Minutes for April 14, 2026, City Council Meeting

April 9, 2026, Agenda Briefing Worksession - 11:00 a.m.

Present

Vice-Mayor S. Antanette Mosley, Presiding; Councilman Bo Hess; Councilwoman Kim Roney; Councilwoman Sheneika Smith; Councilwoman Sage Turner; Councilwoman Maggie Ullman; Assistant City Manager Ben Woody; Assistant City Manager Jade Dundas; City Attorney Brad Branham; and City Clerk Magdalen Burleson

Absent: Mayor Esther E. Manheimer

Summary

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 Tourism Development Authority LIFT applications.

At 11:35 a.m., Vice-Mayor Mosley adjourned the agenda briefing worksession.

April 14, 2026, Budget Worksession - 3:00 p.m.

Present

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 DK Wesley; City Attorney Brad Branham; and City Clerk Magdalen Burleson

Budget & Performance Manager Lindsay Spangler provided Council with the financial status of our Enterprise Funds. She provided highlights from the Enterprise Funds as follows: (1) Water Fund: $3.3M in new revenue from fee adjustments approved by Council on March 24 - (a) Increased funding for Water's capital program; and (b) Offset operating inflationary cost increases; (2) Stormwater Fund: $626K in new revenue from fee adjustments approved by Council on March 24 (a) Increased funding will be utilized for capital and to offset inflationary cost increases; and (b) Plan to also appropriate approximately $3M in fund balance for one-time capital costs and fee study; (3) Transit Fund: The fund is facing decreased revenue and increased costs: (a) $800K increase to

transit contract; (b) $150K increase to paratransit based on increased use; and (c) Increased costs and decreasing revenue has led to a $1.2M budget gap next year, which will be covered with Transit fund balance; (4) Parking Fund: (a) Revenues adjusted slightly downward to match trend; (b Transportation staff provided additional information on parking fee adjustments and a possible service expansion at the last budget work session; (c) Does Council want staff to include any of the parking fee adjustments or the South Slope expansion in the FY27 Manager's Proposed Budget - Parking adjustment/expansion options: (i) Change "first hour free" to "first 15 minutes free"; (ii) Extend meters to 8pm; (iii) Expand meters to South Slope; and/or (iv) Other minor fee changes such as monthly lot permits, special events, etc.; (5) HCCA Fund: (a) Budget is up due to anticipated increase in event load next fiscal year compared to this year; and (b) HCCA fund balance will be used to cover the transfer from the General Fund (one time); and (6) Street Cut Fund: Continuation of existing programs - Budget is down due to FY26 one-time fund balance use that is not repeated in FY27. She then provided a chart of the Enterprise Funds Fiscal Year (FY) 2027 budget summary.

Discussion occurred on the parking adjustment/expansion options. It was the consensus of Council to not change the "first hour free"; not change extending the meters from 6 p.m. to 8 p.m.; move forward with expanding meters to the South Slope; and move forward with the other minor fee changes such as monthly lot permit, special events, etc. if parking staff feels that those adjustments will help with our parking decks and be beneficial to the community.

Regarding the Business Improvement District (BID) budget, Finance Director Tony McDowell said (1) The City approved the BID in fiscal year 2025 (FY25) and adopted a property tax rate in the district of 8.77 cents per $100 of assessed value; (2) This property tax rate generated approximately $1.3M in revenue in the FY26 budget; and (3) Property within the BID is included in the current revaluation so the City is required to calculate a BID-specific revenue neutral tax rate - ***Preliminary*** revenue neutral rate has been calculated to be approximately 7.5 cents.

The Asheville Downtown Improvement District (ADID) current contract details are as follows:

Category	Estimated Allocation	Primary Services
Cleanliness & Safety	$0.8M	Litter removal, directions, connections with unhoused, etc.
Administration	$0.2M	Management fees for administration, governance, and finance.

Special Projects & Operations	$0.3M	Marketing, training, legal, public lighting, etc.
Total	**$1.3M**	

He said that in August the City began receiving sales tax revenue associated with the BID property tax levy. Buncombe County utilizes the ad valorem method for sales tax distribution and all property tax levies in the County are included in this formula. The fund has collected $177K in the current fiscal year (5 months of revenue). The estimated annual sales tax revenue from the BID tax levy is approximately $400K-500K. This revenue is being recorded in the City's BID Fund.

Next steps in the BID Fund budget are (1) ADID submitted an FY27 budget request of $1.43M and City Manager staff met with ADID leadership to review the request last week; (2) Staff recommends setting the tax rate at revenue neutral, which is currently estimated to cover ADID's budget request; (3) Staff will finalize the revenue neutral tax rate for the BID and include that in the Manager's FY27 Proposed Budget in May; (4) Staff is recommending that a portion of the sales tax revenue be used to fund holiday events and the AVL Arts Grant Program; and (5) Staff, in coordination with Downtown stakeholders, will present additional options to Council on how to utilize the sales tax revenue at a later date.

There was discussion regarding the ad valorem tax and sales tax regarding the BID and what can and cannot be used in the BID jurisdiction with any additional sales tax. City Manager Wesley said that staff would obtain answers to the questions and provide that to Council.

Ms. Spangler then updated Council on the General Fund budget status, noting that all items are included in the current estimates: (1) **$3M** COLA / Initial Salary Study built into personnel expenditures; (2) 911 cost share: FY27 City contribution will be ~half of FY26 **($1.5M)**. Then, County will absorb full cost in future years; (3) Agreement with HACA to provide more APD presence at their properties - $200k in revenue and expense **(net $0)**; (4) County and City both agreed to contribute an additional **$50K** each to Code Purple to cover increased costs; and (5) Additional tipping fee increase being considered by County **$50K**. She then reviewed the FY27 General Fund Revenues and Expenditure Charts, along with the FY27 recommended savings.

Regarding FY27 new funding requests, (1) Departments submitted $7.5M in new funding requests, including 38 new positions - Included in the requests was 16 new firefighters to continue implementing the 4th shift ($1.4M); and (2) **These needs are not part of the expenditure projections for FY27 -** Exception: Affordable Housing position She then reviewed the following FY27 General Fund revenues vs. expenses chart (in millions):

General Fund	FY26 Budget	FY27 Projected
Revenues	$175.0	$180.0
Expenses	$177.1	$190.5
Fund Balance Used	**$2.1**	**$10.5**
Fund Balance %	**14.1%**	**8.1%**

In response to Councilwoman Roney, Fire Chief Mike Cayse explained his plan to begin implementing a fourth shift schedule on August 1 with existing staff. He explained the schedule will be implemented with current staff through debit days in the absence of new staff to support the 4th shift.

Councilwoman Turner requested a slide that breaks down personnel costs - required and options, including the breakdown of health insurance.

Regarding the property tax rate, Mr. McDowell said (1) FY27 is a revaluation year in Buncombe County; (2) As a result, as part of the budget process, the City is required to calculate and publish a revenue neutral tax rate, which shows what the property tax rate would need to be to achieve the same amount of revenue if revaluation had not occurred - The State provides a required methodology for how this calculation must be completed which is based on average annual tax base growth since the last revaluation occurred; (3) The current City property tax rate is 44.19 cents per $100 of assessed value; (4) Based on the *preliminary* revaluation numbers provided by the Buncombe County Tax Assessor, City staff has calculated that revenue neutral tax rate would be approximately 33 cents per $100 of assessed value; (5) ***This calculation is preliminary and will change as we receive updated information from the County***; (6) Reminder - Prior to revaluation 1-cent on the tax rate generated approximately $2.0M; (7) Based on the preliminary revaluation data, 1-cent on the tax rate will now generate approximately $2.75M; (8) Staff has used this preliminary data to calculate the potential impact to tax payers if the tax rate is set above revenue neutral; and (9) For illustrative purposes staff is using $500K as the property value for a typical residential property - Used $350K prior to revaluation.

He reviewed the following chart (which assumes residential tax value of $500,000 and every 1-cent tax rate increase generates $2.75M:

Scenarios (***Preliminary***)	Tax Rate Above Revenue Neutral	Homeowner Impact (Annual)	Homeowner Impact (Monthly)
Fully Budget 2024 GO Bonds & Affordable Housing Position ($6.6M)	2.40 cents	$120	$10.00
Close the Budget Gap ($10.5M)	3.82 cents	$191	$15.91
Total	6.22 cents	$311	$25.91

He summarized the property tax rate as (1) The current City property tax rate is 44.19 cents per $100 of assessed value; (2) Based on preliminary revaluation numbers staff has calculated a revenue neutral tax rate of approximately 33 cents; (3) To balance the General Fund budget and fully budget the 2024 GO Bonds, staff is estimating that the FY27 tax rate would need to be approximately 39 cents; and (4) ***These numbers are preliminary and will change before final budget adoption.***

When staff requested Council direction, there was discussion on whether to increase the tax rate by 2.4 cents to fully budget the $6.6M needed for the 2024 GO Bonds and 1 affordable housing position; along with discussion on whether to close the $10.5M gap by including a 3.82 cent tax rate increase, for a total of $6.22.

Asset and Capital Management Department Director Walter Ear then reviewed the following key takeaways from the Capital Improvement Program (CIP) update: (1) Over the next 5 years, the CIP, will support some significant capital investments, which will include relying upon external funding partners to support some of the identified projects; (2) Helene recovery will occupy a large portion of the City project delivery resources over the next 5 years. A portion of the annual CIP capacity will be reserved as a funding buffer; and (3) Staff will continue to focus on long range capital planning in order to ensure strategic capital investment.

He said that regarding the FY 2027-31 General Fund CIP development, (1) **Financial Assumptions -** General Fund CIP budget capacity is $20M to $25M per year; (2) **Resources that informed the current project list:** Past CIPs; Planning Docs - Facility Study, Recreate Asheville, Gap Plan, etc.; and Cross-departmental collaboration; and (3) **Projects prioritized by a cross-departmental review team:** Required - High priority prior commitments, maintenance, safety; Right - Alignment with priorities; Readiness for implementation; and Financially feasible within capacity.

The FY27 Capital spending breakdown is as follows: (1) ***General Capital Allocation - $11.38 -*** Large Vehicles (Buses and Fire Trucks) - $3.43M; Helene Recovery Contingency - $7.00M; and In-house Project Management - $0.95; (2) ***Maintenance***

Allocation - $4.16M - Street Resurfacing - $2.16M; and Facility Maint. Program - $2.00M; (3) ***Bond Supplement - $1.45M;*** **and (4)** ***Project Allocation - $2.94M.***

Regarding Helene Recovery Contingency, $7M contingency supports $250M in recovery investments providing: (1) **Speed**: Faster implementation of recovery projects not as closely tied to delays in funding approvals; (2) **Flexibility**: Ability to address unexpected project costs or minor additions for a comprehensive project approach; and (3) **Reliability:** Ensure minimal impact to steady state projects.

Regarding the 2024 Bond supplement details, he said the CIP funds used are to ensure that there is adequate funding to complete identified bond projects - Shiloh Center upgrades; Boosting the Block (Eagle/Market); Pickleball Courts; Smith Mill Creek Greenway; and Fire Station 8 - total of $1,454,445. He then reviewed a chart of the FY project allocation details for Craven Street pedestrian bridge; bridge maintenance; school zone safety; Deaverview Road pedestrian improvements; and downtown signal replacement - for a FY27 City investment of $2,937,500. The funds are designated to complete new construction projects and major infrastructure renovations.

He then reviewed the FY27 high priority required project list for the next five years - Craven Street pedestrian bridge; bridge maintenance; school zone safety; Deaverview Road pedestrian improvements; downtown signal replacement; I-26 improvements (all FY27 projects have existing funding from prior appropriations except for bridge maintenance); Transit Maintenance Center (funding shown is 80/20 match for design only - construction costs estimated at $55M; and City Hall renovation.

Mr. Ear then reviewed a chart about leveraging funds - 5 year projection, noting that grants are essential to support the City long-term capital development and recovery strategies. He said grants are the only way to advance large capital projects.

Other capital considerations include (1) Enterprise Funds - Harrah's Center, parking, stormwater; and water; (2) Recovery project examples - French Broad and Azalea Parks; Public Works infrastructure; and Water System improvements; and (3) Bond examples - Malvern Hills pool; Oakley - Fire Station 9 and East Police Substation; and Boosting the Block.

In response to Councilwoman Roney, Mr. Ear said that he would provide information in a follow-up document on where the school zone safety project will be located.

Mayor Manheimer adjourned the budget worksession at 4:18 p.m.

April 14, 2026 - Regular City Council Formal Meeting - 5:00 p.m

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 DK Wesley; City Attorney Brad Branham; and City Clerk Magdalen Burleson

Pledge Of Allegiance

Mayor Manheimer led City Council in the Pledge of Allegiance.

Mayor Manheimer read a statement regarding Chamber decorum.

I. Proclamations:

Proclamation Proclaiming April 12-18, 2026, as "Fair Chance Hiring Week"

Mayor Manheimer read the proclamation proclaiming April 12-18, 2026, as "Fair Chance Hiring Week " in the City of Asheville. She presented the proclamation to Brent Bailey, Program Coordinator for the Buncombe County Re-entry Council, who briefed City Council on some activities taking place during the week..

II. Consent Agenda:

Mayor Manheimer announced that Item D on the Consent Agenda will not be considered at this meeting. This item will be discussed at the Policy, Finance and Infrastructure Committee meeting which will meet on April 28, 2026, to hear more information about this. We want to fully understand this item before voting on it. If the item moves forward, it would be placed on a City Council agenda in May. Again, this issue is very important to cities now and it warrants a full conversation before moving ahead.

Councilwoman Roney noted that some of our neighbors were not aware we use surveillance technology already and what it would mean to synchronize. If we can bring to the Policy, Finance and Infrastructure Committee meeting what some of the costs are beyond fiscal year one and also conversation about Flock cameras and how they are currently used would be helpful.

A. Approval of the combined minutes of the agenda briefing worksession held on March 19, 2026; and the formal meeting held on March 25, 2026

B. Resolution Number 26-57 - Resolution to authorize the City Manager to submit an application to the Tourism Development Authority Legacy Investment from Tourism Grant for 3 city projects, to accept said grant funds if awarded; and enter into any agreement documents necessary for such acceptance - Resolution Book No. 46 - Page 278

Background:

- The Buncombe County Tourism Development Authority's LIFT Fund provides financial investment through grants, loan guarantees, or pledges of debt service to tourism-related capital projects that will increase patronage of lodging facilities and benefit the community at large in Buncombe County.
- The 2026 cycle for LIFT funding opens on April 1, 2026, with applications due on May 1, 2026.
- Staff has identified 3 potential projects for applications for LIFT funding:
    - Biltmore Village Sidewalk/Streetscape - $2,300,000

- Eagle Market Sidewalk/Streetscape - $1,500,000
- Craven Street Bike/Ped Bridge - $1,515,800

Motion:

- Motion to adopt a resolution to authorize the City Manager to submit an application to the Tourism Development Authority Legacy Investment from Tourism (LIFT) Grant for 3 city projects, to accept said grant funds if awarded; and enter into any agreement documents necessary for such acceptance.

C. Resolution Number 26-58 - Resolution authorizing the City Manager to execute a contract with US ISS Agency, LLC on behalf of the City of Asheville for a Police Applicant Background Check and Polygraph Testing Provider, with two additional one-year options to renew, not to exceed $360,000 upon budgetary approval by Council for each fiscal year - Resolution Book No. 46 - Page 279

Background:

- The Asheville Police Department (APD) is requesting approval from Council to contract with US ISS Agency, LLC to provide police applicant background checks and polygraph testing services.
- US ISS is a selected vendor of the North Carolina Sheriffs' Association (NCSA) Cooperative Purchasing Program.
- All Police Officer candidates and Civilian employees that work for APD must pass a background investigation and polygraph test before they are hired.
- APD is currently understaffed and does not have sworn administrative staff available to complete these hiring functions given the volume of new personnel needing to be vetted for hire.
- APD has also found having a dedicated vendor performing these processes has shortened turnaround time from APD working these internally with current limited staff.
- APD will execute a contract to include a one year term with two additional one-year options to renew.

Motion:

- Motion to adopt a resolution authorizing the City Manager to execute a one-year contract with US ISS Agency, LLC on behalf of the City of Asheville for a Police Applicant Background Check and Polygraph Testing Provider, with two additional one-year options to renew, and a total contract amount not to exceed $360,000 upon budgetary approval by Council for each fiscal year.

D. Resolution authorizing the City Manager to apply for, accept, and sign all of the appropriate application and acceptance documents for the Community Project Funding Award allocated to the City of Asheville as secured through Congressman Chuck Edward's Office and managed through the Department of Justice Office of Justice Programs, Byrne Justice Grant

Budget amendment in the City's Special Revenue Fund for Community Project Funding Award

These items were removed from the Consent Agenda for discussion.

E. Resolution Number 26-60 - Resolution authorizing the City to procure, through a sole source purchase, SmartConnect subscription from the current authorized distributor, Motorola Solutions Inc., and any successor in interest to it, for all Motorola radio purchases since it cannot be competitively bid - Resolution Book No. 46 - Page 281

Background:

- The SmartConnect subscription for service is not offered at a discount on the Sourcewell Cooperative which is the procurement method APD uses to purchase handheld radios for officers. The pricing on the co-op is discounted for the equipment, but there is a 0% discount listed for the SmartConnect cellular service that supports the SIM card in the radio. North Carolina General Statutes require that products be discounted for the cooperative to be used as a procurement method.
- SmartConnect cellular service is the only software that is compatible with the SmartConnect equipment. This requires the sole source purchase of the SmartConnect cellular service.
- SmartConnect technology automatically switches between P25 radio and broadband (LTE/Wi-Fi) to extend the usable service area of an officer's radio.
- 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.

Motion:

- Motion to adopt a resolution authorizing the City to procure, through a sole source purchase, SmartConnect subscription from the current authorized distributor, Motorola Solutions Inc, and any successor in interest to it, for all Motorola radio purchases since it can not be competitively bid.

F. Resolution Number 26-61 - Resolution authorizing the City Manager to execute a Memorandum of Understanding with the Housing Authority of the City of Asheville (HACA) for supplemental Asheville Police Department personnel to serve all HACA properties - Resolution Book No. 36 - Page 282

Ordinance Number 5210 - Budget amendment for the Memorandum of Understanding with the Housing Authority to Supplement Asheville Police Department Personnel - Ordinance Book No. 36 - Page 454

Background:

- APD and HACA have negotiated this Agreement for the public purpose of enhancing safety, security, and community stability within public housing neighborhoods located in the City of Asheville through lawful, consistent, and transparent enforcement practices.

- The purpose of the MOU is to establish an implementation-ready framework under which APD provides supplemental personnel serving HACA neighborhoods to:
    - respond to criminal activity and conduct lawful investigations and enforcement;
    - support enforcement aligned with HACA House Rules, only to the extent supported by statutes and ordinances;
    - utilize camera-supported investigative practices for incident response and investigation; and
    - Implement lawful data sharing, performance reporting, and accountability measures.
- All overtime assignments must be pre-approved by designated supervisory personnel from both APD and Housing. APD shall provide documentation of hours worked, personnel assigned, and activities performed in a format mutually agreed upon by both.
- The total estimated value of this agreement, over the full term, shall not exceed $200K, representing the sum of all known costs associated with services provided under this agreement. These costs will be paid using HACA funds.
- The City will not provide any funding in relation to this agreement.

Motion:

- Motion to adopt a resolution authorizing the City Manager to execute a Memorandum of Understanding (MOU) with the Housing Authority of the City of Asheville (HACA) for supplemental APD personnel to serve all HACA properties; and approval of a budget amendment of $33,000 for additional revenue received as part of the agreement.

Vice-Mayor Mosley spoke in support of this item.

G. Resolution Number 62 - Resolution authorizing the Mayor to execute a contract with Cherry Bekaert, LLP for auditing City accounts for Fiscal Year ending June 30, 2026 - Resolution Book No. 46 - Page 283

Background:

- North Carolina General Statute §159-34 requires that local governments have its accounts audited each fiscal year and submit a copy of the audit report and financial statements to the Local Government Commission (LGC).
- Staff recommends retaining the services of Cherry Bekaert, LLP to conduct an audit of the City's accounts for the fiscal year ending June 30, 2025.
- The estimated cost for the fiscal year 2024-2025 audit includes a base fee of $143,500, which covers 915 hours of audit work and 4 Single Audit programs; and an additional $18,000 for 3 additional Single Audit programs if needed, for a maximum total fee of $161,500.
- Execution of this contract complies with the City’s Financial Policies which states that the City “shall enter into multi-year agreements of not more than five years in duration through a series of single-year contracts as consistent with applicable legal requirements.”

- This will be the fourth year of contracting with the Cherry Bekaert, LLP so staff will be recommending to contract with them for another 1 year assuming services are provided as outlined within the engagement letter.

Motion:

- Motion to adopt a resolution authorizing the Mayor to execute a contract with Cherry Bekaert, LLP for auditing City accounts for the fiscal year ending June 30, 2026 in the amount no greater than $161,500.

H. Resolution Number 26-63 - Resolution authorizing the Finance Director of the City, or his designee, with advice from the City Attorney and bond counsel to file an application with the Local Government Commission for its approval of the issuance of Water System Revenue Bonds, to include a refinancing of the currently outstanding 2015 Water System Revenue Bonds and certain related matters- Resolution Book No. 46 - Page 284

Background:

- In May 2024, City Council adopted a resolution providing staff with authorization to enter into a contract with Wharton-Smith, Inc, including contingency, totaling $26,888,196 for the construction of the Mills River Water Treatment Plant Improvements Phase 2.
- In January 2026, City Council adopted a resolution providing staff with authorization to enter into a contract with TP Howard Plumbing, Inc, including contingency, totaling $8,948,500 for the Neighborhood Enhancement Project (NEP) Area 8 - Water Distribution.
- It was noted at the time for both projects that the City intended to fund the contracts through the issuance of long-term debt.
- Mills River Water Treatment Plant Improvements Phase 2 was also awarded a $5 million State Revolving Fund (SRF)/ARPA grant.
- With expenses to-date in the Mills River project now totaling approximately $11 million and significant additional spending expected to occur in both projects in the upcoming months, staff intends to move forward with applying to the LGC for issuance of the Water Revenue Bonds associated with the Mills River and NEP 8 projects and issue the Bonds in June of this year.
- To cover the expenses from the both projects, debt issuance costs, and provide funding for other eligible water system capital expenses, staff plans, in consultation with our financial advisors and bond counsel, to issue the debt in an amount not to exceed $35 million.
- In addition, based on advice from the City's external financial advisors and bond counsel, staff is recommending refinancing the currently outstanding 2015 Water System Revenue Bonds, which will result in net present value debt service savings of approximately $398,000.
- Staff will return to City Council at its May 12, 2026 meeting for final approval of the bonds which includes adoption of the Bond Order and Bond Resolution

Motion:

- Motion to adopt the 2024 Water Revenue Bonds Initial Resolution Directing Application to the Local Government Commission (LGC) for the 2024 Water Revenue Bonds

I. Resolution Number 26-64 - Resolution Of Intent To Permanently Close A Portion Of Unopened Right-Of-Way On The Western Edge Of Saint Dunstan's Road Between 159 Saint Dunstan's Road And 183 Saint Dustans Road, And To Set A Public Hearing For May 12, 2026 - Resolution Book No. 46 - Page 287

Background:

- North Carolina General Statute § 160A-299 grants cities the authority to permanently close streets and alleys. The statute requires City Council to consider whether the closure of the right-of-way has a negative impact to the public interest, the property rights of any individuals, and whether the closure would impede access to parcels, utilities, and other public infrastructure.
- Susanne Godsey petitioned for this closure on behalf of herself and the property owners adjacent to the area requested to be closed on Saint Dunstan's.
- When Saint Dunstan's Road was originally platted in 1922, the roadway included a widened area in the northwest corner and a small triangular-shaped island referred to on the plat as a "parkway".
- The "parkway" island was constructed and a portion of it remains today; however, the roadway area shown in the original plat on the west side of the island does not appear to have ever been constructed and has never been maintained by the City as part of Saint Dunstan's Road.
- Instead, this excess unopened portion of the right-of-way area has served as driveway access to the parcels/homes there, and until recently the property owners were unaware that their properties did not access Saint Dunstan's Road.
- Therefore, this action is seeking to close the excess unopened right-of-way to enable the division of the area among the parcels seeking the closure, which will allow them to construct driveways to access Saint Dunstan's.
- Two utility easements are required to be retained within the area to be closed, including a 10-foot drainage easement for stormwater for a future swale on Saint Dunstan's and a 20-foot easement for water infrastructure.

Motion:

- Motion to adopt a resolution to set a public hearing for May 12, 2026, to permanently close a portion of an unopened right-of-way on the western edge of Saint Dunstan's Road, between 159 Saint Dunstan's Road and 183 Saint Dunstan's Road, and to retain drainage and utility easements within the right-of-way.

J. Monthly municipal property tax refunds or releases per N.C. Gen. Stat. sec. 105-381

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 February 2026 are included in the document.

Motion:

- Motion to adopt City of Asheville property tax refunds and releases for the month of February 2026.

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

III. Presentations & Reports:

State of the Airport

President & CEO of the Asheville Regional Airport Lew Bleiweis reviewed with Council their annual report, with the following being his letter: "On June 25, 2025, we reached a major milestone with the opening of the new North Concourse and temporary TSA Security Checkpoint. This represents the first completed phase of AVL Forward, our historic construction of a completely new passenger airport terminal. The North Concourse represents years of planning, collaboration, and investment in infrastructure that will support the region's growth for decades to come. In October, we began the second phase which will take us further into the project with more milestones to celebrate.

"2025 also marked a bold new evolution of identity for us. We proudly unveiled a new, award-winning brand and refreshed website inspired by the Blue Ridge Mountains and the spirit of our region. More than a visual update, the new brand reflects our promise to be an authentic and convenient gateway for business and adventure, championing exceptional experiences and economic vitality for the communities we serve.

"Growth continued across our air service offerings with the addition of new nonstop routes. Allegiant Air launched service to Washington, D.C. (Dulles) on June 20, and Delta Air Lines introduced nonstop flights to Boston Logan on May 10, strengthening connectivity for residents, businesses, and visitors alike.

"The business of the airport continued to move forward by meeting the growing needs of our users with creative solutions. Priority was placed on completing the 10-year master plan and advancing revenue growth through land development, parking expansion and infrastructure enhancements supporting air service growth.

"Equally important is how we've shown up for our community each day. Long-standing traditions like the Runway 5K welcome the community onto the airfield while supporting mission-aligned local organizations. At the same time, evolving passenger programs such as Music in the Airport, Art in the Airport , and our new customer experience program AVL KIND, create meaningful moments of

connection and care in our new terminal space. These efforts are made possible by the kindness, professionalism, and welcoming spirit of the team members who serve our passengers.

“In 2025, we welcomed strong new leadership and earned prestigious national and international awards, all milestones that reflect both the growing strength of our team and the impact of our work.

“And significantly, in 2025, Asheville Regional Airport served 2.24 million passengers, the second busiest year of passenger utilization in AVL’s history, reinforcing our role as a vital and resilient regional gateway. Our financial position remained strong, with assets exceeding liabilities by $357,631,170, enabling continued investment in infrastructure, service, and stewardship.

:”As we reflected this past September on one year since Hurricane Helene, we did so from a place of progress and perspective. The region has moved forward with resilience and so has its airport. Today, AVL stands positioned for continued growth, grounded in community, and guided by purpose. I am proud of our team, grateful for our partners and community, and excited for what lies ahead as AVL Forward continues.”

Manager’s Report - Website Accessibility

City Attorney Branham provided the following key takeaways from his presentation regarding the Department of Justice (DOJ) ruling regarding new Americans with Disabilities Act (ADA) accessibility requirements: (1) In April 2024, the DOJ issued a final rule regarding the application of Title II of the ADA. This new rule requires all state and local governments to make their websites and mobile applications accessible to people with disabilities; (3) the deadline for compliance is April 24, 2026; (4) the new rules affect all City websites, social media pages, mobile apps, as well as the material posted or linked on those sites; (5) there are only a few limited exceptions to the rule, most notable for “Archived” materials; and (6) consequences of non-compliance include lawsuits filed by private individuals as well as the DOJ, with available remedies such as injunctions, monetary damages and attorney fees.

Communication and Public Engagement (CAPE) Director Dawa Hitch said 16% of the global population (1 in 6 people) experience a significant disability. Different abled categories include physical, sensory, cognitive, emotional, and developmental.

Project components include accessible webpages; Public Input platform; software applications and websites; YouTube videos; social media; documents; archived material; slides and presentations; forms; and specifications.

She said some challenges include (1) conflicting Federal regulations - e.g., CDBG-DR requires posting of reports HUD generates - those reports are not accessible; (2) meeting community expectations for transparency and accessibility; and (3) cost and time required to remediate.

What will look different on our City websites and Public Input platform will be (1) less content (equals less risk); (2) archived sections of content and/or removal; (3) Project Pages for active projects only unless requested; (4) consistent forms; (5) fewer links to outside webpages; (6) master plans will be named and available but links removed until they can be remediated; (7) accessibility statements will be made throughout the sites articulating our commitment to meeting the requirements; and (8) technical documents will be descriptive statements and pathways to receive support if needed.

What will look different on YouTube will be (1) all videos must have improved Closed Captioning and Audio Descriptions added; (2) meetings will continue to be streamed, but there will be a lag before they are posted to allow for remediation - Council meetings, Council committee meetings, Recovery Boards and Planning boards will be prioritized; (3) past videos on YouTube will be taken down and videos will be listed on the website and available for remediation upon request; (4) Action minutes will be available, and posting of video transcripts is being explored; and (5) video links can be emailed to City Council.

What will look different on slide decks and presentations will be (1) less content on slides; (2) limited colors and font sizes; (3) fewer complex images; and (4) presenters will receive training to provide clear descriptions of images such as charts, diagrams and site plans.

What will look different on software applications and partner websites will be (1) Asheville App will be replaced - Request for Proposals for a new product closed today; (2) probable pause on Water Smart customer usage data dashboard - work continues with the vendor for meeting the requirements; and (3) links to non-City boards will be removed.

She said this is an ongoing project of (1) regular compliance scans of City websites; (2) remediation of documents based on requests and budget; and (3) initial document scans by CAPE and trained accessibility partners in other departments.

She then provided her key takeaways as (1) the ruling has widespread impacts on the City's digital communications; (2) every effort is being taken to minimize litigation risks while maintaining transparency and access to information; and (3) these are initial adjustments that will likely evolve as more interpretations of the ruling become available.

Ms. Hitch and Mr. Branham responded to various questions/comments from Council, some being, but are not limited to: what are other peer cities in North Carolina doing and can we build cooperation across the State; what is the timeframe for a replacement for Asheville App to be on the City's website again; and what type of changes will this mean for City Council meetings, if any.

Mayor Manheimer said that this is an unbelievable radical change that is pretty overwhelming. This is a very important initiative, but there are a lot of cities not choosing to take these steps this fast because of so many challenges. She understands that if we don't comply, that is a risk. She was concerned about taking our archived videos offline and did not want to take off the Asheville App without a solid replacement. She was

concerned with changes to our website that would limit people from interacting with the City.

Councilwoman Roney felt that coming into compliance with ADA is so important for our community. She noted this is an unfunded mandate. She was concerned about the backlog we currently have of open records requests and how long it's taking members of our community to understand how we do the people's work, along with the concern of what it means for us to uphold democracy where the press is able to tell the story of how our government works. She was also concerned about Council not being able to access documents to make informed decisions. She often refers back to the archived YouTube videos of boards/commission meetings.

City Attorney Branham said that our edict to staff has been to try to do what needs to be done to bring us into compliance, but try to minimize the hit to any sort of transparency, openness or availability. We will have to make a lot of changes and will slowly bring back priorities.

Mayor Manheimer asked for City Attorney Branham to closely watch if there is an opportunity for an extension on the implementation.

IV. Public Hearings:

A. Public Hearing to consider amending the conditional zoning ordinance (Ordinance No. 5180) for property located at 30 Buchanan Place for the purpose of making amendments to the project conditions

Ordinance Number 5207 - Ordinance to amend the conditional zoning ordinance (Ordinance No. 5180) for property located at 30 Buchanan Place for the purpose of making amendments to the project conditions - Ordinance Book No. 36 - Page 440

Principal Planner Will Palmquist said that this is the consideration of amending the conditional zoning ordinance (Ordinance No. 5180) for property located at 30 Buchanan Place for the purpose of making amendments to the project conditions. This public hearing was advertised on April 3 and 10, 2026.

Project Location and Contacts:

- The project site totals 8.25 acres located at 30 Buchanan Pl (PIN 9648-47-8566)
- Owner: City of Asheville

Summary of Petition:
<u>Project Site</u>

- The project area consists of 8.25 acres located at 30 Buchanan Pl and is identified in the Buncombe County land records as PIN 9648-47-8566.
- The site is the location of McCormick Field, a minor league baseball venue for the Asheville Tourists.
- The site is currently zoned Institutional - Conditional Zone (INST-CZ) by Ord. No.

5046 and Ord. No. 5180.

- Ord. No. 5045 adopted October 24th, 2023, established the conditional zoning for the property for the purposes of providing technical modifications to the underlying zoning for the planned expansion and renovation of McCormick Field. Ord. No. 5180 amended the conditional zoning to provide an additional technical modification for outdoor lighting standards.
- The site is designated “Parks / Open Space” on the city’s Future Land Use (FLU) Map. A change in the FLU designation will not be required.

Overall Project Proposal

- The project is requesting an amendment to the conditional zoning in order to receive one additional technical modification regarding the maximum number and square footage of on-premise signage.
- McCormick Field is proposing, as part of its planned renovation and expansion, to install three new on-premise signs that total 292 SF, as described below. This would be an increase over the allowed signage in the Institutional (INST) district of 2 signs at 120 SF total.
- The three signs proposed consist of:
    - One internally illuminated sign located on top of the ticket entry area with a maximum square footage of 64 SF.
    - One internally illuminated sign located above the right field grandstand with a maximum square footage of 100 SF.
    - One mural sign located on the pavilion wall with a maximum square footage of 128 SF.

Technical Modifications

- In addition to technical modifications approved by ordinances. 5046 and 5180, the project is seeking one additional technical modification to development standards through the conditional zoning process, including:
    - Maximum on-premise signage of three signs at 292 SF total, instead of the 2 signs at 120 SF total maximum in UDO Article 7-13.

Consistency with the Comprehensive Plan and Other Plans:

Living Asheville Comprehensive Plan (2018)

- The proposed development supports a number of goals in the Living Asheville Comprehensive Plan, including:
    - Promote Access to Well-Maintained Parks and Open Space for All - by dedicating adequate resources to meet the maintenance demands of existing parks, including sufficient capital and operational funding consistent with best management practices and community standards for high level of service.
    - Enhance and Celebrate Asheville’s Unique Places and Destinations - by continuing to create accessible urban places throughout the city and ensure that downtown services, amenities, and resources are designed to serve residents as well as visitors.
- The proposed development is compatible with the Future Land Use designations of “Parks and Open Space”, which is proposed, in part, that it “includes a wide variety of different park facilities, active and passive open space, and greenways.

Parks and open space are a community need and new parks, including park maintenance, will be required to serve areas of the community in an equitable fashion".

Compatibility Analysis:

- The proposed project is compatible with the surrounding land uses,including:
    - Memorial Stadium and Mountain Side Park, located directly east of the project site.
    - The commercial uses located throughout Asheville's South Slope, located to the west of the project site.
    - The surrounding residential neighborhoods located to the north and south of the project site.
    - The proposed signage itself is compatible within the context of the site, given the distance of the signs from a public street (between 200' and 300'), as well as the overall scale of the buildings and property (8.25 acres).

Staff Recommendation:

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

Committee(s):

- Planning & Zoning Commission - April 1, 2026 - approved 7-0 to move forward to City Council.

Mr. Palmquist reviewed the existing and proposed zoning, the aerial imagery and the future land use map. He showed the proposed signage, along with the project conditions = In addition to technical modifications approved by Ord. No. 5046 & 5180, the project is seeking one additional technical modification to development standards through the conditional zoning process including: Maximum number and square footage of on-premise signage above the maximum allowance, to include three on-premise signs totaling 292 SF, consisting of: (a) One internally illuminated sign located on top of the ticket entry area with a maximum square footage of 64 SF' (b) One internally illuminated sign located above the right field grandstand with a maximum square footage of 100 SF; and (c) One mural sign located on the pavilion wall with a maximum square footage of 128 SF. The Planning & Zoning Commission voted unanimously to approve the project. 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 amendment.

Mayor Manheimer opened the public hearing at 6:06 p.m., and when no one spoke, she closed the public hearing at 6:06 p.m.

Councilwoman Ullman moved to approve the conditional zoning amendment request for the current McCormick Field property located at 30 Buchanan Pl, zoned Institutional - Conditional Zone (INST-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) dedicates adequate resources to meet

the maintenance demands of existing parks, including sufficient capital and operational funding consistent with best management practices and community standards for high level of service; and, 2) continues to create accessible urban places throughout the city and ensure that downtown services, amenities, and resources are designed to serve residents as well as visitors. This motion was seconded by Vice-Mayor Mosley and carried unanimously.

V. Unfinished Business:

VI. New Business:

A. Ordinance Number 5208 - First Reading of an ordinance amending Article VI, Regulation of Graffiti, of Chapter 10, Nuisances, of the Asheville Code of Ordinances to amend the definition of graffiti - Ordinance Book No. 36 - Page 445

Assistant City Attorney Carly Gillingham said that this is the consideration of the first reading of an ordinance amending Article VI, Regulation of Graffiti, of Chapter 10, Nuisanances, of the Code of Ordinances to amend the definition of graffiti.

Background:

- §§ 10-110–10-115 of the Code of Ordinances regulate graffiti as a public nuisance.
- Current definition of graffiti in §10-110 includes temporary, easily removable chalk and other water soluble materials unless used “in connection with traditional children’s activities” or “any lawful business or public purpose or activity.”
- City leadership has expressed interest in easing restrictions on street and sidewalk chalk. Staff is interested in continuing to regulate some chalk as graffiti, like forms of chalk that are more permanent than sidewalk chalk; chalk graffiti placed on surfaces other than streets and sidewalks (vertical walls, sitting surfaces, monuments, etc.); and chalk graffiti that may pose a public safety risk.
- Proposed amendment would modify the definition of “graffiti” to.
    - (1) **remove “chalk”** (*but* add and define “sprayable chalk” in response to Public Works staff identifying the existence of industrial-grade, less soluble types of sprayable chalks similar to spray paint);
    - (2) permit temporary, easily removable chalk/water soluble markings provided they are placed upon **streets or sidewalks** (in response to Public Works staff identifying challenges stemming from chalk placed on monuments, vertical walls, sitting surfaces, etc. being more difficult to remove and not washing off naturally in rainy weather) *and* provided they do not pose any **public safety risk**; and
    - (3) **keep** the exception for *any* markings (of any material) made to denote locations of underground utility infrastructure, survey control data, and survey location points.

Committee(s):

- Public Safety Committee - March 26th, 2026 - 2-0 approval to move forward to City Council

Pro(s)

- Removes undefined terms from existing ordinance language to promote clarity
- Eases restrictions on most “sidewalk chalk”
- May save staff resources

Con(s)

- Limits staff’s ability to remove chalk from City-owned property or order removal from private property, which may cause an increase in visible chalk markings

Fiscal Impact

- May reduce staff time/material costs to address temporary, removable graffiti.

Assistant City Attorney Carly Gillingham provided Council with the following key takeaways from her presentation: (1) Code of Ordinances, §§ 10-110–10-115, regulate graffiti as public nuisance; (2) Current definition of “graffiti “ in §10-110 includes temporary, easily removable chalk and other water soluble materials unless used “in connection with traditional children’s activities” or “any lawful business or public purpose or activity; and (3) Proposed amendment would modify the definition of “graffiti” to: (a) Remove “chalk” from general definition (but add/define “sprayable chalk” to include industrial-grade, less soluble sprayable chalk similar to spray paint); (b) Remove undefined terms like “lawful business” and “public purpose or activity;” (c) Exclude “chalk” markings from definition of graffiti so long as they are placed upon streets or sidewalks and do not pose any public safety risk; and (d) Keep exceptions for any markings done for utilities or surveys.

The background is (1) the graffiti ordinance was first passed in 2014; (2) the ordinance allows criminal and civil enforcement via penalties to perpetrators and property owners who fail to remove graffiti after notice; (3) it contains a provision for appeals of enforcement actions; (4) the current definition of “graffiti” includes “**chalk**,” unless it is “used in connection with traditional children's activities such as drawings of bases for ball games, hopscotch and similar activities” or “in connection with any lawful business or public purpose or activity; (5) the amendment is intended to update ordinance according to evolving first amendment legal guidance, improve clarity, and to ensure efficiency of staff resources; (6) in November, a resident who was cited for chalk markings made on a public sidewalk appealed the Notice of Violation (NOV) and citation; (7) the appeals committee (convened of dept. directors, per ordinance) recommended upholding the NOV but removing the citation and considering amending the ordinance for clarity and efficiency; (8) consistent with the committee’s recommendation, Interim City Manager Ben Woody issued his decision on the appeal to the resident, waiving the civil penalty but upholding the NOV; and (7) This amendment accordingly would remove

unnecessary restrictions on sidewalk chalk.

The proposed amendment would: (1) remove “chalk” (but add in “sprayable chalk” (as defined therein) in response to Public Works staff identifying the existence of industrial-grade, less soluble types of sprayable chalks similar to spray paint); (2) permit temporary, easily removable chalk/water soluble markings provided they are placed upon streets or sidewalks (in response to Public Works staff identifying challenges stemming from chalk placed on monuments, vertical walls, sitting surfaces, etc. being more difficult to remove and not washing off naturally in rainy weather) and provided they do not pose any public safety risk; and (3) keep the exception for any markings (of any material) made to denote locations of underground utility infrastructure, survey control data, and survey location points. The practical results of this amendment would be: (1) Chalk markings on streets and sidewalks no longer graffiti, unless they pose public safety risk; (2) Maintains exception for utility and survey markings; and (3) May reduce staff time and material costs associated with addressing temporary, easily removable graffiti.

The proposed amendment would read “Graffiti: Writings, drawings, inscriptions, figures or marks of paint, ink, dye, sprayable chalk (including chalk paint, marking chalk, inverted chalk, and similar substances), or other similar substances on public or private buildings, sidewalks, streets, structures, or places which are not authorized or permitted by the property owner or possessor. Markings made using temporary, easily removable chalk or other water soluble markings are not included in this definition if made upon streets or sidewalks unless it is determined that such markings create a public safety risk. This definition shall not be construed to prohibit any markings used to denote the location of underground utility infrastructure and those used in conjunction with establishing survey control data and location points by survey crews. For the purposes of this chapter, graffiti shall include drawings, writings, markings or inscriptions regardless of the content or nature of materials used in the commission of the act, except as otherwise provided herein.”

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

Councilwoman Roney moved to adopt on its first reading Ordinance Number 5208, ordinance amending Article VI, Regulation of Graffiti, of Chapter 10, Nuisances, of the Asheville Code of Ordinances, to amend the definition of graffiti, on its first reading. This motion was seconded by Councilwoman Ullman and carried unanimously.

City Attorney Branham said that because this ordinance has criminal penalties, it must be voted on at the next formal reading for its second and final reading.

B. Ordinance Number 5209 - Ordinance amending Chapter 4 of the Code of Ordinances of the City of Asheville to provide for repair, closing, or demolition of abandoned structures - Ordinance Book No. 36 - Page 448

Director of Development Services Mark Matheny said that this is the consideration of an ordinance amending Chapter 4 of the Code of Ordinances to provide for repair, closing, or demolition of abandoned structures.

Background:

- City Ordinance Chapter 4 Article 6 Unsafe Buildings and Chapter 4 Article 7 Housing Code are the compliance divisions two main ordinances for addressing unsafe or dilapidated buildings and dwellings.
- Current Code does not provide staff the ability to address buildings and dwellings that are structurally sound, but abandoned and unused and that have become a nuisance.
- Adoption of this ordinance would fill the gap between our current codes and provide alternative measures for compliance.

Committee(s):

- Public Safety Committee - January 29th, 2026, No Recommendation
- Public Safety Committee - March 26th, 2026 - Voted 2-0 to move forward to City Council

Pro(s)

- The expanded ability to address and enforce the nuisance of abandoned buildings

Con(s)

- None

Fiscal Impact

- Adopting this ordinance will not immediately create a fiscal impact. This ordinance will provide enforcement staff an additional tool to initiate and pursue cases within our current compliance path. Any fiscal resources that could potentially be needed, would need separate council action and approval in the same way as our current methods.

- Staff has discussed a future Proactive Abandoned Building Demolition Program that would create a much larger fiscal impact and is not a part of this ordinance update request. This would include a substantial remediation budget and the addition of two full-time employee positions. Additional resources will be considered during a subsequent budget development process.

Mr. Matheny provided the following key takeaways from his presentation: (1) The proposed ordinance update provides an additional tool for our Compliance Team to pursue the Building Regulatory Compliance process; (2) Compliance Team regulates the Unsafe Building Ordinance and Minimum Housing; (3) Compliance of the ordinance includes providing a safe (remediated) building for the general public - A demolished building isn't the only compliance option; (4) Since 2023, the efforts of our Compliance Team have resulted in the demolition of 8 residential buildings that qualified as Abandoned - Demolition occurred by the current owner or new owners of the property; and (5) A proactive building demolition program is not included in this ordinance change

and would require significant additional human and financial resources.

He said the term " Abandoned Building" originates from the NC General Statute 160D-1201 which is the basis of this Ordinance Update. "...the past one year period and which is determined by the City to be a health or safety hazard as a result of the attraction of insects or rodents, conditions creating a fire hazard, dangerous conditions constituting a threat to children, or frequent use by vagrants as living quarters in the absence of sanitary facilities."

To provide additional tools to use for the compliance/enforcement regulatory process, the following sections are requested to be amended: (1) Section 4-224. Purpose - The purpose of this article is to authorize the remediation and prevention of the health or safety hazards posed by abandoned structures by empowering the City to take action to repair, close, or demolish such structures for the protection of the life, health, welfare, safety, and property of the general public; and (2) Section 4-225. Scope - The provisions of this article are applicable to all structures existing and hereafter constructed within the City of Asheville that are abandoned structures necessitating repair, closing, or demolition to protect public health, welfare and safety.

Throughout discussion, Mr. Matheny responded to various questions/comments from Council, some being, but are not limited to: how are we distinguishing between abandoned buildings draining our resources and buildings damaged by Tropical Storm Helene; how does the inventory help with what we currently have if we are not funding the demolition; how would this change affected the Mountaineer Inn property; and what happens if property owners are actively working on their property or waiting on federal assistance.

City Attorney Branham said that the state statute that allows us to adopt this particular ordinance says that City Council already has the authority to do the exact same thing for residential properties, and it just requires this additional step for non-residential properties.

Mr. Drew West, representing the Council of Independent Business Owners, spoke in opposition of the adoption of the ordinance, and urged Council to revisit the ordinance with input from the business community. They believe a more balanced approach is needed - one that targets truly dangerous properties while protecting property rights, encouraging investment, and ensuring clear, consistent standards.

Mr. Matt Allen, representing the local REALTOR association, requested City Council pause consideration of this ordinance in order to provide more clarity for impacted property wonders, and to avoid unintended consequences.

Mayor Manheimer felt that we have been cautious with the use of these ordinances and doesn't think this approach would change with adoption of this ordinance. She felt this is

another opportunity to add to the City's toolbox.

Vice-Mayor Mosley could not support the ordinance. She felt that if this ordinance passes, the community will have expectations which this ordinance will not address. She has suggested we fund these positions for the Proactive Abandoned Building Demolition Program, but they are not funded next fiscal year, and it may not happen for years.

Councilwoman Hess moved to adopt an ordinance amending Chapter 4 of the Code of Ordinances to insert a new Article VIII, "Abandoned Structures," to provide for the repair, closing, or demolition of abandoned structures deemed health or safety hazards. This motion was seconded by Councilwoman Turner and carried on a 6-1 vote, with Vice-Mayor Mosley voting "no."

C. Resolution Number 26-59 - Resolution authorizing the renaming of Lewis McCormick Field located at 30 Buchanan Place in the City of Asheville, North Carolina, to Hometrust Park- Resolution Book No. 46 - Page 280

Director of Community & Regional Entertainment Facilities Chris Corl said that this is consideration of a resolution authorizing the renaming of Lewis McCormick Field located at 30 Buchanan Place in the City of Asheville, North Carolina, 28801 to Hometrust Park.

Background:

- The City of Asheville owns Lewis McCormick Field, opened in 1924 and named after the then staff bacteriologist Dr. Lewis McCormick who started the 'Swat That Fly' campaign in 1905 to reduce the area's burgeoning problem with the housefly.
- Dewine Seeds - Silver Dollar Baseball, LLC. owns the Asheville Tourists, a Major League Baseball (MLB) Professional Development League (PDL) team which plays its home games at McCormick Field.
- The Asheville Tourists have called McCormick Field home since 1924, with some exceptions around World War II when minor league baseball was suspended. The current ownership group has leased the facility from the City since 2010.
- On March 14, 2023, Asheville City Council approved Resolution 23-49 authorizing the City manager to sign a funding letter of commitment to Major League Baseball regarding the City's intent to bring the facility into compliance with MLB PDL facility standards at an estimated total cost of $37.5 Million.
- Funding to offset the debt services required for a construction project of this magnitude was sourced and committed to by four entities.
    - City of Asheville
    - Buncombe County Government
    - Buncombe County Tourism Development Authority
    - Dewine Seeds - Silver Dollar Baseball LLC.
- On May 13, 2025, Asheville City Council approved Resolution 25-95 authorizing a long-term lease agreement with Dewine Seeds - Silver Dollar Baseball, LLC. As part, the team is responsible for annual lease payments, averaging over $475,000 to the City for use to offset debt service payments.
- Within the lease agreement, Section 8.07 Naming Rights, the City has granted the right and authority to market and sell Naming Rights for the facility and to

retain the revenue therefrom. The identity of any future sponsor of the name of the facility (the 'Naming Rights') shall be subject to approval of the City, such approval will not be unreasonably withheld, conditioned or delayed.

- Potential Naming Rights payments were calculated into the potential capital stack required to offset debt service payments on the renovation project. In order to protect the City's risk, the effort and expense to sell Naming Rights was placed on the team during contract negotiations.
- Asheville Tourists staff has secured a naming rights sponsor and proposes to rename the facility to 'Hometrust Park' after the sponsor, publicly traded and locally operated regional bank, Hometrust Bank.
- Hometrust Bank is a strong community partner supporting many organizations in the Asheville area with company fundamentals that align well with Council goals.

Pro(s)

- Naming sponsor is a local company
- Naming rights funds help to ensure team is able to pay annual lease payments and reinvest in the facility through the term of the lease agreement.

Con(s)

- None

Fiscal Impact

- No fiscal impact to the City, revenue from Naming Rights sponsorship is paid directly to the team.
- There are no City expenses associated with Naming Rights, all expenses are that of the Team.

Mr. Corl provided the following key takeaways from his presentation: (1) Lewis McCormick Field is owned by the City, originally named after then staff Bacteriologist, Dr. Lewis McCormick and leased to the Asheville Tourists; (2) A $38.5 million renovation will be completed in April 2026 to bring the facility into compliance with Major League Baseball Professional Development League facility standards; (3) City Council approved a 20 year lease of the facility in May 2025 with annual lease payments from the Team utilized to help offset annual debt service payments; (4) Within the lease a provision grants the right and authority to market and sell naming rights for the facility and to retain the revenue therefrom to the team; and (5) The Team has secured a naming rights sponsor and proposes to rename the facility to 'Hometrust Park' after the sponsor, publicly traded and locally operated regional bank, Hometrust Bank.

Mr. Corl then gave a brief history from 2016 to April 21, 2026 - opening day.

Regarding key deal points, each entity involved required specific conditions to be met in order to support the project. Key goals and requirements in across agreements; Meet MLB Facility Standard; Guarantee Team must stay in Asheville through the duration of the debt service payments; Requirement to expand events outside of professional baseball; Expand event season to year round (previously April - August); Retain affordability in ticket pricing for baseball; Expand sustainability practices at concession

stands; Maximize private sector funding (team lease and Naming Rights); Manage traffic for baseball and non-baseball events; and Amend fireworks nights.

Regarding naming rights, (1) Lease provides the right and authority to market and sell Naming Rights for the stadium, and to retain the revenue therefrom to the Team; (2) Team is responsible for all costs and expenses associated with the sale and execution of Naming Rights; (3) The identity of any future sponsor of the name of the stadium shall be subject to approval of City, which cannot be unreasonably withheld, conditioned or delayed; (4) The name shall be appropriate for a publicly-owned facility and shall not be in bad tast, offensive to the City's image, a potential source of embarrassment to City or in conflict with the City's community standards; and (5) Potential Naming Rights funds were factored into the total annual payments from the Team to the City during contract negotiations.

Regarding Hometrust Bank, (1) Headquartered in Asheville; (2) Frequent award winner - Best places to work; Most loved workplaces; Best banks; and Best banks to work for; and (3) Company Fundamentals align with City Council visions and priorities - Literacy initiatives; Affordable housing; Financial education; and more.

Councilwoman Roney noted that we now have a lease for not only baseball, but other park uses. There are a lot of ways for the public to benefit.

Mr. Corl responded to Councilwoman Roney about how parking will be addressed for concerts.

Mr. Dennis Justice spoke in opposition of the naming rights and felt the field should remain "McCormick Field".

In response to Councilwoman Turner, Mr. Corl explained how there will be a history walk and everything in that history walk talks about the McCormick Field history from the beginning to the present.

Councilwoman Ullman moved to authorize the renaming of Lewis McCormick Field at 30 Buchanan Place in the City of Asheville, North Carolina, to Hometrust Park. This motion was seconded by Councilman Hess and carried unanimously.

VII. Informal Discussion And Public Comment:

Several individuals spoke to City Council about various matters, some being, but are not limited to: need for documents/videos, etc. on the City's website; urge City Council to not accept the grant for the Real Time Intelligence Center and stop the expansion of a surveillance system in our City; suggest the City look at bigger pickleball courts for handicapped players; urge Council to help mitigate harm at the Housing Authority properties; need to make exit interviews from the City a common practice; and make living wages a priority.

VIII. Adjournment:

Mayor Manheimer adjourned the meeting at 7:58 p.m.

_____
Mayor

_____
City Clerk