Thursday – January 8, 2026 - 11:00 a.m.

Agenda Briefing Worksession - For January 13, 2026, Council Meeting

Present: Vice-Mayor S. Antanette Mosley, Presiding; Councilman Bo Hess; Councilwoman Kim Roney; Councilwoman Sheneika Smith; Councilwoman Maggie Ullman; Interim City Manager Ben Woody; City Attorney Brad Branham; and City Clerk Magdalen Burleson

Absent: Mayor Esther E. Manheimer (listened to meeting periodically); Councilwoman Sage Turner

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:

- Point-in-Time Count
- Tanger Outlets/APD substation lease
- Reminder - January 8 - 3:30 - Council Chamber - Swearing In Ceremony for DK Wesley, followed by a welcome reception at 4:00 at Pack's Tavern, the Century Room

At 1:28 p.m., Vice-Mayor Mosley adjourned the agenda briefing worksession.

Tuesday - January 13, 2026 - 3:00 p.m.

Worksession

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

Absent: Councilwoman Sage Turner

Engagement Summary for the French Broad River Park and Azalea Park Recovery Projects

Parks & Recreation Director D. Tyrell McGirt said that his presentation covers Phase 1 engagement for rebuilding Asheville's riverfront. He provided a summary of input from the Phase 1 engagement and the Infrastructure Recovery Board (IRB) recommendations on top three themes for each riverfront project. He then provided specific details of all the community engagement, which included a community open house; pop-up events; online survey; and focus discussions.

Phase 1 community recovery themes for the Azalea Park & Infrastructure are: Number 1 - flood resilience as a design standard; Number 2 - pedestrian safety & multimodal access; and Tie for Number 3 - alternative sports & lifestyle activities; and nature-first trails & connectivity.

Phase 1 community recovery themes for the French Broad Riverfront Parks are: Number 1 - multimodal transportation artery; Number 2 - river access; and Number 3 - reforestation & riparian health.

Council then discussed the top three themes for (1) Azalea Parks and Infrastructure; and (2) French Broad Riverfront Parks. The consultants will do their best to incorporate all themes into the design concepts while also understanding time and funding may be a limiting factor. Identifying the top three design themes will help the consultants understand the most desired balance between the themes.

Mr. McGirt then outlined the next steps which ends on May 8 when the IRB receives a unified design concept presentation for French Broad Parks and Azalea Parks.

Mr. McGirt responded to various questions/comments from Council, some being, but are not limited to: how do we reach out to tenant networks or renters; what is meant by special interest groups; what is staff using for guidance since we don't have any flood maps yet; need to take time to do it right, and possibility of some interim infrastructure; is it anticipated this park rebuilding will be stalled if no Hazard Mitigation Grant Program funds are not received yet; need to educate the public about the timing of these projects; and thoughts on the rising cost from the design phase to the construction phase.

Budget and Financial Update

Budget and Performance Manager Lindsay Spangler outlined the following key takeaways from their presentation: (1) The FY27 budget process is underway; (2) We are starting the process with a large gap between revenues and expenses, due in part to some one-time strategies from this year that cannot be repeated; (3) There are also cost increases and new initiatives Council may be interested in pursuing; (4) We will need to consider a mix of revenue increases (property taxes and fees) and possible budget cuts (service reductions) to balance the budget; and (5) Capital funding will need to remain the same as previously planned in the 5-year Capital Improvement Program (CIP). She then outlined the (1) FY27 challenges: One-time adjustments used in FY26; Spending/Expenses; and Revenues & Revaluation; (2) Budget strategies; (3) CIP; and (4) Next steps.

She explained that the current year budget included several one-time fixes that cannot be used next year, and then outlined the cost saving strategies for FY 2026. She reviewed a chart of the fund balance.

She said the FY 27 expense increases include: Health care & retirement costs; Transit contract; Security at community centers; APD staffing improvements (good news - but requires restoring unbudgeted positions); and other unavoidable increases to existing operations across departments.

Regarding (1) Health Care: (a) We anticipate an 8-10% increase this year and next year; and (b) Based on these trends this will require about $5-6M increase over the current year budget; (2) Local Government Employee Retirement System (LGERS)s - The City will need to increase payment into the retirement system, as mandated by the State, likely by over $500K; (3) Transit Contract: (a) The current transit contract is expiring and Transportation is working to execute a new contract; (b) Although estimates are preliminary, Transportation anticipates the increase could be as high as 25%, about $3M; and (c) Majority of Transit Fund revenue comes from the General Fund, so an increase to the Transit contract will impact the General Fund; (4) Security at Community Centers (a) This year after some safety concerns at the City's community centers, the decision was made to provide security at all centers; and (b) This was an unexpected cost in FY26 and was funded using fund balance. To minimize the impact to fund balance, we

funded half a year in FY26, so in FY27 we will need to budget 1.5 years ($1.8M); (5) Asheville Police Department (APD) (a) Due to APD's high vacancy rates, staff has left positions unbudgeted in recent years (currently 42 unbudgeted vacancies); (b) APD is now successfully filling their vacancies and getting closer to full staffing and (c) Staff is still analyzing how many positions will need to be budgeted but this may increase the budget by $500K+; and (6) General Obligation (GO) Bonds (a) We delayed increasing property taxes for the 2024 GO Bonds due to Helene so that will have to be done this year - Estimated tax rate increase of 2.58 cents ($6.5M). The projected FY General Fund expense increase total is $30 Million. This represents early estimates and is subject to change. Potential new funding considerations for FY27 expenses include (1) general wage increase for all employees - additional pay plan and market adjustments in Asheville Fire Department (AFD) and APD; (2) continued implementation of AFD 4th shift; and (3) additional priority operational needs.

Regarding FY revenue (1) Property Taxes (a) FY27 property tax bills will be based on the new property tax values set by the County as part of revaluation - The County tax assessor will give Council a revaluation update at the formal Jan. 13th meeting; (b) As part of the budget process, the City must calculate a revenue neutral tax rate, which shows what the property tax rate would need to be to achieve the same amount of revenue as before revaluation - City staff will coordinate calculation of a revenue neutral tax rate with the County; (c) A property tax rate increase (i.e setting the rate above revenue neutral) will be necessary to: (i) Bridge the gap between revenue and expenses; (ii) Fund debt for the 2024 GO Bonds that was delayed after the storm last year; and (iii) Restore fund balance to 15%; (2) Sales tax: Difficult to estimate this early; (3) We expect to recommend fee increases for water, solid waste, stormwater, and other services; and (4) Water Rates - This is Year 3 of the 3-year rate model adjustments to rightsize rates across customer classes.

Regarding budget strategies, (1) given the anticipated gap between revenues and expenses, we have engaged departments in coming up with solutions; (2) since we have kept department budgets lean and continue to consider cost savings, there is no low-hanging fruit; and (3) ff we want to decrease spending, we will need to consider service reductions.

Regarding the CIP, challenges are (1) Similar to the operating budget, there are also challenges with the CIP due to operational and financial constraints, primarily due to the addition of Helene projects; (2) We will not be adding new projects to FY27, outside of what was already scheduled in last year's CIP; and (3) TS Helene recovery projects: we are anticipating some projects will not get fully reimbursed by FEMA and will therefore need funding from other sources, including the 5-year CIP.

She then outlined the next steps in the budget process.

Ms. Spangler, along with Finance Director Tony McDowell, answered various questions/comments from Council, some being, but are not limited to: when was the last time this budget had such a big shortfall; could we see some cost reduction solutions by other cities across North Carolina; suggestion for a multi-year budgeting framework for forecasting and multi-year strategies; do we have an idea of how much the property tax mitigation taxes were utilized; request for an analysis on the table for staff to get a living wage; information from community members have been provided to the Human Resources Department regarding possible health care cost reductions - including the possibility of not cover some prescriptions; why are we keeping our Fund Balance at the 15% level; and how is the living wage calculated.

At 4:13 p..m., Mayor Manheimer adjourned the budget worksession.

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

Absent: Councilwoman Sage Turner

PLEDGE OF ALLEGIANCE

Mayor Manheimer led City Council in the Pledge of Allegiance.

Mayor Manheimer read a statement regarding Chamber decorum.

I. PROCLAMATIONS:

II. CONSENT AGENDA:

Mayor Manheimer asked for a motion to amend the agenda to add a motion to the Consent Agenda to reschedule the budget public comment period from January 27, 2026, to February 10, 2026, due to the January 27, 2026, meeting starting at 10:00 a.m. Councilwoman Roney moved to amend the agenda to add to the Consent Agenda a motion to amend the budget calendar to reschedule the budget public comment period from January 27, 2026, to February 10, 2026. This motion was seconded by Councilwoman Smith and carried unanimously.

At the request of Councilwoman Roney , Consent Agenda Item "F" removed from the Consent Agenda for discussion and/or an individual vote.

A. APPROVAL OF THE (1) MINUTES OF THE SPECIAL MEETING HELD ON DECEMBER 5, 2025; (2) COMBINED MINUTES OF THE AGENDA BRIEFING WORKSESSION HELD ON DECEMBER 5, 2025, AND THE FORMAL MEETING HELD ON DECEMBER 9, 2025; AND (3) MINUTES OF THE SPECIAL MEETING HELD ON JANUARY 8, 2026

B. RESOLUTION NO. 26-1 - RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH TP HOWARD PLUMBING CO. INC. FOR THE NEIGHBORHOOD ENHANCEMENT PROJECT AREA 8 - WATER DISTRIBUTION PROJECT

Action Requested: Adoption of a resolution authorizing the City Manager to execute a construction agreement with TP Howard Plumbing, Inc for the Neighborhood Enhancement Project (NEP) Area 8 - Water Distribution Project.

Background:

- The scope of work for this project includes the installation of approximately 250 LF of 12-inch, 700 LF of 8-inch, 21,000 LF of 6-inch ductile iron water line, related appurtenances and other miscellaneous water system components including service connections.
- The project is located in various neighborhoods and commercial corridors throughout the water service district.
- The project will mostly replace existing problematic water lines; which have been identified as a need through a prioritization and master planning process, due to age, pipe failures and future water capacity needs

- On October 21, 2025, the Water Resources Department (WRD) issued an advertisement for bids for the Neighborhood Enhancement Project (NEP) Area 8 - Water Distribution Project.
- In response to the advertisement for bids, the WRD received four (4) bids on November 20, 2025.
  Companies responding were:
  1. Buckeye Bridge, LLC - Canton,NC - Non MWBE - Bid $9,396,412.10
  2. TeraFlex Group, LLC. - Waynesville, NC - Non MWBE - Bid $14,794,715.00
  3. Hyatt Pipeline, LLC.- Canton, NC - Non MWBE - Bid $8,956,938.75
  4. TP Howard's Plumbing Co, Inc. - Fairview, NC - Non MWBE - Bid $8,135,000.00
- Following an audit of the bids by City staff and the project engineers, CDM Smith; Thomas TP Howard's Plumbing Co. Inc. was selected as the lowest responsible, responsive bidder.
- The Water Resources Department requests authorization to contract with TP Howard's Plumbing Co, Inc. for the bid amount of $8,135,000.00 plus a 10% contingency in the amount of $813,500.00, for a total amount not to exceed $8,948,500.00 for a term through project completion.

Vendor Outreach Efforts:
- Staff performed outreach to minority- and women-owned businesses through the solicitation processes which include posting on the State's Interactive Purchasing System and requiring prime contractors to reach out to Minority Women-Owned Business Enterprise (MWBE) service providers for subcontracted services.
- No MWBE firms submitted bids as the prime contractor.

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

Committee(s):
- Not applicable.

Pro(s):
- This project is aligned with the City's and the Water Resources Department's goal of continued investment and improvement of the City's water system through capital improvement projects, in order to provide safe and reliable service.

Con(s):
- None.

Fiscal Impact:
- Funding for this contract was previously budgeted and is available in the Water Resources Capital Projects Fund.

Motion:
- Move to adopt a resolution authorizing the City Manager to execute a construction agreement with TP Howard's Plumbing Co, Inc for the bid amount of $8,135,000.00 plus a 10% contingency in the amount of $813,500.00, for a total amount not to exceed $8,948,500.00 for a term through project completion.

RESOLUTION BOOK NO. 46 - PAGE 215

C. RESOLUTION NO. 26-2 - RESOLUTION AUTHORIZING THE CITY MANAGER TO AMEND A CONTRACT WITH AZTECA SYSTEMS LLC TO CONTINUE

HOSTING THE CITYWORKS ENTERPRISE ASSET MANAGEMENT SYSTEM SOFTWARE LICENSE, MAINTENANCE, AND SUPPORT

Action Requested: Adoption of a resolution authorizing the City Manager to amend a contract with Azteca Systems, LLC to continue hosting the Cityworks enterprise asset management system software license, maintenance, and support.

Background:

- The Cityworks software provides a platform for Water Resources, Public Works, and Parks & Recreation asset management, work orders, inventory management, and reporting.
- Cityworks was first selected as a vendor through a competitive selection process in 2016 and is highly integrated with the City's geographic information system (GIS) program and includes all major physical assets maintained by Water Resources, Public Works, and Parks & Recreation (water mains, valves, hydrants, streets, signs, picnic shelters, etc.)
- This software is also utilized to track the use and costs of assets through the preventative maintenance of assets.
- Amending the current contract will provide a fully hosted product for an additional year.

Vendor Outreach Efforts:

- No outreach was required as this is amending an existing contract.
- The City of Asheville conducted a competitive procurement process for an asset management software system for both Public Works and Water in 2016 and 2017.
- The asset management system is designed to be used with any other city departments as needed.
- There are a limited number of vendors providing enterprise asset management software, and after reviewing all available options, Cityworks (Azteca) was selected as the best overall value for the City of Asheville.

Council Goal(s):

- A Clean, Safe And Healthy Environment
- A Well-Planned And Livable Community
- Transportation And Accessibility

Committee(s):

- N/A

Pro(s):

- Amending the current contract will provide a fully hosted product (software as a service) for an additional year. This allows for better security, data backup, and disaster recovery.

Con(s):

- None

Fiscal Impact:

- Funding for this contract is and will be available in the Water Resources, Public Works, and Parks & Recreation departmental operating budgets.
- Fiscal Year 2026 Cityworks licensing totaling $116,233.50; Year 2 extension will not exceed $130,000.00.

Motion:

- Motion to authorize the City manager to amend the contract with Azteca Systems, LLC to: extend the contract for up to two additional one-year periods (the first being from

03/10/2026 – 03/09/2027 and the second being from 03/10/2027 – 03/09/2028), the Year 1 extension for $116,233.50 and the Year 2 extension for an amount not to exceed $130,000.00; and to execute all documents necessary to effect these amendments.

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D. RESOLUTION NO. 26-3 - RESOLUTION AUTHORIZING THE CITY ATTORNEY TO MAKE A SECOND AMENDMENT TO A CONTRACT WITH HAMILTON STEPHENS STEELE & MARTIN, PLLC, TO COVER LEGAL SERVICES RELATED TO ONGOING LITIGATION

Action Requested: Adoption of a resolution authorizing the City Attorney to amend the contract with Hamilton Stephens Steele & Martin, PLLC to add $111,000.00 for external legal services for litigation representation and condemnation law matters.

Background:

- The City Attorney contracted with Hamilton Stephens Steele & Martin, PLLC on May 30, 2024 to provide legal services on litigation matters involving Harrah's Cherokee Center HVAC systems.
- On September 23, 2025, the contract was amended to expand the scope of service and add additional funds 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 Hamilton Stephens Steele & Martin, PLLC to complete the case work they've already started.
- Funding for the contract is already available without the need for a budget amendment by the City Council.

Vendor Outreach Efforts:

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

Council Goal(s):

- A well-planned and livable community

Committee(s):

- Not applicable

Pro(s):

- Provide specialized litigation services.

Con(s):

- None

Fiscal Impact:

- The Contract Amendment will add $111,000 to the contract, for a total contract cost of $200,000.00. 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 Hamilton Stephens Steele & Martin, PLLC for legal services by adding $111,000.00 for a total contract amount of $200,000.00.

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E. RESOLUTION NO. 26-4 - RESOLUTION RATIFYING A HOME SUBRECIPIENT AGREEMENT WITH COMMONWEALTH DEVELOPMENT CORPORATION (D/B/A FAIRHAVEN MEADOWS LLC) FOR THE DEVELOPMENT OF THE AFFORDABLE HOUSING PROJECT KNOWN AS FAIRHAVEN MEADOWS

Action Requested: Adoption of a resolution to ratify a HOME Subrecipient agreement with Commonwealth Development Corporation (dba Fairhaven Meadows LLC) for the development of the affordable housing project known as Fairhaven Meadows in the amount of $1,305,000.

Background:

- The City of Asheville receives funding from the Department of Housing and Urban Development (e.g. HOME funds).
- The City of Asheville is the participating jurisdiction (PJ) for the Asheville Regional Housing Consortium (ARHC) and allocates federal HOME funds across the four-county consortium footprint to support affordable housing.
- The addition of the HOME funds to the Fairhaven Meadows project did not require a substantial amendment from HUD due to the amount of funds added.
- Located in Brevard, the Fairhaven Meadows project provides 42 units for families at 40-70% AMI (area median income) and has received HOME funding to support the project.
- Previous Council resolutions have approved a total of $1,159,924 in HOME funds for this project, however the final contract amount equals $1,305,000. The remaining $115,076 gap was funded by a combination of HOME Program Income (PI) and administrative funds, which HUD has authorized, however, Council approval was not obtained for the final amount.
- A funding agreement in the amount of $1,305,000 was executed, however CED staff has identified a lack of formal Council authorization for $115,076 of the total funding amount.
- Staff is seeking approval to ratify the contract for the full and final amount of $1,305,000.

Vendor Outreach Efforts:

- N/A

Council Goal(s):

- Quality Affordable Housing

Committee(s):

- May 21, 2025 - the Asheville Regional Housing Consortium voted to approve additional funding for Fairhaven Meadows for a total $1,275,000.
- August 27, 2025 - The Consortium was updated on the total amount of $1,305,000.

Pro(s):

- Funding supports the construction of affordable rental housing in the Asheville Regional Housing Consortium service area.

Con(s):

- None noted.

Fiscal Impact:

- $1,305,000 in federal HOME funding to support the development of affordable housing is available.

Motion:

- Motion to adopt a resolution ratifying a HOME Subrecipient agreement with Commonwealth Development (DBA Fairhaven Meadows, LLC) in the amount of $1,305,000; and authorizing the City manager to execute any contract amendments necessary to give effect to this resolution.

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F. 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 for discussion and/or an individual vote.

G. RESOLUTION NO. 26-6 - RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH KITTELSON & ASSOCIATES TO UPDATE THE CITY'S TRAFFIC CALMING POLICY & IMPLEMENTATION PROCESS

Action Requested: Adoption of a resolution authorizing the City Manager to execute a contract with Kittelson & Associates to update the City's Traffic Calming Policy & Implementation Process

Background:

- In the existing Traffic Calming Policy, which was last updated in 2014, Asheville supports neighborhood livability and multimodal viability by managing vehicle speeds and volume on local residential streets maintained by the City.
- The current policy process is resource-intensive, requiring extensive staff time, neighborhood petitions, and multiple steps before implementation, leading to long project timelines and unmet resident expectations.
- The project will produce a Traffic Calming Guide and updated Traffic Calming policy, through the evaluation and modification/ definition of:
    - Policy/Program structure,
    - Eligible streets for the program,
    - Appropriate traffic calming treatments applied through the program,
    - Prioritization methodology for scoring/ranking the eligible streets, and
    - Implementation framework.
- The project will include numerous opportunities for public engagement and input/ feedback, including the formation of a project working group.
- The project is expected to last approximately 12 months.
- Traffic calming will continue to be reviewed under the current policy while policy revisions are considered. Though funding can impact speed of delivery, there is no intention to pause programming qualified traffic calming projects for construction.

Vendor Outreach Efforts:

- Funding for this project is provided through City general fund and/or operating budgets.
- As a result the outreach and engagement followed the City's business inclusion processes.
- These processes at a minimum require staff to outreach businesses that have a documented contracting disparity directly and/or through prime contractors.

Council Goal(s):

- A Well-Planned and Livable Community
- Transportation and Accessibility

Committee(s):
- N/A

Pro(s):
- Increased safety on City roadways for all users through the implementation of traffic calming to reduce motor vehicle speeds
- An updated policy and implementation process that will streamline review of traffic calming requests

Con(s):
- None

Fiscal Impact:
- The project is funded through the General Fund's Traffic Safety Account. The total contract amount is $99,696.99.

Motion:
- Motion to adopt a resolution authorizing the City Manager to execute a contract with Kittelson & Associates to update the City's Traffic Calming Policy & Implementation Process and sign all related documents.

RESOLUTION BOOK NO. 46 - PAGE 220

H. RESOLUTION NO. 26-7 - RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AGREEMENTS WITH THE N.C. DEPT. OF TRANSPORTATION FOR THE DEAVERVIEW ROAD COMPLETE STREETS PROJECT

Action Requested: Adoption of a resolution authorizing the City Manager to execute agreements with the N.C. Dept. of Transportation (NCDOT) for the Deaverview Road Complete Streets Project.

Background:
- The Deaverview Complete Streets Project is an NCDOT project that is programmed in the 2026-2035 State Transportation Improvement Program (STIP) as project #EB-5965.
- It is federally funded and requires a 20% local match. The local match totals approximately $2.982 million.
- The required matching funds are programmed in the City's Capital Improvement Plan as part of the FY 27 budget process to align with the project phases adopted in the STIP.
- The project includes engineering and design, right-of-way acquisition, utility relocation, and construction phases for a 10-foot multi-use path (MUP) extending approximately 1.2 miles between Patton Avenue and Pisgah View Road.
- Transportation staff worked with NCDOT to create an express design (15% design) in Fall 2024 to inform cost estimates and project timelines, which were then programmed into the 2026-2035 STIP.
- NCDOT will complete the preliminary engineering and construct the project. The City will be responsible for acquiring any needed right-of-way, since Deaverview Road is owned and maintained by the City.
- Deaverview Road is prioritized as #2 on the GAP Plan's Pedestrian Plan project prioritization list. The Pedestrian Plan identifies top priority corridors for new sidewalks.

- Deaverview Road is a main east-west connection from far West Asheville to Patton Avenue, Haywood Road, etc., and currently has no bicycle or pedestrian facilities. Eight transit stops are currently located on the corridor.
- There is a history of residents in the neighborhood/area asking for safety improvements along the corridor.

Vendor Outreach Efforts:
- Funding for this project is provided primarily through Federal funds programmed by the French Broad River Metropolitan Planning Organization.
- Procurement will follow required regulations for the use of federal funds.

Council Goal(s):
- A well-planned and livable community
- Transportation and accessibility

Committee(s):
- N/A

Pro(s):
- Improves safety and mobility along a City-owned road that ranks highly (#2 on the Priority Pedestrian Project List) in the Close the GAP Plan.
- The project is primarily managed and paid for by NCDOT.
- The City is responsible for only a 20% cost share of the project.
- Future redevelopment in the area, including future affordable housing development at HACA's Deaverview site and the City-owned properties at 65 Ford Street and 411 Deaverview Road, will benefit from improved multimodal connectivity on the corridor.

Con(s):
- Once completed, the City will be responsible for maintaining this 1.2-mile multi-use path.

Fiscal Impact:
- The total project amount programmed into NCDOT's State Transportation Improvement Program (STIP) is $14.9 million. The City is responsible for a 20% match totaling $2.98 million.
- This project was programmed in the FY26-30 CIP, and adjustments will be made during the FY27 budget process to align budget with the project phases adopted in the STIP.

Motion:
- Motion to adopt a resolution authorizing the City Manager to execute agreements with NCDOT for the Deaverview Road Complete Streets Project.

RESOLUTION BOOK NO. 46 - PAGE 221

I. RESOLUTION NO. 26-8 - RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AGREEMENTS WITH THE N.C. DEPT. OF TRANSPORTATION FOR THE CRAVEN STREET BIKE/PED BRIDGE PROJECT

Action Requested: Adoption of a resolution authorizing the City Manager to execute agreements with the N.C. Dept. of Transportation (NCDOT) for the Craven Street Bike/Ped Bridge Project.

Background:

- The City is currently coordinating with the NCDOT Division 13 on the design and construction of a bike/ped bridge across the French Broad River that will parallel the existing Craven Street Bridge to the north (downstream).
- The project has been assigned project number U-5019E in NCDOT's State Transportation Improvement Program (STIP).
- The project is federally funded and requires a 20% local match. The match amount totals approximately $2.086 million.
- The required matching funds will be programmed in the City's Capital Improvement Plan as part of the FY 27 budget process to align with the project phases adopted in the State's Transportation Improvement Program.
- NCDOT will manage the project with the City as the client; however, the City will be responsible for managing ROW acquisition (including utilities), if necessary, though the City currently owns both parcels on either side of the French Broad River directly north of the existing Craven Street bridge.
- After construction is completed, the City will accept the new bridge into its maintenance program and will need to program funding for future maintenance needs.
- This project will improve multimodal connectivity within and to the River Arts District.

Vendor Outreach Efforts:
- Funding for this project is provided primarily through Federal funds programmed by the French Broad River Metropolitan Planning Organization.
- Procurement will follow required regulations for the use of federal funds.

Council Goal(s):
- A well-planned and livable community
- Transportation and accessibility

Committee(s):
- N/A

Pro(s):
- This project will improve safety and connectivity for multimodal travel between the two sides of the French Broad River.
- The project is primarily managed and paid for by NCDOT.
- The City is responsible for only a 20% cost share of the project.

Con(s):
- Once completed, the City will be responsible for maintaining this bridge.

Fiscal Impact:
- The total project amount programmed into NCDOT's State Transportation Improvement Program (STIP) is $10.43 million. The City is responsible for a 20% match totaling $2.086 million.
- This project was programmed in the FY26-30 CIP, and adjustments will be made during the FY27 budget process to align budget with the project phases adopted in the STIP.

Motion:
- Motion to adopt a resolution authorizing the City Manager to execute agreements with the North Carolina Department of Transportation for the Craven Street Bike/Ped Bridge project.

RESOLUTION BOOK NO. 46 - PAGE 222

J. RESOLUTION NO. 26-9 - RESOLUTION RATIFYING AN AMENDMENT FOR A ONE-YEAR EXTENSION OF THE EXISTING TRANSIT SCHEDULING SOFTWARE CONTRACT WITH REMIX/VIA EXECUTED ON JANUARY 1, 2026

Action Requested: Adoption of resolution ratifying an amendment of the existing transit scheduling software contract between the City of Asheville and Remix/Via executed on January 1, 2026, that extended the contract for one-year in the amount of $27,400, for a new total contract amount of $123,400.

Background:

- The City of Asheville currently contracts with Remix/Via for scheduling software used by both city staff and the current ART Operations and Maintenance contractor, RATPDev, to create bus route schedules and develop driver rosters.
- The current Remix/Via contract expired on December 31, 2025.
- The city is seeking proposals for a new ART Operations and Maintenance contractor, which may result in the need for the City to use a different scheduling software when the new ART contract begins on July 1, 2026.
- This amendment is being sought so that City staff can continue using the software while the Operations and Maintenance contract is being finalized, either with the current vendor or a different vendor.
- Staff will determine the appropriate process for bidding scheduling software upon determining which software the selected operations and maintenance vendor is using.

Vendor Outreach Efforts:

- N/A this is a current contract.

Council Goal(s):

- Transportation and accessibility

Committee(s):

- N/A

Pro(s):

- To allow City staff to continue using the software through the transition process while the Operations and Maintenance contract is being finalized, either with the current vendor or a different vendor.

Con(s):

- Remix/Via only has an option for one year contracts.

Fiscal Impact:

- One year extension quote is $27,400. Current contract total is $96,000; bringing the contract total to $123,400.
- Funding is available in the Transit Fund operating budget.

Motion:

- Adoption of resolution ratifying an amendment of the existing transit scheduling software contract between the City of Asheville and Remix/Via executed on January 1, 2026, that extended the contract for one-year in the amount of $27,400, for a new total contract amount of $123,400.

RESOLUTION BOOK NO. 46 - PAGE 223

K. RESOLUTION NO. 26-10 - RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH ARDURRA GROUP INC. FOR THE INITIAL PHASE OF THE STORMWATER SYSTEM INVENTORY AND ASSESSMENT

ORDINANCE NO. 5190 - BUDGET AMENDMENT TO UTILIZE AVAILABLE STORMWATER FUND BALANCE TO FULLY FUND CONTRACT WITH ARDURRA GROUP INC.

Action Requested: Adoption of a resolution authorizing the City Manager to execute a contract with Ardurra Group, Inc. in the amount of $900,000 for the initial phase of the Stormwater System Inventory and Assessment Project; and the associated budget amendment in the amount of $500,000 to utilize available Stormwater fund balance to fully fund the contract.

Background:

- Resolution No. 23-87 adopted on April 25, 2023, gave the City Manager the authority to apply for a Local Assistance for Stormwater Infrastructure Investments (LASII) grant funded by ARPA.
- Resolution No. 24-74 adopted on April 23, 2024, gave the City Manager the authority to accept this grant, provide such information as the appropriate state agency may request in connection with this project, and to execute such other documents that may be required to execute this grant.
- The American Rescue Plan Act (ARPA), funded from the State Fiscal Recovery Fund, was established in Session Law (S.L.) 2021-180 to assist eligible units of local government with meeting their drinking water and/or wastewater and/or stormwater infrastructure needs.
- Under the City of Asheville's National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Permit issued by the State of North Carolina in compliance with the Federal Clean Water Act, the City is required to develop and maintain a municipal storm sewer system map and minimize pollutants in the stormwater collection system through staff training, inspections, and routine maintenance.
- The last city-wide stormwater inventory survey was conducted in the late 1980s and early 1990s. Stormwater staff have been updating our asset inventory as new infrastructure projects come online and camera inspections are performed. The current system inventory is inconsistent and incomplete due to projects being constructed without inspection or post construction survey prior to the establishment of the stormwater program.
- The broader stormwater Project is a comprehensive multiyear initiative delivered through multiple phases and contracts that encompasses updated stormwater system mapping, condition assessments, and strategic watershed planning for the entire City.
- Funding for this contract will support the first phase of system mapping of the City's existing stormwater conveyance system paired with standardized infrastructure condition assessments and strategic watershed planning to identify opportunities to increase resiliency, equity, and sustainability while addressing aging infrastructure.
    - An RFQ was issued for a Professional Services Contract (Engineering) on October 2, 2025, 10 firms responded and Ardurra Group, Inc. was selected as the most qualified firm.

    - The planning grant partially funds this contract being awarded to Ardurra Group, Inc. to complete the first phase of the larger comprehensive, multiyear effort.
    - Phase one of this project will prioritize the NC Department of Environmental Quality (DEQ) Potentially Underserved Block Groups within Asheville along with areas most affected by flooding, runoff, and erosion as well as watersheds of impaired streams and waterbodies ().
    - Based on these criteria, Ardurra will evaluate areas like Smith Mill Creek, French Broad River, Town Branch, Bacoate Branch, and Swannanoa River and will recommend the optimal drainage basin to complete the initial phase of the inventory analysis.
- Work funded by this grant will include the following:
    - Updating and collecting the first phase of the City's existing stormwater asset inventory to be compiled into an inclusive and consistent database. This proposed new comprehensive asset inventory and condition assessment will replace or verify the existing data currently in use and upgrade the data to desired format for increased function.
    - Developing and implementing a process to maintain an up-to-date stormwater asset inventory following this initial effort. This will include the development of a database maintenance standard operating procedure (SOP).
    - Integrating watershed planning with infrastructure condition assessments to identify optimal locations for green infrastructure retrofits such as stormwater control measures.
    - Integrating preliminary CIP planning with infrastructure condition assessments to identify opportunities for infrastructure rehabilitation or replacement in high-priority areas prior to imminent failure where that would result in flooding, additional infrastructure damage, and property damage.

Vendor Outreach Efforts:

- Funding for the initial phase of this project is provided at least in part by a Federal grant administered by the State of NC and followed federal guidelines for outreach to Disadvantaged Business Enterprises (DBEs).
- Federal funds require alternative outreach and engagement requirements involving outreach to appropriate businesses through the NC Office of Historically Underutilized Businesses (HUB). Per federal requirements, the RFQ was posted on the HUB website.

Council Vision:

- A Clean, Safe and Healthy Environment
- A Well-Planned and Livable Community
- Fiscally Resilient City

Committee(s):

- NA

Pro(s):

- This contract allows the City to more quickly and comprehensively assess and maintain its stormwater system in the face of significantly aging, sometimes failing infrastructure and changing climate as required by our NPDES Stormwater Permit issued by NC Department of Environmental Quality.

- Taking proactive action to update and maintain the stormwater system protects public safety, property, and the health of our natural resources by improving roadway drainage, water quality and reducing flooding.

Con(s):
- Staff time to provide instruction and materials to the consultant and coordinate payment and reimbursement requests for the distribution of federal funds.

Fiscal Impact:
- The City of Asheville has been awarded a planning grant in the amount of $400,000 for the initial phase of the Stormwater Asset Inventory and Assessment Project.
- The remaining $500,000 will be funded from the Stormwater fund balance, which will be added to the operating budget with the budget amendment.

Motion:
- Motion to adopt a resolution authorizing City Manager to execute a contract with Ardurra Group, Inc. in the amount not to exceed $900,000 for the initial phase of the Stormwater System Inventory and Assessment Project; and the associated budget amendment in the amount of $500,000 to utilize Stormwater fund balance to fully fund the contract.

RESOLUTION BOOK NO. 46 - PAGE 224
ORDINANCE BOOK NO. 36 - PAGE 364

L. RESOLUTION NO. 26-11 - RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR A HELENE RECOVERY RECYCLING INFRASTRUCTURE GRANT, AND IF AWARDED FUNDING, ENTER INTO A CONTRACT WITH THE N.C. DEPT. OF ENVIRONMENTAL QUALITY TO ACCEPT FUNDING AS A SUBRECIPIENT OF THE FEDERAL ENVIRONMENTAL PROTECTION AGENCY GRANT, AND TO FURTHER AUTHORIZE THE CITY MANAGER TO SIGN ALL NECESSARY DOCUMENTS TO THIS EFFECT

Action Requested: Adoption of a resolution authorizing the City Manager to apply for a Helene Recovery Recycling Infrastructure grant, and if awarded funding, enter into a contract with the NC Department of Environmental Quality (NCDEQ) to accept funding as a subrecipient of the federal Environmental Protection Agency (EPA) grant; and to further authorize the City Manager to sign all necessary documents to this effect.

Background:
- NCDEQ has received grant funding from the EPA to provide grants to local governments in Western North Carolina to improve recycling and waste reduction infrastructure.
- North Carolina local governments can apply for EPA funding through NCDEQ for the Helene Recovery Recycling Infrastructure Grant for up to $5,000,000 with a project life of up to 3 years, with no match required.
- NCDEQ is currently accepting viable, well-planned proposals for projects that will expand, rebuild, or improve waste reduction, composting, and recycling programs to improve the resiliency of the region's waste reduction infrastructure.
- Hurricane Helene has resulted in an excess of vegetative and organic waste materials in Western North Carolina, overloading our local yard waste processing facilities.
- This excess of vegetative waste has resulted in significant price increases for residential yard waste disposal, as well as an inability of local yard waste facilities to accept residential leaves.

- The City's disposal site for concrete and asphalt waste (inert material) is approaching capacity and a long-term solution for this waste is needed.
- The City intends to apply for a grant to build our capacity to internally process wastes; to evaluate and provide recommendations for operational changes and infrastructure to process larger volumes of organic and inert waste; and to fund implementation of feasible recommendations.
- NCDEQ has indicated that applicants may receive partial funding, as well as that additional grant funding may be available after the initial grant award.
- The City will prioritize items within the grant application, and align the scope of the initial contract with NCDEQ with the amount awarded.
- If a feasibility study recommends tasks that are beyond the grant capacity, the City will amend the contract with NCDEQ and/or seek additional grant funding.
- This grant will align well with the solid waste master planning process, and tasks that remain unfunded, but needed, can be integrated into the long term solid waste plan.

Vendor Outreach Efforts:
- N/A

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

Committee(s):
- N/A

Pro(s):
- Leverages available recovery funding to improve the City's capacity to manage and reduce waste with no City-funded match required
- Supports City efforts to meet waste reduction goals

Con(s):
- None

Fiscal Impact:
- Grants are available for up to $5,000,000. No local match is required.

Motion:
- Motion to authorize the City Manager to apply for a Helene Recovery Recycling Infrastructure grant, and if awarded funding, enter into a contract with the NC Department of Environmental Quality (NC DEQ) to accept funding as a subrecipient of the federal Environmental Protection Agency (EPA) grant; and to further authorize the City Manager to sign all necessary documents to this effect.

RESOLUTION BOOK NO. 46 - PAGE 225

M. RESOLUTION NO. 26-12 - RESOLUTION AUTHORIZING THE CITY TO PROCURE, THROUGH A SOLE SOURCE PURCHASE, RES Q JACK RESCUE EQUIPMENT FROM AUTHORIZED DISTRIBUTOR EMERGENCY APPARATUS, FOR AS LONG AS THEY REMAIN THE EXCLUSIVE AUTHORIZED DEALER OF RES Q JACK, AND ANY SUCCESSOR IN INTEREST TO IT

Action Requested: Adoption of a resolution authorizing the City to procure the sole source product, Res Q Jack rescue equipment, from the current authorized distributor, Emergency Apparatus, for as long as they remain the exclusive authorized dealer of Res Q Jack, and any successor in interest to it.

Background:

- The Asheville Fire Department is equipping a new Heavy Rescue Apparatus.
- The new apparatus will contain all the equipment necessary to execute a rescue or sustain initial operational periods in Heavy Vehicle and Machinery Extrication.
- When called to an event as a local resource, this apparatus will be able to initiate initial operations that set up the event for prolonged success with interoperable equipment.
- When called as a NC EM or resource to the Task Force, the apparatus will have all interoperable equipment needed to engage with NC resources as well as be the primary asset for a complete resource or heavy vehicle complement.
- All NC Emergency Management resources are equipped with Paratech rescue struts and equipment, the Res Q Jack Super X is the only interoperable strut with Paratech components.
- Res Q Jack Super X is the only interoperable Heavy Vehicle strut with Paratech.
- Per NC General Statute 143-129(e)(6)- The use of sole-source procurement is permitted in this instance pursuant to N.C.G.S. as equipment compatibility is the overriding concern.
- The use of sole-source procurement is permitted in this instance pursuant to N.C.G.S. 143-129(e)(6)(i) when price competition for a product is not available (ii) a needed product is available from only one source or supply.

Vendor Outreach Efforts:

- Researched cooperative purchasing listings for Res Q Jack. None found.
- Contacted Res Q Jack company in Elmira, NY, who referred to Emergency Apparatus as their current exclusive authorized dealer in NC..
- Letter from Res Q Jack and Emergency Apparatus to confirm above claims.

Council Vision 2036 Focus Area(s):

- Fiscally Resilient City

Council Priority Recovery Area(s):

- People

Committee(s):

- N/A

Pro(s):

- Vendor is the current exclusive authorized dealer for NC for the Res Q Jack.
- Vendor possesses thorough knowledge of equipment and maintenance.
- Existing relationship between manufacturer and vendor.
- Increases purchasing efficiency with the known authorized dealer of this the sole source product.

Con(s):

- None known.

Fiscal Impact:

- Funding for this purchase will come from the approved budget within the Capital Improvement Program (CIP) as part of the annual vehicle replacement program.

Motion:

- Motion to adopt a resolution authorizing the City to procure, through a sole source purchase, Res Q Jack rescue equipment from the current authorized distributor, Emergency Apparatus, and any successor in interest to it.

RESOLUTION BOOK NO. 46 - PAGE 226

N. RESOLUTION NO. 26-13 - RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A MEMORANDUM OF AGREEMENT WITH BUNCOMBE COUNTY DETAILING THE TERMS OF USE FOR THE BUNCOMBE COUNTY EMERGENCY SERVICES TRAINING FACILITY

Action Requested: Adoption of resolution authorizing the City Manager to execute a memorandum of agreement (MOA) with Buncombe County detailing the general terms of use of the Buncombe County Emergency Services Training Facility.

Background:

- This MOA replaces an existing agreement.
- Having an MOA in place is necessary to ensure that the terms of use are established for the City and for the County.
- Having appropriate access to the facility is necessary to ensure that the training of Asheville Public Safety personnel can continue uninterrupted.
- As two of the largest public safety agencies in Buncombe County, Asheville Fire and Police Departments have unique needs related to the safety training facility. In order to document how these needs will be addressed, the City and County are committed to working on an addendum to this MOA which will establish the specific requirements and allowable uses of the facility. Examples of some unique uses include:
    - Access to administrative and training spaces that accommodate two fire recruit classes annually.
    - Access to the facility and scheduling arrangements that allow for required training of all Asheville public safety personnel.
    - Facility maintenance agreements for the City and Buncombe County to ensure efficient and safe use of the facility.
- The addendum is under development and is anticipated to be complete in the spring of 2026. This document will be brought to the City Council for review and approval upon completion.
- As an interim solution to having an addendum in place, the County has agreed to allow Asheville Fire Training staff to continue to operate as they have under the previous agreement. This will ensure that the spring 2026 recruit class will have access to the facilities without disruption to their training protocol.

Vendor Outreach Efforts:

- N/A
- As an interjurisdictional agreement with another government agency outreach is not performed.

Council Goal(s):

- A well-planned and livable community

Committee(s):

- This has not been through any committee as this is a replacement for an existing agreement.

Pro(s):

- This document creates an up to date user agreement between the City and the County.
- This document clarifies the general terms of use and the expectations of both parties.
- There is a commitment to completing an addendum to this document which will determine the specific uses of the facility in order to meet the unique needs of the Asheville Public Safety Departments

Con(s):

- None

Fiscal Impact:

- None

Motion:

- Motion to authorize the City Manager to execute a memorandum of agreement with Buncombe County detailing the general terms of use of the Buncombe County Emergency Services Training Facility.

RESOLUTION BOOK NO. 46 - PAGE 227

O. 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 November 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 November 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 November 2025.

p. MOTION TO AMEND THE BUDGET CALENDAR TO RESCHEDULE THE JANUARY 27, 2026, BUDGET PUBLIC COMMENT PERIOD TO FEBRUARY 10, 2026

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 Ullman moved for the adoption of the Consent Agenda, with the deletion of Consent Agenda "F". This motion was seconded by Vice-Mayor Mosley and carried unanimously.

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

F. RESOLUTION NO. 26-5 - 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

Action Requested: Adoption of a resolution to ratify the execution of a lease with TANGER ASHEVILLE LLC at Suite 822, Tanger Outlet "Shopping Center", Asheville, NC, to provide a new resource center location for the Asheville Police Department (APD) West Office.

Background:

- Built in 1953 as a combined Fire Station and Library, the facility at 970 Haywood Road was repurposed as a Police Resource Center in 1999. It no longer meets modern public safety standards and presents critical risks:
    - Security Vulnerabilities: The original 1953 library design includes large, single-pane windows extending from desk height to the ceiling, creating significant safety concerns for APD staff and community members inside the facility.
    - Employee Wellness: Officers have expressed that the space does not feel secure, which runs counter to our goal of establishing Resource Centers that provide safety, privacy, and support. Leadership at the Police Department prioritizes the health and wellness of our employees, and the current facility does not align with that commitment.
    - Site Constraints: Limited on-site parking requires APD to lease off-site spaces, conditions that contributed to recent vehicle security incidents, including the arson of two marked patrol vehicles.
- If approved, the Public Facilities Management Division will work with the Police Department to ensure the space provides improved security to support a limited police presence at 970 Haywood Road.
- The new Tanger Outlet space offers 4,046 sq. ft. of usable, purpose-built, secure space, a significant increase from the 1,800 sq. ft. currently used at 970 Haywood Road. This expanded capacity will allow for a consistent, professional staff presence during business hours, offering a more secure and suitable location for community engagement and report filing.
- The favorable lease cost is $6,000 per month for the first year of the ten-year term,

increasing by 3% annually thereafter (capped at $7,828.64 in year 10). Two 5-year renewal options are available.
- Tanger Outlets is donating approximately $1,000,000.00 toward the upfit costs, representing extraordinary savings and allowing the City to secure immediate, high-quality operational space without a significant capital outlay.
- Ratification of the approved lease is required because the City's Contracting Policy requires City Council approval of all contracts/leases that exceed a certain threshold; City Council approval for property acquisition is not required by statute.

Council Goal(s):
- Well Planned & Livable Community

Committee(s):
- City Council - November 18, 2025 - Appeared as item D on the November 18, 2026, agenda but was pulled and referred to the Public Safety Committee for further discussion.
- Public Safety Committee - November 20, 2025, the PSC received a more detailed explanation of the need for the proposed project. The Committee agreed without taking formal action to refer the item back to the full Council for action.
- City Council – December 9, 2025: The item appeared on the agenda as Item II.C but was withdrawn to allow for additional discussion and continued community education with surrounding neighborhoods.

Pro(s):
The new Tanger Outlet location will serve as a flexible workspace for officers assigned to the West Asheville area. The center is designed to enhance operational efficiency, support employee wellness, increase officer safety while at the facility, and expand overall police services.

- Patrol response levels in West Asheville will remain unchanged. Officers are deployed by geographic area, not by substation location, and the two officers currently assigned to the Haywood Road area will continue serving that neighborhood.
- Police services will be expanded through the addition of a Resource Center that will be staffed during business hours.
- The Tanger location offers significantly more parking than the current site, improving access and convenience for both staff and visitors.
- This is a full-service lease that includes common-area maintenance and proportionate property taxes for the duration of the lease.

Con(s):
- This is a temporary lease, and the City of Asheville does not own the property. The initial lease agreement for the police offices and resource center is set for a period of ten (10) years.
- This duration is considered short-term, particularly when evaluating the long-term operational needs and community engagement objectives for a police presence and resource center within a high-traffic commercial area.

Fiscal Impact:
- The ten (10) year initial lease is not to exceed $837,339.27.
- Funding for the first year of this contract is available in the Police Department's operating budget. Future years will be planned during the annual budget development process.

One individual spoke against the moving of the APD resource center and requested more bike and foot patrol in west Asheville.

Interim Police Chief Jackie Stepp explained that APD is not moving out of 970 Haywood Road, but only an expansion of services in west Asheville.. She also explained how officers are deployed.

Councilman Hess clarified that Tanger is donating approximately $1 Million to upfit that property for the APD resource center at Tanger Outlet. If not, the City would have to use its own money and divert the funds from other priorities. He felt this is an opportunity to form partnerships.

In response to Councilwoman Ullman, Interim Chief Stepp said that the public would not see any change from entering 970 Haywood Road today than tomorrow.

Councilwoman Ullman said that an idea is that the Asheville Fire Department Resource and Engagement Support Team (REST) be located at the 970 Haywood Road facility, and Councilman Hess said that the Asheville firefighters are also asking for more space (and upfitted space) in the Haywood Road facility.

In response to Councilwoman Roney, Interim Chief Stepp explained their community outreach (done in mid-December), noting that in the future community engagement will happen on the frontend for similar projects.

Councilwoman Roney said that she walks the corridor and engages with neighbors, businesses, organizations, and people living and working on the corridor. She appreciated that the staff did outreach, but there are still important, unanswered questions, and a growing request to increase response in west Asheville, including the AFD's REST team. When there are calls for more support, this feels like less. West Asheville is among neighborhood and business corridors navigating serious issues of homelessness outreach, mental/behavioral health crises, and substance use/poisoning and they expect certified professionals with the tools and training to address these issues. If she says yes to this investment of $837,000 paid to a landlord over the course of the lease, she'd be saying yes to lack of budget transparency, continued undermining of public trust by putting reactive public engagement at the end after decisions have already been made, and missed the opportunity to invest in street level, relational responses to the serious issues the community faces. She's also facing the issue that we find money for the things we value. Last year, Council wasn't made aware of the specifics of this plan, but we also cut the Strategic Partnership Fund for youth programming because we supposedly didn't have the funds. With limitations of this role, she has to vote no tonight so that she can vote yes when resources and true partnership includes residents, businesses, and people with lived and professional experience with the public safety issues we face, not just in west Asheville, but across the City.

Councilwoman Smith moved to ratify approval of the lease with TANGER ASHEVILLE LLC at 800 Brevard Road, Suite 822, Tanger Outlets "Shopping Center", for an initial period of ten (10) years with the option to renew for two (2) additional five-year periods. This motion was seconded by Vice-Mayor Mosley and carried on a 5-1 vote, with Councilwoman Roney voting "no".

RESOLUTION BOOK NO. 46 - PAGE 219

III. PRESENTATIONS & REPORTS:

A. 2026 REAPPRAISAL PROCESS

Buncombe County Tax Assessor Eric Cregger provided City Council and community residents a presentation on the 2026 Reappraisal process currently underway in order to make sure everyone is well informed about the reappraisal timeline, process, and its impact. He

explained the assessment basics; what a reappraisal is; why reappraisals are done; the mass appraisal methodology; reappraisal goals; and what the community needs to know (1) property values will change; (2) reappraisal is not a method to increase revenue; (3) notices will be mailed to all real estate property owners; and (4) property owners can appeal. He then outlined the next steps.

Mr. Cregger responded to various questions/comments from Council, some being, but are not limited to: considering the Cease the Harm audit, request for clarification on data collection and analysis; have the property tax mitigation funds been fully utilized; does the County have an estimate on the number of properties or maybe even specific locations that are being taxed for residential use but being primarily, if not solely, utilized as commercial property (not people working from home, but whole home short term rentals); and what are the factors used in the revaluation if a large scale commercial property has been sitting empty for years and doesn't have a recent sale–maybe decades since last sold.

IV. PUBLIC HEARINGS:

A. PUBLIC HEARING TO REZONE 13 BALDWIN STREET FROM NEIGHBORHOOD BUSINESS DISTRICT TO RS-8 RESIDENTIAL SINGLE-FAMILY HIGH DENSITY DISTRICT

ORDINANCE NO. 5191 - ORDINANCE TO REZONE 13 BALDWIN STREET FROM NEIGHBORHOOD BUSINESS DISTRICT TO RS-8 RESIDENTIAL SINGLE-FAMILY HIGH DENSITY DISTRICT

Assistant Planning & Urban Design Director Chris Collins said that this is the consideration of an ordinance to rezone 13 Baldwin Street from Neighborhood Business District to RS-8 Residential Single-Family High Density District. This public hearing was advertised on January 2 and 9, 2026.

Project Location and Contacts:

- The rezoning petition consists of one property totalling 0.22 acres and located at 13 Baldwin St (PIN 9657-59-9113).
- Owner: The Estate of Doris Wilson Page.

Summary of Petition:

- The applicant requests a rezoning of one property to the Residential Single-Family High Density (RS-8) District.
- The property is currently zoned Neighborhood Business (NB).
- The primary difference between the RS-8 and NB districts is that the RS-8 district allows for single-family detached houses, while the NB district does not, and that the NB district allows for a limited number of neighborhood-serving commercial uses while the RS-8 district does not.
- The subject property is currently vacant and is located at the corner of Fairview Rd and Baldwin St in the Oakley neighborhood.
- Fairview Rd is served by ART bus route S1 with the nearest bus stop located across the street from the subject property.
- The subject property is designated "Neighborhood Centers" on the city's Future Land Use (FLU) Map. A change to the FLU Map is not required.

Staff Recommendation:

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

Comprehensive Plan Consistency:

- The proposed rezoning supports goals in the Living Asheville Comprehensive Plan including:
    - **Increase and Diversify the Housing Supply** - by promoting zoning policies to encourage more housing.
- The proposed rezoning does not support the following goals in the Living Asheville Comprehensive Plan:
    - **Increase Mixed-Use Development Along Transit Corridors** - by encouraging moderately high density, walkable, mixed-use development along the full length of transit-supportive corridors.
    - **Increase and Diversify the Housing Supply** - by expanding areas permitting higher-density mixed-use development.
    - **Celebrate the Unique Identity of Neighborhoods Through Creative Placemaking** - by supporting the development of locally-focused neighborhood amenities, including restaurants, pubs, and other neighborhood services.
- The proposed rezoning is partially compatible with the existing Future Land Use designation of "Neighborhood Center" which is proposed, in part, as "a small development or corner store within a neighborhood or along a corridor with non-residential community focused commercial activity and, sometimes, limited residential uses as a component of the commercial development. The commercial uses may include a restaurant, pub, small retail or office, religious institution or community center placed within the neighborhood fabric for the convenience of residents of the neighborhood serving as a focal point for the area".
- Residential Single-Family High Density (RS-8) is cited as an appropriate zoning district within the "Neighborhood Center" Future Land Use category.

Compatibility Analysis:

- The purpose of the *existing* **Neighborhood Business (NB)** zoning district is, "to reserve areas for low-intensity business activity that is accessible to pedestrians from the surrounding residential neighborhood. The intent of the district is to provide for the daily convenience and personal service needs of the surrounding residential neighborhood while minimizing conflicts with surrounding residential uses. This district is designed to be located within or adjacent to residential neighborhoods where large commercial operations are inappropriate, but where small neighborhood-oriented businesses are useful and desirable." (UDO Sec. 7-8-8(a)).
- The purpose of the *proposed* **Residential Single-Family High Density (RS-8)** zoning district is, "to establish a high density per acre for single-family dwellings where public infrastructure is sufficient to support such development and to stabilize and protect the district's residential character in areas of existing high density single-family development while promoting a suitable environment for single-family living. Non-single-family development normally required to provide the basic elements of a balanced and attractive residential area is also permitted." (UDO Sec. 7-8-4(a)).
- The proposed rezoning petition is generally compatible with most of the surrounding land uses, including:
    - RS-8-zoned property directly to the north of the subject property and in the majority of the Oakley neighborhood.
    - NB-zoned properties with small-scale commercial uses to the west and east of the subject property.
    - Community Business I (CBI)-zoned property with larger scale commercial uses

further to the east of the subject property.

Council Goal(s):

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

Committee(s):

- Planning & Zoning Commission (PZC) - December 3, 2025 - Approved (Vote 6:0)

Pro(s):

- Allows for the construction of single-family detached houses.

Con(s):

- Does not allow for any neighborhood-serving commercial uses that the existing zoning allows by-right.
- Reduces the size and potential impact of this neighborhood business "node" in the Oakley neighborhood

UDO District Comparison

UDO Provision	Neighborhood Business (NB)	Residential Single-Family High Density (RS-8)
Allowed uses:	● Multi-Family ● Limited public, institutional, recreational, commercial, and retail uses ● Small-scale, neighborhood-serving businesses	● **Single-Family Detached** ● Townhouse ● Accessory Dwelling Unit ● Cottage Development ● Limited public, institutional, and recreational uses
Density:	None.	n/a - determined by lot size standards
Lot Size Minimum:	None.	Min. 4,000 s.f.
Lot Width Minimum:	None.	Min. 40'
Building Height:	Max. 40'	Max. 40'
Building Setbacks:	Front: 15', Side: 0' min, Rear: 0' min	Front: 15', Side: 6', Rear: 15'
Parking	None required for residential uses and most commercial uses.	Standard (1 per unit typically)

Mr. Collins reviewed the existing and proposed zoning, the aerial imagery and the future land use map. He then provided the zoning district comparison of the two districts, along with the pros and cons. He then provided the compatibility analysis. He then explained how the project was consistent with the Living Asheville Comprehensive Plan. The Planning & Zoning Commission voted unanimously to approve the rezoning. He said that staff concurs with the Planning & Zoning Commission and recommends approval of the rezoning.

Councilwoman Roney and Councilwoman Ullman felt this rezoning looks like a reduction in the number of allowed uses. City Attorney Branham said that if a property owner voluntarily requests to downzone their property, that is within the authority of City Council.

In response to Councilwoman Roney, Mr. Collins said that staff is still exploring how they will bring forward to Council the displacement analysis study, and how staff will be utilizing that study in rezonings.

There was discussion on the displacement risk analysis and how that will be applied at the next Housing & Community Development Committee meeting.

The owner of 17 Baldwin Street (which is next door to 13 Baldwin) said that 17 Baldwin Street is her childhood home. 13 Baldwin Street was part of 17 Baldwin Street, but her mother made a decision to split off that lot, which has been in their family for over 100 years. The lot is very small with no parking. She has builders ready to build a couple of small houses, which would be perfect for two families starting out. She said proceeds from the sale of this lot is the only way she can afford to make repairs to her home at 17 Baldwin.

Mayor Manheimer opened the public hearing at 6:17 p.m.

One individual was not opposed to the rezoning; however, felt that we need a clear anti-displacement policy and felt that that analysis should be provided by staff in future presentations.

One individual spoke in support of the rezoning of this small lot, which has been empty for a long time.

Mayor Manheimer closed the public hearing at 6:21 p.m.

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

Councilwoman Smith moved to approve the rezoning request for the property located at 13 Baldwin St from Neighborhood Business (NB) to Residential Single-Family High Density (RS-8) 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) promotes zoning policies to encourage more housing. This motion was seconded by Councilwoman Roney and carried unanimously.

ORDINANCE BOOK NO. 36 – PAGE 365

B. PUBLIC HEARING TO REZONE 137 BROAD STREET FROM COMMUNITY BUSINESS 1 - CONDITIONAL ZONE TO COMMUNITY BUSINESS I DISTRICT

ORDINANCE NO. 5192 - ORDINANCE TO REZONE 137 BROAD STREET FROM COMMUNITY BUSINESS 1 - CONDITIONAL ZONE TO COMMUNITY BUSINESS I DISTRICT

Assistant Planning & Urban Design Director Chris Collins said that this is the consideration of an ordinance to rezone 137 Broad Street from Community Business I District - Conditional Zone to Community Business I District. This public hearing was advertised on January 2 and 9, 2026.

Project Location and Contacts:

- The rezoning petition consists of one property totalling 0.1 acres and located at 137 Broad St (PIN 9649-53-8527).
- Owner: Broad Properties LLC.

Summary of Petition:

- The applicant requests a rezoning of one property to the Community Business I (CBI) District.
- The subject property is the site of an existing, one-story, commercial building.
- The property is currently zoned Community Business I - Conditional Zone (CBI-CZ).
- The conditional zoning of the property, per Ord. No. 4817, was adopted on July 30, 2020 and rezoned the subject and neighboring property at 135 Broad St from Community Business I (CBI) to Community Business I - Conditional Zone (CBI-CZ) for the purpose of constructing two new, mixed-use buildings.
- The new, two-story, mixed-use building proposed at 135 Broad St was constructed as part of that project. The new, 3-story, mixed-use building proposed at the subject property, which would have required the demolition of the existing structure, was not constructed.
- The applicant is requesting a rezoning of the subject property to a general use district in order to occupy the existing building with a use allowed by-right.
- The subject property is designated “Traditional Corridor” on the city’s Future Land Use (FLU) Map. A change to the FLU Map is not required.

Staff Recommendation:

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

Comprehensive Plan Consistency:

- The proposed rezoning supports a number of goals in the Living Asheville Comprehensive Plan including:
  - **Encourage Responsible Growth** - by ensuring that new development has the appropriate infrastructure to support it.
  - **Facilitate Real Estate Development that Maximizes Public Benefit** - by establishing accessible and well-connected commercial nodes consistent with strategies outlined in the plan’s growth areas.
- The proposed rezoning is compatible with the Future Land Use designation of “Traditional Corridor” which is described, in part, as “a roadway with a large variety of land uses including commercial, office and residential uses at a variety of scales. The commercial and mixed-use areas along a traditional corridor are typically flanked by residential neighborhoods on one or both sides of the street. The development pattern along a traditional corridor most closely resembles a “main street” with buildings located close to the street”.
- Community Business I (CBI) is cited as an appropriate zoning district within the “Traditional Corridor” Future Land Use category.

Compatibility Analysis:

- The purpose of the Community Business I (CBI) district is, “to provide areas for medium-density business and service uses serving several residential neighborhoods. This community business center may serve as a workplace for many residents in the surrounding neighborhoods and should be sensitive to a significant pedestrian population, but also provide for adequate and safe vehicular access. The Community Business I District is designed to be located primarily along streets which serve multiple

residential neighborhoods" (UDO Sec. 7-8-12).

- The proposed rezoning petition is compatible with the surrounding land uses, including:
  - Commercial uses to the north, south, and west of the subject property along Broad and Charlotte Streets.
  - Single-family residential neighborhoods generally surrounding the subject property.

Council Goal(s):

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

Committee(s):

- Planning & Zoning Commission (PZC) - December 3, 2025 - Approved (Vote 6:0)

Pro(s):

- Allows the existing building to be occupied by a new use and provides greater flexibility for future use of the property.

Con(s):

- None identified.

Mr. Collins reviewed the existing and proposed zoning, the aerial imagery and the future land use map. He then provided the zoning district comparison of the two districts, along with the pros and cons. He then provided the compatibility analysis. He then explained how the project was consistent with the Living Asheville Comprehensive Plan. The Planning & Zoning Commission voted unanimously to approve the rezoning. He said that staff concurs with the Planning & Zoning Commission and recommends approval of the rezoning.

Mayor Manheimer opened the public hearing at 6:28 p.m., and when no one spoke, she closed the public hearing at 6:28 p.m.

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 approve the rezoning request for the property located at 137 Broad St from Community Business I - Conditional Zone (CBI-CZ) to Community Business I (CBI) 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) Ensures that new development has the appropriate infrastructure to support it; and, 2) Establishes accessible and well-connected commercial nodes consistent with strategies outlined in the plan's growth areas. This motion was seconded by Councilwoman Roney and carried unanimously.

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C. PUBLIC HEARING TO CONSIDER AMENDMENTS TO CHAPTER 7 OF THE ASHEVILLE CODE OF ORDINANCES TO STRIKE SECTION 7-7-7 ("WAITING PERIOD FOR SUBSEQUENT APPLICATIONS") TO BRING THE UNIFIED DEVELOPMENT ORDINANCE INTO COMPLIANCE WITH NEW STATE LEGISLATION

ORDINANCE NO. 5193 - ORDINANCE AMENDING CHAPTER 7 OF THE ASHEVILLE CODE OF ORDINANCES TO STRIKE SECTION 7-7-7 ("WAITING

PERIOD FOR SUBSEQUENT APPLICATIONS") TO BRING THE UNIFIED DEVELOPMENT ORDINANCE INTO COMPLIANCE WITH NEW STATE LEGISLATION

Assistant City Attorney Carly Gillingham said that this is the consideration of an ordinance amending Chapter 7 of the Asheville Code of Ordinances, to strike Section 7-7-7 ("Waiting period for subsequent applications") to bring the UDO into compliance with new state legislation. This public hearing was advertised on January 2 and 9, 2026.

Background:

- On October 6, 2025, House Bill 926 was enacted into law by the state legislature and became Session Law 2025-94, "An Act to Provide Regulatory Relief to the Citizens of North Carolina."
- In pertinent part, SL 2025-94 contains the following amendment to Chapter 160D of the North Carolina General Statutes, "Local Planning and Development Regulation:"

> **PROHIBIT WAITING PERIODS FOR REFILING OF DEVELOPMENT APPLICATIONS**
>
> **SECTION 11.** G.S. 160D-601 is amended by adding a new subsection to read:
>
> "(e) Withdrawn or Denied Applications. – A development regulation or unified development ordinance may not include waiting periods prohibiting a landowner, developer, or applicant from refiling a denied or withdrawn application for a zoning map amendment, text amendment, development application, or request for development approval."

- The current language of the UDO, in Section 7-7-7, imposes a 12-month waiting period for resubmitting certain development applications in violation of the new legislation. Specifically, the language of Section 7-7-7 currently reads:

> **Sec. 7-7-7. Waiting period for subsequent applications.**
>
> (a) *Waiting period - general.* When an application for a zoning amendment has been approved or denied by the Asheville City Council, no rezoning application covering the same property shall be accepted or considered within 12 months after the date of the approval or denial. This restriction shall apply regardless of whether or not the new application is for a zoning classification different from the original application.
>
> (b) *Waiting period - waiver.* The waiting period required by this section may be waived by a three-fourths vote of Asheville City Council if it determines that there have been substantial changes in conditions or circumstances which may relate to the request.

- The proposed text amendment will strike Section 7-7-7 in its entirety to bring the UDO in compliance with the new legislation.

Council Goal(s):

- A Well-Planned & Livable Community

Committees:

- Planning & Zoning Commission (PZC) - December 3, 2025. Adopted unanimously on a 6-0 vote with the condition to strike the entirety of Section 7-7-7. Originally, staff proposed striking only some of the language to keep waiting periods in place for approved—rather than withdrawn or denied—zoning amendment applications, which would have been the minimum to comply with the new legislation. Planning staff and Legal staff agree with PZC's recommendation to strike the section in its entirety.

Pros:
- Allows for statutory compliance with NC Session Law 2025-94's modifications to Chapter 160D of the North Carolina General Statutes.
- Eliminates provisions of the UDO that conflict directly with state law.
- Reduces the possibility of confusion or inefficiency that could result from UDO inconsistency with state law.

Cons:
- None.

Staff Recommendation:
- Staff recommends approval of this zoning text amendment.

Ms. Gillingham explained that Section 7-7-7 currently has a 12 month waiting period for refiling approved or denied rezoning applications. New law prohibits any waiting period for withdrawn or denied development applications. This amendment will bring the section into compliance. She then reviewed the background information, along with the current language. She explained that the Planning & Zoning Commission originally considered the amendment to section (a), which would be the minimum to bring this section into compliance. It would have left in place a waiting period for subsequent zoning amendment applications where an application was previously approved by City Council. The new statute only mentions withdrawn or denied applications. After hearing input from Planning staff, the Commission decided there was little to no utility in treating approved applicants differently and it was best to strike Section 7-7-7 in its entirety. She explained the Comprehensive Plan review, along with the pros and cons. Staff recommends approval of the zoning text amendment.

Mayor Manheimer opened the public hearing at 6:34 p.m., and when no one spoke, she closed the public hearing at 6:34 p.m.

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

Councilwoman Ullman moved to approve the proposed text amendments to Chapter 7, Development, of the City Code of Ordinances (the "UDO") to repeal Section 7-7-7, related to waiting periods for filing subsequent rezoning applications following approval or denial by City Council of an initial application, in its entirety and find that the proposed amendments are reasonable and in the public interest in that the amendments are consistent with the City's comprehensive plan and will bring the UDO in compliance with new changes to state law Chapter 160D. This motion was seconded by Councilman Hess and carried unanimously.

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V. UNFINISHED BUSINESS:

VI. NEW BUSINESS:

VII. INFORMAL DISCUSSION AND PUBLIC COMMENT:

Several individuals spoke to City Council about various matters, some being, but are not limited to: invitation to the Eddington Center on February 11, 2026; want to see more affordable housing; introduction of Connor Brown representing Congressman Edwards office; dilapidation of Pisgah View Apartments; concern of the $60 Million in the budget for a new bus parking lot; ICE is causing irreparable damage to safety and lives of US citizens; don't renew the license plate reader of FLOCK; and support for Vice-Mayor Mosley's residency in Asheville.

VIII. ADJOURNMENT:

Mayor Manheimer adjourned the meeting at 6:50 p.m.

_____ _____

CITY CLERK MAYOR