SEC. 105-381

Action Requested: Adoption of City of Asheville property tax refunds and releases for the month of September 2025.

Background:
- Buncombe County currently bills and collects City property taxes
- At the August 22, 2023, meeting, City Council approved an addendum to the existing tax collection agreement with Buncombe County to ensure that it fully conforms to the provisions of Chapter 105 of the North Carolina General Statutes, entitled The Revenue Act.
- As part of that compliance, the City Council must, on a monthly basis, approve all property tax releases and refunds that have been approved by the Buncombe County Board of Commissioners.
- City of Asheville refunds and releases for September 2025 are included in the document.

Council Goal(s):
- A Financially Resilient City

Pro(s):
- Ensures compliance with provisions of Chapter 105 of the North Carolina General Statutes, entitled The Revenue Act.

Con(s):
- None

Fiscal Impact:
- None.

Suggested Motion:
- Motion to adopt City of Asheville property tax refunds and releases for the month of September 2025.

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.

Councilwoman Smith moved for the adoption of the Consent Agenda, with the deletion of Consent Agenda "D" and Consent Agenda "R". This motion was seconded by Councilwoman Roney and carried unanimously.

ITEM REMOVED FROM THE CONSENT AGENDA FOR DISCUSSION AND/OR AN INDIVIDUAL VOTE

R. RESOLUTION NO. 25-277 - RESOLUTION REMOVING JARED WHEATLEY FROM THE ASHEVILLE PLANNING & ZONING COMMISSION

Three individuals spoke against removing Jared Wheatley from the Asheville Planning & Zoning Commission.

Councilwoman Turner moved to remove Jared Wheatley from the Asheville Planning & Zoning Commission. This motion was seconded by Councilwoman Ullman and carried on a 5-2 vote, with Vice-Mayor Mosley and Councilwoman Roney voting "no.".

RESOLUTION BOOK NO. 46 - PAGE 184

III. PRESENTATIONS & REPORTS:

A. MANAGER'S REPORT

American Rescue Plan Act (ARPA) Update

ARPA Project Manager Kim Marmon-Saxe said the following are the key highlights from her presentation: (1) A robust evaluation and scoring process based on council approved categories and criteria was used to select projects; (2) 32 projects funded for a total of $26.3 Million (25 Community partners); (3) 18 quarterly reports to the Treasury completed (6 remain - last report April 2027); (4) 100% of funds were obligated by 31 December 2024 deadline; (5) 94% of the funds utilised to date - $24,733,758; (6) Helene yielded rich data on ways ARPA funds contributed to community resiliency; and (7) Process, procedures and approach have been different and successful. She then went through the timeline from April-June 2021 through April 30, 2027, and then showed a chart with the project name, organization, award, funds spent and the percent spent.

Regarding the additional funding that is managed as part of the City of Asheville (COA) ARPA funding, (1) The City was awarded $1.6 Million from Dogwood Health Trust to provide additional funding for the affordable housing projects submitted by Asheville Habitat for Humanity and ABCCM; (2) The City also manages $3.6M in ongoing Emergency Shelter Beds funding from BC. Original funding that augmented City ARPA allocation of $875,000; and (3) These additional funds are reported and managed using the same process as ARPA for continuity.

She reviewed the ARPA progress (1) COA has met all requirements from the Treasury; (2) 94% of funds have been paid out; (3) All projects are achieving (or exceeding) their targets; (4) 100% of sub-recipients are committed and engaged in the process; (5) Collaborative grant management proved successful in avoiding problems and increasing impact; and (6) Combining basic data with regular conversation yields rich impact information.

Regarding the ARPA progress review for Helene, in the months/year following the hurricane the City of Asheville's ARPA team continued their engagement with all its ARPA funding recipient organizations and their collaborators in order to understand their experience of the hurricane, how their work in the previous three years had prepared them to show up in the crisis, and how the communities they serve were impacted. From those conversations five key insights stood out: communities are as critical as programs; funded operations fuel innovation and impact; context is as important as effort; agility and learning beat precise planning; and flows make funding go further.

Next steps are (1) Continue to manage compliance and reporting; (2) Maintain regular communication with all our partners; (3) Continue the relationships and collaboration; (4) Analyze, quantify, catalog and maintain the data and information gathered; (5) Publish and share results; and (6) Encourage an evidence based shift to a resilient ecosystem approach.

Ms. Marmon-Saxe responded to Councilwoman Roney when she asked about the cycle of flow of money going into the system.

Riverfront Revitalization Projects Engagement Update

Assistant to the City Manager Jaime Matthews provided the following key takeaways for her presentation: (1) Public input and community collaboration will be essential for project success; (2) Public engagement effort will take place in late 2025 and early 2026 with multiple opportunities for stakeholders to provide input; (3) Project design will be informed by City Council vision, priorities and goals for recovery, community input and previously adopted planning efforts; (4) Prior to moving through the design phase, the first round of community engagement will be focused on listening and learning from the community; and (5) All engagement information will be available on the City's website.

She showed the riverfront recovery projects of the Azalea Parks & Infrastructure Recovery; and the French Broad Riverfront Parks Recovery.

The project status of the French Broad Riverfront Parks Recovery & Azalea Parks and Infrastructure Recovery Projects are (1) Design work has begun for both projects; (2) Site Inventory & Analysis in progress - Tree & topographic survey; Environmental assessment, soil borings; Hydrologic and hydraulic modeling; and Damage assessment and damage cost verification; and (2) Early concept designs this spring to follow first wave of engagement

She then provided the engagement timeline and announced several upcoming engagement efforts.

The next steps following initial engagement include: (1) Engagement Summary and Report created with support from consultants; (2) Touchpoint with Recovery Board(s) and City Council in early 2026 (a) Presentation of input to date; and (b) Discussions on priorities and perspectives that may be missing from input to date; (3) Additional focus meetings as needed; and (4) Input from the initial engagement will be used to develop design concepts. The Second Engagement Effort – spring 2026, pursue is to iInvite the public to view design concepts; Report back on how initial input influenced concepts; Provide opportunity for focused input.

IV. PUBLIC HEARINGS:

A. PUBLIC HEARING TO CONSIDER AN AMENDMENT TO THE CONDITIONAL ZONING OF 27.05 ACRES AT 767 NEW HAW CREEK ROAD FOR THE PURPOSES OF AMENDING THE SITE PLAN AND THE PROPOSED

CONDITIONS TO BUILD 49 NEW SINGLE-FAMILY HOUSING UNITS AND 25 TOWNHOME UNITS

Mayor Manheimer said that at the applicant's request, the public hearing scheduled for October 14, 2025, was moved to October 28, 2025. On October 28, 2025, the applicant requested this public hearing be moved to this date.

Urban Planner III Sam Starr-Baum said that this is the consideration of an amendment to the conditional zoning of 27.05 acres at 767 New Haw Creek Road for the purpose of amending the site plan and conditions to build 49 new single-family housing units and 35 townhome units. The previous rezoning occurred under Ordinance No. 5094, adopted on July 23, 2024.
This public hearing was advertised on October 3 and 10, 2025.

Project Location and Contacts:

- The project site totals 27.05 acres located at 767 New Haw Creek Road (PIN 9659-93-9458).
- Owner: Margaret B King.
- Applicant: Warren Sugg, Civil Design Concepts.

Summary of Petition:

Overall Project Proposal

- The petitioner is seeking an amendment to the conditional zoning to revise vehicular access to the project's single-family residences proposed on the eastern portion of the project site. In the original Conditional Zoning application, access was provided from Sleepy Hollow Drive via Beargrass Lane, Haw River Drive, Red Ember Drive, and Elm Shadow Way. In this amendment, the applicant proposes access from New Haw Creek Road. Vehicular access to the project's townhomes will still be provided from the project's King Meadows Court.

Project Site

- The project site is a 27.05 acre parcel that is currently bisected by New Haw Creek Road. The portion west of New Haw Creek Road is approximately 7 acres, and while predominantly wooded, consists of two addressed single-family structures–768 and 780 New Haw Creek Road. The other 20 acres east of New Haw Creek Road contains New Haw Creek, a series of smaller drainage paths, and a majority of the mature forest on this site. There are currently 3 addressed single-family structures and 5 addressed accessory structures on the eastern portion of this property-767 New Haw Creek Units 1-5, 769 New Haw Creek Units 1-2, and 771 New Haw Creek Road.
- The applicant has indicated that 20 of the 27 acres will be disturbed for this project.
- The Living Asheville Comprehensive Plan designates the Future Land Use (FLU) of the project site as "Residential Neighborhood.".

UDO Compliance

UDO Provision	**RES-EXP Requirement:**	**Proposed:**
Gross Floor Area:	N/A	N/A
Density:	up to 20 Units/Acre	3.10 Units/Acre
Lot Size Minimum	3,500 sq. ft.	2,090 sq. ft. townhome lots 4,860 sq. ft. SFR lots

<table>
<tr><td>Building Height(s):</td><td>40 ft. maximum height</td><td>40 ft. maximum Height</td></tr>
<tr><td>Building Setbacks:</td><td>Front: 15 ft.
Side: 6 ft.
Rear: 15 ft.</td><td><u>SFR</u>
Front: 15 ft.
Side: 7 ft.
Rear: 15 ft.

<u>Townhomes</u>
Front: 20 ft.
Side: N/A
Rear: 15 ft.</td></tr>
<tr><td>Vehicle Parking Spaces:</td><td>1 per unit to 3 per unit based on bedrooms provided.</td><td>1 per unit to 3 per unit based on bedrooms provided.</td></tr>
<tr><td>Bicycle Parking Spaces:</td><td>12 spaces</td><td>12 spaces</td></tr>
<tr><td>Open Space:</td><td>4.06 ac.</td><td>9.20 Ac.</td></tr>
<tr><td>Impervious Surface Area:</td><td>Residential: 50% Max
Multi-Family: 80% Max</td><td>8.40 ac./31%</td></tr>
<tr><td>Sidewalks:</td><td>5 ft., on both sides of any street where the projected average daily traffic exceeds 1,000 vehicles per day. New Haw Creek Road exceeds this threshold.</td><td>5 ft. on the western portion of New Haw Creek Road, on both sides of Haw River Drive, and on the eastern side of Elm Shadow Way, Red Ember Drive, and Beargrass Lane.</td></tr>
<tr><td>Tree Canopy Preservation:</td><td>Management District: Suburban
Classification: Class C
Existing canopy: 53%
Required canopy: 17%</td><td>Preserved: 12.4% (150,375 sf.)
Planted:5% (61,040 sf.)
Total: 17.4% (211,415 sf.)</td></tr>
<tr><td>Applicable Landscaping Standards</td><td><table><tr><td>Property Line Buffer</td><td>Does apply</td></tr><tr><td>Street Buffer</td><td>Does not a…</td></tr><tr><td>Street Trees</td><td>Does apply</td></tr><tr><td>Parking Landscaping</td><td>Does not a…</td></tr><tr><td>Building Landscaping</td><td>Does not a…</td></tr><tr><td>Screening</td><td>Does not a…</td></tr></table></td><td>Type B, 30’-wide property buffers are required where the property abuts single-family zoning districts to the north and west.
Street tree requirements are met, but vary based off the presence of overhead utilities along New Haw Creek Road.</td></tr>
</table>

<u>Site Layout and Design</u>

- The site will be accessed off a non-signalized intersection with the newly created Haw River Drive. The single-family residences will all be accessed from three new streets: Beargrass Lane, Elm Shadow Way, and Red Ember Drive. The townhomes will be to the western side of the intersection, and accessed exclusively from King Meadows Court
    - The applicant seeks to retain the access rights from the Sleepy Hollow as well,

which was approved as part of Ord. 5094 in July 2024.

- The applicant's proposed 84 units over 27.05 Acres amounts to 3.1 units/acre, which is below the allowed 540 total units or 20 units/acre for a site of this size under RES EXP-CZ standards.
- Each residence will have their own lot with the following setbacks:
    - Exterior property line project: 30' (matching buffer)
    - Single-family Lots: Front – 15', Side – 7', Rear – 15', Corner – 7.5'.
    - Townhome Lots: Front – 20', Side – 0', Rear – 15', Corner – 0'.
- Impervious limitations and building height are all compliant with the RES EXP - CZ district.
- The project includes a jurisdictional stream and shows compliant setbacks therefore.
- Owing to Haw Creek running through the eastern portion of the property, there are also portions of this site that fall within the floodway, 100 year, and 500 year floodplain.

Access, Sidewalks and Parking

- The project proposes 5' minimum sidewalk (with 8' grass strip) along the west side of the existing NCDOT road New Haw Creek Road.
- The project also proposes 5' minimum sidewalk (with a 5' grass strip) on both sides of new Haw River Drive (matching road slopes). Beargrass Lane, Elm Shadow Way and Red Ember Drive are proposed to have a 5' sidewalk on the eastern portion of the road, with no grass utility strip.
- All vehicle parking will be contained within the driveway and garages of the residential structures. The applicant has shown two locations for the required 12 bicycle parking spaces–six spaces will be on the northeast corner of the property closer to the mail kiosk for the townhomes, and the other six will be near the intersection of Haw River Drive and Beargrass Lane.

Landscaping / Open Space / Tree Canopy

- Open space is shown at 10.60 acres, which exceeds the requirement of 4.06 Acres. A "Type B" 30-foot property buffer is required and provided on the plans.
    - The applicant proposes a condition where the "Type B" buffer will be met though the existing vegetation. The applicant will plant to UDO requirements where existing vegetation is not feasible to satisfy "B" buffer requirements. vegetation is not feasible to satisfy "B" buffer requirements.
- The project is located in the Suburban Resource Management District. Tree canopy protection requires "Class C" compliance.
    - The applicant will be preserving enough existing canopy to meet the 17% TCP requirement for this project.

Consistency with the Comprehensive Plan and Other Plans:

Living Asheville Comprehensive Plan (2018)

- The proposed rezoning, with the addition of a sidewalk on the east portion of New Haw Creek, would support the theme of **A Livable Built Environment** by implementing the following goals in the Living Asheville Comprehensive Plan, including:
    - **Make Streets More Walkable, Comfortable and Connected** by adding pedestrian infrastructure where there are high volumes of traffic and pedestrians and eliminating gaps in the city-wide sidewalk network.
    - **Build Out the Greenway Network** by providing a 12' wide greenway that will run north/south through the property, and provide an eastern connection that will link the three new proposed streets through a series of sidewalks and 5' wide walking paths.
- The proposed rezoning supports the theme of **A Resilient Economy** by implementing the following goal in the Living Asheville Comprehensive Plan, including
    - **Increase and Diversify the Housing Supply** by adding both

single-family and townhome options at a density of 3.1 units an acre, the proposed project meets the comprehensive goals of maintaining neighborhood character while still “increasing density at a variety of scales”.

- The proposed rezoning is compatible with the Future Land Use designation of “Residential Neighborhood” which describes areas that “historically developed following a single master plan and usually at a lower density than traditional neighborhoods. Mainly consisting of single family housing, the types of housing in residential neighborhoods generally offer little variation of building types throughout the neighborhood…In many cases there are limited access points into and around the development with access points often ending in dead-end streets”.
    - Staff finds that the proposed project is compatible with the type of master site plan development envisioned for “Residential Neighborhoods” in the FLU designation, and this development is also in alignment with the density proposed in the Living Asheville plan, which states: “Residential Neighborhood Future Land Use Category use may approach 3-5 dwelling units per acre”, which is what the proposed density is for the Meadows at New Haw Creek.
    - Staff finds that in addition to the density and site planning elements, the variety of units proposed is in alignment with the Residential Neighborhood FLU designation. The comprehensive plan is clear that “Over time, residential neighborhoods can benefit from having more housing diversity such as (*but not limited to*) accessory apartments, duplexes and other types of small-scale infill housing.” The infill development, such as the attached townhomes can help these residential neighborhood areas reach their full “potential to resemble traditional neighborhoods.” The FLU concludes: “to this end, residential subdivisions in the Residential Neighborhoods Future Land Use Category should consider a compact traditional neighborhood development pattern”. The Meadows at New Haw Creek, therefore, will meet the current standards for RES-EXP but lay the foundation for the Residential Neighborhood context that Living Asheville calls for.

Compatibility Analysis:

- The proposed residential development is compatible with the surrounding land uses, including:
    - variety in type, and contextually appropriate size of the residences and residential lots in the immediate vicinity.
    - Townhomes located south at 580 New Haw Creek Road, .77 Miles south of the subject parcel. Apartments and higher zoning densities also exist within a 1 mile radius of the project site.
    - With respect to the neighboring educational facilities, staff finds that the proposed project is a compatible land use to the neighboring schools (Haw Creek Elementary and Evergreen Community Charter School).

Council Goal(s):

- This project is most closely aligned with the council goal of *A Well-Planned and Livable Community*.

Committee(s):

- Technical Review Committee - August 18th, 2025 - Approve with conditions
- Planning and Zoning Commission - September 3 2025 - approved (vote: 5-0) with the addition of the following conditions:
    - The bridge crest is equal to or exceeds the 100 year floodplain base flood elevation (BFE).

Staff Recommendation:

- Staff recommends approval of this rezoning request based on the reasons stated above.

Mr. Starr-Buam reviewed the existing and proposed zoning and the aerial imagery. Regarding the existing zoning designation, (1) zoned RS-ESP under Ordinance No. 5094 on July 23, 2024; (2) standards for amendments/projects are evaluated against Residential Expansion, and not RS-4; and (3) this application is not a rezoning request; if this amendment is not approved, this property will not revert back to RS-4. Regarding the future land use map, (1) Historically developed following a single master plan; (2) Limited access points into and around the development with access points often ending in dead-end streets; (3) Sidewalks located within residential neighborhoods and connecting to major corridors are a priority; and (4) Residential Neighborhood Future Land Use Category use may approach 3-5 dwelling units per acre. He outlined the revised conditions as follows: (1) No. 4 - Vehicular access to the Project's single-family residences (all situated to the east of New Haw Creek Road) will be provided from either (a) Sleepy Hollow Drive via the Project's Beargrass Lane, or (b) New Haw Creek Road via the Project's Haw River Drive. Vehicular access to the Project's townhomes (all situated to the west of New Haw Creek Road) will be provided from New Haw Creek Road via the Project's King Meadows Court; and (2) No. 23 - The bridge crest will match or exceed the 100 year floodplain base flood. He then reviewed the prior conditional zoning and using a map, he showed the proposed amendment. He then reviewed the review process as follows: (1) Technical Review Committee (TRC) - August 18, 2025 - approved with conditions; and (2) Planning and Zoning Commission (PZC) - September 3, 2025 - approved (vote: 5-0) with the addition of the following condition - The bridge crest matches or exceeds the 100 year floodplain base flood elevation (BFE). He then explained how the project was consistent with the Living Asheville Comprehensive Plan. He said that staff concurs with the Planning & Zoning Commission and recommends approval of the proposed conditional zoning with the revised conditions and technical modifications outlined in Exhibit E.

Mr. Derek Allen, attorney representing the developer, said they don't believe this is a zoning amendment, but is an approved development. He explained all the site plan features have not changed. The only change is Condition 4 in Exhibit E. It requires them to access the project through Sleepy Hollow Drive. That condition has been deemed invalid and void. When that happens, they need to look at the underlying zoning for Residential Expansion - those standards mandate that vehicle access should be limited to arterials or collector streets. It mandates that we access on New Haw Creek Road. It is a state road and they have already applied for an N.C. Dept. of Transportation permit. He maintained that this is not an amendment to the zoning plan, but required by operation of law. Again, when Sleepy Hollow Drive is left out of the conditions, they have to comply with the underlying zoning. If they cannot access on New Haw Creek Road, the property is left with zero access and if that happens, then the City has taken that land and it can no longer be used. The proposed amendment simply acknowledges this fact and makes the site plan comply with the underlying zoning to exit onto New Haw Creek Road. Everything else remains the same - except the access. They had a hydraulic modeling done for this project, and the modeling shows no impacts either upstream or downstream by putting in the bridge in the 100 year flood plain. The 100-year flood does not touch the bottom of the bridge span. Housing is needed and he urged Council to approve this request.

In response to Vice-Mayor Mosley, Mr. Allen said that if this doesn't move forward by City Council or City staff, there is the legal system to back that determination up.

In response to Councilwoman Turner, City Attorney Branham said the original request by the applicant was a determination regarding whether that Condition through Sleepy Hollow Drive was void. That decision was made by the City Attorney's Office and that decision was that Condition 4 is legally void. The second request by the applicant to the Planning Department is whether or not by operation of the law they were already in compliance with the existing plan. The Planning Director determined that was not the case. The final request by the applicant to the Planning Director was to make a minor modification to the pre-approved plans at a staff level. The Planning Director was unwilling to find this was a minor modification. The Planning Director felt this does not qualify as a minor amendment - rather it is a major conditional zoning amendment and needs to be addressed by City Council.

In response to Councilwoman Turner, City Attorney Branham said that many conditional zoning requests contain conditions that are not completed yet. In this case, the one item left unresolved when Council made a decision was the final property allowance or ownership rights necessary to access through Sleepy Hollow Drive. There was a belief at that time that the applicant could obtain those ownership rights. He noted that in many situations there is a degree of speculation in a plan.

Mayor Manheimer said it is assumed that if the applicant receives the N.C. Dept. of Transportation driveway permit onto New Haw Creek Road, then the change to the site plan might qualify as a minor modification and a decision regarding that could be on a staff level.

Mayor Manheimer opened the public hearing at 6:33 p.m.

Nine individuals spoke in opposition to the conditional zoning ordinance amendment for various reasons, some being, but are not limited to: The Community opposes the Haw Creek Dam project; a stormwater mitigation system located in a floodplain is window-dressing; over 2,121 people signed the original petition against the proposal; the Happy Valley Property Owners Preservation Association will continue to enforce our restrictive covenants given the current site plan; increase of environmental risk; and the need to protect the Haw Creek floodplain.

Seven individuals spoke in support of the conditional zoning ordinance amendment for various reasons, some being, but are not limited to: sidewalk extensions; need for housing; Haw Creek is a great walkway; support for the Sleepy Hollow Drive access; and this is true infill.

Mayor Manheimer closed the public hearing at 7:21 p.m.

In response to Councilwoman Turner, City Attorney Branham said that in order for Sleepy Hollow Drive to be used, Council would need to approve the use of eminent domain to condemn the property to eliminate restrictions. Council would have to then buy the property for a public purpose which may require the access to be a public road. An additional element would be that it obligates the City to pay just compensation to those property owners affected by it under the applicable statutes.

When Councilman Hess suggested the neighborhood revise their bylaws to take off the restrictive covenants on that piece of land, Councilwoman Ullman said that based on her conversation with a number of community members, they would not be willing to voluntarily change their covenants.

Mayor Maheimer noted that even if City Council votes down this conditional zoning amendment, the applicant has other avenues that they can pursue that don't involve City Council.

Furthermore, the conditional zoning on that property could expire and revert back to the underlying zoning and some other purchaser could choose to develop it by right, without the current conditions.

Councilwoman Ullman could not support this amendment even though it's hard for her to vote against housing.

Councilwoman Roney added some context around housing, land use and transit. Ideally we would have lots of housing on transit corridors and we would have the political will to ensure we are building housing for our incumbent neighbors. As we are having conversation about the transit study, we have pitted the conversation saying only using our existing transit funds does the community want more frequency or coverage. We know that housing and transportation together are part of the affordability decision. What we are being pitted with as a community and very soon as Council in the budget process is to look at getting frequency on the major corridors by reducing coverage in the neighborhoods. At the most extreme, we would lose Haw Creek, Kenilworth, Shiloh, etc. transit service. Workers in those areas will have the choice of buying a car or leaving. We were originally talking about this being on a transit corridor and now it might not be on a transit corridor. There is a lot of opportunity to regain our focus through the transit conversation. We need frequency and coverage. We need to get transit funding on our ballots and work with the County on making sure that transit and housing are part of our affordability decision. She would not be able to support the conditional zoning amendment.

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

Vice-Mayor Mosley moved to deny the conditional zoning amendment request for the property located at 767 New Haw Creek, zoned Residential Expansion - Conditional Zone (RES EXP-CZ), and find that the request is reasonable, is in the public interest, is consistent with the city's comprehensive plan and meets the development needs of the community in that the request: 1) provides development that maximizes real estate development to meet the needs of the residential community; and, 2) makes streets more walkable and connected especially where sidewalks and greenways are located at street crossings and where connectivity eliminates gaps proximate to greenway(s). This motion was seconded by Councilwoman Roney and carried on a 6-1 vote, with Councilwoman Turner voting "no.".

V. UNFINISHED BUSINESS:

A. ORDINANCE AMENDING CHAPTER 11 OF THE CODE OF ORDINANCES TO ESTABLISH A DOWNTOWN EVENT-BASED SOCIAL DISTRICT PILOT PROGRAM FOR SPECIFIED SPECIAL EVENTS TAKING PLACE IN THE SOUTH SLOPE DURING CALENDAR YEAR 2026

This item was withdrawn from consideration.

VI. NEW BUSINESS:

A. RESOLUTION NO. 25-278 - RESOLUTION ADOPTING THE LONG-TERM RECOVERY PLAN SECTION 7.2 OF THE BUNCOMBE COUNTY HELENE RECOVERY PLAN

Assistant Planning & Urban Planning Director Chris Collins said that this is the consideration of adoption of a resolution to officially adopt the Long-Term Recovery Plan, Section 7.2 of the unified Buncombe County Helene Recovery Plan, which details the City's recovery projects.

Background:

- The City has partnered with Buncombe County, all municipalities within the county, and FEMA to develop a consolidated countywide recovery plan.
- The purpose of the Helene Recovery Plan is to help the City of Asheville focus its work and prioritize projects.
- The plan will serve as a guide for the community in following recovery efforts and understanding project complexity that will evolve as recovery progresses.
- City Council will be made aware of any significant changes to the adopted plan.
- City of Asheville Projects were selected based on City Council vision, priorities and goals for recovery, community input, previously adopted planning efforts and the city's organizational work plan priorities.
- The draft plan was released by Buncombe County on September 16, 2025 and community feedback was accepted through a unified survey managed by the county until October 3, 2025.
- A total of 100 community feedback responses were received on the draft plan with 52 of those provided by City of Asheville respondents.
- The majority of City stakeholder comments (34 of 52) focused on ensuring that the River Arts District (RAD) was sufficiently represented in the projects within the plan.
- City staff have worked with FEMA and the county to incorporate edits to the plan to ensure that the projects intended to encompass the infrastructure and economic recovery of the district are made clear through edits to the following projects:
    - French Broad Riverfront Parks
    - Revitalization of Flooded Commercial Corridors
    - Assess ULI Recommendations
- It is the declared intention of Buncombe County and all municipalities within the County to officially adopt their section of the Recovery Plan.
- The City of Asheville City Council is only being asked to adopt the City of Asheville section of the plan.

Council Goal(s):

- Clean, Safe and Healthy Environment
- Financially Resilient
- Thriving Local Economy
- Well-planned and Livable Community
- Connected and Engaged Community
- Quality Affordable Housing
- Transportation and Accessibility

Committee(s):

- Planning, Economic Development, and Environment: June 17, 2025, Update Provided
- Council worksession on Policy, Finance & Infrastructure: August 26, 2025, Update Provided

Pro(s):

- The plan provides a high-level overview of a selection of major recovery projects to assist the public in following recovery efforts and understanding project complexity.
- The plan assists the City with the organization, understanding and prioritization of major recovery projects.
- The plan includes cross-jurisdictional efforts with the County and other Municipalities to promote cooperative projects that benefit those within and beyond the City limits.

Con(s):

- None

Fiscal Impact:

- No direct fiscal impact. Each project that is funded within the plan is done so outside of this process.

Mr. Collins provided the following key takeaways from his presentation: (1) The City has partnered with Buncombe County, all municipalities within the county and FEMA to develop a consolidated countywide recovery plan; (2) The purpose of a Long Term Recovery Plan (LTRP) is to inform the public and help the City of Asheville focus its work and prioritize projects; (3) The LTRP will serve as a guide for the community, that will evolve as recovery progresses; (4) City of Asheville Projects were selected based on City Council vision, priorities and goals for recovery, community input, previously adopted planning efforts and the city's organizational work plan priorities; and (5) The draft plan was released to the public for comment. Comments have been considered and incorporated into the final plan.

He said the long term recovery plan is (1) Created in collaboration with the City of Asheville, the 5 towns & the County; (2) Tailored to each local government's organizational scope; (3) Reflective of community voice; (4) Grounded in impact & needs data; (5) Aligned to strategic organizational objectives; and (6) A list of projects we can reasonably plan to deliver on. The plan is not (1) an overall community plan; (2) A funding plan; (3) An implementation plan; (4) A guarantee that these projects will come to fruition; (5) Set in stone (as circumstances change, the plan can be updated); and (6) A fully inclusive list of all ongoing recovery projects.

He then reviewed the project selection process, along with the draft recovery plan timeline. They have heard (1) Public feedback was requested September 16 - October 3; (2) 52 of 100 total responses submitted by Asheville respondents; (3) Strong desire for River Arts District (RAD) inclusion and investment, with opposition to the concept of relocation (*34 of 52 Comments*); (4) Concerns regarding project prioritization and scope; (5) Points raised on housing density, environmental impact and regulatory adherence; (6) Infrastructure suggestions focused on water/electrical, runoff management and floodplain health; and (7) Need to focus resources on South Asheville, working families and emergency support for people with disabilities. At the River Arts District, they heard (1) 34 of 52 Asheville responses focused on the RAD; (2) Focus on the River Arts District (RAD): Comments requested dedicated projects due to the RAD's cultural and economic importance; (3) Requests for RAD-focused projects: Common requests for dedicated projects for the RAD, highlighting its significance as a cultural hub and economic contributor; (4) Opposition to relocating the RAD: Strong consensus was shown against the ULI recommendation to relocation of the RAD emphasizing its physical location as essential to its unique character; and (5) Suggestions for RAD investment: Comments focused on thoughtful investment in the RAD's resilience, sustainability, and new commercial uses.

Regarding revisions to the plan, (1) Focus: Revisions were focused on the prevailing comments regarding the presence of the RAD in the plan. Revisions were made to projects that impact the RAD heavily to emphasize their role in the recovery of the district; (2) French Broad Riverfront Parks: Content was edited to emphasize the RAD infrastructure investment that is contained within this project; (3) Revitalization of Flooded Commercial Corridors: Added specificity to reflect the intended economic investment in the RAD within this project. Removed reference specifically to ULI recommendations; and (4) Assess ULI Recommendations: Added clarity to this project regarding the assessment of and not dedication to the recommendations made by the ULI panel.

Next steps are (1) Each local government governing board will be asked to consider endorsement of the Helene Recovery Plan and adoption of their projects; (2) Buncombe County is also adopting the plan at tonight's County Commission Meeting; and (3) City of Asheville Staff

and Recovery Team will oversee the coordination and implementation of the City of Asheville Projects.

In response to Councilwoman Turner, Mr. Collins said that there are a lot of other public engagements, similar to the Riverfront Revitalization Projects. There will be a lot of more opportunities for engagement as we move forward, noting that we are encompassing a lot of other initiatives that are also underway.

When Mayor Manheimer asked for public comments, none were received.

Mayor Manheimer said that members of Council have previously received a copy of the resolution and it would not be read.

Councilwoman Ullman moved to adopt the Long-Term Recovery Plan, Section 7.2 of the unified Buncombe County Helene Recovery Plan, which details the City of Asheville's recovery projects in the plan. This motion was seconded by Councilman Hess and carried unanimously.

RESOLUTION BOOK NO. 46 - PAGE 185

B. RESOLUTION NO. 25-279 - RESOLUTION APPOINTING A MEMBER TO THE PLANNING & ZONING COMMISSION

Vice-Mayor Mosley, former Chair of the Boards & Commissions Committee, said that this is the consideration of appointing members to the Planning & Zoning Commission.

Due to the unexpected passing of Byron Greiner as a member on the Planning & Zoning Commission, there exists a vacancy until August 14, 2026.

The following individuals applied for the vacancy: Liz Avery, Mike Thomas Carpenter, Lindsay Broughel, Christopher Horton, Micah Rogers, Michael Speciale, David Russell, Julie O'Dwyer, Robert Sack, Matthew Doran, Will Deter, Jonathan Anzollitto, Randall Barnett, Bandon Bryant, Joseph Chesler, Seth Connelly, Jason Hambley and Michael Pesant.

The Chair recommends Jonathan Anzollitto, Randall Barnett and Michael Speciale. The Planning & Zoning Board also recommends Michael Pesant and Seth Armstrong. Staff recommends Lindsay Broughel and Julie O'Dwyer.

On October 28, 2025, it was the consensus of City Council to interview Jonathan Anzollitto, Randall Barnett, Michael Speciale, Lindsay Broughel, Seth Armstrong and Julie O'Dwyer. Julia O'Dwyer was unable to attend the interview, but contacted Council members individually.

Vice-Mayor Mosley noted that since we have removed a member from the Commission from an earlier action of Council, she asked if Council wanted to appoint for the Byron Greiner vacancy tonight, or both vacancies. It was the consensus of Council to only appoint for the Byron Greiner vacancy and asked the Clerk to re-advertise the other vacancy for 2 weeks. At the December 9, 2025, Council meeting, City Council could either fill the vacancy or ask for interviews.

After Council spoke highly of all interviewees, and each Council member voting for one candidate, ultimately Lindsay Broughel was appointed to serve as a member of the Planning & Zoning Commission to serve the unexpired term of Byron Greiner, for a term lasting until August 14, 2026, or until their successor has been appointed or unless modified by Council action.

Notwithstanding the foregoing, all members shall serve at the pleasure of Council, and may be removed at any time with or without cause.

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VII. INFORMAL DISCUSSION AND PUBLIC COMMENT:

Several individuals spoke to City Council about various matters, some being, but are not limited to: urge City Council to adopt a resolution that would block the use of City property and facilities for civil immigration enforcement activities (prevent the use of City facilities, lots or parks as staging areas or operations bases for civil immigration enforcement); and disappointment on the removal of Jared Wheatley from the Planning & Zoning Commission.

VIII. ADJOURNMENT:

Mayor Manheimer adjourned the meeting at 8:28 p.m.

_____ _____

CITY CLERK MAYOR