

Thursday – May 9, 2024 - 11:00 a.m.

Agenda Briefing Worksession - For May 14, 2024, Council Meeting

Present: Vice-Mayor Sandra Kilgore, Presiding; Councilwoman S. Antanette Mosley (left meeting at 12:42); Councilwoman Kim Roney; Councilwoman Sheneika Smith (arrived in meeting at 11:23 a.m.); Councilwoman Sage Turner; Councilwoman Maggie Ullman; City Manager Debra Campbell; City Attorney Brad Branham; and City Clerk Magdalen Burleson

Absent: Mayor Esther E. Manheimer

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:

- Budget Overview
- Tourism Development Authority - Tourism Product Development Fund Applications
- 2024 Point In Time Count Results

At 12:50 p.m., Vice-Mayor Kilgore adjourned the agenda briefing worksession.

Tuesday – May 14, 2024- 5:00 p.m

Regular Meeting

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

Absent: Councilwoman Sheneika Smith

PLEDGE OF ALLEGIANCE

Mayor Manheimer led City Council in the Pledge of Allegiance.

I. PROCLAMATIONS:

A. PROCLAMATION PROCLAIMING MAY 2024 AS “NATIONAL TENNIS MONTH”

Mayor Manheimer read the proclamation proclaiming May, 2024, as "National Tennis Month" in the City of Asheville. She presented the proclamation to Mary Ann Myers, Asheville Tennis Association President, who briefed City Council on some activities taking place during the month.

B. PROCLAMATION PROCLAIMING MAY 21-27, 2024 AS “NATIONAL PUBLIC WORKS WEEK”

Mayor Manheimer read the proclamation proclaiming May 21-27, 2024, as "National Public Works Week" in the City of Asheville. She presented the proclamation to Public Works Director Greg Shuler; Administration-Lora Morgan; Sanitation-Tim Kniffen; Streets-McKinley Allen; Fleet-Anthony Morrow; Asset Management-Micheal Cole; and Linette Williamson-Stormwater. On behalf of his Department, Mr. Shuler thanked City Council for this recognition.

II. CONSENT AGENDA:

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

- A. APPROVAL OF THE COMBINED MINUTES OF THE AGENDA BRIEFING WORKSESSION HELD ON APRIL 18, 2024, AND THE FORMAL MEETING HELD ON APRIL 23, 2024**

- B. RESOLUTION NO. 24-91 - RESOLUTION AUTHORIZING CITY COUNCIL TO ACCEPT AN ARPA (STATE REVOLVING FUND) GRANT TO FUND PART OF THE MILLS RIVER WATER TREATMENT PLANT MISCELLANEOUS PLANT UPGRADES (REHABILITATION) PROJECT - PHASE 2**

Action Requested: Adoption of a resolution authorizing City Council to accept a \$5,000,000 ARPA (State Revolving Fund) grant to fund part of the Mills River WTP Miscellaneous Plant Upgrades (Rehabilitation) Project - Phase 2, and authorize the City Manager to execute all documents

Background:

- Mills River Water Treatment Plan Miscellaneous Plant Improvements (Rehabilitation) project - Phase 2
 - Aspects of the project include: additional off-stream storage; third wastewater lagoon; additional finished water storage; replacement of several bulk chemical storage tanks and associated equipment; replacement of filter controls; replacement of mixers, flocculators, and various transferring pumps; and updating all lighting for more energy efficiency
- The City applied for an ARPA construction grant through the North Carolina Department of Environmental Quality - Division of Infrastructure during the Spring 2022 application process.
- The City was notified in the Fall of 2022 that the request was accepted and could receive \$5,000,000.
- The City has completed all intermediate steps in the grant process.
- The next step requires the City Council to pass a resolution officially accepting the funding.
- The additional debt needed has been included in rate modeling for the Water Fund.

Vendor Outreach Efforts: n/a

Council Goal(s):

- Clean, Safe and Healthy Environment

Committee(s):

- n/a

Pro(s):

- Acceptance will allow for other capital improvements projects to proceed.

Con(s):

- n/a

Fiscal Impact:

- This grant was previously budgeted in the Water Resources Capital Projects Fund.

Motion:

- Motion to authorize City Council to accept the North Carolina Department of Environmental Quality's ARPA grant toward the construction of the Mills River Water Treatment Plant Miscellaneous Upgrades (Rehabilitation) - Phase 2, and authorize the City Manager to execute all documents.

RESOLUTION BOOK NO. 45 - PAGE 1

C. RESOLUTION NO. 24-92 - RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONSTRUCTION/REPAIR CONTRACT WITH WHARTON-SMITH INC. FOR THE CONSTRUCTION OF THE MILLS RIVER WATER TREATMENT PLANT MISCELLANEOUS UPGRADES (REHABILITATION) PHASE 2 PROJECT

ORDINANCE NO. 5075 - BUDGET AMENDMENT TO FUND PART OF THE MILLS RIVER WATER TREATMENT PLANT MISCELLANEOUS PLANT UPGRADES (REHABILITATION) PROJECT - PHASE 2

Action Requested: Adoption of a resolution authorizing the City Manager to enter into a construction/repair contract with Wharton-Smith, Inc for the construction of the Mills River Water Treatment Plant (WTP) Miscellaneous Improvements (Rehabilitation) Phase II project, in the amount of \$23,381,040 plus a 15% contingency of 3,507,156 for a project total of \$26,888,196; and a budget amendment, in the amount of \$16,888,196, to fund the project.

Background:

- Mills River WTP Miscellaneous Improvements- Phase II is a large-scale project.
 - Aspects of the project include: additional off-stream storage; third wastewater lagoon; additional finished water storage; replacement of several bulk chemical storage tanks and associated equipment; replacement of filter controls; replacement of mixers, flocculators, and various transferring pumps; and updating all lighting for more energy efficiency
- Competitive bidding process was conducted with Wharton-Smith, Inc being the lowest responsive responsible bidder.
- Construction is anticipated to begin in the summer of 2024.
- This project has a current budget of \$10 million, including a \$5 million State Revolving Fund (SRF)/ARPA grant.
- The additional debt needed has been included in rate modeling for the Water Fund.
- Upon completion of the project:
 - the new equipment will require less electricity to operate, be more efficient
 - significantly more finished water storage capacity to feed the growing customer base
 - the plant will be able to consistently produce 7.5 million gallons a day

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.

- Consulting Engineers reached out to seven construction companies.
- No MWBE firms submitted bids as the prime contractor.

Council Goal(s):

- Clean, Safe and Healthy Environment

Committee(s):

- n/a

Pro(s):

- Construction of the project will ensure a firm capacity of 7.5 MGD from the Mills River Water Treatment Plant.

Con(s):

- There are no cons to entering this contract.

Fiscal Impact:

- Funding for \$10,000,000 of this contract was previously budgeted and is available in the Water Resources Capital Projects Fund.

Motion:

- Motion to approve a resolution authorizing the City Manager to enter into a contract with Wharton-Smith, Inc for the Mills River Water Treatment Plant (WTP) Miscellaneous Upgrades (Rehabilitation) Phase II construction project, in the amount of \$23,381,040 plus a 15% contingency of \$3,507,156, for a project total of \$26,888,196; and a budget amendment, in the amount of \$16,888,196, to fund the project.

**RESOLUTION BOOK NO. 45 - PAGE 2
ORDINANCE BOOK NO. 35 - PAGE 268**

D. RESOLUTION NO. 24-93 - RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH HYATT PIPELINE LLC FOR THE WATER DISTRIBUTION PROJECT 1, PHASE 2: MCDOWELL STREET WATER DISTRIBUTION PROJECT

Action Requested: Adoption of a resolution authorizing the City Manager to execute a construction agreement with Hyatt Pipeline, LLC for the WDP-1 Phase 2: McDowell Street Water System Improvements project.

Background:

- The scope of work for this project includes the installation of approximately 6,650 LF of 12-inch ductile iron pipe and other miscellaneous water system components including service connections and other appurtenances located along McDowell St and Short McDowell St between Southside Ave and Meadow Road.
- The proposed project will replace existing cast iron water lines installed in the late 40's and early 50's, 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 February 21, 2024, the Water Resources Department (WRD) issued an advertisement for bids for WDP-1 Phase 2: McDowell Street Water System Improvements project.

- In response to the advertisement for bids, the WRD received two (2) bids on March 28, 2024, but bids were not opened because NC General Statute requires a minimum of three (3) bids in response to an initial formal bid advertisement.
- On April 1, 2024, the Water Resources Department (WRD) issued an advertisement for rebids for WDP-1 Phase 2: McDowell Street Water System Improvements project.
- The Water Resources Department requests authorization to contract with Hyatt Pipeline, LLC for the bid amount of \$4,299,510.00 plus a 10% contingency in the amount of \$429,951.00, for a total amount not to exceed \$4,729,461.00 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.
- In response to the advertisement for rebids, the WRD received two (2) bids on April 11, 2024.
Companies responding were:
 1. Hyatt Pipeline, LLC: Canton, NC - \$4,299,510.00
 2. T.P. Howard Plumbing Company, Inc.: Fairview, NC - \$5,400,000.00
- Following an audit of the bids by City staff and the project engineers, MCGill & Associates, Hyatt Pipeline, LLC was selected as the lowest responsible, responsive bidder.
- No MWBE firms submitted bids as the prime contractor.

Council Goal(s):

- A Financially Resilient City
- A Clean and Healthy Environment
- Improve / Expand Core Services

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 Hyatt Pipeline, LLC for the bid amount of \$4,299,510.00 plus a 10% contingency in the amount of \$429,951.00, for a total amount not to exceed \$4,729,461.00 for a term through project completion.

E. RESOLUTION NOS. 24-94, 24-95, 24-96 AND 24-97 AUTHORIZING THE CITY MANAGER TO EXECUTE ON-CALL CONTRACTS FOR AN INITIAL ONE-YEAR TERM AND OPTION FOR TWO 1-YEAR RENEWALS WITH ATLANTIC EMERGENCY SOLUTIONS, WEISIGER GROUP D/B/A CAROLINA CATERPILLAR, FREIGHTLINER OF ARIZONA D/B/A VELOCITY TRUCK CENTERS, AND CUMMINS INC. D/B/A/ CUMMINS SALES AND SERVICE FOR HEAVY DUTY TRUCK REPAIRS FOR THE CITY'S FLEET

Action Requested: Adoption of four (4) resolutions authorizing the City Manager to execute Not to Exceed on call contracts for an initial one year term and option for two 1-year renewals with Atlantic Emergency Solutions, Weisiger Group d/b/a Carolina Caterpillar, Freightliner of Arizona d/b/a Velocity Truck Centers, and Cummins Inc d/b/a Cummins Sales and Service for Heavy Duty Truck Repair and Service for the City's Fleet.

Background:

- The Fleet Management Division of the Public Works Department maintains over 1,300 City owned vehicles and pieces of equipment.
- Subcontracted work is used to supplement existing staff resources at times of high demand or to provide services where the Fleet Division does not have suitable facilities or resources.
- Request for Proposals (RFP) 298-RFP-HDRepair-FY24 was advertised in February 2024 for Heavy Duty Truck Repair and Service
- Fleet Management intends to enter into On-Call Contracts with Multiple Proposing Vendors to the Request for Proposals (RFP).
- The City's Procurement, Purchasing and Contracting Policy requires Council approval for General Service Contracts valued at \$90,000 or greater.
- These contracts will be for an initial term of one (1) year with the option for two (2) one year renewals.

Vendor Outreach Efforts:

- The Request for Proposals (RFP) was advertised according to City's Asheville Business Inclusion (ABI) and Purchasing Policies and Procedures.
- Staff performed outreach to minority and women owned businesses through 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.
- The Asheville Business Inclusion (ABI) Office list of City Vendors for Outreach was consulted for any known relevant vendors before the RFP was advertised.
- No MWBE Vendors were identified during this process
- Atlantic Emergency Solutions, Candler NC, \$50K/yr \$150K Total
- Weisiger Group d/b/a Carolina Caterpillar, Asheville NC, \$120K/yr \$360K Total
- Freightliner of Arizona d/b/a Velocity Truck Centers, Candler NC & Kingsport TN, \$60K/yr \$180K Total
- Cummins Inc d/b/a Cummins Sales & Service, Spartanburg SC, \$60K/yr \$180K Total
- None of the proposed vendors are MWBEs.

Council Goal(s):

- Connected and Engaged Community
- Thriving Local Economy

Committee(s):

- None

Pro(s):

- These contracts supplement Fleet Management capacity and reduce repair downtime, allowing the return of City vehicles to service in a timely manner
- On-call services provide staff a way to quickly and efficiently obtain estimates and repairs for vehicle repair needs.
- Provides flexibility in service delivery without significant capital investment in equipment or facilities (e.g., paint shop, etc.) that aren't used on a daily basis
- Avoids the cost of transporting inoperable vehicles between vendors to obtain multiple quotes.

Con(s):

- None

Fiscal Impact:

- Funding for these contracts is available in the Public Works Department operating budget.

Motion:

- Motion to adopt four (4) resolutions authorizing the City Manager to execute on-call contracts with proposing vendors for one year, with the option for two one (1) year renewals for Heavy Duty Truck Repair and Service to supplement Fleet Maintenance.

RESOLUTION NO. 24-94 - RESOLUTION BOOK NO. 45 - PAGE 4

RESOLUTION NO. 24-95 - RESOLUTION BOOK NO. 45 - PAGE 5

RESOLUTION NO. 24-96 - RESOLUTION BOOK NO. 45 - PAGE 6

RESOLUTION NO. 24-97 - RESOLUTION BOOK NO. 45 - PAGE 7

F. RESOLUTION NO. 24-98 - RESOLUTION AUTHORIZING CITY COUNCIL TO ACCEPT A GRANT FOR THE NORTH CAROLINA GOVERNOR'S HIGHWAY SAFETY PROGRAM 2025 BIKESAFE GRANT

ORDINANCE NO. 5076 - BUDGET AMENDMENT FOR THE 2025 BIKESAFE GRANT

Action Requested: Adoption of a resolution authorizing the Mayor to accept a grant, in the amount of \$5,000, for the North Carolina Governor's Highway Safety Program (GHSP) 2025 BikeSafe Grant, and adopt the associated budget amendment in the Special Revenue Fund in the amount of \$5,000.

Background:

- The Bike/Safe NC program is a partnership with the Governor's Highway Safety Program and the North Carolina State Highway Patrol that is aimed at reducing motorcycle fatalities.
- Grant funds will be used to promote awareness by contacting motorcycle dealers, clubs and associations to discuss current highway safety activities and attend and/or host training opportunities.
- The Asheville Police Department will act as fiduciary for the program.
- The total of the grant is \$5,000 and does not require local matching funds.

Vendor Outreach Efforts:

- None. Funding for this grant is provided by North Carolina Governor's Highway Safety Program.

Council Goal(s):

- A Connected and Engaged Community

Committee(s):

- Environment & Safety Committee - 04/23/2024 - 3-0 approval

Pro(s):

- Grant funds are used to pay for travel and training.
- Potential reduction of statewide and regional motorcycle fatalities.

Con(s):

- Funding is evaluated annually and is only available for a one-year period.

Fiscal Impact:

- Matching funds are not required for this grant.

Motion:

- Motion to adopt a resolution approving the application and acceptance of the grant; and a budget amendment to appropriate the funding.

**RESOLUTION BOOK NO. 45 - PAGE 9
ORDINANCE BOOK NO. 35 - PAGE 269**

- G. RESOLUTION AUTHORIZING THE CITY MANAGER TO AUTHORIZE THE ASHEVILLE POLICE DEPARTMENT AND THE UNIVERSITY OF NORTH CAROLINA ASHEVILLE TO ENTER INTO AN AGREEMENT THAT ALLOWS ITS LAW ENFORCEMENT AGENCY TO EXTEND ITS TERRITORIAL JURISDICTION BEYOND THE CAMPUS PERIMETER**

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

- H. RESOLUTION NO. 24-100 - RESOLUTION AMENDING THE 2024 CITY COUNCIL MEETING SCHEDULE TO (1) MOVE THE CITY COUNCIL FORMAL MEETING ON JUNE 11, 2024, AT 5:00 P.M. TO THE BANQUET HALL AT HARRAH'S CHEROKEE CENTER - ASHEVILLE; LOCATED AT 87 HAYWOOD STREET, ASHEVILLE, N.C.; AND (2) ADD AN AFFORDABLE HOUSING PLAN WORKSESSION ON JUNE 25, 2024, AT 3:00 P.M. IN THE COUNCIL CHAMBER, LOCATED ON THE 2ND FLOOR OF CITY HALL**

RESOLUTION BOOK NO. 45 - PAGE 10

- I. 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 March 2024.

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 March 2024 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.

Motion:

- Motion to adopt City of Asheville property tax refunds and releases for the month of March 2024.

Mayor Manheimer noted that any comments regarding the BID will be taken under general public comment.

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 Roney moved for the adoption of the Consent Agenda. This motion was seconded by Councilwoman Ullman and carried unanimously.

ITEM REMOVED FROM THE CONSENT AGENDA FOR INDIVIDUAL VOTE

G. RESOLUTION NO. 24-99 - RESOLUTION AUTHORIZING THE CITY MANAGER TO AUTHORIZE THE ASHEVILLE POLICE DEPARTMENT AND THE UNIVERSITY OF NORTH CAROLINA ASHEVILLE TO ENTER INTO AN AGREEMENT THAT ALLOWS ITS LAW ENFORCEMENT AGENCY TO EXTEND ITS TERRITORIAL JURISDICTION BEYOND THE CAMPUS PERIMETER

Action Requested: Adoption of a resolution authorizing the City Manager to authorize the Asheville Police Department and the University of North Carolina Asheville (UNCA) to enter into an agreement that allows its law enforcement agency to extend its territorial jurisdiction beyond the campus perimeter under N.C.G.S. 116-40.5.

Background:

- UNCA's Campus Police have expressed a desire to extend their jurisdiction beyond the campus borders, primarily to allow them to patrol and enforce North Carolina law at apartment complexes close to campus primarily occupied by students. This would reduce pressure on the APD to respond to calls in this area.
- Under North Carolina law, the Board of Trustees of any constituent institution of The University of North Carolina, may enter into joint agreements with the governing board of any municipality to extend the law enforcement authority of campus police officers into any or all of the municipality's jurisdiction and to determine the circumstances in which this extension of authority may be granted.
- UNCA's Board of Trustees has passed a resolution authorizing the extension.

Vendor Outreach Efforts:

- N/A

Council Goal(s):

- Connected and Engaged Community and Clean, Safe and Healthy Environment

Committee(s):

- Environment & Safety Committee - April 23, 2024 - 3-0 approval

Pro(s):

- Continued partnership with the University provides an opportunity to provide extended police service to the surrounding area of the University.
- University officers can provide police assistance to the Asheville Police Department outside of its regular jurisdictional boundaries.

Con(s):

- None

Fiscal Impact:

- This action requires no City resources and has no fiscal impact.

Motion:

- Motion to authorize the City Manager to authorize the Asheville Police Department and the University of North Carolina Asheville to enter into an agreement allowing its law enforcement agency to extend its territorial jurisdiction beyond the campus perimeter under N.C.G.S. 116-40.5.

Two individuals spoke against this action for the reasons of needing more information and allowing this will not make the community safe.

Police Chief Mike Lamb explained that this partnership is to help with Asheville Police Department (APD) to give more of a presence when we have student housing off campus. Since there is a lot of overnight crime, the APD Patrol Division is very busy and they appreciate the help from the UNC-A Campus Police. He said UNC-Asheville is providing additional presence, but as far as any investigations that take place, those will be investigated by the APD by its officers and detectives.

UNC-Asheville Police Chief Daran Dodd explained their training of their 17 full time officers. This partnership protects officers and students around campus and off-campus student housing.

Councilwoman Roney has heard from students and faculty with two consistent themes - timing (right after commencements so it's hard to engage the impacted people) and input from student government and faculty (Senate). Their specific ask is that we delay this action until September so those two groups can give their recommendations.

Vice-Mayor Kilgore moved to City Manager to authorize the Asheville Police Department and the University of North Carolina Asheville to enter into an agreement allowing its law enforcement agency to extend its territorial jurisdiction beyond the campus perimeter under N.C.G.S. 116-40.5. This motion was seconded by Councilwoman Ullman and carried on a 5-1 vote, with Councilwoman Roney voting "no."

RESOLUTION BOOK NO. 45 - PAGE 9

III. PRESENTATIONS & REPORTS:

A. PRESENTATION OF THE FISCAL YEAR 2025 ANNUAL OPERATING BUDGET

City Manager Campbell said it was her pleasure to respectfully submit to Council the City Manager and staff's proposed budget for the fiscal year beginning July 1, 2024, and ending June 30, 2025. As she has done over each of the last five years, she wanted to begin her budget message by saying how honored she is to continue to be a part of an organization that cares so deeply for the people it serves, and how much she appreciates your efforts through the budget process to address the needs of our community in a fiscally responsible manner.

She said that this proposed budget, prepared and submitted in accordance with N.C. Gen. Stat. sec. 159-11, represents many months of work by Council, the community and staff throughout the organization. The proposed budget is also consistent with our budget development guiding principles: (1) Essential service delivery by providing departments with the resources required to meet service delivery expectations; (2) Enhancing customer value by ensuring efficient service delivery that improves the customer experience; and (3) Strategic alignment by directing new and existing resources towards achieving community, Council and staff goals.

She said last year we delivered to you a budget that utilized strong revenue growth (particularly in sales taxes), federal funding through the American Rescue Plan Act (ARPA), and solid financial management to fund significant increases in employee compensation, as well as a number of other service enhancements. This proposed budget has been prepared under different financial circumstances. The unprecedented sales tax growth that we saw over the prior three years has ended, and one-time ARPA funding has been almost completely utilized. As a result, we have a limited ability to fund service enhancements in the upcoming proposed budget; and even though overall inflation has eased, the cost of labor and goods continue to rise at a quicker pace than before the COVID-19 pandemic. Despite these headwinds, she believed our guiding principles and our strong financial management provide an opportunity to continue building on the strength of our existing services and the employees that provide them. Development of this year's proposed budget reflects a continuation of the internal and external engagement efforts that began four years ago. These efforts helped inform the recommendations included in this proposed budget.

She said generally the service priorities that were identified include additional investment in affordable housing and homelessness; community safety and emergency response; and facilities maintenance and construction.

She said this fiscal year 2024-25 proposed budget totals \$249.6 Million and includes (1) no change to the current property tax rate; (2) a focus on employee compensation and benefit adjustments that reflect inflation in the labor market and other cost increases; (3) strategic utilization of Fund Balance to advance Council's priorities, and balance the budget; (4) continue funding for essential community services and initiatives in a time of rising costs; and (5) recommendations for a November 2024 General Obligation Bond referendum and a five-year Capital Improvement Program that will provide additional resources to address the City's infrastructure needs.

Finance Director Tony McDowell outlined the following key takeaways from the City Manager's proposed budget presentation as follows: (A) The Fiscal Year (FY) 2024-25 Proposed Budget totals \$249.6 million and includes: (1) A focus on employee compensation and benefits; (2) Strategic utilization of fund balance to advance Council's priorities, balance the budget, and avoid increases to the property tax rate; (3) Continued funding for essential community services in a time of rising costs; and (4) Recommendations for a \$75M November 2024 General Obligation (GO) Bond referendum that will provide additional resources to address the City's

infrastructure needs.

Mr. McDowell then outlined the presentation as follows: (1) Budget process and priorities overview; (2) Budget highlights; (3) Ongoing investments in Council Strategic Priorities; (4) New operating investments; (5) Capital Improvement Program (CIP) & General Obligation (GO) Bond; and (6) Summary.

He then reviewed the budget development process, the FY 25 budget development key dates, and the FY 25 Council strategic priorities. Public input summary included (1) Service priorities include additional investment in: (a) Affordable Housing & Homelessness; (b) Community Safety & Emergency Response; and (c) Facilities Maintenance; (2) Strong support for Community Responder Program; (3) Housing decisive capital priority (Greenways, sidewalks, and road resurfacing also highly ranked); and (4) Support for more comprehensive capital investments at fewer locations (e.g. streetscaping vs resurfacing only), and maintaining current resources. He then reviewed the guiding principles.

Using charts, he reviewed the proposed budget summary, the revenues from all funds, the typical residential household impact of the fees and charges, and the expenditures from all funds.

Recommended changes to salary and benefits include (1) 4.11% compensation increase for all staff, meeting annual salary of Just Economics pledged living wage rate; (2) State-mandated increase in employer retirement contribution; (3) Additional employer contribution to cover increasing healthcare costs; and (4) Reinstate retiree health benefit. He also reviewed the recommended new positions in the General Fund and Enterprise Funds.

He then reviewed the Fund Balance estimate in the General Fund. The FY 24 Year End Fund Balance is \$31.43M, less the FY Fund Balance budgeted of -\$7.75M will leave a FY Fund Balance percentage of 13.30%. The amount needed to achieve the 15% policy target is \$3.09M. He then used a chart to show the Fund Balance utilization examples - 4.11 compensation, retirement employer contribution, employer health contribution, additional transit funding, Community Responder Program, Asheville Fire Department (AFD) equipment software/licensing, and the Asheville Police Department (APD) Drone Program. In summary, (1) Funds compensation to pledged living wage in an equitable way and avoids compression; (2) Maintains existing services with minimal operating cost increases; and (3) Invests in strategic enhancements where additional revenues are available.

Mr. McDowell then reviewed the proposed FY 2024-25 budget - examples of ongoing investments in each of the six Council six priorities.

He then detailed the proposed FY 2024-25 budget - new operating investments, as follows: Reimagining Public Safety - (1) Community Responder Program; and (2) Drone support. Improve & Maintain Core Services - (1) Public safety radio system upgrade and support; (2) Transit operations; (3) Yard waste and brush collection; (4) Enhanced stormwater maintenance; (5) Stormwater development review; (6) Sidewalk maintenance expansion (Street Cut Fund); (7) Water production capital project management; and (8) Water distribution system maintenance.

He then provided CIP highlights in the General Fund. The CIP highlights in the enterprise funds are (1) Water Resources - Revenue from approved fee increases will begin to address \$240 million in identified maintenance needs of distribution system and water treatment plants; and (2) Parking Services - Revenue from approved fee increases will begin to address \$11.3 million in identified maintenance needs in parking garages. The identified needs are (1) Over \$350 million planned in five-year CIP (including enterprise funds); (2) Over \$800 million of projects identified during the budget process; and (3) Need additional resources to address needs and continue service delivery.

Regarding the GO Bond recommendation, he explained the \$75 million bond package in 2024; and the \$75 million bond package in 2028. It is (1) meaningful, but achievable; (2) Reasonable taxpayer burden; and (3) Maintains a safe amount of debt per capita.

The 2024 GO Bond categories are (1) Housing - \$25M (a) Housing Trust Fund, which assists in creating diverse and affordable housing choices across the City; and (b) Implement bond-eligible strategies outlined in the Affordable Housing Plan; (2) Transportation - \$20M (a) Road improvements and resurfacing; (b) New sidewalks and improvements; (c) Transportation safety projects such as transit improvements, accessible crossings, and traffic calming; (d) Greenways; and (e) Implementing transportation improvements prioritized in the adopted GAP Plan; (3) Parks & Recreation - \$15M (a) Improvements to existing community centers, parks, outdoor sport courts, and playgrounds; (b) Land acquisition for new and upgraded facilities; (c) Investments in aquatics facilities; and (d) Implementing prioritized capital investments outlined in the Recreate Asheville: Shaping Our City's Parks 10-Year Plan scheduled to be finalized by early Summer; and (4) Public Safety Facilities (\$15M) (a) Maintenance and upgrades to existing facilities; (b) Land acquisition for new and upgraded facilities; and (c) Investments in city building infrastructure prioritized in the 2023 Comprehensive Facility Study. Additional information on the GO Bond is as follows: (1) An itemized project list is not required for the ballot, however, over the next several weeks staff will be finalizing the list of proposed projects; (2) Additional information over the course of required Council actions: May 28 - Intent to apply; June 25 - Introduce bond orders and set public hearing; and July 23 - Hold public hearing, adopt bond order and set referenda; and (3) City Manager's Office, CAPE, Finance & Management Services, and Capital Projects staff will continue to share information with the community leading up to November 2024 vote.

City Manager Campbell, along with Mr. McDowell, responded to various questions/comments from Council, some being, but are not limited to: which employees are eligible to participate in the retiree health benefit program; confirmation that there is no additional CIP funds as this is a continuation of the existing CIP; explanation of the 7 new Community Responder Program employees in the Fire Department and how those positions will be funded; need to make sure there is no duplication of services in the County Community Paramedic Program and the City's Community Responder Program; possibility that if the Business Improvement District is created that they may be able to help grow the Community Responder Program in the downtown area; need to have the bond dashboards updated; confirmation that all the 2016 bond monies have either been spent, encumbered, or committed to a specific project; where is the best place to fund the Malvern Hills Pool - Capital Improvement Program or GO Bond Program; further GO Bond amount discussion to (1) either raise the \$75 M Bond amount to \$78 M for the rebuild of the Malvern Hills Pool (Parks & Recreation category) or reduce one of the other categories by \$3 M; or (2) reduce the Housing category for more money in the Public Safety Facilities and Parks and Recreation categories; explanation of how the City will need to raise property taxes next year; and firefighter pay. All questions that could not be readily answered would be reviewed with Council at the agenda briefing worksession for the May 28 meeting on May 23.

City Manager Campbell said that we may not have, as part of this proposed budget, been able to address all the budget requests that we received, but we did our best to weigh all the options and impacts and deliver a financially responsible and sustainable proposed budget that will hopefully improve the lives of those who live, work and play in the City of Asheville.

IV. PUBLIC HEARINGS:

A. PUBLIC HEARING TO REZONE 1310 FANNING BRIDGE ROAD FROM INDUSTRIAL DISTRICT - CONDITIONAL ZONE TO INDUSTRIAL ZONE

ORDINANCE NO. 5077 - ORDINANCE TO REZONE 1310 FANNING BRIDGE ROAD FROM INDUSTRIAL DISTRICT - CONDITIONAL ZONE TO INDUSTRIAL ZONE

Principal Planner Will Palmquist said that this is the consideration of an ordinance to rezone 1310 Fanning Bridge Road from Industrial District - Conditional Zone to Industrial District. This public hearing was advertised on May 3 and 10, 2024.

Project Location and Contacts:

- The rezoning petition consists of one property totalling 27.75 acres and located at 1310 Fanning Bridge Rd (PIN 9643-71-7559)
- Owner: Minkles LLC

Summary of Petition:

- The applicant requests a rezoning of one property to the Industrial (IND) District.
- The subject property is the site of a warehouse/distribution facility for Electrolux, a home appliance manufacturer.
- The property is currently zoned Industrial - Conditional Zone (IND-CZ).
- The conditional zoning of the property, per Ord. No. 4035, was adopted on November 22, 2011 and rezoned the property from Industrial (IND) to Industrial - Conditional Zone (IND-CZ) for the purpose of constructing a significant expansion of the existing building on-site.
- The proposed expansion did not take place and is not being considered at this time. The applicant has recently applied for a Level I site plan review for a new truck court and loading bay at the north end of the property, which is incompatible with the existing conditional zoning on the property. Therefore, the applicant is seeking a rezoning to the general use Industrial district in order to proceed with the proposed project.
- The subject property is designated "Industrial/Manufacturing" on the city's Future Land Use (FLU) Map. A change to the FLU Map is not required.

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 development is compatible with the Future Land Use designation of "Industrial/Manufacturing" which is proposed, in part, as "typically found on larger tracts of land with good access to transportation systems that are served by other needed utilities. Industrial and manufacturing areas are an important economic sector to the city." (p. 344).
- Industrial (IND) is cited as an appropriate zoning district within the Industrial/Manufacturing Future Land Use category.

Compatibility Analysis:

- The purpose of the Industrial (IND) zoning district is, "to reserve land for existing and future industrial activities and for land uses that support industrial activities" [UDO Sec. 7-8-22(a)].
- The proposed rezoning petition is compatible with most of the surrounding land uses, including:

- The Asheville Regional Airport to the west of the site.
- The WNC Agricultural Center directly to the south of the site.
- Commercial, retail, and lodging uses to the north of the site along Airport Rd.
- Single-family residential uses further to the east of the site across Interstate-26.

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) - April 3, 2024 - Approved (Vote 6:0)

Pro(s):

- Provides greater flexibility for improvements and future operations of the existing warehouse/distribution use on-site, in conformity with the general use Industrial district.

Con(s):

- None identified.

Staff Recommendation:

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

Mr. Palmquist reviewed the existing and proposed zoning, the aerial imagery and the future land use map. He said that the Planning & Zoning Commission voted unanimously to approve the project with the condition. He explained that the purpose of the Industrial (IND) zoning district is, “to reserve land for existing and future industrial activities and for land uses that support industrial activities” [UDO Sec. 7-8-22(a)]. It is compatible with most of the surrounding land uses, including: (1) The Asheville Regional Airport to the west of the site; (2) The WNC Agricultural Center directly to the south of the site; (3) Commercial, retail, and lodging uses to the north of the site along Airport Road; and (4) Single-family residential uses further to the east of the site across Interstate-26. 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 rezoning.

In response to Councilwoman Roney, Mr. Palmquist said that the Hotel Overlay District (lodging portion) does not cover this parcel.

Mayor Manheimer opened the public hearing at 6:42 p.m., and when no one spoke, she closed the public hearing at 6:42 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 rezoning request for the property located at 1310 Fanning Bridge Rd from Industrial - Conditional Zone (IND-CZ) to Industrial (IND) 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 Turner and carried unanimously.

V. UNFINISHED BUSINESS:

A. ORDINANCE NO. 5078 - FIRST READING OF AN ORDINANCE CREATING A DOWNTOWN MUNICIPAL SERVICE DISTRICT, ALSO KNOWN AS A BUSINESS IMPROVEMENT DISTRICT, IN DOWNTOWN ASHEVILLE

Mayor Manheimer said that the public hearing on this matter was held on April 23, 2024, and no further public comment will be taken.

Assistant City Manager Ben Woody briefly reviewed the following staff report for the first reading of an ordinance creating a Downtown Asheville Business Improvement District.

“Background:

- The City Council is authorized to establish a Municipal Service District, also known as a “Business Improvement District” (hereinafter referred to as a “BID”) pursuant to N. C. Gen. Stat. 160A-537.
- A BID is utilized in order to finance, provide, or maintain, within the defined district, certain services, facilities, or functions in addition to, or to a greater extent, than those already provided to the entire City.
- A BID may only be established upon a finding by the City Council that the proposed district is in need of one or more of the services, facilities, or functions, as authorized by N.C. Gen. Stat. 160A-536, to a demonstrably greater extent than the remainder of the city.
- North Carolina law requires the City Council to hold a public hearing on the BID, and provide a report containing (1) a map of the proposed district, showing its proposed boundaries; (2) a statement showing that the proposed district meets the legal standards; and (3) a plan for providing in the district one or more of the services listed in N. C. Gen. Stat. 160A-536.
- In Spring 2023, the Asheville Area Chamber of Commerce (Chamber) began working with downtown stakeholders to address their concerns around services, safety, and cleanliness.
- The Chamber contracted with Progressive Urban Management Associates (P.U.M.A.) to conduct a BID Feasibility Study and to prepare the required BID Operational Plan Report for Downtown Asheville.
- On March 21, 2024, the Chamber submitted the BID Operational Plan Report to the City, and public notice has been provided to all property owners within the proposed BID that the report is available for public inspection for a period of four weeks, and that a public hearing on the BID will be conducted on April 23, 2024.
- The City Council held a public hearing on April 23, 2024. At that meeting, over 60 people spoke at hearing on this matter.
- The BID must be voted upon twice by the City Council. The first reading will occur on May 14, 2024, and the second and final reading is scheduled for June 11, 2024.
- The initial Ordinance to be considered by Council will be limited to establishing the BID, and setting the applicable BID tax rate. The governance structure for the BID may be determined separately, even at a later date but prior to the implementation of BID service delivery.

Vendor Outreach Efforts:

- n/a

Council Goal(s):

- Thriving Local Economy
- Clean, Safe and Healthy Environment

Committee(s):

- Downtown Commission: 3/22/2024 received presentation.
- Downtown Commission: 4/26/2024 - a motion to recommend support of City Council implementing the BID map and tax district as currently proposed with conditions specific to BID implementation failed 4-4. The following were conditions included in the motion:
 - Additional public input on the Request for Proposals (RFP).
 - Consider the Downtown Commission as a body for review of the RFP and assisting City Council as desired.
 - Consider an open board application process (similar to how the City handles boards and commissions).
 - Require a community-wide annual survey to be included in the annual report to ensure greater input on what is prioritized.
 - Establish and clarify the training requirements for ambassadors/agents.
 - Provide clarity and definitions on the use of arms and level of authority for ambassadors/agents.
 - Consider additional programs such as community responders.

Pro(s):

- A BID would provide additional funding to meet the demonstrably greater need for certain services, facilities, and functions within the downtown district.

Con(s):

- The BID levies an additional property tax upon downtown property owners, and the effect of this may be passed on to tenants and customers.

Fiscal Impact:

- The proposed annual assessment rate is 0.0919 per \$100 of taxable value (example: property with taxable value of \$500,000 has an annual BID assessment of \$459.50).
- The BID proposed services and annual budget include:
 - Safety and Hospitality Services: \$700,000
 - Enhanced Cleaning Services: \$300,000
 - Contingency: \$100,000
 - BID Management and Administration: \$150,000
 - Total BID Budget: \$1,250,000”

Mr. Woody then said that Business Improvement Districts, also known as municipal service districts, are utilized to provide certain services to an area of the city to a demonstrably greater extent than otherwise provided to the remainder of the city. Municipal service districts are fairly common in North Carolina, with a current total of 66 within the state, providing a range of services that include safety and supplemental cleaning performed by ambassador programs, beautification and placemaking, economic development marketing and branding, and capital projects to name a few.

He said that on March 21 of this year, the Asheville Area Chamber of Commerce submitted a BID Operational Plan Report to the city to address stakeholder concerns with services, safety and cleanliness, and to begin the process of Council consideration for the establishment of a downtown BID. The BID operational plan report is provided in the Office of the City Clerk and also as an attachment to the staff report. The City Council held a required public hearing on April 23, during which more than 60 people spoke at the hearing. Under North Carolina law, the BID must be voted on twice by City Council. The first reading is at this meeting, and if the ordinance passes by a majority vote of Council, the second reading will be held on June 11. The ordinance under consideration at this meeting is limited to establishing the BID boundary and setting the applicable BID tax rate for Fiscal Year 2025. A map of the proposed BID boundaries and the ordinance creating a downtown BID is an attachment to the staff report. The

Council will have the opportunity to determine governance structure separately at a later date, prior to implementation of BID service delivery. Again, what is before City Council at this meeting is the ordinance that establishes the BID boundary and tax rate, which are based on the Operational Plan Report on file in the City Clerk's Office and as an attachment to the staff report.

City Attorney Branham said that per state law, the proposed ordinance will only establish the bid, by defining the boundaries and setting the initial tax rate. Any additional elements, such as the governance structure, can be dealt with at a later date.

There was considerable discussion regarding a possible resolution giving staff direction on what to include in the RFP, if the ordinance creating the district is adopted. The Operational Plan Report developed in March, may need to be updated. The resolution could provide clear direction on the governance structure (including designation of seats and how those seats would be filled), how the BID is managed and by whom; and training criteria for ambassadors.

Mayor Manheimer said that at the second reading on June 11, the proposed resolution would be voted on, noting that each of the resolution elements could be voted on separately. She encouraged Council and the community to reach out and give their input.

In response to Councilwoman Turner, Mr. Woody also pointed out that we have an internal Downtown Management Task Force and the BID is a topic they talk about regularly. Staff generally supports the BID and are prepared to partner with the group. This is a tool to enhance certain services in a geographic area. If the ordinance passes, state law requires that there be another round of public engagement prior to issuance of the RFP to make sure that we are enhancing the services that truly affect the needs of the property owners and stakeholders in that effort.

Councilwoman Roney said "Downtown is our heart, the engine that pumps resources into the whole body of the city, but a heart is only as healthy as a whole body - and our issues are connected, just like a healthy body requires a healthy heart. We have serious issues facing our whole City, we need to match the right tools to the issue at hand, and today we're only looking at a BID for the Downtown neighborhood, so I'm going to focus my concern and my position there. The NC school of government notes that cities typically use a BID to "revitalize" or "aggressively market its Downtown Area." This BID proposal has been organized by our local Chamber of Commerce— it's focused on "safe and clean services" and compares itself to a mall. Since the issues it purports to address are safety and cleanliness, I'm not going to focus on my issues with details like governance structure, but on these two issues—safe and clean. Issue #1 (brought a screw from home toolbox): Enhanced Safety & Hospitality. True solution: Partner with the County to expand community paramedicine with uniquely-qualified behavioral health and peer support specialists. Start with a dedicated unit for Downtown and plan to grow the program city-wide. Expensive, wrong tool: Uniformed, on-street "ambassadors" that wear yellow vests and don't have the right tools and training for the serious issues of behavior health, substance use, and homelessness crisis. Issue #2: Enhanced Maintenance. True Solution: Secure living wages for city public works and sanitation staff so they can afford to live in our community, consider a dedicated group for Downtown that prioritizes partnerships. Wrong, expensive tool as pulled from the BID website: New, additional staff for sidewalk sweeping, spot cleaning, litter removal, and landscaping. It's extra expensive because this BID uses third-party management instead of the City providing services in house. Zoom out: Who pays and who benefits? We're looking at four tax increases in two years - BID, Bonds, County tax revaluation, and pending City tax increase to address the issue that our expenses are outpacing our revenue—it's coming this year or next. Deeply-concerned that investing in the wrong tools by raising taxes for a BID will disproportionately burden commercial and residential renters while we still don't have the right tools for the issues facing our community. We're dipping into our fund balance savings this year, so staff vacancies and ensuring base-level services will continue to be an issue while this BID

appears to limit the City from identifying resources for living wages. We'll be right back here next year with the same or worse issues but without the right tool. But we'll have tied up our resources in taxing Downtown while leaving a gap, and I'm not okay with that. That's why I'm not supporting the BID as it's drafted today."

Councilwoman Ullman, along with Councilwoman Turner, said that the BID will come to City Council every year to set the tax rate, and if it is determined the BID is not working, it can be dissolved by zeroing out the tax.

Councilwoman Roney noted that Council has received a petition with over 900 signatures outlining some concerns. For her, what she heard in the conversation today was that this could support entrepreneurs, she was not sure how entrepreneurs will be able to afford the increased rent with the BID. She was worried about the privatization aspect because she heard they don't want change, they want local businesses and want to support local, but the chains will be the only businesses that can afford to be in our downtown if there is a BID.

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 adopt the first reading of an ordinance establishing the Business Improvement District. This motion was seconded by Councilwoman Mosley and carried on a 5-1 vote, with Councilwoman Roney voting "no."

Mayor Manheimer said that the second and final reading of the ordinance establishing the Business Improvement District will be held on June 11, 2024.

ORDINANCE BOOK NO. 35 – PAGE 273

VI. NEW BUSINESS:

A. BOARDS & COMMISSIONS

Regarding the Noise Advisory Board, the following individuals applied for the vacancy: Michael Fulbright and Jay Sanders. It was the consensus of the Boards & Commissions Committee to postpone appointments as the Board is potentially looking at restructuring its members.

RESOLUTION NO. 24-101 - RESOLUTION APPOINTING A MEMBER TO THE AFRICAN AMERICAN HERITAGE COMMISSION

Vice-Mayor Kilgore, Chair of the Boards & Commissions Committee, said that this is the consideration of appointing a member to the African American Heritage Commission..

Sherree Lucas and Diamond Sloan Couch have resigned as members of the African American Heritage Commission, thus leaving two unexpired terms - July 1, 2024, and July 1, 2025.

The following individual applied for the vacancy: Alfred Green

The Chair of the African American Heritage Commission recommended, and the Boards & Commissions Committee concurred, to appoint Alfred Green and to re-advertise for the other vacant seat.

Vice-Mayor Kilgore moved to appoint Alfred Green as a member of the African American Heritage Commission to serve the unexpired term of Sherree Lucas, term to expire July 1, 2024, and then a full three-year term, term to expire July 1, 2026, or until Alfred Green's successor has been appointed; and to re-advertise for the other vacancy. This motion was seconded by Councilwoman Roney and carried on a 5-1 vote, with Councilwoman Mosley voting "no."

RESOLUTION BOOK NO. 45 – PAGE 11

RESOLUTION NO. 24-102 - RESOLUTION APPOINTING A MEMBER TO THE COMMUNITY REPARATIONS COMMISSION

Vice-Mayor Kilgore, Chair of the Boards & Commissions Committee, said that this is the consideration of appointing a member to the Community Reparations Commission..

Joyce Harrison resigned as a member on the Community Reparations Commission.

Staff of the Community Reparations Commission recommended, and the Boards & Commissions Committee concur, to appoint alternate Tiffany De'Bellott (currently alternate member). Staff does not recommend replacing the alternate member as it is too far into the reparations process.

Vice-Mayor Kilgore moved to appoint Tiffany De'Bellott as a member of the Community Reparations Commission to serve at the pleasure of City Council. This motion was seconded by Councilwoman Mosley and carried unanimously.

RESOLUTION BOOK NO. 45 - PAGE 12

RESOLUTION NO. 24-103 - RESOLUTION APPOINTING A MEMBER TO THE HUMAN RELATIONS COMMISSION

Vice-Mayor Kilgore, Chair of the Boards & Commissions Committee, said that this is the consideration of appointing a member to the Human Relations Commission..

The terms of Harvey Dean Harold, Nnweyna Smith and Alma Atkins, as members of the Human Relations Commission, expire on June 1, 2024. In addition, Jack Hoda has resigned as a member of the Human Relations Commission, thus leaving an unexpired term until June 1, 2025. Also, Candace Blanchard has resigned, thus leaving an unexpired term until June 1, 2025.

The following individuals applied for the vacancies: Carl Falconer, Alena Klimas, Bethany Vance, Danie Johnson and Willa Grant.

The Chair of the Human Relations Commission recommended, and the Boards & Commissions Committee concurred (not by majority), to reappoint Harvey Harold, Nnweyna Smith, Alma Atkins; appoint Carl Falconer and Bethany Vance.

Vice-Mayor Kilgore moved to reappoint Harvey Dean Harold, Nnweyna Smith and Alma Atkins as members of the Human Relations Commission to each serve a two-year term, terms to expire June 1, 2026, or until their successors have been appointed. This motion was seconded by Councilwoman Roney and carried unanimously.

Vice-Mayor Kilgore moved to appoint Carl Falconer to fill the unexpired term of Jack Hoda, term to expire June 1, 2025, or until Carl Falconer's successor has been appointed. This motion was seconded by Councilwoman Mosley and carried on a 5-1 vote, with Councilwoman Roney voting "no."

Vice-Mayor Kilgore moved to appoint Bethany Vance to fill the unexpired term of Candace Blanchard, term to expire June 1, 2025, or until Bethany Vance's successor has been appointed. This motion was seconded by Councilwoman Roney and carried unanimously.

RESOLUTION BOOK NO. 45 – PAGE 13

RESOLUTION NO. 24-104 - RESOLUTION APPOINTING A MEMBER TO THE NEIGHBORHOOD ADVISORY COMMITTEE

Vice-Mayor Kilgore, Chair of the Boards & Commissions Committee, said that this is the consideration of appointing a member to the Neighborhood Advisory Committee.

Michael Fulbright has resigned as a member of the Neighborhood Advisory Committee (28801 representative), thus leaving an unexpired term until July 1, 2024.

The following individual applied for the vacancy: Charles Crowell

The Chair of the Neighborhood Advisory Committee recommended, and the Boards & Commissions Committee concurred, to appoint Charles Crowell..

Vice-Mayor Kilgore moved to appoint Charles Crowell as a member of the Neighborhood Advisory Committee (28801 representative) to serve the unexpired term of Michael Fulbright, term to expire July 1, 2024, and then a full three-year term, term to expire July 1, 2027, or until Charles Crowell's successor has been appointed. This motion was seconded by Councilwoman Mosley and carried unanimously.

RESOLUTION BOOK NO. 45 – PAGE 14

VII. INFORMAL DISCUSSION AND PUBLIC COMMENT:

Due to the number of speakers wishing to address City Council, the Mayor announced that individual speakers would be allotted two minutes and a group representative would be allotted seven minutes. Several individuals spoke to City Council about various matters, some being, but are not limited to: request for Council to adopt a resolution calling for a ceasefire in Gaza; opposition to the creation of a Business Improvement District (submitted petition containing approximately 927 signatures); request to develop a concrete plan to rebuild Malvern Hills Pool by using Capital Improvement Program funds or General Obligation Bonds; spread positivity; need for all Council members to uphold their Oath of Office; request to condemn all antisemitism speech; urge the Housing Authority to have a clear path forward before terminating Head Start leases at Pisgah View, Hillcrest and Lonnie D. Burton Centers; NC 26 Regiment; and request to have Candace Pickens Park become a City park in perpetuity.

It was the consensus of Council to ask the City Manager to provide information, including financial implications, on making Candace Pickens Park a City park, even though it is on school property.

VIII. ADJOURNMENT:

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

CITY CLERK

MAYOR