

Thursday – June 6, 2024 - 11:00 a.m.

Agenda Briefing Worksession - For June 11, 2024, Council Meeting

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

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:

- Fiscal year 2025 Budget Review and Discussion

At 12:53 p.m., Mayor Manheimer adjourned the agenda briefing worksession.

Tuesday – June 11, 2024- 5:00 p.m
Harrah's Cherokee Center - Asheville

Regular Meeting

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

PLEDGE OF ALLEGIANCE

Mayor Manheimer led City Council in the Pledge of Allegiance.

I. PROCLAMATIONS:

II. CONSENT AGENDA:

- A. APPROVAL OF THE COMBINED MINUTES OF THE AGENDA BRIEFING WORKSESSION HELD ON MAY 23, 2024, AND THE FORMAL MEETING HELD ON MAY 28, 2024**
- B. RESOLUTION NO. 24-116 - RESOLUTION AUTHORIZING THE CITY MANAGER EXECUTE A CONTRACT WITH URBAN CANOPY WORKS LLC FOR THE URBAN FOREST MASTER PLAN**

Action Requested: Adoption of a resolution authorizing the City Manager to execute a contract with Urban Canopy Works in the amount of \$269,000 for the Urban Forest Master Plan.

Background:

- In 2017, the Asheville Urban Forestry Commission recommended that the City develop a logical long-term approach to improve the condition of our urban forest and reverse the loss in the City's tree canopy.

- Working with an independent consultant and the Commission, the City conducted an Urban Forest Sustainability and Management Review of all its urban forest-related programs and policies. The results and recommendations of the sustainability review were presented to the City Council in February of 2018.
- Since that time, an Urban Forester has been hired, tree canopy protection ordinance amendments passed and a search for a consultant to develop and implement an Urban Forestry Master Plan began.
- The Urban Forestry Master Plan and the award of this contract support goals 20 and 23 of the Comprehensive Plan promoting the theme of “Harmony with the Natural Environment”.
- Project deliverables include Public Tree inventory of 15,000 trees, a follow-up canopy assessment to the 2018 study, robust non-traditional public engagement, development of a master plan to guide the City’s tree canopy management for the next 10-20 years

Vendor Outreach Efforts:

- A Request for Proposals (RFP) process to hire a Master Plan Consultant was launched on March 15, 2024; 3 responsive proposals were received; proposals were reviewed by an 8 member review team that consisted of Planning and Urban Design staff, Sustainability staff and members of the Urban Forestry Commission.
- As a result, the outreach and engagement followed the City’s business inclusion processes.
- Staff issued a Request for Proposals in March 15, 2024, and received three responsive proposals from the following firms:
 - Davey Resource Group, Kent, OH: \$286,960
 - Urban Canopy Works, Union, KY: \$269,000
 - Eocene Environmental Group, Des Moines, IA: \$165,095
 - After the proposals were reviewed by the 8 member review team, Urban Canopy Works was selected as the prime consultant for the project.
- Urban Canopy Works, LLC, a woman-owned small business specializing in the advancement of trees and tree canopy in urban and developed areas.
- The lowest bidding response showed the least relevant experience with urban tree canopy and therefore did not score as highly as the other respondents.
- The Consultant is anticipated to work for 22 months or when all deliverables are met.

Council Goal(s):

- Neighborhood and Climate resilience
- Supporting the Municipal Climate Action Plan

Committee(s):

- Urban Forestry Commission - June 4, 2024 - Adopted Unanimously (7-0)

Pros:

- The work from this contract will:
 - Establish a baseline inventory of up to 15,000 public trees and begin using a management system to prioritize work, plantings and maintenance.
 - Provide a robust public engagement plan to first educate citizens to urban forestry, its management and the pressures currently affecting the quality of life in Asheville.
 - Develop strategic policy, planning, best practices, and innovative approaches to forest stressors and climatic conditions for the next 20-30 years.
 - Create baseline modeling and analysis to adapt to our forests and trees to known and unknown issues that will affect our natural resources.
 - Set Goals to accomplish measurable impact

- Develop a comprehensive nature based implementation plan so we can hit the ground running before the Plan is finalized and/or Adopted.

Con:

- None

Fiscal Impact:

- Funding for this contract is available in the Planning and Urban Design Department's operating budget.

Motion:

- Motion to adopt a resolution authorizing the City Manager to execute a contract in the amount of \$269,000 to Urban Canopy Works for the development of the Urban Forest Master Plan.

Patrick Gilbert, Chair of the Urban Forestry Commission, spoke in support of the contract.

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C. RESOLUTION NO. 24-117 - RESOLUTION AUTHORIZING THE CITY MANAGER TO AMEND A CONTRACT WITH APPALACHIAN PAVING AND CONCRETE INC. FOR THE UTILITY CUT CONCRETE REPAIR PROJECT

Action Requested: Adoption of a resolution authorizing the City Manager to execute a contract amendment with Appalachian Paving and Concrete, Inc. in the amount of \$250,000.00 for the Fiscal Year (FY) 2023-24 Utility Cut Concrete Repair contract.

Background:

- The City of Asheville Public Works Streets Division administers the Street Cut Utility Program.
- This program is an enterprise fund that is supported by the participation and work generated by partner agencies (Metropolitan Sewerage District, Dominion Energy, City of Asheville Water Resources, and City of Asheville Stormwater Division), and individual permit fees from other, typically lower volume customers.
- As part of this program, both internal and external utilities partner with the Streets Division to make repairs to City-owned infrastructure that results from utility improvements and repairs.
- Due to the amount of utility cuts being performed the funding originally encumbered in the contract is being depleted quicker than anticipated.
- The requested funding will carry the contract into the next fiscal year and serve as a bridge to a new contract or having City forces take over the work.

Vendor Outreach Efforts:

- N/A - This is a contract amendment.

Council Goal(s):

- A Well-Planned and Livable Community

Committee(s):

- None

Pro(s):

- Approval of the amendment will allow for utility cuts performed by program partners to be repaired expeditiously.

Con(s):

- This construction work, although performed via a contractor, will also use City staff administrative time to ensure the work is properly performed.

Fiscal Impact:

- The Street Cut Utility Program is an enterprise fund that is funded by fees paid by the four partner agencies participating in the program. The partners will be billed 100% of the repair cost, meaning that the City realizes full cost recovery.
- Funding for this amendment is available in the FY 2023-24 Street Cut Utility Fund operating budget.

Motion:

- Motion to authorize the City Manager to execute a contract amendment with Appalachian Paving and Concrete, Inc. in the amount of \$250,000.00 for the Fiscal Year (FY) 2023-24 Utility Cut Concrete Repair contract.

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- D. RESOLUTION NO. 24-118 - RESOLUTION OF SUPPORT FOR TWO N.C. DEPT. OF TRANSPORTATION PROJECTS AND AUTHORIZATION TO EXECUTE ASSOCIATED MAINTENANCE AGREEMENTS - SPOT SAFETY PROJECT TO CONSTRUCT SIDEWALKS ALONG SECTIONS OF SMOKEY PARK HIGHWAY AND A SPOT MOBILITY PROJECT TO EXTEND THE SOUTHBOUND RIGHT TURN LANE ON US 25 (HENDERSONVILLE ROAD) AT NC 146 (LONG SHOALS ROAD)**

Action Requested: Adoption of a resolution of support for two North Carolina Department of Transportation (NCDOT) projects and authorize the City Manager to execute associated maintenance agreements. Projects include a Spot Safety Project to construct sidewalks along sections of Smokey Park Highway and a Spot Mobility Project to extend the southbound right turn lane on US 25 (Hendersonville Road) at NC 146 (Long Shoals Road).

Background:

- These projects are funded and will be completed by NCDOT, with no local match required.
- Any project that uses Small Construction Funds and/or High Impact/Low Cost Program funds and exceeds a total project cost of \$250,000 requires a resolution of support from the appropriate local government entity.
- Therefore, this action will provide a resolution of support for two projects meeting these requirements:
 - NCDOT Spot Safety Project to construct sidewalks along sections of US19/23/74ALT – Smokey Park Highway; and
 - NCDOT Spot Mobility Project to extend the southbound right turn lane on US 25 (Hendersonville Road) at NC 146 (Long Shoals Road) to reduce congestion, add a sidewalk, and provide an ADA-accessible bus pad.
- The Smokey Park Highway Sidewalk Spot Safety Project has an estimated project budget of \$750,000 and includes several sections of new sidewalk on both sides of the I-40 interchange in order to fill gaps in existing sidewalks to improve safety and connectivity.

- The US 25 Spot Mobility Project includes the extension of the southbound right turn lane on US 25 (Hendersonville Road) at NC 146 (Long Shoals Road) and is intended to provide capacity for southbound vehicles on US 25 turning west on NC 146 to reduce congestion. The project will include constructing new Americans with Disabilities Act (ADA)-compliant sidewalks and also, per City of Asheville request, a new ADA-accessible bus pad at the transit stop, which is also being relocated to be closer to the intersection. The Transportation Department has agreed to provide \$5,100 toward the construction of the new bus pad. The project's total cost is estimated to be approximately \$1,150,000 which includes preliminary engineering, right-of-way acquisition, and construction.
- The City maintains sidewalks on NCDOT roads. Sidewalk maintenance agreements would be required for the new sidewalks on both projects. The Public Works Department will be responsible for future maintenance of the new sidewalk.

Vendor Outreach Efforts:

- N/A. The projects are being completed and funded by NCDOT.

Council Goal(s):

- Improve and Expand Core Services

Committee(s):

- Multimodal Transportation Commission - April 24, 2024 - information only.

Pro(s):

- Improves safety and mobility along two state-owned roads.
- Reduces congestion on US 25 (Hendersonville Road) at NC 146 (Long Shoals Road).
- Projects are managed and paid for by NCDOT, with no local match required.

Con(s):

- None

Fiscal Impact:

- Both projects are fully funded by NCDOT and require no City funds, with the exception of \$5,100 for the cost of the ADA-accessible bus pad that the Transportation Department requested NCDOT construct with the project taking place on Hendersonville Road at Long Shoals. Sidewalks will be added to the public works maintenance inventory per the standard agreement with NCDOT.

Motion:

- Motion to adopt a resolution of support for two NCDOT projects and authorize the City Manager to execute associated maintenance agreements. Projects include a Spot Safety Project to construct sidewalks along sections of Smokey Park Highway and a Spot Mobility Project to extend the southbound right turn lane on US 25 (Hendersonville Road) at NC 146 (Long Shoals Road).

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E. 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 April 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 April 2024 are included in the attached document.

Council Goal(s):

- A Financially Resilient City

Pro(s):

- Ensures compliance with provisions of Chapter 105 of the North Carolina General Statutes, entitled The Revenue Act.

Con(s):

- None

Fiscal Impact:

- None.

Suggested Motion:

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

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

III. PRESENTATIONS & REPORTS: None

IV. PUBLIC HEARINGS:

- A. PUBLIC HEARING TO CONSIDER CONDITIONAL ZONING OF 767 NEW HAW CREEK ROAD FROM RS-4 RESIDENTIAL SINGLE-FAMILY MEDIUM DENSITY DISTRICT TO RESIDENTIAL EXPANSION - CONDITIONAL ZONE FOR THE PURPOSE OF BUILDING 95 NEW SINGLE-FAMILY HOUSING UNITS**

At the applicant's request, Councilwoman Turner moved to continue this public hearing until July 23, 2024. This motion was seconded by Councilwoman Mosley and carried unanimously.

V. UNFINISHED BUSINESS:

- A. RESOLUTION NO. 24-119 - RESOLUTION REGARDING STRUCTURE OF A DOWNTOWN BUSINESS IMPROVEMENT DISTRICT**

Councilwoman Ullman provided brief highlights of the following proposed resolution which is presented for consideration: “WHEREAS, the Asheville City Council recognizes the importance of fostering economic growth and enhancing the vitality of local businesses to support Asheville, Buncombe County, and Western North Carolina at large; and WHEREAS, a Business Improvement District (BID) is a proven mechanism to improve and enhance the overall quality of life for residents and the business environment; and WHEREAS, BIDs provide a structured framework for businesses to collaboratively fund and manage needed services and improvements within a defined geographic area, which are above and beyond those already provided by the municipality; and WHEREAS, it is vital to be transparent and accountable to the public by defining the structure and services of the BID; NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT: The following serves as a statement of intent and direction to City staff to guide the preparation of the request for proposals (RFP) for a contracted service provider to administer the BID. This is not an exhaustive list.

“BID Objectives

- Be intentional about creating a downtown environment that is welcoming and inclusive to all, with a focus on engaging Asheville businesses, residents, and workers.
- Provide services and management that improve the downtown experience and quality of life such as complimenting public safety, hospitality, enhancing cleanliness, and beautifying public spaces.
- Create a nimble mechanism for championing and sustaining downtown improvement efforts for the long-term.
- Increase business activity and attract new investment, with intention to support small independent businesses.

“**City Services:** The City of Asheville has established a documented base level of pre-BID City services. By law, the BID will not replace any pre-existing basic City services. Instead, BID services are supplemental, and intended to enhance overall service delivery within its boundaries. City of Asheville Current Level of Service document.

“**BID Services:** The BID will enhance services and support improvements as outlined through an initial 3-5 year strategic plan presented to the Asheville City Council by the BID service provider. Initial services will fit within the following general categories:

- **Safety & Hospitality Services:** Direct, provide, manage, and/or enter into contracts for dedicated unarmed Community Stewards, sometimes referred to as ambassadors, who receive anti-racist training, equity training, mental health first aid training, and de-escalation training and who ideally have lived experience with poverty. Community Stewards will provide a highly visible presence; proactively engage with the public; provide directions and assistance; offer safety escorts on an on-call basis; and connect members of the unhoused community to resources like the Community Responders, Community Paramedics, homeless service providers, etc. Community Stewards will receive training as described herein, and to be further specified in the forthcoming RFP.
- **Enhanced Cleaning Services:** Direct, provide, manage, and/or enter into contracts for enhanced cleaning and maintenance within the district. These activities will focus on: litter removal, debris sweeping, graffiti abatement, pressure washing, street furniture cleaning, weed removal, etc.
- **Special Projects:** Special projects that enable the BID to react and respond to changing needs over time in a nimble way. Services in this category may look like: beautification and capital improvements, landscaping, holiday décor, activating underutilized public spaces, special events, services to support the retention and attraction of small independent businesses, etc. No lobbying will be supported with BID funds.

- **BID administration:** BID funds shall pay for the costs of BID management, Steering Committee governance, overhead, etc.

“Public Accountability: The guiding values for the BID are to have integrity, to be collaborative and nimble, to be transparent, and to be inclusive. To support this the following measures will ensure public accountability:

1. **BID Service Provider:** The City of Asheville intends to develop an RFP to hire a contracted service provider to deliver services of the BID and develop a BID Steering Committee in accordance with this resolution and subsequent contract. Pursuant to North Carolina law, the length of a service contract shall have a maximum duration of five years.
 - 1.1. **Competitive RFP and Public Hearing:** Pursuant to N.C.G.S 160A-536, a contracted service provider for the BID may be secured through a competitive request for proposals following BID formation. The City intends to issue an RFP within 3 months of the adoption of this resolution. As required by statute, the City shall solicit additional input from residents and property owners within the BID as to the needs of the service district, and hold a public hearing before executing a contract with a service provider for the provision of BID services.
 - 1.2. **Public Records and Open Meetings:** The BID Service Provider will comply with all public records and open meetings law for work associated with the BID contract and BID Steering Committee.
 - 1.3. **BID Steering Committee:** The City of Asheville shall require the contracted service provider to establish a committee of local businesses and residents to steer the services and operations of the BID. This committee is subject to the following:
 - **Terms:** Members will serve staggered three-year terms, with a maximum of two successive terms, and will sign a conflict of interest form.
 - **Steering Committee members must live within Buncombe County.**
 - **Voting Members**
 - 4 Commercial Property Owners
 - 4 Business Renters
 - 3 Residential Property Owners
 - 3 Residential Renters
 - 1 Representative from the Block
 - 1 Representative from the Continuum of Care
 - 1 At-Large
 - **Industry Representation:** The following industries shall be represented within the makeup of the voting membership above: Food and Beverage; Entertainment; Hospitality; Office; and Retail.
 - **Geographic Representation:** The following geographies will be represented within the makeup of the voting membership above: North West of Patton / Broadway (Pritchard); South West of Patton / Broadway (South Slope); South East of Biltmore/College (The Block); and North East of Broadway / College (Pack Square).
 - **Ex Officio Members:** The following non voting members will participate in the Steering Committee: a current City Council Member, the City Manager or Designee, and the County Manager or Designee
 - 1.4. **BID Steering Committee Appointments:** The application, nomination, and appointment process for membership on the BID Steering Committee will be subject to public records and open meetings laws. The initial BID Steering

Committee will be compiled by the BID Service Provider and submitted to the City Council who may accept these nominations, or request that the BID Service Provider submit alternative nominees. To fill vacancies, the BID Steering Committee will submit nominations to the City Council who may accept nominations, or request alternative nominees.

- 1.5. **Community Engagement:** The BID service provider solicits opinions, feedback, and input annually, or more as needed, regarding the effectiveness of BID operations consistent with minimum requirements provided by BID statute, and otherwise to the reasonable satisfaction of the City. Input should be sought from individuals and groups that represent business, residents, and workers. This will ensure the voices of a cross-section of downtown stakeholders are taken into consideration.
- 1.6. **Annual reports to Asheville City Council:** The BID service provider shall be required to report at least annually to the City Council by presentation and through a written report regarding the needs of the service district, completed projects, and pending projects. In addition, the BID service provider shall provide an appropriate accounting for funds expended pursuant to the BID contract at the end of each fiscal year or other appropriate period. Prior to the annual report, the BID service provider shall seek input from the property owners, business owners, and residents of the BID regarding service needs for the upcoming year.
- 1.7. **Annual BID budget and Tax rate:** The Asheville City Council shall maintain final authority to approve the annual BID budget and set the yearly tax rate.
- 1.8. **Five Year BID evaluation:** In Year 4, the BID will undergo a formal evaluation to determine that services and assessment methods are consistent with the needs of the district.

“Term of the District: The BID will be established with an initial term of 10 years. To extend the BID beyond the initial 10- year term, a new operating plan will be developed and made available to property owners and residents within the BID area, with the BID Steering Committee providing a recommendation to the City Council as to the need to continue the BID or pursue dissolution before the City Council.”

Councilwoman Mosley suggested an amendment to the Public Accountability Section - Section 1 (BID Service Provider) to add the following sentence: In addition, the selected service provider shall be contractual bound to comply with Federal MWBE subcontracting requirements.

After a brief discussion, Councilwoman Turner suggested an amendment to the Public Accountability Section 1, 1.4 (BID Steering Committee Appointments) to add the following sentence: All Committee applications will be made available to the City Council and the public for review prior to its consideration of the recommended nominations.

Councilwoman Ullman moved to adopt the resolution regarding the structure of a Downtown Business District, with (1) an amendment to the Public Accountability Section - Section 1 (BID Service Provider) to add the following sentence: “In addition, the selected service provider shall be contractual bound to comply with Federal MWBE subcontracting requirements.”; and (2) an amendment to the Public Accountability Section 1, 1.4 (BID Steering Committee Appointments) to add the following sentence: “All Committee applications will be made available

to the City Council and the public for review prior to its consideration of the recommended nominations.” This motion was seconded by Vice-Mayor Kilgore.

Seventeen individuals spoke in opposition to the resolution regarding the structure of the Business Improvement District and the creation of a Business Improvement District.

Councilwoman Turner said that she has been very concerned about the BID so she has been doing a lot of homework. She pulled a lot of random businesses from downtown and their tax records to see what their financial impact would be. She used the example of (1) a Ben and Jerry’s downtown, their tax impact is approximately \$34/month; (2) the Green Sage downtown, their tax impact is approximately \$54/month; and (3) the Renaissance Hotel, their tax impact is approximately \$2,650/month. Hotels are going to be paying the most. She was concerned about having a balanced BID Board of voting members, that was balanced between owners and renters. The first proposal we saw did not have that. The proposed document now has 7 renters and 7 owners and other seats are for critical uses, such as a Continuum of Care representative and an at-large seat. She has heard from some businesses that don’t want the BID and she has heard from businesses that want the BID. In fact, some of the independent organizations, like the Asheville Independent Restaurant Association, have declared their support for the BID. This will come to future City Councils every year. The Council will have to vote on their tax rate and their budget. If at any given point if the BID is not working out as well as we hoped, it can be canceled by any future Council.

Councilwoman Roney said that resolutions are symbolic and not generally legally-binding, they’re important tools for stating our community values. This resolution starts with valuing “economic growth” not economic stability, resilience, or equity. This Council has committed to centering equity, but she heard “parity” is the intention of the board seating. Parity is defined as “the quality or state of being equal or equivalent.” Though better than originally proposed, it seems the intent here is to seat an equal not equitable board which makes it difficult for most-impacted people to ensure accountability or make meaningful changes if needed. She’s worried about commercial and residential renters and the disproportionate impact on part of the historic Southside that the City calls Southslope. Not talking about who has the largest tax bill but the percentage of available cash on hand resources to pay your bills and your rising rent. The accountability tools here appear parallel to our Tourism Development Authority (TDA), and Council can only appoint eligible members that will be able to afford to live and operate businesses downtown. We will see issues in our TDA appointments later tonight where we have willing applicants but can’t appoint them due to limitations on which seats are open. Ultimately, the resolution doesn’t fix the issues of accountability and process the community has raised around the BID.

The motion made by Councilwoman Ullman and seconded by Vice-Mayor Kilgore carried on a 6-1 vote, with Councilwoman Roney voting “no.”

RESOLUTION BOOK NO. 45 – PAGE 34

**ORDINANCE NO. 5078 - SECOND AND FINAL 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.

Action Requested: Second and final 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 occurred on May 14, 2024, and the second and final reading is scheduled for June 11, 2024.
- Following the first reading of the ordinance, staff was notified by the Buncombe County Tax Office that the original assessment needed to be revised to incorporate personal property values (in addition to real property values). This results in a revised tax rate of 0.0877 per \$100 of taxable value to deliver the proposed services and budget included in the BID Operational Plan Report for Downtown Asheville.
- 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 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 0.0877 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

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 second and final reading of an ordinance creating a Downtown Asheville Business Improvement District. This motion was seconded by Vice-Mayor Kilgore and carried on a 6-1 vote, with Councilwoman Roney voting “no.”

ORDINANCE BOOK NO. 35 – PAGE 273

B. ORDINANCE NO. 5084 - ORDINANCE ADOPTING THE FISCAL YEAR 2025 ANNUAL OPERATING BUDGET

ORDINANCE NO. 5085 - BUDGET AMENDMENT IN THE AMOUNT OF \$100,000 IN THE GENERAL FUND TO ALLOCATE BUDGET FROM CITY MANAGER’S CONTINGENCY TO FUND THE CITY’S ANNUAL CONTRIBUTION TO NONPROFITS WITH WHICH MEMBERS OF COUNCIL ARE ASSOCIATED (ECONOMIC DEVELOPMENT COALITION)

ORDINANCE NO. 5086 - BUDGET AMENDMENT IN THE AMOUNT OF \$45,000 IN THE GENERAL FUND TO ALLOCATE BUDGET FROM CITY MANAGER’S CONTINGENCY TO FUND THE CITY’S ANNUAL

CONTRIBUTION TO NONPROFITS WITH WHICH MEMBERS OF COUNCIL ARE ASSOCIATED (SPORTS COMMISSION)

Mayor Manheimer said that the public hearing on the budget was held on May 28, 2024.

Finance Director Tony McDowell said that this is the consideration of (1) Adoption of an ordinance adopting the Fiscal Year 2024-25 Annual Budget; (2) Motion to recuse Mayor Manheimer from voting on the attached budget amendment in accordance with N.C. Session Law 2021-191 (S.B. 473) (Economic Development Coalition); (3) Adoption of a Fiscal Year 2024-25 budget amendment in the amount of \$100,000 in the General Fund to allocate budget from City Manager's Contingency to fund the City's annual contribution to nonprofits with which members of council are associated (Economic Development Coalition); (4) Motion to recuse Councilwoman Turner from voting on the attached budget amendment in accordance with N.C. Session Law 2021-191 (S.B. 473) (Sports Commission); and (5) Adoption of a Fiscal Year 2024-25 budget amendment in the amount of \$45,000 in the General Fund to allocate budget from City Manager's Contingency to fund the City's annual contribution to nonprofits with which members of council are associated (Sports Commission).

Background:

- The Fiscal Year (FY) 2024-25 Proposed Annual Operating Budget was presented to City Council on May 14, 2024.
- In accordance with the North Carolina Local Government Budget and Fiscal Control Act, a summary of the Proposed Budget along with a notice of the Public Hearing was published on May 17, 2024.
- City Council conducted a Public Hearing on the Proposed Budget on May 28, 2024.
- At the June 6, 2024 City Council Agenda Briefing, staff presented revised compensation options for Council's consideration as part of the FY 2024-25 Budget Ordinance. Those options included the following:
 - A flat dollar increase of \$4,053 for beginning on-shift Firefighters with a 2.5% separation between steps in the Fire Play Plan, which will boost the lowest paid on-shift Firefighter pay by 8.8% to \$50,309;
 - An increase of 6.0% for employees on the Police Pay Plan, which will boost the lowest paid on-shift Police Officer pay to \$50,309; and
 - An increase of \$2,400 or 4.11% whichever is greater for all regular full-time permanent employees on the City's other pay plans, which will boost the lowest paid employees' pay by 6.3%.
- Staff has included funding for those options in the attached Budget Ordinance.
- To provide the necessary revenue to fund these compensation options and reduce the required fund balance appropriation needed to balance the budget, the Budget Ordinance includes a property tax rate increase of one cent, which will result in an FY 2024-25 property tax rate of 41.30 cents per \$100 of assessed value.
- Under N.C. Session Law 2021-191 (S.B. 473), Councilmembers are prohibited (subject to certain exceptions) from participating in making or administering a contract, including the award of money, with any nonprofit with which the public official is associated.
- In accordance with this law, funding that was included in the Proposed Budget for the Economic Development Coalition and the Sports Commission has been moved to City Manager's Contingency.
- City Council must take separate actions via the attached budget amendments to allocate funding to the Economic Development Coalition and the Sports Commission.

Council Goal(s):

- A Financially Resilient City

Committee(s):

- N/A

Pro(s):

- Ensures City's compliance with North Carolina General Statutes that require local governments to adopt a balanced budget ordinance by July 1 of each year.
- General Fund and Enterprise Fund budgets are balanced for ongoing operating expenses, and all essential City services are continued.

Con(s):

- None

Fiscal Impact:

- As noted above, the FY 2024-25 General Fund budget is balanced and with a one cent increase to the property tax rate, which will result in an FY 2024-25 property tax rate of 41.30 cents per \$100 of assessed value. It is estimated that this one cent tax rate increase will mean that the average residential taxpayer in the City of Asheville will pay \$35.08 more in City property taxes in FY 2024-25.

Finance Director Tony McDowell presented the following key takeaways from this presentation as follows: (1) Staff is seeking Council adoption of the FY 2024-25 Budget Ordinance; (2) The Fiscal Year (FY) 2024-25 revised Proposed Budget totals \$250.88 million and includes: (a) Continued funding for essential community services in a time of rising costs; (b) A focus on employee compensation and benefits, with funding included for the three staff alternative compensation options discussed at the June 6 Council Agenda Briefing; and (c) Strategic utilization of fund balance along with a 1-cent property tax increase to fund salary adjustments and restore a small amount back to fund balance; and (3) To provide additional resources to address the City's infrastructure needs, Council will take the next steps related to an \$80M November 2024 General Obligation (GO) Bond referendum at your June 25th meeting.

He then provided Council with the budget process and priorities overview, along with budget highlights of (1) ongoing investments in Council strategic priorities; (2) new operating investments; and (3) compensation adjustments. He then reviewed the Capital Improvement Program and the General Obligation Bond.

He then provided the following recent compensation change summary by stating that the the City has invested significant resources in compensation and benefits over the last three fiscal years, particularly in public safety - (1) Including a 2-cent property tax rate increase in FY 2021-22 to help fund Archer Study recommendations; (2) Starting on-shift Police Officer pay is 27% higher today than in FY 2020-21; (3) Starting on-shift Firefighter pay is 39% higher today than in FY 2020-21; and (4) Additional certification pays added in police and fire.

He said staff's original recommendation was (1) 4.11% compensation increase for all staff (a) \$3.5M cost in General Fund; and (b) \$940k cost in Enterprise Funds; (2) State-mandated increase in employer retirement contribution; (3) Additional employer contribution to cover increasing healthcare costs; and (4) Reinstate retiree health benefit.

He then outlined the revised staff compensation options included in the budget ordinance as follows for the Fire Pay Plan: Provide a flat dollar increase of \$4,053 for beginning on-shift Firefighters with a 2.5% separation between steps in the Fire Play Plan. This will boost the

lowest paid on-shift Firefighter pay by 8.8% to \$50,309, and achieves parity with starting on-shift Police Officer pay (assuming a 6% increase for police). It provides longer-tenured employees who are further in the step plan a larger dollar increase which helps maintain the integrity of the step plan. Estimated Cost: \$800k more than what was included in the initial Manager's Proposed Budget.

He then outlined the revised staff compensation options included in the budget ordinance as follows for the Police Pay Plan: Provide an annual increase of 6.0% for employees on the Police Pay Plan. This will boost the lowest paid on-shift Police Officer pay to \$50,309. Is consistent with the increase provided in the current fiscal year. APD currently has over 60 vacancies among sworn officer positions; additional salary increases is one of the strategies identified to help with retention and recruitment. Estimated Cost: \$300k more than what was included in the initial Manager's Proposed Budget.

Finally he outlined the revised staff option for non-public safety: Provide an annual increase of \$2,400 or 4.11% whichever is greater for all regular full-time permanent employees on the City's other pay plans. This will boost the lowest paid employees' pay by 6.3%. Approximately 490 employees would get a \$2,400 increase and approximately 295 employees would get 4.11%. Estimated Cost: \$160k more than what was included in the initial Manager's Proposed General Fund Budget. The estimated cost to Enterprise Funds is \$150k.

He then said the staff revised options summary is as follows: Staff Option Pro's: (1) Raises pay for starting on-shift Police Officers and Firefighters by 6.0% and 8.8% respectively, which is more than staff's original 4.11% proposal; (2) Ensures similar increases across all classifications on the Fire Pay Plan to minimize compression and pay plan disruption; (3) Increases pay for non-public safety staff who make less than \$58,000 by more than staff's original 4.11% proposal; and (4) Does not reduce the original 4.11% increase for any staff. Staff Option Cons include (1) Requires either a property tax rate increase, greater usage of fund balance or some combination of both; and (2) May require additional adjustments after implementation and Human Resources review of the outcomes. He then showed a chart of the financial summary of salary options, along with the typical residential household impact.

Regarding Capital Improvement Program highlights for the Enterprise Funds, (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.

General Obligation Bond next steps include (1) Additional information over the course of required Council actions to include referenda on ballot (a) June 25 - Introduce bond orders and set public hearing; and (b) July 23 - Hold public hearing, adopt bond order and set referenda; and (2) City Manager's Office, CAPE, Finance & Management Services staff and outside organization(s) will coordinate communication and engage the community leading up to November 2024 vote.

Councilwoman Ullman spoke in support of making sure our employees are paid a living wage and struggled on how to make that happen. She suggested a modest tax increase of one-cent so we do not dip into our Fund Balance, which may affect our bond program.

Councilwoman Ullman moved to adopt the the Fiscal Year 2025 Annual Operating and Capital Budget with a one-cent tax increase to pay for the staff's salary options of (1) a flat dollar increase of \$4,053 for beginning on-shift firefighters with a 2.5% separation between steps in the Fire Pay Plan; (2) provide an annual increase of 6% for employees on the Police Pay Plan; and (3) provide an annual increase of \$2,400 or 4.11%, whichever is greater, for all regular full-time

permanent employees on the City's other pay plans. This motion was seconded by Vice-Mayor Kilgore.

Councilwoman Roney said she is sharing her concerns with her colleagues around the number of property tax increases (the new BID, the upcoming bonds, the County tax revaluation and the increase for *their* budget, fees and charges, and now choosing this one). "We don't have to do that. I appreciate that we have a creative solution to work within our resources to provide a budget this year without a tax increase. I am willing to join colleagues in an alternative budget based on information from our compensation presentation which we discussed in the agenda briefing (on June 6): (1) "Slide 10: AFD base minimum salary of \$53,144 for 2,912 scheduled hours for (18.25-hr) pre-overtime; (2) Slide 15: APD base minimum salary of \$50,061 for 2,080 scheduled hours for (\$24.07-hr) pre-overtime; (3) Slide 18: Provide a flat \$2,400 raise for all non-public safety - minimum salary of \$41,920 for 2,080 scheduled hours (\$20.15-hr)." She acknowledged this creates compression issues that need to be first priority next year. We need to prioritize the budget, and she hears a willingness to defer the transit study (\$300,000) and housing trust fund (HTF) allocation (\$500,000). We need to plan to continue work towards partnership with the County on transit funding and services and to address the HTF with the housing bond funds, with the remaining budget being funded from our general fund balance. Her recommendation would not include a tax increase.

Councilwoman Turner said that they have recently allocated the \$500,000 from the Housing Trust Fund and those funds are not now available, and we need the transit study in order to get us where transit sustains itself and our General Fund does not have to subsidize it by \$2 Million.

Mayor Manheimer said that we need a source of revenue that continues year after year to pay for salaries, and it's not advisable to patch a year with a one-time study or a one-time grant.

Councilwoman Smith said she would not raise property taxes. She felt there was a chance to recoup the funds needed for salaries from the existing departments. She supported Councilwoman Roney's suggestion.

Councilwoman Mosley said that if the bonds pass in November we can move some of the housing bonds into the Housing Trust Fund.

Vice-Mayor Kilgore felt the compression issues needed to be addressed. She too didn't want to raise property taxes, but if we need to pay our employees, who make sure the City runs, she would be willing to increase the property taxes by one-cent. We need to get quality employees and want them to stay.

When Councilwoman Turner asked Councilwoman Ullman if she would be willing to raise property taxes to .63-cents (the amount needed for the staff's salary option outlined by Councilwoman Ullman in her motion), Councilwoman Ullman said that she would be open to that; however, that would not be her preference. Councilwoman Ullman then withdrew her original motion, and Vice-Mayor Kilgore withdrew her second.

Councilwoman Ullman then moved to adopt the the Fiscal Year 2025 Annual Operating and Capital Budget with a \$0.63 property tax increase to pay for (1) a flat dollar increase of \$4,053 for beginning on-shift firefighters with a 2.5% separation between steps in the Fire Pay Plan; (2) provide an annual increase of 6% for employees on the Police Pay Plan; and (3) provide an annual increase of \$2,400 or 4.11%, whichever is greater, for all regular full-time permanent employees on th eCity's other pay plans. This motion was seconded by Vice-Mayor Kilgore and

carried on a 4-3 vote, with Councilwoman Mosley, Councilwoman Roney and Councilwoman Smith voting “no.”.

ORDINANCE NO. 5084 - ORDINANCE BOOK NO. 35 – PAGE 297

Councilwoman Turner moved to recuse Mayor Manheimer from voting on the attached budget amendment in accordance with N.C. Session Law 2021-191 (S.B. 473) (Economic Development Coalition). This motion was seconded by Councilwoman Ullman and carried on a 6-0 vote with Mayor Manheimer being recused.

Councilwoman Ullman moved to adopt a Fiscal Year 2024-25 budget amendment in the amount of \$100,000 in the General Fund to allocate budget from City Manager’s Contingency to fund the City’s annual contribution to nonprofits with which members of council are associated (Economic Development Coalition). This motion was seconded by Councilwoman Turner and carried on a 6-0 vote with Mayor Manheimer being recused.

ORDINANCE NO. 5085 - ORDINANCE BOOK NO. 35 – PAGE 305

Councilwoman Ullman moved to recuse Councilwoman Turner from voting on the attached budget amendment in accordance with N.C. Session Law 2021-191 (S.B. 473) (Sports Commission). This motion was seconded by Councilwoman Mosley and carried on a 6-0 vote, with Councilwoman Turner being recused.

Councilwoman Ullman moved to adopt a Fiscal Year 2024-25 budget amendment in the amount of \$45,000 in the General Fund to allocate budget from City Manager’s Contingency to fund the City’s annual contribution to nonprofits with which members of council are associated (Sports Commission). This motion was seconded by Vice-Mayor Kilgore and carried on a 6-0 vote, with Councilwoman Turner being recused.

ORDINANCE NO. 5086 - ORDINANCE BOOK NO. 35 - PAGE 306

Councilwoman Roney said that this has been an exhausting, challenging budget conversation the past 6 months, for her and she expects for those around this table, for the people in the room and those watching at home. She appreciated the creative, community-led solutions, our firefighters union bringing their stories that certainly added to her understanding--losing 7 firefighters to work-related causes in 13 years--and to the community bringing the heat for this hard conversation. We have a long way to go to taking better care of each other and our mountain home, including ensuring living wages for our staff so our Strategic Priority of Equitable, Affordable Housing is a reality for our own staff. She is humbled and honored to be elected to serve at this table and committed to future budgets that reflect our community values.

VI. NEW BUSINESS:

A. BOARDS & COMMISSIONS

Regarding the African American Heritage Commission, no one applied and therefore, the City Clerk’s Office will re-advertise for the seat.

Regarding the Planning & Zoning Commission, the following individuals applied for the vacancies: Hunter Spitzer, David Mortiz, Cade Justad-Sandberg, Michael John Henson, Andrew Fletcher, Chris Fleming, Joseph Chesler and Marty Benson. It was the consensus of the Boards & Commissions Committee to re-advertise for these seats. It was also the consensus of the Boards & Commissions Committee that at the August 27, 2024, City Council meeting, City

Council will determine who to interview for the seats, with interviews and appointments being made on September 10, 2024.

RESOLUTION NO. 24-120 - RESOLUTION APPOINTING MEMBERS TO THE AFFORDABLE HOUSING ADVISORY COMMITTEE

Vice-Mayor Kilgore, Chair of the Boards & Commissions Committee, said that this is the consideration of appointing members to the Affordable Housing Advisory Committee.

The terms of Tara Irby and Chris Day, as members of the Affordable Housing Advisory Committee, expire on August 31, 2024.

The following individuals applied for the vacancy: Alvarez Lopez Abernathy, Greg Borom, Jonathan R. Brown, Miriam E. Gary, Jen Hampton, Bill Hume, Tod Leaven, Christina Maimone, Zalika McDaniel, Monique LeEtta Pierre, Daran Smith and Stuart Zitin.

The Chair and staff liaison of the Affordable Housing Advisory Committee recommended, and the Boards & Commissions Committee concurred, to reappoint Tara Irby and Chris Day.

Vice-Mayor Kilgore moved to reappoint Tara Irby and Chris Day to each serve a three-year term, terms to expire August 31, 2027, or until their successors have been appointed.. This motion was seconded by Councilwoman Mosley and carried unanimously.

RESOLUTION BOOK NO. 45 – PAGE 38

RESOLUTION NO. 24-121 - RESOLUTION APPOINTING MEMBERS TO THE AUDIT COMMITTEE

Vice-Mayor Kilgore, Chair of the Boards & Commissions Committee, said that this is the consideration of appointing members to the Audit Committee.

The terms of Andrew Emory (at-large) and Nate Hathaway (CPA) expired on April 30, 2024.

The following individuals applied for the vacancy: Michael Figuera and Nate Uzenski.

The Chair of the Audit Committee recommended reappointment of Nate Hathaway. The Boards & Commissions concurred to reappoint Nate Hathaway and appoint Nate Uzenski.

Vice-Mayor Kilgore moved to (1) reappoint Nate Hathaway (CPA) to the Audit Committee, to serve a three-year term, term to expire April 30, 2027, or until Nate Hathaway's successor has been appointed; and (2) appoint Nate Uzenski (at-large member) to the Audit Committee, to serve a three-year term, term to expire April 30, 2027, or until Nate Uzenski's successor has been appointed.. This motion was seconded by Councilwoman Turner and carried unanimously.

RESOLUTION BOOK NO. 45 – PAGE 39

RESOLUTION NO. 24-122 - RESOLUTION APPOINTING MEMBERS TO THE BOARD OF ELECTRICAL EXAMINERS

Vice-Mayor Kilgore , Chair of the Boards & Commissions Committee, said that this is the consideration of appointing members to the Board of Electrical Examiners.

The terms of Drew Pike (Utility representative), Russell Thacher (licensed engineer), Roger Vaught (layman), Rick Sluder (electrical contractor) and Garrett Twiss (journeyman) expire on June 30, 2024..

The following individual applied for the vacancies: Willie Joe Moore III. Trevor Brooks was recommended for the utility representative position; however, the application was not received until after the deadline.

The Boards & Commissions Committee recommended appointing Willie Joe Moore, III (layman) and Travis Brooks (utility representative); and reappointing Russell Thacher (licensed engineer), Rick Sluder (electrical contractor) and Garrett Twiss (journeyman).

Vice-Mayor Kilgore moved to (1) reappoint Russell Thacher (licensed engineer), Rick Sluder (electrical contractor) and Garrett Twiss (journeyman) to each serve a three-year term, terms to expire June 30, 2027, or until their successors have been appointed; (2) appoint Travis Brooks (utility representative) to serve a three-year term, term to expire June 30, 2027, or until Travis Brooks' successor has been appointed; and (3) appoint Willie Joe Moore III (layman) to serve a three-year term, term to expire June 30, 2027, or until Willie Joe Moore III's successor has been appointed. This motion was seconded by Councilwoman Roney and carried unanimously.

RESOLUTION BOOK NO. 45 - PAGE 40

RESOLUTION NO. 21-123 - RESOLUTION APPOINTING MEMBERS TO THE BUNCOMBE COUNTY TOURISM DEVELOPMENT AUTHORITY

Vice-Mayor Kilgore, Chair of the Boards & Commissions Committee, said that this is the consideration of appointing members to the Buncombe County Tourism Development Authority.

The terms of Michael Lusick and Matthew Lehman (both representing lodging of 101+ rooms), as members of the Buncombe County Tourism Development Authority, expire on August 1, 2024.

The following individuals applied for the specific open seats: Steven Goff, Kevin Saum and Mindi McGlynn. The three applicants; however, do not fit the criteria for the open seats.

It was the consensus of the Boards & Commissions Committee to reappoint Michael Lusick and Matthew Lehman..

Vice-Mayor Kilgore moved to reappoint Michael Lusick and Matthew Lehman to each serve a three-year term on the Buncombe County Tourism Development Authority representing lodging of 101+ rooms, terms to expire August 11, 2027, or until their successors have been appointed. This motion was seconded by Councilwoman Mosley and carried unanimously.

Councilwoman Roney noted that we have more than 101 homestay permit holders and expressed hope that in the future more neighborhood voices will be at the table.

RESOLUTION BOOK NO. 45 - PAGE 41

RESOLUTION NO. 24-124 - RESOLUTION APPOINTING MEMBERS TO THE COMMUNITY ENTERTAINMENT FACILITIES COMMISSION

Vice-Mayor Kilgore, Chair of the Boards & Commissions Committee, said that this is the consideration of appointing members to the Community Entertainment Facilities Commission (formerly the Civic Center Commission)..

The terms of Crissa Sinkovic, Mukunda Pacifici and John Pierce expired on June 30, 2024.

The following individuals applied for the vacancies: Sean Comeaux and Sean O'Connell.

The Chair of the Commission recommended, and the Boards & Commissions Committee concurred, to reappoint Crissa Sinkovic and John Pierce and appoint Sean Comeaux.

Vice-Mayor Kilgore moved to (1) reappoint Crissa Sinkovic and John Pierce, to each serve a three-year term, terms to expire June 30, 2027, or until their successors have been appointed; and (2) appoint Sean Comeaux to serve a three-year term, term to expire June 30, 2027, or until Sean Comeaux's successor has been appointed. This motion was seconded by Councilwoman Ullman and carried unanimously.

RESOLUTION BOOK NO. 45 - PAGE 42

RESOLUTION NO. 24-125 - RESOLUTION APPOINTING MEMBERS TO THE ASHEVILLE-BUNCOMBE HISTORIC RESOURCES COMMISSION

Vice-Mayor Kilgore, Chair of the Boards & Commissions Committee, said that this is the consideration of appointing members to the Asheville-Buncombe Historic Resources Commission.

The terms of Maria Delsasi and Alexander Ellenbogen expired on June 30, 2024.

The following individuals applied for the vacancies: John-Michael Henson, Clifford Cecil Holt Sr., Leslie Milling Humphrey and Carole H. Martin.

At the request of the Chair and the staff liaison, it was the consensus of the Boards & Commissions Committee to appoint John-Michael Henson and Clifford Holt.

Vice-Mayor Kilgore moved to appoint John-Michael Henson and Clifford Holt to each serve a three-year term, terms to expire June 30, 2027, or until their successors have been appointed. This motion was seconded by Councilwoman Roney and carried unanimously.

RESOLUTION BOOK NO. 42 - PAGE 43

RESOLUTION NO. 24-126 - RESOLUTION APPOINTING MEMBERS TO THE MULTIMODAL TRANSPORTATION COMMISSION

Vice-Mayor Kilgore, Chair of the Boards & Commissions Committee, said that this is the consideration of appointing members to the Multimodal Transportation Commission.

The terms of Kenneth Armstrong (greenway interest), Joseph Chesler (transit interest) and Elyse Marder (bike/ped interest) will expire on July 1, 2024. In addition, Joseph Barker has resigned thus leaving an unexpired term until July 1, 2026.

The following individuals applied for the vacancies: Enrique Baloyra, Cate Ryba, Jaik Smith, Benjamin Stover and Victoria Whitley.

At the request of the Chair, it was the consensus of the Boards & Commissions Committee to reappoint Kenneth Armstrong (greenway interest), Joseph Chesler (transit interest) and Elyse Marder (bike/ped interest) and appoint Cate Ryba.

Vice-Mayor Kilgore moved to (1) reappoint Kenneth Armstrong (greenway interest), Joseph Chesler (transit interest) and Elyse Marder (bike/ped interest), to each serve a three-year term, terms to expire July 1, 2027, or until their successors have been appointed; and (2) appoint Cate Ryba to fill the unexpired term of Joseph Barker, term to expire July 1, 2026, or until Cate Ryba's successor has been appointed.. This motion was seconded by Councilwoman Ullman and carried unanimously.

RESOLUTION BOOK NO. 45 - PAGE 44

RESOLUTION NO. 24-127 - RESOLUTION APPOINTING MEMBERS TO THE NEIGHBORHOOD ADVISORY COMMITTEE

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

The terms of Bobette Mays (28803/28704) and Jaik Smith (at-large) will expire on June 30, 2024.

The following individuals applied for the vacancies: Joseph Bonkowski and Trevor William Schmidt.

At the request of the Committee, it was the consensus of the Boards & Commissions Committee to reappoint Jaik Smith (at-large), and appoint Trevor William Schmidt (28803/28704).

Vice-Mayor Kilgore moved to (1) appoint Trevor William Schmidt (28803/28704) to serve a three-year term, term to expire June 30, 2027, or until Trevor William Schmidt's successor has been appointed; and (2) reappoint Jaik Smith (at-large) to serve a three-year term, term to expire June 30, 2027, or until Jaik Smith's successor has been appointed. This motion was seconded by Councilwoman Roney and carried unanimously.

RESOLUTION BOOK NO. 45 - PAGE 45

RESOLUTION NO. 24-128 - RESOLUTION APPOINTING MEMBERS TO THE NOISE ADVISORY BOARD

Vice-Mayor Kilgore, Chair of the Boards & Commissions Committee, said that this is the consideration of appointing members to the Noise Advisory Board.

The term of Lilliana Woody (restaurant industry) expired on November 1, 2023. In addition, Carmelo Pampillonio (acoustic/pro industry) has resigned, thus leaving an unexpired term until November 1, 2026.

The following individuals applied for the vacancy: Michael Fulbright, Bruce Ikelheimer and Jay Sanders (restaurant industry).

The Chair of the Noise Advisory Board recommended, and the Boards & Commissions Committee concur, to appoint Jay Saunders for restaurant industry representative; and Dr. Bruce Ikelheimer for Acoustic/Pro industry representative.

Vice-Mayor Kilgore moved to appoint Jay Saunders as the restaurant industry member of the Noise Advisory Board, to serve a three-year term, term to expire November 1, 2026, or until Jay Saunder’s successor has been appointed; and (2) appoint Bruce Ikelheimer as the acoustic/rpo industry member on the Noise Advisory Board, to serve the unexpired term of Carmelo Pamiillonio, term to expire November 1, 2026, or until Bruce Ikelheimer’s successor has been appointed. This motion was seconded by Councilwoman Turner and carried unanimously.

RESOLUTION BOOK NO. 45 – PAGE 46

RESOLUTION NO. 24-129 - RESOLUTION APPOINTING MEMBERS TO THE PUBLIC ART & CULTURE COMMISSION

Vice-Mayor Kilgore, Chair of the Boards & Commissions Committee, said that this is the consideration of appointing members to the Public Art & Culture Commission..

Johanna Hagarty’s term as a member of the Public Art & Culture Commission, expires on June 30, 2024. In addition, Katie Cornell’s (arts agency representative) term expires on June 30, 2024.

The following individuals applied for the vacancy: Amelia Barrett Brown, Justine Carlisle, Charlie Huguenard, Janet Kopenhaver, Jennifer Maer, Jessica Lynn Orzulak and Marla West.

The Chair and staff liaison of the Public Art & Culture Commission recommended to appoint Charlie Huguenard. The Boards & Commissions Committee recommended reappointment Katie Cornell to the arts agency representative seat.

Vice-Mayor Kilgore moved to (1) appoint Charlie Huguenard to serve as a member of the Public Art & Culture Commission, term to expire June 30, 2027, or until Charlie Hugenard’s successor has been appointed; and (2) reappoint Katie Cornell (arts agency representative) as a member of the Public Art & Culture Commission, term to expire June 30, 2027, or until Katie Cornell’s successor is appointed. This motion was seconded by Councilwoman Mosley and carried unanimously.

RESOLUTION BOOK NO. 45 – PAGE 47

VII. INFORMAL DISCUSSION AND PUBLIC COMMENT:

Several individuals spoke to City Council about various matters, some being, but are not limited to: condemn all antisemitism speech; request for Council to adopt a resolution calling for a ceasefire in Gaza; transit fares need to be proportionate with the length traveled; no deliverables seen in the Sustainability Department or the Equity & Inclusion Department; opposition to the creation of the Business Improvement District; support for the 6% increase for the Asheville Police Department; need to increase density on transit corridors; and regarding the Haywood Street Resurfacing Project, recommendations are: surface treated or decorative asphalt crosswalks, green infrastructure, Bikes May Use Full Lane signs wherever no bike lane is present, green painted bike lanes, and buffering travel lanes down to 10’;

VIII. ADJOURNMENT:

Mayor Manheimer adjourned the meeting at 8:21 p.m.

CITY CLERK

MAYOR