



MINUTES

November 6, 2025

REGULAR MEETING OF THE CITY COUNCIL

CITY OPERATIONS CENTER | 305 WILLIAMS ST. | 5:45 p.m.

Present: Mayor Barbara G. Volk, Mayor Pro Tem Dr. Jennifer Hensley, and Council Members: Lyndsey Simpson, Melinda Lowrance & Gina Baxter

Staff Present: City Manager John Connet, City Clerk Jill Murray, City Attorney Angela Becker, Budget & Evaluation Director Adam Murr, Communications Director Allison Justus and others

Absent: Deputy City Manager Brian Pahle

1. CALL TO ORDER

Mayor Volk called the meeting to order at 5:45 p.m. and welcomed those in attendance. A quorum was established with all members in attendance.

2. INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

The City Council observed a moment of silence for prayer or reflection followed by the Pledge of Allegiance to the Flag.

3. PUBLIC COMMENT *Up to 15 minutes is reserved for comments from the public not listed on the agenda.*

There was no public comment.

4. CONSIDERATION OF AGENDA

Council Member Melinda Lowrance moved that City Council approve the agenda as presented. A unanimous vote of the Council followed. Motion carried.

5. CONSENT AGENDA

Council Member Lyndsey Simpson moved that City Council approve the consent agenda as presented. A unanimous vote of the Council followed. Motion carried.

A. Adoption of City Council Minutes – Jill Murray, City Clerk

October 2, 2025 Regular Meeting

October 22, 2025 Second Monthly Meeting

B. Authorization to Lease City Owned Property at 129 Michelle Drive – Adam Steurer, Utilities Director

Resolution #R-25-107

RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL TO AUTHORIZE A LEASE OF CITY OWNED REAL PROPERTY AT 129 MITCHELLE DRIVE

WHEREAS, the City of Hendersonville owns property located at 129 Michelle Drive, Hendersonville, NC 28792, described in deed of record in Deed Book 1318, Page 126, Henderson County Registry (“Subject Property”); and

WHEREAS, the City of Hendersonville purchased the Subject Property for the purposes of building a pump station; and

WHEREAS, the Subject Property currently houses, in addition to the pump station, an outdoor advertising sign owned by Lamar OCI South, LLC (“Lamar”) and Lamar wishes to renew this lease for an additional ten (10) year period, and the City does not need and will not need the space occupied by Lamar’s sign during the proposed ten (10) year lease term; and

WHEREAS, North Carolina General Statute § 160A-272 authorizes the City Council to lease City owned real property the City Council determines will not be needed by the City for the term of the lease and requires public notice at least 30 days before approving the execution of a lease in excess of one year; and

WHEREAS, the City of Hendersonville declared its intent to authorize a lease at their regular meeting of August 7, 2025. The nonexclusive lease of the Subject Property to Lamar which will permit Lamar to leave their outdoor advertising sign in place during the Lease term; and

WHEREAS, Staff advertised City Council’s intent to lease in a newspaper of general circulation in Henderson County thirty (30) days prior to the November 7, 2025 regular City Council Meeting.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hendersonville, North Carolina that:

- 1. The City authorizes a lease renewal for the Subject Property to the Lamar.
- 2. The annual rent shall be \$ 5,250, paid annually, for the first five (5) years of the Lease term, and \$ 5,512, paid annually for the second five (5) years of the lease term.
- 3. City Council authorizes Adam Steurer, Utilities Director, to execute the Lease Agreement with terms consistent with this Resolution.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 6th day of November, 2025.

Barbara G. Volk, Mayor
Attest: /s/Jill Murray, City Clerk
Approved as to form: /s/Angela S. Beeker, City Attorney

C. Revision of the City Ordinance for Retiree Insurance to Clarify How Long a 30+ Year Retiree can Remain on City Paid Medical Insurance – Jennifer Harrell, HR Director

Ordinance #O-25-56

AN ORDINANCE AMENDING SECTION2-138 OF THE CODE OF ORDINANCES PERTAINING TO MEDICAL INSURANCE FOR CERTAIN CITY GOVERNMENT RETIREES

WHEREAS, the Code of Ordinances Section 2-138 provides for the City to continue to carry medical insurance for employees retiring with 30 or more years of service to the City of Hendersonville, and

WHEREAS, the City wishes to clarify how long a retiree will be covered on the city medical insurance, and

WHEREAS, the intent of the City that the said section means to provide medical insurance for retirees until they reach age sixty-five (65) or become Medicare eligible.

WHEREAS, the City Council wishes to amend the ordinance to clarify the said intent,

NOW THEREFORE, be it ordained by the City Council of the City of Hendersonville:

Section 1. Hendersonville City Code Section 2-138 is hereby amended to read in full as follows:

Sec.2-138 Group medical insurance coverage for retirees.

For employees who retire with 30 or more years of service to the City of Hendersonville, the city will continue to carry them on the city’s group medical insurance plan and pay the premium until such time the retiree reaches the age of sixty-five (65) or becomes Medicare eligible whichever comes first.

Section 2. SEVERABILITY. If any provision of this ordinance is for any reason held by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the remaining provisions of this ordinance.

Section 3. EFFECTIVE DATE. This ordinance shall be in full force and effective from and after the date of its adoption.

Adopted this 6th day of November, 2025.

Barbara G. Volk, Mayor
Attest: /s/Jill Murray, City Clerk
Approved as to form: /s/Angela S. Beeker, City Attorney

D. Appointment of Deputy Tax Collector – *Krystal Powell, Finance Director*

Resolution #R-25-108

RESOLUTION TO APPOINT TAMMY HEIDE AS DEPUTY TAX COLLECTOR AND ADOPTING THE CHARGE AND ORDER OF COLLECTION

WHEREAS, the City of Hendersonville contracted with Henderson County for tax collection beginning in 2019 and;

WHEREAS, the City of Hendersonville retained the responsibility to collect delinquent taxes billed prior to 2019; and

WHEREAS, A new Deputy Tax Collector will be appointed after the acceptance of the tax settlement of Amanda Lofton; and

WHEREAS, Tammy Heide is a person of character and integrity whose experience in business and collection work is satisfactory;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Hendersonville, North Carolina that:

1. Tammy Heide, Assistant Finance Director is hereby appointed as Deputy Tax Collector for a term of 5 years.
2. The delinquent taxes as detailed in the October 24, 2025, Tax Settlement are hereby charged to the Deputy Tax Collector for collection.
3. The Order of Collection is approved and shall be delivered to the Deputy Tax Collector.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 6th day of November, 2025.

Barbara G. Volk, Mayor
Attest: /s/Jill Murray, City Clerk
Approved as to form: /s/Angela S. Beeker, City Attorney

E. Tax Refund Release – *Brian Pahle, Deputy City Manager*

Resolution #R-25-109

RESOLUTION BY THE CITY OF HENDERSONVILLE APPROVING TAX REFUND REQUESTS DUE TO CLERICAL ERROR PURSUANT TO N.C.G.S. 105-381

WHEREAS, the Henderson County Tax Assessor’s office has made the City aware of a clerical error in the tax listing for Public Service Company of NC, Inc. (dba Enbridge Gas) (hereinafter “PSNC”) for tax year 2024; and

WHEREAS, the value of PSNC property subject to the City’s Municipal Service District tax and the value subject only to the generally applicable City tax rate were transposed on the 2024 tax bills; and

WHEREAS, due to the clerical error, PSNC’s 2024 tax payment for property subject to the City’s Municipal Service District tax resulted in an overpayment of \$18,429.84; and

WHEREAS, the taxpayers have in a timely manner pursuant to applicable law made a demand in writing for a refund of such overpayment, and the amounts have been certified by the Henderson County Tax Assessor/Collector as being in excess of the amounts legally due by the taxpayers in accordance with G.S. 105-381.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Hendersonville, North Carolina that:

1. The certified amounts of individual refunds of taxes shown on the attached Release/Refund Report, attached hereto as Exhibit A and incorporated herein by this reference, are hereby approved.
2. The City of Hendersonville Finance Director is directed to make said refunds in the total amount of \$18,429.84.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 6th day of November, 2025.

Barbara G. Volk, Mayor
Attest: /s/Jill Murray, City Clerk
Approved as to form: /s/Angela S. Beeker, City Attorney

F. Tax Interest Release - *Brian Pahle, Deputy City Manager*

Resolution #R-25-110

RESOLUTION BY THE CITY OF HENDERSONVILLE APPROVING TAX RELEASE REQUESTS DUE TO CLERICAL ERROR PURSUANT TO N.C.G.S. 105-381

WHEREAS, the Henderson County Tax Assessor’s office has made the City aware of a clerical error in the tax listing for Public Service Company of NC, Inc. (dba Enbridge Gas) (hereinafter “PSNC”) for tax year 2024; and

WHEREAS, the value of PSNC property subject to the City’s Municipal Service District tax and the value subject only to the generally applicable City tax rate were transposed on the 2024 tax bills; and

WHEREAS, due to the clerical error, PSNC’s 2024 tax payment for property subject only to the generally applicable City tax rate resulted in an underpayment on Tax Bill No. 0003097983-2024-2024-0001-00; and

WHEREAS, due to the underpayment, interest has accrued in the amount of \$3,993.13; and

WHEREAS, PSNC has paid its property taxes in a timely fashion each tax year, and but for the clerical error, would have also paid correct amount due in a timely fashion, and therefore would not have accrued interest; and

WHEREAS, the taxpayers have in a timely manner pursuant to applicable law made a demand in writing for a release of such interest, and the amounts have been certified by the Henderson County Tax Assessor/Collector in accordance with G.S. 105-381.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Hendersonville, North Carolina that:

1. Interest due on additional outstanding tax bill 0003097983-2024-2024-001 For Public Service Company of NC, Inc., in accordance with G.S. §105-381(a)(1)a. – a tax imposed through clerical error, is hereby released.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 6th day of November, 2025.

Barbara G. Volk, Mayor
Attest: /s/Jill Murray, City Clerk
Approved as to form: /s/Angela S. Beeker, City Attorney

G. Settlement of Delinquent Taxes & Arrangements for Collection - *Krystal Powell, Finance Director*

Resolution #R-25-111

RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL TO ACCEPT SETTLEMENT OF DELINQUENT TAXES CHARGED TO DEPUTY TAX COLLECTOR

WHEREAS, General Statute 105-373 requires the tax collector to provide settlement of all taxes charged to the collector to the governing board upon their last day in office and;

WHEREAS, In default of such a settlement, or in case of a vacancy occurring during a term for any reason, it shall be the duty of the chief accounting officer or, in the discretion of the governing body, of some other qualified person appointed by it immediately to prepare and submit to the governing body a report in the nature of a settlement made on behalf of the former tax collector.; and

WHEREAS, Whenever a settlement must be made in behalf of a former tax collector, as provided in this subsection (d), the governing body may deliver the tax receipts, tax records, and tax sale certificates to a successor collector immediately upon the occurrence of the vacancy, or it may make whatever temporary arrangements for the collection of taxes as may be expedient.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Hendersonville, North Carolina that:

1. The settlement of taxes charged to Deputy Tax Collector Amanda Lofton, prepared and submitted by Finance Director Krystal Powell is satisfactory and approved.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 6th day of November, 2025.

Barbara G. Volk, Mayor
Attest: /s/Jill Murray, City Clerk
Approved as to form: /s/Angela S. Beeker, City Attorney

H. License Agreement with Ecusta Rails2Trail, LLC/Henderson County and LRH Properties, LLC for Sewer Crossing at Daniel Drive - *Daniel Heyman, Assistant City Attorney*

Resolution #R-25-112

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A LICENSE AGREEMENT WITH ECUSTA RAILS2TRAIL, LLC/HENDERSON COUNTY AND LRH PROPERTIES, LLC, FOR A SEWER EXTENSION ALONG DANIEL DRIVE

WHEREAS, the City of Hendersonville owns, operates, and maintains a sewer system to serve customers throughout Henderson County; and

WHEREAS, due to impacts from the US-64 widening, LRH Properties, LLC has proposed to extend public sewer to property within the corporate limits of Laurel Park; and

WHEREAS, LRH Properties, LLC proposes to extend public sewer, which upon completion and acceptance, will be provided to the City to own, operate, and maintain; and

WHEREAS, the proposed sewer extension will run along Daniel Drive and requires the sewer main to cross the Ecusta Trail right-of-way; and

WHEREAS, Ecusta Rails2Trail, LLC and Henderson County, as owners of the Ecusta Trail right-of-way, requires the developer and eventual owner of encroaching utilities to enter into a license agreement governing the terms of said encroachment.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Hendersonville, North Carolina that:

1. The Henderson County Ecusta Trail License Agreement for Wire, Pipe and Cable Transverse Crossings and Longitudinal Occupations associated with the public sewer extension proposed by LRH Properties, LLC is approved as presented.
 2. The City Manager is authorized to take all actions necessary to execute the Agreement.
- Adopted by the City Council of the City of Hendersonville, North Carolina on this 6th day of November, 2025.

Barbara G. Volk, Mayor
Attest: /s/Jill Murray, City Clerk
Approved as to form: /s/Angela S. Beeker, City Attorney

I. Authorizing Closure of Wells Fargo Health & Welfare Account - *Krystal Powell, Finance Director*

Resolution #R-25-113

RESOLUTION AUTHORIZING CLOSURE OF BANK ACCOUNTS AND REMOVAL OF OFFICIAL DEPOSITORY

WHEREAS, G.S. 159-31 requires that all deposits of a local government or public authority be made with one or more official depositories designated by the governing board, and that such depositories shall be banks, savings and loan associations, or trust companies authorized to do business in North Carolina; and

WHEREAS, G.S. 159-31 further provides that the governing board shall designate the official depositories by resolution and that all deposits shall be made in the name of the unit or public authority and in accordance with Chapter 159 of the North Carolina General Statutes; and

WHEREAS, the City Council of the City of Hendersonville previously designated Wells Fargo as an official depository and established one or more accounts therein; and

WHEREAS, the City Council now finds it necessary and appropriate to terminate such designation and close one of the accounts held at Wells Fargo as those funds will be maintained in other official depositories duly designated in accordance with G.S. 159-31;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HENDERSONVILLE

1. **Closure of Accounts.** The Finance Director is hereby authorized and directed to close the Health and Welfare account that is in the name of the City of Hendersonville at Wells Fargo. Any remaining balances shall be transferred to the Wells Fargo Central Depository account that is still in place and was previously designated by the governing board pursuant to G.S. 159-31.
2. **Removal of Depository.** The City Council hereby removes **Wells Fargo – Health & Welfare account** as an official depository of the City of Hendersonville as provided in G.S. 159-31.

3. **Compliance with Law.** The Finance Director shall ensure that all public moneys are thereafter deposited only in depositories officially designated by the governing board and that all deposits are made in the name of the City of Hendersonville in compliance with G.S. 159-31 and related statutes.
4. **Record of Depositories.** The City Clerk is directed to update the list of official depositories to reflect this action and to maintain it as part of the unit’s official records.
5. All actions taken by the Finance Director to carry out the terms of this resolution are hereby ratified and approved.

Adopted this 6th day of November, 2025.

Barbara G. Volk, Mayor
Attest: /s/Jill Murray, City Clerk
Approved as to form: /s/Angela S. Beeker, City Attorney

J. November 2025 Budget Amendments - Jennifer Floyd, Management Analyst

TO MAYOR & COUNCIL
APPROVAL: November 06, 2025

FISCAL YEAR 2026
FORM: 11062025-01

BUDGET AMENDMENT

FUND 010 060					
ACCOUNT NUMBER	DESCRIPTION OF ACCOUNT	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
010-1008-501001	Local Sales & Use Tax	6,800,000	20,499	-	6,820,499
010-1008-501001	Salaries & Wages - Regular	272,706	2,240	-	274,946
010-1008-501002	Salaries & Wages - Part-Time/Temp/Aux	13,026	12,168	-	25,194
010-1008-502001	FICA Tax Expense	21,934	1,102	-	23,036
010-1008-502005	Group Med. & Life Ins.	43,575	2,921	-	46,496
010-1008-502050	Retirement Expense	39,142	2,068	-	41,210
FUND 010 General Fund	TOTAL REVENUES	6,800,000	20,499	-	6,820,499
	TOTAL EXPENDITURES	390,383	20,499	-	410,882
060-0000-470900	Fund Bal. Appropriated	737,750	88,797	-	826,547
060-1008-501001	Salaries & Wages - Regular	921,267	42,560	-	963,827
060-1008-501002	Salaries & Wages - Part-Time/Temp/Aux	39,245	18,252	-	57,497
060-1008-502001	FICA Tax Expense	73,490	4,652	-	78,142
060-1008-502005	Group Med. & Life Ins.	209,466	14,606	-	224,072
060-1008-502050	Retirement Expense	131,010	8,727	-	139,737
FUND 060 Water & Sewer Fund	TOTAL REVENUES	737,750	88,797	-	826,547
	TOTAL EXPENDITURES	1,374,478	88,797	-	1,463,275
An amendment to the Finance Department personnel budget for a part-time Accountant and full-time Utility Billing position in FY26.					
The City Manager and City Clerk certify budget ordinance amendment 11062025-01 was approved by City Council on November 06, 2025.					

TO MAYOR & COUNCIL
APPROVAL: November 06, 2025

FISCAL YEAR 2026
FORM: 11062025-02

BUDGET AMENDMENT

FUND 060 301					
ACCOUNT NUMBER	DESCRIPTION OF ACCOUNT	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
060-0000-420050	Grant (NCDEQ)	-	150,000	-	150,000
060-0000-598901	Transfer Out (to 301, #G2601)	737,750	-	220,750	517,000
060-7155-519200-24010	Contracted Services	-	370,350	-	370,350
FUND 060 Water & Sewer Fund	TOTAL REVENUES	-	150,000	-	-
	TOTAL EXPENDITURES	-	370,350	220,750	-
301-0000-470100-G2601	Transfer In (from 060)	-	-	220,750	(220,750)
301-0000-420050-G2601	Grant (NCDEQ)	-	-	150,000	(150,000)
301-7155-519200-G2601	Contracted Services	-	-	370,750	(370,750)
FUND 301 Grant Fund	TOTAL REVENUES	-	-	220,750	-
	TOTAL EXPENDITURES	-	-	520,750	-
A budget amendment amending Project #G2601 Sewer Collection System Master Plan. The amendment moves the allocated funds out of the Grant Project Fund and into the Operating Fund.					
The City Manager and City Clerk certify budget ordinance amendment 11062025-02 was approved by City Council on November 06, 2025.					

TO MAYOR & COUNCIL
APPROVAL: November 06, 2025

FISCAL YEAR 2026
FORM: 11062025-03

BUDGET AMENDMENT

FUND 010					
ACCOUNT NUMBER	DESCRIPTION OF ACCOUNT	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
010-0000-420050	Grant Revenue (Arbor Day)	-	28,000	-	28,000
010-1525-532272	Tree Board Expenditures	36,300	28,000	-	64,300
FUND 010 General Fund	TOTAL REVENUES	-	28,000	-	28,000
	TOTAL EXPENDITURES	36,300	28,000	-	64,300
An amendment increasing grant revenue budget by \$28,000 in the General Fund for an Arbor Day grant.					
The City Manager and City Clerk certify budget ordinance amendment 11062025-03 was approved by City Council on November 06, 2025.					

TO MAYOR & COUNCIL					FISCAL YEAR 2026
APPROVAL: November 06, 2025					FORM: 11062025-04
BUDGET AMENDMENT					
FUND 301 467					
ACCOUNT NUMBER	DESCRIPTION OF ACCOUNT	EXISTING BUDGET	INCREASE	REVISOR	REVISED BUDGET
301-7555-420050- G2603	Grant Revenue (HMG/Ad. Assit)	150,000	-	150,000	-
301-7555-550102-G2603	Capital Outlay- Service & Fees	150,000	-	150,000	-
FUND 301 Grant Fund	TOTAL REVENUES	150,000	-	150,000	-
	TOTAL EXPENDITURES	150,000	-	150,000	-
467-7555-420050-G2603	Grant Revenue (HMG/Ad. Assit)	-	150,000	-	150,000
467-7555-550102-G2603	Capital Outlay- Service & Fees	-	150,000	-	150,000
FUND 467 Stormwater Capital Fund	TOTAL REVENUES	-	150,000	-	-
	TOTAL EXPENDITURES	-	150,000	-	-
An amendment moving the funding for G2603 (Wash Creek Stormwater Project) into Fund 467.					
The City Manager and City Clerk certify budget ordinance amendment 11062025-04 was approved by City Council on November 06, 2025.					

TO MAYOR & COUNCIL

APPROVAL: November 06, 2025

FISCAL YEAR 2025

FORM: 11062025-05

BUDGET AMENDMENT

FUND 360 410 460					
ACCOUNT NUMBER	DESCRIPTION OF ACCOUNT	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
360 - Revenues	FEMA Grants/Reimb. (Helene)	5,000,000	-	3,324,000	1,676,000
360 - Revenues	NCEM Loan (Helene)	1,172,004	-	-	1,172,004
360 - Expenditures	FEMA Grants/Reimb. Expenditures (Helene)	5,000,000	-	5,000,000	-
360 - Expenditures	NCEM Loan Expenditures (Helene)	1,172,004	-	-	1,172,004
360-HEA01	Helene Expenditures - HEA01	-	395,000	-	395,000
360-HEB01	Helene Expenditures - HEB01	-	1,175,000	-	1,175,000
360-HEZ01	Helene Expenditures - HEZ01	-	106,000	-	106,000
FUND 360 NCEM/Insurance	TOTAL REVENUES	6,172,004	-	3,324,000	2,848,004
	TOTAL EXPENDITURES	6,172,004	1,676,000	5,000,000	2,848,004
410	FEMA Grants/Reimb. (Helene)	-	501,500	-	501,500
410-HEE01	Helene Expenditures - HEE01	-	295,000	-	295,000
410-HEG14	Helene Expenditures - HEG14	-	97,000	-	97,000
410-HEC05	Helene Expenditures - HEC05	-	100,100	-	100,100
410-HEG11	Helene Expenditures - HEG11	-	4,000	-	4,000
410-HEG06	Helene Expenditures - HEG06	-	4,500	-	4,500
410-HEE02	Helene Expenditures - HEE02	-	300	-	300
410-HEG04	Helene Expenditures - HEG04	-	300	-	300
410-HEF27	Helene Expenditures - HEF27	-	300	-	300
Fund 410 Helene Projects	TOTAL REVENUES	-	501,500	-	501,500
	TOTAL EXPENDITURES	-	501,500	-	501,500
460	FEMA Grants/Reimb. (Helene)	-	2,822,500	-	2,822,500
460-HEB01	Helene Expenditures - HEB01	-	790,000	-	790,000
460-HEF02	Helene Expenditures - HEF02	-	1,120,000	-	1,120,000
460-HEF03	Helene Expenditures - HEF03	-	12,500	-	12,500
460-HEF04	Helene Expenditures - HEF04	-	2,000	-	2,000
460-HEF05	Helene Expenditures - HEF05	-	5,000	-	5,000
460-HEF08	Helene Expenditures - HEF08	-	142,000	-	142,000
460-HEF16	Helene Expenditures - HEF16	-	470,000	-	470,000
460-HEF18	Helene Expenditures - HEF18	-	30,000	-	30,000
460-HEF19	Helene Expenditures - HEF19	-	35,000	-	35,000
460-HEF20	Helene Expenditures - HEF20	-	32,000	-	32,000
460-HEF21	Helene Expenditures - HEF21	-	20,000	-	20,000
460-HEF22	Helene Expenditures - HEF22	-	60,000	-	60,000
460-HEF23	Helene Expenditures - HEF23	-	30,000	-	30,000
460-HEF24	Helene Expenditures - HEF24	-	63,000	-	63,000
460-HEF25	Helene Expenditures - HEF25	-	8,000	-	8,000
460-HEF06	Helene Expenditures - HEF06	-	3,000	-	3,000
Fund 460 Helene Projects	TOTAL REVENUES	-	2,822,500	-	2,822,500
	TOTAL EXPENDITURES	-	2,822,500	-	2,822,500
An amendment moving Helene Project budget from Fund 360 to Fund 410 and Fund 460 to reflect expenditures in the appropriate project funds.					
The City Manager and City Clerk certify budget ordinance amendment 11062025-05 was approved by City Council on November 06, 2025.					

TO MAYOR & COUNCIL
APPROVAL: September 04, 2025

FISCAL YEAR 2026
FORM: 11062025-06

BUDGET AMENDMENT

FUND 459 460					
ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
459-0000-470900	Fund Balance Appropriated	300,000	-	-	300,000
459-0000-598901	Transfer Out (to 460, #22013 - WTP Residuals)	300,000	-	-	300,000
FUND 459	TOTAL REVENUES	300,000	-	-	300,000
W&S Capital Reserve Fund	TOTAL EXPENDITURES	300,000	-	-	300,000
460-0000-470010-HEF02	Debt Proceeds ('25 Revenue Bond)	540,000	-	540,000	-
460-7035-550103-HEF02	Capital Outlay-CIP	540,000	-	540,000	-
FUND 460 (#HEF02)	TOTAL REVENUES	540,000	-	540,000	-
Mills River Scour	TOTAL EXPENDITURES	540,000	-	540,000	-
460-0000-470010-24009	Debt Proceeds ('25 Revenue Bond)	-	540,000	-	540,000
460-0000-470010-24009	Debt Proceeds ('27 Revenue Bond)	3,200,000	-	540,000	2,660,000
460-7035-550103-24009	Capital Outlay-CIP	3,200,000	-	-	3,200,000
FUND 460 (#24009)	TOTAL REVENUES	3,200,000	540,000	540,000	3,200,000
WTP Backwash Pump	TOTAL EXPENDITURES	3,200,000	-	-	3,200,000
460-0000-470010-17127	Debt Proceeds ('25 Revenue Bond)	428,883	-	-	428,883
460-7055-550103-17127	Capital Outlay-CIP	428,883	-	-	428,883
FUND 460 (#17127)	TOTAL REVENUES	428,883	-	-	428,883
NCDOT Highland Lake Rd	TOTAL EXPENDITURES	428,883	-	-	428,883
460-0000-470010-19207	Debt Proceeds ('25 Revenue Bond)	2,464,379	-	-	2,464,379
460-7055-550103-19207	Capital Outlay-CIP	2,464,379	-	-	2,464,379
FUND 460 (#19207)	TOTAL REVENUES	2,464,379	-	-	2,464,379
WTP15MGD Expansion	TOTAL EXPENDITURES	2,464,379	-	-	2,464,379
460-0000-470010-22013	Debt Proceeds ('25 Revenue Bond)	2,342,000	-	-	2,342,000
460-0000-470100-22013	Transfer In (from 459)	300,000	-	-	300,000
460-7035-550103-22013	Capital Outlay-CIP	2,642,000	-	-	2,642,000
FUND 460 (#22013)	TOTAL REVENUES	2,642,000	-	-	2,642,000
WTP Residuals	TOTAL EXPENDITURES	2,642,000	-	-	2,642,000
460-0000-470010-24004	Debt Proceeds ('25 Revenue Bond)	434,636	-	-	434,636
460-1014-550103-24004	Capital Outlay-CIP	434,636	-	-	434,636
FUND 460 (#24004)	TOTAL REVENUES	434,636	-	-	434,636
CCTV Truck	TOTAL EXPENDITURES	434,636	-	-	434,636
460-0000-470010-25003	Debt Proceeds ('25 Revenue Bond)	500,000	-	-	500,000
460-1014-550103-25003	Capital Outlay-CIP	500,000	-	-	500,000
FUND 460 (#25003)	TOTAL REVENUES	500,000	-	-	500,000
110 Williams St. Reno.	TOTAL EXPENDITURES	500,000	-	-	500,000
460-0000-420050-16036	Grant Revenue (FY24 State Appropriation)	14,528,750	-	-	14,528,750
460-0000-470010-16036	Debt Proceeds ('25 Revenue Bond - Project Fund)	3,500,000	-	-	3,500,000
460-0000-470010-16036	Debt Proceeds ('25 Revenue Bond - Issuance Cost)	369,259	-	-	369,259
460-7135-550103-16036	Capital Outlay-CIP	18,028,750	-	-	18,028,750
460-7002-560900-16036	Cost of Issuance	369,259	-	-	369,259
FUND 460 (#16036)	TOTAL REVENUES	18,398,009	-	-	18,398,009
Biosolids Dryer	TOTAL EXPENDITURES	18,398,009	-	-	18,398,009
SubTotal 2025 Revenue Bond Project Fund					10,209,898
SubTotal 2025 Revenue Bond Closing Costs					369,259
TOTAL 2025 Revenue Bond					10,579,157
An amendment decreasing 2025 water and sewer revenue bond proceeds budget available for the water treatment plant scour project (#HEF02) and increase the water treatment plant sludge transfer and backwash project (#24009) by \$540,000. The City anticipates FEMA funds related to Helene to fund the scour project.					
The City Manager and City Clerk certify budget ordinance amendment 11062025-06 was approved by City Council on September 04, 2025.					

TO MAYOR & COUNCIL
APPROVAL: November 06, 2025

FISCAL YEAR 2026
FORM: 11062025-07

BUDGET AMENDMENT

FUND 010					
ACCOUNT NUMBER	DESCRIPTION OF ACCOUNT	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
020-0000-460090	Contribution/Donation (Downtown)	-	38,512	-	38,512
020-2102-554001	Capital Outlay- Equipment Other Than	20,000	38,512	-	58,512
FUND 010	TOTAL REVENUES	-	38,512	-	38,512
General Fund	TOTAL EXPENDITURES	20,000	38,512	-	58,512
An amendment increasing contribution revenue \$38,512 to reflect a donation from Friend of Downtown to cover the cost of a stairlift at the Downtown office.					
The City Manager and City Clerk certify budget ordinance amendment 11062025-07 was approved by City Council on November 06, 2025.					

K. Sole Source Repair of Water Treatment Facility VFD - Logan Hickey, Chad Freeman, Darren Allman

Resolution #R-25-114

RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL TO AUTHORIZE THE RATIFICAITON OF SOLE SOURCE REPAIR OF BROKEN PUMP FOR WATER TREATMENT FACILITY

WHEREAS, the City of Hendersonville’s Finance Department is submitting this request on behalf of the City’s Water and Sewer Department; and,

WHEREAS, the City has a total of four pumps controlled by independent variable frequency drives (VFDs) that pump treated water into the water system; and,

WHEREAS, one of the pumps is out of service due to issues with its VFD. The system was constructed with four pumps to provide critical equipment redundancy when one unit is down. However, given the criticality of the equipment, the City issued an emergency Purchase Order for this repair on 10/31/25 as it qualifies as "...a special emergency involving the health and safety of the people or their property" per General Statute 143-129(e)(2); and,

WHEREAS, the City issued an emergency Purchase Order for this repair on 10/31/25 as it qualifies as "...a special emergency involving the health and safety of the people or their property" per General Statute 143-129(e)(2); and,

WHEREAS, city staff are submitting this to Council also as a sole source justification. Rockwell is the sole source of the VFD that has stopped functioning and is the only source that is able to repair the unit while keeping the existing factory warranties. Use of any other repair service would negate factory warranties and would pose significant functional risks since Rockwell is the original manufacturer. Note that Rexel USA Inc. is the only authorized distributor of Rockwell products (including Allen-Bradley) in this area. The Purchase Order for Rockwell has been issued thru Rexel USA Inc.; and,

WHEREAS, based on General Statute # 143-129e(6), we are requesting Council to ratify the waiving of competition based on the sole source nature of this repair.; and,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Hendersonville, North Carolina that City staff is authorized to waive competition for this purchase based on the sole source nature of this repair.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 6th day of November, 2025.

Barbara G. Volk, Mayor
Attest: /s/Jill Murray, City Clerk
Approved as to form: /s/Angela S. Beeker, City Attorney

L. Communications and Technology Manager Position - Blair Myhand, Police Chief

J. Resolution to Apply for Economic Development Administration Disaster Recover Funds to Support the Wastewater Treatment Facility Expansion and Improvement Project – Brent Detwiler, Assistant City Manager-Public Services

Resolution #R-25-115

RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL TO APPLY FOR ECONOMIC DEVELOPMENT ADMINISTRATION DISASTER RECOVERY FUNDS TO SUPPORT THE WASTEWATER TREATMENT FACILITY EXPANSION AND IMPROVEMENTS PROJECT

WHEREAS, the US Economic Development Administration (EDA) administers a funding program for disaster recovery infrastructure, including water and wastewater, and

WHEREAS, the City of Hendersonville has need for and intends to complete a Wastewater Treatment Facility Expansion and Improvements project, and

WHEREAS, the City of Hendersonville intends to request EDA grant assistance for the project, and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hendersonville, North Carolina that:

1. That the City of Hendersonville, the Applicant, will apply for funding from EDA to apply to a scope of work within the wastewater treatment facility flood mitigation project.
2. That the Applicant will provide for efficient operation and maintenance of the project on completion of construction thereof.
3. That Adam Steurer, Utilities Director, the Authorized Representative, and successors so titled, is hereby authorized to execute and file an application on behalf of the Applicant with the EDA for a grant to aid in the construction of the project described above.
4. That the Authorized Representative, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.
5. That the Applicant has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, ordinances, and funding conditions applicable to the project and to Federal and

State grants and loans pertaining thereto.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 6th day of November, 2025.

Barbara G. Volk, Mayor

Attest: /s/Jill Murray, City Clerk

Approved as to form: /s/Angela S. Beeker, City Attorney

6. PRESENTATIONS

A. **Champions For Wildlife** – *Tashi Brewster, Executive Director*

Executive Director Tashi Brewster, Education Manager Alexis Hinchliffe & Communications Coordinator Alexa Saltarelli spoke about their program and said that although Champions for Wildlife was founded in 2022, our team has worked with kids and schools in this region for years. To date, we have reached more than 11,000 children -over 2,000 of them right here in Henderson County, helping them connect to local wildlife through art and hands-on learning. Our [Wild for Art programs](#) spark creativity, build curiosity, and inspire young people to care for the incredible wildlife of Western North Carolina. In the year since Hurricane Helene, we have continued bringing our Nature in Your Backyard program to students across our community. On a recent walk, the kids could hardly wait to get outside. Some began reminiscing about being with us right after the storm, how much fun it had been to explore, and the surprising things they had discovered along the way. Then one little girl proudly shared that she had filled every single page of her nature journal from that first class and was thrilled to be getting a new one. It was a moving reminder that time in nature not only sparks curiosity, but also brings healing and resilience that last long after the storm has passed.



One Spark, One Connection



Inspiring the next generation



How it Began

Founded 2022 by Loti Woods & Dale Weiler



Wild for Art Programs

Wildlife-themed art in classrooms & communities, focusing on native 'underdog' species.

Kids learn, create, and share their art and what they've learned with friends and family.



Nature in Your Backyard

Explore, Observe,
Wonder - Anywhere!



Kids Corner

Full of fun activities, how
to make art videos, kid art
gallery and lots of
information on wild
animals.



Why this Matters

**The more you learn,
The more you care,
The more you protect!**



B. Sullivan Park and Brooklyn Stream Restoration – APWA Stormwater Project of the Year – Mike Huffman, Stormwater Director

Stormwater Director Mike Huffman explained that the Sullivan Park/Brooklyn Stream Restoration Project was awarded the 2025 Stormwater Project of the Year for Natural Systems by the American Public Works Association NC Stormwater Division at this year's annual conference in Asheville. This project was a collaboration between the City Stormwater Department, Green Meadows Neighborhood, RiverLink, Jennings Environmental, and Baker Grading. The project received funding from the City, NC 319 Grant Program, and the Water Resource Development Grant. Through thoughtful engineering, inclusive partnerships, and place-based outreach like the "Name That Creek" campaign, the Sullivan Park Stream Restoration demonstrates how stormwater projects can deliver environmental, social, and cultural benefits that endure for generations. He received an award and showed it off.

7. PUBLIC HEARINGS

A. Rezoning: Standard Rezoning Locust St Small Area Rezoning (25-78-RZO) – Matthew Manley, AICP, Long-Range Planning Manager

Matt Manley explained that the City of Hendersonville is initiating a rezoning for consenting property owners in the Locust St Area to rezone properties from I-1, Industrial to CMU, Central Mixed Use. These owners and properties include multiple condo owners at 822 Locust St (PIN: 9569-80-4214), R Four Holdings at 824 Locust St Ste 300 (PIN: 9569-80-2387) and Scott & Dean Miller at 0 Lynn St (PIN: 9569-80-4629). Previously Daniel Huggins & Hailey Lamoreux (Applicants / Owners) at 824 Locust St Suite 400 (PIN: 9569-80-2471) along with Dennis Dunlap at 415 8th Ave E (PIN: 9569-80-4238), Kari Moer at 824 Locust St Suite 200 (PIN: 9569-80-2395), and Daniel Mock with AYD Partners at 0 Lynn St (PIN: 9569-80-3335) participated in a rezoning to CMU for this area. Additional property owners were given the opportunity to participate as well. The three additional properties before you represent those providing consent. Any future rezonings in this area will be by petition of the property owners.

Planning Staff initially identified the need for a rezoning of the I-1 properties in this area over 4 years ago. Though a 'small area rezoning' did not take place at that time, with the submittal of a rezoning application for CMU in August 2025, Planning Staff opened the opportunity for select properties to join in on the rezoning. Per new state laws, property owners must consent to rezonings of this nature. Properties participating in the rezoning will benefit in the following ways:

- 1) CMU Zoning would make non-conforming buildings conforming;
- 2) CMU Zoning would permit current land uses to continue;
- 3) CMU Zoning would permit additional desired future land uses that I-1 zoning does not;
- 4) CMU Zoning would prevent incompatible uses.

LOCUST ST REZONING (I-1 to CMU)


(25-58-RZO)

Standard Rezoning

City of Hendersonville City Council

November 6, 2025

Community Development | Planning Division
Matthew Manley, AICP | Long-Range Planning Manager



Location:

- 822 100 Locust St (9569-80-4214)
- 822 200 Locust St (9569-80-4214)
- 822 300 Locust St (9569-80-4214)
- 822 400 Locust St (9569-80-4214)
- 824 Locust St Ste. 300 (9569-80-2387)
- 0 Lynn St (9569-80-4629)

Applicant / Owners:

- Southern Appalachian Brewing (Cubbins), R Four Holdings (Tolles), & Daniel Mock - Condo Owners
- R Four Holdings (Tolles) - Owners
- Scott & Dean Miller - Owners

Current Zoning: I-1 Industrial

Proposed Zoning: CMU, Central Mixed Use

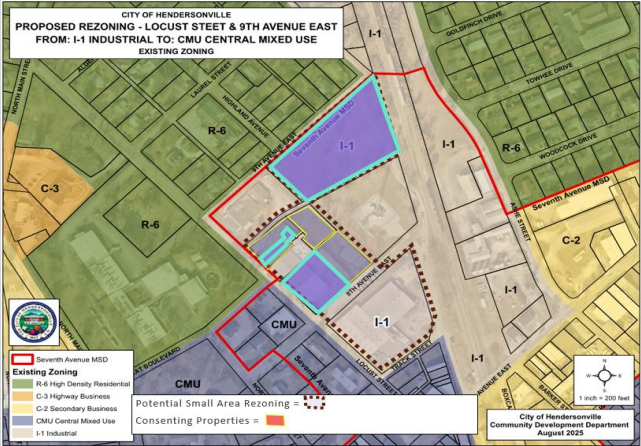
Future Land Use Designation: Downtown

Project Background



I will not be giving a full presentation on this rezoning. This rezoning is tied to the "small area rezoning" that came before you last month for a group of parcels concentrated along Locust St, 8th Ave, Lynn St and Maple St. Last month City Council approved the rezoning of 4 parcels in this area. [Tonight](#) we have 3 additional parcels that have consented to participate in the city-initiated rezoning of this area of town from I-1 to CMU.

PROPOSED REZONING - LOCUST STREET & 9TH AVENUE EAST
FROM: I-1 INDUSTRIAL TO: CMU CENTRAL MIXED USE
EXISTING ZONING

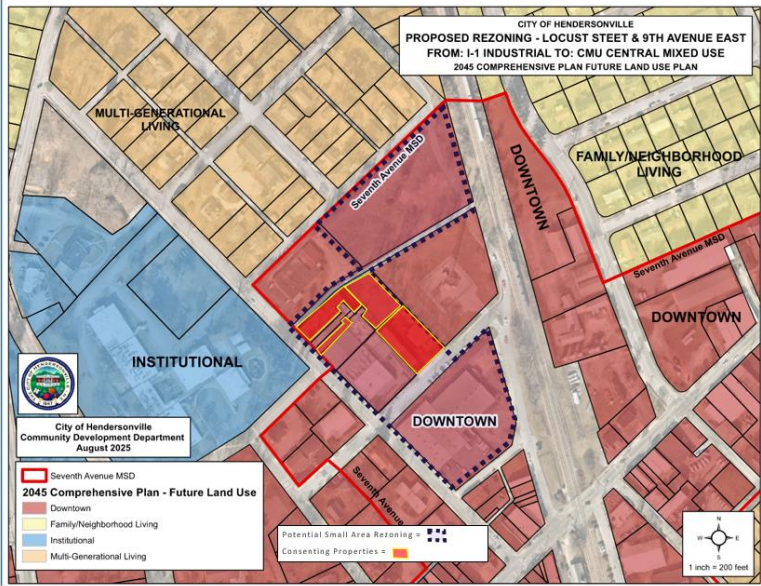


Current Land Use & Zoning

- + I-1
- + CMU
- + R-6
- + C-2

The 3 parcels included in tonight's rezoning are shown with the blue outline while the previous 4 are shown with the yellow outline. Combined, this will give you an idea of what the zoning will look like in this area going forward. At some point in the future, should the remaining I-1 parcels to the north and south and at the center of the 800 block chose to rezone to CMU, they will have to petition the City and go through the full process.

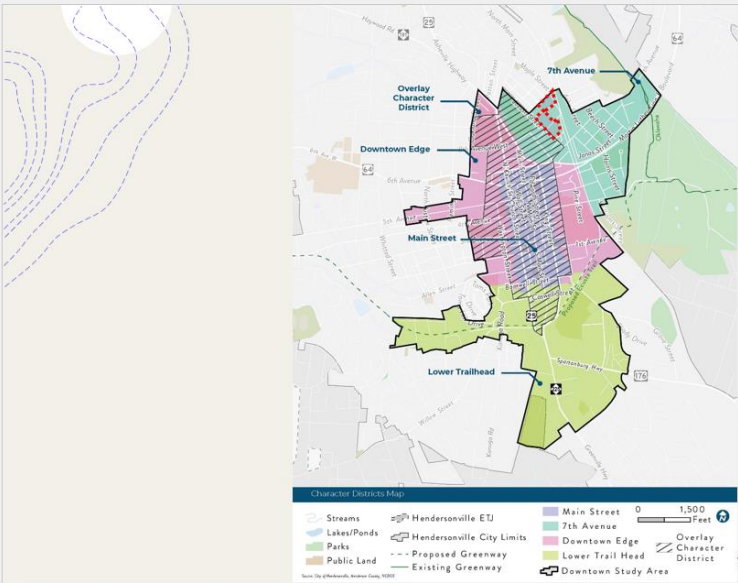




1)Comprehensive
Plan
Consistency:
Future Land Use

- + Downtown
- + MGL
- + Institutional
- + FNL

The subject property is designated as Downtown in the Gen H Comprehensive Plan Future Land Use Map. These parcels were included in the Downtown Master Plan and featured in the 7th Ave Focus Area.



1)Comprehensive
Plan
Consistency:
Downtown
Master Plan

[7th Avenue]

These parcels were included in the Downtown Master Plan in the 7th Ave Character Area



In the Downtown Master Plan, the properties were included in the 7th Ave Focus Area in the Gen H Comp Plan. In this conceptual future growth scenario, all of the buildings in this proposed rezoning area are proposed to be preserved with Townhomes shown on the vacant lot behind Miller's. The townhomes and the preservation of existing form is supported by CMU zoning while the I-1 zoning would not permit townhomes and makes the existing buildings non-conforming.

General Rezoning Standards: 1) COMPREHENSIVE PLAN CONSISTENCY	LAND SUPPLY, SUITABILITY & INTENSITY	<p>Land Supply - The applicant property was <u>not</u> identified as. Other properties in the potential rezoning area (primarily the vacant properties) were identified as <i>Underutilized</i> in the Land Supply Map.</p> <p>Suitability – These underutilized properties were identified as <i>Moderate to Highly Suitable</i> for all three - Residential, Industrial and Commercial uses.</p> <p>Development Intensity - The subject property is <u>located in</u> an area designated as <i>Highest</i>.</p> <p>Focus Area - The subject property <u>is located in</u> the <i>7th Ave Focus Area</i> and adjacent to the <i>Downtown Edge Focus Area</i>. The existing buildings are shown to be preserved. The vacant lot on Lynn St is shown as townhomes. It states that new uses in the area should be “...a mix of residential and commercial uses. New development should be sensitive to the character and form of the surrounding context.”</p> <p>Focused Intensity Node – Downtown is its own Focused Intensity Node.</p> <p>Downtown Master Plan – The properties <u>are located in</u> the Downtown Master Plan and designated in the <i>7th Ave Downtown Character Area</i>. Locust St is designated as a <i>Downtown</i> street type.</p>
	FUTURE LAND USE & CONSERVATION MAP	<ul style="list-style-type: none">• Character Area Designation: Downtown• Character Area Description: Consistent with CMU• Downtown Character Area Designation: 7th Ave• Downtown Character Area Description: Consistent with CMU• Zoning Crosswalk: Consistent with CMU

1) Continuing our review of the **Comprehensive Plan Consistency**, Staff finds the staff proposed zoning to CMU is Consistent with the Character Area Description for Downtown.

General Rezoning Standards: 2) COMPATIBILITY	EXISTING CONDITIONS	<ul style="list-style-type: none">• Current minimum lot size for I-1 = 40,000 Sq Ft<ul style="list-style-type: none">• The average lot size along Locust St = 10,890 Sq Ft• The average lot size per suite = 6,000 Sq Ft• The smallest parcel = 3,000 Sq Ft• Current minimum setbacks for I-1 = 30' front / 20' side + rear<ul style="list-style-type: none">• The existing building setbacks = 0'• Existing Conditions do not match Current Zoning																						
	GEN H GOALS	<table><tr><th>I-1 Compatibility</th><th>CMU Compatibility</th></tr><tr><td>Vibrant Neighborhoods: Inconsistent</td><td>Vibrant Neighborhoods: Consistent</td></tr><tr><td>Abundant Housing Choices: Inconsistent</td><td>Abundant Housing Choices: Consistent</td></tr><tr><td>Healthy & Accessible Natural Environment: Inconsistent</td><td>Healthy & Accessible Natural Environment: Somewhat Consistent</td></tr><tr><td>Authentic Community Character: Inconsistent</td><td>Authentic Community Character: Consistent</td></tr><tr><td>Safe Streets and Trails: Inconsistent</td><td>Safe Streets and Trails: Consistent</td></tr><tr><td>Reliable & Accessible Utility Services: Inconsistent</td><td>Reliable & Accessible Utility Services: Consistent</td></tr><tr><td>Satisfying Work Opportunities: Consistent</td><td>Satisfying Work Opportunities: Consistent</td></tr><tr><td>Welcoming & Inclusive Community: Inconsistent</td><td>Welcoming & Inclusive Community: Consistent</td></tr><tr><td>Accessible / Available Community Services: Consistent</td><td>Accessible / Available Community Services: Consistent</td></tr><tr><td>Resilient Community: Inconsistent</td><td>Resilient Community: Inconsistent</td></tr></table>	I-1 Compatibility	CMU Compatibility	Vibrant Neighborhoods: Inconsistent	Vibrant Neighborhoods: Consistent	Abundant Housing Choices: Inconsistent	Abundant Housing Choices: Consistent	Healthy & Accessible Natural Environment: Inconsistent	Healthy & Accessible Natural Environment: Somewhat Consistent	Authentic Community Character: Inconsistent	Authentic Community Character: Consistent	Safe Streets and Trails: Inconsistent	Safe Streets and Trails: Consistent	Reliable & Accessible Utility Services: Inconsistent	Reliable & Accessible Utility Services: Consistent	Satisfying Work Opportunities: Consistent	Satisfying Work Opportunities: Consistent	Welcoming & Inclusive Community: Inconsistent	Welcoming & Inclusive Community: Consistent	Accessible / Available Community Services: Consistent	Accessible / Available Community Services: Consistent	Resilient Community: Inconsistent	Resilient Community: Inconsistent
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GEN H GUIDING PRINCIPLES	<table><tr><td>Mix of Uses: Inconsistent</td><td>Mix of Uses: Consistent</td></tr><tr><td>Compact Development: Inconsistent</td><td>Compact Development: Consistent</td></tr><tr><td>Sense of Place: Inconsistent</td><td>Sense of Place: Consistent</td></tr><tr><td>Conserved/Integrated Open Spaces: Inconsistent</td><td>Conserved/Integrated Open Spaces: Consistent</td></tr><tr><td>Desirable & Affordable Housing: Inconsistent</td><td>Desirable & Affordable Housing: Consistent</td></tr><tr><td>Connectivity: Inconsistent</td><td>Connectivity: Consistent</td></tr><tr><td>Efficient & Accessible Infrastructure: Inconsistent</td><td>Efficient & Accessible Infrastructure: Consistent</td></tr></table>	Mix of Uses: Inconsistent	Mix of Uses: Consistent	Compact Development: Inconsistent	Compact Development: Consistent	Sense of Place: Inconsistent	Sense of Place: Consistent	Conserved/Integrated Open Spaces: Inconsistent	Conserved/Integrated Open Spaces: Consistent	Desirable & Affordable Housing: Inconsistent	Desirable & Affordable Housing: Consistent	Connectivity: Inconsistent	Connectivity: Consistent	Efficient & Accessible Infrastructure: Inconsistent	Efficient & Accessible Infrastructure: Consistent									
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Connectivity: Inconsistent	Connectivity: Consistent																							
Efficient & Accessible Infrastructure: Inconsistent	Efficient & Accessible Infrastructure: Consistent																							

EXISTING CONDITIONS

The subject property and each property proposed for the small area rezoning is currently zoned I-1, Industrial.

The subject property is part of a row of buildings fronting Locust St extending from Lynn St to 8th Ave. These buildings were constructed in 1926 and served as the Coca-Cola bottling plant. It was conveyed to staff that the buildings had a spur line connection to the railroad which ran under 8th Ave and was used to deliver and receive goods. The spur line is gone and the nearby railroad is currently only used for the storage of freight cars. This row of zero-lot line buildings is divided into separate units, each of which is owned individually or as part of a condominium association. Some units are vacant while the others are active with the following uses: small-scale manufacturing, office, retail, and microbrewery. Other neighboring properties considered for the rezoning including two vacant lots on Lynn St, the Guidon Brewing property on 8th Ave and the multi-tenant ProSource plumbing and hardware building at 806 Locust St. Each of the known current land uses for these properties are permissible under CMU and I-1.

Current minimum lot size for I-1 is 40,000 Sq Ft. The average lot size along Locust St is 10,890 Sq Ft. The smallest parcel is 3,000 Sq Ft. As you can see, the minimum lot size requirements for I-1 do not align with the existing conditions for lot size.

Current minimum setbacks for I-1 are 30' front and 20' on the side + rear. The setbacks of the existing buildings are 0' meaning they are built to the property line on at least one side with several structures having 0' setbacks on all sides. As you can see, the minimum setback requirements for I-1 do not align with the **existing Conditions**.

Furthermore, because each of the existing structures on these properties do not meet these dimensional requirements, they are classified as "legal, non-conforming" structures. This makes these properties subject to the Non-conforming Standards in Chapter 6 of the Zoning Code. Rezoning to CMU would reclassify the structures as conforming and these properties would no longer be subject to Non-conforming Standards.

Furthermore, Rezoning to CMU would not create any Non-conforming Uses. The uses that are in place today would be permitted under CMU, including Small-Scale Manufacturing. As stated previously, many of the uses permitted under I-1 would be incompatible with these existing land uses. Meanwhile the uses in CMU that are not permitted in I-1 are compatible with the area. Examples of these CMU uses not allowed in I-1 include: Multi-Family Residential, Music & Art Studios, Offices (business, professional and public), Theatres, Dance & Fitness Facilities, Cultural Art Buildings, etc.

In summary, when considering the differences between the existing conditions and the standards of both I-1 and CMU, it is clear that CMU is much more compatible with the Locust St / 7th Ave area.

In addition to evaluating Compatibility as it relates to Existing Conditions, Staff evaluated the proposal against the Goals and Guiding Principles of the Gen H Comprehensive Plan. Staff has highlighted the different aspects of the Goals and Guiding principles where they differed between I-1 and CMU. Staff found that I-1 was Inconsistent with 8 of the 10 Gen H Goals while CMU was Consistent or Somewhat Consistent with all 10 Goals. Similarly, I-1 was Inconsistent with all 7 of the Gen H Guiding Principles. Conversely, CMU was Consistent with all 7 Guiding Principles.

The reason that the I-1 zoning is so at odds with the Comp Plan is primarily due the hefty dimensional standards under I-1, the non-conformity of existing buildings, and the lack of design considerations for new development.

General Rezoning Standards: 2) COMPATIBILITY	DESIGN GUIDELINES ASSESSMENT (Chapter V)	<p>The existing buildings on Locust St from Lynn St to 8th Ave are excellent example of historic buildings that reflect the type of traditional design that is promoted by the <i>Downtown Design Guidelines</i>. But because no new development is proposed, a full assessment of the building and site design was not performed.</p>
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Since these properties are included in the study area for the Downtown Master Plan, staff considered the implications of the Design Guidelines. However, since no new development is proposed, a full analysis of the Downtown Design Standards was not performed.

General Rezoning Standards	3) CHANGED CONDITIONS	<ul style="list-style-type: none">Changes in District Character (new businesses and reinvestments)
	4) PUBLIC INTEREST	<ol style="list-style-type: none">Preservation of existing characterProtection from incompatible uses (adult entertainment, video gambling, storage yards, body shops with outdoor storage, etc.)New Compatible usesAlignment with community-informed plans

For the 3rd Criteria, Changed Conditions - Staff finds that the changed conditions related to the fact that The 7th Ave District, including Locust St, has been one of the most rapidly changing areas in Hendersonville over the last 5-10 years. Both public and private investments have stabilized and celebrated the historical integrity of the district while providing new life in the form of public infrastructure and vibrant economic opportunity. The former industrial roots of the buildings along Locust St are evolving to house a mix of uses that serve a variety of urban needs and appetites. Recent updates to the I-1 Zoning District Standards requires that areas of the City that are no longer functioning as Industrial Districts update their zoning designation to accommodate appropriate and compatible uses and dimensional standards.

Public Interest - Adoption of CMU zoning would have a range of positive impacts for the broader community. 1) CMU would make existing non-conforming buildings conforming. This would help to preserve the existing character of the area - allowing these buildings to be expanded in conformity with existing character and to be rebuilt in the case of a disaster, 2) CMU would prevent incompatible Industrial Land Uses such as: *adult entertainment, storage yards, body shops, video gambling, animal boarding, fast food, treatment plants*, etc. 3) CMU would allow for new uses that are compatible with the emerging character of the area such as the current uses on Locust St & 7th Ave and additional uses that are complimentary to those uses (see compatibility above). 4) CMU zoning aligns with the community-led, publicly-informed and Council-adopted growth management vision for the City.

General Rezoning Standards	5) PUBLIC FACILITIES	<ul style="list-style-type: none">Rezoning to CMU allows new opportunities for reinvestment in the city core and greater utilization of existing infrastructure.
	6) EFFECT ON NATURAL ENVIRONMENT	<ul style="list-style-type: none">There is no immediate development proposed on the subject properties and no predicted impact on the natural environment <u>as a result of this rezoning.</u> .
	COMMITTEE RECOMMENDATION	The Current Planning Committee reviewed this item prior to today's meeting.

The 5th Criteria is Public Facilities – The Subject Properties would remain to be served with City Services.

For the 6th Criteria, Effect on Natural Environment – No impact to Natural Environment

DRAFT: Comprehensive Plan Consistency Statement

The petition is found to be **Consistent** with the *City of Hendersonville Gen H Comprehensive Plan* based on the information from the staff analysis and the public hearing, and because:

The proposed zoning of CMU aligns with the Gen H 2045 Comprehensive Plan Future Land Use & Conservation Map and the Character Area Description for ‘Downtown’.

For your consideration, staff has developed the following Comprehensive Plan Consistency Statement.

DRAFT: Reasonableness Statement

We find this petition to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:

[Rationale for Approval]

- CMU Zoning is more compatible than I-1 Zoning due to the differences in dimensional standards and permitted uses.
- CMU Zoning would better protect the existing character of the built environment and support recent investments in the emerging economic future of the 7th Ave / Locust St district
- CMU would protect against incompatible Industrial uses
- Other neighboring properties zoned I-1 were provided an opportunity to rezone their properties to CMU to avoid any appearance of spot zoning and to create a cohesive zoning district. However, due to new requirements under S.B. 382, property owners must provide their consent for a rezoning of this nature. Though adjacent property owners were provided the information and opportunity to consent to the rezoning only those included in the motion have consented.

DRAFT: Reasonableness Statement

We **do not** find this petition to be **reasonable** and in the public interest based on the information from the staff analysis and the public hearing, and because:

[Rationale for Denial]

- CMU Zoning would reduce the number of permitted uses
- CMU Zoning would reduce the required dimensional standards (setbacks, min. lot size, etc.)
- CMU Zoning would further shift the area from its industrial roots

Consent Forms

[illegible]

1. The petition is found to be consistent with the City of Hendersonville Gen H Comprehensive Plan based on the information from the staff analysis and because:

The proposed zoning of CMU aligns with the Gen H 2045 Comprehensive Plan Future Land Use & Conservation Map and the Character Area Description for ‘Downtown’.

2. Furthermore, we find this petition to be reasonable and in the public interest based on the information from the staff analysis, public hearing and because:

- 1. CMU Zoning is more compatible than I-1 Zoning due to the differences in dimensional standards and permitted uses.*
- 2. CMU Zoning better protects the existing character of the built environment and supports recent reinvestment in the economic vitality of the 7th Ave District*
- 3. CMU Zoning will protect against incompatible Industrial uses.*

A unanimous vote of the Council followed. Motion carried.

Ordinance #O-25-57

AN ORDINANCE OF THE CITY OF HENDERSONVILLE CITY COUNCIL TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF HENDERSONVILLE FOR CERTAIN PARCELS (POSSESSING PIN NUMBERS: 9569-80-4214 & 9569-80-2387) BY CHANGING THE ZONING DESIGNATION FROM I-1 INDUSTRIAL ZONING DISTRICT TO CMU, CENTRAL MIXED USE ZONING DISTRICT

IN RE: Parcel Numbers: 9569-80-4214 & 9569-80-2387

Locust St Small Area Rezoning | File # 25-78-RZO

WHEREAS, the Planning Board took up this application at its regular meeting on October 9, 2025; voting 9-0 to recommend City Council adopt an ordinance amending the official zoning map of the City of Hendersonville, and

WHEREAS, City Council took up this application at its regular meeting on November 6, 2025, and

WHEREAS, City Council has found that this zoning map amendment is consistent with the City’s comprehensive plan, and that it is reasonable and in the public interest for the reasons stated, and

WHEREAS, City Council has conducted a public hearing as required by the North Carolina General Statutes on November 6, 2025,

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Hendersonville, North Carolina:

- Pursuant to Article XI of the Zoning Ordinance of the City of Hendersonville, North Carolina, the Zoning Map is hereby amended by changing the zoning designation of the following: 9569-80-4214 & 9569-80-2387, by changing the zoning designation from I-1 Industrial Zoning District to CMU, Central Mixed Use Zoning District
- Any development of this parcel shall occur in accordance with the Zoning Ordinance of the City of Hendersonville, North Carolina.
- This ordinance shall be in full force and effect from and after the date of its adoption.

Adopted this 6th day of November, 2025.

Barbara G. Volk, Mayor
Attest: /s/Jill Murray, City Clerk
Approved as to form: /s/Angela S. Beeker, City Attorney

8. NEW BUSINESS

A. Patton Park Design and Estimate Update – Brent Detwiler, PE, Assistant City Manager - Public Services & Richard Shook, PE, Civil Engineer

We are still working on design and estimates but we wanted to make sure that we have clear direction from Council regarding Patton pool. Myself, Deputy City Manager Brian Pahle, and Mayor Pro Tem Hensley met with the county and the folks from the YMCA regarding their interest in partnering with us on a larger pool project. What we learned is that the “Y” has plans to construct a second indoor 25-meter pool on their site and at this time, the county is not interested

in participating in a pool project. The “Y” is interested in an 8-lane competitive 25-meter pool that can be used by the high schools and other competitive swimming during the winter months. They will eventually be putting together a community campaign and asking the neighbors to support this project. Following that meeting, we were tossing around ideas with the group to bring to you an idea where the city reconstructs the 50-meter pool and brings it out of the flood plain but construct it in a way that it can be used for competitive swimming and also include an open-play swim element either as a second pool or part of the bigger pool. We would leave that up to our designers to come up with. So, Patton Pool returns to an outdoor seasonal pool complex for the community.

Mayor Pro Tem Hensley added that she thought the meeting with the YMCA and the county went well and the county is also equally interested in supporting our high schools and our indoor swimmers. The “Y” is going to do a feasibility study on an indoor 50-meter pool which would be the only indoor 50-meter pool west of Charlotte so that would be really huge for this area. I think this gives us the best of both worlds because we get to restore our public pool back to the community and also of course outdoor swimming in the summer and also Patton gets redeveloped back to what everyone loves and we’re not taking anything away from our residents. Hopefully we’ll be able to have a nice splash pad and it gives us some flexibility to partner with the “Y” in the future to have a large community center there.

Consensus of Council was to move forward with that approach and have the design team produce the design and cost estimate for the outdoor pool at Patton Park. As an alternative, they would like to see how much a cover of some sort over the pool would cost.

B. Introduction of 2025 General Obligation (GO) Transportation Bond Order and Resolution Calling a Public Hearing – Adam Murr, Budget & Evaluation Director

Budget and Evaluation Director Adam Murr explained that the City Council of the City of Hendersonville, North Carolina has ascertained and determined that it is necessary to pay the capital costs of transportation improving projects with General Obligation (GO) Bond funds. The City has applied to the Local Government Commission (LGC) for the GO Bond including a maximum principal amount of \$10,000,000.

The attached agenda items formally introduces the bond order and sets a public hearing on the bond order, to be held at the Operations Center Assembly Room, 305 Williams Street, Hendersonville, North Carolina 28792, at 5:45 p.m., or as soon thereafter as practicable, on the 4th day of December, 2025. This item additionally directs prior to the public hearing for the City’s Finance Director to (1) file a sworn statement of debt with the LGC and the City Clerk and (2) file with the LGC and City Clerk and post on the City’s website a statement of disclosures.

Council Member Gina Baxter moved City Council adopt:

1) the introduction of the BOND ORDER AUTHORIZING THE ISSUANCE OF \$10,000,000 GENERAL OBLIGATION TRANSPORTATION BONDS OF THE CITY OF HENDERSONVILLE, NORTH CAROLINA; and,

(2) the RESOLUTION REGARDING BOND ORDER AUTHORIZING THE ISSUANCE OF \$10,000,000 GENERAL OBLIGATION TRANSPORTATION BONDS, SETTING A PUBLIC HEARING THEREON AND DIRECTING PUBLICATION OF A NOTICE OF SAID PUBLIC HEARING; as presented.

A unanimous vote of the Council followed. Motion carried.

9. CITY MANAGER REPORT

A. October 2025 Contingency and Adjustment Report – John Connet, City Manager

In accordance with North Carolina General Statute (NCGS) 159-13(b) it is required that all expenditures resulting from a contingency appropriation budget be reported to the governing board at its next regular meeting and recorded in the minutes.

NCGS 159-15 permits the Budget Officer (City Manager), to transfer budget from one appropriation to another within the same fund, provided any such transfers are reported to the Governing Board. The City of Hendersonville refers to transfers of budget from one appropriation to another within the same fund as a “budget adjustment.” City Council authorizes budget adjustments each year with the adoption of the annual budget ordinance (SECTION 4).

This agenda item serves to fulfill the reporting requirements of both NCGS 159-13(b) and 159-15 by providing City Council a summary of all amendments and adjustments occurring thus far in the fiscal year.

FISCAL YEAR 2025 - 2026 (FY26)									
BUDGET AMENDMENTS AND ADJUSTMENTS						Completed	Corrected		
						Proposed	Denied		
ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET	DESCRIPTION		APPROVED	AMENDMENT TYPE NUMBER
010-1555-519200	Contracted Services	58,000	-	7,950	50,050	Roadway Weather Stations		yes	9/25/2025
010-1555-531215	Dues & Subscriptions	2,000	7,950	-	9,950	Roadway Weather Stations		yes	9/25/2025
020-1008-531230	Tax Billing	2,000	-	100	1,900	Adobe		yes	9/30/2025
010-1010-531210	Permits, Licenses, and Fees	2,092	100	-	2,192	Adobe		yes	9/30/2025
060-7135-524010	R&M Buildings	25,000	-	14,000	11,000	WWTP Mower adjustments		yes	10/17/2025
060-7135-554001	Capital Outlay C/O - Equipment	-	14,000	-	14,000	WWTP Mower adjustments		yes	10/17/2025

10. CITY COUNCIL COMMENTS

There were no comments.

11 . CLOSED SESSION

Council Member Lyndsey Simpson moved that City Council enter closed session pursuant to NCGS § 143-318.11 (a) (1) (3) and (6) to prevent the disclosure of information that is privileged or confidential pursuant to the law of this State or of the United States, or not considered a public record within the meaning of Chapter 132 of the General Statutes, to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body and to consider the qualifications, competence, performance, character, fitness of an individual public officer or employee and to consider the case of Public Service Company of North Carolina d/b/a Enbridge Gas vs. Moor & Son Site Contractors Inc.....City of Hendersonville Et Al - 25-CV002532-440.

12 . ADJOURN

City Council went into closed session at 6:30p.m.

There being no further business, the meeting adjourned at 6:55p.m. upon unanimous assent of the Council in open session. No further action was taken.

ATTEST:

Barbara G. Volk, Mayor

Jill Murray, City Clerk