



CITY OF HENDERSONVILLE CITY COUNCIL REGULAR MEETING

Operations Center - Assembly Room | 305 Williams St. | Hendersonville NC 28792
Thursday, August 01, 2024 – 5:45 PM

AGENDA

1. **CALL TO ORDER**
2. **INVOCATION AND 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.*
4. **CONSIDERATION OF AGENDA**
5. **CONSENT AGENDA** - *Items are considered routine, noncontroversial in nature and are considered approved by a single motion and vote.*

A. Adoption of City Council Minutes - *Jill Murray, City Clerk*

July 10, 2024 Regular Meeting

July 24, 2024 Second Monthly Meeting

B. Approval of United Financial, a Division of HomeTrust Bank to Provide Installment Financing for Vehicles and Equipment Purchased in Fiscal Year 2025 – *John Buchanan, Finance Director*

C. Purchase of Chlorine- *Logan Hickey, Ricky Levi*

D. Resolution Authorizing Sale of Stock– *Angela S. Beeker, City Attorney*

E. Amendment No. 2 to Engineering Services Contract to Support the Fleetwood Water Improvements Project – *Devin Owen, Utilities Engineer*

F. August 2024 Budget Amendments – *Adam Murr, Budget & Eval. Director*

G. Budget Amendments End-of-Year FY24 – *Jennifer Floyd, Budget and Management Analyst*

H. Acceptance of Funding Offer for Lead Service Line Investigation and Replacement – *Adam Steurer, Utilities Director*

I. Sole Source Justification and Authorization of Intent to Purchase Biosolid Thermal Dryer Equipment - *Adam Steurer, Utilities Director*

J. Approval of Customer Service Supervisor Position, *John Buchanan, Finance Director*

K. Authorize The Sole-Source Purchase of GIS Software and Renewal of a Licensing Agreement – *Brent Detwiler, Director of Public Services*

6. PRESENTATIONS

- A. Quarterly MVP Recipients – *John Connet, City Manager*
- B. Jakob Presentation Place Holder– *Jay Heatherly, IT Manager*
- C. Keegan Presentation Place Holder– *Jennifer Floyd, Budget and Management Analyst*

7. PUBLIC HEARINGS

- A. Annexation: Public Hearing- Upward Road (Hill) (C24-35-ANX) – *Tyler Morrow, Current Planning Manager*
- B. Rezoning: Standard Rezoning – Upward Rd- Hill (P24-36-RZO) – *Tyler Morrow, Current Planning Manager*
- C. Rezoning: Conditional Zoning District – Felicia Reeves Home (P24-24-CZD) – *Tyler Morrow– Current Planning Manager*
- D. Partial ETJ Relinquishment of PIN 9650-90-0668 – CMH Homes INC. (C24-46-ETJ) – *Tyler Morrow, Current Planning Manager*

8. UNFINISHED BUSINESS

- A. Ordinance to Adopt the *Gen H 2045 Comprehensive Plan* – *Matthew Manley, AICP (Project Manager) and representative from consultant team (Bolton-Menk)*
- B. Resolution to Accept Short Term Implementation Project List – *Matthew Manley, AICP - Strategic Projects Manager*

9. NEW BUSINESS

- A. Saluda Water System Merger Study Update – *John Connet, City Manager*

10. CITY COUNCIL COMMENTS

11. CITY MANAGER REPORT - John F. Connet, City Manager

- A. July 2024 Contingency and Adjustment Report – *John Connet, City Manager*
- B. Cash & Investment Report - *John Buchanan, Finance Director*

12. ADJOURN

The City of Hendersonville is committed to providing accessible facilities, programs and services for all people in compliance with the Americans with Disabilities Act (ADA). Should you need assistance or an accommodation for this meeting please contact the City Clerk no later than 24 hours prior to the meeting at 697-3005.



MINUTES

July 10, 2024

REGULAR MEETING OF THE CITY COUNCIL

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

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

Staff Present: City Manager John F. Connet, City Clerk Jill Murray, Staff Attorney Daniel Heyman, Communications Manager Allison Justus, Communications Coordinator Brandy Heatherly, and others

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.*

In Person:

Chris Rivera spoke about valet parking on Downtown Main Street and would like for Council to approve moving forward with consideration of it. It is on the agenda tonight as item 8A under New Business.

Lynne Williams spoke about the bridge ceremony for fallen deputy Ryan Hendrix at 9am on July 18th in front of the Sherriff's Office in Hendersonville.

Etta Robinson spoke about Crystal Cauley's untimely passing on June 16th and thanked Mayor Volk and everyone in the county for their kind words and support and for reaching out to our family. Your love and kindness will always be remembered.

Mayor Volk asked for everyone to give a moment of silence and reflection in honor of Crystal Cauley.

Chiperle Mecklenberg spoke about trees and how many are getting cut down. She said that City Clerk Jill mentioned to me on the phone that we have a Tree Board so I can check in with them for more information. She also spoke about the lack of medical offices and how long it takes to get an appointment.

Council Member Lyndsey Simpson mentioned that we do still have our Tree City designation and there have been a lot of trees removed with NCDOT on Hwy 64. We also did just establish a tree canopy ordinance that will hopefully help increase our tree canopy.

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 Jennifer Hensley asked that item 5I Change Order No. 3 Approval – Bearcat Blvd and Church Street Sewer Replacement be pulled from consent and moved to New Business

as item 8B. Council Member Lyndsey Simpson moved that City Council approve the consent agenda as amended. A unanimous vote of the Council followed. Motion carried.

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

June 6, 2024 Regular Meeting

June 26, 2024 Second Monthly Meeting

B. Rescind Performance Pay Program and the Performance Review & Employee Development Program – Jennifer Harrell, HR Director

C. Purchase of FY25 Water & Sewer Operations Inventory and FY24 Special Project Award Ratification – Logan Hickey & Chad Freeman

Resolution #R-24-56

RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL TO AUTHORIZE THE RATIFICATION OF AND FUTURE USE OF GROUP PURCHASING CONTRACTS FOR INVENTORY AND PART PURCHASES FOR THE CITY'S WATER AND SEWER OPERATIONS FOR THE CURRENT FISCAL YEAR

WHEREAS, the City of Hendersonville Operations Department utilizes the following wide variety of inventory to ensure that the City continues to function effectively as inventory/parts become necessary (AMI products, Meters, Transmitters, Sensus Items, Brass fittings, Clamps, Ductile pipe, Hydrants, Gate valves, Other inventory as needed); and,

WHEREAS, for many years, the City has utilized various Group Purchasing Organization contracts to purchase this inventory as is permitted by GS 143-129(e)(3) and under various previous council approvals; and,

WHEREAS, over the previous four fiscal years (FY21, FY22, FY23, FY24), between Repair/Maintenance and Capital accounts, the City has purchased an average of \$977,624.25 of inventory yearly; and,

WHEREAS, on April 4, 2024, we combined all inventory purchases under the same category of approval, and City Council ratified FY24 for all applicable contracts and vendors. The ratification included \$1 million in inventory; and,

WHEREAS, we would like to request the same ratification per GS 143-129(e)(3) for FY24 Special Projects CPO/460 spending totaling \$423,153.00 via these contracts; and,

WHEREAS, additionally, we are seeking approval for utilization of these contracts per GS 143-129(e)(3) for budgeted inventory spending in FY25 up to \$950,000.00. Specifically, these contracts are Omnia Partners contracts. Below are the three contracts and corresponding vendors; and,

WHEREAS, please note that we do not anticipate any FY25 Special Projects CPO/460 spending under these contracts. The approval is for the total amount towards these contracts encompassing both FY24 Special Projects CPO/460 spending along with budgeted FY25 inventory spending. The approved amount can be utilized as needed under each contract (Graybar Electric – Contract # EV2370, Ferguson Waterworks – Contracts # 02-104, Fortiline Waterworks – Contract # 02-76); and,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Hendersonville, North Carolina that the City's Water and Sewer Operations Department is authorized to purchasing inventory items up to \$1,373,153.00 under the contracts listed in this resolution to the vendors listed.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 10th day of July, 2024.

Barbara G. Volk, Mayor

Attest: /s/Jill Murray, City Clerk

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

D. July 2024 Budget Amendments – Adam Murr, Budget Manager

TO MAYOR & COUNCIL

APPROVAL: July 10, 2024

FISCAL YEAR 2025

FORM: 07102024-01

BUDGET AMENDMENT

FUND 010

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
010-0000-460090	Contribution/Donation (Laurel Park PD)	-	30,000	-	30,000
010-1300-501001	Salaries - Regular	-	30,000	-	30,000
FUND 010	TOTAL REVENUES	-	30,000	-	30,000
	TOTAL EXPENDITURES	-	30,000	-	30,000

An FY25 amendment reflecting a \$30k contribution from Laurel Park Police Department to support dispatch services provided by the City of Hendersonville.

The City Manager and City Clerk certify budget ordinance amendment 07102024-01 was approved by City Council on July 10, 2024.

TO MAYOR & COUNCIL

APPROVAL: July 10, 2024

FISCAL YEAR 2024

FORM: 07102024-02

BUDGET AMENDMENT

FUND 060 459 460					
ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
060-0000-470100	Transfer in (from 460, #18033)	-	210,078	-	210,078
060-0900-560001	Debt Principal	-	210,078	-	210,078
FUND 060	TOTAL REVENUES	-	210,078	-	210,078
W&S Operating Fund	TOTAL EXPENDITURES	-	210,078	-	210,078
459-0000-470090	Fund Balance Appropriated	32,000	-	-	32,000
459-0000-598901	Transfer out (to 460, #18033)	32,000	-	-	32,000
FUND 459	TOTAL REVENUES	32,000	-	-	32,000
W&S Capital Reserve Fund	TOTAL EXPENDITURES	32,000	-	-	32,000
460-0000-450001-18033	Investment Income	-	109,660	-	109,660
460-0000-460090-18033	Contributions/Donations	-	300,000	-	300,000
460-0000-470010-18033	Debt Proceeds	4,585,000	70,448	-	4,655,448
460-0000-470100-18033	Transfer in (from 459)	32,000	-	-	32,000
460-7055-550103-18033	Capital Outlay CIP	4,617,000	70,030	-	4,687,030
460-0000-598901-18033	Transfer out (to 060 - debt service)	-	210,078	-	210,078
460-0000-598901-18033	Transfer out (to 460, #23007)	-	200,000	-	200,000
FUND 460	TOTAL REVENUES	4,617,000	480,108	-	5,097,108
Clear Creek Water #18033	TOTAL EXPENDITURES	4,617,000	480,108	-	5,097,108
460-0000-470100-23007	Transfer In (from 060)	124,000	-	124,000	-
460-0000-470100-23007	Transfer In (from 060)	150,000	-	76,000	74,000
460-0000-470100-23007	Transfer In (from 460, #18033)	-	200,000	-	200,000
460-7032-550103-23007	Capital Outlay CIP	274,000	-	-	274,000
FUND 460	TOTAL REVENUES	274,000	200,000	200,000	274,000
Church St. Sewer #23007	TOTAL EXPENDITURES	274,000	-	-	274,000

An amendment to the Clear Creek Water Improvements Project, #18033. The amendment increases the total project appropriation to match received debt proceeds, debt interest, and a contribution for the project. The amendment also transfers out funds to other Water and Sewer Projects (#23007) to leverage proceeds remaining from the 2022 Water and Sewer Revenue Bond.

The City Manager and City Clerk certify budget ordinance amendment 07102024-02 was approved by City Council on July 10, 2024.

TO MAYOR & COUNCIL

APPROVAL: July 10, 2024

FISCAL YEAR 2024

FORM: 07102024-03

BUDGET AMENDMENT

FUND 459 | 460

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
459-0000-470900	Fund Balance Appropriated	-	10,000	-	10,000
459-0000-598901	Transfer out (to 460, #18033)	-	10,000	-	10,000
FUND 459	TOTAL REVENUES	-	10,000	-	10,000
W&S Reserve Fund	TOTAL EXPENDITURES	-	10,000	-	10,000
460-0000-470010-18017	Transfer in (from 459, Water)	-	3,500	-	3,500
460-0000-470010-18017	Transfer in (from 459, Sewer)	-	6,500	-	6,500
460-0000-470010-18017	Debt Proceeds (SRF Loan, Water)	812,000	765,495	-	1,577,495
460-0000-470010-18017	Debt Proceeds (SRF Loan, Sewer)	1,819,000	1,118,450	-	2,937,450
460-7055-550103-18017	Capital Outlay CIP (Water)	812,000	768,995	-	1,580,995
460-7155-550103-18017	Capital Outlay CIP (Sewer)	1,819,000	1,124,950	-	2,943,950
FUND 460	TOTAL REVENUES	2,631,000	1,893,945	-	4,524,945
4th & Ashe W&S, #18017	TOTAL EXPENDITURES	2,631,000	1,893,945	-	4,524,945

An amendment increasing the 4th & Ashe Street Water and Sewer Improvements Project, #18017 by \$1,883,950 to reflect an increase in SRF funding. The amendment also includes a \$10,000 transfer in from the W&S Capital Reserve Fund (459). The City is receiving an advantageous 1.10% interest rate on the SRF borrowing.

The City Manager and City Clerk certify budget ordinance amendment 07102024-03 was approved by City Council on July 10, 2024.

TO MAYOR & COUNCIL
APPROVAL: July 10, 2024

FISCAL YEAR 2024
FORM: 07102024-04

BUDGET AMENDMENT

FUND 010					
ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
010-0000-420091	Firemen's Relief Fund Revenues	-	514,830	-	514,830
010-1400-531955	Firemen's Relief Fund Pmts.	-	514,830	-	514,830
FUND 010	TOTAL REVENUES	-	514,830	-	514,830
	TOTAL EXPENDITURES	-	514,830	-	514,830
An end-of-year FY24 amendment reflecting the Firemens' Relief Fund revenues and expenditures of \$514,830.					

The City Manager and City Clerk certify budget ordinance amendment 07102024-04 was approved by City Council on July 10, 2024.

TO MAYOR & COUNCIL
APPROVAL: July 10, 2024

FISCAL YEAR 2024
FORM: 07102024-05

BUDGET AMENDMENT

FUND 010 199					
ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
010-0000-470900	Fund Balance Appropriated	3,735,205	60,000	-	3,795,205
010-0000-598901	Transfer out (to 199, #00100)	153,015	60,000	-	213,015
FUND 010 General Fund	TOTAL REVENUES	3,735,205	60,000	-	3,795,205
	TOTAL EXPENDITURES	153,015	60,000	-	213,015
199-0000-470100-00100	Transfer in (from 010)	-	60,000	-	60,000
199-0000-540001-00100	Special Apprp. (ARP-Conn. Center)	-	60,000	-	60,000
FUND 199 Special Rev./ARP, #00100	TOTAL REVENUES	-	60,000	-	60,000
	TOTAL EXPENDITURES	-	60,000	-	60,000
An amendment transferring \$60,000 of previous ARP funds from General Fund (010) fund balance to the Special Revenue Fund (199) to complete the ARP/connection center project, #00100.					

The City Manager and City Clerk certify budget ordinance amendment 07102024-05 was approved by City Council on July 10, 2024.

TO MAYOR & COUNCIL
APPROVAL: July 10, 2024

FISCAL YEAR 2024
FORM: 07102024-06

BUDGET AMENDMENT

FUND 459 460					
ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
459-0000-470090	Fund Balance Appropriated	-	13,110	-	13,110
459-0000-598901	Transfer Out (to 460, #16003)	-	13,110	-	13,110
FUND 459 W&S Capital Reserve Fund	TOTAL REVENUES	-	13,110	-	13,110
	TOTAL EXPENDITURES	-	13,110	-	13,110
460-0000-470010-19014	Debt Proceeds (2022 Revenue Bond)	636,000	-	-	636,000
460-0000-470010-19014	Debt Proceeds (2023 Revenue Bond)	431,000	61,984	-	492,984
460-0000-470100-19014	Transfer In (fund 459)	-	13,110	-	13,110
460-0000-470100-19014	Transfer In (from 460, #16003)	49,949	-	-	49,949
460-7055-550103-19014	Capital Outlay- CIP	1,116,949	-	20,273	1,096,676
460-7055-550103-19014	Transfer Out	-	95,367	-	95,367
FUND 460 Church St. Sewer #19014	TOTAL REVENUES	1,116,949	75,094	-	1,192,043
	TOTAL EXPENDITURES	1,116,949	95,367	20,273	1,192,043
An amendment reflecting a correction in the project revenue sources for the Church Street Sewer Project, #19014. The amendment also includes changes to the project expenditure budget for completion of construction.					

The City Manager and City Clerk certify budget ordinance amendment 07102024-06 was approved by City Council on July 10, 2024.

TO MAYOR & COUNCIL
APPROVAL: July 10, 2024

FISCAL YEAR 2024
FORM: 07102024-07

BUDGET AMENDMENT

FUND 010 410					
ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
010-0000-470900	Fund Balance Appropriated (ARP)	-	130,000	-	130,000
010-0000-598901	Transfer out (to 410, #G2201)	-	130,000	-	130,000
FUND 010 General Fund	TOTAL REVENUES	-	130,000	-	130,000
	TOTAL EXPENDITURES	-	130,000	-	130,000
410-0000-420050-G2201	Grant Revenue	750,000	-	-	750,000
410-0000-420050-G2201	Transfer in (from 010, ARP Funds)	-	130,000	-	130,000
410-0000-420050-G2201	Transfer in (from 301, #18007)	-	-	-	-
410-1014-550102-G2201	Capital Outlay- Fees and Services	750,000	130,000	-	880,000
FUND 410 Ashe St. CDBG #G2201	TOTAL REVENUES	750,000	130,000	-	880,000
	TOTAL EXPENDITURES	750,000	130,000	-	880,000
An amendment transferring \$130,000 former ARP funding from the General Fund to the Ashe St. CDBG Project, G2201.					

The City Manager and City Clerk certify budget ordinance amendment 07102024-07 was approved by City Council on July 10, 2024.

E. Utility Extension Agreement for the Mills River Shopping Center– *Adela Gutierrez-Ramirez*

Resolution #R-24-57

RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A UTILITY EXTENSION AGREEMENT WITH PUBLIX NORTH CAROLINA LP FOR THE MILLS RIVER SHOPPING CENTER

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

WHEREAS, residential, commercial, and industrial developments often require public water service as a part of their development projects; and

WHEREAS, the Developer extends public water lines to their site, which upon completion and acceptance, are provided to the City to own, operate, and maintain; and

WHEREAS, the City requires a Utility Extension Agreement to be executed to establish requirements of both the Developer and the City for the water line extension process; and

WHEREAS, Publix North Carolina LP, the “Developer” and “Owner”, will enter into a Utility Extension Agreement with the City to provide water service to the Mills River Shopping Center.

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

1. The Utility Extension Agreement with Publix North Carolina LP, the “Developer” and “Owner” to provide water service to the Mills River Shopping Center is approved, as presented.
2. City Manager is authorized to execute the Utility Extension Agreement, and to approve and execute amendments to the Utility Extension Agreement in the future provided such amendments do not impose a financial obligation upon the City.
3. City Manager is authorized to acquire easements, rights-of-way, and other interests in real property consistent with the terms of the Utility Extension Agreement, provided that such acquisition does not impose a financial obligation upon the City.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 10th day of July, 2024.

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

F. Henderson County Tax Adjustments – *Amanda Lofton, Deputy Tax Collector*

G. Water Resource Development Grant Resolution – *Michael Huffman, Stormwater Director*

Resolution #R-24-58

**RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL
IN SUPPORT OF APPLICATION FOR
NCDWR WATER RESOURCE DEVELOPMENT GRANT**

WHEREAS, the North Carolina Department of Water Resources has established a grant that provides funding to municipalities for water resource development projects; and

WHEREAS, the City of Hendersonville, NC City Council desires to sponsor, The Lower Mud Creek Floodplain Restoration, to restore 26 acres of remnant floodplains using nature-based restoration practices including stream, wetland, and floodplain restoration; and

WHEREAS, the proposed project will increase the opportunities for passive recreation on the restored sites within the City of Hendersonville and the City intends to construct recreational amenities within the site for public access; and

WHEREAS, the North Carolina Department of Water Resources has announced a competitive Grant to award funding for Water-based recreation; and

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

- 1) The Council requests the State of North Carolina to provide financial assistance to The City of Hendersonville, NC for The Lower Mud Creek Floodplain Restoration in the amount of \$ 200,000 or 14 percent of the nonfederal project costs, whichever is the lesser amount;
- 2) The Council assumes full obligation for payment of the balance of project costs;
- 3) The Council will obtain all necessary State and Federal permits;
- 4) The Council will comply with all applicable laws governing the award of contracts and the expenditure of public funds by local governments.
- 5) The Council will supervise construction of the project to assure compliance with permit conditions and to assure safe and proper construction according to approved plans and specifications;
- 6) The Council will obtain suitable spoil disposal areas as needed and all other easements or rights-of-way that may be necessary for the construction and operation of the project without cost or obligation to the State;
- 7) The Council will assure that the project is open for use by the public on an equal basis with no restrictions;
- 8) The Council will hold the State harmless from any damages that may result from the construction, operation and maintenance of the project;
- 9) The Council accepts responsibility for the operation and maintenance of the completed project.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 10th day of July, 2024.

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

H. Annexation: Certificate of Sufficiency – Upward Road (Hill) (C24-35-ANX) – Tyler Morrow, Current Planning Manager

Resolution #R-24-59

RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL FIXING DATE OF PUBLIC HEARING ON QUESTION OF ANNEXATION PURSUANT TO G.S. 160A-58.2

WHEREAS, a petition requesting annexation of the satellite area described herein has been received; and

WHEREAS, certification by the City Clerk as to the sufficiency of the petition has been made;

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

Section 1. A public hearing on the question of annexation of the satellite area described herein will be held at City Operations Center located at 305 William St. Hendersonville NC, 28792 at 5:45 p.m. August 1st, 2024, or as soon thereafter as it may be heard.

Section 2. The area proposed for annexation is described as follows:

Being all of that real property consisting of PIN 9577-99-0735 described in the plat recorded in Book 2024- ____ [to be inserted at recording of the plat] of the Henderson County Registry, said PIN 9577-99-0735 being described by metes and bounds as follows:

Situated in the City of Hendersonville, Henderson County, North Carolina and being more particularly described as follows:

Beginning at a Point standing North 52 degrees 22 minutes 19 seconds East 54.56 feet from an existing Aluminum Cap Right of Way Monument in the Southeastern margin for the Right of Way for Upward Road, S.R. 1783. Also standing North 49 degrees 08 minutes 37 seconds East 0.24 feet from an Existing #5 Rebar. Point stands approximately 2400 feet Northwest of Hendersonville City limits Northeast corner of Deed Book 958, Page 611 and approximately 3300 feet Northwest of Hendersonville City Limits in Eastern Limits of the Village of Flat Rock the Western corner of Deed Book 1383, Page 132.

thence N 52°22'19" E a distance of 120.08' to an Existing Aluminum Cap Right of Way Monument;

thence S 36°05'01" E a distance of 65.11' to an Existing Aluminum Cap Right of Way Monument;

thence N 32°00'33" E a distance of 92.76' to a #5 Rebar set;

thence S 55°01'42" E passing a #5 Rebar set online at 10.02 feet a total distance of 217.69' to a #5 Rebar set;

thence S 36°50'25" W passing a #5 Rebar set online at 42.66 feet a distance of 217.45' to an Existing 1/2" Iron Pipe;

thence N 49°08'37" W passing an Existing 1/2" Iron Pipe online at 36.76 feet a total distance of 304.90' to the Point and Place of Beginning;

having an area of 1.20 Acres.

Being Book of Record 4165, Page 586, Tract 1.

Re: Petition for Satellite Annexation
 Petitioners: Lyndon and Lynn Hill
 File No. C24-35-ANX

Section 3. Notice of the public hearing shall be published once in The Hendersonville Times-News, a newspaper having general circulation in the City of Hendersonville, at least 10 days prior to the date of the public hearing.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 10th day of July, 2024.

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

I. Change Order No. 3 Approval - Bearcat Boulevard and Church Street Sewer Replacement – Devin Owen, Utilities Engineer

Item was removed from Consent and voted on under New Business.

J. Resolution Authorizing the Sale of a 2011 Freightliner Chassis With an Elgin Street Sweeper body to Henderson County Solid Waste Division – Tom Wooten, Director of Public Works

Resolution #R-24-61

RESOLUTION BY THE HENDERSONVILLE CITY COUNCIL TO AUTHORIZE THE SALE OF A 2011 FREIGHTLINER CHASSIS WITH AN ELGIN STREET SWEEPER BODY TO HENDERSON COUNTY SOLID WASTE DIVISION

WHEREAS, the Hendersonville Public Works Department owns a 2011 Freightliner Chassis with an Elgin Street Sweeper body; and;

WHEREAS, the vehicle is no longer used by the Department; and

WHEREAS, Henderson County (Solid Waste Division), North Carolina desires to purchase the vehicle; and

WHEREAS, North Carolina General Statute §160A-274 authorizes the sale of personal property to other governmental units with or without consideration.

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

1. The 2011 Freightliner Chassis with an Elgin Street Sweeper Body identified by VIN # 1FVXF800XBDAX3813 is deemed surplus and approved to be sold.
2. The City Council Councils authorizes the sale of the 2011 Freightliner Chassis with an Elgin Street Sweeper Body to Henderson County Solid Waste Division in accordance with §160A-274 for \$85,000.
3. The City Manager is authorized to execute the Bill of Sale with Henderson County.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 10th day of July, 2024.

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

K. NCACP Grant – Blair Myhand, Chief of Police

Resolution #R-24-62

**RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL
ACCEPTING A GRANT FROM THE NORTH CAROLINA ASSOCIATION OF CHIEFS OF
POLICE (NCACP) TO IMPROVE OFFICER WELLNESS AND TRACK PERFORMANCE
MANAGEMENT**

WHEREAS, the NCACP has established a grant for use by the law enforcement agencies to improve officer wellness and track performance management; and

WHEREAS, the Hendersonville Police Department applied for and was awarded the amount of \$5,116.12; and

WHEREAS, the City of Hendersonville desires to accept the grant funds, and authorize the execution of the grant funding agreement (the “Grant Agreement”); and

WHEREAS, the Grant Agreement provides that the City will undertake activities to promote officer and employee wellness and improve performance management capabilities of the Hendersonville Police Department;

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

1. The City hereby accepts the \$5,116.12 Performance and Wellness Grant from the NCACP to be used for the purposes as set out in the Grant Agreement; and
2. The City Manager is authorized to execute the Grant Agreement, with such changes as he deems appropriate, provide they are consistent with the terms of this Resolution;
3. City Staff are authorized and directed to proceed with the performance and implementation of the Community Challenge Grant as outlined in the Grant Agreement.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 10th day of July, 2024.

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

L. Ashe Street Neighborhood and 4th Avenue Water and Sewer Replacement Tentative Award – Richard Shook, Civil ENgineer

Resolution #R-24-63

**RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL TO AUTHORIZE THE CITY
MANAGER TO ENTER INTO A CONTRACT FOR THE CONSTRUCTION OF ASHE STREET
NEIGHBORHOOD AND 4TH AVENUE WATER AND SEWER REPLACEMENT**

WHEREAS, the City of Hendersonville, North Carolina has received bids, pursuant to duly advertisement notice therefore, for construction of the Ashe Street Neighborhood and 4th Avenue Water and Sewer Replacement (DWSRF Project No. H-SRP-D-18-0174, CWSRF Project No. CS370444-12), and

WHEREAS, the City Engineer reviewed each bid for completeness and accuracy; and

WHEREAS, TP Howards Plumbing Co. Inc. was the lowest bidder for the Ashe Street Neighborhood and 4th Avenue Water and Sewer Replacement Project, and

WHEREAS, the City Engineer negotiated with the lowest bidder in order to reduce the total project costs. The City Engineer therefore recommends **TENATIVE AWARD** to the lowest bidder for the revised project cost.

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

1. The City Manager is authorized to execute a contract for the construction of the Ashe Street Neighborhood and 4th Avenue Water and Sewer Replacement (DWSRF Project No. H-SRP-D-18-0174 & CWSRF Project No. CS370444-12) to TP Howards Plumbing Co. Inc. in the total amount of \$4,126,005.00.
2. The City Manager’s authority to award and execute the construction contract granted by this Resolution is contingent upon the approval of the North Carolina Department of Environmental Quality (NCDEQ) and the approval of additional funding requested by the North Carolina Local Government Commission (NCLCG).
3. The City Manager is authorized to approve change orders which, cumulatively, do not exceed 10% of the approved contract amount of \$4,126,005.00, provided that any necessary amendments must be brought to the City Council for approval, and provided that such change orders are approved by NCDEQ or the NCLCG if required by applicable laws or program regulations.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 10th day of July, 2024.

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

6. PRESENTATIONS

A. **Introduction of Sam Hayes, Planner II** – *Lew Holloway, Community Development Director*

Lew Holloway introduced Sam Hayes as their new Planner II.

7. PUBLIC HEARINGS

A. **Rezoning: Conditional Zoning District – Felicia Reeves Homes – (P24-24-CZD) – Tyler Morrow, Planner II**

Tyler explained that the applicant requested that their project be deferred until the August 1st City Council meeting. We opened the public hearing and then it was continued.

The public hearing opened at 6:02 p.m.

Public Comments: None

The public hearing closed at 6:02 p.m.

Council Member Lyndsey Simpson moved to continue the public hearing until the August 1 City Council Meeting. A unanimous vote of the Council followed. Motion carried.

B. **Gen H Comprehensive Plan Presentation - Grant Meacci & Lorna Allen (Bolton Menk – Lead Consultant; Meg Nealon (Nealon Planning); Jenn Gregory (Retail Strategies); & Ben Hitchings (Green Heron Planning) – John Connet, City Manager**

Lew explained the significance of the public hearing and introduced Grant Meacci & Lorna Allen to go over the plan in its entirety.

The public hearing opened at 6:42 p.m.

Public comments:

In Person:

Ken Fitch spoke about how important the comprehensive plan is as it will shape the future of the city and the citizens who live here. He did not like that the map showed the loss of two historic neighborhoods, one of many hard working people who work at the hospital and one of which is a 9th Avenue neighborhood that is home to many remarkable African American people that would be wiped off the map. Dr. John Bryant, the Director of Capital Projects of Pardee Hospital assures me that they have no plan to do anything with those neighborhoods. What about the homes in the orange section? Will there be many rezonings that diminish the quality of life? Mr. Fitch ran out of time and said he would come back and read at the next meeting.

Bob Johnson said he's a member of the Community Advisory Committee and he is concerned about urban sprawl taking away farm and forest lands but thinks the plan addresses it will. He mentioned the 15 minute rule. Its address three things. Things that are within a 15 minute walk, 15 minute bike ride and a 15 minute drive from the City's center. Main Street is a jewel and it needs to stay vibrant and to be close to it will help. The five focus areas: The Ecusta Trail, Blue Ridge Mall, Spartanburg Highway, 7th Avenue and the downtown edge are all wonderful.

Kyle Gilgis thanked everyone for their service and sacrifice. She serves on the Community Advisory Committee and said this is a long time coming. This plan will be a guiding light and she asked and encouraged that City Council adopt the Gen H Comprehensive Plan 2045.

Sandy Williams spoke about the plan being online and difficult to read. She also spoke about growth and how it can be good and bad. She's concerned about 3 & 4 story buildings that could be built. They want to put one at the end of our street for senior citizens and the traffic will increase immensely and become dangerous. There are empty stores around town. Maybe rent should be lowered. Also the noise in town with big trucks and motorcycles is a nuisance.

Lynne Williams has concerns: Gentrification and displacement; building in the floodplain; farmlands on Upward Rd and preserving them; the current plan doesn't list any Ag land; need to collaborate more with the county and need more input from more people in all areas. Three story buildings need to be thoughtfully placed; The vote should wait until December after we get to vote on the council members. The Mayor is the only one on the council that we voted for.

Ginny Faust spoke in favor of the Gen H Comprehensive plan. The plan is very well organized, easy to read with great graphics. She also spoke about having connections with people around us.

Cher Silvius said the plan appears to be well done with things that people will be happy with and some that they will not be happy with. She questioned how all of these things are going to be paid for. What does equitable manner mean with dilapidated houses? Are people going to be pushed out? The Housing Trust Fund, who are the institutional partners and do they have a political bend and are there expectations of how the money is used? The City Land Bank? Who is that? What about floodplains and putting housing on them? This could reroute water and increase the floodplains. What is the Downtown Opportunity Fund and who has access to this? Otherwise she was thankful to everyone who worked on the plan.

Chris Dannals said he works at Pardee Hospital and has kids at Bruce Drysdale and is on the Community Advisory Committee. I am here to speak in favor of the comprehensive plan. I want to assure you that this process has been very thorough and well thought out. First, this is an excellent plan and I would urge you to adopt it. Secondly, the implementation is the most important part of the document. We need to implement the plans and I realize that's not easy for you to do. What people want is quality of life, livable, more affordable, and not sprawl. Keeping farmland and keeping open greenspaces. Growth is going to happen, we can't stop it so we have to manage it. The best move is to take the plan and codify the recommendations from the plan, otherwise it's going to sit on a shelf.

The public hearing closed at 7:26 p.m.

City Manager Connet added in regards to Mr. Fitch's comments about the institutional area on 9th Avenue and Highway 64 and that area and we heard that comment from the Planning Board and out of respect, we went and met with the hospital yesterday to get their vision and I will confirm what Ken said and that is that the hospital has no intention of acquiring property in that historic area of Oak and 9th Avenue, the particularly historic African American neighborhood. They have even been approached by members of that neighborhood and said they have no intention of doing anything at this time. Their focus is along Fleming and 25. Also I want the public to know that we have been having one on one meetings with Council members and they are going page by page to provide their comments that will ultimately end up in the final draft.

Lyndsey said we have a huge opportunity to talk about how we're going to attract young people and families here because that's important for everyone's quality of life that lives here. We need folks that are going to be in the workforce. The other thing is the tree canopy assessment and making sure it's in the document. There are several things that people have mentioned that are on the priority list, even the short priority list including developing an Urban Forestry Plan, a vacant property registry downtown, and the public land trust. It's a lot but we are all reading it and going over it with staff. Thank you to everyone on the committee and to everyone that came out.

Council Member Jennifer Hensley thanked the staff and consultants. The community outreaches have been amazing and I don't know how we could have possibly done better. Everyone has worked so hard and I know that staff has been out on the streets and we have gotten a lot of input on this plan and it has been put into this huge document and we are studying it ourselves and I am grateful that we have such a great team that's been so engaged and helpful and I know that staff has put in a lot of time so thank you all.

8. NEW BUSINESS

A. Discussion Regarding Valet Parking on Main Street – John Connet, City Manager

General Consensus of Council is for Mr. Rivera to gather information about valet parking and how it works in other cities and then get with staff to come back to Council to give a report.

B. (5-I) Change Order No. 3 Approval - Bearcat Boulevard and Church Street Sewer Replacement – Devin Owen, Utilities Engineer

City Manager Connet explained that this was regarding change order number 3 for our Bearcat and Church Street Sewer Project. We installed 1200 linear feet of sewer main replacement along Church Street and new sewer on Bearcat which allowed us to abandon existing sewer lines under the edge of the Hendersonville High School football field. We had a concern that if there was a sewage failure, we would have to damage the turf so City staff put together a project where we relocated the sewer down Bearcat and it travels North down the Five Points intersection. So, new sewer line along Bearcat and along Church Street. As part of the high school project, all of the sewer lines under the high school have been completely relocated under various phases. The total project cost for relocating under the football field down Bearcat and Church Street is \$723,359.00. You have a resolution in your packet as well as the draft change order number 3.

Council Member Hensley asked if this was built into the renovation of the high school. City Manager Connet said it was not. Originally the sewer line came down 9th Avenue and crossed the high school property and then connected into the sewer line that ran along the football field and soccer field. As part of the high school project, our staff initially worked with Henderson County because that is obviously not a good design to have a sewer line under a building carrying public sewer, so our team worked with the designers and engineers of the high school project and was able to find a way to move the line.

Council Member Jeff Miller said this is another example of the City working with the County to help them execute a very important improvement for the whole community and I think we did the right thing and I'm proud of it. This was 100% effort by the City of Hendersonville to help public schools and the County in general.

Council Member Jeff Miller moved that the City Council adopt a Resolution by the City of Hendersonville for Authorization for the City Manager or Authorized Representative to Approve Change Order Number 3 for the Construction of the Bearcat Blvd and Church Street Sewer Replacement Project. A unanimous vote of the Council followed. Motion carried.

9. BOARDS/COMMISSIONS/COMMITTEE APPOINTMENTS

A. Appointment of City Council Member to LGCCA – Jill Murray, City Clerk

Council Member Jennifer Hensley moved that City Council appoint Melinda Lowrance to serve on the LGCCA.. A unanimous vote of the Council followed. Motion carried.

B. Appointments to ASAC, BAC & Planning – Jill Murray, City Clerk

Animal Services Advisory Committee

Council Member Lyndsey Simpson moved that City Council appoint the following people to the Animal Services Advisory Committee:

- *Reappoint Catherine Weibel to a three-year term ending in June, 2027.*
- *Reappoint Robin Grainger to a three-year term ending in June, 2027.*
- *Appoint Dalleen Jackson-McClaskey to a three-year term ending in June, 2027.*
- *Appoint Holly Newton to a three-year term ending in June, 2027.*
- *Appoint Beth Scarborough to a two-year term ending in June, 2026.*
- *Appoint Patricia Shepherd to a one-year term ending in June, 2025.*

Business Advisory Committee

Council Member Jennifer Hensley moved that City Council reappoint Chris Cormier to a three year term ending in June, 2027 and appoint Jamie Justus to a three year term ending in June, 2027

Council Member Jeff Miller moved that City Council appoint reappoint Cam Boyd to the Business Advisory Committee.

Planning Board

Council Member Jennifer Hensley moved that City Council appoint Kyle Gilgis to fill an unexpired term. Her term will end in December, 2025. At that time, she is eligible to apply for a full three-year term if she wishes to.

Council Member Jeff Miller moved that City Council appoint Robert Johnson to fill an unexpired term. His term will end in December, 2025. At that time, he is eligible to apply for a full three-year term if he wishes to.

10. CITY MANAGER REPORT

A. June 2024 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 2023 - 2024 (FY24)									
BUDGET AMENDMENTS						Completed	Corrected		
						Proposed	Denied		
ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET	DESCRIPTION		APPROVED	AMENDMENT NUMBER
060-7002-519200	Contracted Services	76,300	9,486	-	85,786	Janitorial Contract Increase	yes	adjustment	6/14/2024
060-7002-519103	Prof Services ENG	14,250	-	6,236	8,014	Janitorial Contract Increase	yes	adjustment	6/14/2024
060-7002-531225	Training	28,700	-	3,250	25,450	Janitorial Contract Increase	yes	adjustment	6/14/2024
020-2102-521001	Supplies and Materials	35,900	-	3,185	32,715	Janitorial Contract Increase	yes	adjustment	6/14/2024
020-2102-519200	Contracted Services	190,130	3,185	-	193,315	Janitorial Contract Increase	yes	adjustment	6/14/2024
010-1010-534000	Non-Capital Equipment	64,071	-	500	63,571	Fourth Square	yes	adjustment	6/14/2024
010-1010-519200	Contracted Services	343,379	500	-	343,879	Fourth Square	yes	adjustment	6/14/2024
060-0000-534999	Contingency	24,225	-	5,760	18,465	FY24 Unemployment Insurance	yes	adjustment	6/14/2024
060-7002-502092	Unemployment Insurance	-	5,760	-	5,760	FY24 Unemployment Insurance	yes	adjustment	6/14/2024
068-0000-537999	Contingency	10,000	-	5,331	4,669	FY25 Liability & Property	yes	adjustment	6/19/2024
068-7855-531700	Liab & Prop Ins & Bonds	34,690	5,331	-	40,021	FY25 Liability & Property	yes	adjustment	6/19/2024
020-0000-534999	Contingency	7,500	-	628	6,872	FY25 Liability & Property	yes	adjustment	6/19/2024
020-2102-531700	Liab & Prop Ins & Bonds	4,084	628	-	4,712	FY25 Liability & Property	yes	adjustment	6/19/2024
067-7555-524020	R&M Equipment	8,000	-	744	7,256	FY25 Liability & Property	yes	adjustment	6/19/2024
067-7555-531700	Liab & Prop Ins & Bonds	4,845	744	-	5,589	FY25 Liability & Property	yes	adjustment	6/19/2024
064-7455-531560	Credit Card Processing Fees	60,000	-	1,349	58,651	FY25 Liability & Property	yes	adjustment	6/19/2024
064-7455-531700	Liab & Prop Ins & Bonds	8,777	1,349	-	10,126	FY25 Liability & Property	yes	adjustment	6/19/2024
060-1002-539005	Health and Welfare	157,260	-	35,550	121,710	FY25 Liability & Property	yes	adjustment	6/19/2024
060-7002-531700	Liab & Prop Ins & Bonds	72,808	11,188	-	83,996	FY25 Liability & Property	yes	adjustment	6/19/2024
060-7032-531700	Liab & Prop Ins & Bonds	26,406	4,058	-	30,464	FY25 Liability & Property	yes	adjustment	6/19/2024
060-7035-531700	Liab & Prop Ins & Bonds	34,285	5,268	-	39,553	FY25 Liability & Property	yes	adjustment	6/19/2024
060-7050-531700	Liab & Prop Ins & Bonds	1,854	285	-	2,139	FY25 Liability & Property	yes	adjustment	6/19/2024
060-7055-531700	Liab & Prop Ins & Bonds	31,682	4,868	-	36,550	FY25 Liability & Property	yes	adjustment	6/19/2024
060-7132-531700	Liab & Prop Ins & Bonds	12,765	1,961	-	14,726	FY25 Liability & Property	yes	adjustment	6/19/2024
060-7135-531700	Liab & Prop Ins & Bonds	35,947	5,524	-	41,471	FY25 Liability & Property	yes	adjustment	6/19/2024
060-7155-531700	Liab & Prop Ins & Bonds	15,605	2,398	-	18,003	FY25 Liability & Property	yes	adjustment	6/19/2024

060-1002-539005	Health and Welfare	157,260	-	35,550	121,710	FY25 Liability & Property	yes	adjustment	6/19/2024
060-7002-531700	Liab & Prop Ins & Bonds	72,808	11,188	-	83,996	FY25 Liability & Property	yes	adjustment	6/19/2024
060-7032-531700	Liab & Prop Ins & Bonds	26,406	4,058	-	30,464	FY25 Liability & Property	yes	adjustment	6/19/2024
060-7035-531700	Liab & Prop Ins & Bonds	34,285	5,268	-	39,553	FY25 Liability & Property	yes	adjustment	6/19/2024
060-7050-531700	Liab & Prop Ins & Bonds	1,854	285	-	2,139	FY25 Liability & Property	yes	adjustment	6/19/2024
060-7055-531700	Liab & Prop Ins & Bonds	31,682	4,868	-	36,550	FY25 Liability & Property	yes	adjustment	6/19/2024
060-7132-531700	Liab & Prop Ins & Bonds	12,765	1,961	-	14,726	FY25 Liability & Property	yes	adjustment	6/19/2024
060-7135-531700	Liab & Prop Ins & Bonds	35,947	5,524	-	41,471	FY25 Liability & Property	yes	adjustment	6/19/2024
060-7155-531700	Liab & Prop Ins & Bonds	15,605	2,398	-	18,003	FY25 Liability & Property	yes	adjustment	6/19/2024
010-1002-539005	Health and Welfare	135,765	-	44,220	91,545	FY25 Liability & Property	yes	adjustment	6/19/2024
010-1001-531700	Liab & Prop Ins & Bonds	10,058	1,546	-	11,604	FY25 Liability & Property	yes	adjustment	6/19/2024
010-1002-531700	Liab & Prop Ins & Bonds	93,290	14,335	-	107,625	FY25 Liability & Property	yes	adjustment	6/19/2024
010-1014-531700	Liab & Prop Ins & Bonds	1,759	270	-	2,029	FY25 Liability & Property	yes	adjustment	6/19/2024
010-1200-531700	Liab & Prop Ins & Bonds	815	125	-	940	FY25 Liability & Property	yes	adjustment	6/19/2024
010-1300-531700	Liab & Prop Ins & Bonds	51,217	7,870	-	59,087	FY25 Liability & Property	yes	adjustment	6/19/2024
010-1400-531700	Liab & Prop Ins & Bonds	76,000	11,678	-	87,678	FY25 Liability & Property	yes	adjustment	6/19/2024
010-1502-531700	Liab & Prop Ins & Bonds	9,291	1,428	-	10,719	FY25 Liability & Property	yes	adjustment	6/19/2024
010-1521-531700	Liab & Prop Ins & Bonds	1,670	257	-	1,927	FY25 Liability & Property	yes	adjustment	6/19/2024
010-1532-531700	Liab & Prop Ins & Bonds	4,161	639	-	4,800	FY25 Liability & Property	yes	adjustment	6/19/2024
010-1525-531700	Liab & Prop Ins & Bonds	13,608	2,091	-	15,700	FY25 Liability & Property	yes	adjustment	6/19/2024
010-1535-531700	Liab & Prop Ins & Bonds	474	73	-	547	FY25 Liability & Property	yes	adjustment	6/19/2024
010-1555-531700	Liab & Prop Ins & Bonds	21,073	3,238	-	24,311	FY25 Liability & Property	yes	adjustment	6/19/2024
010-1560-531700	Liab & Prop Ins & Bonds	4,356	669	-	5,025	FY25 Liability & Property	yes	adjustment	6/19/2024

B. June 2024 Contingency and Adjustment Report – John Connet, City Manager

Per City policy, the following items have been declared surplus and will be sold on GovDeals,

MEMO

Approved – 6/19/24
John Connet

TO: John Connet, City Manager
FROM: Jakob Olsen, IT Intern
DATE: 06/19/2024
RE: A Request for Declaration of Surplus Items

The following items are no longer in use by the city, and we are requesting that these items be declared surplus with the intent to sell them by internet auction:

- 1. (x6) Desktop: 2013 Dell Optiplex 9010 from Engineering. Approximate Value: \$25 each.
- 2. (x2) Desktop: 2019 Dell Optiplex 3060 from Engineering. Approximate Value: \$80 each.
- 3. (x2) Desktop: 2011 Dell Optiplex 790 from Engineering. Approximate Value: \$15 each.
- 4. (x1) Desktop: 2012 Dell Optiplex 990 from Engineering. Approximate Value: \$20
- 5. (x1) Desktop: 2019 Dell Precision 3620 from Engineering. Approximate Value: \$100
- 6. (x1) Desktop: 2018 Dell Precision 3420 from Engineering. Approximate Value: \$60
- 7. (x1) Desktop: 2012 HP Compaq 8100 Elite from Engineering. Approximate Value: \$20

11. CITY COUNCIL COMMENTS

Council Member Lyndsey Simpson said that the Environmental Sustainability Committee would like to donate one or all of the birdhouses in Sullivan Park to Crystal Cauley who recently passed unexpectedly.

12. ADJOURN

There being no further business, the meeting adjourned at 7:58 p.m. upon unanimous assent of the Council.

ATTEST:

Barbara G. Volk, Mayor

Jill Murray, City Clerk



MINUTES

July 25, 2024

SECOND MONTHLY MEETING OF THE CITY COUNCIL

CITY OPERATIONS CENTER | 305 WILLIAMS ST. | 4:00 p.m.

Present: Mayor Pro Tem Lyndsey Simpson and Council Members: Jeff Miller, Jennifer Hensley and Melinda Lowrance

Absent: Mayor Barbara Volk

Staff Present: City Manager John Connet, Assistant City Manager Brian Pahle, City Clerk Jill Murray, City Attorney Angela Beeker, Communications Manager Allison Justus, Budget Manager Adam Murr, and others.

1. CALL TO ORDER

Mayor Pro Tem Lyndsey Simpson called the meeting to order at 4:00 p.m. and welcomed those in attendance. A quorum was established with all members in attendance.

2. 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.

3. PRESENTATIONS

A. **Recognition of Jay Heatherly** – *Brian Pahle, Assistant City Manager*

Assistant City Manager Brian Pahle said the program is the first local government specific program for CIOs in the nation and began in 2005. The program is designed for local government Chief Information Officers, Information Technology (IT) Directors, and other senior IT leaders within the public sector whose challenging responsibilities require a broad understanding of management, leadership, legal, regulatory, and enterprise topics. The course is approximately 240 hours in length and course instruction covers strategic technology planning, effective communication, emerging technology trends, risk assessment and management, acquisition management, change management, leadership, cybersecurity, and legal issues related to technology. Jay Heatherly is one of the forty local government, state agency, community college, and K-12 education IT leaders in the state of North Carolina who successfully completed the course this year. Over the course of its existence, the CGCIO™/CeCTO™ program has graduated over 2000 public sector technology leaders across the nation.



B. FY25 Strategic Plan Update – Brian Pahle, Assistant City Manager

Assistant City Manager Brian Pahle gave a presentation on the accomplishments from FY24 and an update for the FY25 Strategic Plan goals.



WORKSHOP OBJECTIVES

01

Review and update the public on the FY24 goal status for each goal area.

02

Introduce the FY25 goal areas and what is expected to be undertaken during the FY25 budget year.

STRATEGIC PLANNING & BUDGET

The Strategic Mindset – City of Hendersonville Way

- A means to bridge the gap between an organization’s current position and desired future state
- Future-focused impacts at the daily operations level
- Leadership that reverse engineer long-term aspirations to impact day-to-day decisions and operations on the ground
- Avoids short-termism, just checking a box, and the pull and shoot mentality that cripple long-term progress



STRATEGIC PLANNING & BUDGET

Vision & Mission

Vision

Hendersonville is a vibrant mountain city where the government and citizens work together for a high quality of life.

Mission

The City of Hendersonville is committed to providing quality, efficient services to all citizens, visitors, and businesses through open communication, timely responses, and quality results.



STRATEGIC PLANNING & BUDGET

City Council Values

The City of Hendersonville values its employees and must support them to ensure the provision of high-quality services to its residents.

- The City must provide growth opportunities to employees and educational tools to allow them to grow in their roles and responsibilities.
- The City must respect and pay employees fairly and competitively.
- The City must support employees by providing a safe and hazard free workplace.

The City of Hendersonville believes that it must pursue and provide opportunity for responsible growth.

- The City will establish and maintain policies and programs that encourage economic opportunity and help grow small business and entrepreneurship.
- The City will work with our community to provide educational opportunities about growth and its impact on economic vitality and quality of life.
- The City will encourage responsible growth that provides opportunities for success to all segments of our community.
- The City will make efforts to generate affordable housing options and reduce the impacts of the high cost of living within our community.

The City of Hendersonville values the lives of all community members and must protect them through collective action.

- Our goal is to make the lives of all residents better through collective action.
- The City recognizes the sanctity of each person's life.
- The City must be open to change priorities and policies as circumstances change in the world around us.

- Values are Critical for the Foundation
- Values Establish the Tone for Leadership to Carry Forward
- Values Set the Groundwork for the Way we do Business

STRATEGIC PLANNING & BUDGET

Organizational Focus Areas

- Economic Vitality.** Hendersonville is a welcoming place for all businesses and promotes growth-encouraging policies.
- Strong Partnerships.** Hendersonville develops strong partnerships with residents, government agencies, non-profits, and visitors to ensure effective two-way communication.
- Sound Infrastructure.** Hendersonville constructs and maintains efficient and accessible roads, sidewalks, and greenway trails – extending connectivity. Hendersonville provides high quality water and wastewater services and protects natural resources – ensuring capacity for sustainable growth.
- Numerous Amenities.** Hendersonville advances the beauty, diversity, and well-being of western North Carolina by supporting the community's ability to provide educational, recreational, and cultural activities, events, and programs for all residents and visitors.
- Great Public Services.** Hendersonville provides high quality customer service – enhancing the health, safety, and quality of life for citizens and visitors.
- Financial Sustainability.** Hendersonville supports fiscal policies and controls that ensure the long-term financial health and responsiveness of the City to unforeseen challenges and opportunities. Hendersonville promotes the responsible management of public resources to ensure efficient and effective delivery of quality services.



STRATEGIC PLANNING & BUDGET

Goals Areas

KPIs


Hendersonville City Limits


Pavement Condition Index


PCI

- Good (86 - 100)
- Satisfactory (71 - 85)
- Fair (56 - 70)
- Poor (41 - 55)
- Very Poor (26 - 40)
- Serious (13 - 25)
- Failed (0-12)

HENDERSONVILLE FIRE DEPARTMENT
EARNS ISO CLASS 1 RATING







STRATEGIC PLANNING & BUDGET

Goals Areas

Goal Tracking

On March 15th, 2024, City Council deliberated an updated list of goals for the City of Hendersonville. Council Members devised a plan for the City's future growth and strategized on working through competing interests and decision-making points. The ranked goal areas are:

Rank #1 – Public Safety (PS).

Rank #2 – Compensation, Benefits, and Staff Development (CB).

Rank #3 – Strong Infrastructure (SI).

Rank #4 – Strategic Housing Plan (HP).

Rank #5 – Growth Management and Community Character (GCC).

Rank #6 – Invest in Parks (PKS).

Rank #7 – Enhance Sustainability (ENH).

Rank #8 – Transportation Planning (TRN).

Rank #9 – City Boards and Volunteerism (CBV).

Rank #10 – Support Downtown (SD).

Status Update Categories

- Seed**
Goal is still being evaluated for next steps. Funding or staffing resources may not be available to advance this goal at this time.
- Seedling**
Goal has made some progress however, there are still larger steps that need to be taken. Funding availability or staffing resources may be slowing this goal down.
- Sapling**
Goal is well on its way to being achieved. Funding and staffing resources are available to bring this goal to life. Final steps are being evaluated or executed to achieve the goal.
- Tree**
Goal has been achieved and is ready to be celebrated.

Goal Overview

Goal	Status	Notes
24.1.a	Seedling	Currently awaiting completion of the Parks and Greenways Master Plan. Next steps include prioritizing and formalizing a list of projects to include in a general obligation bond issuance including funding strategies.

STRATEGIC PLANNING & BUDGET

Goals Areas

Departmental Plans

Budget

KPIs

Goal Tracking





STRATEGIC PLAN FY24

Goal Tracking

City Council Goals

On March 9th, 2023, City Council deliberated an updated list of goals for the City of Hendersonville. Council Members devised a plan for the City's future growth and strategized on working through competing interests and decision-making points. The goal areas noted below summarize the conversation among City Council members and staff.

Rank #1 – Invest in City Parks (PK).

Rank #2 – Strategic Housing Plan (HP).

Rank #3 – Comprehensive Plan (GCC).

Rank #4 – Transportation Planning (TP).

Rank #5 – Leverage a ¼ Cent Sales Tax (ST).

Rank #6 – COLA and Merit (CB).

Rank #7 – City Boards and Volunteers (BV).

Rank #8 – ESB/Tree Board (SUS).

Rank #9 – Tree Canopy (TC).

Rank #10 – Facade Grants (DTB).

Status Update Categories

	Seed	Goal is still being evaluated for next steps. Funding or staffing resources may not be available to advance this goal at this time.
	Seedling	Goal has made some progress however, there are still larger steps that need to be taken. Funding availability or staffing resources may be slowing this goal down.
	Sapling	Goal is well on its way to being achieved. Funding and staffing resources are available to bring this goal to life. Final steps are being evaluated or executed to achieve the goal.
	Tree	Goal has been achieved and is ready to be celebrated.

Goal Coding [Fiscal Year Introduced | Goal Area Identifier | Goal Identifier]
-Ex. 24.PK.d = [FY 24 | Create a Parks Dept. | Take Care of Ext. Parks]

STRATEGIC PLAN FY24

Goal Tracking

#1 – Invest in Parks (PK)

Goal	Status	Notes
24.PK.a Issue a Parks Bond	Seedling	Currently awaiting completion of the Parks and Greenways Master Plan. Next steps include prioritizing and formalizing a list of projects to include in a general obligation bond issuance including funding strategies. Council will be presented the final plan by September 2024 for their consideration.
24.PK.b Plant Trees in Flood Plain	Seedling	City Staff have completed a tree canopy study which will help guide strategies around improving canopy within the City. The City owns and will acquire several parcels in floodplain areas that could potentially be used for canopy improvements. City Council adopted a payment in lieu of trees fund that will assist in funding tree plantings.
24.PK.c \$.01 of Occupancy Tax	Seed	Staff have not engaged external stakeholders in the allocation of the remaining 1% occupancy tax available to the TDA.
24.PK.d Take Care of Existing Parks	Seedling	The draft master plan identifies existing park maintenance and improvement as a high priority and ranks many of the existing parks in below average condition. Sullivan Park stream restoration project will be completed in 2024.
24.PK.e Splash Pad Ribbon Cutting	Seedling	The City is working with Kiwanis to fundraise for a new splash pad at Patton Park. A location has been identified and staff are working through logistics to build and operate the facility next to Patton Pool. Funding sources are being identified.
24.PK.f Signage for Parks	Tree	New signage has been included in the Laura E. Corn mini-golf course. This signage followed the branding of the wayfinding signs throughout the City. New Main St. signage is being installed following the same brand. There is a need to establish a branding manual for park signage moving forward.
24.PK.g Improve and Expand Parks	Tree	The City recently opened the reimagined Edwards Park and Laura E. Corn mini-golf. The Clear Creek Greenway will be completed in the next 24 months. In addition, there is a property along the Clear Creek Greenway and one along Bat Fork Creek near Jackson Park that will be acquired for open space/passive recreation. Additionally, the Lower Mud Creek Flood Mitigation project will provide further passive recreation including installation of a portion of the Above the Mud greenway. Once the Above the Mud Feasibility Study is completed in FY24, funding will continue to be pursued for the full construction of the greenway (connecting the Ecusta to the Oklawaha). An 18-hole disc golf course will be completed in 2024 at the northern end of the Oklawaha Greenway.
24.PK.h Park on S. Main St.	Seed	Conceptual plan options for a S. Main St. park were presented to City Council. Currently, funding has not been identified to move forward with a S. Main St. park. Honor Air Park will be reconstructed with the S. Main St. roundabout project.
24.PK.i More Bike Racks	Sapling	New City projects include bike racks as part of the design and construction. Some new areas that include bike racks are City Ops, Fire Station #1, Edwards Park, and S. Main St. More detail needs to be developed on future bike rack locations through allocations in the City's budget process and further collaboration with area non-profits.
24.PK.j Striping S. Main St. for Bikes	Tree	This project is nearing completion. Remaining items to be completed in FY25 are traffic and pedestrian signals, as well as bollards for the cycle-track. This will improve access to and from the Ecusta Trail via Main Street, provide additional parking spaces, and add bike corrals. Due to this connection, the Ecusta trailhead has been located at the Visitor's Center.

STRATEGIC PLAN FY24

Goal Tracking

#2 – Strategic Housing Plan (HP)

Goal	Status	Notes
24.HP.a Complete Strategic Housing Plan Including Stakeholder Input	Seedling	A timeline has been presented to the strategic housing committee for adoption of the plan. Steps include (1) educating the committee and the community about affordable and workforce housing, including factors contributing to the needs for more housing, policy strategies to encourage or even require affordability, bricks and mortar solutions, including public and private partnership, and legal issues that may contribute to the need for affordable housing; (2) Gathering public and stakeholder input; (3) Field visits and studies of what has and has not worked in other communities; (4) contracting with the Development Finance Initiative (DFI) to conduct a needs assessment and study the public/private partnership options for brick and mortar solutions, and finally; (5) Formulation and adoption of the plan. The goal for adoption is May of 2025. Shane Phillips was brought in as a speaker for a housing forum kick-off in May.
24.HP.b Incentives for Developers	Seed	Both policy and funding incentives are being studied to determine their effectiveness towards the creation of affordable and workforce housing.
24.HP.c More Affordable Housing	Seedling	Both policy and funding initiatives are being studied to determine strategies to increase the availability of affordable housing, including but not limited to encouraging more housing in general to promote upward migration in housing.
24.HP.d Workforce Housing	Seedling	Both policy and funding initiatives are being studied to determine strategies to increase the availability of workforce housing, including but not limited to encouraging more housing in general to promote upward migration in housing.
24.HP.e Resolution for Housing Authority Powers	Sapling	This will be included as a strategy and action step in the action plan.
24.HP.f Housing at all Price Points	Seedling	951 units were considered in the 2023-24 application year, 50 of which were utilizing low-income tax credits. The Strategic Housing Plan and housing committee will help further define this goal. Policy initiatives are being studied to increase housing at all price points as part of the Strategic Housing Plan adoption process. Studies have indicated that having ample housing units at all price points contribute to the availability of both affordable and work force housing.

STRATEGIC PLAN FY24

Goal Tracking

#3 – Comprehensive Plan (GCC)

Goal	Status	Notes
24.GCC.a Right Density	Seedling	The comp. plan identifies areas suitable for density. The plan will be considered by Council at a public hearing in July 2024 followed by adoption in the following month(s). The density areas will be further defined through a unified development ordinance in future years.
24.GCC.b Support Density for Affordability	Seedling	Further definition of 24.GCC.a will help identify strategies for density bonuses associated with affordability and market rates. The strategic housing plan will have influence and strategies for this goal.
24.GCC.c Right Height	Seedling	The Downtown Master Plan will lay the foundation for right height guidelines. The plan will be considered by Council at a public hearing in July 2024 followed by adoption in the following month(s).
24.GCC.d Develop Style Guidelines/Overlays	Seedling	The Downtown Master Plan will lay the foundation for style guidelines. The plan will be considered by Council at a public hearing in July 2024 followed by adoption in the following month(s).
24.GCC.e Pursue Form Based Code	Seedling	The Downtown Master Plan will lay the foundation for form-based code guidelines. The plan will be considered by Council at a public hearing in July 2024 followed by adoption in the following month(s).
24.GCC.f More By-Right Development	Seedling	The comp. plan will define what we desire in certain areas of the City. More by-right development areas will be further defined through a unified development ordinance in future years.
24.GCC.g Look for Other Commercial Centers	Seedling	The comp. plan has identified underutilized properties as well as scoring commercial suitability of parcels. Staff are also looking at areas for public investment (parks, infrastructure, etc...) that will help encourage commercial development. The Downtown Master Plan has identified an expansion of the community's downtown footprint, identified as the Lower Trailhead character district.

STRATEGIC PLAN FY24

Goal Tracking

#4 – Transportation Planning (TP)

Goal	Status	Notes
24.TP.a Issue a Transportation Bond	Seed	This goal is in its infancy as many plans need to be completed prior to moving forward. An intermediate step may be to leverage a C.O. Bond for existing NCDOT projects that require City funding. Some plans being considered and completed are the ped./bike plan, ADA transition plan, complete streets concepts, and circulation studies.
24.TP.b Street Cut/Repairs Efficiency	Seedling	Timing between pavement cuts and repair of cuts has improved in the last year due to more efficient use of Cityworks. Staff are continuing to evaluate efficiencies for this program and are tracking more data in Cityworks to provide insights on how to further improve. Key performance indicators will be developed for this area.
24.TP.c Traffic Calming Policy	Seed	Staff are exploring the option to produce this study with in-house engineering staff. The South Main St. project includes road diet and bike lanes that represent aspects of what a traffic calming might include.
24.TP.d Improve Pavement Condition Score	Tree	The pavement condition score study was just completed, and the City's average rating is 73.92. This is a 4.1% increase over the 2018 rating of 71. In 2013 the rating was 69.3. The 7 th Avenue Streetscape project will be complete in the fall of 2024. The 4 th /Ashe Water & Sewer Improvement Project will include the repaving of several streets thereby improving pavement condition scores in the Ashe St. neighborhood. Staff are considering an increase in the motor vehicle fee to put additional resources behind street resurfacings for future budgets.
24.TP.e Traffic Impact for New Development	Seedling/Tree	Staff have an on-call agreement with Kimley-Horn for City led traffic impact analysis. A broader study needs to be completed in conjunction with the comprehensive plan to identify a city-wide impact analysis. Funding is not currently available for this study.
24.TP.f Better Connectivity/Flow	Seed	The French Broad River MPO received a Safe Streets for All grant from USDOT to develop a Safety Action Plan for the five-county area (Buncombe, Haywood, Henderson, Madison, and Transylvania counties). Developing this plan will provide a path toward a safer transportation network and enable our region to apply for implementation funds through USDOT. City staff have been involved in the selection of a consultant to complete this study and local stakeholders will be involved throughout its completion. The Action Plan should be completed by late 2024 and projects will be identified that could then be applied for funding. The South Main St. project will be completed to connect pedestrians/bicyclists from the Ecusta to downtown. Above the Mud Feasibility Study will be completed to help boost funding applications to connect the Ecusta to the Oklawaha. There is a Saluda Grade Feasibility Study to be completed this year that will do the same for that project. Both projects would form a transformational greenway/transportation network.
24.TP.g Narrow King Street	Sapling	Design and traffic modeling data has been prepared by Kimley-Horn and City is awaiting confirmation from NCDOT that the City can construct the narrowing and sidewalk project from 2 nd to 4 th Avenues once funds are available in the City budget.
24.TP.h Address Motor Vehicle Accidents	Seedling	City Police have enhanced their traffic unit in recent years, but funding constraints have made it unlikely to expand staffing. Motor vehicle accidents were down 3% in 2023. There have been three pedestrian fatalities in 2024, all on US Highway 64.

STRATEGIC PLAN FY24

Goal Tracking

#5 – ¼ Cent Sales Tax (ST)

Goal	Status	Notes
24.ST.a Educate and Lobby	Seedling	Council has advocated with our local state legislators for this potential revenue source. Staff continue to provide data around the impacts of this revenue source. City Council may consider hiring a lobbyist to advocate on our behalf with the legislature.

STRATEGIC PLAN FY24

Goal Tracking

#6 – COLA & Merit (CB)

Goal	Status	Notes
24.CB.a Keep Employees Moving Up Grades	Tree	Career ladders were completed for all departments across the City.
24.CB.b Increase COLA to Keep Up with Market	Sapling	City cost of living adjustments are beginning to fall behind the living wage growth and will continue to lag without additional revenues. Incremental increases in the City's merit pay has stalled in FY25. Staff are formulating strategies to maintain pace with the living wage. City Council approved pay raises up to 10% for the next fiscal year (FY25).

STRATEGIC PLAN FY24

Goal Tracking

#7 – Boards & Volunteers (BV)

Goal	Status	Notes
24.BV.a Value/Celebrate Boards	Tree	Held appreciation events for the boards, volunteers, and staff via the board and committees' dinner and the holiday luncheon.
24.BV.b Educate Boards	Seedling	A training was conducted this year and recorded for future board use. Additional trainings are needed to be formalized across all boards.
24.BV.c Clarify Ordinances and Simplify Roles	Tree	Updates to the Comprehensive Plan and Zoning Ordinance will aim to reduce the number of Conditional Rezoning required to be heard by the Planning Board and others. The updated tree ordinance has helped clarify the Tree Board's role.

STRATEGIC PLAN FY24

Goal Tracking

#8 – ESB & Tree Board (SUS)

Goal	Status	Notes
24.SUS.a Explore Merging Boards	Tree	Staff explored this opportunity but does not feel it is feasible at this time.
24.SUS.b Incorporate Sustainability in Comp. Plan	Tree	There was a clear focus on sustainability during comp. plan input and drafting.
24.SUS.c Finalize Sustainability Plan	Tree	The Sustainability Plan was presented to and adopted by the City Council.
24.SUS.d Update and Strengthen Tree Ordinances	Tree	City Council adopted a new Tree Ordinance and implemented a new payment in lieu of trees fund to increase tree plantings in areas of the City when not feasible on a development site.

STRATEGIC PLAN FY24

Goal Tracking

#9 – Tree Canopy (TC)

Goal	Status	Notes
24.TC.a Support NeighborWoods Program	Tree	Continued support and funding for this program are strong. Future years are expected to bolster additional plantings through a new fee in lieu of tree plantings in the tree ordinance.
24.TC.b Increase Tree Budget	Tree	Continued support and funding for this program are strong. Future years are expected to bolster additional plantings through a new fee in lieu of tree plantings in the tree ordinance.

STRATEGIC PLAN FY24

Goal Tracking

#10 – Façade Grants (DTB)

Goal	Status	Notes
24.DTB.a Establish Legal Authority	Tree	The City now works through the Friends of Downtown to provide façade and pivot grants to downtown businesses and property owners.
24.DTB.b Allocate More Funds to Program	Sapling	The City, through the Friends of Downtown, is currently allocating \$30,000 a year to this program. Staff, with City Council guidance, will create a performance indicator to identify when this goal has been completely met.
24.DTB.c HIIP Program	Sapling	The City in partnership with Mountain Bizworks has started a small business loan and incubator program called the Downtown Opportunity Fund. The shared office spaces are scheduled to open this year. The fund has \$400k of seed funding available.

STRATEGIC PLAN FY25 & BEYOND

Goal Tracking

What's Next?

Next Steps & Adjourn

- City staff will make updates to the strategic plan and report back to Council.

John Connet thanked City Council and staff for their participation and the retreat adjourned. Let the seeds be planted and grow!

STRATEGIC PLAN FY25 & BEYOND

Goal Tracking

What's Next?

On March 15th, 2024, City Council deliberated an updated list of goals for the City of Hendersonville. Council Members devised a plan for the City's future growth and strategized on working through competing interests and decision-making points. The ranked goal areas are:

Rank #1 – Public Safety (PS).

Rank #2 – Compensation, Benefits, and Staff Development (CB).

Rank #3 – Strong Infrastructure (SI).

Rank #4 – Strategic Housing Plan (HP).

Rank #5 – Growth Management and Community Character (GCC).

Rank #6 – Invest in Parks (PKS).

Rank # 7 – Enhance Sustainability Citywide (SUS).

Rank #8 – Transportation Planning (TP).

Rank #9 – City Boards and Volunteers (BV).

Rank #10 – Support Downtown Businesses (DTB).

1. Clarifications

2. New Ranking

3. New Goals

STRATEGIC PLAN FY25 & BEYOND

Goal Tracking

#1 New Goals – Public Safety (PS)

Goal	Status	Notes
25.PS.a Enhance Downtown Safety Program	Seedling	Goals include hiring an additional downtown police officer, installing new surveillance cameras, and more active code enforcement initiatives. Key performance indicators should be developed for each area.
25.PS.b Explore Social Worker Co-responder Models and Crisis Response	Seedling	Goals include hiring a social worker through the WCU program and implement crisis intervention trainings (CIT).
25.PS.c Maintain ISO 1 Rating	Sapling	Goals include supporting minimum staffing levels for response, improving water infrastructure, and developing performance indicators to identify the timing of the construction of future fire station #3.
25.PS.d Explore QRV Option for Medical Response	Seedling	Goals include upstaffing through a SAFER grant to provide an additional two firefighters per shift to staff the QRV without pulling minimum staffing levels off an apparatus and developing key performance indicators for success.
25.PS.e Expand Code Enforcement Capacity	Seed	Goals include addressing burned property procedures, expanding staff capacity to proactively enforce, and strengthening the commercial maintenance code.
25.PS.f Create Vacant Property Registry	Seed	Goals include creating a registry and tracking data according to procedures to be established.
25.PS.g Continue Flood Response Process Improvements	Seedling	Goals include standardizing an operating procedure for flood response. Key performance indicators should be developed to gauge goal success.

STRATEGIC PLAN FY25 & BEYOND

Goal Tracking

#2 New Goals – Compensation, Benefits, and Staff Development (CB)

Goal	Status	Notes
24.CB.a Keep Employees Moving Up Grades	Tree	Career ladders were completed for all departments across the City.
24.CB.b Increase COLA to Keep Up with Market	Sapling	Goals include identifying living wage approach, to be developed internally by staff. This can include agreed upon key performance indicators as to the City's competitiveness with the market.
25.CB.c Increase 401k Match Opportunities for Staff	Seedling	Goals include identifying funding strategies to increase the employee match and participation.
25.CB.d Implement new Perf. Pay Program	Sapling	Goals include staff training, one-year test period, and defining procedure/policy to govern the program. Key performance indicators can include the merit increase as a portion of the total City compensation opportunity.
25.CB.e Explore Daycare Assistance Options for Staff	Seed	Goals include studying the varying daycare support models that exist and their pros/cons, exploring partner agencies and organizations, and identifying funding strategies.

STRATEGIC PLAN FY25 & BEYOND			
Goal Tracking			
#3 New Goals – Strong Infrastructure (SI)			
Goal	Status	Notes	
25.SI.a Reduce Sanitary Sewer Overflows (SSOs)	Seedling	Goals include developing key performance indicators for the inflow and infiltration crew, utilizing the collection system master plan to guide resource deployment, and complete improvement projects at the headworks of the wastewater plant.	
25.SI.b Expand Water Treatment Plant to 15 MGD	Sapling	Goals include completing design, bidding, and construction of the water treatment plant expansion and issuing a revenue bond to fund the project.	
25.SI.c Continue Treatment, Distribution, and Collection Master Plan Updates	Sapling	Goals for FY25 include completing the update to the collection system master plan. Additional goals include updating plans by tracking completed projects and presenting them in a digestible manner for the public.	
25.SI.d Dedicate Funding for Stormwater Master Plan Projects	Seed	Goals include completing the stormwater master plan, identifying project priorities, and continue raising revenues to meet the project funding needs. Future goals include issuing a master revenue bond indenture for the stormwater fund.	
25.SI.e Complete Investments and Preservation Improvements at City Hall	Seedling	Goals include bidding and performing preservation construction on the brick/mortar, roof, and staircases of City Hall, 3 rd floor improvements, and finalizing the first-floor project, including the installation of new windows to match historical openings.	
25.SI.f Identify Plan and Funding Sources for ADA Transition Plan Improvements	Seed	Goals include identifying a funding and execution strategy for addressing the needs identified in the ADA transition plan.	
25.SI.g Improve 375k sq. ft. of Street Conditions Annually Through 2028 to Improve PCI score by 5%	Seed	Goals are to continue funding a street program to repave a portion of City streets on an annual basis. The City should allocate funding on a resurfacing goal, currently proposed at 375,000 sq. ft. per year. This could also be considered as a number of miles of streets in order to develop an every (10, 15, 20...) year rotation.	
25.SI.h Develop Facilities Maintenance Master Plan	Seed	Goals include developing asset inventories and maintenance master plans for all city facilities.	

STRATEGIC PLAN FY25 & BEYOND			
Goal Tracking			
#4 New Goals – Strategic Housing Plan (HP)			
Goal	Status	Notes	
24.HP.a Complete Strategic Housing Plan Including Stakeholder Input	Seedling	A timeline has been presented to the strategic housing committee for adoption of the plan. Steps include (1) educating the committee and the community about affordable and workforce housing, including factors contributing to the needs for more housing, policy strategies to encourage or even require affordability, bricks and mortar solutions, including public and private partnership, and legal issues that may contribute to the need for affordable housing; (2) Gathering public and stakeholder input; (3) Field visits and studies of what has and has not worked in other communities; (4) contracting with the Development Finance Initiative (DFI) to conduct a needs assessment and study the public/private partnership options for brick and mortar solutions, and finally; (5) Formulation and adoption of the plan. The goal for adoption is May of 2025. Shane Phillips was brought in as a speaker for a housing forum kick-off in May.	
24.HP.b Incentives for Developers	Seed	Both policy and funding incentives are being studied to determine their effectiveness towards the creation of affordable and workforce housing.	
24.HP.c More Affordable Housing	Seedling	Both policy and funding initiatives are being studied to determine strategies to increase the availability of affordable housing, including but not limited to encouraging more housing in general to promote upward migration in housing.	
24.HP.d Workforce Housing	Seedling	Both policy and funding initiatives are being studied to determine strategies to increase the availability of workforce housing, including but not limited to encouraging more housing in general to promote upward migration in housing.	
24.HP.e Resolution for Housing Authority Powers	Sapling	This will be included as a strategy and action step in the action plan.	
24.HP.f Housing at all Price Points	Seedling	951 units were considered in the 2023-24 application year, 50 of which were utilizing low-income tax credits. The Strategic Housing Plan and housing committee will help further define this goal. Policy initiatives are being studied to increase housing at all price points as part of the Strategic Housing Plan adoption process. Studies have indicated that having ample housing units at all price points contribute to the availability of both affordable and work force housing.	

STRATEGIC PLAN FY25 & BEYOND			
Goal Tracking			
#5 New Goals – Growth Management and Community Character (GCC)			
Goal	Status	Notes	
24.GCC.a Right Density	Seedling	The comp. plan identifies areas suitable for density. The plan will be considered by Council at a public hearing in July 2024 followed by adoption in the following month(s). The density areas will be further defined through a unified development ordinance in future years.	
24.GCC.b Support Density for Affordability	Seedling	Further definition of 24.GCC.a will help identify strategies for density bonuses associated with affordability and market rates. The strategic housing plan will have influence and strategies for this goal.	
24.GCC.c Right Height	Seedling	The Downtown Master Plan will lay the foundation for right height guidelines. The plan will be considered by Council at a public hearing in July 2024 followed by adoption in the following month(s).	
24.GCC.d Develop Style Guidelines/Overlays	Seedling	The Downtown Master Plan will lay the foundation for style guidelines. The plan will be considered by Council at a public hearing in July 2024 followed by adoption in the following month(s).	
24.GCC.e Pursue Form Based Code	Seedling	The Downtown Master Plan will lay the foundation for form-based code guidelines. The plan will be considered by Council at a public hearing in July 2024 followed by adoption in the following month(s).	
24.GCC.f More By-Right Development	Seedling	The comp. plan will define what we desire in certain areas of the City. More by-right development areas will be further defined through a unified development ordinance in future years.	
24.GCC.g Look for Other Commercial Centers	Seedling	The comp. plan has identified underutilized properties as well as scoring commercial suitability of parcels. Staff are also looking at areas for public investment (parks, infrastructure, etc...) that will help encourage commercial development. The Downtown Master Plan has identified an expansion of the community's downtown footprint, identified as the Lower Trailhead character district.	
25.GCC.h Complete Comprehensive Plan	Sapling	Finalize the 2045 comprehensive plan update with adoption in August or September.	
25.GCC.i Start Unified Development Ordinance Update	Seed	Goals are to define funding source for plan development, solicit proposals for development, and begin drafting ordinance updates in conjunction with the strategic housing plan and final comprehensive plan adoption.	

STRATEGIC PLAN FY25 & BEYOND			
Goal Tracking			
#6 New Goals – Invest in Parks (PK)	Goal	Status	Notes
	24.PK.a Issue a Parks Bond	Seedling	Currently awaiting completion of the Parks and Greenspace Master Plan. Next steps include prioritizing and formalizing a list of projects to include in a general obligation bond issuance including funding strategies. Council will be presented the final plan by September 2024 for their consideration. Additional loan options should be considered for Patton Park and Whitmire.
	25.PK.b Complete Study for Above the Mud Greenway	Seedling	Goals are to complete the feasibility study for the Above the Mud Greenway, connecting the Ecusta Trail to the Oklawaha Greenway.
	24.PK.c \$0.01 of Occupancy Tax	Seed	Staff have not engaged external stakeholders in the allocation of the remaining 1% occupancy tax available to the TDA.
	25.PK.d Begin Construction of Clear Creek Greenway	Seedling	Goals are to bid and begin construction of the Clear Creek Greenway.
	24.PK.e Splash Pad Ribbon Cutting	Seedling	The City is working with Kiwanis to fundraise for a new splash pad at Patton Park. A location has been identified and staff are working through logistics to build and operate the facility next to Patton Pool. Funding sources are being identified.
	24.PK.f Signage for Parks	Seedling	New signage has been included in the Laura E. Corn mini-golf course. This signage followed the branding of the wayfinding signs throughout the City. New Main St. signage is being installed following the same brand. There is a need to establish a branding manual for park signage moving forward.
	25.PK.g Complete Disc Golf Course at the Quarry	Sapling	Goals are to complete construction of new quarry disc golf course at Berkeley Park.
	24.PK.h Park on S. Main St.	Seed	Conceptual plan options for a S. Main St. park were presented to City Council. Currently, funding has not been identified to move forward with a S. Main St. park. Honor Air Park will be reconstructed with the S. Main St. roundabout project.
	24.PK.i Add Bike Racks for Ecusta Trail	Sapling	New City projects include bike racks as part of the design and construction. Some new areas that include bike racks are City Ops, Fire Station #1, Edwards Park, and S. Main St. More detail needs to be developed on future bike rack locations through allocations in the City's budget process and further collaboration with area non-profits.
	24.PK.j Striping S. Main St. for Bikes	Sapling	This project is nearing completion. Remaining items to be completed in FY25 are traffic and pedestrian signals, as well as bollards for the cycle-track. This will improve access to and from the Ecusta Trail via Main Street, provide additional parking spaces, and add bike corrals. Due to this connection, the Ecusta trailhead has been located at the Visitor's Center.
	25.PK.k Complete Pickleball Courts at Patton Park	Sapling	Goals are to complete construction of new pickle ball and tennis courts at Patton Park.

STRATEGIC PLAN FY25 & BEYOND			
Goal Tracking			
#7 New Goals – Enhance Sustainability City-wide (SUS)	Goal	Status	Notes
	24.SUS.a Explore Merging Boards	Tree	Staff explored this opportunity but does not feel it is feasible at this time.
	24.SUS.b Incorporate Sustainability in Comp. Plan	Tree	There was a clear focus on sustainability during comp. plan input and drafting.
	24.SUS.c Finalize Sustainability Plan	Tree	The Sustainability Plan was presented to and adopted by the City Council.
	24.SUS.d Update and Strengthen Tree Ordinances	Tree	City Council adopted a new Tree Ordinance and implemented a new payment in lieu of trees fund to increase tree plantings in areas of the City when not feasible on a development site.
	24.SUS.e Support NeighborWoods Program	Tree	Continued support and funding for this program are strong. Future years are expected to bolster additional plantings through a new fee in lieu of tree plantings in the tree ordinance.
	24.SUS.f Increase Tree Budget	Tree	Continued support and funding for this program are strong. Future years are expected to bolster additional plantings through a new fee in lieu of tree plantings in the tree ordinance.
	25.SUS.g Identify Specific Short-term Goals from Sustainability Plan	Seedling	Goals are to identify specific action steps to be taken by the City, Staff and Council, in the coming year. Identify key performance indicators that may identify successes.
	25.SUS.h Plant Trees in Flood Plain	Seedling	City Staff have completed a tree canopy study which will help guide strategies around improving canopy within the City. The City owns and will acquire several parcels in floodplain areas that could potentially be used for canopy improvements. City Council adopted a payment in lieu of trees fund that will assist in funding tree plantings.
	25.SUS.i Spend \$50k in New Tree Plantings for Clear Creek Greenway Easement	Seedling	Goals are to utilize the \$50,000 received for tree plantings in conjunction with the Clear Creek Greenway easement acquisition process.

STRATEGIC PLAN FY25 & BEYOND			
Goal Tracking			
#8 New Goals – Transportation Planning (TP)	Goal	Status	Notes
	24.TP.a Issue a Transportation Bond	Seed	This goal is in its infancy as many plans need to be completed prior to moving forward. An intermediate step may be to leverage a G.O. Bond for existing NCDOT projects that require City funding. Some plans being considered and completed are the ped/bike plan, ADA transition plan, complete streets concepts, and circulation studies.
	24.TP.b Street Cut/Repairs Efficiency	Seedling	Timing between pavement cuts and repair of cuts has improved in the last year due to more efficient use of Cityworks. Staff are continuing to evaluate efficiencies for this program and are tracking more data in Cityworks to provide insights on how to further improve. Key performance indicators will be developed for this area.
	24.TP.c Traffic Calming Policy Update	Seed	Staff are exploring the option to produce this study with in-house engineering staff. The South Main St. project includes road diet and bike lanes that represent aspects of what a traffic calming might include.
	24.TP.d Improve Pavement Condition Score	Tree	The pavement condition score study was just completed, and the City's average rating is 73.92. This is a 4.1% increase over the 2018 rating of 71. In 2013 the rating was 69.3. The 7 th Avenue Streetscape project will be complete in the fall of 2024. The 4 th /Ashe Water & Sewer Improvement Project will include the repaving of several streets thereby improving pavement condition scores in the Ashe St. neighborhood. Staff are considering an increase in the motor vehicle fee to put additional resources behind street resurfacings for future budgets.
	24.TP.e Traffic Impact for New Development	Seedling/Tree	Staff have an on-call agreement with Kimley-Horn for City led traffic impact analysis. A broader study needs to be completed in conjunction with the comprehensive plan to identify a city-wide impact analysis. Funding is not currently available for this study.
	24.TP.f Better Connectivity/Flow	Seed	The French Broad River MPO received a Safe Streets for All grant from USDOT to develop a Safety Action Plan for the five-county area (Buncombe, Haywood, Henderson, Madison, and Transylvania counties). Developing this plan will provide a path toward a safer transportation network and enable our region to apply for implementation funds through USDOT. City staff have been involved in the selection of a consultant to complete this study and local stakeholders will be involved throughout its completion. The Action Plan should be completed by late 2024 and projects will be identified that could then be applied for funding. The South Main St. project will be completed to connect pedestrians/bicyclists from the Ecusta to downtown. Above the Mud Feasibility Study will be completed to help boost funding applications to connect the Ecusta to the Oklawaha. There is a Saluda Grade Feasibility Study to be completed this year that will do the same for that project. Both projects would form a transformational greenway/transportation network.
	24.TP.g Narrow King Street	Sapling	Design and traffic modeling data has been prepared by Kimley-Horn and City is awaiting confirmation from NCDOT that the City can construct the narrowing and sidewalk project from 2 nd to 4 th Avenues once funds are available in the City budget.
	24.TP.h Address Motor Vehicle Accidents	Seedling	City Police have enhanced their traffic unit in recent years, but funding constraints have made it unlikely to expand staffing. Motor vehicle accidents were down 3% in 2023. There have been three pedestrian fatalities in 2024, all on US Highway 64.

Goal Tracking

#9 New Goals – City Boards & Volunteers (BV)

Goal	Status	Notes
24.BV.a Value/Celebrate Boards	Tree	Held appreciation events for the boards, volunteers, and staff via the board and committees' dinners.
24.BV.b Educate Boards	Seedling	A training was conducted this year and recorded for future board use. Additional trainings are needed to be formalized across all boards. Develop annual training program and standard operating procedures.
24.BV.c Clarify Ordinances and Simplify Roles	Tree	Updates to the Comprehensive Plan and Zoning Ordinance will aim to reduce the number of Conditional Rezoning required to be heard by the Planning Board and others. The updated tree ordinance has helped clarify the Tree Board's role.
25.BV.d Start a Citizens Academy	Seed	Goals include exploring best practices for building a citizen's academy.

Goal Tracking

#10 New Goals – Support Downtown Businesses (DTB)

Goal	Status	Notes
24.DTB.a Establish Legal Authority	Tree	The City now works through the Friends of Downtown to provide façade and pivot grants to downtown businesses and property owners.
24.DTB.b Allocate More Funds to Program	Sapling	The City, through the Friends of Downtown, is currently allocating \$30,000 a year to this program. Staff, with City Council guidance, will create a performance indicator to identify when this goal has been completely met.
24.DTB.c Bolster Downtown Opportunity Fund	Sapling	The City in partnership with Mountain Bizworks has started a small business loan and incubator program called the Downtown Opportunity Fund. The shared office spaces are scheduled to open this year. The fund has \$400k of seed funding available.
25.DTB.d Open Downtown Business Incubator/Shared Office Space	Sapling	Goals are to open the new downtown shared office space and business incubator and establish operating procedures for the facility.



BEARING FRUIT – FY24 TREES

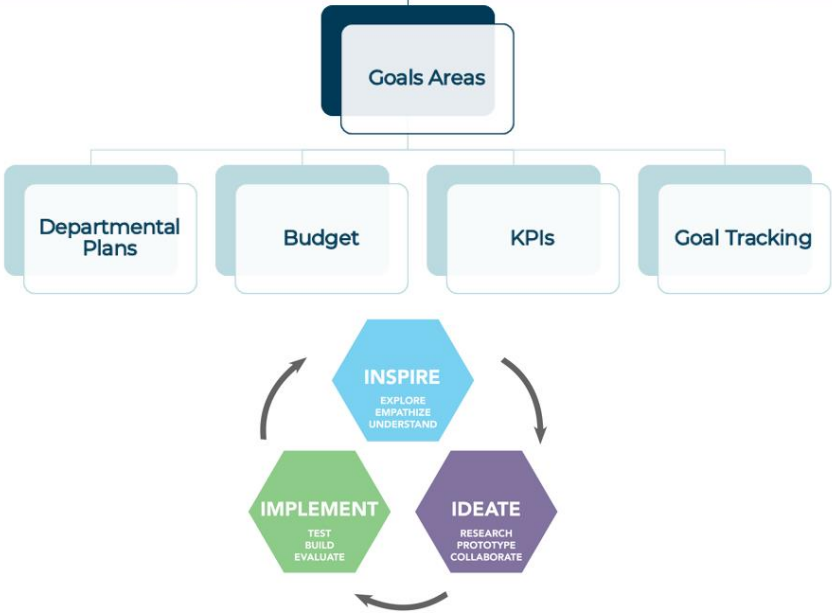
- 1) 24.PK.g - Completion of Edwards Park
- 2) 24.PK.j - Striping S. Main St. for Bikes
- 3) 24.PK.f - Signage for Parks
- 4) 24.TP.d - Improve Pavement Condition Score
- 5) 24.TP.e - Traffic Impact for New Development
- 6) 24.CB.a - Keep Employees Moving Up Grades
- 7) 24.BV.a - Value/Celebrate Boards
- 8) 24.BC.c - Clarify Ordinances and Simplify Roles
- 9) 24.SUS.a - Explore Merging Boards
- 10) 24.SUS.b - Incorporate Sustainability in Comp. Plan
- 11) 24.SUS.c - Finalize Sustainability Plan
- 12) 24.SUS.d - Update and Strengthen Tree Ordinances
- 13) 24.TC.a - Support Neighborhoods Program
- 14) 24.TC.b - Increase Tree Budget
- 15) 24.DTB.a - Establish Legal Authority (Façade/Pivot Grants)




NEXT STEPS



STRATEGIC PLANNING & BUDGET




RESOURCES FOR CITIZENS




Citizen Problem Reporter

Report an issue here!




Downtown Parking

View on and off-street parking locations, fees, and regulations.




Track-A-Truck

View the near-real time locations of the City's garbage, recyclin...




Oklawaha Greenway App

Explore the Oklawaha Trail!




2023 Pedestrian Plan

Pedestrian Safety Plan data made possible through a...




Water and Sewer Capital Project Dashboard

Capital Improvement Projects 2024-2034+




Stormwater Capital Projects Dashboard


Capital Improvement Projects 2024-2034+





Oakdale Cemetery

View blocks and search for gravesite locations by name.









<https://gis-hendersonville.hub.arcgis.com/><https://hendersonvillenc.gov/budget>

QUESTIONS

Public Safety


Although this goal area was not specifically codified in earlier strategic planning efforts, the City has made progress in maintaining a high level of public safety.

- Substantial construction completed on Fire Station 1
- Hendersonville Police Department was the first police department in North Carolina to fulfill requirements for the International Association of Chiefs of Police (IACP) Trust Building Campaign
- Progress made on the Police Department's Commission on Accreditation for Law Enforcement Agencies, Inc., (CALEA) accreditation process with expected compliance achievement in 2024

Bearing Fruit

Future Planting

- Goals include hiring an additional downtown police officer, installing new surveillance cameras, and more active code enforcement initiatives
- Hire a social worker through the WCU program and implement crisis intervention trainings (CIT)
- Support minimum fire department staffing levels and continue to improve water infrastructure
- Upstaff through a SAFER grant to provide an additional two firefighters per shift to staff a Quick Response Vehicle
- Address burned property procedures, strengthen the commercial maintenance code, and expand code enforcement staff capacity
- Create a vacant property registry and establish tracking procedures
- Further standardize flood response operating procedures across departments



Public Safety

The primary driving departments for the Public Safety goal area are the Police Department and Fire Department, however, cross-department collaboration is key for strategy implementation. New programs include the development of an embedded social worker co-responder program and vacant property registry; new equipment includes downtown surveillance camera installation; new personnel include a dedicated downtown officer, future upstaffing of firefighters to staff a Quick Response Vehicle (QRV) and expanding code enforcement capacity. Growing public safety challenges require creative and integrated solutions across departments that will continue to heavily involve the Community Development and Public Services Departments.

Goal Identifier = PS

C. Presentation Regarding Customer Service Improvements and Payment Card Industry Data Security Standard (PCI DSS) Compliance – John Buchanan, Finance Director

Finance Director John Buchanan provided an update regarding customer service improvements and PCI compliance.



Payment Processing

Payment Types

- Cash – 700-800 payments a month (not including mini-golf and parking kiosks)
- Credit card – 6,500-6,600 a month (not including mini-golf and parking kiosks)
 - Walk-in
 - Pay by text
 - IVR (Interactive Voice Response)
 - Online / autopay
- ACH/E-check – 15,000 – 15,100 a month
- Online Banking Direct – 1,500-1,600 a month
- Lockbox (mail payments) – 7,600-7,700 a month

Invoice Cloud



Moved to Invoice Cloud in October 2023



Utility bill credit card payments, auto-draft, e-check, and online bill pay now process through Invoice Cloud



New features including Pay by text, Google Pay, Apple Pay, and PayPal



Additional alerts and reminders available

Invoice Cloud Implementation Issues



Online bill pay through customer’s bank





Group of customers that did not transfer to Invoice Cloud




Group of customers “stuck”in billing system. Unable to process paper or e-bills.

Protecting Customer Data

 Responsibility to protect customer data

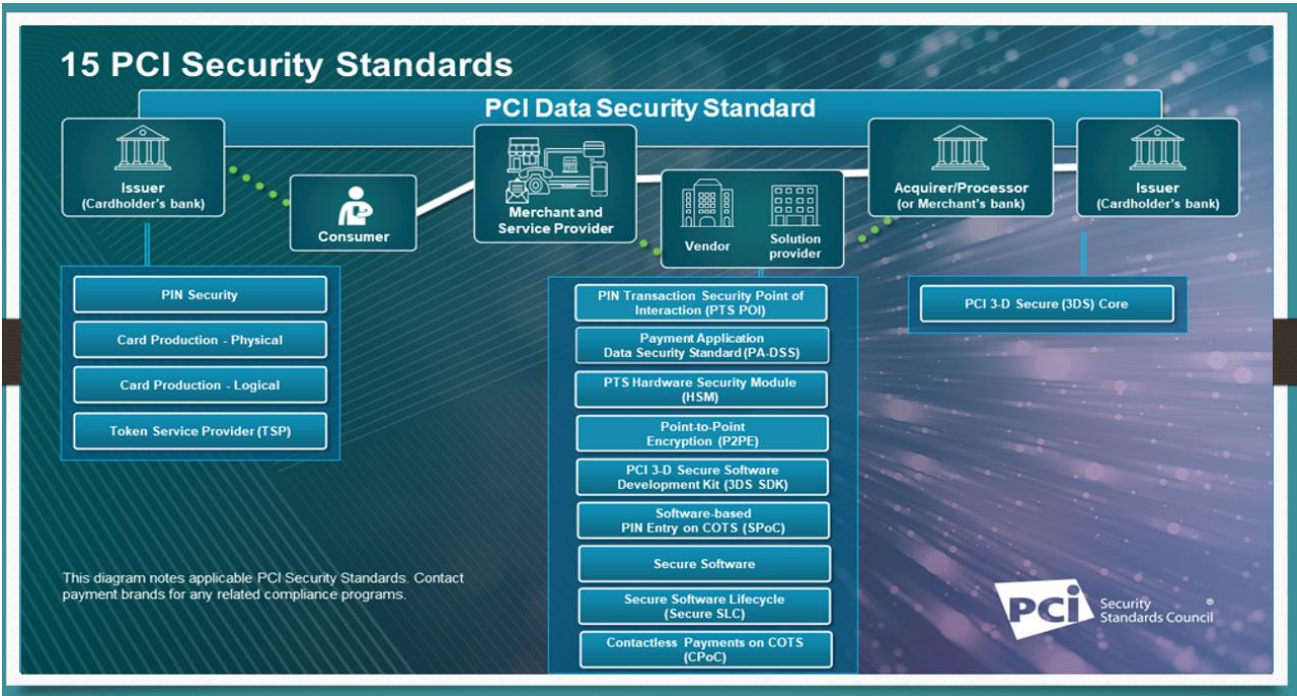
 Payment Card Industry (PCI) Compliance

 Steps we have taken


No credit card payments over the phone
Adding a credit card reader
Working on PCI compliance policy
Implementing Invoice Cloud

PCI Compliance


- Payment card industry technical and operational standards to protect credit card data
- Not legally required, credit card companies can fine merchants or bar them from accepting credit cards



Future Payment Options



We are currently looking at adding the ability for customers to make utility payments at other businesses.



The list of potential businesses includes

Walmart

CVS

Dollar General

D. Gen H Comprehensive Plan Revised Draft Presentation – *Matthew Manley, AICP/Long Range Planning Manager*

Matt Manley and Lew Holloway presented the substantive revisions to the *Gen H 2045 Comprehensive Plan* based on the feedback received to date from elected officials, appointed boards, staff, and the public in anticipation of the final draft of the Plan being considered for adoption on August 1, 2024.

GEN H

HENDERSONVILLE COMPREHENSIVE PLAN

City Council Workshop
07.24.2024

General Revisions



Nature of Revision:

- **Typos**
- **Clarifications**
- **Additions**
- **Updated Information**
- **Board Feedback**

WHERE SHOULD NEW DEVELOPMENT OCCUR?

The second question is, "Where can the growth (i.e., new homes, new businesses, and additional support services) be located?" Therefore, an early step in the process is mapping the development status to determine which parcels make up the "land supply," or the places where growth may go, and then determining which types of uses (residential, commercial, or industrial) will be attracted to available land based on the attributes of the parcels that make land more or less suitable for such uses.

Land Supply

The land within the city and its extrajurisdictional jurisdiction (ETJ) totals 5,620 acres. Over half of that land (3,079) is already developed, within right-of-way (ROW), and not likely to redevelop. Less than 1% is protected through conservation easements and other land protection mechanisms. The remaining land is either undeveloped (vacant) or underdeveloped (land ripe for redevelopment). The "land supply" is comprised of these two areas, which

The Land Supply Map (Figure 4.4) depicts the distribution of the four categories of development status. The status of parcels in the city and the ETJ can be described as follows:

- **Developed:** The level of investment is high and such parcels are not likely to redevelop over the next 20 years.
- **Protected:** Parcels of land are protected as public parks, state-maintained parkland, or privately owned conservation easements.
- **Underutilized:** The level of investment is low relative to the parcel value and the property is therefore ripe for redevelopment.
- **Undeveloped:** With few or no structures, parcels of land remain vacant or relatively undeveloped.



Comments 243

Comment or use @ to invite



Matt

Jul 03

Break down land supply by City Limits and ETJ



Matt

Jul 12

And by Floodplain vs non-floodplain



Matthew Manley

Jul 12

See email from piholloway@hvinc.gov



Reply



Matt

Jul 09

Please overlay the floodplain on this map so that we can see which of these properties are the most heavily constrained?

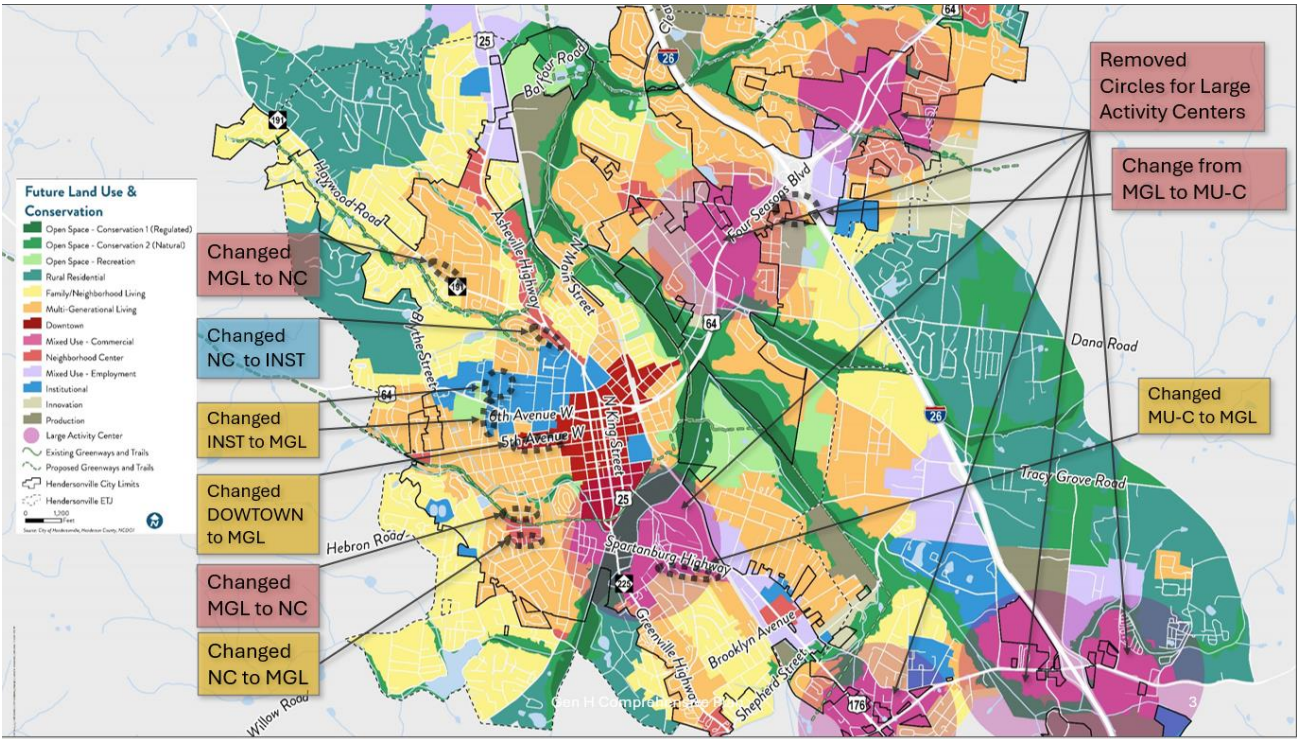


Reply

305 more comments

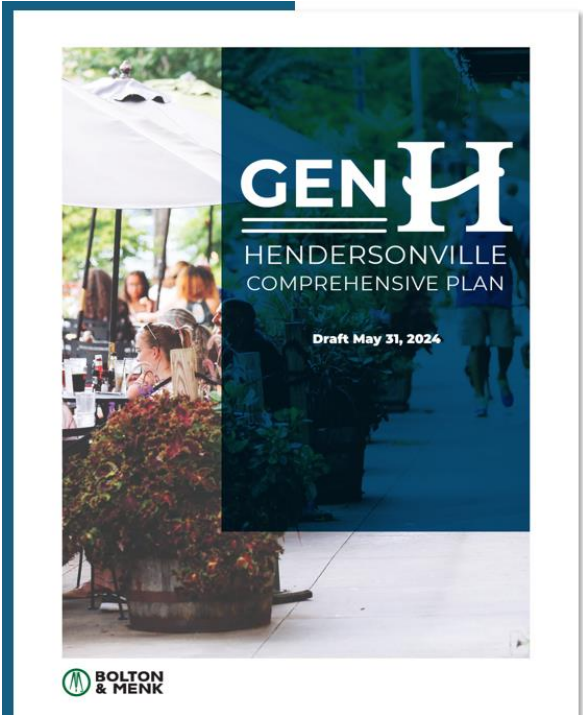
Draft Gen H Plan is available online

34



Next Steps

- 8/1
- Revised Final Draft Gen H Plan
- Adoption



- **Purpose** - What is the Plan?
- **Process** - How was the Plan developed?
- **Content** - What are the key components of the Plan?
- **Next Steps**

An Effective Tool to Manage Change

- Meet Requirements of State Statutes (160D)
- Up-to-date Guide, Informs Decisions of Many



Policy Makers: Elected and Appointed Leaders



Staff of City Depts.



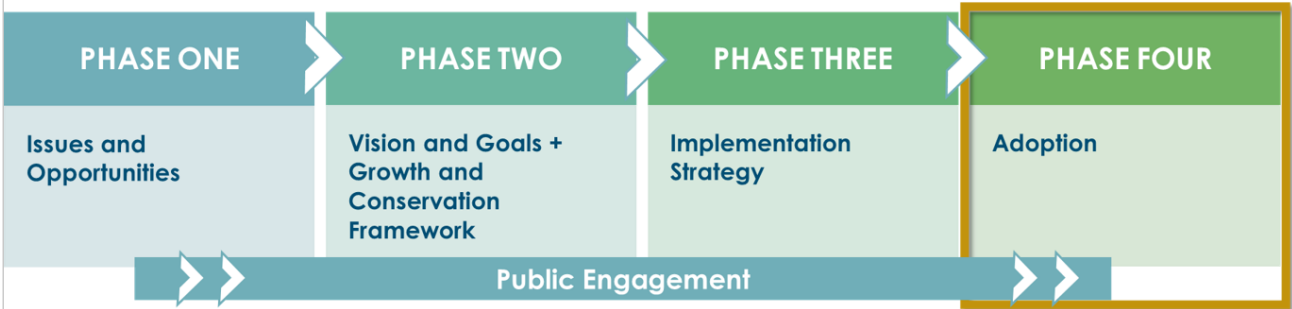
Partners (Area Agencies, Neighboring Jurisdictions, Nonprofits, etc.)



Property Owners & Developers

Process Overview

- 12+ months
- Robust Community Engagement Program



Gen H Comprehensive Plan

Engagement by the Numbers



Stakeholder Discussions



Presentations & Pop-Ups



Round Table Discussions



Council Comp-versations



Meeting Kits



Community Advisory Committee Meetings



Policymaker Workshops



Community Surveys



Table of Contents

Chapter I. About the Plan

Chapter II. The Planning Process

Chapter III. Hendersonville Today

Chapter IV. The Vision for the Future

Chapter V. Downtown Master Plan

Chapter VI. Realizing the Vision: The Action Plan

Appendices

A. Policy Analysis

B. Existing Conditions Report

C. Scenario Planning

D. Community Engagement Summary

E. Economic Development Plan

- Goals
- Vision Map
- Focus Areas
- ~~Downtown Master Plan~~
- Downtown Design Guidelines
- Implementing the Plan

Goals

The Vision

The "Vision" for the future of Hendersonville is expressed in terms of an aspirational statement about the future ("Vision Statement"), Goals, Objectives, and Guiding Principles, all of which are reflected in the Future Land Use and Conservation Plan (or Vision Map). The map is described through definitions of the Characters Areas depicted on the map.



Goals

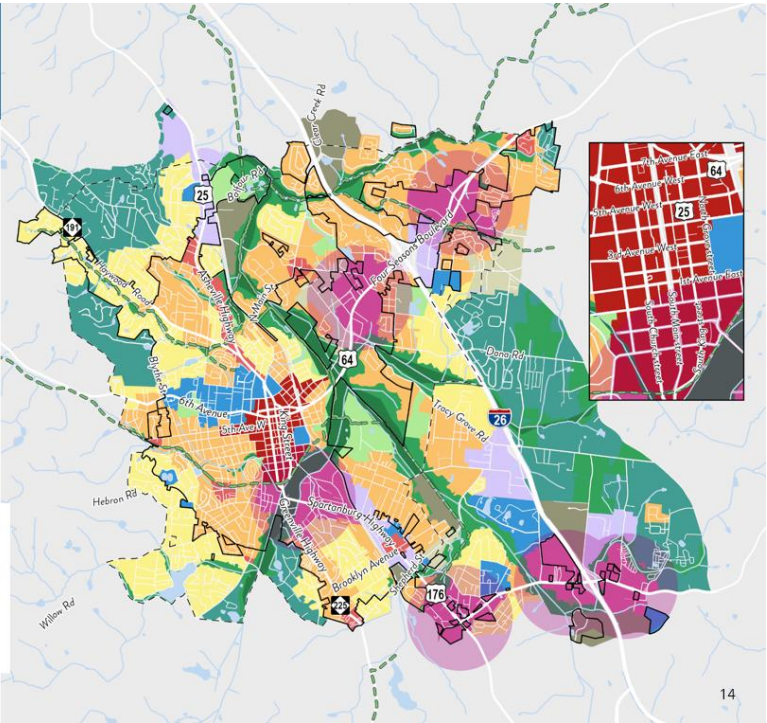
- Vibrant neighborhoods
- Abundant housing choices
- Healthy and accessible natural environment
- Authentic community character
- Safe streets and trails
- Reliable and accessible utility services
- Satisfying work opportunities
- Welcoming and inclusive community
- Accessible and available community uses and services
- Resilient community

Vision Map

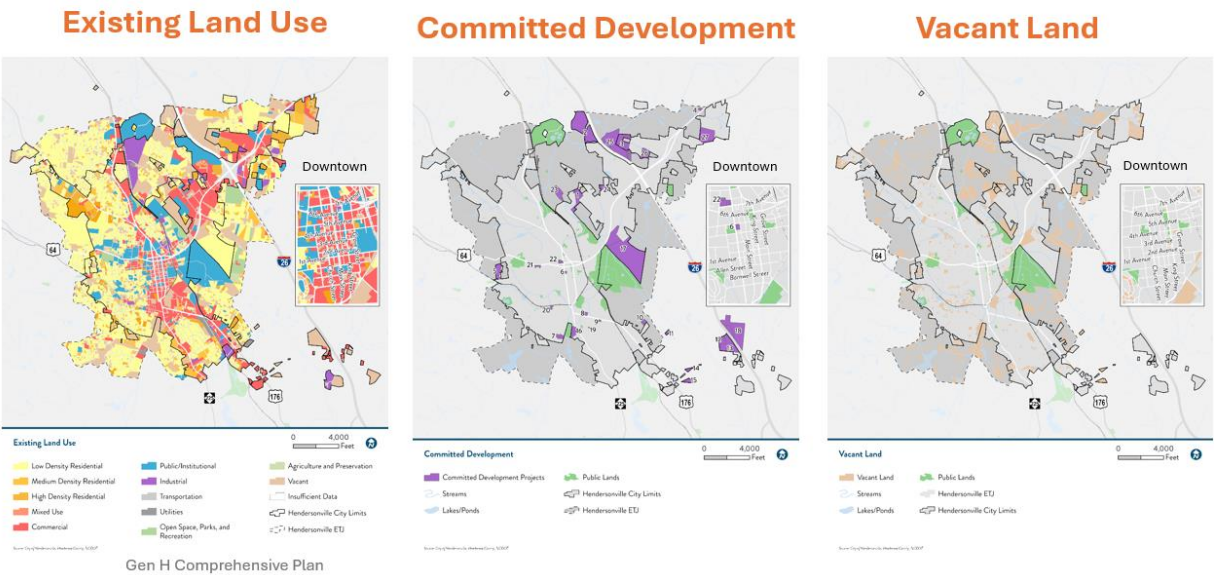
Depicts the preferred future development pattern that responds to the goals expressed by the community.

Future Land Use & Conservation Map (DRAFT)

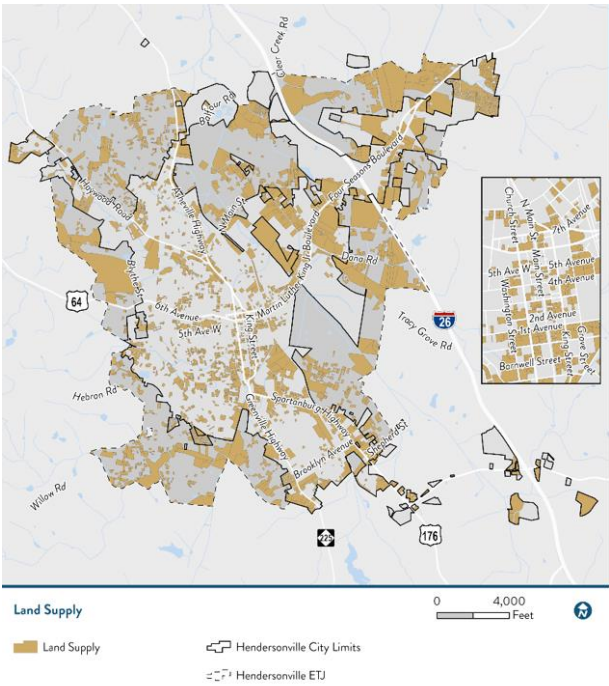
- Open Space - Conservation 1 (Regulated)
- Open Space - Conservation 2 (Natural)
- Open Space - Recreation
- Rural Residential
- Family/Neighborhood Living
- Multi-Generational Living
- Downtown
- Mixed Use - Commercial
- Neighborhood Center
- Mixed Use - Employment
- Institutional
- Innovation
- Production
- Large Activity Center
- Existing Greenways and Trails
- Proposed Greenways and Trails
- Hendersonville City Limits
- Hendersonville EU



Land Use – Current Development Pattern



15



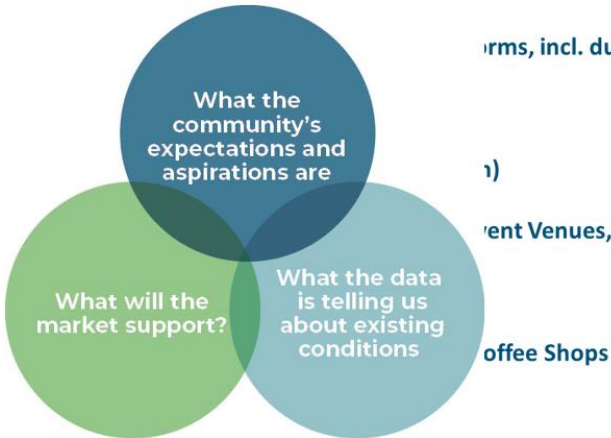
Land Supply

Where should new development occur?

- Developed
- Protected
- Underutilized / Underdeveloped
- Undeveloped

"Land Supply" is comprised of these two areas, which in combination encompasses 3,832 acres (or roughly half of the land in the city and ETJ).

Land Use



In determining what kind of development is appropriate in the future, three factors are taken into consideration: the data about available land, the market conditions, and the community's expectations and aspirations

orms, incl. duplexes)

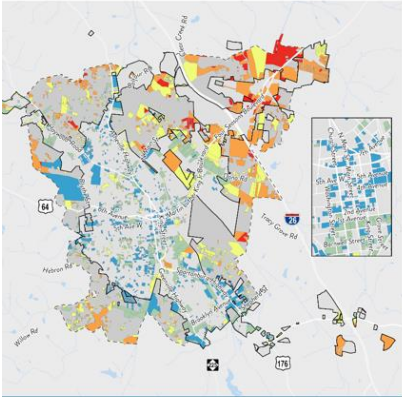
1)

ent Venues,

offee Shops

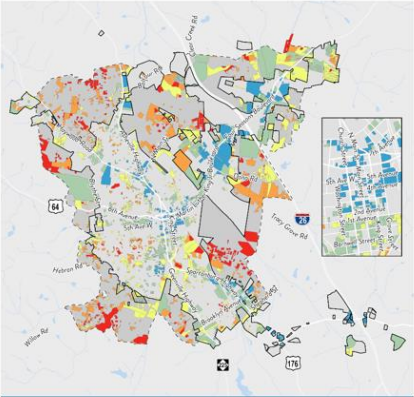
Suitability

Data reveals suitability of “land supply” for uses:

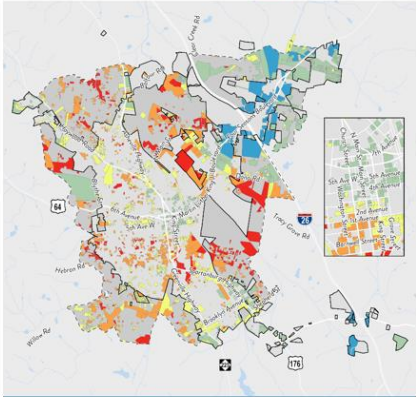


Residential

Gen H Comprehensive Plan



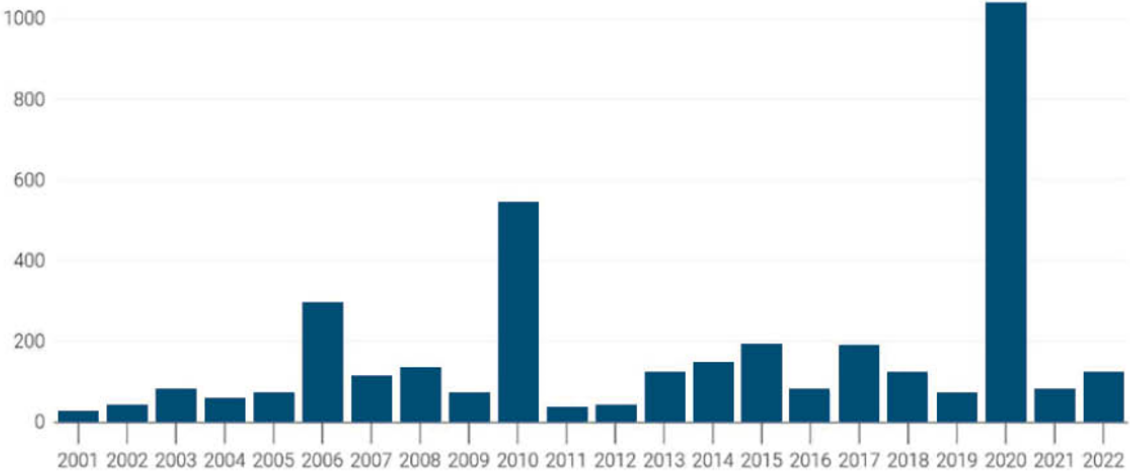
Commercial



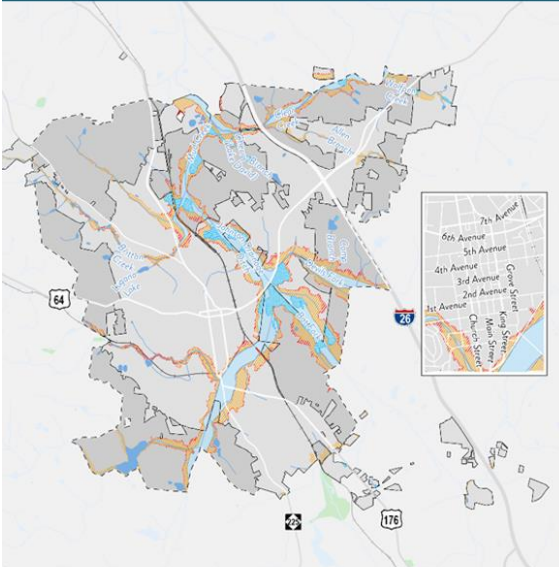
Industrial

18

Population Growth (2001-2022)



Threats to Conservation



Gen H Comprehensive Plan

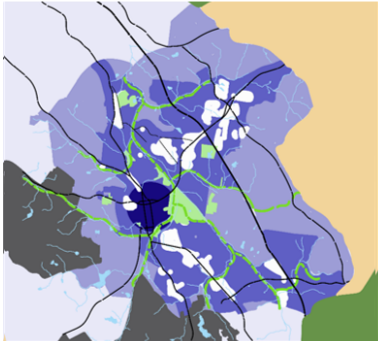
A compact development footprint increases opportunities for conservation of environmental and cultural assets, reducing encroachment and development pressure.



20

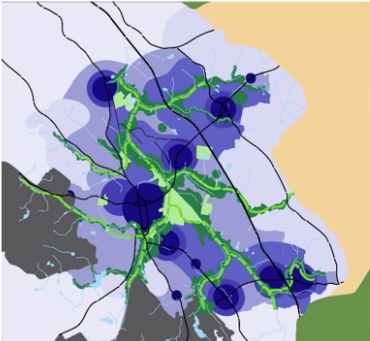
Growth Options

Trend



TREND... The city builds out in all areas of the urban services area according to current trends?

Alternative



ALTERNATIVE... Growth--and development--is generally confined to the existing development footprint and the gaps within it? And there is emphasis on redevelopment, infill, and adaptive reuse of structures?

Trend

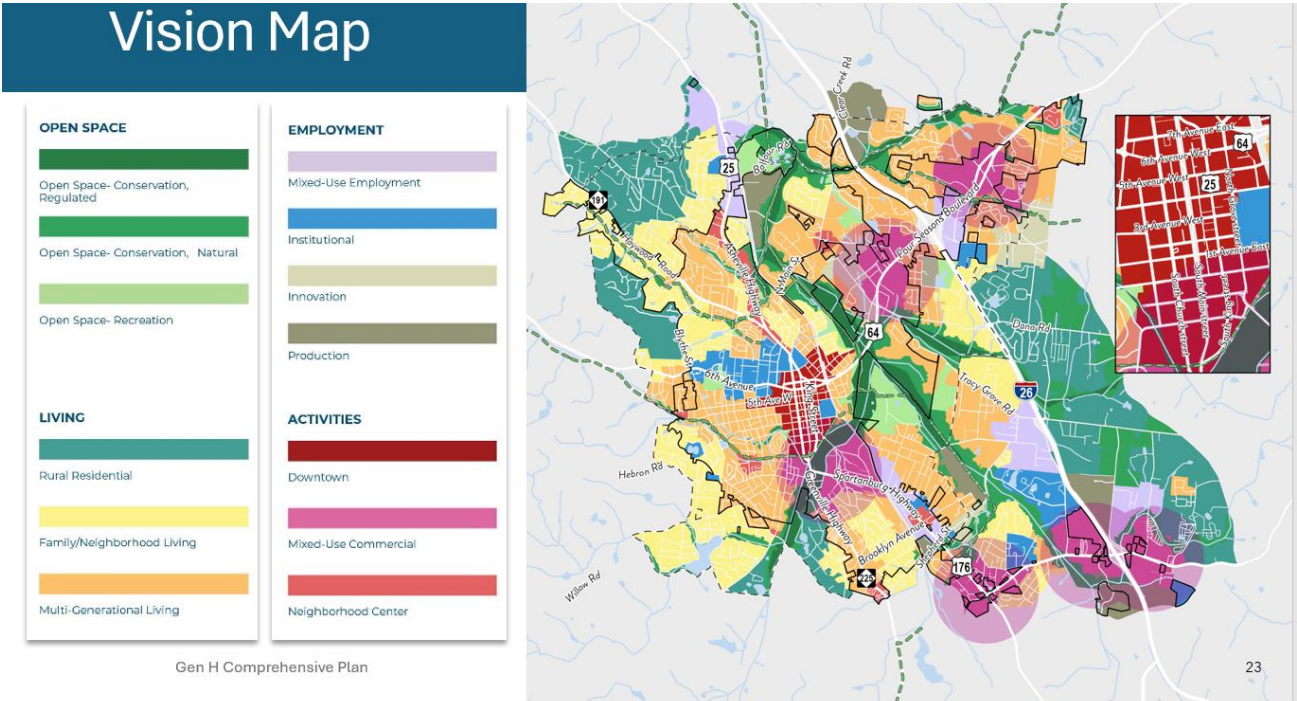


Old field succession (passive):
uncontrolled growth, decline in vigor, lower productivity, diminished value, eventual death

Alternative



Selective pruning (proactive):
removal of "dead wood" (blight) and reducing competition (greenfield), healthy growth, increased productivity, stability



Open Space

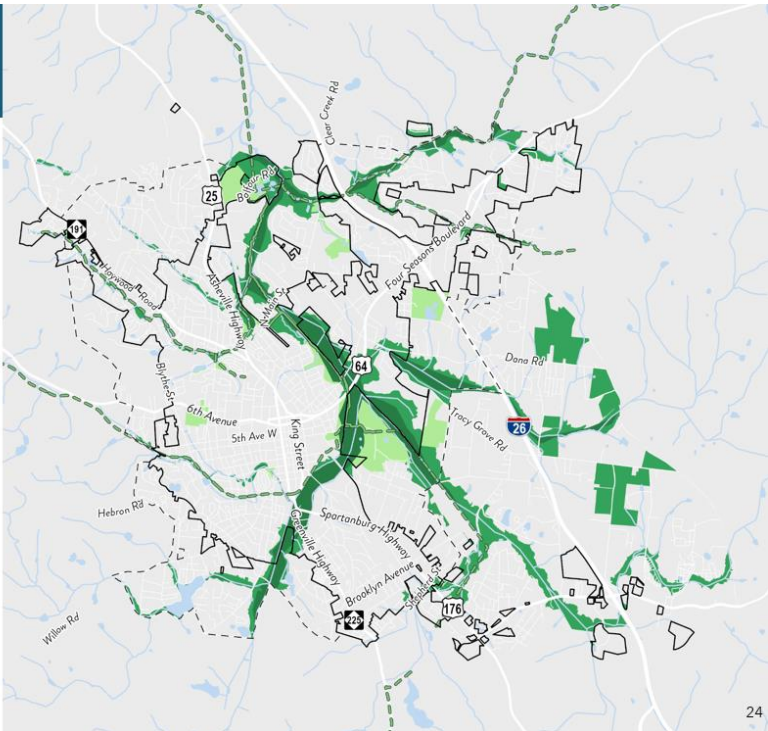
Open Space- Conservation, Regulated

Open Space- Conservation, Natural

Open Space- Recreation

Open Space Character Areas account for 19% of the Study Area

Gen H Comprehensive Plan



Living

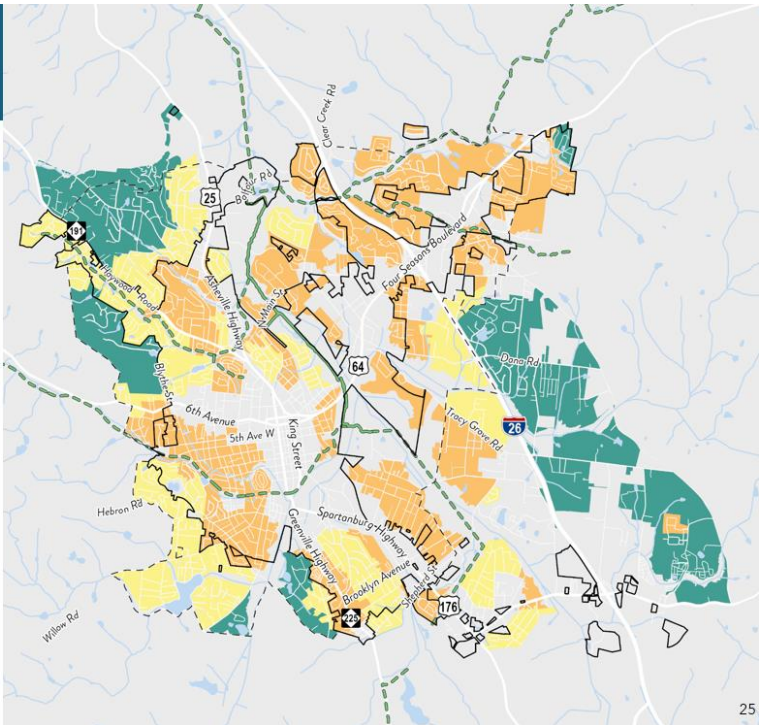
Rural Residential

Family/Neighborhood Living

Multi-Generational Living

Living Character Areas comprise over half of the study area (56%)

Gen H Comprehensive Plan



Employment

Mixed-Use Employment

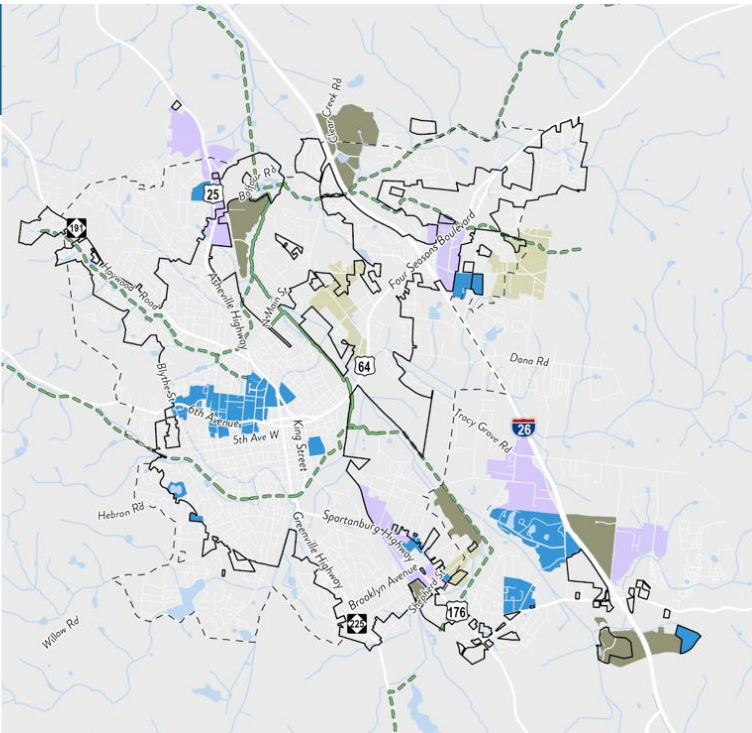
Institutional

Innovation

Production

Employment Character Areas account for 15% of the Study Area

Gen H Comprehensive Plan



Activity

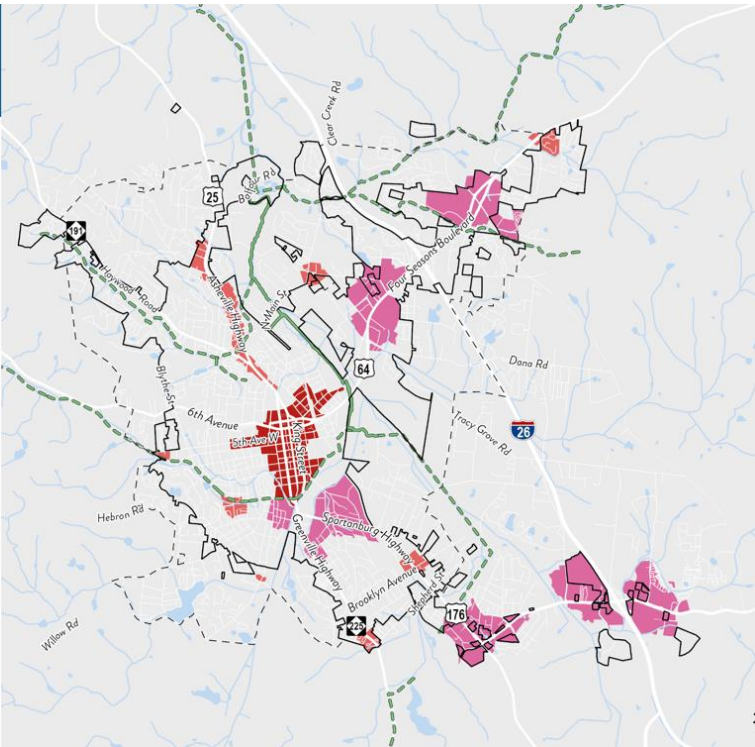
Downtown

Mixed-Use Commercial

Neighborhood Center

Activity Center Character Areas
comprise 10% of the Study Area

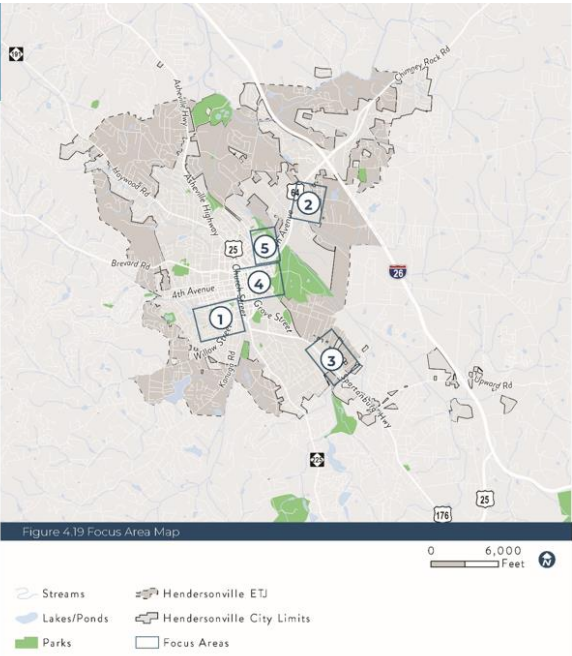
Gen H Comprehensive Plan



Focus Areas

1. Western Ecusta Trail
2. Blue Ridge Mall
3. Spartanburg Highway
4. Downtown Edge
5. 7th Avenue

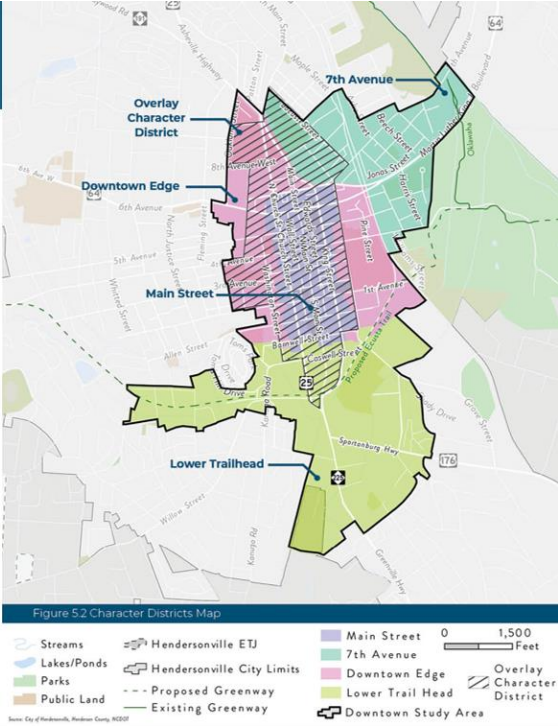
- 1 of 1,000 possibilities for how Character Areas may be realized over the next 20 years
- Nothing changes unless the property owner chooses to make the change



Downtown Master Plan

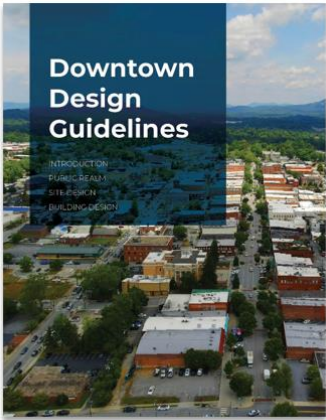
Character Districts

- 1. Lower Trailhead
- 2. Main Street
- 3. Downtown Edge
- 4. 7th Avenue



Gen H Comprehensive Plan

Downtown Design Guidelines



ORGANIZATION

The Guidelines are divided into three sections: Public Realm, Site Design, and Building Design.

Public Realm
Public Realm guidelines address the shared downtown community spaces such as the public streets, sidewalks, parks and plazas. These Guidelines aim to create vibrant public realms that foster community interaction and engagement.

Site Design
Site Design guidelines address specific standards for future development as they relate to building placement, height, and massing. Additional standards related to open space, stormwater management, and parking are also discussed. These standards are important in ensuring future development complies with the area's character.

Building Design
Building Design guidelines speak to the architectural character of the downtown districts and provide recommendations on facade design as well as various building elements such as entry, windows, roofs, doorways, ground floors, and materiality. Special emphasis is placed on ground floor activation as it is vital within the downtown pedestrian-oriented districts.



Painted sidewalk on Maple Street



Hendersonville Main Street | City of Hendersonville

Gen H Comprehensive Plan

Implementing the Plan



Gen H Comprehensive Plan

- 1. Implementation Strategy
- 2. Implementation Projects
- 3. Operational Policies

Short-Term Implementation Projects

HVL Gen H Comp Plan Implementation Portfolio – Short-Term Projects (Draft, 5/19/24)						
<div><div><p>The Hendersonville Gen H Comprehensive Plan includes a number of action steps to help the City of Hendersonville move quickly and effectively from planning to implementation to begin pursuing its shared community vision. The comprehensive plan lists 76 different implementation measures organized under the 10 plan goals. This is an extensive list that will take years to fully implement. As a result, below is a list of 34 of these projects to consider for short-term action. Together, these form a pool of projects from which to draw for initial implementation efforts, once the plan is adopted. In this way, the City of Hendersonville and its partners can work together in the years ahead to help manage the forces of change and advance the shared community vision. This is a living document and project details will evolve over time, so City of Hendersonville staff will need to update this list periodically to reflect the latest information about each project.</p></div><div><p>KEY FOR "ESTIMATED COST LEVEL" COLUMN This column suggests who should be authorized to initiate funding to move forward in a timely and effective manner, based on plan step.</p><p>\$ - Able to be implemented using discretionary funding available</p><p>\$\$ - Able to be implemented using discretionary funding available</p><p>\$\$\$ - Able to be implemented with a line item in the annual City budget</p><p>\$\$\$\$ - Able to be implemented with a line item in City Capital Imp</p><p>\$\$\$\$\$ - Able to be implemented with third-party funding, e.g. grant</p></div><div><p>KEY FOR "PRIORITY LEVEL" COLUMN This column suggests a prioritization for the short-term projects for when deciding which projects to initiate.</p><p>S-1 - Consider initiating these projects first.</p><p>S-2 - Consider initiating these projects second.</p><p>S-3 - Consider initiating these projects third.</p></div></div>						
NO.	NAME	DESCRIPTION	LEAD STAFF	EST. COST LEVEL	POTENTIAL FUNDING SOURCES	NEXT STEPS
1. Vibrant Neighborhoods						
1.01	Establish neighborhood matching grant program for self-directed improvements (S-3)	Invite neighborhood organizations and community groups to submit grant proposals to the City to make improvements that they propose such as gateway signage, artwork, local history installations, and improvements to pocket parks.	Community Development Dept.; Engineering Dept.; Public Works Dept.	\$\$\$	General Fund	<ul style="list-style-type: none">• Add to Dept. work plans• Research examples• Identify preferred program features• Implement updated program
2. Abundant Housing Choices						
2.01	Utilize existing Mixed Use Zoning Districts to introduce multi-family housing in commercial corridors and redevelopment areas (S-1)	Support the production of multi-family housing units in commercial corridors and redevelopment areas through the City's existing mixed use zoning districts.	Community Development Dept.	Staff time	NA	<ul style="list-style-type: none">• Develop public information about current entitlement opportunity• Share information with economic development partners, development community, business community, and property owners
2.02	Implement top projects from Affordable Housing Strategic Plan	Support the production of more affordable housing by implementing the top projects in the City's new Affordable Housing Strategic Plan. Strategies might include creating a Housing Trust Fund, working with institutional partners to catalyze affordable housing development, using development standards to promote affordable housing production (e.g. expand housing types, incentivize affordable housing, update conditional zoning standards).	Community Development Dept.	\$\$\$\$	General Fund; possible City Bond Referendum; HOME AND CBIC Funds; Low-income Housing Tax Credit	<ul style="list-style-type: none">• Select priority implementation projects from Affordable Housing Strategic Plan• Scope projects; add to Dept. work plan• Secure necessary funding• Organize and initiate projects• Manage project portfolio

Gen H Comprehensive Plan

4. NEW BUSINESS

A. Approval of Final Change Order for the Northside Water System Improvement Project – John Connet, City Manager

City Manager John Connet explained that city staff has been working with MB Kahn Construction to resolve a payment dispute associated with the Northside Water System Improvement Project. The dispute has been resolved and staff submits the following change order for approval by City Council. As part of the dispute resolution, staff agreed to request approval of the change order at the July 24th meeting.



Change Order No. 1

Date of Issuance: July 12, 2024	Effective Date: July 12, 2024
Owner: City of Hendersonville	Owner's Contract No.: H-SRP-D-17-0132
Contractor: M. B. Kahn Construction Co., Inc.	Contractor's Project No.: 1668
Engineer: McKim & Creed, Inc.	Engineer's Project No.: 06496-0005
Project: Northside Water System Improvements	Contract Name:

The Contract is modified as follows upon execution of this Change Order:

Description: Change in contract price and contract times per Mediated Settlement Agreement. Net decrease of contract price resulting from increase for Change Order Proposals 04, 09, 10, 11, and 12, deduct for Change Order Proposal 08, deduct of unused quantities for line items O-3 and O-4 per Pay App No. 20 (pay app line items 8000, 6035, and 6045), and deduct of unused Contingency Allowance. This represents the Final Adjusting Change Order.

- Attachments:
- 1. M. B. Kahn Change Order Proposal 04
 - 2. M. B. Kahn Change Order Proposal 09, Revision 2
 - 3. M. B. Kahn Change Order Proposal 10
 - 4. M. B. Kahn Change Order Proposal 11
 - 5. M. B. Kahn Change Order Proposal 12
 - 6. Work Change Directive No. 1 – Electromagnetic Flow Meter Vault, dated 9/14/2021
 - 7. Work Change Directive No. 2 – Transmitter Building Demo Delete, dated 1/27/2022
 - 8. McKim & Creed Letter Dated 2/25/2022 RE: Change Order Proposal No. 8 – Transmitter Building Demo Delete
 - 9. Mediated Settlement Agreement Dated 7/10/2024
 - 10. Change Order No. 1 – Final Adjusting Change Order Summary Table

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES [note changes in Milestones if applicable]
Original Contract Price: \$ 3,699,407.00	Original Contract Times: Substantial Completion: April 27, 2021 (330 cDays) Ready for Final Payment: May 27, 2021 (360 cDays) days or dates
[Increase] [Decrease] from previously approved Change Orders No. ___ to No. ___: \$ N/A	[Increase] [Decrease] from previously approved Change Orders No. ___ to No. ___: Substantial Completion: N/A Ready for Final Payment: N/A days
Contract Price prior to this Change Order: \$ 3,699,407.00	Contract Times prior to this Change Order: Substantial Completion: April 27, 2021 (330 cDays) Ready for Final Payment: May 27, 2021 (360 cDays) days or dates
[Increase] [Decrease] of this Change Order: \$ 152,939.08	[Increase] [Decrease] of this Change Order: Substantial Completion: December 10, 2021 Ready for Final Payment: April 11, 2022 days or dates
Contract Price incorporating this Change Order: \$ 3,546,467.92	Contract Times with all approved Change Orders: Substantial Completion: December 10, 2021 Ready for Final Payment: April 11, 2022 days or dates

EJCDC® C-941, Change Order.
Prepared and published 2013 by the Engineers Joint Contract Documents Committee.
Page 1 of 2



RECOMMENDED:		ACCEPTED:		ACCEPTED:	
By: <u>[Signature]</u>	By: _____	By: <u>[Signature]</u>	By: _____	By: _____	By: _____
Engineer (if required)	Owner (Authorized Signature)	Contractor (Authorized Signature)	Project Manager		
Title: <u>Regional Manager</u>	Title: _____	Title: _____	Title: _____		
Date: <u>July 11, 2024</u>	Date: _____	Date: <u>July 15, 2024</u>	Date: _____		
Approved by Funding Agency (if applicable)					
By: _____		Date: _____			
Title: _____					

City Council Member Melinda Lowrance moved that the City Council approve the final change order for the Northside Water System Improvement Project. . A unanimous vote of the Council followed. Motion carried.

5. ADJOURN

There being no further business, the meeting was adjourned at 5:14 p.m. upon unanimous assent of the Council.

Lyndsey Simpson, Mayor Pro Tem

ATTEST:

Jill Murray, City Clerk



CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

SUBMITTER:

John Buchanan

MEETING DATE:

8/1/2024

AGENDA SECTION:

Consent

DEPARTMENT:

Finance

TITLE OF ITEM:

Approval of United Financial, a Division of HomeTrust Bank to Provide Installment Financing for Vehicles and Equipment Purchased in Fiscal Year 2025 – *John Buchanan, Finance Director*

SUGGESTED MOTION(S):

I move that City Council adopt the Resolution by the City of Hendersonville City Council to Approve the Financing terms for the Purchase of Vehicles and Equipment as presented.

SUMMARY:

As detailed in the Capital Improvement Plan, the City has or will purchase vehicles and equipment totaling \$570,000 to be financed. Staff is requesting that we again use United Financial to provide needed cash flow for purchases for FY2025 vehicle and equipment purchases. The financing agreement, terms proposed are 4 years at a principal amount not to exceed \$570,000 with an annual rate of 4.49% .

BUDGET IMPACT: \$79,785.43

Is this expenditure approved in the current fiscal year budget? No

If no, describe how it will be funded. Capital Project#VE025 -Debt Proceeds

ATTACHMENTS:

Resolution

Proposal



July 2, 2024

City of Hendersonville, NC
160 Sixth Ave. E
Hendersonville, NC 28792

ATT: John Buchanan
Finance Director

Proposal for Acquisition & Finance of: (8) New Police Vehicles and Related Equipment and (1) Environmental Services Pick-up Truck

Dear John,

As per your request, we are enclosing under same cover our proposal for the above captioned transaction. This transaction is structured on a semi-annual basis with 8 semi-annual payments and calculated at an annual percentage rate of 4.49%.

United Financial will take a security interest only in the vehicles and equipment we are financing. There are no direct bank closing costs or origination fees related to the transaction and the rate is fixed for the duration of the financial commitment. Please review the PAYMENTS section of the attached proposal regarding rate lock-in periods and rate adjustment terms.

The Concluding Payment is calculated at 101% of the outstanding balance after each scheduled payment for the first half of the transaction and at 100% of the outstanding balance after each scheduled payment for the remaining term of the transaction. See attached Repayment Schedule B for details.

We utilize Lease Purchase documentation that has been accepted by the LGC in the past in the event LGC approval is required. Rates assume a Bank Qualified, Tax-Exempt transaction.

If you have any questions or need additional information, please contact me at your convenience. Thank you for the opportunity to provide this proposal to you.

Very truly yours,

John M. Tench (CB)

John M. Tench
Senior Vice President
Director of Municipal Finance

Phone 828-684-5643
Fax 828-684-5616



July 2, 2024

City of Hendersonville, NC
160 Sixth Ave. E
Hendersonville, NC 28792

ATT: John Buchanan
Finance Director

Proposal for Acquisition & Finance of: (8) New Police Vehicles and Related Equipment and (1) Environmental Services Pick-up Truck

Dear John,

As a follow-up to your recent request for a proposal regarding the above referenced transaction, United Financial is pleased to offer a finance proposal as follows:

LESSOR: United Financial, *A Division of HomeTrust Bank*

LESSEE: City of Hendersonville, NC

COLLATERAL: Equipment described above.

AMOUNT: Up to \$570,000.00

START DATE: Immediately upon funding (anticipated to be August 1, 2024)

TERM: 4 Years

PAYMENTS: Lease payments will consist of (8) semi-annual payments of 79,785.43 comprised of principal and interest beginning 6/1/2025.

Terms will be held for six months from the date of the proposal.

EXPIRATION: Lease payment terms quoted herein are subject to transaction being documented by 9/2/2024.

LEGAL TITLE: Legal Title to the Equipment during the Lease Term shall vest in the Lessee with Lessor perfecting a first security interest through Equipment Title, UCC, or other filing instruments as may be required by law.

NET LEASE: The Lease will be a net lease, under which all cost and responsibility of maintenance, insurance, taxes and other items of a similar nature shall be for the account of Lessee.

INSURANCE: Lessee shall provide evidence of insurance coverage at the time of delivery of the Equipment, in accordance with the provisions of the Lease.

Phone 828-684-5643
Fax 828-684-5616

FINANCIALS:

Lessee shall furnish Lessor with its last three, (3) fiscal years financial statements and its latest interim financial statements, plus such other pertinent information as Lessor may reasonably request.

Section 5, Item B.

APPROVAL:

Closing of the transaction(s) described herein, and the implementation hereof is expressly conditioned upon approval of Lessor's Senior Loan Committee, the receipt, review and acceptance of properly executed documentation acceptable to Lessor, and the absence of any material adverse change in Lessee's financial condition prior to delivery and acceptance of the Equipment.

ACCEPTANCE:

Lessee acknowledges that the terms and conditions of this proposal are satisfactory and that upon execution hereof by Lessee this proposal shall constitute a valid and binding obligation of Lessee. As further condition to Lessor's approval hereof, Lessee must acknowledge its acceptance of this proposal by signing below in the space provided and returning it to the Lessor by 8/2/2024.

TERMS PRESENTED IN THIS PROPOSAL SHALL SURVIVE CLOSING.**Important Information You Need to Know About Opening a New Account**

To help the government fight the funding of terrorism and money laundering activities, federal law requires all financial institutions to obtain, verify, and record information that identifies each individual or business that opens an account.


What This Means for You

When you open an account, we will ask for your name, address, date of birth, and other information that allows us to identify you. We may also ask to see your driver's license or other identifying documents.

In most instances, this disclosure does not apply to municipalities.

If you determine that this finance structure meets the needs of your organization, please have the appropriate officer indicate the chosen option, place their signature at the bottom of this page, and return it to us via fax, email or US Postal Service. Upon receipt of the signed proposal, we will be in touch with you to make provision for documenting the finance. Thank you for the opportunity to submit this proposal letter for your review and approval. Should you have any questions or comments regarding the terms and conditions, or if we can be of any further assistance to you, please do not hesitate to call.

Sincerely,

John M. Tench 
John M. Tench
Senior Vice President
Director of Municipal Finance

ACCEPTED BY:

SIGNATURE: _____

NAME: _____ **TITLE:** _____ **DATE:** _____

AMORTIZATION SCHEDULE - Normal Amortization, 360 Day Year

Payment Date	Date	Payment	Interest	Principal	Concluding
					Payment
Loan	8/1/2024			\$570,000.00	
1	6/1/2025	\$79,785.43	\$21,327.50	\$58,457.93	\$516,657.49
2	12/1/2025	\$79,785.43	\$11,484.12	\$68,301.31	\$447,673.17
3	6/1/2026	\$79,785.43	\$9,950.76	\$69,834.67	\$377,140.15
4	12/1/2026	\$79,785.43	\$8,382.97	\$71,402.46	\$305,023.66
5	6/1/2027	\$79,785.43	\$6,779.98	\$73,005.45	\$228,998.17
6	12/1/2027	\$79,785.43	\$5,141.01	\$74,644.42	\$154,353.75
7	6/1/2028	\$79,785.43	\$3,465.24	\$76,320.19	\$78,033.56
8	12/1/2028	\$79,785.43	\$1,751.87	\$78,033.56	\$0.00
Grand Totals		\$638,283.44	\$68,337.34	\$570,000.00	

Resolution # __ - __

**RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL TO APPROVE
FINANCING TERMS FOR THE PURCHASE OF VEHICLES AND EQUIPMENT**

WHEREAS, The City of Hendersonville has previously determined to undertake a project for the financing of vehicles and equipment, and

WHEREAS, United Financial has provided a proposal with an acceptable interest rate and terms to meet the City’s needs; and

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

1. The City of Hendersonville hereby determines to finance the purchase of vehicles and equipment through United Financial, in accordance with the proposal dated July 2, 2024. The amount financed shall not exceed \$570,000 with an annual interest rate of 4.49% for a term of 4 years.
2. All financing contracts and all related documents for the closing of the financing shall be consistent with the foregoing terms. City staff are hereby authorized to and directed to execute and deliver any financing documents, and to take all such action as they may consider necessary to carry out the financing as contemplated by the proposal and this resolution.

Adopted by the City Council of the City of Hendersonville, North Carolina on this _____ day of _____, 20____.

Barbara G. Volk, Mayor, City of Hendersonville

Attest:

Jill Murray, City Clerk

Approved as to form:

Angela S. Beeker, City Attorney

at any one time is 8 tons/16,000 lbs. This is regulated by the State and Federal government. The current market price is \$2,158 per ton delivered. The volatile market is continuing at this time. The City also has email documentation regarding extensive market volatility and price increases. Due to the cost escalation in the current market, chlorine costs are now exceeding formal bid thresholds. Costs have nearly quadrupled over the past two years. Therefore, we are seeking council approval to continue use of JCI Jones Chemicals in order to ensure that we are able to consistently source this chemical safely and to ensure effective operation of our facilities.

BUDGET IMPACT: \$70,000.00

Is this expenditure approved in the current fiscal year budget? Yes

ATTACHMENTS:

Resolution

Resolution # _____

RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL TO AUTHORIZE THE SOLE-SOURCE PURCHASE OF CHLORINE FOR THE WATER TREATMENT PLANT

WHEREAS, the City of Hendersonville’s Finance Department is submitting this request on behalf of the City’s Water Treatment Plant (“WTP”); and,

WHEREAS, the City’s WTP utilizes chlorine; and,

WHEREAS, Chlorine is required by the state for certain levels in the treatment train for certain CT/Contact Times and a certain residual level must be maintained in the distribution system; and,

WHEREAS, G.S. § 143-129(e) list authorized exceptions to formal bid procedures. G.S. § 143-129(e)(6) allows for purchases of apparatus, supplies, materials, or equipment without following the procedures of when: (i) performance or price competition for a product are not available; (ii) a needed product is available from only one source of supply; or (iii) standardization or compatibility is the overriding consideration; and

WHEREAS, The EPA has documented factors limiting chlorine availability in the US, especially chlorine produced for water and wastewater treatment operations; and

WHEREAS, WTP have conducted a diligent search for chlorine suppliers. Vendors contacted are unable to supply the amount of chlorine needed by the City in ton containers and are not equipped to supply currently, or are unable to guarantee product availability and safety; and

WHEREAS, Other suppliers are unable to provide the necessary chlorine controlling for product availability and safety; and,

WHEREAS, the City’s RMP Risk Management Plan (which is filed with the USEPA, NCDEQ) and Emergency Management require certain safety training along with training at City facilities to be documented. Safety inspectors prefer that chemicals be sourced consistently from the same vendor to ensure safe handling controls.; and,

WHEREAS, JCI Jones Chemicals, Inc. (out of Charlotte, NC) is the only supplier who can provide chlorine gas in the ton containers the City requires, ensuring product availability and in the volume for water treatment disinfection at the City’s 12 million per gallon a day rated water treatment facility.

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

1. Performance competition is not available for the purchase of chlorine as it is required by the City.

2. JCI Jones Chemicals, Inc. is the only supplier who can provide chlorine as it is required by the City.
3. The City Council approves the purchase of chlorine for the water treatment plant from JCI Jones Chemicals, Inc.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 1st day of August 2024.

Attest:

Barbara G. Volk, Mayor, City of Hendersonville

Jill Murray, City Clerk

Approved as to form:

Angela S. Beeker, City Attorney



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

SUBMITTER: Angela Beeker, City Attorney **MEETING DATE:** August 1, 2024
AGENDA SECTION: CONSENT **DEPARTMENT:** Legal Department
TITLE OF ITEM: Resolution Authorizing Sale of Stock– *Angela S. Beeker, City Attorney*

SUGGESTED MOTION(S):

I move City Council to adopt a Resolution to Authorize the Sale of Stock, as presented.

SUMMARY:

Attached for City Council's consideration is a proposed Resolution to Authorize the Sale of Stock as presented

City Council is requested to adopt this Resolution as presented.

ATTACHMENTS:

Draft Resolution

RESOLUTION AUTHORIZING THE SALE OF STOCK

WHEREAS, the City currently holds shares of Duke Power stock bequeathed to the City of Hendersonville Police Department; and

WHEREAS, the City currently holds additional shares of Duke Power stock bequeathed to the City of Hendersonville Police Department – Police K9 Unit; and

WHEREAS, the City is not authorized to hold shares of stock as an investment;

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

1. The Finance Director is authorized to sell all shares of Duke Power stock held in the name of City of Hendersonville Police Department and City of Hendersonville – Police K9 Unit.

Adopted by the City Council of the City of Hendersonville, North Carolina on this ____ day of _____ 20____.

Attest:

Barbara G. Volk, Mayor, City of Hendersonville

Jill Murray, City Clerk

Approved as to form:

Angela S. Beeker, City Attorney



CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

SUBMITTER:

Devin Owen

MEETING DATE:

July 22, 2024

AGENDA SECTION:

Consent Agenda

DEPARTMENT:

Utilities

TITLE OF ITEM:

Amendment No. 2 to Engineering Services Contract to Support the Fleetwood Water Improvements Project – *Devin Owen, Utilities Engineer*

SUGGESTED MOTION(S):

I move City Council to adopt the Resolution by the City of Hendersonville to Execute Amendment Number Two for Engineering Services to Support the Fleetwood Water Improvements Project and authorize the City Manager or Approved Representative to Enter into an Agreement for Engineering Services to Support the Fleetwood Water Improvements Project.

SUMMARY:

The Fleetwood Water Improvements generally consist of installation of approximately 800 feet of 12-inch, 900 feet of 8-inch water main and retrofit or replacement of an aging and undersized hydropneumatic pump station with a dual domestic and high-service pumping station. After completion of the project, the Fleetwood Community in Laurel Park will have sufficient flow for fire protection.

City Council selected Summit Engineering Group as the best qualified engineering services provider for this project in March 2022. Due to a higher level of construction administration services than anticipated by the engineering services provider, an additional budget amendment is requested to effectively manage the Construction of this project by the Summit Engineering Group.

BUDGET IMPACT: \$45,000

Is this expenditure approved in the current fiscal year budget? Funds are allocated through a CPO.

If no, describe how it will be funded. Budget amendment increasing CPO budget required.

ATTACHMENTS:

1. Resolution
2. Summit Engineering Group: Engineering Services Agreement – Amendment #2

**RESOLUTION BY THE CITY OF HENDERSONVILLE TO EXECUTE AMENDMENT
NUMBER TWO FOR ENGINEERING SERVICES TO SUPPORT THE FLEETWOOD
WATER IMPROVEMENTS PROJECT AND AUTHORIZE THE CITY MANAGER OR
APPROVED REPRESENTATIVE TO ENTER INTO AN AGREEMENT FOR
ENGINEERING SERVICES TO SUPPORT THE FLEETWOOD WATER
IMPROVEMENTS PROJECT.**

WHEREAS, the Fleetwood Water Improvements generally consist of installation of approximately 800 feet of 12-inch, 900 feet of 8-inch water main and retrofit or replacement of an aging and undersized hydropneumatic pump station with a dual domestic and high-service pumping station. After completion of the project, the Fleetwood Community in Laurel Park will have sufficient flow for fire protection; and

WHEREAS, City Council selected Summit Engineering Group as the best qualified engineering services provider for this project in March 2022. Due to a higher level of construction administration services than anticipated by the engineering services provider, an additional budget amendment is requested to effectively manage the Construction of this project by the Summit Engineering Group.

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

1. The City Manager or authorized representative is authorized to execute Amendment Number Two for engineering services to support the Fleetwood Water Improvements Project.

Adopted by the City Council of the City of Hendersonville, North Carolina on this ____ day of _____, 20____.

Attest:

Barbara G. Volk, Mayor, City of Hendersonville

Jill Murray, City Clerk

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



Hendersonville Project #21012
Engineering Services Agreement
Amendment #2

City of Hendersonville
Water & Sewer Department
305 Williams Street
Hendersonville, NC 28792

Re: Professional Services for
City of Hendersonville – Fleetwood Water Improvements

ATTN: Mr. Adam Steurer, Utilities Engineer

The City of Hendersonville intends to construct improvements to the water system serving the Fleetwood Condominiums, located in Laurel Park, NC. Summit Engineering Group of NC, Inc. (hereinafter called the ENGINEER) hereby agrees to serve as consulting engineer for the City of Hendersonville, (hereinafter called the OWNER), in the performance of engineering services as hereinafter described, all as related to the "Fleetwood Water Improvements, (hereinafter called the PROJECT).

This service agreement is the second amendment to the previous agreement between the City of Hendersonville and Summit Engineering Group of NC, Inc., signed March 7, 2023 (Hendersonville Project #21012). Funds associated with the previous agreements have been expended due the following:

- Original Professional Services Agreement – permitting and zoning issues
- Amendment #1 – higher level of construction administration services than anticipated

This Agreement is intended to continue the project through construction and close-out and is based on an additional 6-month of construction.

I. Project Description

- A. The proposed water system improvements project will involve the construction of the following:
1. Installation of approximately 800 linear feet of 12-inch DIP water line
 2. Installation of approximately 900 linear feet of 8-inch DIP water line
 3. Construction of a new pump station in accordance with the City's standards

II. General

- A. During the life of the project the Engineer shall provide the following basic general services:
1. Serve as the OWNER's professional engineering representative for this project.
 2. Perform professional services as hereinafter stated, which are normal, civil engineering services incident thereto.
 3. Consult with the OWNER and other parties as necessary to ascertain any particular requirements relative to the project.
 4. Advise the OWNER as to the need for additional services or data that might be required for the Project.
 5. Comply with all state and federal requirements associated with this project.

6. Coordinate project activities as required with representatives of the North Carolina Department of Environmental Quality (NCDEQ), the Town of Laurel Park, City of Hendersonville, Fleetwood Condo HOA, and other regulatory agencies as necessary.

IV. Basic Services – Construction Administration and Periodic Observations of Construction to be Provided by the ENGINEER

- A. The ENGINEER shall provide the following basic construction administration and observation of construction services:
1. Upon authorization to award the construction contract, prepare and coordinate the completion and execution of all contract documents.
 2. Schedule and conduct a pre-construction conference.
 3. Review all shop drawings, project schedules, etc. to ensure compliance with Contract Documents.
 4. Schedule and conduct monthly project progress meetings, if required.
 5. Review and approve payment requests during progress and completion of the work.
 6. Prepare and process all necessary change orders.
 7. Provide periodic inspection / observation services during construction of the work to ascertain the progress of the work and to ensure general compliance with the contract documents. Fee schedule based on 1 site visit per week during the construction period (6 months).
 8. Upon notification by the contractor that he is substantially complete, perform an inspection to verify that substantial completion has been achieved.
 9. Prepare and provide the contractor with a final punch list of work to be completed prior to final acceptance of the work.
 10. Provide engineering certification(s) to NCDEQ and attend any necessary inspections with representatives of NCDEQ to gain approval to place improvements into operation. Provide NCDEQ with any follow-up information required prior to issuance of any Permits to Operate.

V. Basic Services – Project Completion and Close-Out Services:

- A. The ENGINEER shall provide the following basic project completion and close-out services:
1. Based on as-built drawings provided by the contractor, prepare final record drawings and provide the OWNER with three (3) hard copies and one (1) electronic copy in PDF format.
 2. Provide final engineering certification to NCDEQ and attend any necessary inspections with representatives of NCDEQ to gain final approval of the work. Provide NCDEQ with follow-up information as required prior to issuance of final Permit to Operate.
 3. Arrange for final inspections with appropriate representatives of the contractor, the OWNER, NCDEQ, NCDOT and other appropriate parties.
 4. Provide related engineering services necessary to complete the project as required by OWNER.

VI. Project Schedule for Performance of Basic Engineering Services

A. The anticipated project schedule in accordance with the grant application is as follows:

Milestone / Task Description		Planned Completion Date (On or Before)
1.	Construction Bid Opening	August 10, 2023
2.	Construction Start	October 1, 2023
3.	Construction Completion	March 28, 2025
4.	Project Completion and Close-Out Services	May 27, 2025

VII. Services or Fees to be Provided by the OWNER

A. The OWNER shall provide, at a minimum, the following services:

1. The OWNER shall pay all necessary application and/or permit fees.
2. The OWNER shall authorize additional engineering service fees.

VIII. Special or Additional Services

A. The following services shall be considered "Special or Additional Services":

1. Structural engineering services to be performed if building modifications are required. These services shall be provided under additional services.
2. Easement plats, if required, shall be prepared under additional services.
3. Other services as requested by the OWNER and not specifically provided for herein.

Note: Special or additional services shall not be performed unless so authorized by the OWNER in writing prior to performance of the service. An email may be utilized for such authorization.

IX. Compensation and Schedule of Payments

A. The OWNER shall compensate the ENGINEER for his services under this Agreement based on time and materials not to exceed the **total fee** shown below, in accordance with the following:

No.	Service Description	Payment / Fee
2.	Basic Construction Management Services	\$ 40,000.00
3.	Project Close-Out Services	\$ 5,000.00
TOTAL FEE		\$ 45,000.00

No.	Additional Service Description	Payment / Fee
1.	Structural Engineering	TBD
2.	Preparation of Easements	TBD

B. Payment of services as listed in Paragraph A above shall be based on the following schedule:

No.	Services	Payment / Fee
1.	All Professional Services	Monthly, Based on Manhours + Expenses
2.	Sub-Consultants	Monthly Based on Actual Invoice from Sub-consultant (no markup)
3.	Reimbursable Expenses and Permitting Fees	Monthly, Actual Costs of Expenses, Fees, and Mileage
4.	Additional Services (any service outside of those expressly identified above)	Monthly, Based on Manhours + Expenses


- C. The OWNER agrees to make payment, in full, to the ENGINEER within thirty days of the date of the ENGINEER's invoice.
- D. If payment, in full, is not received by the ENGINEER within forty-five days of the date of the invoice, the ENGINEER may cease to provide services on the Project until such time as payment, in full, is received. The OWNER agrees to hold the ENGINEER harmless for any claims due to such interruption of services.
- E. Authorized additional engineering services and fees shall be billed monthly based on the ENGINEER'S hourly rate schedule in effect at the time of the billing.

X. **Amendment Execution**

This Agreement formally entered into and agreed upon on this the _____ day of _____, 2024.

SUMMIT ENGINEERING GROUP, INC.

ATTEST:

By: 
Alvin Fuller, Jr.
Senior Vice President

City of Hendersonville

ATTEST:

By: _____
Adam Steurer
Utilities Director

ATTACHMENT "A"
HOURLY RATE SCHEDULE
SUMMIT ENGINEERING GROUP, INC.

Schedule 23A

Hourly Rate Schedule and Chargeable Expenses for Engineering Services Provided

Employee Classification	Rate per Hour
Principal	\$190.00
Senior Project Manager	\$185.00
Project Manager	\$165.00
Electrical Designer	\$175.00
Senior Project Engineer	\$160.00
Project Engineer II	\$145.00
Project Engineer I	\$130.00
Design Technician	\$125.00
Engineering Associate II	\$130.00
Engineering Associate I	\$105.00
Project Representative III	\$115.00
Project Representative II	\$105.00
Project Representative I	\$95.00
CADD III	\$100.00
CADD II	\$95.00
CADD I	\$85.00
Administrative Services	\$80.00

Survey and GIS Services

Surveying Manager	\$140.00
Instrument Operator	\$95.00
GIS Analyst/Programmer	\$140.00
GIS Specialist	\$135.00
GIS Technician	\$90.00
Rodman	\$80.00

Equipment & Materials

GIS Survey Station	\$110.00 per calendar day
Topcon Robotic Total Station	\$110.00 per calendar day
Digital Hydrant Mounted Pressure Recorder	\$15.00 per calendar day
Four-Wheeler	\$50.00 per calendar day
Smoke Machine	\$230.00 per calendar day
Smoke Bombs	\$250 per case (minimum 1 case)

Other

Chargeable expenses	Actual cost-plus ten percent
Overtime	Hourly rate plus fifty percent
Courtroom appearances (to include preparation)	Hourly rate plus ninety percent

Effective Dates: January 1, 2023 to June 30, 2023

Note: Any revision or update in this hourly rate schedule shall be included in Agreements of which this page is part.

Issued: 1-1-2023

TO MAYOR & COUNCIL
APPROVAL: August 01, 2024

FISC
FORM

BUDGET AMENDMENT

FUND 010

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDGET	INCREASE	DECREASE
010-0000-460120	Refunds/Rebates	19,000	11,175	-
010-1002-523001	Utilities - Electricity	460,000	11,175	-
FUND 010	TOTAL REVENUES	19,000	11,175	-
	TOTAL EXPENDITURES	460,000	11,175	-

An amendment reflecting the receipt of a Duke Energy rebate for building automation system and energy improvements related to the City Hall HVAC syste

The City Manager and City Clerk certify budget ordinance amendment 08012024-01 was approved by City Council on August 01, 2024.

 City Manager

 City Clerk

ICAL YEAR 2025
M: 08012024-01

REVISED BUDGET
30,175
471,175
30,175
471,175
m.

Date

Date

TO MAYOR & COUNCIL
APPROVAL: August 01, 2024

FISC
FORM

BUDGET AMENDMENT

FUND 010

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDGET	INCREASE	DECREASE
010-0000-470050	Sale of Capital Assets	-	85,000	-
010-0000-534999	Contingency	-	85,000	-
FUND 010	TOTAL REVENUES	-	85,000	-
	TOTAL EXPENDITURES	-	85,000	-

An FY25 amendment reflecting a \$85k increase in Sale of Capital Assets in 010 for the sale of the Street Sweeper purchased in 2011.

The City Manager and City Clerk certify budget ordinance amendment 08012024-02 was approved by City Council on August 01, 2024.

 City Manager

 City Clerk

ICAL YEAR 2025
M: 08012024-02

REVISED BUDGET
85,000
85,000
85,000
85,000

Date

Date

TO MAYOR & COUNCIL
APPROVAL: August 01, 2024

FI
FO

BUDGET AMENDMENT

FUND 410

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDGET	INCREASE	DECREASE
010-0000-470900	Fund Balance Appropriated - FY25	-	100,000	-
010-0000-598901	Transfer Out (to 410, #19019)	-	100,000	-
FUND 410	TOTAL REVENUES	-	100,000	-
(Fire Station #1)	TOTAL EXPENDITURES	-	100,000	-
410-0000-470100-19019	Transfer In (from 010)	415,529	188,104	-
410-0000-420050-19019	Grant Revenue (Stormwater)	70,000	-	-
410-0000-470010-19019	Bond Proceeds (2022 IFC)	13,587,606	-	-
410-1002-550102-19019	Capital Outlay - Services and Fees	-	-	-
410-1002-550103-19019	Capital Outlay - CIP	14,073,135	188,104	-
FUND 410	TOTAL REVENUES	14,073,135	188,104	-
(Fire Station #1)	TOTAL EXPENDITURES	14,073,135	188,104	-
410-0000-470010-19019	Bond Proceeds (2022 IFC)	652,204	-	88,104
410-1002-550103-19019	Capital Outlay - CIP	652,204	-	88,104
FUND 410	TOTAL REVENUES	652,204	-	-
(Temp. Fire Station)	TOTAL EXPENDITURES	652,204	-	-
410-0000-460090-21019	Contribution (Henderson County)	100,000	250,000	-
410-0000-460090-21019	Contribution (Other Agencies)	17,500	-	-
410-0000-470010-21019	Bond Proceeds (2022 IFC)	2,262,190	-	-
410-0000-470100-21019	Transfer In (From 010)	75,000	-	-
410-1002-550103-21019	Capital Outlay - CIP	2,454,690	250,000	-
FUND 410	TOTAL REVENUES	2,454,690	250,000	-
(Edwards Park)	TOTAL EXPENDITURES	2,454,690	250,000	-
410-0000-470010-19021	Bond Proceeds (2022 IFC)	1,500,000	-	-
410-1400-550103-19021	Capital Outlay - CIP	1,500,000	-	-
FUND 410	TOTAL REVENUES	1,500,000	-	-
(Replace HFD Ladder)	TOTAL EXPENDITURES	1,500,000	-	-
410-0000-470010-19020	Bond Proceeds (2022 IFC)	800,000	-	-
410-1400-550103-19020	Capital Outlay - CIP	800,000	-	-
FUND 410	TOTAL REVENUES	800,000	-	-
(Replace HFD Engine)	TOTAL EXPENDITURES	800,000	-	-

2022 Installment Financing Subtotal	
Other Financing Sources Subtotal	
Total Project Revenues (19019, 19020, 19021, and 21019)	
Total Project Appropriation (19019, 19020, 19021, and 21019)	
A budget amendment to tie-out the fire station 1 (#19019) and edwards park (#21019) projects following reconciliation of the projects for change orders.	

The City Manager and City Clerk certify budget ordinance amendment 08012024-03 was approved by City Council on August 01, 2024.

City Manager

City Clerk

SCAL YEAR 2025
RM: 08012024-03

REVISED BUDGET
100,000
100,000
-
-
603,633
70,000
13,587,606
-
14,261,239
14,261,239
14,261,239
564,100
564,100
564,100
564,100
350,000
17,500
2,262,190
75,000
2,704,690
2,704,690
2,704,690
1,500,000
1,500,000
1,500,000
1,500,000

800,000
800,000
800,000
800,000

18,802,000
713,029
19,830,029
19,830,029

Date

Date

TO MAYOR & COUNCIL
APPROVAL: August 01, 2024

FISC
FORM

BUDGET AMENDMENT

FUND 410

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDGET	INCREASE	DECREASE
410-0000-470010-21042	Debt Proceeds	53,401	-	41,039
410-1014-550102-21042	Capital Outlay- Fees and Services	53,401	-	41,039
FUND 410	TOTAL REVENUES	53,401	-	41,039
NCDOT Blythe St. #21042	TOTAL EXPENDITURES	53,401	-	41,039
410-0000-470010-21043	Debt Proceeds	54,700	41,039	-
410-1014-550102-21043	Capital Outlay- Fees and Services	54,700	41,039	-
FUND 410	TOTAL REVENUES	54,700	41,039	-
NCDOT Grove St. #21043	TOTAL EXPENDITURES	54,700	41,039	-

An amendment decreasing the NCDOT Blythe St. Improvement Project, #21042 by \$41,039 to reflect an indefinite delay in the project. The Blythe budget re to increase the NCDOT Grove St. Improvement Project, #21043 by \$41,039 for pre-construction activities (design and survey). A construction amendment project is anticipated in late 2024/early 2025.

The City Manager and City Clerk certify budget ordinance amendment 08012024-04 was approved by City Council on August 01, 2024.

City Manager

City Clerk

CAL YEAR 2025
M: 08012024-04

REVISED BUDGET
12,362
12,362
12,362
12,362
95,739
95,739
95,739
95,739

reduction will be used
for the Grove St.

Date

Date

TO MAYOR & COUNCIL
APPROVAL: August 01, 2024

FISC
FORM

BUDGET AMENDMENT

FUND 060 | 067 | 410 | 460

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDGET	INCREASE	DECREASE
060-0000-470020	Bond Proceeds (2023 IFC)	4,016,000	-	-
060-0000-470900	Fund Balance Appropriated	-	10,000	-
060-0000-598901	Transfer Out (to 410, #21017)	4,016,000	10,000	-
FUND 060	TOTAL REVENUES	4,016,000	10,000	-
	TOTAL EXPENDITURES	4,016,000	10,000	-
067-0000-470020	Bond Proceeds (2023 IFC)	377,000	-	-
067-0000-598901	Transfer Out (to 410, #21017)	377,000	-	-
FUND 067	TOTAL REVENUES	377,000	-	-
	TOTAL EXPENDITURES	377,000	-	-
410-0000-470010-21017	Debt Proceeds (2023 IFC)	2,032,000	-	-
410-0000-470100-21017	Transfer In (from 060 & 067, FY23)	4,393,000	-	-
410-0000-470100-21017	Transfer In (from 060 FY24)	-	10,000	-
410-1002-550103-21017	Capital Outlay - CIP	5,162,500	108,500	-
410-1002-560900-21017	Cost of Issuance	80,000	-	-
410-1002-598901-21017	Transfer Out (to #23021)	150,000	-	60,000
410-1002-598901-21017	Transfer Out (to #23022)	1,032,500	-	38,500
FUND 410 #21017 City Hall & Ops Imprv.	TOTAL REVENUES	6,425,000	10,000	-
	TOTAL EXPENDITURES	6,425,000	108,500	98,500
410-0000-470100-23021	Transfer In (from #21017)	150,000	-	60,000
410-1002-550103-23021	Capital Outlay - CIP	150,000	-	60,000
FUND 410 #23021 City Hall 3rd Floor	TOTAL REVENUES	150,000	-	60,000
	TOTAL EXPENDITURES	150,000	-	60,000
410-0000-470100-23022	Transfer In (from #21017)	1,032,500	-	38,500
410-1002-550103-23022	Capital Outlay - CIP	1,032,500	-	38,500
FUND 410 #23022 City Hall Ext. Phase II	TOTAL REVENUES	1,032,500	-	38,500
	TOTAL EXPENDITURES	1,032,500	-	38,500

An amendment to the 2023 installment financing projects, City Hall and Operations Improvements, City Hall 3rd Floor Improvements, and City Hall Exterior Improvements. The amendment transfers a total of \$98,500 from the City Hall and Operations project to the City Hall 3rd Floor Improvement project (+\$60, Hall Exterior Phase II project (+\$38,500).

The City Manager and City Clerk certify budget ordinance amendment 08012024-05 was approved by City Council on August 01, 2024.

City Manager

City Clerk

CAL YEAR 2025
M: 08012024-05

REVISED BUDGET
4,016,000
10,000
4,026,000
4,026,000
4,026,000
377,000
377,000
377,000
377,000
2,032,000
4,393,000
10,000
5,271,000
80,000
90,000
994,000
6,435,000
6,435,000
90,000
90,000
90,000
90,000
994,000
994,000
994,000
994,000

Phase II
000) and the City

Date

Date

TO MAYOR & COUNCIL
APPROVAL: August 01, 2024

FISC
FORM

BUDGET AMENDMENT

FUND 459 | 460

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDGET	INCREASE	DECREASE
459-0000-470900	Fund Balance Appropriated	135,000	-	69,500
459-0000-470900	Fund Balance Appropriated	110,000	-	96,440
459-0000-598901	Transfer Out (to 460, #23018)	135,000	-	69,500
459-0000-598901	Transfer Out (to 460, #23019)	110,000	-	96,440
FUND 459 WS CRF	TOTAL REVENUES	245,000	-	165,940
	TOTAL EXPENDITURES	245,000	-	165,940
460-0000-470010-17141	Debt Proceeds ('23 Revenue Bond)	3,134,054	-	-
460-0000-450001-17141	Interest Income ('23 Revenue Bond Interest)	-	181,725	-
460-7150-550103-17141	Capital Outlay - CIP	3,134,054	-	-
460-0000-598901-17141	Transfer Out (to 460, #23019)	-	51,558	-
460-0000-598901-17141	Transfer Out (to 460, #21012)	-	35,000	-
FUND 460 NCDOT I-26, #17141	TOTAL REVENUES	3,134,054	181,725	-
	TOTAL EXPENDITURES	3,134,054	86,558	-
460-0000-470010-18014	Debt Proceeds ('23 Revenue Bond)	1,000,000	-	-
460-7150-550103-18014	Capital Outlay - CIP	1,000,000	-	8,465
460-0000-598901-18014	Transfer Out (to 460, #23018)	-	8,465	-
FUND 460 LongJohn/Apex, #18014	TOTAL REVENUES	1,000,000	-	-
	TOTAL EXPENDITURES	1,000,000	8,465	8,465
460-0000-470010-19010	Debt Proceeds ('23 Revenue Bond)	1,103,929	-	-
460-7150-550103-19010	Capital Outlay - CIP	1,103,929	-	95,367
460-0000-598901-19010	Transfer Out (to 460, #23018)	-	50,485	-
460-0000-598901-19010	Transfer Out (to 460, #23019)	-	44,882	-
FUND 460 North Fork, #19010	TOTAL REVENUES	1,103,929	-	-
	TOTAL EXPENDITURES	1,103,929	95,367	95,367

460-0000-470010-19025	Debt Proceeds ('22 Revenue Bond)	750,000	-	-
460-7055-550103-19025	Capital Outlay - CIP	750,000	-	10,550

460-0000-598901-19025	Transfer Out (to 460, #23018)	-	10,550	-
FUND 460 Ewart Hill, #19025	TOTAL REVENUES	750,000	-	-
	TOTAL EXPENDITURES	750,000	10,550	10,550
460-0000-470100-23018	Transfer In (from 459)	135,000	-	69,500
460-0000-470100-23018	Transfer In (from 460, #18014)	-	8,465	-
460-0000-470100-23018	Transfer In (from 460, #19025)	-	10,550	-
460-0000-470100-23018	Transfer In (from 460, #18014)	-	50,485	-
460-7055-550103-23018	Capital Outlay - CIP	135,000	-	-
FUND 460 Somersby Park, #23018	TOTAL REVENUES	135,000	69,500	69,500
	TOTAL EXPENDITURES	135,000	-	-
460-0000-470100-23019	Transfer In (from 459)	110,000	-	96,440
460-0000-470100-23019	Transfer In (from 460, #19010)	-	44,882	-
460-0000-470100-23019	Transfer In (from 460, #17141)	-	51,558	-
460-7055-550103-23019	Capital Outlay - CIP	110,000	-	-
FUND 460 WWTP Thickener, #23019	TOTAL REVENUES	110,000	96,440	96,440
	TOTAL EXPENDITURES	110,000	-	-
460-0000-470100-21012	Debt Proceeds ('23 Revenue Bond)	1,557,917	-	-
460-0000-470100-21012	Transfer In (from 460, #17141)	-	35,000	-
460-7055-550103-21012	Capital Outlay - CIP	1,557,917	35,000	-
FUND 460 Fleetwood, #21012	TOTAL REVENUES	1,557,917	35,000	-
	TOTAL EXPENDITURES	1,557,917	35,000	-

An amendment to Water and Sewer Capital Project Ordinances: 17141, 18014, 19010, and 19025. These projects budgets will be decreased to reflect project. Remaining bond funds are to be transferred into Water and Sewer Capital Project Ordinances: 21012, 23018, and 23019. The transfer will allow the City to revenue bond funds on ongoing projects.

The City Manager and City Clerk certify budget ordinance amendment 08012024-06 was approved by City Council on August 01, 2024.

City Manager

City Clerk

CAL YEAR 2025
M: 08012024-06

REVISED BUDGET
65,500
13,560
65,500
13,560
79,060
79,060
3,134,054
181,725
3,134,054
51,558
35,000
3,315,779
3,220,612
1,000,000
991,535
8,465
1,000,000
1,000,000
1,103,929
1,008,562
50,485
44,882
1,103,929
1,103,929

750,000
739,450

10,550
750,000
750,000
65,500
8,465
10,550
50,485
135,000
135,000
135,000
13,560
44,882
51,558
110,000
110,000
110,000
1,557,917
35,000
1,592,917
1,592,917
1,592,917
act completion. leverage prior

Date

Date



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

SUBMITTER: Jennifer Floyd **MEETING DATE:** 08/01/2024

AGENDA SECTION: CONSENT **DEPARTMENT:** Administration

TITLE OF ITEM: Budget Amendments End-of-Year FY24 – *Jennifer Floyd, Budget and Management Analyst*

SUGGESTED MOTION(S):

I move City Council adopt the budget amendments 08012024-07, 08012024-08, 08012024-09, 08012024-10, 08012024-11, 08012024-12, 08012024-13, 08012024-14, 08012024-15, 08012024-16 (end-of-year budget amendments) as presented.

SUMMARY:
At the end of each fiscal year, the City regularly amends its budget to re-prioritize funds as needed. This year, the City is making various operating budget changes across the General Fund, Main Street MSD Fund, 7th Avenue Fund, Water and Sewer Fund, Parking Fund, Stormwater Fund, and Environmental Services Fund.

BUDGET IMPACT:

- Fund 010: \$1,113,000 increase
- Fund 020: \$17,300 increase
- Fund 021: \$4,590 increase
- Fund 060: \$1,148,700 increase
- Fund 064: \$38,500 increase
- Fund 067: \$2,525 increase
- Fund 068: \$6,870 increase
- Fund 080: \$127,700 increase

Is this expenditure approved in the current fiscal year budget? No.

If no, describe how it will be funded.

Various amendments to revenues at end-of-year based on forecast and the strategic use of fund balance.

ATTACHMENTS:

1. Budget Amendments: 08012024-07, 08012024-08, 08012024-09, 08012024-10, 08012024-11, 08012024-12, 08012024-13, 08012024-14, 08012024-15, 08012024-16.

TO MAYOR & COUNCIL
APPROVAL: August 01, 2024

FISCAL YEAR 2024
FORM: 08012024-07

BUDGET AMENDMENT

FUND 010

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
010-0000-400101	Ad Valorem Taxes	(13,300,000)	(486,400)	-	(13,786,400)
010-0000-400102	Prior Years Ad Valorem Taxes	(85,931)	(10,000)	-	(95,931)
010-0000-400103	Prior Years Ad Valorem Taxes - Collected by COH	-	(4,340)	-	(4,340)
010-0000-400150	Tax - Interest	(27,163)	(20,000)	-	(47,163)
010-0000-420003	SRO Reimbursement	(249,920)	(88,000)	-	(337,920)
010-0000-420051	Local/Private Grant Revenue	-	(50,000)	-	(50,000)
010-0000-430008	Facility Rental Income	(15,000)	(8,660)	-	(23,660)
010-0000-440004	Fire Inspection Fees	(215,250)	(34,000)	-	(249,250)
010-0000-450001	Interest Income	(175,000)	(69,000)	-	(244,000)
010-0000-470030	Insurance Proceeds	(13,368)	(94,600)	-	(107,968)
010-0000-400110	Ad Valorem Taxes - DMV	(840,000)	(145,000)		(985,000)
010-0000-410110	ABC Revenues	(330,000)	(100,000)		(430,000)
010-0000-410300	Electricity Utility Tax	(975,000)	(125,000)		(1,100,000)
010-0000-410303	Natural Gas Utility Tax	(81,000)	(12,000)		(93,000)
010-0000-410001	Local Sales & Use Tax	(5,914,000)	-	(134,000)	(5,780,000)
010-0000-598901	Transfer Out (to 468 and 080)	694,700	113,000	-	807,700
010-0900-560001	Debt Principal	2,581,670	294,560	-	2,876,230
010-0900-560010	Debt Principal GASB 87 - Leases	-	34,400	-	34,400
010-0900-560011	Debt Principal GASB 96 - Subscriptions	-	93,300	-	93,300
010-0900-560500	Debt Interest	997,043	164,000	-	1,161,043
010-0900-560510	Debt Interest GASB 87 - Leases	-	3,900	-	3,900
010-0900-560511	Debt Interest GASB 96 - Subscriptions	-	4,100	-	4,100
010-1001-540001	Special Appropriations	306,709	5,130	-	311,839
010-1002-501001	Salaries - Regular	584,182	600	-	584,782
010-1002-502091	Worker's Comp Ins	2,299	17,000	-	19,299
010-1002-519200	Contract Services	106,000	100,000	-	206,000
010-1002-523001	Utilities - Electricity	400,000	60,000	-	460,000
010-1005-501001	Salaries - Regular	132,457	3,000	-	135,457
010-1008-501001	Salaries - Regular	268,005	6,000	-	274,005
010-1008-502050	Retirement Expense	35,749	715	-	36,464
010-1010-501001	Salaries - Regular	42,312	2,850	-	45,162
010-1010-502001	Fica Tax Expense	3,288	170	-	3,458
010-1010-502050	Retirement Expense	5,496	110	-	5,606
010-1010-519200	Contract Services	343,056	25,000	-	368,056
010-1010-531210	Permits, License And Fees	211,299	20,000	-	231,299
010-1014-501001	Salaries - Regular	312,514	15,000	-	327,514
010-1014-502001	Fica Tax Expense	23,963	730	-	24,693
010-1014-502050	Retirement Expense	41,088	1,300	-	42,388
010-1014-502056	COH Match Retirement Expense	3,910	170	-	4,080
010-1014-519104	Prof Services-Engring	5,300	40,000	-	45,300
010-1300-501001	Salaries - Regular	3,603,059	6,000	-	3,609,059
010-1300-501004	Salaries - Seperation	110,285	2,600	-	112,885

010-1300-502091	Worker's Comp Ins	51,464	10,500	-	61,964
010-1300-554002	Capital Outlay - Vehicles	-	30,000	-	30,000
010-1300-557001	Capital Outlay - Leases/Subscriptions - GASB 87 & 96	114,000	-	38,640	75,360
010-1400-501002	Salaries - Board/ Part Time/Temp/Aux	42,818	20,000	-	62,818
010-1400-502091	Worker's Comp Ins	33,017	4,600	-	37,617
010-1502-501001	Salaries - Regular	352,929	6,000	-	358,929
010-1502-502050	Retirement Expense	45,952	165	-	46,117
010-1502-502056	COH Match Retirement Expense	4,000	1,070	-	5,070
010-1521-501001	Salaries - Regular	209,200	3,000	-	212,200
010-1521-502091	Worker's Comp Ins	5,665	400	-	6,065
010-1523-501002	Salaries - Board/ Part Time/Temp/Aux	4,000	3,000	-	7,000
010-1523-521020	Janitorial Supplies	12,600	2,500	-	15,100
010-1525-501012	Salaries - Standby Pay	-	260	-	260
010-1525-502056	COH Match Retirement Expense	1,625	380	-	2,005
010-1525-502091	Worker's Comp Ins	4,437	370	-	4,807
010-1555-501001	Salaries - Regular	410,170	45,000	-	455,170
010-1555-502001	Fica Tax Expense	33,913	1,100	-	35,013
010-1555-502005	Group Med & Life Ins	83,384	4,700	-	88,084
010-1555-502050	Retirement Expense	56,964	2,500	-	59,464
010-1560-502005	Group Med & Life Ins	36,848	1,050	-	37,898
010-1560-502050	Retirement Expense	22,497	750	-	23,247
010-1560-502056	COH Match Retirement Expense	895	660	-	1,555
FUND 010	TOTAL REVENUES	(22,221,632)	(1,247,000)	(134,000)	(23,334,632)
	TOTAL EXPENDITURES	12,340,764	1,151,640	38,640	13,453,764

A budget amendment in the General Fund to increase revenues and expenditure accounts where appropriate as the City approaches end-ofyear. Increased funds will be used for priortiy items within the General Fund Fund including salaries, benefits, and operating expenditures.

The City Manager and City Clerk certify budget ordinance amendment 08012024-07 was approved by City Council on August 01, 2024.

City Manager

Date

City Clerk

Date

TO MAYOR & COUNCIL
APPROVAL: August 01, 2024

FISCAL YEAR 2024
FORM: 08012024-08

BUDGET AMENDMENT

FUND 020

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
020-0000-400101	Ad Valorem Taxes	(288,000)	(8,300)	-	(296,300)
020-0000-450001	Interest Income	(1,539)	(3,600)	-	(5,139)
020-0000-460040	Special Events - Nontaxable	(19,500)	(12,000)	-	(31,500)
020-0000-410001	Local Sales & Use Tax	(314,000)	-	(6,600)	(307,400)
020-1523-501010	Salaries - Overtime	80	75	-	155
020-1525-501001	Salaries - Regular	21,237	700	-	21,937
020-1525-501012	Salaries - Standby Pay	-	20	-	20
020-1525-502001	Fica Tax Expense	1,632	50	-	1,682
020-1525-502050	Retirement Expense	2,742	60	-	2,802
020-1525-502056	COH Match Retirement Expense	95	20	-	115
020-1560-502005	Group Med & Life Ins	1,745	130	-	1,875
020-1560-502056	COH Match Retirement Expense	55	25	-	80
020-2102-502056	COH Match Retirement Expense	1,930	370	-	2,300
020-2102-523001	Utilities - Electricity	40,000	12,000	-	52,000
020-2102-523003	Utilities - Telephone & Internet	2,500	700	-	3,200
020-2102-524010	R & M - Bulidings	300	270	-	570
020-2102-524030	R & M - Trucks	-	650	-	650
020-2102-531220	Travel	3,500	900	-	4,400
020-2102-531230	Tax Billing	1,500	90	-	1,590
020-2102-532105	Incentive Program	-	20,000	-	20,000
020-2102-519104	Prof Services-Engring	3,500	-		3,500
020-2102-521001	Supplies & Materials	32,715	-	13,360	19,355
020-2102-534000	Non-Capital Equipment	55,776	-	5,400	50,376
FUND 301	TOTAL REVENUES	(623,039)	(23,900)	(6,600)	(640,339)
	TOTAL EXPENDITURES	169,307	36,060	18,760	186,607

A budget amendment in the Downtown Fund to increase revenues and expenditure accounts where appropriate as the City approaches end-of-year. Increased funds will be used for priortiy items within the Downtown Fund including salaries, benefits, and operating expenditures.

The City Manager and City Clerk certify budget ordinance amendment 08012024-08 was approved by City Council on August 01, 2024.

City Manager

Date

City Clerk

Date

TO MAYOR & COUNCIL
APPROVAL: August 01, 2024

FISCAL YEAR 2024
FORM: 08012024-09

BUDGET AMENDMENT

FUND 021

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
021-0000-400101	Ad Valorem Taxes	(46,900)	(1,800)	-	(48,700)
021-0000-450001	Interest Income	(3,490)	(3,300)		(6,790)
021-0000-410002	Local Sales & Use Tax	(50,456)	-	(510)	(49,946)
021-1525-501001	Salaries - Regular	5,368	500		5,868
021-1525-501002	Salaries - Board/ Part Time/Temp/Aux	110	115		225
021-1560-501012	Salaries - Standby Pay	187	200		387
021-2202-502056	COH Match Retirement Expense	555	200	-	755
021-2202-531230	Tax Billing	350	120	-	470
021-2202-532299	Miscellaneous Program Expenditures	-	3,455	-	3,455
FUND 021	TOTAL REVENUES	(100,846)	(5,100)	(510)	(105,436)
	TOTAL EXPENDITURES	6,570	4,590	-	11,160

A budget amendment in the 7th Avenue Fund to increase revenues and expenditure accounts where appropriate as the City approaches end-of-year. Increased funds will be used for priortiy items within the 7th Avenue Fund including salaries, benefits, and operating expenditures.

The City Manager and City Clerk certify budget ordinance amendment 08012024-09 was approved by City Council on August 01, 2024.

City Manager

Date

City Clerk

Date

TO MAYOR & COUNCIL
APPROVAL: August 01, 2024

FISCAL YEAR 2024
FORM: 08012024-10

BUDGET AMENDMENT

FUND 060

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
060-0000-430701	Sewer Charges	(6,600,000)	(650,000)	-	(7,250,000)
060-0000-430702	Sewer Septic Tank Disposal	(150,000)	(74,000)	-	(224,000)
060-0000-431001	Lease Revenue	(10,400)	(12,000)	-	(22,400)
060-0000-444102	W&S Inspection Line Fees	(69,200)	(75,000)	-	(144,200)
060-0000-444201	Water Sewer Late Fees	(150,000)	(40,550)	-	(190,550)
060-0000-444202	Disconnect/Reconnect Admin Fee	(70,500)	(16,000)	-	(86,500)
060-0000-445201	Utility Billing Service Charges	(67,000)	(366,510)	-	(433,510)
060-0000-445202	Sewer Surcharges	(96,850)	(85,000)	-	(181,850)
060-0000-445401	Water Tap Fees	(302,500)	(120,000)	-	(422,500)
060-0000-445402	Sewer Tap Fees	(64,800)	(9,000)	-	(73,800)
060-0000-450001	Interest Income	(72,000)	(170,000)		(242,000)
060-0000-460001	Miscellaneous Income	(25,000)	(22,000)	-	(47,000)
060-0000-460120	Refunds	(15,000)	(3,700)	-	(18,700)
060-0000-460130	Warranty Fees - Service Partners	(11,000)	(5,500)	-	(16,500)
060-0000-470025	Lease & Subscription Debt Proceeds GASB 87 & 96	-	(4,940)	-	(4,940)
060-0000-470030	Insurance Proceeds	(2,060)	(2,500)	-	(4,560)
060-0000-470050	Sale Of Capital Assets	(62,000)	(26,000)	-	(88,000)
060-0000-430501	Water Sales General	(16,200,000)	-	(450,000)	(15,750,000)
060-0000-444001	Water Permits & Fees	(95,000)	-	(84,000)	(11,000)
060-0000-598901	Transfer Out (to 080)	839,000	64,000	-	903,000
060-900-560010	Debt Principal GASB 87 - Leases	-	13,000	-	13,000
060-900-560011	Debt Principal GASB 96 - Subscriptions	-	107,100	-	107,100
060-900-560510	Debt Interest GASB 87 - Leases	-	1,550	-	1,550
060-900-560511	Debt Interest GASB 96 - Subscriptions	-	8,750	-	8,750
060-1002-501001	Salaries - Regular	567,369	8,000	-	575,369
060-1002-502056	COH Match Retirement Expense	8,876	215	-	9,091
060-1002-519200	Contracted Services	-	65,325	-	65,325
060-1008-531260	Credit Card Processing Fees	115,000	29,000	-	144,000
060-1010-501001	Salaries - Regular	182,682	1,350	-	184,032
060-1010-519200	Contract Services	351,000	40,500	-	391,500
060-1014-501001	Salaries - Regular	723,431	30,000	-	753,431
060-1014-502001	Fica Tax Expense	54,653	1,680	-	56,333
060-1014-502050	Retirement Expense	94,820	2,600	-	97,420
060-1014-502056	COH Match Retirement Expense	9,016	450	-	9,466
060-1521-501001	Salaries - Regular	126,543	5,000	-	131,543
060-1521-501025	Salaries - Uniform/Taxab	1,750	675	-	2,425
060-7002-519200	Contract Services	76,300	3,000	-	79,300
060-7002-524030	R & M - Trucks	2,500	150	-	2,650
060-7002-531265	Drug Testing	1,600	320	-	1,920
060-7002-523001	Utilities - Electricity	896,000	210,000	-	1,106,000
060-7002-521020	Janitorial Supplies	11,000	2,000	-	13,000
060-7002-531205	Advertising	1,000	300	-	1,300
060-7002-531280	Employee Events	6,000	300	-	6,300

060-7032-501002	Salaries - Board/ Part Time/Temp/Aux	32,859	970	-	33,829
060-7032-524020	R & M - Equipment	100,000	60,000	-	160,000
060-7035-501001	Salaries - Regular	716,316	20,000	-	736,316
060-7035-501025	Salaries - Uniform/Taxab	-	1,350	-	1,350
060-7035-502050	Retirement Expense	94,119	1,950	-	96,069
060-7035-502055	Retiree Insurance	26,464	710	-	27,174
060-7035-519205	Sludge Management	220,000	14,500	-	234,500
060-7035-521020	Janitorial Supplies	2,600	160	-	2,760
060-7035-521030	Medical	-	80	-	80
060-7035-522001	Chemicals	626,600	72,400	-	699,000
060-7050-501011	Salaries - Holiday Pay	-	150	-	150
060-7050-502056	COH Match Retirement Expense	3,072	300	-	3,372
060-7055-501001	Salaries - Regular	1,283,004	40,000	-	1,323,004
060-7055-502050	Retirement Expense	174,359	800	-	175,159
060-7055-502056	COH Match Retirement Expense	8,935	360	-	9,295
060-7055-524030	R & M - Trucks	55,000	21,500	-	76,500
060-7055-524060	R & M - Lines	362,500	100,000	-	462,500
060-7055-555002	Capital Outlay - Lines	162,500	200,000	-	362,500
060-7132-501002	Salaries - Board/ Part Time/Temp/Aux	15,923	750	-	16,673
060-7132-524030	R & M - Trucks	400	170	-	570
060-7135-519104	Prof Services-Engring	400	200	-	600
060-7135-521050	Laboratory Supplies	23,000	2,300	-	25,300
060-7150-501011	Salaries - Holiday Pay	-	75	-	75
060-7150-502050	Retirement Expense	28,942	210	-	29,152
060-7150-502056	COH Match Retirement Expense	1,778	150	-	1,928
060-7155-501001	Salaries - Regular	633,191	13,500	-	646,691
060-7155-502050	Retirement Expense	85,639	675	-	86,314
060-7155-502056	COH Match Retirement Expense	4,405	175	-	4,580
FUND 060	TOTAL REVENUES	(24,063,310)	(1,682,700)	(534,000)	(25,212,010)
	TOTAL EXPENDITURES	8,730,546	1,148,700	-	9,879,246

A budget amendment in the Water and Sewer Fund to increase revenues and expenditure accounts where appropriate as the City approaches end-of-year. Increased funds will be used for priortiy items within the Water and Sewer Fund including salaries, benefits, and operating expenditures.

The City Manager and City Clerk certify budget ordinance amendment 08012024-10 was approved by City Council on August 01, 2024.

City Manager

City Clerk

Date

Date

TO MAYOR & COUNCIL
APPROVAL: August 01, 2024

FISCAL YEAR 2024
FORM: 08012024-11

BUDGET AMENDMENT

FUND 064

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
064-0000-430004	Monthly Parking Revenues	(180,000)	(22,000)	-	(202,000)
064-0000-430011	Parking Garage Revenues	(150,000)	(15,000)	-	(165,000)
064-0000-450001	Interest Income	(2,000)	(1,500)	-	(3,500)
064-1300-501001	Salaries - Regular	92,245	1,250	-	93,495
064-1300-502005	Group Med & Life Ins	15,581	4,250		19,831
064-1502-501001	Salaries - Regular	7,676		7,000	676
064-1560-501010	Salaries - Overtime	-	800	-	800
064-1560-501012	Salaries - Standby Pay	-	2,800	-	2,800
064-1560-501025	Salaries - Uniform/Taxab	-	100	-	100
064-1560-502056	COH Match Retirement Expense	155	130	-	285
064-1560-501001	Salaries - Regular	35,656		1,780	33,876
064-1560-501010	Salaries - Overtime	798	820	-	1,618
064-1560-501012	Salaries - Standby Pay	2,753	2,850	-	5,603
064-1560-501025	Salaries - Uniform/Taxab	88	100	-	188
064-1560-502056	COH Match Retirement Expense	279	130	-	409
064-7455-519102	Prof Services-Legal	1,386		-	1,386
064-7455-521001	Supplies & Materials	19,382		5,000	14,382
064-7455-523001	Utilities - Electricity	9,258	4,750		14,008
064-7455-524010	R & M - Bulidings	14,499		9,000	5,499
064-7455-524020	R & M - Equipment	1,190	1,200		2,390
064-7455-531210	Permits, License And Fees	97,358	33,300		130,658
064-7455-531255	Bank Service Charges	172	200		372
064-7455-531700	Liab & Prop Ins & Bonds	10,649	8,600		19,249
FUND 064	TOTAL REVENUES	(332,000)	(38,500)	-	(370,500)
	TOTAL EXPENDITURES	309,124	61,280	22,780	347,624

A budget amendment in the Parking Fund to increase revenues and expenditure accounts where appropriate as the City approaches end-of -year. Increased funds will be used for priortiy items within the Parking Fund including salaries, benefits, and operating expenditures.

The City Manager and City Clerk certify budget ordinance amendment 08012024-11 was approved by City Council on August 01, 2024.

City Manager

Date

City Clerk

Date

TO MAYOR & COUNCIL
APPROVAL: August 01, 2024

FISCAL YEAR 2024
FORM: 08012024-12

BUDGET AMENDMENT

FUND 067					
ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
067-0000-447000	Stormwater Permits	(1,000)	(1,000)	-	(2,000)
067-0000-450001	Interest Income	(50)	(1,300)	-	(1,350)
067-0000-460120	Refunds	-	(225)	-	(225)
067-1014-501001	Salaries - Regular	39,361.32	-	2,300	37,061
067-1014-502056	COH Match Retirement Expense	150	345	-	495
067-1502-501001	Salaries - Regular	19,291	300	-	19,591
067-1502-501025	Salaries - Uniform/Taxab	-	120	-	120
067-1502-502005	Group Med & Life Ins	2,051	1,110	-	3,161
067-1525-501001	Salaries - Regular	132,727	4,300	-	137,027
067-1525-501002	Salaries - Board/ Part Time/Temp/Aux	-	2,800	-	2,800
067-1525-501010	Salaries - Overtime	-	505	-	505
067-1525-501012	Salaries - Standby Pay	-	100	-	100
067-1525-501014	Salaries - Shift Diff	-	170	-	170
067-1525-501025	Salaries - Uniform/Taxab	-	415	-	415
067-1525-502001	Fica Tax Expense	10,202	350	-	10,552
067-1525-502005	Group Med & Life Ins	27,589	2,070	-	29,659
067-1525-502050	Retirement Expense	17,136	400	-	17,536
067-1525-502056	COH Match Retirement Expense	600	120	-	720
067-1555-501010	Salaries - Overtime	-	140	-	140
067-1555-501012	Salaries - Standby Pay	-	6,550	-	6,550
067-1555-501025	Salaries - Uniform/Taxab	-	510	-	510
067-1555-502056	COH Match Retirement Expense	1,300	490	-	1,790
067-7555-501001	Salaries - Regular	155,049	10,700	-	165,749
067-7555-501002	Salaries - Board/ Part Time/Temp/Aux	-	70	-	70
067-7555-501014	Salaries - Shift Diff	-	10	-	10
067-7555-501025	Salaries - Uniform/Taxab	-	50	-	50
067-7555-502001	Fica Tax Expense	11,861	900	-	12,761
067-7555-502005	Group Med & Life Ins	16,410	2,200	-	18,610
067-7555-502050	Retirement Expense	19,924	1,600	-	21,524
067-7555-502056	COH Match Retirement Expense	2,600	500	-	3,100
067-7555-519102	Prof Services-Legal	-	100	-	100
067-7555-519104	Prof Services-Engring	40,000		3,800	36,200
067-7555-521001	Supplies & Materials	7,500		3,900	3,600
067-7555-521010	Office Supplies	1,500		1,350	150
067-7555-521040	Construction & Repair Supplies	42,500		22,240	20,260
067-7555-521060	Educational Supplies	3,000		410	2,590
067-7555-524030	R & M - Trucks	240	2,400		2,640
067-7555-531200	Postage	3,000		2,800	200
FUND 067	TOTAL REVENUES	(1,050)	(2,525)	-	(3,575)
	TOTAL EXPENDITURES	553,991	39,325	36,800	556,516
A budget amendment in the Stormwater Fund to increase revenues and expenditure accounts where appropriate as the City approaches end-of-year. Increased funds will be used for priortiy items within the Stormwater Fund including salaries, benefits, and operating expenditures.					

The City Manager and City Clerk certify budget ordinance amendment 08012024-12 was approved by City Council on August 01, 2024.

City Manager

Date

City Clerk

Date

TO MAYOR & COUNCIL
APPROVAL: August 01, 2024

FISCAL YEAR 2024
FORM: 08012024-13

BUDGET AMENDMENT

FUND 068

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
068-0000-430803	Solid Waste Disposal Tax	(3,300)	(6,400)	-	(9,700)
068-0000-450001	Interest Income	(300)	(220)	-	(520)
068-0000-460001	Miscellaneous Income	(500)	(250)	-	(750)
068-0000-598901	Transfer Out (to 080)	-	700	-	700
068-1502-501010	Salaries - Overtime	1,600		770	830
068-1502-501025	Salaries - Uniform/Taxab	500		240	260
068-1502-502005	Group Med & Life Ins	8,952	670		9,622
068-1521-501001	Salaries - Regular	35,601	2,400		38,001
068-1521-501025	Salaries - Uniform/Taxab	250	560		810
068-1521-502001	Fica Tax Expense	2,743	300		3,043
068-1521-502005	Group Med & Life Ins	7,046	100		7,146
068-1521-502050	Retirement Expense	4,708	500		5,208
068-7455-521001	Supplies & Materials	-	80	-	80
068-7855-502005	Group Med & Life Ins	119,642		9,000	110,642
068-7855-502050	Retirement Expense	82,052		3,500	78,552
068-7855-519104	Prof Services-Engring	-	220		220
068-7855-519200	Contract Services	84,400.00	5,000	-	89,400
068-7855-521001	Supplies & Materials	57,000	1,000		58,000
068-7855-521100	Uniforms	10,000		2,400	7,600
068-7855-524020	R & M - Equipment	5,400		2,300	3,100
068-7855-524030	R & M - Trucks	64,216	23,000		87,216
068-7855-531225	Training/Training	8,000	2,150		10,150
068-7855-531275	Tuition Reimbursement	6,000		2,000	4,000
068-7855-531500	Tipping Fees	260,000	5,000		265,000
068-7855-554001	Capital Outlay - Equipment/Other Than V	6,150		6,000	150
068-7855-539005	Health And Welfare Expenditures	8,600.00	-	8,600	-
FUND 068	TOTAL REVENUES	(4,100)	(6,870)	-	(10,970)
	TOTAL EXPENDITURES	772,859	41,680	34,810	779,729

A budget amendment in the Environmental Services Fund to increase revenues and expenditure accounts where appropriate as the City approaches end-of-year. Increased funds will be used for priortiy items within the Environmental Services Fund including salaries, benefits, and operating expenditures.

The City Manager and City Clerk certify budget ordinance amendment 08012024-13 was approved by City Council on August 01, 2024.

City Manager

Date

City Clerk

Date

TO MAYOR & COUNCIL
APPROVAL: August 01, 2024

FISCAL YEAR 2024
FORM: 08012024-14

BUDGET AMENDMENT

FUND 010 060 068 080

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
080-3101-435001	H&W Charges	293,025	127,700	-	420,725
080-0000-539006	MERP Claims - General Fund	110,400	63,000	-	173,400
080-0000-539007	MERP Claims - Water & Sewer Fund	75,500	64,000	-	139,500
080-0000-539008	MERP Claims - Env. Services Fund	8,600	700	-	9,300
FUND 080	TOTAL REVENUES	293,025	127,700	-	420,725
Health & Welfare Fund	TOTAL EXPENDITURES	194,500	127,700	-	322,200
An end-of-year FY24 amendment to cover higher than anticipated MERP claims from the General Fund, Water and Sewer Fund, and Environmental Services Funds. The amendment increases the Health and Welfare Fund (080) by \$127,700 to cover the cost of the claims.					

The City Manager and City Clerk certify budget ordinance amendment 08012024-14 was approved by City Council on August 01, 2024.

City Manager

Date

City Clerk

Date

TO MAYOR & COUNCIL
APPROVAL: August 01, 2024

FISCAL YEAR 2024
FORM: 08012024-15

BUDGET AMENDMENT

FUND 468					
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ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
468-0000-470100	Transfer In (From 010, FY24)	-	(50,000)	-	(50,000)
468-7855-554002	Capital Outlay Vehicles	-	50,000	-	50,000
FUND 468	TOTAL REVENUES	-	(50,000)	-	(50,000)
	TOTAL EXPENDITURES	-	50,000	-	50,000

An amendment increasing the budget in 468 to cover a vehicle purchase in FY24

The City Manager and City Clerk certify budget ordinance amendment 08012024-15 was approved by City Council on August 01, 2024.

City Manager

Date

City Clerk

Date

TO MAYOR & COUNCIL
APPROVAL: August 01, 2024

FISCAL YEAR 2025
FORM: 08012024-16

BUDGET AMENDMENT

FUND 468/010

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
468-0000-598901-VE025	Transfer Out (to 010)	-	50,000	-	50,000
468-7855-554002-VE025	Capital Outlay Vehicles	-		50,000	(50,000)
FUND 468	TOTAL REVENUES	-	50,000	-	50,000
	TOTAL EXPENDITURES	-	-	50,000	(50,000)
010-0000-470100	Transfer In (From 468)	-	(50,000)	-	(50,000)
010-0000-534999	Contingency	32,750	50,000	-	82,750
FUND 010	TOTAL REVENUES	-	(50,000)	-	(50,000)
	TOTAL EXPENDITURES	32,750	50,000	-	82,750
An amendment increasing the budget in 468 to cover a vehicle purchase in FY24					

The City Manager and City Clerk certify budget ordinance amendment 08012024-16 was approved by City Council on August 01, 2024.

City Manager

Date

City Clerk

Date



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

SUBMITTER: Adam Steurer **MEETING DATE:** August 1, 2024

AGENDA SECTION: Consent Agenda **DEPARTMENT:** Utilities

TITLE OF ITEM: Acceptance of Funding Offer for Lead Service Line Investigation and Replacement – *Adam Steurer, Utilities Director*

SUGGESTED MOTION(S):

I move City Council to adopt the Resolution By the City Council to Accept an Offer of Funding for Lead Service Line Investigation and Replacement.

SUMMARY:

Utility staff have applied and have been awarded a funding offer from the North Carolina Department of Environmental Quality (NCDEQ) in the amount of \$573,420 for water Lead Service Line Investigation and Replacement. The attached resolution serves as a formal acceptance of the funding offer.

The funding offer is comprised of 60% up to \$344,052 of ‘principal forgiveness’ or grant funds and the remaining 40% up to \$229,368 of funding at a 0.00% interest, 20-year loan.

BUDGET IMPACT: Funding Acceptance of \$573,420.

Is this expenditure approved in the current fiscal year budget? N/A

If no, describe how it will be funded. N/A. The project is funded through a CPO.

ATTACHMENTS:

1. Resolution By the City Council to Accept an Offer of Funding

Resolution #__-____

**RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL TO ACCEPT AN
OFFER OF FUNDING FOR LEAD SERVICE LINE INVESTIGATION AND
REPLACEMENT**

WHEREAS, the Bipartisan Infrastructure Law (BIL) of 2021 and North Carolina General Statute (NCGS) 159G have authorized the making of loans to aid eligible, drinking-water system owners in financing the cost of inventorying and replacing lead service lines; and

WHEREAS, the North Carolina Department of Environmental Quality has offered a Drinking Water State Revolving Fund – Lead Service Line Replacement (DWSRF-LSLR) loan in the amount of \$573,420 to conduct lead service line investigation and replacement, hereafter referred to as the “Project”; and

WHEREAS, the City of Hendersonville intends to conduct said Project in accordance with a scope of work that was approved by the North Carolina Division of Water Infrastructure.

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

1. The City of Hendersonville does hereby accept the DWSRF-LSLR loan offer in the amount of \$573,420; and
2. That the City of Hendersonville does hereby give assurance to the North Carolina Department of Environmental Quality that they will adhere to all applicable items specified in the standard “Conditions” and “Assurances” of the Department’s funding offer, awarded in the form of BIL DWSRF-LSLR; and
3. That John Connet, City Manager, and successors so titled, is hereby authorized and directed to furnish such information, as the appropriate State 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; and
4. That the City of Hendersonville has complied substantially or will comply substantially with all Federal, State and local laws, rules, regulations, and ordinances 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 ____ day of _____ 20____.

Attest:

Barbara G. Volk, Mayor, City of Hendersonville

Jill Murray, City Clerk

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



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

SUBMITTER: Adam Steurer, Utilities Director **MEETING DATE:** August 1, 2024

AGENDA SECTION: Consent Agenda **DEPARTMENT:** Utilities

TITLE OF ITEM: Sole Source Justification and Authorization of Intent to Purchase Biosolid Thermal Dryer Equipment - *Adam Steurer, Utilities Director*

SUGGESTED MOTION(S):

I move City Council adopt the *Resolution by the City of Hendersonville City Council to Approve the Sole-Source Justification and Authorization of Intent to Purchase Biosolids Thermal Dryer Equipment for the WWTF Thermal Dryer Project.*

SUMMARY:

The proposed Wastewater Treatment Facility (WWTF) Biosolids Thermal Dryer project will produce a high-quality, thermally dried product that is safe for beneficial reuse through distribution or land application. The thermal dryer equipment, once operational after completion of the project, will reduce the utility's current solids hauling and disposal costs and reduce the utility's vulnerability on reliance of the volatile private hauling and landfills disposal markets.

NCGS 143-129(e) lists the authorized exceptions to the formal bid procedures. NCGS 143-129(e)(6) allows for purchases of apparatus, supplies, materials, or equipment to be purchasing using sole-source exception when: (i) performance or price competition for a product are not available; (ii) a needed product is available from only one source of supply; or (iii) standardization or compatibility is the overriding consideration. The governing board of a political subdivision of the State shall approve the purchases listed in the preceding sentence prior to the award of the contract.

The Basis of Design Report for the project prepared by project engineer, McKim & Creed, Inc., determined that the Model 1050 direct-fired medium-temperature belt dryer manufactured by Gryphon Environmental Inc is the only biosolids thermal dryer equipment available that can meet the performance and compatibility criteria, and it was found to result in the lowest capital and life cycle costs. A summary of the determination is included within the Sole Source Justification letter attached.

BUDGET IMPACT: TBD. Currently the estimated equipment cost is ~\$3,700,000.

Is this expenditure approved in the current fiscal year budget? Project is funded through a CPO. Approximately \$14.3-million of grant funding has been awarded to the City for this project.

If no, describe how it will be funded.

ATTACHMENTS:

Resolution

Sole-source Justification letter from McKim & Creed, Inc.

Interstate Utility Sales, Inc. sole-source letter from Gryphon Environmental INC

Resolution # ____ - ____

**RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL TO APPROVE
THE SOLE-SOURCE JUSTIFICATION AND AUTHORIZATION OF INTENT TO
PURCHASE BIOSOLIDS THERMAL DRYER EQUIPMENT**

WHEREAS, the proposed Wastewater Treatment Facility (WWTF) Biosolids Thermal Dryer project will produce a high-quality, thermally dried product that is safe for beneficial reuse through distribution or land application.; and

WHEREAS, the thermal dryer equipment, once operational after completion of the project, will reduce the utility's current solids hauling and disposal costs and reduce the utility's vulnerability on reliance of the volatile private hauling and landfills disposal markets.

WHEREAS, NCGS 143-129(e) lists the authorized exceptions to the formal bid procedures. NCGS 143-129(e)(6) allows for purchases of apparatus, supplies, materials, or equipment to be purchasing using sole-source exception when: (i) performance or price competition for a product are not available; (ii) a needed product is available from only one source of supply; or (iii) standardization or compatibility is the overriding consideration. The governing board of a political subdivision of the State shall approve the purchases listed in the preceding sentence prior to the award of the contract; and

WHEREAS, the Basis of Design Report for the project prepared by project engineer, McKim & Creed, Inc., determined that the Model 1050 direct-fired medium-temperature belt dryer manufactured by Gryphon Environmental is the only biosolids thermal dryer equipment available that can meet the performance and compatibility criteria, and it was found to result in the lowest capital and life cycle costs.

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

1. A sole-source justification of Biosolids Thermal Dryer Equipment, Model 1050 direct-fired medium-temperature belt dryer manufactured by Gryphon Environmental and provided by Interstate Utility Sales, Inc. is approved for the WWTF Biosolids Thermal Dryer Project.
2. Utility Staff are authorized to continue negotiations with the equipment manufacturer on the terms and conditions of the direct purchase of the biosolids thermal dryer equipment and present the final purchase agreement to the City Council for approval in the near future.

Adopted by the City Council of the City of Hendersonville, North Carolina on this ____ day of _____, _____.

Attest:

Barbara G. Volk, Mayor, City of Hendersonville

Jill Murray, City Clerk

Approved as to form:

Angela S. Beeker, City Attorney

June 20, 2024

06496-0015

Mr. Adam Steurer, PE
 Utilities Director
 City of Hendersonville
 305 Williams Street
 Hendersonville, NC 28792

RE: Sole Source Justification for WWTF Biosolids Thermal Dryer Equipment

Dear Mr. Steurer:

A Basis of Design Report (BODR) for the City of Hendersonville WWTF Biosolids Thermal Dryer project was prepared by McKim & Creed, Inc. and is attached to this letter. The BODR established the performance criteria for the biosolids thermal dryer equipment required for this project, identified the compatibility criteria required for biosolids thermal dryer equipment applicable to the implementation of this project, and evaluated biosolids thermal dryer equipment alternatives to identify equipment that met the performance criteria and compatibility requirements. The evaluation of equipment alternatives included a comparison of capital and life cycle costs for each alternative considered. The BODR determined that the Model 1050 direct-fired medium-temperature belt dryer manufactured by Gryphon Environmental is the only biosolids thermal dryer equipment available that can meet the performance and compatibility criteria, and it was found to result in the lowest capital and life cycle costs as shown in Table 1 below.

Table 1 – Equipment Alternatives Cost Comparison

	Gryphon Belt Dryer	Huber Belt Dryer BT	LCI Thin Film Dryer
Equipment Cost	\$3,328,500.00	\$5,700,500.00	\$4,376,800.00
Project Capital Cost	\$15,725,200.00	\$25,079,500.00	\$19,361,100.00
Total Life Cycle Cost	\$21,132,872.98	\$28,975,453.98	\$22,999,186.77

8020 Tower Point Drive

Charlotte, NC 28227

704.841.2588

Fax 704.841.2567

www.mckimcreed.com

The statutory requirements for the purchase of equipment using public money are described in NC G.S. § 143-129. Per this statute, competitive bidding is required for any purchase of equipment requiring an expenditure of public money in an amount equal to or more than \$90,000, unless the purchase is exempt from the requirements of this statute as outlined in G.S. § 143-129(e). Per McKim & Creed's interpretation of this statute, the following exemptions to the

requirements for competitive bidding outlined in G.S. § 143-129(e)(6) apply to, and justify the need for sole source procurement for, the City of Hendersonville's purchase of the Biosolids Thermal Dryer equipment for the Hendersonville WWTF Biosolids Thermal Dryer project.

- (i) performance or price competition for a product are not available;
- (ii) a needed product is available from only one source of supply;
- (iii) standardization or compatibility is the overriding consideration.

Per the findings of the BODR, the quality of the dried biosolids product generated by the biosolids thermal dryer equipment is a critical performance requirement of the equipment to ensure the marketability of the dried biosolids. The Gryphon Environmental belt dryer was found to be the only equipment alternative that is expected to meet the performance criteria without considerable additional expense to further process the dried biosolids product. Based on this, the Gryphon Environmental biosolids thermal dryer equipment qualifies for the exemption outlined in G.S. § 143-129(e)(6)(i) due to a lack of performance or price competition.

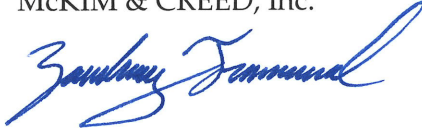
The biosolids thermal dryer equipment manufactured by Gryphon Environmental is highly specialized wastewater treatment equipment that is only manufactured by Gryphon Environmental, therefore G.S. § 143-129(e)(6)(ii) applies to the purchase of this equipment.

In addition, the biosolids thermal dryer equipment manufactured by Gryphon Environmental is the only equipment capable of meeting the performance criteria outlined in the BODR that can also be installed within the existing Covered Storage Shelter at the Hendersonville WWTF due to dimensional compatibility requirements. The existing Covered Storage Shelter at the Hendersonville WWTF is intended to be modified to enclose a portion of the shelter to house the new biosolids thermal dryer equipment, while the remainder of the existing Covered Storage Shelter will be used to store the dried biosolids product generated by the equipment. The Gryphon Environmental biosolids thermal dryer is the only equipment that can fit within the existing structure, while also leaving sufficient dried biosolids storage area available to meet permit requirements for biosolids storage capacity. The reuse of the existing Covered Storage Shelter avoids significant capital cost that would otherwise be incurred to construct a new facility to house the new biosolids thermal dryer equipment. Therefore, G.S. § 143-129(e)(6)(iii) also applies to the purchase of this equipment.

Therefore, McKim & Creed recommends that the City of Hendersonville proceed with the direct purchase of the Model 1050 direct-fired, medium-temperature

belt dryer as manufactured by Gryphon Environmental, per the procedures outlined in NC G.S. § 143-129(e)(6)(i) through (iii).

Sincerely,
McKIM & CREED, Inc.



Zachary Trammel, PE
Regional Manager

cc: Brent Detwiler, PE – Public Services Director
Devin Owen, PE – Utilities Engineer
Garrett Demoss – WWTF Manager

Attachments:

1. City of Hendersonville WWTF Biosolids Thermal Dryer – Basis of Design Report



GRYPHON
Environmental INC

Section 5, Item I.

June 10, 2024

Zachary Trammel, PE
Project Manager
McKim & Creed, Inc.

Dear Mr. Trammel,

This letter certifies that Interstate Utility Sales, Inc., located in North Carolina, is the sole provider of Gryphon Environmental, Inc. products in North Carolina and South Carolina.

If you need any additional information, I can be reached at 270-297-7683 or by email at bgreer@2gryphon.com.

Best regards,

Brittany Greer
Sales Coordinator
Gryphon Environmental, Inc.



CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

SUBMITTER:

John Buchanan

MEETING DATE:

8/1/24

AGENDA SECTION:

Consent

DEPARTMENT:

Finance

TITLE OF ITEM:

Approval of Customer Service Supervisor Position, *John Buchanan, Finance Director*

SUGGESTED MOTION(S):

I move that City Council approve the Customer Service Supervisor position, and assign it to pay grade 19, retroactive to July 1st, 2024.

SUMMARY:

The Customer Service Supervisor position was not refilled when it last became vacant in 2021. The position was removed from the Pay and Classification Schedule and was not included in the job description update completed by our consultant Evergreen. We are requesting to restore the position to the Pay and Classification Schedule at Grade 19 and approval of the updated job description. The position will not increase our current staffing levels and will be filled by internal promotion.

BUDGET IMPACT: \$9,553

Is this expenditure approved in the current fiscal year budget? No increase to approved FTE and will be covered under existing budget

If no, describe how it will be funded. EnterTextHere

ATTACHMENTS:

Customer Service Supervisor Job Description



JOB DESCRIPTION

To perform this job successfully, an individual must be able to perform the essential job functions satisfactorily. Reasonable accommodations may be made to enable individuals with disabilities to perform the primary job functions herein described. Since every duty associated with this position may not be described herein, employees may be required to perform duties not specifically spelled out in the job description, but which may be reasonably considered to be incidental in the performing of their duties just as though they were actually written out in this job description.

Customer Service Supervisor

Department: Finance

Pay Grade: 19

FLSA Status: Exempt

JOB SUMMARY

Responsible for performing supervisory and administrative functions in support of customer service.

An employee in this class supervises customer service representatives in day-to-day activities. This employee is primarily responsible for the administration of customer service-related issues, handling complaints, researching problems, making account adjustments or corrections. Work involves maintenance of the customer account database. Employee also performs occasional general office work such as filing, operating copying machines and computer terminals, and answering the telephone. Work involves coordination with other departments within the City and public contact functions which requires considerable tact and courtesy. Work is performed according to standard procedures, but the employee is expected to use some initiative and independent judgment in accomplishing assigned objectives. Work involves leading the Customer Service division with daily tasks such as, account maintenance, collections, and problematic situations. The Customer Service Supervisor will support and promote the City's commitment to service excellence while striving to maintain high morale and a positive culture in the customer service team. The position must be able to act independently and proactively in order to identify and troubleshoot problems and bring issues forward to appropriate staff. Work is performed under supervision of the Finance Director and is evaluated through observation and review of work completed.

ESSENTIAL JOB FUNCTIONS

- Oversees, and participates as needed, in setting up and maintaining customer accounts, and the other daily activities of the customer service team.
- Receives, researches, and responds to the more difficult or complex customer inquiries and problems.

- Receives and responds to staff and customer queries on billings, meter readings and other customer service issues. Researches, interprets, and analyzes account history to resolve questions. Handles customer questions and/or complaints in an efficient and friendly manner. Resolves problems requiring immediate attention, and verifies that underlying systematic or process issues have been addressed.
- Oversees cash handling and the daily balancing of all cash drawers and deposits.
- Utilizes computerized data entry program to enter, update, store and/or retrieve information as requested or otherwise necessary. Establishes and maintains a variety of electronic and tangible files, filing and retrieving information as requested or otherwise necessary.
- Verifies accuracy and completeness of customer accounts and databases.
- Supports and provides backup as needed to water billing and or collections departments.
- Answers telephone and assists customers.
- Coordinates customer account processes with other departments and outside organizations in a team environment.
- Responsible for training of customer service staff.
- Research and prepare special reports for management as requested.
- Performs related duties as required.

QUALIFICATIONS

Education and Experience:

Bachelor's degree in a related area; and five (5) years of work-related experience; or an equivalent combination of education and experience.

Special Qualifications:

- Possession of a valid driver's license to operate a motor vehicle. Requirement exists at the time of hire and as a condition of continued employment.

Knowledge, Skills and Abilities:

- Skills in the application of the City's personnel policies, supervisory principles and motivation techniques.
- Skills in performing complex mathematical calculations and accounting functions.
- Skills in the processes and procedures of effective budgeting and auditing.
- Skills in oral and written communication; good organizational skills.
- Skills in analytical decision-making, good judgement and problem solving skills.
- Ability to establish and maintain effective working relationships with the general public, vendors and employees.
- Ability to train and provide technical assistance to all levels of city staff.
- Ability to interact and effectively communicate with people from diverse backgrounds, with a focus on teamwork and problem solving.
- Ability to interpret and apply regulations, policies and laws.
- Ability to manage and prioritize projects and meet deadlines.

PHYSICAL DEMANDS

Work in this classification is defined as light work requiring the physical exertion of up to 10 pounds of force occasionally and a negligible amount of force constantly to move objects. Physical demands require climbing, crouching, crawling, standing, walking and lifting. Vocal communication is required for responding to inquiries, expressing or exchanging ideas by means of the spoken word; hearing is required to perceive information at normal spoken word levels. Visual acuity is required for extensive reading, to prepare and analyze written or computer data, determine the accuracy and thoroughness of work, and observe general surroundings and activities.

WORK ENVIRONMENT

Work is primarily performed in an office with a controlled environment without exposure to harmful conditions.

The City of Hendersonville has the right to revise this job description at any time. This description does not represent in any way a contract of employment.



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

SUBMITTER: Brent Detwiler

MEETING DATE: August 1, 2024

AGENDA SECTION: CONSENT

DEPARTMENT: Public Services

TITLE OF ITEM: Authorize The Sole-Source Purchase of GIS Software and Renewal of a Licensing Agreement – *Brent Detwiler, Director of Public Services*

SUGGESTED MOTION(S):

I move that City Council approve the Resolution by the City of Hendersonville City Council to authorize the sole-source purchase of GIS software and renewal of a licensing agreement.

SUMMARY:

The City has for many years licensed the ArcGIS Software developed by Environmental Systems Research Institute, Inc. (ESRI) in order to manage the City's GIS data and mapping. The contract has come up for renewal, and City Council is requested to adopt the attached Resolution approving the licensing renewal for a three-year term.

BUDGET IMPACT: \$93,833.25 (over three years)

Is this expenditure approved in the current fiscal year budget? Yes

If no, describe how it will be funded. EnterTextHere

ATTACHMENTS:

Resolution

Licensing Agreement

Resolution #R_____

**RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL TO
AUTHORIZE THE SOLE-SOURCE PURCHASE OF GIS SOFTWARE AND RENEWAL
OF A LICENSING AGREEMENT**

WHEREAS, the City uses mapping software for many daily functions including asset management, public information, project management, and others. The City has had licensing agreements with Environmental Systems Research Institute, Inc. (ESRI) for its ArcGIS software for many years; and

WHEREAS, the City maintains considerable data in a proprietary format only usable by ArcGIS software and has integrated ArcGIS into many of its necessary functions; and

WHEREAS, NCGS 143-129(e) lists the authorized exceptions to the formal bid procedures. NCGS 143-129(e)(6) allows for purchases of apparatus, supplies, materials, or equipment to be purchasing using sole-source exception when: (i) performance or price competition for a product are not available; (ii) a needed product is available from only one source of supply; or (iii) standardization or compatibility is the overriding consideration. The governing board of a political subdivision of the State shall approve the purchases listed in the preceding sentence prior to the award of the contract; and

WHEREAS, ESRI is the sole vendor of ArcGIS software; and

WHEREAS, Staff are requesting to continue standardization on GIS Software by asking that Council approve the sole source purchase of ArcGIS Software by ESRI.

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

1. The proposed licensing agreement with ESRI for the ArcGIS Software is hereby approved. To the extent that this transaction might be considered a purchase, City Council declares that standardization and compatibility is the overriding consideration in the approval of this agreement, making it exempt under the provisions of NCGS § 143-129(e)(6).
2. The Director of Public Services is authorized to execute the licensing agreement with ESRI in an amount not to exceed \$93,833.25.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 1st day of August, 2024.

Attest: _____
Barbara G. Volk, Mayor, City of Hendersonville

Jill Murray, City Clerk

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



July 22, 2024

Mr. Travis Penland
City of Hendersonville
305 Williams St
Hendersonville, NC 28792-4461

Dear Travis,

The Esri Small Municipal and County Government Enterprise Agreement (SGEA) is a three-year agreement that will grant your organization access to Esri term license software. The EA will be effective on the date executed and will require a firm, three-year commitment.

Based on Esri's work with several organizations similar to yours, we know there is significant potential to apply Geographic Information System (GIS) technology in many operational and technical areas within your organization. For this reason, we believe that your organization will greatly benefit from an Enterprise Agreement (EA).

An EA will provide your organization with numerous benefits including:

- A lower cost per unit for licensed software
- Substantially reduced administrative and procurement expenses
- Complete flexibility to deploy software products when and where needed

The following business terms and conditions will apply:

- All current departments, employees, and in-house contractors of the organization will be eligible to use the software and services included in the EA.
- If your organization wishes to acquire and/or maintain any Esri software during the term of the agreement that is not included in the EA, it may do so separately at the Esri pricing that is generally available for your organization for software and maintenance.
- The organization will establish a single point of contact for orders and deliveries and will be responsible for redistribution to eligible users.
- The organization will establish a Tier 1 support center to field calls from internal users of Esri software. The organization may designate individuals as specified in the EA who may directly contact Esri for Tier 2 technical support.
- The organization will provide an annual report of installed Esri software to Esri.
- Esri software and updates that the organization is licensed to use will be automatically available for downloading.
- The fee and benefits offered in this EA proposal are contingent upon your acceptance of Esri's Small Municipal and County Government EA terms and conditions.

- Licenses are valid for the term of the EA.

This program offer is valid for 90 days. To complete the agreement within this time frame, please contact me within the next seven days to work through any questions or concerns you may have.

To expedite your acceptance of this EA offer:

1. Sign and return the EA contract with a Purchase Order or issue a Purchase Order that references this EA Quotation and includes the following statement on the face of the Purchase Order:

"THIS PURCHASE ORDER IS GOVERNED BY THE TERMS AND CONDITIONS OF THE ESRI SMALL MUNICIPAL AND COUNTY GOVERNMENT EA, AND ADDITIONAL TERMS AND CONDITIONS IN THIS PURCHASE ORDER WILL NOT APPLY."

Have it signed by an authorized representative of the organization.

2. On the first page of the EA, identify the central point of contact/agreement administrator. The agreement administrator is the party that will be the contact for management of the software, administration issues, and general operations. Information should include name, title (if applicable), address, phone number, and e-mail address.
3. In the purchase order, identify the "Ship to" and "Bill to" information for your organization.
4. Send the purchase order and agreement to the address, email or fax noted below:

Esri
Attn: Customer Service SG-EA
380 New York Street
Redlands, CA 92373-8100

e-mail: service@esri.com
fax documents to: 909-307-3083

I appreciate the opportunity to present you with this proposal, and I believe it will bring great benefits to your organization.

Thank you very much for your consideration.

Best Regards,

Wendy McGuire | Local Government Account Manager
Esri | Charlotte, NC 28277 | USA
T 704 541 9810 X8657 | wmcguire@esri.com
THE SCIENCE OF WHERE ®



Quotation # Q-527062

Section 5, Item K.

Date: July 22, 2024

Customer # 156870 Contract #

City of Hendersonville
Engineering Dept
305 Williams St
Hendersonville, NC 28792-4461

ATTENTION: Travis Penland
PHONE: 828-233-3226
EMAIL: tpenland@hvlnc.gov

Environmental Systems Research Institute, Inc.
380 New York St
Redlands, CA 92373-8100
Phone: (909) 793-2853
DUNS Number: 06-313-4175 CAGE Code: 0AMS3

To expedite your order, please attach a copy of this quotation to your purchase order.
Quote is valid from: 7/22/2024 To: 10/20/2024

Material	Qty	Term	Unit Price	Total
168177	1	Year 1	\$29,300.00	\$29,300.00
Populations of 0 to 25,000 Small Government Enterprise Agreement Annual Subscription				
168177	1	Year 2	\$29,300.00	\$29,300.00
Populations of 0 to 25,000 Small Government Enterprise Agreement Annual Subscription				
168177	1	Year 3	\$29,300.00	\$29,300.00
Populations of 0 to 25,000 Small Government Enterprise Agreement Annual Subscription				
Subtotal:				\$87,900.00
Sales Tax:				\$5,933.25
Estimated Shipping and Handling (2 Day Delivery):				\$0.00
Contract Price Adjust:				\$0.00
Total:				\$93,833.25

Upon acceptance of the offer, City of Hendersonville agrees to commit to the three-year term. Esri will invoice City of Hendersonville for the annual fee in advance of each renewal year. Invoices are to be paid within thirty (30) days of receipt of the invoice.

Esri may charge a fee to cover expenses related to any customer requirement to use a proprietary vendor management, procurement, or invoice program.

For questions contact:

Wendy McGuire

Email:

wmcguire@esri.com

Phone:

704-541-9810 x8657

The items on this quotation are subject to and governed by the terms of this quotation, the most current product specific scope of use document found at <https://assets.esri.com/content/dam/esrisites/media/legal/product-specific-terms-of-use/e300.pdf>, and your applicable signed agreement with Esri. If no such agreement covers any item quoted, then Esri's standard terms and conditions found at <https://go.esri.com/MAPS> apply to your purchase of that item. If any item is quoted with a multi-year payment schedule, then unless otherwise stated in this quotation, Customer is required to make all payments without right of cancellation. Third-party data sets included in a quotation as separately licensed items will only be provided and invoiced if Esri is able to provide such data and will be subject to the applicable third-party's terms and conditions. If Esri is unable to provide any such data set, Customer will not be responsible for any further payments for the data set. US Federal government entities and US government prime contractors authorized under FAR 51.1 may purchase under the terms of Esri's GSA Federal Supply Schedule. Supplemental terms and conditions found at <https://www.esri.com/en-us/legal/terms/state-supplemental> apply to some US state and local government purchases. All terms of this quotation will be incorporated into and become part of any additional agreement regarding Esri's offerings. Acceptance of this quotation is limited to the terms of this quotation. Esri objects to and expressly rejects any different or additional terms contained in any purchase order, offer, or confirmation sent to or to be sent by buyer. Unless prohibited by law, the quotation information is confidential and may not be copied or released other than for the express purpose of system selection and purchase/license. The information may not be given to outside parties or used for any other purpose without consent from Esri. Delivery is FOB Origin for customers located in the USA.

118

MCGUIREW

This offer is limited to the terms and conditions incorporated and attached herein.

Esri Use Only:

Cust. Name _____
 Cust. # _____
 PO # _____
 Esri Agreement # _____



esri

Section 5, Item K.

OF
WHERE®

SMALL ENTERPRISE AGREEMENT COUNTY AND MUNICIPALITY GOVERNMENT (E214-1)

This Agreement is by and between the organization identified in the Quotation ("**Customer**") and **Environmental Systems Research Institute, Inc. ("Esri")**.

This Agreement sets forth the terms for Customer's use of Products and incorporates by reference (i) the Quotation and (ii) the Master Agreement. Should there be any conflict between the terms and conditions of the documents that comprise this Agreement, the order of precedence for the documents shall be as follows: (i) the Quotation, (ii) this Agreement, and (iii) the Master Agreement. This Agreement shall be governed by and construed in accordance with the laws of the state in which Customer is located without reference to conflict of laws principles, and the United States of America federal law shall govern in matters of intellectual property. The modifications and additional rights granted in this Agreement apply only to the Products listed in Table A.

Table A
List of Products

Uncapped Quantities

Desktop Software and Extensions (Single Use)

ArcGIS Desktop Advanced
 ArcGIS Desktop Standard
 ArcGIS Desktop Basic
 ArcGIS Desktop Extensions: ArcGIS 3D Analyst,
 ArcGIS Spatial Analyst, ArcGIS Geostatistical Analyst,
 ArcGIS Publisher, ArcGIS Network Analyst, ArcGIS
 Schematics, ArcGIS Workflow Manager, ArcGIS Data
 Reviewer

Enterprise Software and Extensions

ArcGIS Enterprise (Advanced and Standard)
 ArcGIS Monitor
 ArcGIS Enterprise Extensions: ArcGIS 3D Analyst,
 ArcGIS Spatial Analyst, ArcGIS Geostatistical Analyst,
 ArcGIS Network Analyst, ArcGIS Schematics, ArcGIS
 Workflow Manager, ArcGIS Data Reviewer

Enterprise Additional Capability Servers

ArcGIS Image Server

Developer Tools

ArcGIS Runtime Standard
 ArcGIS Runtime Analysis Extension

Limited Quantities

One (1) Professional subscription to ArcGIS Developer
 Two (2) ArcGIS CityEngine Single Use Licenses
 50 ArcGIS Online Viewers
 50 ArcGIS Online Creators
 10,000 ArcGIS Online Service Credits
 50 ArcGIS Enterprise Creators
 2 ArcGIS Insights in ArcGIS Enterprise
 2 ArcGIS Insights in ArcGIS Online
 5 ArcGIS Location Sharing User Type Extension (Enterprise)
 5 ArcGIS Location Sharing User Type Extension (Online)
 6 ArcGIS Advanced Editing User Type Extension (Enterprise)

OTHER BENEFITS

Number of Esri User Conference registrations provided annually	2
Number of Tier 1 Help Desk individuals authorized to call Esri	2
Maximum number of sets of backup media, if requested*	2
Five percent (5%) discount on all individual commercially available instructor-led training classes at Esri facilities purchased outside this Agreement	

*Additional sets of backup media may be purchased for a fee

Customer may accept this Agreement by signing and returning the whole Agreement with (i) the Quotation attached, (ii) a purchase order, or (iii) another document that matches the Quotation and references this Agreement ("**Ordering Document**"). **ADDITIONAL OR CONFLICTING TERMS IN CUSTOMER'S PURCHASE ORDER OR OTHER DOCUMENT WILL NOT APPLY, AND THE TERMS OF THIS AGREEMENT WILL GOVERN.** This Agreement is effective as of the date of Esri's receipt of an Ordering Document, unless otherwise agreed to by the parties ("**Effective Date**").

Term of Agreement: Three (3) years

This Agreement supersedes any previous agreements, proposals, presentations, understandings, and arrangements between the parties relating to the licensing of the Products. Except as provided in Article 4—Product Updates, no modifications can be made to this Agreement.

Accepted and Agreed:

(Customer)

By: _____
Authorized Signature

Printed Name: _____

Title: _____

Date: _____

CUSTOMER CONTACT INFORMATION

Contact: _____

Telephone: _____

Address: _____

Fax: _____

City, State, Postal Code: _____

E-mail: _____

Country: _____

Quotation Number (if applicable): _____

1.0—ADDITIONAL DEFINITIONS

In addition to the definitions provided in the Master Agreement, the following definitions apply to this Agreement:

"Case" means a failure of the Software or Online Services to operate according to the Documentation where such failure substantially impacts operational or functional performance.

"Deploy", "Deployed" and "Deployment" mean to redistribute and install the Products and related Authorization Codes within Customer's organization(s).

"Fee" means the fee set forth in the Quotation.

"Maintenance" means Tier 2 Support, Product updates, and Product patches provided to Customer during the Term of Agreement.

"Master Agreement" means the applicable master agreement for Esri Products incorporated by this reference that is (i) found at <https://www.esri.com/en-us/legal/terms/full-master-agreement> and available in the installation process requiring acceptance by electronic acknowledgment or (ii) a signed Esri master agreement or license agreement that supersedes such electronically acknowledged master agreement.

"Product(s)" means the products identified in Table A—List of Products and any updates to the list Esri provides in writing.

"Quotation" means the offer letter and quotation provided separately to Customer.

"Technical Support" means the technical assistance for attempting resolution of a reported Case through error correction, patches, hot fixes, workarounds, replacement deliveries, or any other type of Product corrections or modifications.

"Tier 1 Help Desk" means Customer's point of contact(s) to provide all Tier 1 Support within Customer's organization(s).

"Tier 1 Support" means the Technical Support provided by the Tier 1 Help Desk.

"Tier 2 Support" means the Esri Technical Support provided to the Tier 1 Help Desk when a Case cannot be resolved through Tier 1 Support.

2.0—ADDITIONAL GRANT OF LICENSE

2.1 Grant of License. Subject to the terms and conditions of this Agreement, Esri grants to Customer a personal, nonexclusive, nontransferable license solely to use, copy, and Deploy quantities of the Products listed in Table A—List of Products for the Term of Agreement (i) for the applicable Fee and (ii) in accordance with the Master Agreement.

2.2 Consultant Access. Esri grants Customer the right to permit Customer's consultants or contractors to use the Products exclusively for Customer's benefit. Customer will be solely responsible for compliance by consultants and contractors with this Agreement and will ensure that the consultant or contractor discontinues use of Products upon completion of work for Customer. Access to or use of Products by consultants or contractors not exclusively for Customer's benefit is prohibited. Customer may not permit its consultants or contractors to install Software or Data on consultant, contractor, or third-party computers or remove Software or Data from Customer locations, except for the purpose of hosting the Software or Data on Contractor servers for the benefit of Customer.

3.0—TERM, TERMINATION, AND EXPIRATION

3.1 Term. This Agreement and all licenses hereunder will commence on the Effective Date and continue for the duration identified in the Term of Agreement, unless this Agreement is terminated earlier as provided herein. Customer is only authorized to use Products during the Term of Agreement. For an Agreement with a limited term, Esri does not grant Customer an indefinite or a perpetual license to Products.

3.2 No Use upon Agreement Expiration or Termination. All Product licenses, all Maintenance, and Esri User Conference registrations terminate upon expiration or termination of this Agreement.

3.3 Termination for a Material Breach. Either party may terminate this Agreement for a material breach by the other party. The breaching party will have thirty (30) days from the date of written notice to cure any material breach.

3.4 Termination for Lack of Funds. For an Agreement with government or government-

owned entities, either party may terminate this Agreement before any subsequent year if Customer is unable to secure funding through the legislative or governing body's approval process.

3.5 Follow-on Term. If the parties enter into another agreement substantially similar to this Agreement for an additional term, the effective date of the follow-on agreement will be the day after the expiration date of this Agreement.

4.0—PRODUCT UPDATES

4.1 Future Updates. Esri reserves the right to update the list of Products in Table A—List of Products by providing written notice to Customer. Customer may continue to use all Products that have been Deployed, but support and upgrades for deleted items may not be available. As new Products are incorporated into the standard program, they will be offered to Customer via written notice for incorporation into the Products schedule at no additional charge. Customer's use of new or updated Products requires Customer to adhere to applicable additional or revised terms and conditions in the Master Agreement.

4.2 Product Life Cycle. During the Term of Agreement, some Products may be retired or may no longer be available to Deploy in the identified quantities. Maintenance will be subject to the individual Product Life Cycle Support Status and Product Life Cycle Support Policy, which can be found at <https://support.esri.com/en/other-resources/product-life-cycle>. Updates for Products in the mature and retired phases may not be available. Customer may continue to use Products already Deployed, but Customer will not be able to Deploy retired Products.

5.0—MAINTENANCE

The Fee includes standard maintenance benefits during the Term of Agreement as specified in the most current applicable Esri Maintenance and Support Program document (found at <https://www.esri.com/en-us/legal/terms/maintenance>). At Esri's sole discretion, Esri may make patches, hot fixes, or updates available for download. No Software other

than the defined Products will receive Maintenance. Customer may acquire maintenance for other Software outside this Agreement.

a. Tier 1 Support

1. Customer will provide Tier 1 Support through the Tier 1 Help Desk to all Customer's authorized users.
2. The Tier 1 Help Desk will be fully trained in the Products.
3. At a minimum, Tier 1 Support will include those activities that assist the user in resolving how-to and operational questions as well as questions on installation and troubleshooting procedures.
4. The Tier 1 Help Desk will be the initial point of contact for all questions and reporting of a Case. The Tier 1 Help Desk will obtain a full description of each reported Case and the system configuration from the user. This may include obtaining any customizations, code samples, or data involved in the Case.
5. If the Tier 1 Help Desk cannot resolve the Case, an authorized Tier 1 Help Desk individual may contact Tier 2 Support. The Tier 1 Help Desk will provide support in such a way as to minimize repeat calls and make solutions to problems available to Customer's organization.
6. Tier 1 Help Desk individuals are the only individuals authorized to contact Tier 2 Support. Customer may change the Tier 1 Help Desk individuals by written notice to Esri.

b. Tier 2 Support

1. Tier 2 Support will log the calls received from Tier 1 Help Desk.
2. Tier 2 Support will review all information collected by and received from the Tier 1 Help Desk including preliminary documented troubleshooting provided by the Tier 1 Help Desk when Tier 2 Support is required.
3. Tier 2 Support may request that Tier 1 Help Desk individuals provide verification of information, additional information, or answers to additional questions to

supplement any preliminary information gathering or troubleshooting performed by Tier 1 Help Desk.

4. Tier 2 Support will attempt to resolve the Case submitted by Tier 1 Help Desk.
5. When the Case is resolved, Tier 2 Support will communicate the information to Tier 1 Help Desk, and Tier 1 Help Desk will disseminate the resolution to the user(s).

6.0—ENDORSEMENT AND PUBLICITY

This Agreement will not be construed or interpreted as an exclusive dealings agreement or Customer's endorsement of Products. Either party may publicize the existence of this Agreement.

7.0—ADMINISTRATIVE REQUIREMENTS

7.1 OEM Licenses. Under Esri's OEM or Solution OEM programs, OEM partners are authorized to embed or bundle portions of Esri products and services with their application or service. OEM partners' business model, licensing terms and conditions, and pricing are independent of this Agreement. Customer will not seek any discount from the OEM partner or Esri based on the availability of Products under this Agreement. Customer will not decouple Esri products or services from the OEM partners' application or service.

7.2 Annual Report of Deployments. At each anniversary date and ninety (90) calendar days prior to the expiration of this Agreement, Customer will provide Esri with a written report detailing all Deployments. Upon request, Customer will provide records sufficient to verify the accuracy of the annual report.

8.0—ORDERING, ADMINISTRATIVE PROCEDURES, DELIVERY, AND DEPLOYMENT

8.1 Orders, Delivery, and Deployment

- a. Upon the Effective Date, Esri will invoice Customer and provide Authorization Codes to activate the nondestructive copy protection program that enables Customer to download,

operate, or allow access to the Products. If this is a multi-year Agreement, Esri may invoice the Fee up to thirty (30) calendar days before the annual anniversary date for each year.

- b. Undisputed invoices will be due and payable within thirty (30) calendar days from the date of invoice. Esri reserves the right to suspend Customer's access to and use of Products if Customer fails to pay any undisputed amount owed on or before its due date. Esri may charge Customer interest at a monthly rate equal to the lesser of one percent (1.0%) per month or the maximum rate permitted by applicable law on any overdue fees plus all expenses of collection for any overdue balance that remains unpaid ten (10) days after Esri has notified Customer of the past-due balance.

- c. Esri's federal ID number is 95-2775-732.

- d. If requested, Esri will ship backup media to the ship-to address identified on the Ordering Document, FOB Destination, with shipping charges prepaid. Customer acknowledges that should sales or use taxes become due as a result of any shipments of tangible media, Esri has a right to invoice and Customer will pay any such sales or use tax associated with the receipt of tangible media.

8.2 Order Requirements. Esri does not require Customer to issue a purchase order. Customer may submit a purchase order in accordance with its own process requirements, provided that if Customer issues a purchase order, Customer will submit its initial purchase order on the Effective Date. If this is a multi-year Agreement, Customer will submit subsequent purchase orders to Esri at least thirty (30) calendar days before the annual anniversary date for each year.

- a. All orders pertaining to this Agreement will be processed through Customer's centralized point of contact.
- b. The following information will be included in each Ordering Document:
 - (1) Customer name; Esri customer number, if known; and bill-to and ship-to addresses
 - (2) Order number
 - (3) Applicable annual payment due

9.0—MERGERS, ACQUISITIONS, OR DIVESTITURES

If Customer is a commercial entity, Customer will notify Esri in writing in the event of (i) a consolidation, merger, or reorganization of Customer with or into another corporation or entity; (ii) Customer's acquisition of another entity; or (iii) a transfer or sale of all or part of Customer's organization (subsections i, ii, and iii, collectively referred to as "**Ownership Change**"). There will be no decrease in Fee as a result of any Ownership Change.

- 9.1** If an Ownership Change increases the cumulative program count beyond the maximum level for this Agreement, Esri reserves the right to increase the Fee or terminate this Agreement and the parties will negotiate a new agreement.
- 9.2** If an Ownership Change results in transfer or sale of a portion of Customer's organization, that portion of Customer's organization will transfer the Products to Customer or uninstall, remove, and destroy all copies of the Products.
- 9.3** This Agreement may not be assigned to a successor entity as a result of an Ownership Change unless approved by Esri in writing in advance. If the assignment to the new entity is not approved, Customer will require any successor entity to uninstall, remove, and destroy the Products. This Agreement will terminate upon such Ownership Change.



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

SUBMITTER:	Lu Ann Welter	MEETING DATE: August 1, 2024
AGENDA SECTION:	Presentation Only	DEPARTMENT: Human Resources
TITLE OF ITEM, Presenter Name, Title:	Quarterly MVP Recipients – <i>John Connet, City Manager</i>	
<u>SUGGESTED MOTION(S):</u>	None	

SUMMARY:

The Service Excellence Design Team voted these employees as the MVPs for the April through June 2024

BUDGET IMPACT: \$

Is this expenditure approved in the current fiscal year budget? No

If no, describe how it will be funded.

PROJECT NUMBER: N/A

PETITION NUMBER: N/A

ADDITIONAL PETITION NUMBER: N/A

PETITIONER NAME: N/A

ATTACHMENTS:

PowerPoint Presentation



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

SUBMITTER: Jay Heatherly **MEETING DATE:** 08/01/2024

AGENDA SECTION: PRESENTATION **DEPARTMENT:** Information Technology

TITLE OF ITEM: Jakob Presentation Place Holder– *Jay Heatherly, IT Manager*

SUGGESTED MOTION(S):

N/A

SUMMARY:

Summer Internship Summary Presentation – Jakob Olsen

ATTACHMENTS:

1. Presentation



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

SUBMITTER: Jennifer Floyd **MEETING DATE:** 08/01/2024

AGENDA SECTION: PRESENTATION **DEPARTMENT:** Administration

TITLE OF ITEM: Keegan Presentation Place Holder– *Jennifer Floyd, Budget and Management Analyst*

SUGGESTED MOTION(S):

N/A

SUMMARY:

Unhoused Data Initiative- Keegan Huynh

ATTACHMENTS:

1. Presentation



CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

SUBMITTER:

Tyler Morrow

MEETING DATE:

August 1st, 2024

AGENDA SECTION:

Public Hearing

DEPARTMENT:

Community Development

TITLE OF ITEM:

Annexation: Public Hearing- Upward Road (Hill) (C24-35-ANX) – Tyler Morrow, Current Planning Manager

SUGGESTED MOTION(S):

<u>For Approval:</u>	<u>For Denial:</u>
I move City Council adopt an ordinance of the City of Hendersonville to annex noncontiguous property owned by Lyndon and Lynn Hill, identified as PIN 9577-99-0735, finding that the standards established by North Carolina General Statute 160A-58.1 have been satisfied and that the annexation is in the best interest of the City.	I move that City Council deny the petition received from Lyndon and Lynn Hill, requesting the annexation of that property having PIN 9577-99-0735.

SUMMARY: *File # C24-35-ANX*

The City of Hendersonville has received a petition from Lyndon and Lynn Hill for satellite annexation of PIN 9577-99-0735 and located on Upward Road that is approximately 1.20 acres. Please refer to the attached maps for additional information.

On July 10th, 2024, City Council accepted the City Clerk’s Certificate of Sufficiency for the petition submitted by Lyndon and Lynn Hill and set August 1st, 2024, as the date for the public hearing.

PROJECT/PETITIONER NUMBER:	<ul style="list-style-type: none">C24-35-ANX
PETITIONER NAME:	<ul style="list-style-type: none">Lyndon HillLynn Hill

ATTACHMENTS:	<ol style="list-style-type: none"> 1. Ordinance 2. Signed Certificate of Sufficiency 3. Signed Resolution setting public hearing 4. Annexation Plat 5. Typed legal description 6. GIS map 7. Deed 8. Annexation Application
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Ordinance #____-____

**AN ORDINANCE OF THE CITY OF HENDERSONVILLE CITY COUNCIL TO
EXTEND THE CORPORATE LIMITS OF THE CITY AS A SATELLITE ANNEXATION**

Re: Petition for Satellite Annexation
Petitioners: Lyndon and Lynn Hill
File No. C24-35-ANX

WHEREAS, The City of Hendersonville has been petitioned by Lyndon and Lynn Hill pursuant to North Carolina General Statutes (NCGS) 160A-58.1, as amended, to annex the area described herein below; and,

WHEREAS, the City Clerk has investigated and certified the sufficiency of said petition; and,

WHEREAS, a public hearing on the question of this annexation was held at the City Operations Center at 305 Williams Street, Hendersonville, NC at 5:45 pm, on the 1st day of August 2024, after due notice by publication as provided by law on July 21, 2024; and

WHEREAS, the City Council further finds the areas described therein meets the standards of N.C. G.S. 160A-58.1(b), to wit;

- a) All of The Petition includes a metes and bounds description of the area proposed for annexation and has attached a map showing the proposed satellite area.
- b) The nearest point on the proposed satellite corporate limit is approximately 2400' from the primary corporate limits of the City of Hendersonville, which is less than 3 miles.
- c) The Petition includes the names and addresses and signatures of all owners of real property lying in the area described therein, except those not required to sign by G.S.160A-58.1 (a).

- d) No point on the proposed satellite corporate limits is closer to the primary corporate limits of another city than to the primary corporate limits of Hendersonville (Village of Flat Rock approximately 3300').
- e) The area is situated so the City will be able to provide the same services within the proposed corporate limits that is provided within the primary corporate limits.
- f) The area proposed for annexation is not subject to subdivision regulation as described N.C.G.S. § 160D-802
- g) The total area within the proposed satellite corporate limits, when added to the area within all the other satellite corporate limits of the City, does not exceed ten (10%) of the area within the primary corporate limits of the City.
- h) The area for annexation meets all other requirements defined in NC 160A-58.54 regarding the character of the area to be annexed.

WHEREAS, the City further finds that the petition has been signed by all the owners of real property in the area who are required by law to sign; and

WHEREAS, the City further finds that the petition is otherwise valid, and that the public health, safety and welfare of the City and of the area proposed for annexation will be best served by annexing the area described;

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

- 1: By virtue of the authority granted by N.C.G.S. 160A-58.2, as amended, the following described noncontiguous area is hereby annexed and made part of the City of Hendersonville as of the first day of August 2024.

Being all of that real property consisting of PIN 9577-99-0735 described in the plat recorded in Book 2024- ____ [to be inserted at recording of the plat] of the Henderson County Registry, said PIN 9577-99-0735 being described by metes and bounds as follows:

Situated in the City of Hendersonville, Henderson County, North Carolina and being more particularly described as follows:

Beginning at a Point standing North 52 degrees 22 minutes 19 seconds East 54.56 feet from an existing Aluminum Cap Right of Way Monument in the Southeastern margin for the Right of Way for Upward Road, S.R. 1783. Also standing North 49 degrees 08 minutes 37 seconds East 0.24 feet from an Existing #5 Rebar. Point stands approximately 2400 feet Northwest of Hendersonville City limits Northeast corner of Deed Book 958, Page 611 and approximately 3300 feet Northwest of Hendersonville City Limits in Eastern Limits of the Village of Flat Rock the Western corner of Deed Book 1383, Page 132.

thence N 52°22'19" E a distance of 120.08' to an Existing Aluminum Cap Right of Way Monument;

thence S 36°05'01" E a distance of 65.11' to an Existing Aluminum Cap Right of Way Monument;

thence N 32°00'33" E a distance of 92.76' to a #5 Rebar set;

thence S 55°01'42" E passing a #5 Rebar set online at 10.02 feet a total distance of 217.69' to a #5 Rebar set;
thence S 36°50'25" W passing a #5 Rebar set online at 42.66 feet a distance of 217.45' to an Existing 1/2" Iron Pipe;
thence N 49°08'37" W passing an Existing 1/2" Iron Pipe online at 36.76 feet a total distance of 304.90' to the Point and Place of Beginning;
having an area of 1.20 Acres.

Being Book of Record 4165, Page 586, Tract 1.

- 2:

Upon and after the first day of August 2024, the above-described territory, and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Hendersonville and shall be entitled to the same privileges and benefits as other parts of the City of Hendersonville. Said territory shall be subject to municipal taxes according to NCGS 160A-58.10, as amended.
3.

The Mayor of the City of Hendersonville shall cause to be recorded in the office of the Register of Deeds of Henderson County and at the Office of the Secretary of State in Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1, above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the Henderson County Board of Elections, as required by G. S. 163-288.1.

Adopted by the City Council of the City of Hendersonville, North Carolina on this _____ day of _____, 20____.

Attest:

Barbara G. Volk, Mayor, City of Hendersonville

Jill Murray, City Clerk

Approved as to form:

Angela S. Beeker, City Attorney

STATE OF NORTH CAROLINA, COUNTY OF HENDERSON

I, _____, a Notary Public in Henderson County, State of North Carolina, do hereby certify that Barbara G. Volk in her capacity of Mayor of the City of Hendersonville; Jill Murray, in her capacity of City Clerk personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and notarial seal, this _____ day of _____, 20_____.

My commission expires:

CERTIFICATE OF SUFFICIENCY

Re: Petition for Satellite Annexation
Petitioners: Lyndon and Lynn Hill
File No. C24-35-ANX

To the Honorable Mayor and members of the City Council of Hendersonville, North Carolina:
I, Jill Murray, City Clerk, being first duly sworn, hereby certify that:

1. A petition has been received for satellite annexation of properties consisting of +/- 1.20 acres located on Upward Road in Hendersonville, NC, being tax parcel PIN 9577-99-0735, and being more particularly described on Exhibit A, attached hereto and incorporated by reference, hereinafter "Petition."
2. An investigation has been completed as required by N.C.G.S. § 160A-58.2 of the Petition for compliance with the requirements of N.C.G.S. § 160A-58.1.

Based upon this investigation, I find that

1. The Petition includes a metes and bounds description of the area proposed for annexation and has attached a map showing the proposed satellite area.
2. The nearest point on the proposed satellite corporate limit is approximately 2400' from the primary corporate limits of the City of Hendersonville, which is less than 3 miles.
3. The Petition includes the names and addresses and signatures of all owners of real property lying in the area described therein, except those not required to sign by G.S.160A-58.1 (a).
4. No point on the proposed satellite corporate limits is closer to the primary corporate limits of another city than to the primary corporate limits of Hendersonville (Village of Flat Rock approximately 3300').
5. The area is situated so the City will be able to provide the same services within the proposed corporate limits that is provided within the primary corporate limits.
6. The area proposed for annexation is not subject to subdivision regulation as described N.C.G.S. § 160D-802
7. The total area within the proposed satellite corporate limits, when added to the area within all the other satellite corporate limits of the City, does not exceed ten (10%) of the area within the primary corporate limits of the City.
8. The area for annexation meets all other requirements defined in NC 160A-58.54 regarding the character of the area to be annexed.

Having made the findings stated above, I hereby certify the Petition appears to be valid.

In witness hereof, I have set my hand and the City Seal on this the 10th day of July, 2024.

(City Seal)





Jill Murray, City Clerk

EXHIBIT A
LEGAL DESCRIPTION

Being all of that real property consisting of PIN 9577-99-0735 described in the plat recorded in Book 2024- ____ [to be inserted at recording of the plat] of the Henderson County Registry, said PIN 9577-99-0735 being described by metes and bounds as follows:

Situated in the City of Hendersonville, Henderson County, North Carolina and being more particularly described as follows:

Beginning at a Point standing North 52 degrees 22 minutes 19 seconds East 54.56 feet from an existing Aluminum Cap Right of Way Monument in the Southeastern margin for the Right of Way for Upward Road, S.R. 1783. Also standing North 49 degrees 08 minutes 37 seconds East 0.24 feet from an Existing #5 Rebar. Point stands approximately 2400 feet Northwest of Hendersonville City limits Northeast corner of Deed Book 958, Page 611 and approximately 3300 feet Northwest of Hendersonville City Limits in Eastern Limits of the Village of Flat Rock the Western corner of Deed Book 1383, Page 132.

thence N 52°22'19" E a distance of 120.08' to an Existing Aluminum Cap Right of Way Monument;

thence S 36°05'01" E a distance of 65.11' to an Existing Aluminum Cap Right of Way Monument;

thence N 32°00'33" E a distance of 92.76' to a #5 Rebar set;

thence S 55°01'42" E passing a #5 Rebar set online at 10.02 feet a total distance of 217.69' to a #5 Rebar set;

thence S 36°50'25" W passing a #5 Rebar set online at 42.66 feet a distance of 217.45' to an Existing 1/2" Iron Pipe;

thence N 49°08'37" W passing an Existing 1/2" Iron Pipe online at 36.76 feet a total distance of 304.90' to the Point and Place of Beginning;

having an area of 1.20 Acres.

Being Book of Record 4165, Page 586, Tract 1.

Resolution #R-24-59

**RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL FIXING DATE OF
PUBLIC HEARING ON QUESTION OF ANNEXATION PURSUANT TO G.S. 160A-58.2**

WHEREAS, a petition requesting annexation of the satellite area described herein has been received;
and

WHEREAS, certification by the City Clerk as to the sufficiency of the petition has been made;

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

Section 1. A public hearing on the question of annexation of the satellite area described herein will be held at City Operations Center located at 305 William St. Hendersonville NC, 28792 at 5:45 p.m. August 1st, 2024, or as soon thereafter as it may be heard.

Section 2. The area proposed for annexation is described as follows:

Being all of that real property consisting of PIN 9577-99-0735 described in the plat recorded in Book 2024- ____ [to be inserted at recording of the plat] of the Henderson County Registry, said PIN 9577-99-0735 being described by metes and bounds as follows:

Situated in the City of Hendersonville, Henderson County, North Carolina and being more particularly described as follows:

Beginning at a Point standing North 52 degrees 22 minutes 19 seconds East 54.56 feet from an existing Aluminum Cap Right of Way Monument in the Southeastern margin for the Right of Way for Upward Road, S.R. 1783. Also standing North 49 degrees 08 minutes 37 seconds East 0.24 feet from an Existing #5 Rebar. Point stands approximately 2400 feet Northwest of Hendersonville City limits Northeast corner of Deed Book 958, Page 611 and approximately 3300 feet Northwest of Hendersonville City Limits in Eastern Limits of the Village of Flat Rock the Western corner of Deed Book 1383, Page 132.

thence N 52°22'19" E a distance of 120.08' to an Existing Aluminum Cap Right of Way Monument;

thence S 36°05'01" E a distance of 65.11' to an Existing Aluminum Cap Right of Way Monument;

thence N 32°00'33" E a distance of 92.76' to a #5 Rebar set;

thence S 55°01'42" E passing a #5 Rebar set online at 10.02 feet a total distance of 217.69' to a #5 Rebar set;

thence S 36°50'25" W passing a #5 Rebar set online at 42.66 feet a distance of 217.45' to an Existing 1/2" Iron Pipe;

thence N 49°08'37" W passing an Existing 1/2" Iron Pipe online at 36.76 feet a total distance of 304.90' to the Point and Place of Beginning;

having an area of 1.20 Acres.

Being Book of Record 4165, Page 586, Tract 1.

Re: Petition for Satellite Annexation
Petitioners: Lyndon and Lynn Hill
File No. C24-35-ANX

Section 3. Notice of the public hearing shall be published once in The Hendersonville Times-News, a newspaper having general circulation in the City of Hendersonville, at least 10 days prior to the date of the public hearing.

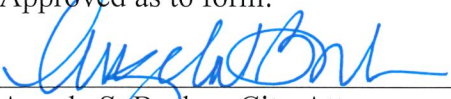
Adopted by the City Council of the City of Hendersonville, North Carolina on this 10th day of July, 2024.

Attest:


Barbara G. Volk, Mayor, City of Hendersonville


Jill Murray, City Clerk

Approved as to form:


Angela S. Becker, City Attorney

ANNEXATION PLAT
TAX PIN: 9577-99-0735
FOR
THE CITY OF HENDERSONVILLE

SHOWING TRACT FOR ANNEXATION
BOOK OF RECORD 4165, PAGE 586, TRACT 1

HENDERSONVILLE TOWNSHIP
HENDERSON COUNTY
NORTH CAROLINA

SCALE: 1" = 30'
JULY XXth, 2024

PRELIMINARY

DEPARTMENT OF TRANSPORTATION
B.O.R. 3382, PG. 444 P.D.E. 2

ZONING INFORMATION:
THE PROPERTY SHOWN IS WITHIN AN AREA ZONED "CC" BY HENDERSON COUNTY PER LAND DEVELOPMENT CODE.
SETBACKS:
FRONT- 30' (FROM RIGHT OF WAY BOULEVARD)
SIDE- 10'
REAR- 10'
PERENNIAL STREAMS- 30'
MAXIMUM BUILDING HEIGHT- 50'

This plat represents the area being annexed to the City of Hendersonville, NC pursuant to NCOS 160A-31, by Ordinance duly adopted (Annexation Ordinance CXX-XX-ANX).

This the XXth day of July, 2024.

Jill Murray, City Clerk

State of North Carolina
County of Henderson

I, _____, Review Officer of Henderson County, certify that the map or plat to which this certification is affixed meets all statutory requirements for recording.

Review Officer

State of North Carolina, County of Henderson
This instrument was prepared for registration and recorded in the Office of Register of Deeds in the State and County designated; at Plat Slide _____, this _____ day of _____, 2024.
At _____ o'clock _____.

BY: _____

I, DAVID H. HILL, N.C. PROFESSIONAL LAND SURVEYOR, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION AND THAT LOCAL HORIZONTAL AND VERTICAL GRID CONTROL WAS ESTABLISHED FROM AN ACTUAL GPS SURVEY MADE UNDER MY SUPERVISION, AND THAT THE FOLLOWING INFORMATION WAS USED TO PERFORM THE SURVEY:

- (1) CLASS OF SURVEY: CLASS A
- (2) POSITIONAL ACCURACY: 0.02' HORIZONTAL AT 95%
- (3) TYPES OF GPS FIELD PROCEDURE(S): VRS
- (4) DATES OF SURVEY: DECEMBER, 2021
- (5) DATUM/EPOCH: NAD 83/2011
- (6) PUBLISHED/FIXED CONTROL USE:
- (7) GEOD MODEL: GEOD 12B
- (8) COMBINED GRID FACTOR(S): 0.999774898
- (9) UNITS: US SURVEY FOOT

WITNESS MY SIGNATURE, LICENSE NUMBER, AND SEAL THIS XXth DAY OF JULY, A.D., 2024.

N.C. PROFESSIONAL LAND SURVEYOR LICENSE #

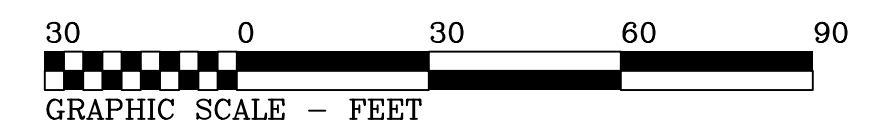
This survey is of another category or other exception to the definition of subdivision.
N.C.G.S. 47-30, F-11-D.

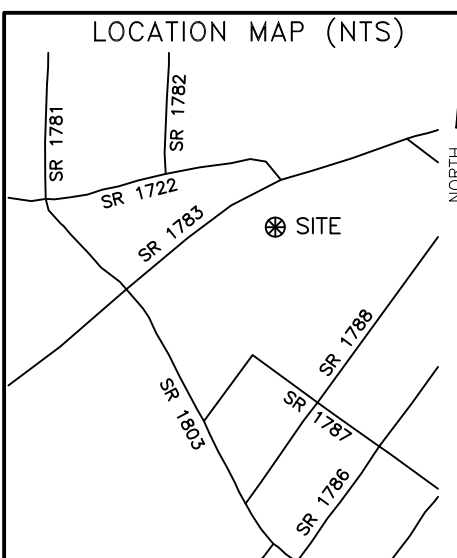
NCPLS 3863

I, _____, DAVID H. HILL, certify that this plat was drawn from an actual survey made under my supervision (deed description recorded in Book _____, page _____; that the boundaries not surveyed are clearly indicated as drawn from information found in Book _____, page _____; that the ratio of precision as calculated is 1:10000; that this plat was prepared in accordance with G.S. 47-30 as amended. Witness my original signature, registration number and seal this XXth day of JULY, A.D., 2024.

David H. Hill, NCPLS L-3863

1.20 ACRES (TOTAL)
FOR ANNEXATION



<div>LOCATION MAP (NTS)</div> 	<div>DEED REFERENCES:</div> <div>B.O.R. 4165, PG. 586 P.C. "B", SLIDE 304 P.C. "B", SLIDE 304A SLIDE 14915</div>	<div>SURVEY BY</div> <div>HILL AND ASSOCIATES</div> <div>SURVEYORS, P.A.</div> <div>LICENSE NUMBER: C-1991</div>	
	<div>TAX REFERENCES:</div> <div>9577-99-0735 9577-99-2741</div>	<div>DAVID H. HILL</div> <div>N.C.P.L.S. 3863</div>	
	<div>PARTY CHIEF: CM</div>	<div>403 WEST BLUE RIDGE ROAD</div> <div>EAST FLAT ROCK, NORTH CAROLINA 28726</div> <div>(828) 693-1409</div>	
	<div>REVISIONS:</div>		
	<div>DATE: JULY XXth, 2024</div>	<div>CHECKED BY: DHH</div>	<div>DRAWING: 20232680ANNE</div>
		<div>DRAWN BY: DHH</div>	<div>FILE: 20232680</div>

LEGEND

⊕ MONUMENT FOUND AS NOTED
○ MONUMENT SET AS NOTED
● POINT NOT STAKED
P-PED - PHONE PEDESTAL
UP - UTILITY POLE
PHP - PHONE POLE
TRANS - TRANSFORMER
TV-PED - CABLE TV PEDESTAL
WM - WATER METER
WV - WATER VALVE

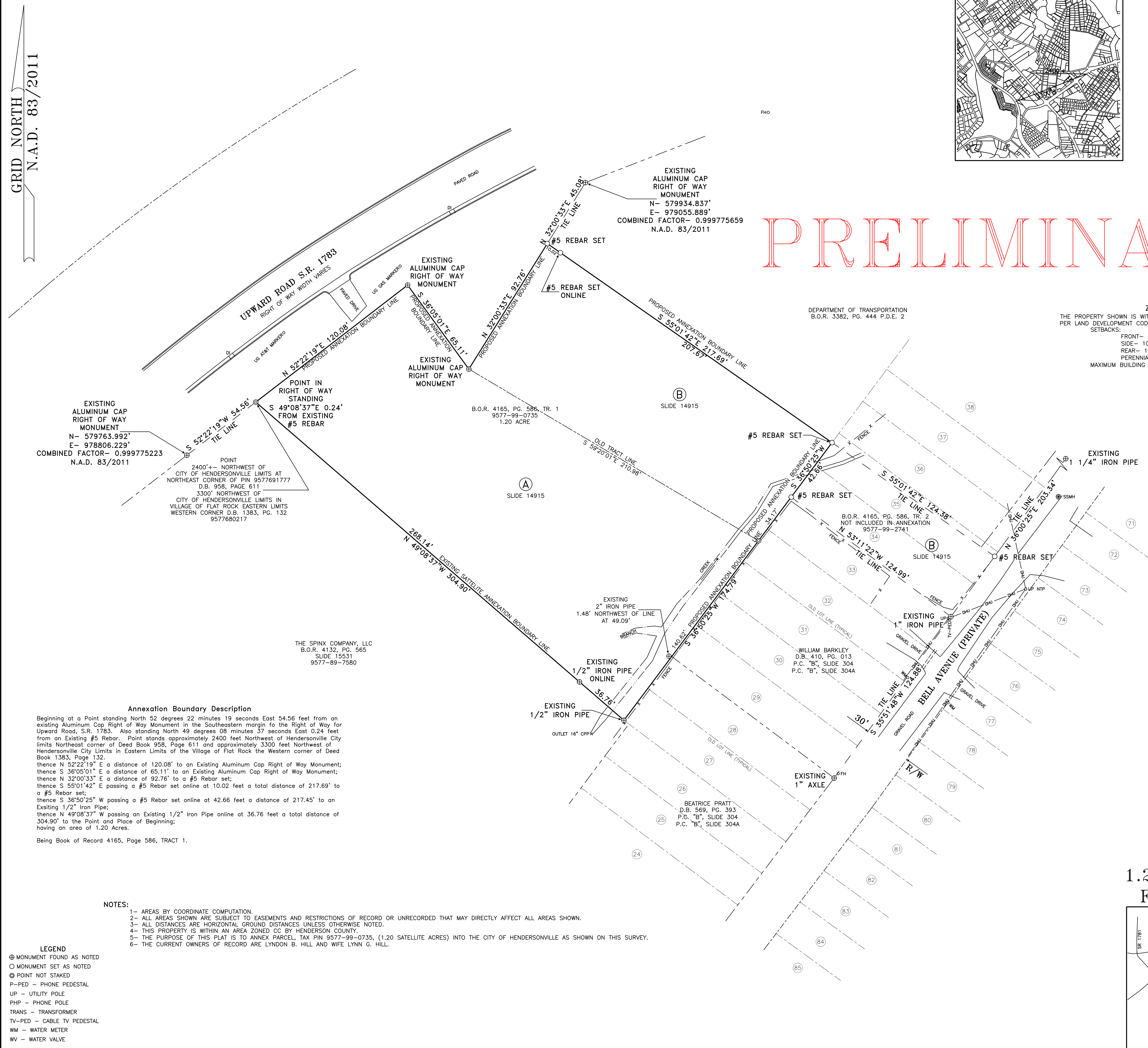
NOTES:

- 1- AREAS BY COORDINATE COMPUTATION.
- 2- ALL AREAS SHOWN ARE SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD OR UNRECORDED THAT MAY DIRECTLY AFFECT ALL AREAS SHOWN.
- 3- ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED.
- 4- THIS PROPERTY IS WITHIN AN AREA ZONED CC BY HENDERSON COUNTY.
- 5- THE PURPOSE OF THIS PLAT IS TO ANNEX PARCEL, TAX PIN 9577-99-0735, (1.20 SATTELLITE ACRES) INTO THE CITY OF HENDERSONVILLE AS SHOWN ON THIS SURVEY.
- 6- THE CURRENT OWNERS OF RECORD ARE LYNDON B. HILL AND WIFE LYNN G. HILL.

Annexation Boundary Description

Beginning at a Point standing North 52 degrees 22 minutes 19 seconds East 54.56 feet from an existing Aluminum Cap Right of Way Monument in the Southeastern margin to the Right of Way for Upward Road, S.R. 1783. Also standing North 49 degrees 08 minutes 37 seconds East 0.24 feet from an Existing #5 Rebar. Point stands approximately 2400 feet Northwest of Hendersonville City limits Northeast corner of Deed Book 958, Page 611 and approximately 3300 feet Northwest of Hendersonville City Limits in Eastern Limits of the Village of Flat Rock the Western corner of Deed Book 1383, Page 132.
thence N 52°22'19" E a distance of 120.08' to an Existing Aluminum Cap Right of Way Monument;
thence S 36°05'01" E a distance of 65.11' to an Existing Aluminum Cap Right of Way Monument;
thence N 32°00'33" E a distance of 92.76' to a #5 Rebar set;
thence S 55°01'42" E passing a #5 Rebar set online at 10.02 feet a total distance of 217.69' to a #5 Rebar set;
thence S 36°50'25" W passing a #5 Rebar set online at 42.66 feet a distance of 217.45' to an Existing 1/2" Iron Pipe;
thence N 49°08'37" W passing an Existing 1/2" Iron Pipe online at 36.76 feet a total distance of 304.90' to the Point and Place of Beginning;
having an area of 1.20 Acres.

Being Book of Record 4165, Page 586, TRACT 1.



Beginning at a Point standing North 52 degrees 22 minutes 19 seconds East 54.56 feet from an existing Aluminum Cap Right of Way Monument in the Southeastern margin for the Right of Way for Upward Road, S.R. 1783. Also standing North 49 degrees 08 minutes 37 seconds East 0.24 feet from an Existing #5 Rebar. Point stands approximately 2400 feet Northwest of Hendersonville City limits Northeast corner of Deed Book 958, Page 611 and approximately 3300 feet Northwest of Hendersonville City Limits in Eastern Limits of the Village of Flat Rock the Western corner of Deed Book 1383, Page 132.

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thence S 36°05'01" E a distance of 65.11' to an Existing Aluminum Cap Right of Way Monument;

thence N 32°00'33" E a distance of 92.76' to a #5 Rebar set;

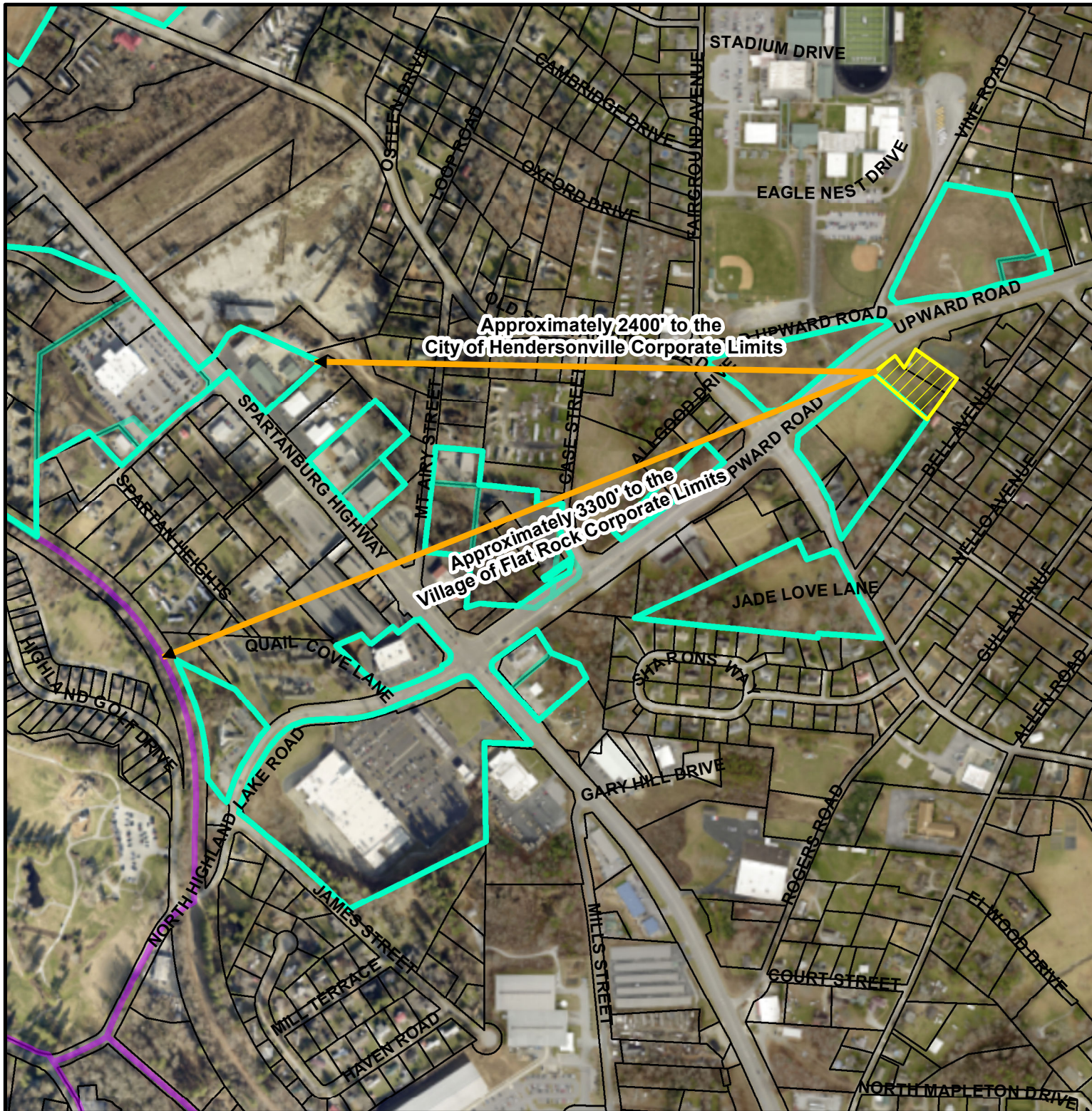
thence S 55°01'42" E passing a #5 Rebar set online at 10.02 feet a total distance of 217.69' to a #5 Rebar set;

thence S 36°50'25" W passing a #5 Rebar set online at 42.66 feet a distance of 217.45' to an Existing 1/2" Iron Pipe;




thence N 49°08'37" W passing an Existing 1/2" Iron Pipe online at 36.76 feet a total distance of 304.90' to the Point and Place of Beginning;

having an area of 1.20 Acres.

Being Book of Record 4165, Page 586, Tract 1.



Upward Road (Hill Family)
C24-35-ANX
PIN: 9577-99-0735
Acreage: 1.20
Annexation Map

-  Subject Property
- Municipal Boundaries**
-  FLAT ROCK
-  HENDERSONVILLE



DOC# 1001014587

05/16/2024 03:46:51 PM

Fee: \$26.00

Henderson County, North Carolina

Tax: \$0.00

William Lee King, Register of Deeds

Please do not place anything in the 3" margin above – for recording information only)

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax \$ 0.00

Parcel Identifier No.:

Mail after recording to: The Van Winkle Law Firm
422 S. Main St., Hendersonville, NC 28792

This instrument was prepared by: Van Winkle, Buck, Wall, Starnes & Davis, P.A. (Michael M. Thompson)

Brief description for the Index: 0 Upward Road & 000 Upward Road, Flat Rock, NC28731

THIS DEED made this 16th day of May, 2024, by and between:

<u>GRANTOR</u>	<u>GRANTEE</u>
Lyndon B. Hill and wife, Lynn G. Hill	Lyndon B. Hill and wife, Lynn G. Hill
168 Daffodil Cove Lane, Flat Rock, NC 28731	168 Daffodil Cove Lane, Flat Rock, NC 28731

Enter in appropriate block for each Grantor and Grantee: name, mailing address, and, if appropriate, character of entity, e. g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

This instrument was prepared by Michael M. Thompson, a licensed North Carolina attorney. Delinquent taxes, if any, to be paid by the closing attorney to the county tax collector upon disbursement of closing proceeds.

WITNESSETH, that Grantor, for a valuable consideration paid by Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto Grantee in fee simple, all that certain lot or parcel of land situated in the Hendersonville Township, County of Henderson, North Carolina, and more particularly described as follows:

SEE EXHIBIT A ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE

The property hereinabove described was acquired by Grantor by instrument recorded in Deed Book 4058, Page 360, Henderson County Registry.

All or a portion of the property herein conveyed _____ includes or XXX does not include the primary residence of a Grantor.


TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to Grantee in fee simple.


And Grantor covenants with Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated.

Title to the property hereinabove described is subject to the following exceptions:

Easements, covenants, conditions, and restrictions of record; 2024 ad valorem taxes; and utilities physically located on the property.

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written

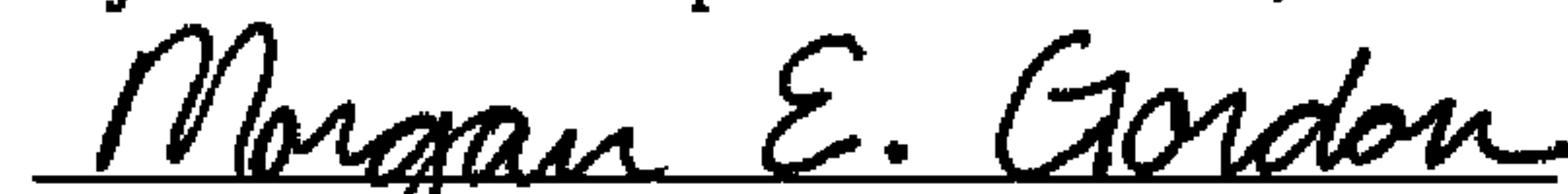
 (Seal)
Lyndon B. Hill

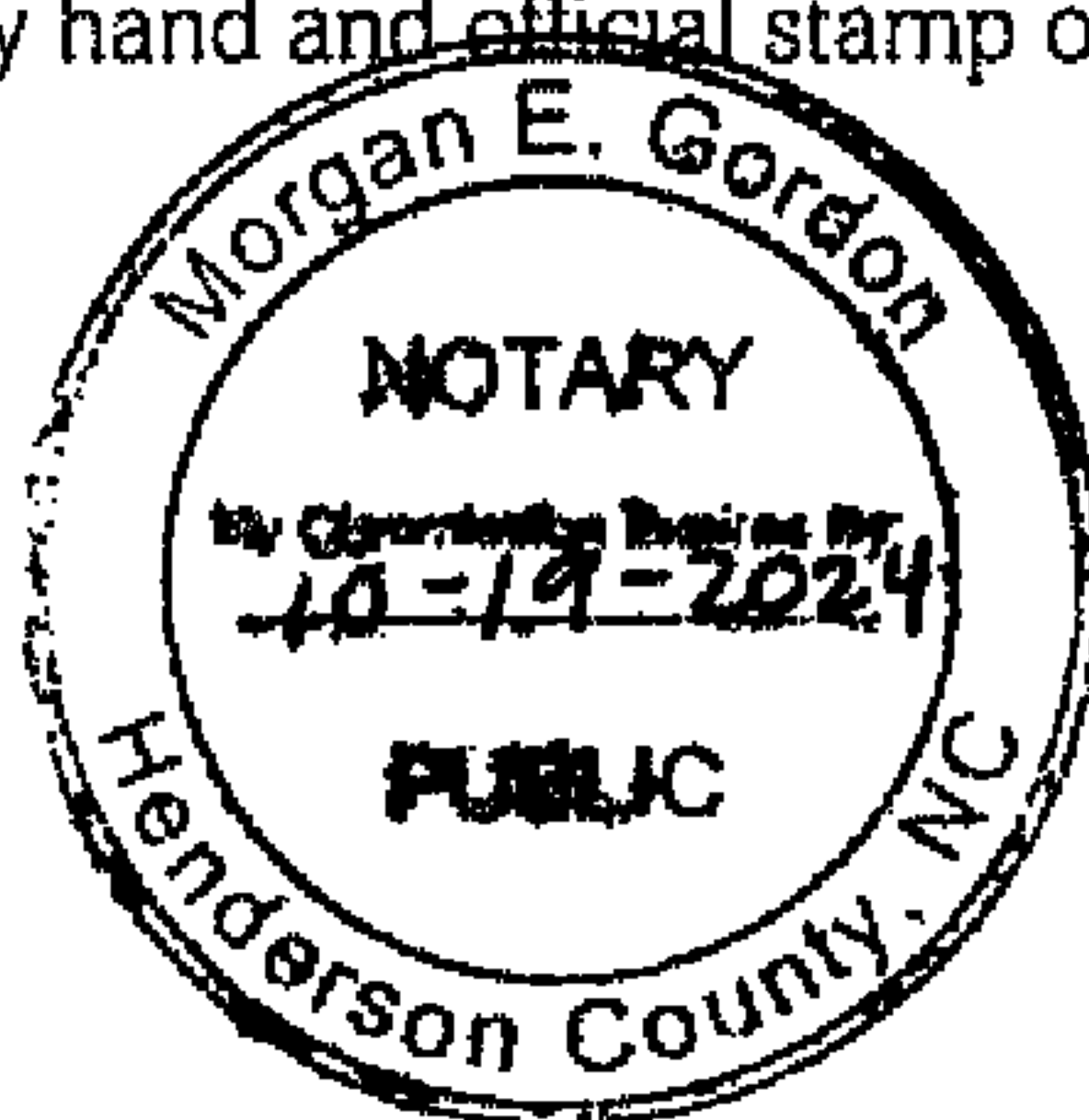
 (Seal)
Lynn G. Hill

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

I, Morgan E. Gordon, a Notary Public of the County and State aforesaid, certify that Lyndon B. Hill and wife, Lynn G. Hill personally appeared before me this day and acknowledged the execution of the foregoing instrument for the purposes therein expressed. Sworn and subscribed to before me. Witness my hand and official stamp or seal, this 16th day of May, 2023.

My Commission Expires: October 19, 2024


Notary Public



SEAL/STAMP

EXHIBIT A

TRACT ONE

BEGINNING at an existing ½" iron pipe located in the westernmost corner of Lot 27, Lawndale Park Subdivision as shown on a plat thereof recorded in Plat Cabinet B Slide 304, Henderson County Registry, thence from said beginning point and with the boundary of the Spinx Company tract described in Book 4132 Page 565, Henderson County Registry, North 49 degrees 08 minutes 37 seconds West passing an existing iron pipe on the line at 36.76 feet for a total distance of 304.90 feet, to a point located in the right of way of Upward Road (SR 1783) said point also being located South 49 degrees 08 minutes 37 seconds East 0.24 feet from an existing #5 rebar, thence with the southern margin of the right of way of Upward Road North 52 degrees 22 minutes 19 seconds East 120.08 feet to an exiting aluminum cap right of way monument, thence South 36 degrees 05 minutes 01 second East 65.11 feet to an existing aluminum cap right of way monument, thence North 32 degrees 00 minutes 33 seconds East 92.76 feet, thence South 55 degrees 01 minutes 42 seconds East 217.69 feet to a #5 rebar set on the western boundary of Lot 35, thence South 36 degrees 50 minutes 25 seconds West 42.66 feet to a #5 rebar set, thence South 36 degrees 50 minutes 25 seconds West 174.79 feet to the POINT AND PLACE OF BEGINNING and being 1.20 acres, more or less, and being all of that property designated as TRACT 1 as shown on that plat entitled "Plat of Survey for Lyndon Hill and wife, Lynn Hill" by Hill and Associates Surveyors, P.A. and being Drawing No. 2023258001, reference to which is hereby made and incorporated herein for greater certainty of description.

Being all of that same real property as conveyed by deed recorded in Deed Book 1104 Page 416, Henderson County Registry and being a portion of that same real property conveyed by deeds recorded in Book 648 Page 409, Henderson County Registry and being a portion of Deed Book 4058, Page 360, Henderson County Registry

TRACT TWO

BEGINNING at an existing #5 rebar set located in the easternmost corner of 35, Lawndale Park Subdivision as shown on plat thereof recorded in Plat Cabinet B Slide 304, Henderson County Registry and located within the margin of the right of way of Bell Avenue, thence South 36 degrees 00 minutes 25 seconds West 46.66 feet to an existing 1" iron pipe, thence North 53 degrees 11 minutes 22 seconds West 124.99 feet to a #5 rebar set, thence North 36 degrees 50 minutes 25 seconds East 42.66 feet to a #3 rebar set, thence South 55 degrees 01 minute 42 seconds East 124.38 feet to the POINT AND PLACE OF BEGINNING and being 0.13 acres, more or less, and being all of that property designated as TRACT 2 as shown on that plat entitled "Plat of Survey for Lyndon Hill and wife, Lynn Hill" by Hill and Associates Surveyors, P.A. and being Drawing No. 2023258001, reference to which is hereby made and incorporated herein for greater certainty of description.

Being a portion of that same real property conveyed by deeds recorded in Book 648 Page 409, Henderson County Registry and a portion of Deed Book 4058, Page 360, Henderson County Registry.



**CITY OF HENDERSONVILLE
COMMUNITY DEVELOPMENT DEPARTMENT**

100 N. King Street, Hendersonville, NC 28792

Phone (828) 697-3010 | Fax (828) 698-6185

www.hendersonvillenc.gov

Petition Requesting Annexation

The following are the **required** submittals for a complete application for a Voluntary Annexation. Staff will not review applications until each item has been submitted and determined complete. By placing a check mark by each of the following items, you are certifying that you have performed that task.

- ☒ 1. Completed Application Form
- ☒ 2. A copy of the deed indicating ownership of the property.
- ☒ 3. An Annexation Survey Plat of the property prepared by a registered surveyor licensed to practice in the state of North Carolina.
- ☒ 4. A typed boundary description of the property.

A. Property Information

PIN(s): 9577990735

Address(es) / Location of Property: Approximately 600 feet Northeast of Old Spartanburg Highway on the South Side of Upward Road

Does this property adjoin the present City Limits? X Yes No

Is the property within the ETJ? Yes X No

Reason for Annexation:

Tying to City of Hendersonville Water and Sewer.

Office Use:

Date Received: _____ By: _____ Fee Received? Y/N

B. Property Owner Contact Information

Lyndon Hill

* Printed Applicant Name

2024-04-01

Date

Printed Company Name (if applicable)

☐ Corporation

☐ Limited Liability Company

☐ Trust

☐ Partnership

☐ Other:


Property Owner Signature

Property Owner Title (if applicable)

168 Daffodil Cove Ln

Address of Property Owner

Flat Rock, NC 28731

City, State, and Zip Code

Telephone

Email

C. Additional Property Owner Contact Information

Lynn Hill 6/19/2024
 * Printed Applicant Name Date

 Printed Company Name (if applicable)

☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership

☐ Other: _____

Lynn Hill
 Property Owner Signature

 Property Owner Title (if applicable)

168 Daffodil Cove Ln

 Address of Property Owner

Flat Rock, NC 28731

 City, State, and Zip Code

 Telephone

 Email



CITY OF HENDERSONVILLE
AGENDA ITEM SUMMARY
PLANNING DIVISION

SUBMITTER: Tyler Morrow **MEETING DATE:** August 1st, 2024

AGENDA SECTION: Public Hearing **DEPARTMENT:** Community Development

TITLE OF ITEM: Rezoning: Standard Rezoning – Upward Rd- Hill (P24-36-RZO) – *Tyler Morrow, Current Planning Manager*

SUGGESTED MOTION(S):

<p><u>For Approval:</u></p> <p>I move City Council <u>adopt</u> an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of the subject property, PIN: 9577-99-0735 from Henderson County CC, (Community Commercial) to City of Hendersonville CHMU (Commercial Highway Mixed Use) based on the following:</p> <p>1. The petition is found to be <u>consistent</u> with the City of Hendersonville 2030 Comprehensive Plan based on the information from the staff analysis and because:</p> <p>The Goals & Strategies of LU-7 “High-Intensity Neighborhood” calls for primary and secondary recommended land uses, locations, and development guidelines which align with the proposed CHMU zoning.</p> <p>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:</p> <ol style="list-style-type: none">1. Commercial Highway Mixed Use is the zoning district established for the Upward Rd Planning Area.2. The Commercial Highway Mixed Use zoning district is well suited to achieve the goals of the Comprehensive Plan for this area.3. The property is located in an area designated as a “Priority Infill Area” according to the City’s Comprehensive Plan. <p>[DISCUSS & VOTE]</p>	<p><u>For Denial:</u></p> <p>I move City Council <u>deny</u> an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of the subject property, PIN: 9577-99-0735 from Henderson County CC, (Community Commercial) to City of Hendersonville CHMU (Commercial Highway Mixed Use) based on the following:</p> <p>1. The petition is found to be <u>consistent</u> with the City of Hendersonville 2030 Comprehensive Plan based on the information from the staff analysis and because:</p> <p>The Goals & Strategies of LU-7 “High-Intensity Neighborhood” calls for primary and secondary recommended land uses, locations, and development guidelines which align with the proposed CHMU zoning.</p> <p>2. We do not find this petition to be reasonable and in the public interest based on the information from the staff analysis, public hearing and because:</p> <ol style="list-style-type: none">1. While the CHMU zoning districts permits development that may align with the Development Guidelines found in LU-7.4, not all of the guidelines are requirements of this zoning district. <p>[DISCUSS & VOTE]</p>
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SUMMARY: The City of Hendersonville received an annexation application from Lyndon and Lynn Hill (property owners) for 1 parcel totaling 1.20 acres located along Upward Road (beside the proposed Spinx). The applicant has not requested zoning, therefore the City is initiating zoning. If annexed the County zoning remains in effect until municipal zoning is applied or a period of 60 days has elapsed after annexation.

The subject property is outside of the corporate city limits on the southeastern edge of Hendersonville. The subject property sits outside of the City’s ETJ but within the Upward Road Planning District.

CHMU permits a range of commercial uses and residential uses (up to 12 units/acre) and includes design standards for all uses other than single-family and two-family (per State Statute). As a standard rezoning, all uses would be permitted if approved.

On March 3rd, 2011, City Planning Staff brought forward a proposal for the creation of the Commercial Highway Mixed Use District. Planning Director Sue Anderson explained that the intent was to apply this zoning classification to properties in the Upward Road area that wish to annex into the City of Hendersonville in order to obtain sewer connections.

PROJECT/PETITIONER NUMBER:	P24-36-RZO
PETITIONER NAME:	City of Hendersonville [applicant] Lyndon and Lynn Hill [property owners]
ATTACHMENTS:	1. Staff Report 2. Use Comparison 3. Planning Board Meeting Summary 4. Draft Ordinance 5. Proposed Zoning Map 6. County 2045 Future Land Use Map 7. Upward Road Planning District Map

STANDARD REZONING: UPWARD RD – HILL FAMILY (P24-36-RZO)
CITY OF HENDERSONVILLE - COMMUNITY DEVELOPMENT STAFF REPORT

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EXISTING ZONING & LAND USE 3

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PROJECT SUMMARY

- Project Name & Case #:
 - Upward Rd – Hill Family
 - P24-36-RZO
- Applicant & Property Owner:
 - City of Hendersonville [Applicant]
 - Lyndon and Lynn Hill [Owners]
- Property Address:
 - No address assigned
- Project Acreage:
 - 1.20 Acres
- Parcel Identification (PINS):
 - 9577-99-0735
- Current Parcel Zoning:
 - Henderson County Community Commercial (CC)
- Proposed Zoning District:
 - CHMU (Commercial Highway Mixed Use)
- Future Land Use Designation:
 - City (2030) – High Intensity Neighborhood
 - County (2045) – Infill Area
 - Density: The maximum allowable density range is four to eight units per acre (gross density)
 - Uses: A mix of types, including single family, townhomes, and apartments where appropriate Utility
 - Access: Served by utilities



SITE VICINITY MAP

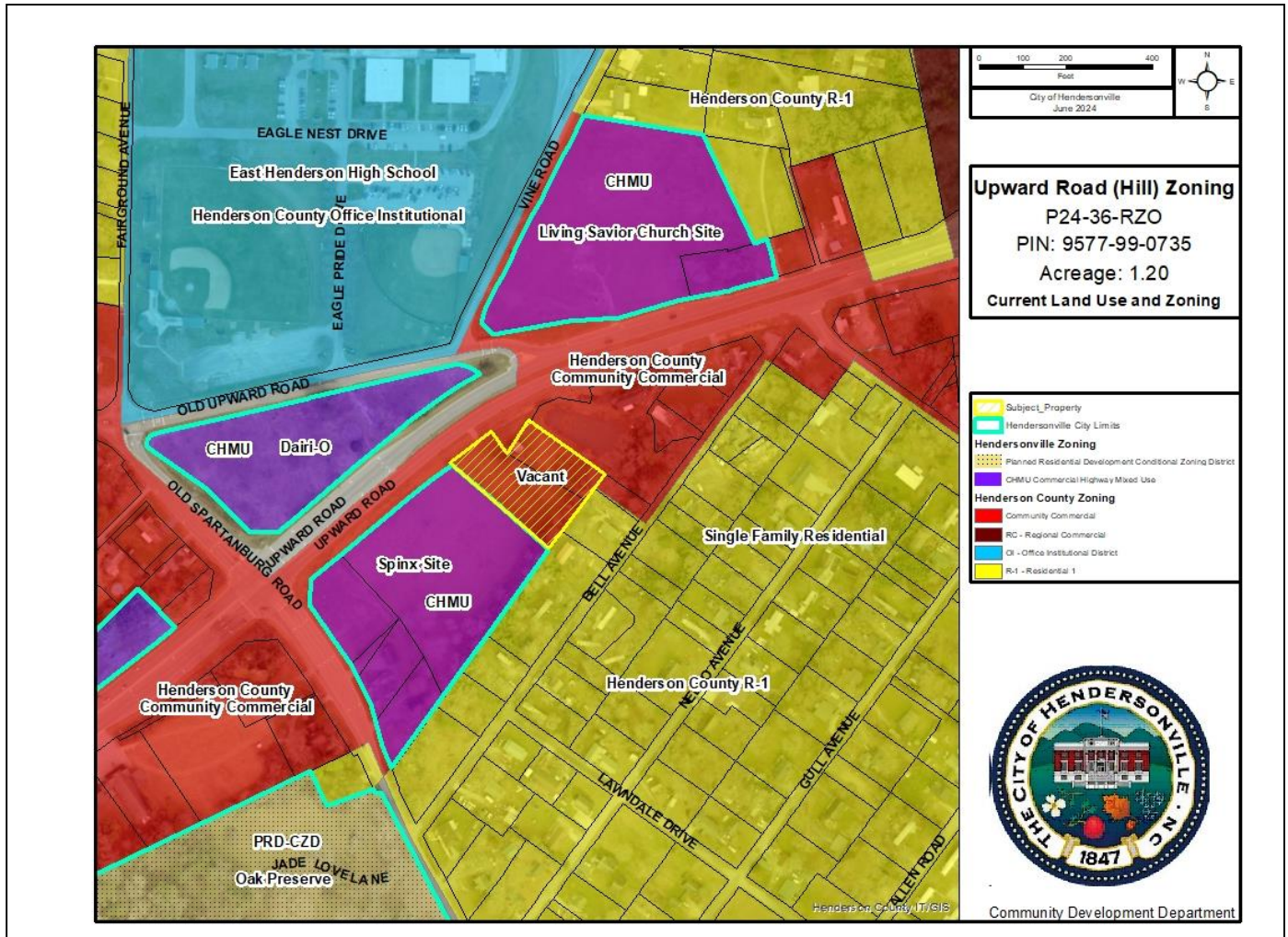
The City of Hendersonville received an annexation application from Lyndon and Lynn Hill (property owners) for 1 parcel totaling 1.20 acres located along Upward Road (beside the proposed Spinx). The applicant has not requested zoning, therefore the City is initiating zoning. If annexed the County zoning remains in effect until municipal zoning is applied or a period of 60 days has elapsed after annexation.

The subject property is outside of the corporate city limits on the southeastern edge of Hendersonville. The subject property sits outside of the City’s ETJ but within the Upward Road Planning District.

CHMU permits a range of commercial uses and residential uses (up to 12 units/acre) and includes design standards for all uses other than single-family and two-family (per State Statute). As a standard rezoning, all uses would be permitted if approved.

On March 3rd, 2011, City planning staff brought forward a proposal for the creation of the Commercial Highway Mixed Use District. Planning Director Sue Anderson explained that the intent was to apply this zoning classification to properties in the Upward Road area that wish to annex into the City of Hendersonville in order to obtain sewer connections.

EXISTING ZONING & LAND USE



City of Hendersonville Current Zoning & Land Use Map

The subject property is currently in the zoning jurisdiction of Henderson County. The parcel is zoned Community Commercial. The subject property is located outside of the corporate city limits in an area where some parcels have been annexed into the City with zoning designations including Commercial Highway Mixed Use (CHMU) and PRD-CZD (Oak Preserve). The City zoned uses within close proximity include a fast food restaurant, the future site of a religious institution and the future site of a convenience store with gasoline sales.

The County zoning in this area is predominantly Community Commercial (CC) along this stretch of Upward Road and Residential One (R1) further setback from Upward Rd. The intent of the CC zoning district is to “to allow for commercial development that includes a variety of retail sales and services, public and private administrations, offices and all other uses done primarily for sale or profit on the local and community level”. The R1 zoning is intended to “allow for medium to high-density residential development”. East Henderson High School is zoned Office and Institutional and is the only parcel with this classification near the subject property.

SITE IMAGES



View of the subject property from Upward Road facing southeast.



View of the mature vegetative buffer at the rear of the property.

SITE IMAGES



View from the rear of the property facing Upward Road.



View of the pond on the adjacent property that is owned by the North Carolina Department of Transportation.

HISTORY AND CREATION OF CHMU

Full Minutes from City Council Meeting:

<https://library.municode.com/nc/hendersonville/munidocs/munidocs?nodeId=2d9a57cc0bb97>

Creation of CHMU

In 2010 Henderson County Board of Commissioners voted against the City of Hendersonville extending its Extraterritorial Jurisdiction (ETJ) into the Upward Road Corridor. Although the extension of the ETJ was turned down, the City maintained a goal to manage the growth pattern in this area due to anticipated development pressures and subsequent requests for sewer connections. City Manager Ferguson gave City Council several options to consider at their meeting on December 2, 2010.

Those options were:

- 1) Conditioning sewer and/ or water extensions on voluntary compliance with the City's plans for quality land development,
- 2) Influencing Henderson County land use decisions by adopting a resolution urging Henderson County to enact certain regulations and providing input to various processes as the corridor develops, and
- 3) Adopting a new zoning district: the Commercial Highway Mixed Use Zoning District - which may be applied to those properties that are annexed and which may be applicable in other areas of the City.

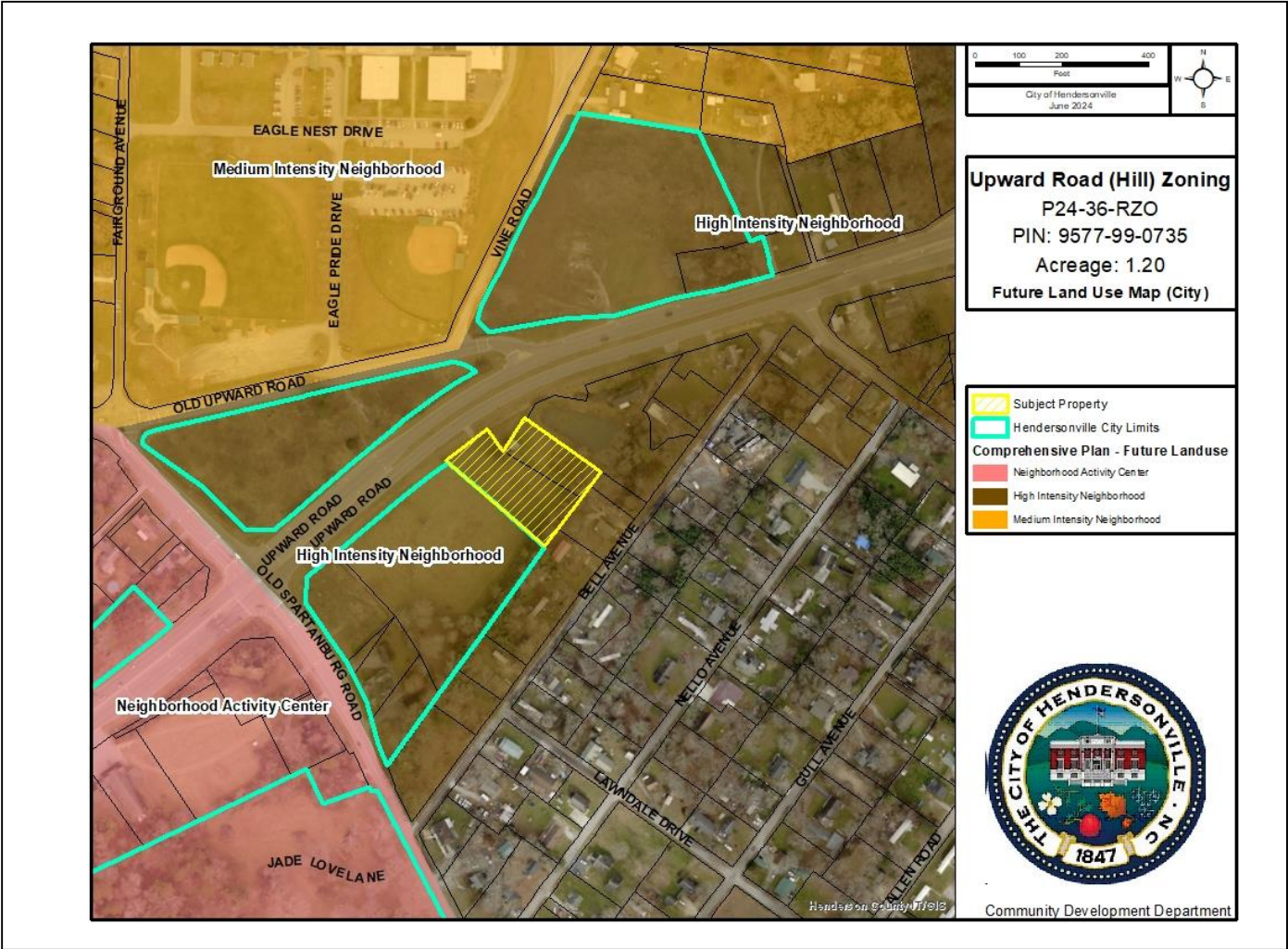
After discussion, the City Council agreed by majority consensus to direct the staff and the Planning Board to continue developing the Commercial Highway Mixed Use (CHMU) zoning district classification in compliance with the Henderson County Land Development Plan and to examine the utility extension agreement and make provisions for property owners requesting sewer service to meet the City's requirements for that area.

On March 3rd, 2011, City Planning Staff brought forward a proposal for the creation of the Commercial Highway Mixed Use District. Planning Director Sue Anderson explained that the intent was to apply this zoning classification to properties in the Upward Road area that wish to annex into the City of Hendersonville in order to obtain sewer connections. She explained the new zoning classification was closely modeled after the Highway Mixed Use zoning district which includes design standards for buildings and development sites. It was reported that the Planning Board voted unanimously to recommend that City Council adopt the ordinance enacting a new CHMU Zoning District Classification.

Mayor Pro Tem Collis moved City Council to adopt an ordinance enacting a new Section 5-27 Commercial Highway Mixed Use Zoning District Classification of the Zoning Ordinance. A unanimous vote of the Council followed. Motion carried.

Additionally, City Council created the Upward Road Planning District in line with the City's sewer extension policy. A map of the Upward Road Planning District is attached in your packet. The subject property is within the Upward Road Planning District. The Upward Road Planning District is a direct reflection of the proposed ETJ expansion that was turned down by the Henderson County Board of Commissioners

FUTURE LAND USE



City of Hendersonville Future Land Use Map

The City’s 2030 Comprehensive Plan designates the subject property as High Intensity Neighborhood in the City’s Future Land Use Map.

Parcels to the north and east on Upward Road are also designated High Intensity Neighborhood. Parcels to the west along Upward Rd are designated as Neighborhood Activity Center. Properties southeast of Bell Ave are outside of the City’s Future Land Use Map study area.

The County’s 2045 Future Land Use Map designates the subject property and all properties to the southeast as Infill Area. Infill Area consists of residentially focused areas that include a mix of housing types inside subdivisions and planned developments. These areas should have an improved transportation network and accommodate a variety of home options. Universal design that allows aging-in-place should be encouraged where appropriate.

REZONING ANALYSIS – COMPREHENSIVE PLAN CONSISTENCY (ARTICLE 11-4)

GENERAL REZONING STANDARDS: COMPREHENSIVE PLAN CONSISTENCY	
Future Land Use	The subject property is designated as <i>High Intensity Neighborhood</i> on the <i>Future Land Use Map</i> . Goal LU-7 Encourage low-maintenance, high density housing that supports Neighborhood and Regional Activity Centers and downtown and provides a transition between commercial and single-family development. [CONSISTENT]
	Strategy LU-7-1. Locations: • Priority infill development areas where high-density development is desirable and/or expected including boulevards and major thoroughfares near neighborhood activity centers [CONSISTENT]
	Strategy LU-7.2. Primary recommended land uses: • Single-family attached and multifamily residential, planned residential developments, and open space [CONSISTENT] Strategy LU-7-4 Development guidelines: • Encouragement of multi-story, mixed-use buildings with retail on ground floors and office/residential on upper floors [CONSISTENT] • Placement of higher-intensity uses close to boulevards and major thoroughfares [CONSISTENT] • Architectural guidelines to encourage compatibility between different land uses [CONSISTENT] • Encouragement of walkable neighborhood design [CONSISTENT] • At least 60% open space in new residential developments of greater than 3 acres [PARTIALLY CONSISTENT]
	The subject property is designated as a <i>Priority Infill</i> on the <i>Growth Management Map 8.3a</i> .
Land Use & Development	Goal LU-1. Encourage infill development that utilizes existing infrastructure in order to maximize public investment and revitalize existing neighborhoods.
	Goal LU-3. Promote fiscal responsibility with development, annexation and expansion of Hendersonville's Extra-Territorial Jurisdiction (ETJ).
Population & Housing	Strategy PH-1.1. Promote compatible infill development.
	Strategy PH 3.2 – Encourage mixed land use patterns that place residents within walking distance of services.
Natural Resources	No Goals, Strategies or Actions are directly applicable to this project.
Cultural & Historic Resources	No Goals, Strategies or Actions are directly applicable to this project.
Community Facilities	No Goals, Strategies or Actions are directly applicable to this project.
Water Resources	No Goals, Strategies or Actions are directly applicable to this project.
Transportation & Circulation	Strategy TC-1.1. - Encourage mixed-use, pedestrian-friendly development that reduces the need to drive between land uses.

REZONING ANALYSIS – GENERAL REZONING STANDARDS (ARTICLE 11-4)

GENERAL REZONING STANDARDS	
Compatibility	Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject property –
	Considering the vehicular traffic along Upward Rd (boulevard) and the interchange with I-26 (freeway), the CHMU zoning district permits uses that are compatible with this area and the design guidelines of the CHMU further support compatibility.
Changed Conditions	Whether and the extent to which there are changed conditions, trends or facts that require an amendment -
	Upward Road is a corridor experiencing significant growth. In the last three years, there have been no less than 10 development requests/approvals in the Upward Rd area alone. In addition to those development applications, there have been other development inquiries, some of which have been significant in scale. While other areas of Hendersonville are experiencing growth, no other specific area of town has seen this scale of development requests in recent years, especially when it comes to requests for commercial development.
Public Interest	Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern that benefits the surrounding neighborhood, is in the public interest and promotes public health, safety and general welfare -
	Design guidelines found in CHMU support the creation of compatible, high quality development. Additional quality commercial development within the City will generate additional tax revenue. Additional quality residential development within the City would provide needed housing.
Public Facilities	Whether and the extent to which adequate public facilities and services such as water supply, wastewater treatment, fire and police protection and transportation are available to support the proposed amendment
	The site would be served by City utilities, as well as City Fire and Police. Upward Road is designated as a Boulevard in the comprehensive transportation plan and is maintained by NCDOT.
Effect on Natural Environment	Whether and the extent to which the proposed amendment would result in significantly adverse impacts on the natural environment including but not limited to water, air, noise, storm water management, streams, vegetation, wetlands and wildlife -
	As a standard rezoning, there is no proposed development to consider as part of the rezoning process. The subject property is currently vacant. The rear property line is lined by a dense grove of vegetation.

The petition is found to be **consistent** with the City of Hendersonville 2030 Comprehensive Plan based on the information from the staff analysis and the public hearing, and because:

The Goals & Strategies of LU-7 “High-Intensity Neighborhood” calls for primary and secondary recommended land uses, locations, and development guidelines which align with the proposed CHMU zoning.

We **[find/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:

DRAFT [Rationale for Approval]

- Commercial Highway Mixed Use is the zoning district established for the Upward Rd Planning Area*
- The Commercial Highway Mixed Use zoning district is well suited to achieve the goals of the Comprehensive Plan for this area*
- The property is located in an area designated as a “Priority Infill Area” according to the City’s Comprehensive Plan*

DRAFT [Rational for Denial]

- While the CHMU zoning districts permits development that may align with the Development Guidelines found in LU-7.4, not all of the guidelines are requirements of this zoning district.*

USE COMPARISON

USES	CC	CHMU	USES	CC	CH
Accessory dwelling units	-	P	Neighborhood community centers	P	P
Accessory uses and/or structures	P	P	Newspaper office & printing establishments	P	P
Adult care centers	P	SU	Offices, business, professional & public	P	P
Adult care homes	P	SU	Parks	P	P
Banks & other financial institutions	P	P	Personal services	-	P
Bed & breakfast facilities	-	P	Pet-sitting	P	-
Business services	P	P	Planned residential development (minor)	-	-
Camps	P	-	Public & semi-public buildings	P	P
Cemeteries, mausoleums, memorial gardens, crematoriums	P	-	Public utility facilities	P	SU
Childcare centers	P	SU	Religious institutions	P	P
Childcare home	P	SU	Residential dwellings, single-family	-	P
Convenience stores without gasoline sales	P	P	Residential dwellings, multi-family	S	P
Cultural arts buildings	P	P	Residential dwellings, two-family	-	P
Dance & fitness facilities	P	P	Restaurants	P	P
Dry cleaning & laundry (≤2,000SF)	-	P	Retail stores	P	SS
Funeral homes	P	P	School, post secondary, business, technical & vocational	P	SU
Home occupations	-	P	Schools, primary & secondary	-	SU
Hotels	P	P	Signs	P	SS
Laundries, coin-operated	-	P	Telecommunications antennas	P	SS
Lawn & garden centers	P	SU	Theaters, indoor	P	P
Microbreweries	-	SS	Veterinary clinics	P	P
Motels	P	P	Music & art studios	P	P

Section 7, Item B.



PLANNING BOARD RECOMMENDATION

PROJECT #: P24-36-RZO

MEETING DATE: JULY 11TH, 2024

PETITION REQUEST: Upward Road (Hill)- Standard Rezoning (Henderson County Community Commercial to City CHMU (Commercial Highway Mixed Use)

APPLICANT/PETITIONER: City of Hendersonville [Applicant]
Lynn and Lyndon Hill [Property Owner]

PLANNING BOARD ACTION SUMMARY:

Staff gave an 8-minute presentation on the request - reviewing the guidance from the Comprehensive Plan as well as the criteria for considering a rezoning. In total Planning Board considered this item for 16 minutes.

PUBLIC COMMENT:

The following members of the public spoke:

Lynne Williams, Chadwick Avenue stated it is very hard for anyone to come to these meetings at 4:00 pm. She stated she was here before for what will be the Spinx property and she stated then this will create a domino effect. She was concerned about the properties being given the CHMU zoning and not an agricultural zoning. She discussed the Comp Plan and not preserving agricultural areas. She discussed the history of Upward Road and Bo Thomas not wanting Upward Road widened. She was also concerned about the blue line stream on the property. She was concerned about preserving our agricultural heritage.

DELIBERATION:

Chair asked staff if any of the properties along Upward Road that have previously been annexed by the city, had been zoned anything other than CHMU. Mr. Morrow stated yes, they have. Mr. Morrow pointed out sections on the map that are zoned CHMU and one property that was a conditional zoning district. He stated CHMU is the dominant zoning in this area. He stated as you get up towards the interchange there is a mix of CHMU and C-3 zoning. The C-3 zoning is some of the older development and was likely there before the CHMU zoning was created for this corridor. He stated it is either CHMU, a conditional zoning district which is site plan specific or the older C-3 zoning. Chair stated C-3 does not have the design standards or the connectivity between properties. Mr. Morrow stated correct.

MOTION:

Tamara Peacock moved that the Planning Board recommend approval providing the following:

COMPREHENSIVE PLAN CONSISTENCY STATEMENT:

The Goals & Strategies of LU-7 “High-Intensity Neighborhood” calls for primary and secondary recommended land uses, locations, and development guidelines which align with the proposed CHMU zoning.

REASONABLENESS STATEMENT:

[Rationale for Approval]

- 1. Commercial Highway Mixed Use is the zoning district established for the Upward Rd Planning Area
- 2. The Commercial Highway Mixed Use zoning district is well suited to achieve the goals of the Comprehensive Plan for this area
- 3. The property is located in an area designated as a “Priority Infill Area” according to the City’s Comprehensive Plan

BOARD ACTION

- **Motion/Second:** Peacock / Hanley
- **Yeas:** Robertson (Chair), Hanley, Robertson, Flores, Waters, Peacock, Whiting
- **Nays:** N/A
- **Absent:** Cromar
- **Recused:** N/A

Ordinance # ____ - ____

AN ORDINANCE OF THE CITY OF HENDERSONVILLE CITY COUNCIL TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF HENDERSONVILLE FOR A CERTAIN PARCEL (POSSESSING PIN NUMBER 9577-99-0735) BY CHANGING THE ZONING DESIGNATION FROM HENDERSON COUNTY CC (COMMUNITY COMMERCIAL) ZONING DISTRICT TO CITY OF HENDERSONVILLE CHMU (COMMERCIAL HIGHWAY MIXED USE) ZONING DISTRICT

IN RE: Parcel Numbers: 9577-99-0735
Upward Road - Hill (File # P24-36-RZO)

WHEREAS, the Planning Board took up this application at its regular meeting on July 11th, 2024; voting 7-0 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 August 1st, 2024, 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 August 1st, 2024,

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

1. 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: Parcel Number: 9577-99-0735 from Henderson County CC (Community Commercial) Zoning District to City of Hendersonville CHMU (Commercial Highway Mixed Use) Zoning District.
2. Any development of this parcel shall occur in accordance with the Zoning Ordinance of the City of Hendersonville, North Carolina.
3. This ordinance shall be in full force and effect from and after the date of its adoption.

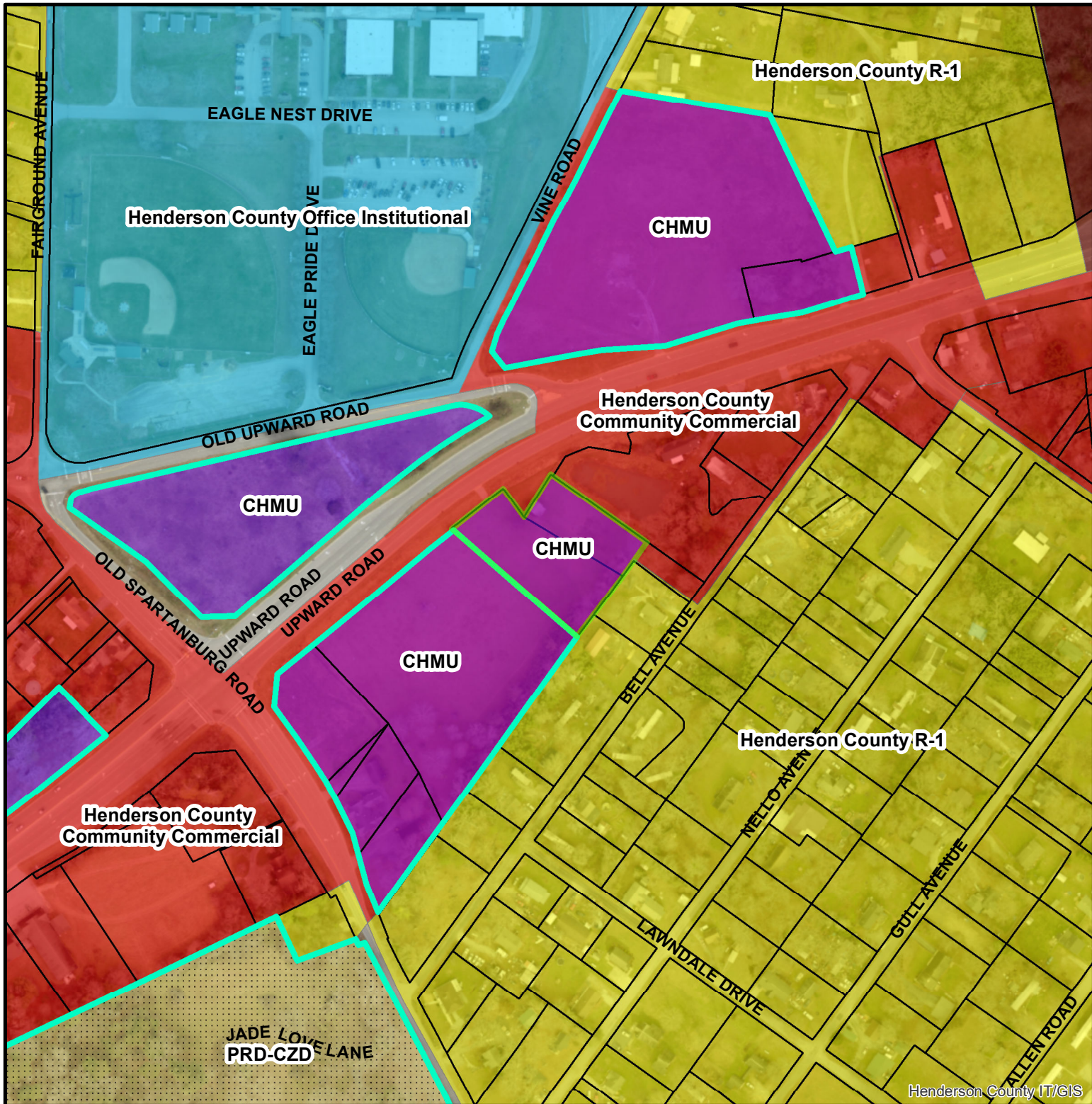
Adopted this 1st day of August 2024.

Attest: _____
Barbara G. Volk, Mayor, City of Hendersonville

Jill Murray, City Clerk

Approved as to form:

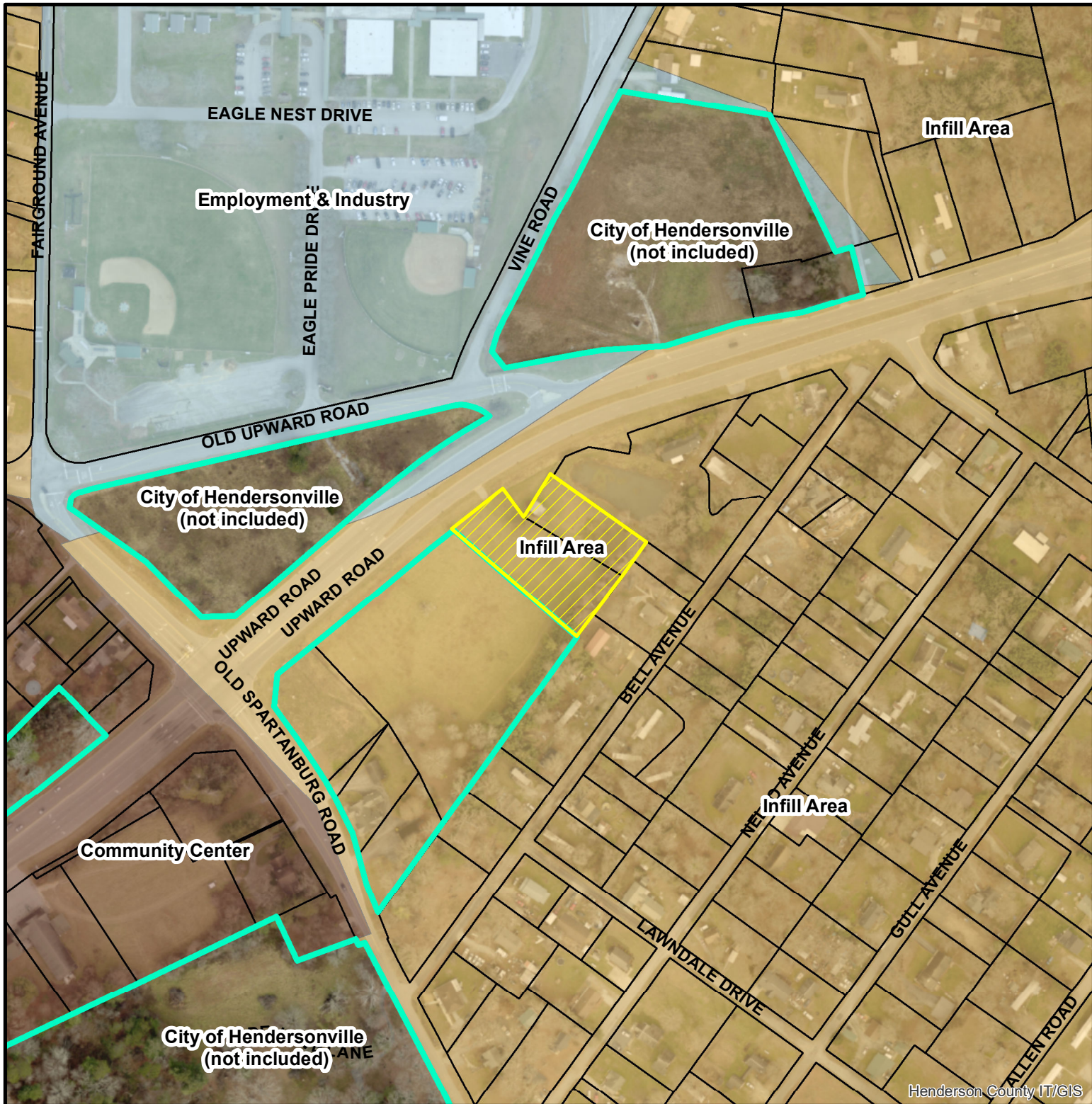
Angela S. Beeker, City Attorney



Upward Road (Hill) Zoning
P24-36-RZO
PIN: 9577-99-0735
Acreage: 1.20
Proposed Zoning

- Subject Property (CHMU)
- Hendersonville City Limits
- Hendersonville Zoning**
 - Planned Residential Development Conditional Zoning District
 - CHMU Commercial Highway Mixed Use
- Henderson County Zoning**
 - Community Commercial
 - RC - Regional Commercial
 - OI - Office Institutional District
 - R-1 - Residential 1

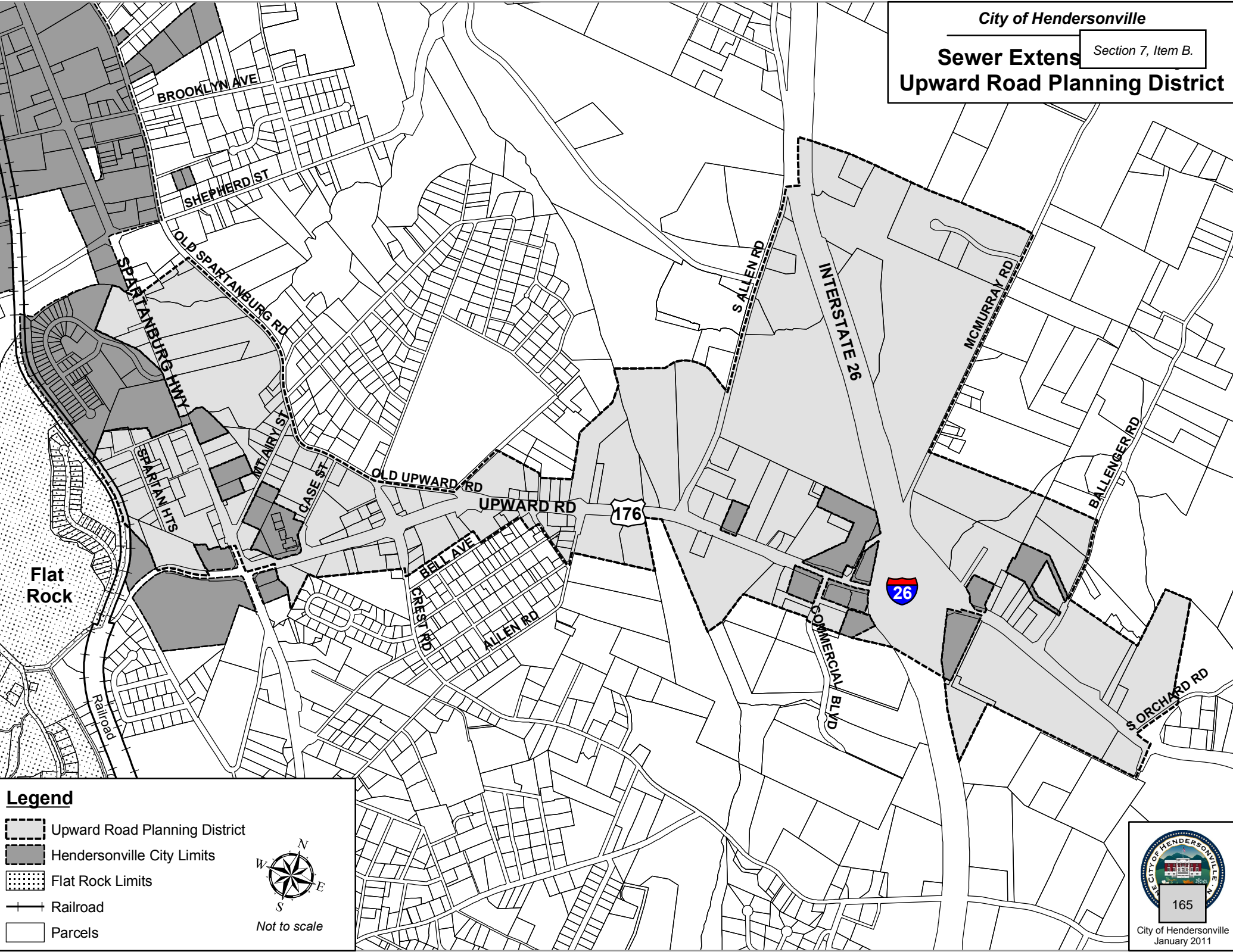




Upward Road (Hill) Zoning
P24-36-RZO
PIN: 9577-99-0735
Acreage: 1.20
Future Land Use Map (County)

- Subject Property
- Hendersonville City Limits
- Henderson County 2045 Future Land Use**
- Community Center
- Employment & Industry
- Infill Area





Legend

Upward Road Planning District

Hendersonville City Limits

Flat Rock Limits

Railroad

Parcels

Not to scale



CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

PLANNING DIVISION

SUBMITTER:	Tyler Morrow	MEETING DATE:	August 1 st , 2024
AGENDA SECTION:	Public Hearing	DEPARTMENT:	Community Development
TITLE OF ITEM:	Rezoning: Conditional Zoning District – Felicia Reeves Home (P24-24-CZD) – Tyler Morrow– Current Planning Manager		

SUGGESTED MOTION(S):

<u>For Approval:</u>	<u>For Denial:</u>
<p>I move City Council <u>adopt</u> an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of the subject property (PIN: 9569-44-7296) from R-10, Medium Density Residential to R-10-CZD, Medium Density Residential Conditional Zoning District, for the adaptive reuse of an existing structure for the use of a residential care facility based on the master site plan and list of conditions submitted by and agreed to by the applicant, [revision dated 6-3-24] and presented at this meeting and subject to the following:</p> <p>1. The development shall be consistent with the site plan, including the list of applicable conditions contained therein, and the following permitted uses</p> <p>Permitted Uses:</p> <ol style="list-style-type: none"> 1. Adaptive Reuse <ul style="list-style-type: none"> ○ Residential Care Facility <p><u>[for amendments to uses or conditions discussed and agreed upon in the meeting (between City & Developer) and not yet represented on the site plan, please use the following language. Disregard #2 if not needed]</u></p> <p>2. Permitted uses and applicable conditions presented on the site plan shall be amended to include:</p> <p>3. The petition is found to be <u>consistent</u> with the City of Hendersonville 2030 Comprehensive Plan based on the information from the staff analysis and because:</p> <p style="padding-left: 40px;">The petition supports the City’s 2030 Comprehensive Plan goals by adhering to</p>	<p>I move City Council <u>deny</u> an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of the subject (PIN: 9569-44-7296) from R-10, Medium Density Residential to R-10-CZD, Medium Density Residential Conditional Zoning District based on the following:</p> <ol style="list-style-type: none"> 1. The petition is found to be <u>consistent</u> with the City of Hendersonville 2030 Comprehensive Plan based on the information from the staff analysis and because: <p style="padding-left: 40px;">The petition supports the City’s 2030 Comprehensive Plan goals by adhering to the Preservation/Enhancement Area designation for the subject property. The proposal enhances and renovates a long-vacant and decaying structure without expanding it, promoting compatibility with the surrounding area.</p> 2. We do not find this petition to be reasonable and in the public interest based on the information from the staff analysis, public hearing and because: <ol style="list-style-type: none"> 1. The proposed reuse requires relief from a variety of applicable supplementary standards that could negatively impact the surrounding residential uses. 2. The proposed use of the site is inharmonious with the surrounding residential neighborhoods and incompatible with adjacent land uses.

<p>the Preservation/Enhancement Area designation for the subject property. The proposal enhances and renovates a long-vacant and decaying structure without expanding it, promoting compatibility with the surrounding area.</p> <p>4. 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:</p> <ol style="list-style-type: none">1. The petition addresses a critical need for housing and services for local female veterans.2. The petition proposes to renovate and repurpose an existing structure that has contributed to urban blight for the past decade.3. The petition proposes to reduce the residential intensity of the previous use on the site (rest home).4. Given the building's size and scale in the R-10 zoning district, there is no reasonable likelihood that the property will revert to a use permitted in the R-10 zoning district. <p>[DISCUSS & VOTE]</p>	<ol style="list-style-type: none">3. The proposed development is inconsistent with the recommended density of Medium Intensity Neighborhood which is 2 to 8 units per acre as outlined in the 2030 comprehensive plan. <p>[DISCUSS & VOTE]</p>
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SUMMARY:

The City of Hendersonville is in receipt of an application for a Conditional Rezoning from Alyce Knafllich (Founding Director and Board Chair) of Aura Home Women Vets. The applicant is requesting to rezone the subject property, PIN 9569-44-7296 and located at 1744 Meadowbrook Terrace, from R-10 Medium Density Residential to R-10 CZD, Medium Density residential Conditional Zoning District for the adaptive reuse of an existing building for a residential care facility on approximately 0.69 acres.

The proposal includes the renovation of the existing structure. There are no proposed additions to the building. The structure is approximately 8,020 square feet and will be renovated in two phases.

The subject property is entirely within the 100-year floodplain and will be required to obtain any floodplain related approvals needed if the property is rezoned. The rezoning does not remove any required permitting.

The public hearing for this project was opened and continued at the July 10th, 2024, meeting. City Council continued the public hearing to the August 1st, 2024, meeting.

PROJECT/PETITIONER NUMBER:	P24-24-CZD
PETITIONER NAME:	<ul style="list-style-type: none">Alyce Knafllich (Founding Director and Board Chair)Aura Home Women Vets [Applicant & Owner]
ATTACHMENTS:	<ol style="list-style-type: none">1. Staff Report2. Proposed Site Plan Packet3. Neighborhood Compatibility Summary4. Planning Board Meeting Summary5. Proposed Zoning Map6. Draft Ordinance7. Application / Owner Signature Addendum

REZONING: CONDITIONAL REZONING –FELICIA REEVES HOME (P24-24-CZD)
CITY OF HENDERSONVILLE - COMMUNITY DEVELOPMENT STAFF REPORT

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DEVELOPER PROPOSED CONDITIONS: 20

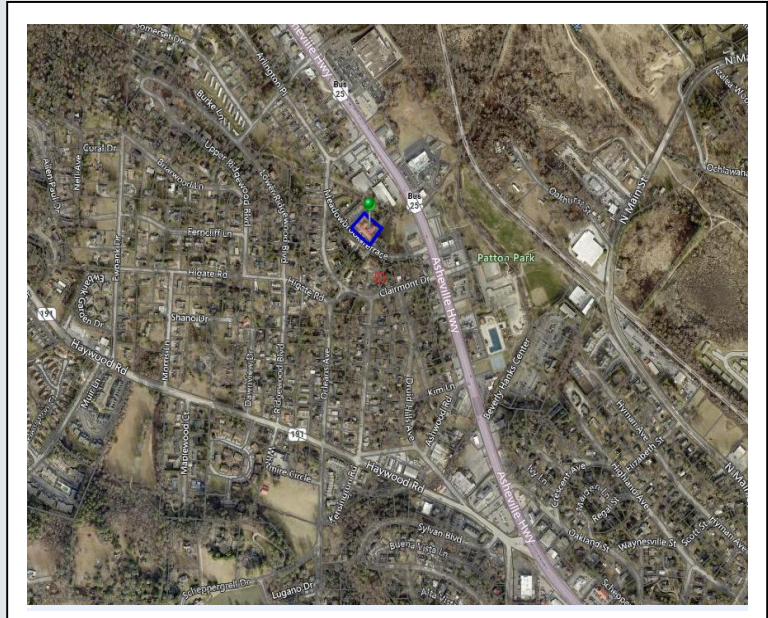
PLANNING BOARD PROPOSED CONDITION: 21

OUTSTANDING ISSUES & CITY PROPOSED CONDITIONS: 21



PROJECT SUMMARY

- Project Name & Case #:
 - Felicia Reeves Home
 - P24-24-CZD
- Applicant & Property Owner:
 - Alyce Knafllich (Founding Director and Board Chair) Aura Home Women Vets [Applicant & Owner]
- Property Address:
 - 1744 Meadowbrook Terrace
- Project Acreage:
 - 0.69 Acres
- Parcel Identification (PIN):
 - 9569-44-7296
- Current Parcel Zoning:
 - R-10, Medium Density Residential
- Future Land Use Designation:
 - Medium Intensity Neighborhood
- Requested Zoning:
 - R-10-CZD, Medium Density Residential Conditional Zoning District
- Requested Uses:
 - Adaptive Reuse
 - Residential care facility
- Neighborhood Compatibility Meeting:
 - May 1st, 2024



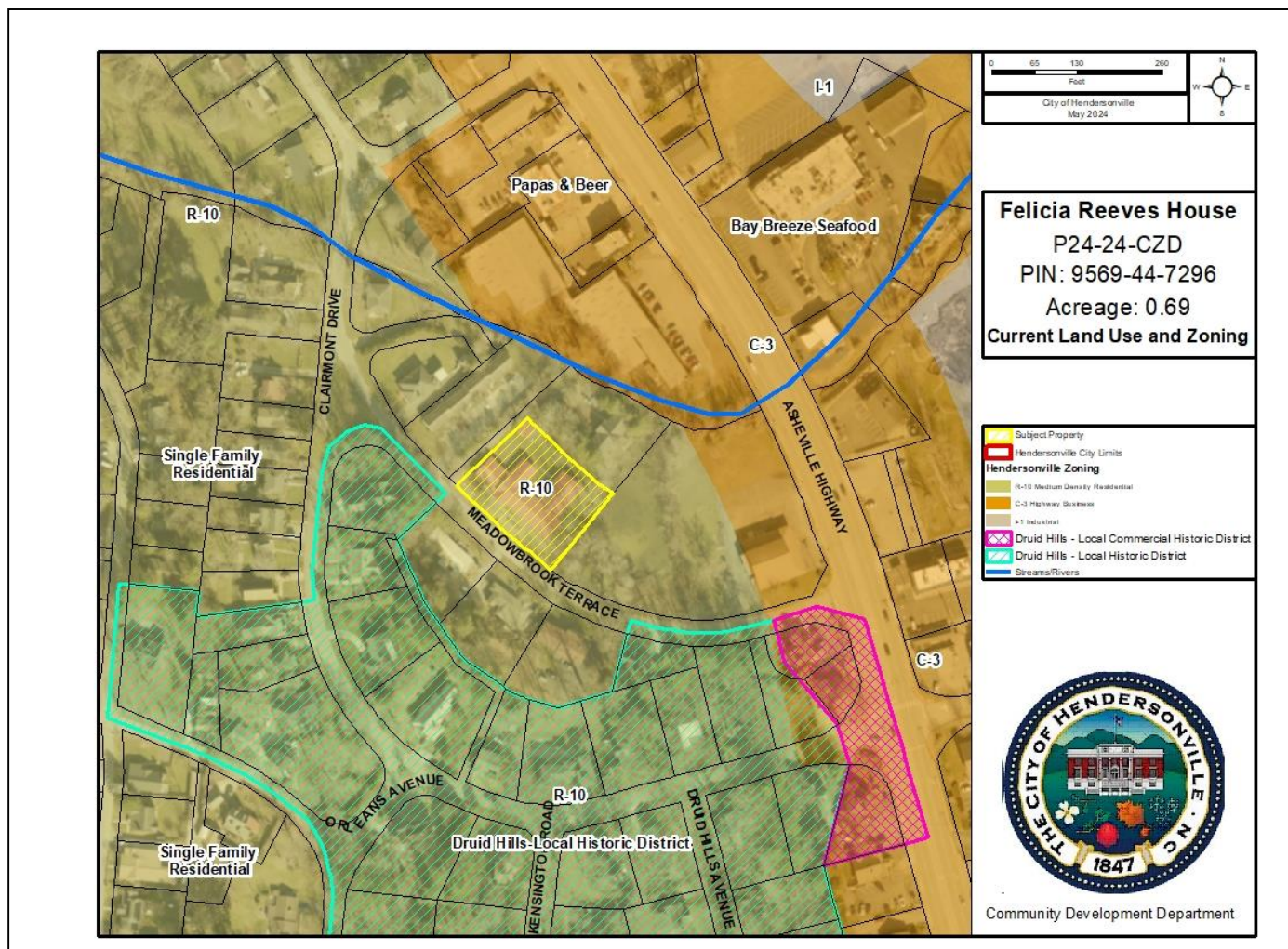
SITE VICINITY MAP

The City of Hendersonville is in receipt of an application for a Conditional Rezoning from Alyce Knafllich (Founding Director and Board Chair) of Aura Home Women Vets. The applicant is requesting to rezone the subject property, PIN 9569-44-7296 and located at 1744 Meadowbrook Terrace, from R-10 Medium Density Residential to R-10 CZD, Medium Density Residential Conditional Zoning District for the adaptive reuse of an existing building for a residential care facility on approximately 0.69 acres.

The proposal includes the renovation of the existing structure. There are no proposed additions to the building. The structure is approximately 8,020 square feet and will be renovated in two phases.

The subject property is entirely within the 100-year floodplain and will be required to obtain any floodplain related approvals needed if the property is rezoned. The rezoning does not remove any required permitting.

EXISTING ZONING & LAND USE



City of Hendersonville Current Zoning & Land Use Map

The subject property is located approximately 450' away from the major commercial corridor of Asheville Highway. The Asheville Highway corridor is to the north and east of the subject property and is comprised of a mix of commercial uses including restaurants, retail stores, grocery stores, and medical offices in the close proximity. All abutting properties are zoned R-10 Medium Density Residential. R-10 is the dominant zoning classification to the south and west of the subject property. The surrounding area is predominately comprised of single family residential, with some two family and small-scale multi-family present as well. Directly to the northwest of the subject property is a quadplex. A duplex can be found directly across the street from the subject property. The subject property is also within close proximity to the Druid Hills Local Historic District. However, the subject property is outside of the historic district and would not be required to follow the procedures for properties within the local historic district. The subject property is within close proximity to Patton Park. There is also an unnamed tributary of Brittain creek to the north of the subject property.

SITE IMAGES



View of the existing structure at 1744 Meadowbrook Terrace that is proposed to be renovated and used. No expansions of the existing building are proposed. The structure was constructed in 1960



View of the mature tree that is slated for removal on the front of the building in order to provide parking for the facility.

SITE IMAGES



View of the second access point at the north side of the building. This drive will provide access to the 6 parking spaces at the rear of the building.

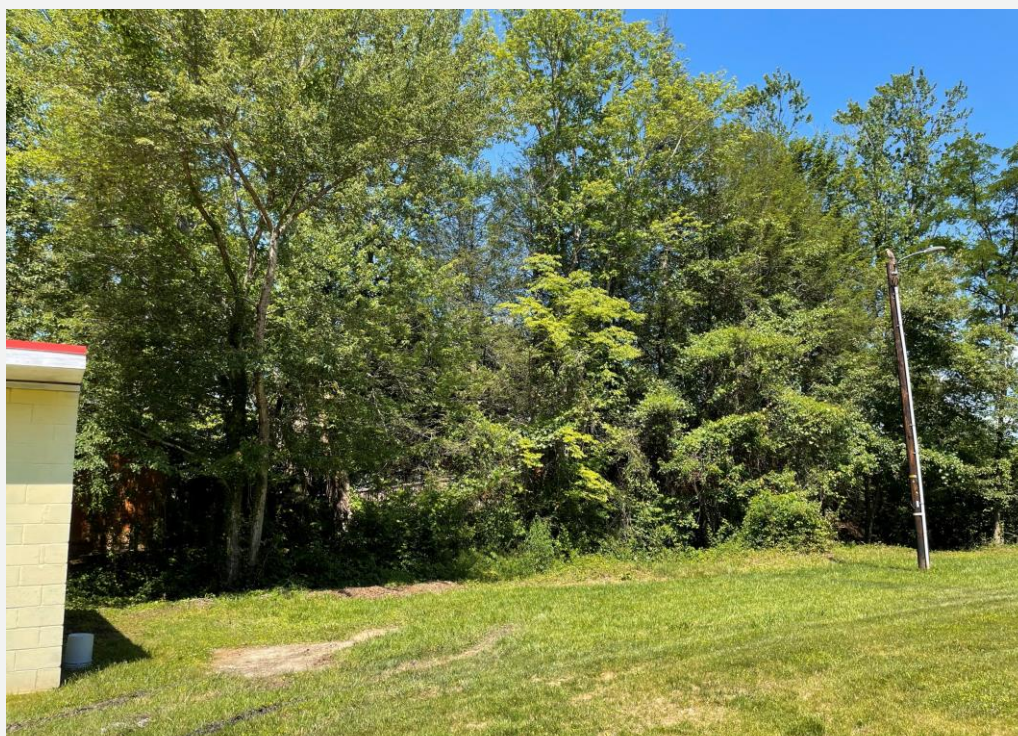


View of the rear of the building where the additional 6 parking spaces are proposed.

SITE IMAGES



View of the existing 4 unit multi-family building that is directly adjacent to the subject property to the north.



View of the mature buffer to the northeast which is slated for preservation and will continue to be a buffer between the subject property and adjacent property.

SITE IMAGES

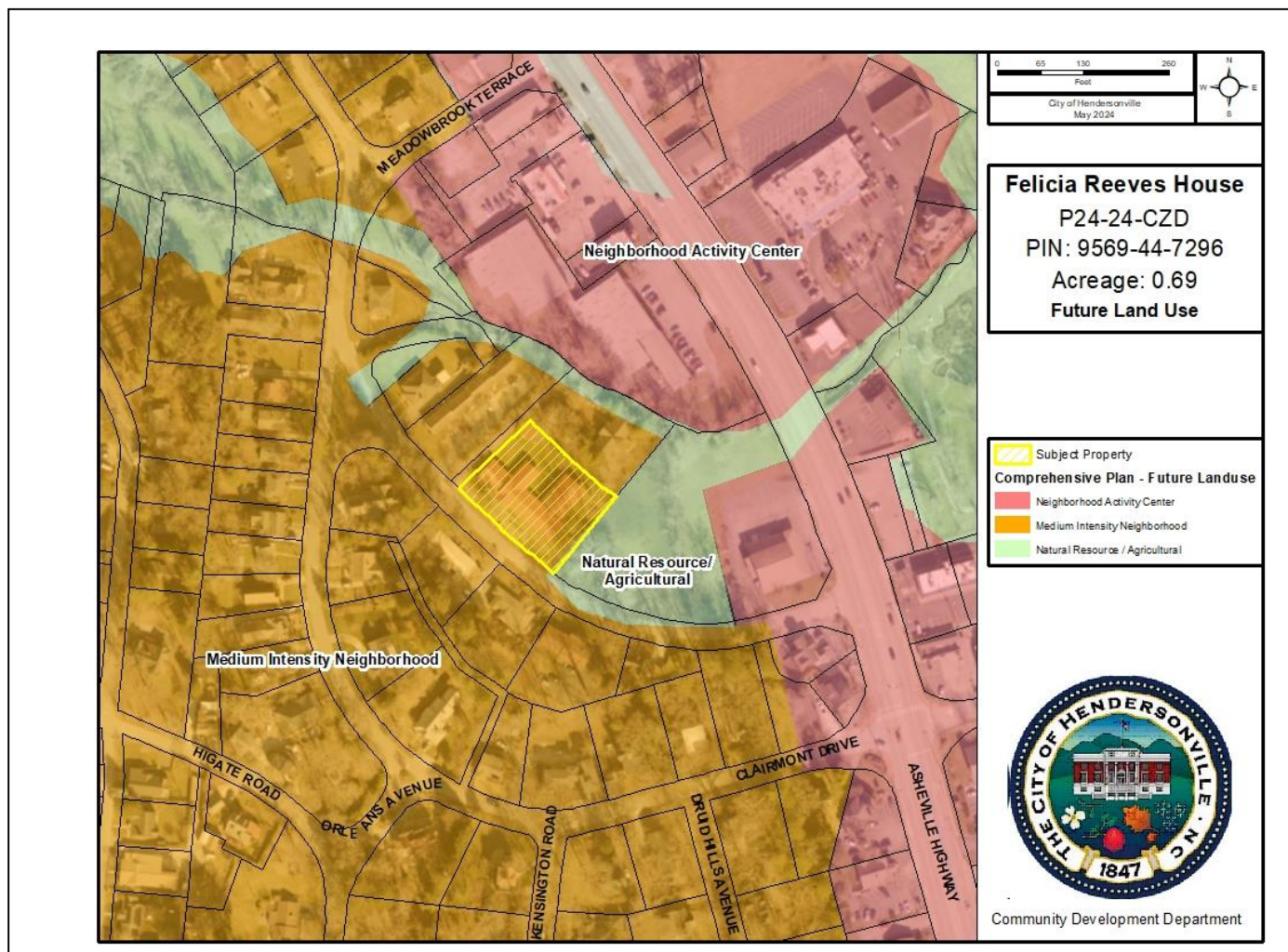


View of one of the expansion buildings listed as “phase II” on the site plan.



*View of the pond located on the adjacent property to the east.
The pond is located on the backside of the 1801 Asheville
Highway property.*

FUTURE LAND USE



City of Hendersonville Future Land Use Map

The subject property is designated a Medium Intensity Neighborhood in the 2030 comprehensive plan. The Medium Intensity Neighborhood encompasses all of the single-family residential neighborhoods to the south and west of the subject property (this includes the Druid Hills Historic District). Parcels to the east along the Asheville Highway Corridor are designated as Neighborhood Activity Center. The Natural Resource and Agricultural designation run along this area as well. This designation follows the unnamed tributary of Brittan creek to the north and also encompasses the pond located directly to the east of the subject property. It is worth mentioning that this property differs from most, in the fact that although this site is 100% within the 100-year floodplain, it is not designated as Naturel Resource and Agricultural.

REZONING ANALYSIS – COMPREHENSIVE PLAN CONSISTENCY (ARTICLE 11-4)

GENERAL REZONING STANDARDS: COMPREHENSIVE PLAN CONSISTENCY	
Future Land Use	<p>Goal LU-6. Medium-Intensity Neighborhood: Provide a transition between High and Low-Intensity Neighborhood areas while providing a wide range of housing formats and price points. Promote walkable neighborhood design and compatible infill development in new neighborhoods and as a means of preserving and enhancing existing neighborhoods. [CONSISTENT]</p>
	<p>Strategy LU-6.1. Locations:</p> <ul style="list-style-type: none"> Existing neighborhoods zoned R-15, R10, and R-6, including residential historic districts [CONSISTENT] Existing or planned neighborhoods that reflect the same densities as the R-15, R-10 and R-6 zoning districts (Two to eight units per gross acre) [INCONSISTENT] Undeveloped properties that are surrounded by or adjacent to the above neighborhoods [INCONSISTENT]
	<p>Strategy LU-6.2. Primary recommended land uses:</p> <ul style="list-style-type: none"> Single-family attached and detached residential [INCONSISTENT] Open space [SOMEWHAT CONSISTENT] <p>Strategy LU-6.3 Secondary recommended land uses:</p> <ul style="list-style-type: none"> Limited multi-family residential along roadways designated as Boulevards or Major Thoroughfares on the Future Land Use Map [INCONSISTENT] Planned Residential Developments [CONSISTENT] Local public and institutional uses [INCONSISTENT] Recreational amenities [INCONSISTENT]
	<p>Strategy LU-6 .4 Development guidelines:</p> <ul style="list-style-type: none"> Two to eight units per gross acre [INCONSISTENT] At least 60% open space in new developments on three or more acres [INCONSISTENT (less than 3 acres)] Architectural guidelines to encourage compatibility when different housing types abut one another (e.g. similar building height, massing, roof pitch, and rhythm of windows and façade detailing) [INCONSISTENT] Encouragement of walkable neighborhood design, as described under Goal PH-3 in Chapter 2 [INCONSISTENT]
Land Use & Development	<p>The property is designated as a “Preservation/Enhancement Area” on the Growth Management Map (Map 8.3a). “Developed areas in which few significant changes are expected, or undeveloped areas that are not considered a high priority for growth. The City should respond to development or redevelopment in these areas by maintaining and enhancing existing neighborhood character and maintaining consistency with Comprehensive Plan goals and strategies”. [SOMEWHAT CONSISTENT]</p>
	<p>Goal LU-1. Encourage infill development that utilizes existing infrastructure in order to maximize public investment and revitalize existing neighborhoods. [CONSISTENT]</p>
Population & Housing	<p>Housing Affordability:</p> <ul style="list-style-type: none"> Growth in home values in Hendersonville and Henderson County has outpaced the Asheville MSA, North Carolina and the United States. Home appreciation rates have exceeded income and population growth,

	<p>creating a need for affordable housing and a mismatch between jobs and housing in Hendersonville.</p> <ul style="list-style-type: none"> Comprehensive Plan Survey respondents overwhelmingly felt that there is an inadequate supply of safe/decent affordable housing in Hendersonville. Participants at Steering Committee and public meetings expressed a desire for a mix of housing types that are affordable to a range of incomes
	Strategy PH-1.1. Promote compatible infill development.
	Action PH-1.5.6. Promote the installation of street trees through private redevelopment projects and targeted installations in locations such as “park streets” identified in Strategy CF-7.1 in Chapter 5
	Goal PH-2. Encourage a wide range of housing types and price points in order to meet the diverse and evolving needs of current and future residents, match the housing supply with the local workforce, and promote diverse neighborhoods.
	Strategy PH-3.2. Encourage mixed land use patterns that place residents within walking distance of services.
Natural & Environmental Resources	Goal NR-1. -Preserve environmentally sensitive areas in order to protect life and property from natural hazards, protect water resources, and preserve natural habitat.
	Strategy NR-1.1. Discourage and reduce development of structures and impervious surfaces within the FEMA Floodway and 100- Year Floodplain (see Map 3.3a).
	Action NR-1.1.1 Maintain and enforce the provisions of the City’s Flood Protection Standards as development and redevelopment occur
	Goal NR-2. - Provide a variety of quality open space, distributed equitably throughout Hendersonville, that can be used for recreational opportunities and aesthetic enhancements
	Strategy NR-2.3 Promote preservation of woodlands. Mature trees and wooded areas are significant community-defining natural features that contribute to Hendersonville’s identity. Trees provide several additional community benefits, as described in Figure 3.3c.
	Action NR-2.3.1 Continue to encourage tree preservation by providing existing tree preservation credit toward landscaping requirements
	Action NR-2.3.5 Encourage larger developments to place structures and roadways in areas where land has been disturbed and trees have already been removed
	Goal NR-3. Reduce the ecological footprint of developed and developing areas in order to reduce the impact on natural resources, create a healthy, sustainable community and reduce energy costs.
	Strategy CR-1.3. Promote investment in and adjacent to Historic Districts through compatible infill development, particularly on currently underutilized, non historic properties
Cultural & Historic Resources	
Community Facilities	No Goals, Strategies or Actions are directly applicable to this project.
Water Resources	Goal WR-2. Understanding that communities and the natural environment located downstream are dependent on clean water, strive to preserve the

	quality of water as it flows through Henderson County
	Strategy WR-2.2. Prevent development of floodplains and stream corridors in order to preserve natural drainage patterns and improve the quality of stormwater runoff.
Transportation & Circulation	Meadowbrook Terrace is designated as a local street according to Map 7.3a: Transportation Plan
	Walk Hendo identified sidewalks along Meadowbrook Terrace as a priority. <ul style="list-style-type: none"> • From US 25 to Arlington Place • This sidewalk was called out as a “City priority project”
	Strategy TC-1.2. Identify and prioritize needed pedestrian connections within the community.
	Goal TC-4. Promote an integrated mass transit system that addresses local and regional needs
	Strategy TC-4.2. Ensure that all bus stops are in locations that can be accessed safely and conveniently by pedestrians.

REZONING ANALYSIS – GENERAL REZONING STANDARDS (ARTICLE 11-4)

GENERAL REZONING STANDARDS	
Compatibility	Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject property –
	The building on the site was initially constructed in 1960. The site has operated mostly as a retirement care facility. The last retirement home appeared to be in operation until 2012 (according to aerial imagery). According to seniorcare.com the facility had a 30-person capacity for “branch 1” and a 10-person capacity of “branch 2”. The density associated with the previous use was higher than what is being proposed with the Residential Care Facility. The age of the building in relation with the previous higher density commercial use shows that this use can be compatible with the surrounding area.
Changed Conditions	Whether and the extent to which there are changed conditions, trends or facts that require an amendment -
	The rest home use that previously occupied the site was a legal non-conforming use. Since that use vacated the property for more than 180 days, it cannot be reestablished. For this reason, it is likely that any use that goes into this building will require a rezoning (more than likely an adaptive reuse CZD). The size of the building and limitations in R-10 zoning does not make reuse of the existing structure into a conforming use easy.
Public Interest	Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern that benefits the surrounding neighborhood, is in the public interest and promotes public health, safety and general welfare -
	<p>Henderson County and Hendersonville have a large number of unhoused citizens. The City has worked with local nonprofits, other government agencies as well as churches in coordination with the City created Homeless Resource Team. The City understands the need to aid in housing the unhoused in our community. Some of the most vulnerable within an already vulnerable unhoused population can be our veterans. The proposed development would house homeless female veterans in our community.</p> <p>The existing building is largely in disrepair and contributing to urban blight. The building/site is limited in the renovations and upfits that they can do due to the fact that the building is devoted to a nonconforming use. Henderson County lists this building as being in “poor” condition and the physical depreciation being 83% bad.</p> <p>If rezoned, the property could be renovated and provide a service to the community.</p>
Public Facilities	Whether and the extent to which adequate public facilities and services such as water supply, wastewater treatment, fire and police protection and transportation are available to support the proposed amendment
	<p>The building is currently served by City of Hendersonville services, this will continue if rezoned and renovated.</p> <p>The proposed site is approximately 600’ from an Apple Country Public Transit stop. This distance is within walking distance for someone to use this service.</p>

Effect on Natural Environment	Whether and the extent to which the proposed amendment would result in significantly adverse impacts on the natural environment including but not limited to water, air, noise, storm water management, streams, vegetation, wetlands and wildlife -
	<p>Mature Trees: There are a large number of mature trees and vegetation around the subject property. This mature vegetation creates a buffer around 3 sides of the parcel. All of this existing vegetation is slated for preservation. One mature tree is slated for removal on the front of the building to make way for the new drive aisle.</p> <p>Floodplain: The subject property is completely within the 100-year floodplain. The subject development will be required to meet any applicable standards in Chapter 17 of the zoning ordinance and any other applicable floodplain-related permitting if approved.</p>

DRAFT COMPREHENSIVE PLAN CONSISTENCY AND REZONING REASONABLENESS STATEMENT

The petition is found to be **consistent** with the City of Hendersonville 2030 Comprehensive Plan based on the information from the staff analysis and the public hearing, and because:

The petition supports the City's 2030 Comprehensive Plan goals by adhering to the Preservation/Enhancement Area designation for the subject property. The proposal enhances and renovates a long-vacant and decaying structure without expanding it, promoting compatibility with the surrounding area.

We **[find/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:

DRAFT [Rationale for Approval]

- *The petition addresses a critical need for housing and services for local female veterans.*
- *The petition proposes to renovate and repurpose an existing structure that has contributed to urban blight for the past decade.*
- *The petition proposes to reduce the residential intensity of the previous use on the site (retirement home).*
- *Given the building's size and scale in the R-10 zoning district, there is no reasonable likelihood that the property will revert to a use permitted in the R-10 zoning district.*

DRAFT [Rational for Denial]

- *The proposed reuse requires relief from a variety of applicable supplementary standards that could negatively impact the surrounding residential uses.*
- *The proposed use of the site is inharmonious with the surrounding residential neighborhoods and incompatible with adjacent land uses.*
- *The proposed development is inconsistent with the recommended density of Medium Intensity Neighborhood which is 2 to 8 units per acre as outlined in the 2030 comprehensive plan.*

STAFF SITE PLAN REVIEW – SUMMARY COMMENTS

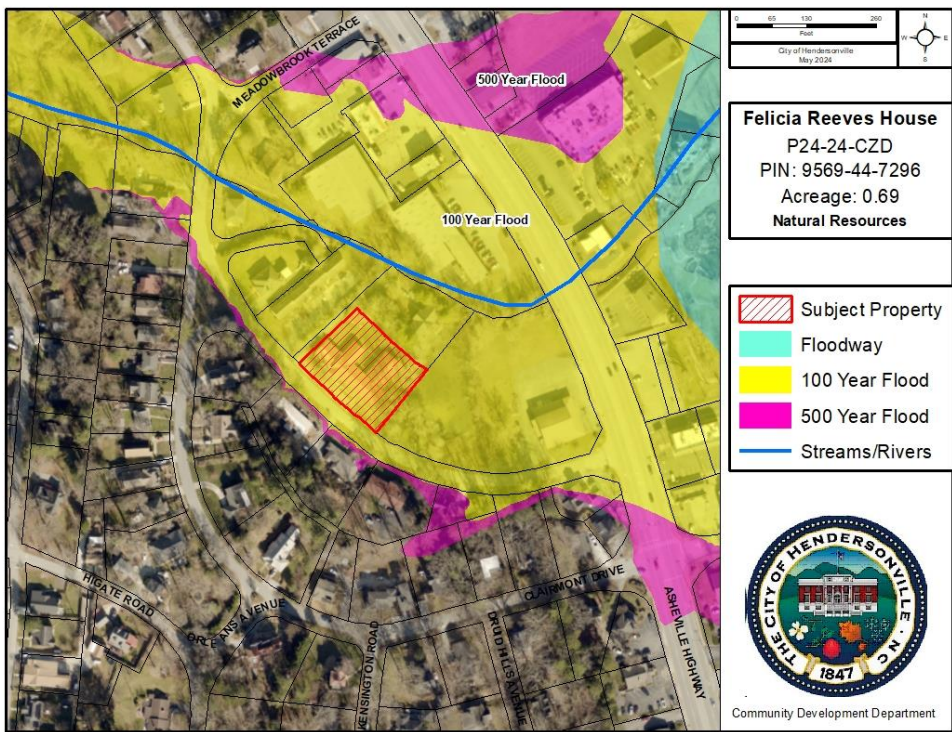
PROPOSED REQUEST DETAILS

Site Plan Summary:

- Proposed Uses:
 - Adaptive Reuse
 - **Residential care facility:** “Establishments primarily engaged in the provision of residential, social and personal care for children, the aged and special categories of persons with some limits on ability for self-care but where medical care is not a major element. Such facilities include homes for the aged and infirm and other similar residential care uses not otherwise defined in this ordinance.”
- Building:
 - Existing building and shed to be renovated and used- 8,020 SF
 - Phase I: 4,846 SF (existing building) 350 SF (existing shed)
 - Phase II: 2,824 SF (existing building)
 - No new building construction is proposed. The entire project will be within the existing building footprint.
 - The project is proposed to be completed in two phases:
 - Phase I-
 - 5 client residential rooms
 - 1 director residential room
 - Exercise room
 - TV/game room
 - Counselor’s office
 - Classroom
 - Laundry Room
 - Existing shed to be renovated
 - Phase II
 - Kitchen
 - Security Room
 - Pantry
 - 6 client residential rooms
 - The facility will have 11 clients and 1 director living on site. This equates to 17 persons per acre. The maximum density for a residential care facility is 26 persons per acre.
- Transportation:
 - The site will have two access points from Meadowbrook Terrace (local street).
 - The main access to the development will be a one-way travel lane that runs parallel to the front of the building.
 - A secondary travel lane will be provided along the northwestern property boundary that will provide access to 6 parking spaces that will be located to the side/rear of the building.

- Sidewalks
 - The development will provide sidewalks along their entire property frontage on Meadowbrook Terrace.
 - Per condition, the developer proposes installing sidewalks as a component of phase II.
 - Sidewalks along Meadowbrook were identified as a priority in Walk Hendo.
- Lighting
 - All site lighting will be required to conform to the City's lighting standards for multi-family developments. The lighting plan is a component of the final site plan review.
- Parking:
 - Parking is required at "One off-street parking space shall be provided for each six beds in the facility. Such off-street parking shall be screened so that it is not readily visible from the street or from adjoining residential uses."
 - Parking required: 3 spaces.
 - Parking provided: 14 spaces
 - The 8 parking spaces in the front will be screened by landscaping
 - The six parking spaces at the rear will be screened by the building.
 - Drive Aisles
 - The front drive access is proposed to be 15' wide for one way travel, which is permitted by code for 45-degree parking.
- Landscaping
 - This development will be required to provide:
 - Vehicular Use Landscaping (Sec. 15-9. - Landscaping for vehicular use areas.)
 - Interior parking lot plantings.
 - Buffer from street plantings.
 - Street trees (Sec. 15-15)
 - Common Space landscaping (15-13)
 - Open Space landscaping (Sec. 15-14)
- Floodplain
 - According to the 2008 FEMA floodplain maps, all portions of this property falls within the Special Flood Hazard area.
 - The map below shows the mapped floodway, 100-year floodplain and 500 year floodplain, as well as a blueline stream to the north.
 - Even if rezoned, the project will still have to be reviewed for conformance with any applicable City floodplain requirements as well as any FEMA requirements.
 - This project would be classified as "Redevelopment in the floodway and special flood hazard area" and would have to adhere to 17-2-4 in the zoning ordinance.

- The existing building is approximately 1' 6" below the base flood elevation. If the building renovation costs trigger the requirement to come into conformance with current standards then the building will have to be raised 3' 6" to bring the entire structure 2 feet above the base flood elevation.



- Supplementary Standards
 - Adaptive Reuse
 - The developer proposes the reuse of a structure or structures used historically for a use permitted in the zoning district classification but for which there is no longer any reasonable demand for such previous use, or the developer proposes the reuse of a structure or structures used historically as nonconforming use and there is no reasonable likelihood that the property will revert to a use permitted in the zoning district classification.
 - *With a building of this size and scale in R-10 there is no reasonable likelihood that the property will revert to a use permitted in the zoning district classification.*
 - The developer shall state the precise nature of the proposed adaptive reuse, which shall be compatible with neighboring residential uses. If a special use permit is granted for the adaptive reuse, future use of the property shall be limited to the specified use unless
 - 1) the use is changed to another use permitted in the zoning classification or
 - 2) a new adaptive reuse is approved.
 - *The proposed use for this development is as follows “residential care facility for women's veterans” will be completed in phases ultimately providing living accommodations for twelve (12) occupants including on-site*

director. Support functions to include kitchen, laundry, classroom, exercise room and tv/game room.”

- The adaptive reuse shall be housed in an existing structure or structures.
 - *The proposed adaptive reuse is completely within an existing structure with no expansion proposed.*
- Such structures may be modified or expanded so long as the gross floor area is not increased by more than ten percent and so long as the appearance of the modification is in harmony with the neighboring residential uses.
 - *No expansion is proposed.*
- Off-street parking meeting the requirements of section 6-5, above, shall be provided. Such off-street parking shall be screened so that it is not readily visible from the street or from adjoining residential uses.
 - *The facility is required to have 3 parking spaces. They are proposing to have 14 spaces. The spaces behind the building will be buffered by the building and existing vegetation. The parking spaces on the front of the building will be screened by a “buffer from street” as well as street trees.*
- The adaptive reuse may have one sign not exceeding four square feet in area.
 - *The development is showing 1 sign at the front of the building not exceeding 4 square feet in size.*
- The developer shall propose, install and maintain landscaping which will assist in giving it a residential appearance.
 - *The development is preserving all existing landscaping (minus one tree on the front of the building). They will also be required to bring the site into compliance with current landscape ordinance requirements for Vehicular Use landscaping, Street Trees, Open space landscaping, Common open space landscaping*
- The adaptive reuse shall provide open space which shall be not less than 60 percent of the total area of the development parcel.
 - *The development is proposing to provide 36% open space due to existing site constraints (per condition).*
- Lighting for the adaptive reuse shall be no more than is necessary for safe use of the facility, and shall be designed and installed so that it is directed away from the roadway and any adjacent properties.
 - *The development will be providing site lighting in accordance with the City’s requirements at final site plan. They will be required to meet the standards for multi-family site lighting.*
- Traffic generated by the adaptive reuse shall not be expected to cause an inconvenience to residents of the neighborhood.
 - *This use has a low expected trip generation.*
- The developer shall propose hours of operation for the adaptive reuse which are designed to be compatible with neighboring residential uses. Such hours of operation shall become a condition of the special use permit, violation of which shall be grounds for

revocation of the permit.

- Per the site plan “Access to the facility will be 24/7 with a resident director. After normal business hours, security personnel will also be stationed inside the building entrance.”
- Supplementary Standards
 - Residential Care Facility
 - The facility shall be situated in an existing residential structure. This structure may be expanded or altered so long as the facility remains residential in scale and appearance.
 - The development team is asking for a condition for this requirement since the current building is classified as a commercial building and not residential. The structure will not be expanded or altered.
 - One off-street parking space shall be provided for each six beds in the facility. Such off-street parking shall be screened so that it is not readily visible from the street or from adjoining residential uses.
 - The facility is required to have 3 parking spaces. They are proposing to have 14 spaces. The spaces behind the building will be buffered by the building and existing vegetation. The parking spaces on the front of the building will be screened by a “buffer from street” as well as street trees.
 - The facility may have one sign not exceeding four square feet in area. Such sign shall not be illuminated.
 - The development is showing 1 sign at the front of the building not exceeding 4 square feet in size.
 - The facility shall not exceed two stories in height.
 - The existing building is 1 story (16’ in height).
 - The facility shall propose, install and maintain landscaping which will assist in giving it a residential appearance.
 - The development is preserving all existing landscaping (minus one tree on the front of the building). They will also be required to bring the site into compliance with current landscape ordinance requirements for Vehicular Use landscaping, Street Trees, Open space landscaping, Common open space landscaping
 - The facility shall propose, develop and maintain common open space for the use of its residents, which shall amount to not less than 15 percent of the site.
 - The development is providing 15% common open space that they will maintain.
 - Lighting for the facility shall be designed and installed so that it is directed away from the roadway and any adjacent properties.
 - The development will be providing site lighting in accordance with the City’s requirements at final site plan. They will be required to meet the standards for multi-family site lighting.
 - Density for residential care facilities shall not exceed 26 persons per acre.
 - The proposed density is 17 persons per acre.
 - No traffic shall be generated by such facility in greater volumes than

would normally be expected in a residential neighborhood.

- *This use has a expected trip generation.*
- Previous Use on the Site:
 - Photo below taken December 29th, 2011. Judging by previous records, it appears that this rest home had a capacity between 30 and 40 persons.
 - The structure was built in 1960 and would appear to have operated as a retirement home for the majority of those years.
 - Judging by aerial imagery, this site has been somewhat or completely vacant since 2011. This has led to a great deal of depreciation of the building.



DEVELOPER PROPOSED CONDITIONS:

1. Widen existing gravel access drive to 20'-0" +/- from Meadowbrook Terrace to shed as shown (24' City Standard)
2. Renovation/adaptive reuse of existing commercial building for proposed residential care facility for women's veterans will be completed in phases ultimately providing living accommodations for twelve (12) occupants including on-site director. Support functions to include kitchen, laundry, classroom, exercise room and tv/game room.
3. Reduction in required open space from 60% to 36%.
4. New sidewalk will be provided in phase II.

PLANNING BOARD PROPOSED CONDITION:

- I. “A fenced and landscaped buffer shall be provided on the western and southern property boundaries. Fencing shall be a minimum of 6’ in height. The buffer provided shall be similar to the buffer requirements for a “Day Center”. All fencing shall be built in such a way to meet any applicable floodplain requirements.”

[Developer not agreed]

- a. Day Center Buffer Requirements:
- i. “15-foot B-type buffer meeting the requirements of article XV. Additionally, the buffer shall include a fully opaque vertical masonry wall or wood fence at least six feet (6') in height. "Fully opaque" shall mean that no more than ten percent (10%) of the surface of the fence or wall shall be left open and the finished side of the fence or wall shall face the abutting property.”

OUTSTANDING ISSUES & CITY PROPOSED CONDITIONS:

COMMUNITY DEVELOPMENT

Site Plan Comments:

- The site plan accompanying this petition meets the standards established by the Zoning Ordinance for R-10 CZD (5-4-4) (minus any developer proposed conditions and the following).
 - All final landscaping calculations, species and placement shall be worked out with staff during final site plan review.

Proposed City-Initiated Conditions:

- None

CITY ENGINEER

Site Plan Comments:

- None

Proposed City-Initiated Conditions:

- None

WATER / SEWER

Site Plan Comments:

- None

Proposed City-Initiated Conditions:

- None

FIRE MARSHAL

Site Plan Comments:

- None

Proposed City-Initiated Conditions:

- None

STORMWATER ADMINISTRATOR

Site Plan Comments:

- None

Proposed City-Initiated Conditions:

- None

FLOODPLAIN ADMINISTRATOR**Site Plan Comments:**

- The below conditions derived from topics discussed at the Planning Board meeting and ongoing conversations with the developer.

Proposed City-Initiated Conditions:

- The City Floodplain Administrator is requesting a condition be added requiring the applicant to bring the structure up to the current flood damage protection standards for a substantial improvement of a residential structure as outlined in the City's Flood Damage Protection Ordinance. Or;
[Developer not agreed]
- The City Floodplain Administrator is requesting a condition be added that extends the substantial improvement period from one year to five years.
[Developer not agreed]

PUBLIC WORKS**Site Plan Comments:**

- None

Proposed City-Initiated Conditions:

- None

NCDOT**Site Plan Comments:**

- None

Proposed NCDOT-Initiated Conditions:

- None

HENDERSON COUNTY SOIL & EROSION CONTROL**Site Plan Comments:**

- None

Proposed Condition:

- None

TRANSPORTATION CONSULTANT (KIMLEY HORN)**TIA Comments:**

- A TIA was not required for this project due to the low expected trip generation. The City's triggers of 100 peak hour trips and 1,000 daily trips were not met.
- Per the City's Traffic Consultant Jonathan Guy "ITE over the years has culled much of the unique projects and recommends local data collection for these type projects. However, I have provided assisted living (ITE 254) as a

comparison. While this is intended for patrons of an older demographic, it actually aligns well. There is limited support to aid in some services, but most are still independent and can come and go. Some have access to cars, others do not. The number of staff is larger than what would be here. Also, the studies that develop the generation numbers are for larger facilities, around 100 beds. So, the numbers are skewed higher than likely, especially for the Daily number. The AM and PM are within what I would anticipate. I have also shown the Townhome and the Multifamily for the 13 unit developments. You can see how these align with ITE 254 as well.”

Trip Generation									
Land Use	Intensity	Units	Daily	AM Peak Hour			PM Peak Hour		
				Total	In	Out	Total	In	Out
Residential Land Uses			262	33	10	23	36	20	16
215 - Single-Family Attached Housing	13	DU	49	1	0	1	4	2	2
220 - Multifamily Housing (Low-Rise)	13	DU	159	27	6	21	26	16	10
254 - Assisted Living	13	BED	54	5	4	1	6	2	4
Subtotal			262	33	10	23	36	20	16
Internal Capture			0	0	0	0	0	0	0
Pass-By			0	0	0	0	0	0	0
Total Net New External Trips			262	33	10	23	36	20	16

Proposed Condition:

- None

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1744 Meadowbrook Terrace - Hendersonville, NC

Proposed Renovations

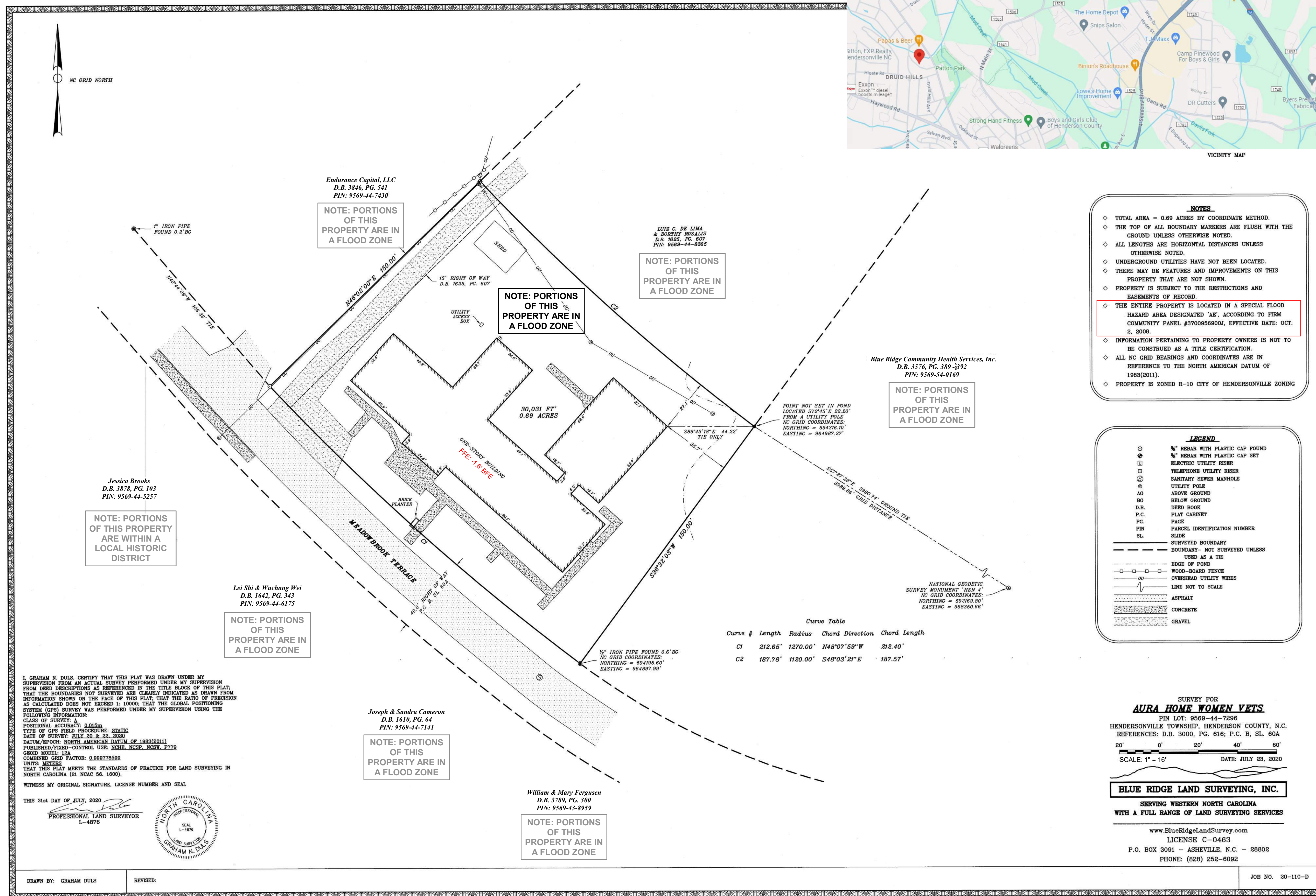
Felicia Reeves (aka Aura) Home for Women Veterans

SHEET TITLE

Site Survey

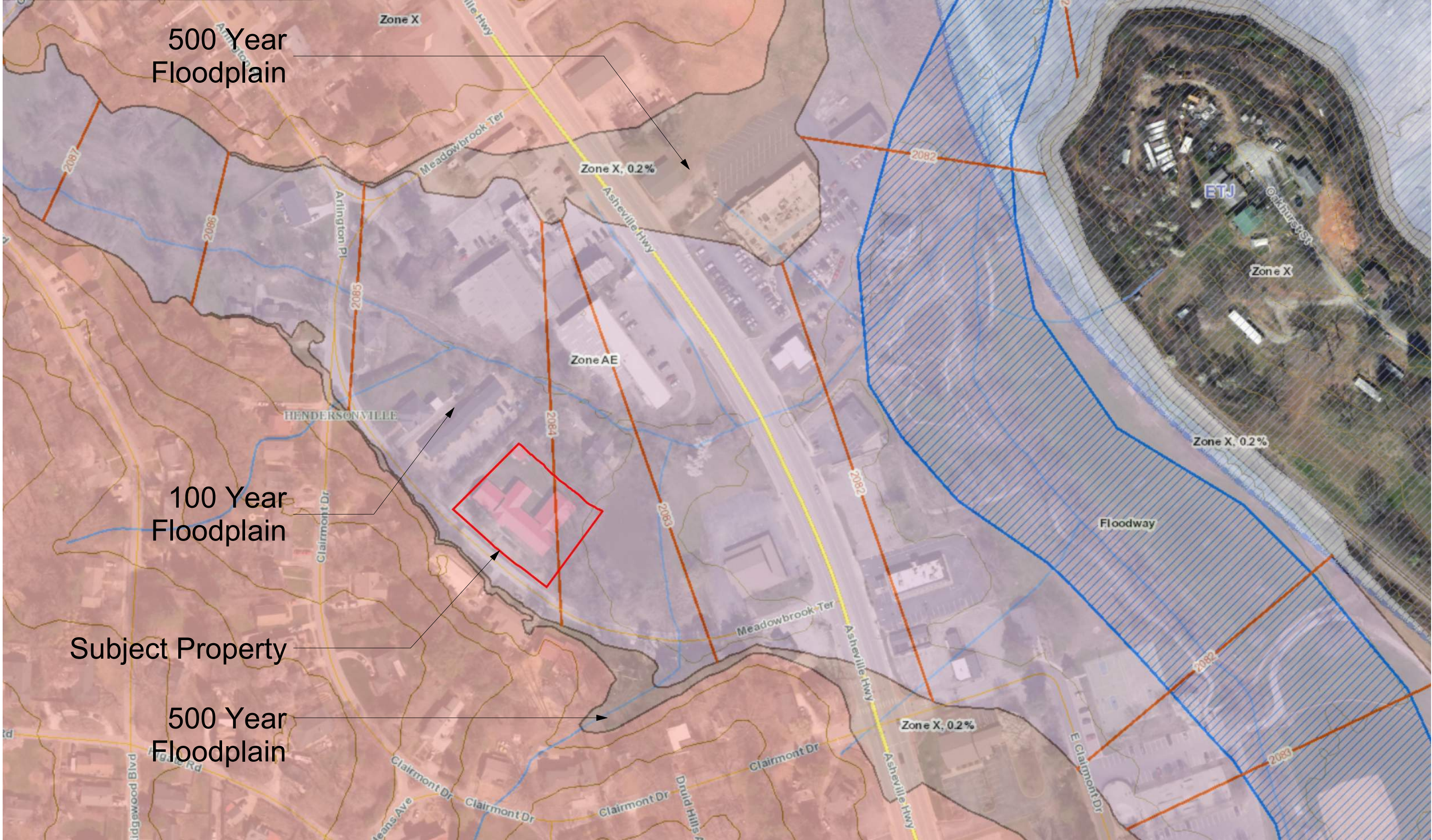
SHEET	C1.1	DATE	06.03.2024
		JOB NO.	

192

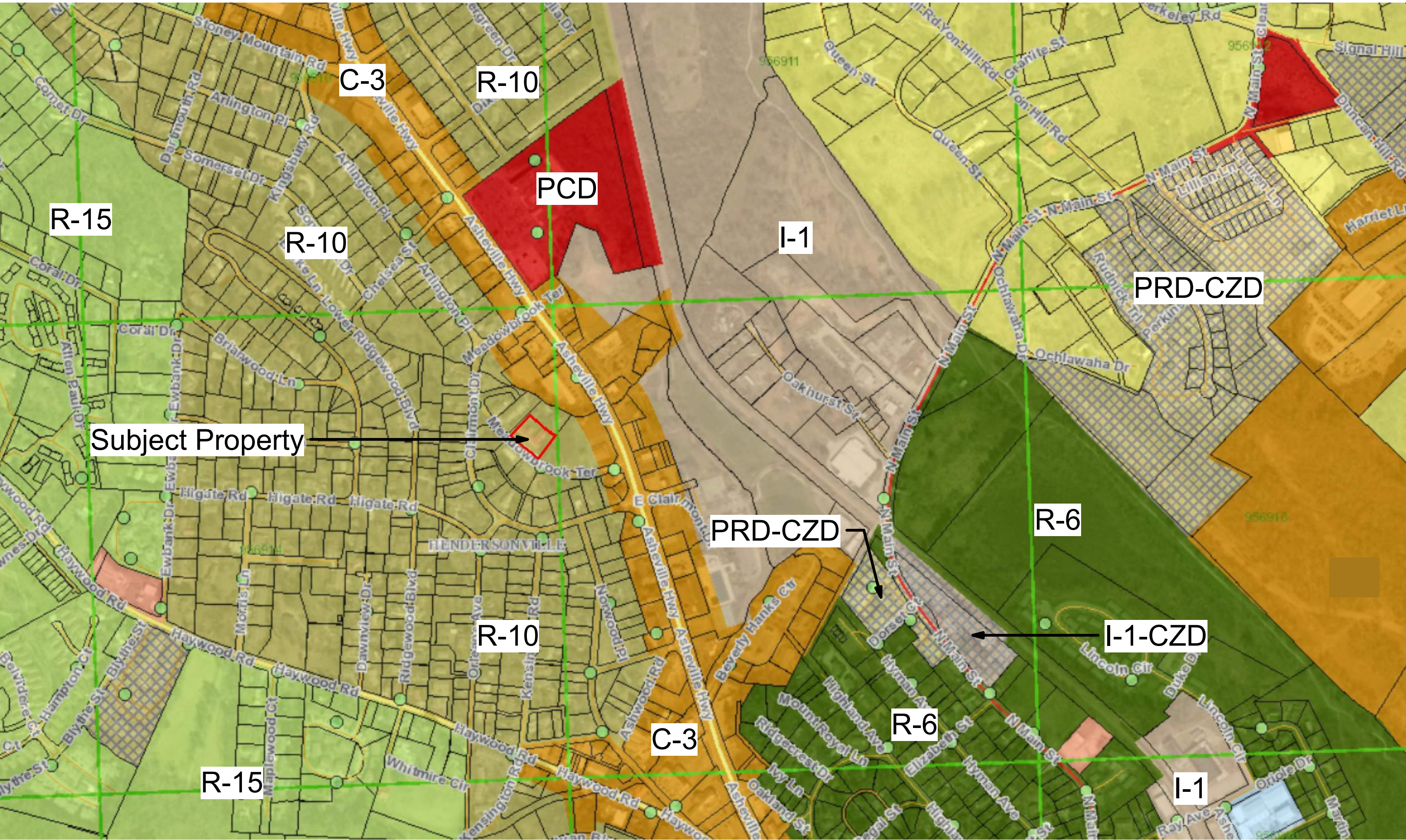




Google View Showing Existing Trees



Flood Map



Zoning Map

Section 7, Item C.			
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Proposed Renovations			
Felicia Reeves (aka Aura) Home for Women Veterans			
1744 Meadowbrook Terrace - Hendersonville, NC			
SHEET TITLE		DATE	
Zoning, Flood Maps, Aerial View		06.03.2024	
SHEET		JOB NO.	
C1.2		23-0700	

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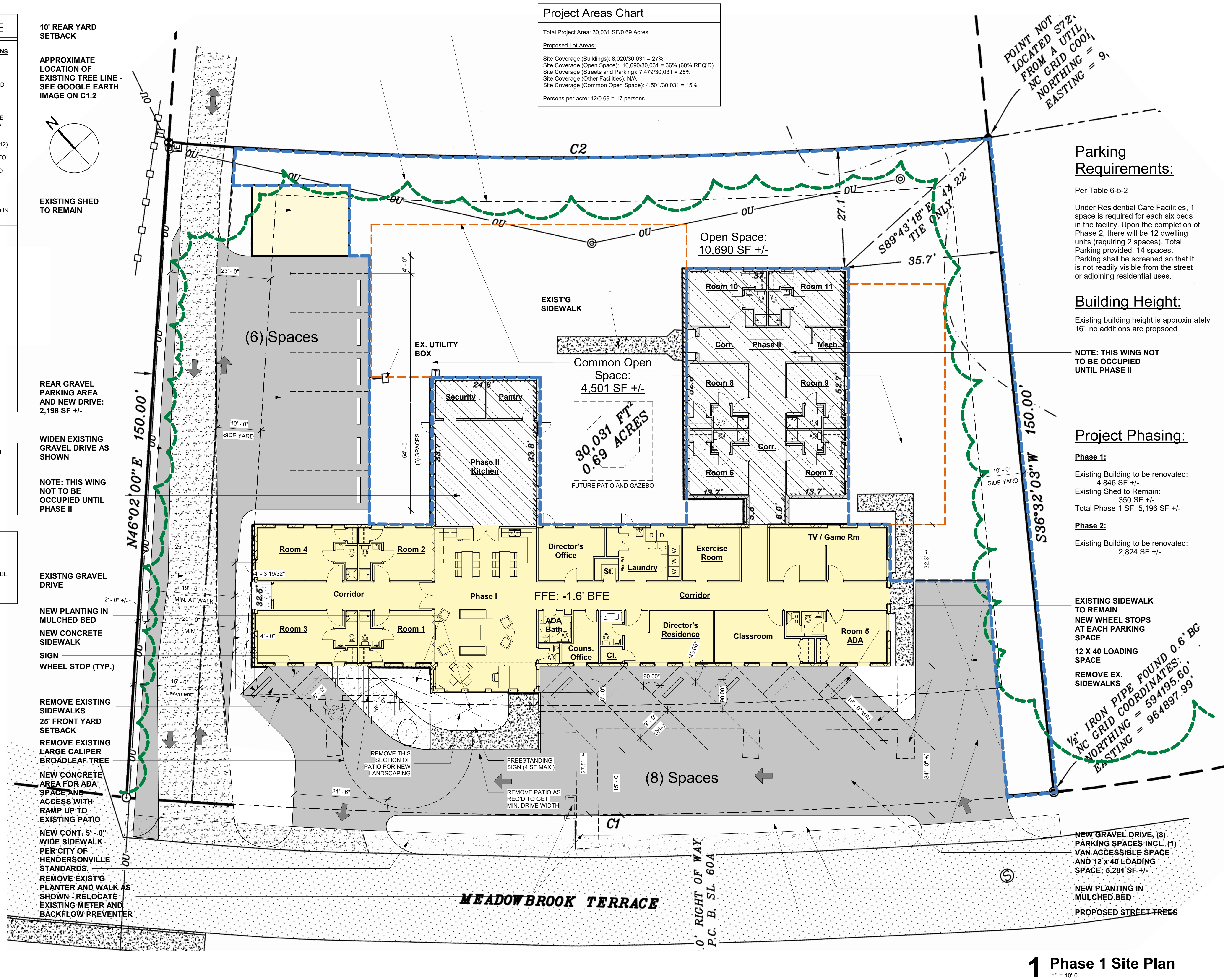
Proposed Renovations
Felicia Reeves (aka Aura) Home for
Women Veterans
 1744 Meadowbrook Terrace – Hendersonville, NC

Proposed Phase 1 Site Plan

SHEET C1.3	DATE 06.03.2024
	JOB NO. 23-0700

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CONDITION TABLE	
<u>DEVELOPER PROPOSED CONDITIONS</u>	
<p>WIDEN EXISTING GRAVEL ACCESS DRIVE TO 20' - 0" +/- FROM MEADOWSBROOK TERRACE TO SHED AS SHOWN (24' CITY STANDARD).</p> <p>RENOVATION/ADAPTIVE REUSE OF EXISTING COMMERCIAL BUILDING FOR PROPOSED RESIDENTIAL CARE FACILITY FOR WOMEN'S VETERANS WILL BE COMPLETED IN PHASES ULTIMATELY PROVIDING LIVING ACCOMMODATIONS FOR TWELVE (12) OCCUPANTS INCLUDING ON-SITE DIRECTOR, SUPPORT FUNCTIONS TO INCLUDE KITCHEN, LAUNDRY, CLASSROOM, EXERCISE ROOM AND TV/GAME ROOM.</p> <p>REDUCTION IN REQUIRED OPEN SPACE FROM 60% TO 36%.</p> <p>NEW SIDEWALK WILL BE PROVIDED IN PHASE II.</p>	
<u>CITY PROPOSED CONDITIONS</u>	
<u>OWNER/DEVELOPER INFORMATION</u>	
<p>AURA HOME WOMEN VETS P.O. BOX 14 ASHEVILLE, NC 28802</p> <p>MS. ALYCE KNAFLICH 828.771.6979 AURAHOME.ALYCE@GMAIL.COM</p>	
<u>HOURS OF OPERATION:</u>	
<p>ACCESS TO THE FACILITY WILL BE 24/7 WITH A RESIDENT DIRECTOR. AFTER NORMAL BUSINESS HOURS, SECURITY PERSONNEL WILL ALSO BE STATIONED INSIDE THE BUILDING ENTRANCE.</p>	



PLANT SCHEDULE

KEY	QTY	BOTANICAL NAME/COMMON NAME	CALIPER	HEIGHT	B&B/CONTAINER	MATERIAL SPECIFICATIONS
BETN	05	BETULA NIGRA/RIVER BIRCH	2" MIN. CAL.	12' - 14' HEIGHT	B&B OR CONT.	MULTI-STEMMED, MIN. 3 STEMS
OXAR	02	OXYDENDRUM ARBOREUM/SOURWOOD				
PIST	01	PINUS STROBUS/EASTERN WHITE PINE				
QUAL	01	QUERCUS ALBA/WHITE OAK				
PLOC	01	PLATANUS OCCIDENTALIS/SYCAMORE				
ACOG	02	ACER RUBRUM "OCTOBER GLORY"/OCTOBER GLORY MAPLE				
LITU	04	LIRIODENDRON TULIPIFERA/TULIP TREE				
ILEX	34	ILEX SPP./WINTERBERRY HOLLIES		6" MIN. HEIGHT	B&B OR CONT.	DENSE, FULL PLANTS
RHOM	04	RHODODENDRON MINUS/CAROLINA RHODODENDRON		24" MIN. HEIGHT	B&B OR MIN. 5 GALLON CONT.	DENSE FORM, WELL ROOTED
AMGR	02	AMELANCHIER X GRANDIFLORA "COLE'S SELECT"/COLE'S SELECT SERVICEBERRY	1 1/2" MIN. CAL.	8" MIN. HEIGHT	B&B OR CONT.	MULTI-STEMMED, MIN. 3 STEMS
EUOA	37	EUONYMUS AMERICANUS/HEARTS-A-BUSTIN"		18" MIN. HEIGHT	B&B OR CONT.	DENSE FULL PLANTS, WELL ROOTED
ILEO	03	ILEX OPACA/AMERICAN HOLLY				



Landscape Calculations

Total Project Area: 30,031 SF/0.69 Acres

Proposed Lot Areas:

Vehicular Use Landscaping: (1) tree and (2) shrubs per 3,000 sf of vehicle use area. Front: Area = 5,281 SF; (2) trees and (4) shrubs req'd; (2) trees and (6) shrubs provided. Rear: Area = 2,198 SF; (1) tree and (2) shrubs required; (1) tree and (3) shrubs provided.

Street Trees: (1) tree for every 35 linear feet of property abutting a street. Front Property Line: 212.65'; (6) trees req'd; (6) trees provided.

Planting Strip: (5) shrubs for every 40 linear feet of property. (30) shrubs req'd; (31) shrubs provided.

Open Space Landscaping: (1) tree and (5) shrubs per 4,000 sf of open space. Open Space Area = 10,890 SF; (3) trees and (15) shrubs req'd; (3) trees and (15) shrubs provided.

Common Open Space Landscaping: (1) tree and (5) shrubs for every 1,200 sf of common open space. Common Open Space Area = 4,501 SF; (4) trees and (20) shrubs req'd; (4) trees and (20) shrubs provided.

Bufferyards: 8-foot A required. Buffer yard requirements are being met by existing planting.

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Proposed Renovations
Felicia Reeves (aka Aura) Home for
Women Veterans
1744 Meadowbrook Terrace - Hendersonville, NC

Landscape Plan

C1.4

SHEET
DATE 06.03.2024
JOB NO. 23-0700



NEIGHBORHOOD COMPATIBILITY MEETING REPORT

FELICIA REEVES HOME (P24-24-CZD) NCM MEETING DATES: MAY 1ST, 2024

PETITION REQUEST: Rezoning: Felicia Reeves Home- Conditional Zoning District (R-10 CZD)

APPLICANT/PETITIONER: Alyce Knafllich (Founding Director and Board Chair) Aura Home Women Vets
[Applicant & Owner]

NEIGHBORHOOD COMPATIBILITY MEETING SUMMARY:

A Neighborhood Compatibility Meeting was held for this project on May 1st, 2024, at 2pm in the Assembly Room of the City Operations Building, 305 Williams Street and via Zoom. The meeting lasted approximately 1 hour and 17 minutes.

There were 14 members of the public in attendance in-person while 4 attended virtually. The applicant and their development team were present as were 2 members of City staff.

Staff gave a formal introduction and a brief overview of the request.

There were three pre-submitted public comments which were provided to the developer prior to the meeting to read and respond to during the meeting.

The development team presented their project proposal for the proposed residential care facility development.

Concerns and questions from the public related to:

- Types of services provided on site.
- How would people be selected to live at the facility and if the VA would play a role in this process.
- Floodplain concerns about bringing the building into compliance with current standards and how they will handle evacuation in the case of a flooding emergency.
- The color of the existing building was discussed and if it would be possible for it to be painted a more neutral color to better help it fit into the residential neighborhood.
- Concerns of this use turning into a halfway house were discussed.
- Questions about staffing, security and hours of operation for staff.
- The need for affordable housing, especially for our veterans.
- Discussion of what services would be provided to the residents who may be suffering from mental health obstacles.

Full minutes from the Neighborhood Compatibility Meeting and pre-submitted public comments are available for review by request.



PLANNING BOARD RECOMMENDATION

FELICIA REEVES HOME (P24-24-CZD)

MEETING DATE: JUNE 13TH, 2024

PETITION REQUEST: Rezoning: Felicia Reeves Home- Conditional Zoning District (R-10 CZD)

APPLICANT/PETITIONER: Alyce Knafllich (Founding Director and Board Chair) Aura Home Women Vets
[Applicant & Owner]

PLANNING BOARD ACTION SUMMARY:

The Planning Board voted 5-3 to recommend **approval** of this petition and adopted the following motion:

PLANNING BOARD MOTION:

Ms. Peacock moved Planning Board recommend City Council approve an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of the subject (PIN: 9569-44-7296) from R-10, Medium Density Residential to R-10-CZD, Medium Density Residential Conditional Zoning District based on the following:

1. The petition supports the City's 2030 Comprehensive Plan goals by adhering to the Preservation/Enhancement Area designation for the subject property. The proposal enhances and renovates a long-vacant and decaying structure without expanding it, promoting compatibility with the surrounding area.
2. We find this petition to be reasonable and in the public interest based on the information from the staff analysis, public hearing and because:
 - a. The petition addresses a critical need for housing and services for local female veterans.
 - b. The petition proposes to renovate and repurpose an existing structure that has contributed to urban blight for the past decade.
 - c. The petition proposes to reduce the residential intensity of the previous use on the site (rest home).
 - d. Given the building's size and scale in the R-10 zoning district, there is no reasonable likelihood that the property will revert to a use permitted in the R-10 zoning district.

The Planning Board recommended the following condition be placed on the rezoning:

"A fenced and landscaped buffer shall be provided on the western and southern property boundaries. Fencing shall be a minimum of 6' in height. The buffer provided shall be similar to the buffer requirements for a "Day Center". All fencing shall be built in such a way to meet any applicable floodplain requirements."

OVERVIEW OF BOARD DISCUSSION FROM MEETING MINUTES:

The Planning Board convened on this project for **2 hours and 22 minutes**.

Ms. Cromar asked if this was transitional housing and if people would be there permanently. Ms. Knafllich stated no, it will be temporary housing. She gets most of the women that come to them out in six to nine months and in their own space. Ms. Cromar asked about the live-in house manager and asked if their facility is to be open 24/7? Ms. Knafllich stated the normal hours are 8:00 am until 5:00 pm. If they are working second or third shift they will have to be able to come and go. Ms. Cromar asked if each resident will have a key to the door. Ms. Knafllich stated they will have combination locks. They will also have a nighttime security guard that will monitor those doors. They do have a camera system now. They will hire an agency for night staff to come in every evening.

Ms. Cromar stated part of the NCM was discussion on the color of the building. She did not mean to offend but personally she did not think it was attractive and neither do some people that she had spoken with. They wanted to know if they could add some earth colors to mute the color a little because most of the houses there are white or have wood. Ms. Knafllich stated the reason they painted it is so people can find it. She got a little carried away with the yellow. Ms. Cromar stated they will find it when they need it and it would fit better into the neighborhood with more earth colors. Ms. Knafllich stated a few neighbors really like it because they can tell people where to find them.

Ms. Cromar asked will you be taking residents from all over North Carolina or all over 14 states? Ms. Knafllich stated their priority is Henderson County, second priority if they cannot fill all of the beds is Western North Carolina. They do cover nine counties in WNC. Their third priority would be the state of North Carolina. Ms. Cromar asked, the residents they will have how will they get to you and will you do background checks. Ms. Knafllich stated they go by the housing rule first. That is the only way they would ever get funding. They bring them in and vet them and if they need any kind of treatment like drug or alcohol treatment then they get clean and then help support them. They are not a detox center. They have rules and they are a drug and alcohol free facility. That is why they will have a live-in house manager and nighttime security. They want to keep the neighborhood safe.

Chair stated there is a Flood Damage Prevention Ordinance in the City of Hendersonville and if you renovate and spend more than half the value of the building you must meet that ordinance requirement and raise the building. How do they plan to do this or are they planning not to put more than 50% of the value into the renovations in any given year? In his opinion that is trying to get around the requirements and there is an ordinance in place for a reason. Mr. Britton stated they discussed that but it is prohibitively expensive to raise the building 3 ½ feet so the reason for the phased approach is to do a modest renovation and to not cross that substantial improvement threshold. With the appraisal that Alyce has and the numbers she has received from contractors the thinking was that would work out and they would be under that threshold. Chair stated it has been depreciated by 83%. The current value is 137,000 on the books. Mr. Morrow stated that the 50% and what triggers and what doesn't is outside the scope of zoning and that is a separate ordinance all together. If this use was approved as part of the zoning, they would have to work with Mike Huffman the City's Floodplain Administrator to make sure they are in compliance with the Flood Damage Prevention Ordinance as far as floodplain is concerned.

OVERVIEW OF BOARD DISCUSSION FROM MINUTES:

Chair stated on the site plan it says there will be twelve people living there, anything on the site plan under conditional zoning is binding but it doesn't say on the site plan there will be an on-site director 24/7 and night security. What will bind them to that? Mr. Morrow stated some of it gets covered in the condition that calls out the twelve occupants and the on-site director. He stated there is note on the site plan that states the hours of operation and it states it will be 24 hours. You could ask that the condition be amended to include the on-site director and nighttime security.

PUBLIC COMMENTS:

Ken Fitch, 1046 Patton Street stated they are being asked to reestablish a nonconforming use that has many issues and does not meet the current standards. It is also located within a 100-year Floodplain. There are many issues but there is also an important need. The applicant has presented a clear plan for the project. He discussed the rapid increase of homelessness in the city. Another concern was the difficulty of funding for this project. He discussed this project setting a precedent. He talked about the floodplain and restricting development in it. He discussed the impacts on surrounding areas due to flooding. To place a care facility with a vulnerable population in the floodplain when there may be a need for rapid evacuation is a huge concern.

Joan Brooks, 1734 Clairmont Drive stated she is a female veteran and clinical social worker and she retired last year after working 40 years in the military. She has great compassion for this. They purchased the house in 2022 and she was excited about the opportunity to volunteer with something she is very passionate about however after two years she walks out on her porch and looks at a property in dereliction and dilapidated and is an eyesore. She is not surprised there is a lot of criminal activity at the house because it has been boarded up. She has spent 17,000 in the last six months on putting in a fence and a security system and landscaping in the hopes that in three or five years she will create a blockade. She discussed the value of property and having homeless shelters in neighborhoods. She stated the property is much worse off now than it was eight years ago when they purchased the property. She does not have faith in the organization to properly maintain this property nor properly manage it. She asked the Board if they as part of their decision making process ask for information in regards to the organizations ability to complete the project? Will you require they meet the floodplain ordinance before any more money is taken for this project? She was very concerned that there is not enough money to fund this project. Chair stated they do not ask if the applicant has the funds to carry out their project. She stated her primary concern as a neighbor is the impact of her property taxes, the impact on the safety and security and as a veteran and a woman that works with female veterans and having an organization that is receiving a lot of money, it sounds like a pipe dream and a lot of the grants and monies will be given to this property when other organizations could use it and this one will never get completed. She thinks people should be giving to a viable concern.

Wanda Schwerer, 300 Winding Meadows Drive, Flat Rock stated she is a veteran and is also on the Board for Aura Home. She stated a comment was concerning the windows being boarded up and they worked with the city on this and that was a requirement. They have gotten permission to put in new windows and received a grant for most of the cost. They do have support from the community and support from other organizations. They do have plans to make the building more presentable and more secure.

PUBLIC COMMENTS:

Sandra Cameron, 1741 Meadowbrook Terrace stated they are directly across from the project. She stated there are six homes on their block and 15 residents. Rezoning this property will double the residents living on this small quiet block and completely change the living environment for all families residing here. She has three young children that have enjoyed growing up on the block. She stated the number of vehicles on their block will increase from approximately seven to over 20 daily. Over the last decade the block has returned to a nice environment, this proposal will move them backwards to an overcrowded eyesore with safety hazards. She discussed the residential area and how the area had become quiet and serene since the closing of the rest home that was previously run on the property. Increased traffic was a concern due to her small children. She was concerned that her property value will decrease from this project. She discussed the safety of her children if this were to be approved. She also was concerned about the floodplain and flooding issues. She stated the water does come up to the building. This will completely destroy the neighborhood and the improvements that has been made over the year. The property is not fit to house these women in it. She has been in knee deep water in the street from the flooding. This will make this block in Druid Hills the worst one in the area. She is the sole caretaker for her family since her husband was severely injured from the doctors wrong choices in chemotherapy treatment for his stage 4 cancer. There are other locations along Spartanburg Highway where this could go and not in a residential district. She thinks this is a nice idea trying to help the women vets but it is the wrong location. Why do they need night security if issues will not arise? Her final question was would anyone of you want this in front of your home or your children's home?

Joseph Cameron, 1741 Meadowbrook Terrace stated when cars are parked over there it looks like a car park. He stated Ms. Knafllich stated she wanted to make this work and this was her dream and she was determined but this sounds like another domineering attitude. He doesn't know what will happen when this pipe dream falls through the floor. He asked why they don't sale the building for the amount it was appraised for and find an appropriate location. He discussed cleaning up the neighborhood. He discussed his medical condition and leaving his children if he passes with this to deal with. The building is dilapidated.

BOARD ACTION:**Motion:**

- Tamara Peacock (Vice Chair)

Second:

- Peter Hanley

Yeas:

- Tamara Peacock (Vice Chair), Chauncey Whiting, Peter Hanley, Donna Waters, Barbara Cromar.

Nays:

- Jim Robertson (Chair), Laura Flores, Beth Robertson

Absent: None

Recused: None



Felicia Reeves House
P24-24-CZD
PIN: 9569-44-7296
Acreage: 0.63
Proposed Zoning

- Subject Property
 Hendersonville City Limits
Hendersonville Zoning
 R-10 Medium Density Residential
 C-3 Highway Business
 I-1 Industrial
 Druid Hills - Local Commercial Historic District
 Druid Hills - Local Historic District
 Streams/Rivers



Ordinance # ____ - ____

AN ORDINANCE OF THE CITY OF HENDERSONVILLE CITY COUNCIL TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF HENDERSONVILLE FOR THE PARCEL POSSESSING PIN NUMBER: 9569-44-7296 BY CHANGING THE ZONING DESIGNATION FROM R-10 MEDIUM DENSITY RESIDENTIAL TO R-10 CZD, MEDIUM DENSITY RESIDENTIAL CONDITIONAL ZONING DISTRICT

IN RE: Parcel Number: 9569-44-7296
Address: 1744 Meadowbrook Terrace

Felicia Reeves Home: (File # P24-24-CZD)

WHEREAS, the City is in receipt of a Conditional Rezoning application from applicant and owner, Alyce Knafllich (Founding Director and Board Chair) Aura Home Women Vets for the adaptive reuse of an existing structure for the use of a residential care facility on approximately 0.69 acres, and

WHEREAS, the Planning Board took up this application at its regular meeting on June 13th, 2024; voting 5-3 to recommend City Council approve 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 August 1st, 2024, and

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

1. 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: Parcel Number: 9569-44-7296, changing the zoning designation from R-10, Medium Density Residential to R-10 CZD, Medium Density Residential Conditional Zoning District.
2. Development of the parcel pursuant to this Ordinance is subject to the following.
 - a. Development shall comply with the master site plan submitted by the applicant revision dated June 3rd 2024, including the conditions listed therein, [and/or as modified and presented to City Council][and/or including modifications approved by City Council which shall be added to the site plan. The updated site shall be submitted to the City at or before the applicant's execution of this Ordinance].
 - b. Permitted uses shall include:
 - i. Adaptive Reuse
 - i. Residential Care Facility
 - c. Additional conditions that shall be satisfied prior to final site plan approval include:
 - i.
3. Except where modified by the terms of this Ordinance, development of the parcel(s) shall

occur in accordance with the final site plan requirements of Article VII of the Zoning Ordinance of the City of Hendersonville, North Carolina.

4. Except where explicit relief is granted by the terms of this Ordinance, the development of the parcel(s) shall occur in accordance with all applicable standards within local ordinances and policies.

This ordinance shall be not be effective until the list of use(s) and conditions, established herein, is consented to in writing by the applicant and all owners of the subject property. Upon such written consent, this ordinance shall be effective retroactive to the date of its adoption.

Adopted this 1st day of August 2024.

Attest:

Barbara G. Volk, Mayor, City of Hendersonville

Jill Murray, City Clerk

Approved as to form:

Angela S. Beeker, City Attorney

With their signatures below, the undersigned applicant(s) and property owner(s) consent to and agree to all conditions imposed pursuant to the terms of this Ordinance.

IN RE: Parcel Numbers: 9569-44-7296
 Address: 1744 Meadowbrook Terrace
 Felicia Reeves Home: (File # P24-24-CZD)

Applicant/Owner: Alyce Knaflich (Founding Director and Board Chair) Aura Home Women Vets

Signature:_____

Printed Name:_____

Title: _____

Date:_____



**CITY OF HENDERSONVILLE
COMMUNITY DEVELOPMENT DEPARTMENT**

100 N. King Street, Hendersonville, NC 28792

Phone (828) 697-3010 | Fax (828) 698-6185

www.hendersonvillenc.gov

**Conditional Zoning District Petition
Section 7-4 and Article 11 City Zoning Ordinance**

The following are the **required** submittals for a complete application for rezoning a property or properties to a Conditional Zoning District. Staff will not review applications until each item has been submitted and determined complete. By placing a check mark by each of the following items, you are certifying that you have performed that task.

- ☒ 1. Completed Pre-Application meeting with Planning Staff
- ☒ 2. Scheduled Neighborhood Compatibility Meeting
NCM Date: _____ Time: _____
- ☒ 3. Water and Sewer Availability Request
- ☒ 4. Completed Application Form
- ☒ 5. Completed Signature Page (completed Owner's Affidavit if different from applicant)
- ☒ 6. Completed Site Plan as described in Section 7-4.3-1 of the City Zoning Ordinance
- ☒ 7. Detailed explanation of any Proposed Development Description
- ☒ 8. Application Fee
- 9. Transportation Impact Analysis - Required for complete application but not due until 24 calendar days prior to Planning Board Meeting (if required)

Note: Additional Approvals prior to the issuance of a Zoning Compliance Permit may include, but are not limited to the following:

- Henderson County Sedimentation & Erosion Permit
- Stormwater Management Plan
- Utility Approval
- NCDOT Permit
- Any other applicable permits as determined by the Community Development

[Application Continued on Next Page]

Office Use:

Date Received: _____

4/18/2024

By: _____

Kary Bragg

Fee Received? Y/N

CX#1594 \$500.00

A. Applicant Contact Information

Alyce Marie Knaflich

* Printed Applicant Name

Aura Home Women Vets

Printed Company Name (if applicable)

☒ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership

☐ Other:


Applicant Signature

Founding Director, Board Chair

Applicant Title (if applicable)

1 Dundee St

Address of Applicant

Asheville, NC 28001

City, State, and Zip Code

828-771-6979

Telephone

aurahomewv@gmail.com

Email

* Signature of the property owner acknowledges that if the property is rezoned, the property involved in this request is bound to the use(s) authorized, the approved site plan and any conditions imposed, unless subsequently changed or amended as provided for in the Zoning Ordinance.

[Application Continued on Next Page]

B. Property Owner Contact Information (if different from Applicant)

Alyce Marie Knafllich

*Printed Owner Name (Authorized Representative for entities other than individuals)

Aura Home Women Vets

Printed Company Name (if applicable, check corresponding box below)

☒ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership

☐ Other: _____


Property Owner/Authorized Representative Signature

Founding Director, Board Chair

Authorized Representative Title (if applicable - i.e. Member/Manager, President, etc.)

Asheville, NC 28801

City, State, and Zip Code

727-771-6979

Telephone

aurahomewv@gmail.com

Email

* Property owner hereby grants permission to the City of Hendersonville personnel to enter the subject property for any purpose required in processing this application.

* If signed by an agent on behalf of the Owner, this petition MUST be accompanied by a Limited Power of Attorney signed by the property owner (s) and notarized, specifically authorizing the agent to act on the owner (s) behalf in signing this application. Failure of each owner, or their duly authorized agent, to sign, or failure to include the authority of the agent signed by the property owner, will result in an INVALID APPLICATION.

C. Property Information

Name of Project: Reeves
Felicia ~~Reese~~ Home

PIN(s): 9569-44-7296

Address(es) / Location of Property: 1744 Meadowbrook Terrace, Hendersonville

Type of Development: ☐ Residential ☒ Commercial ☐ Other

Current Zoning: R-10

Total Acreage: .63

Proposed Zoning: R-10- Special User Permit R-10 CZD - Adaptive Reuse

Proposed Building Square Footage: 7671

Number of Dwelling Units: 1

List of Requested Uses:

~~Special Use Permit~~ To be an Adult Care Home

Conditional zoning District
w/ Residential care facility

D. Proposed Development Conditions for the Site

In the spaces provided below, please provide a description of the Proposed Development for the site.

Ensuite housing - 12 units

Conditional Zoning District Petition

1744 Meadowbrook Terrace

PIN: 9569-44-7296

AURA HOME WOMEN VETS

7. Proposed Development:

12 ensuite units with shared common areas, kitchen, laundry, classroom, 2 offices – 1 for house director 1 for counselor. 1 of the 12 ensuite units would be for live-in house manager.



June 5, 2024

Aura Home Women Vets
1 Dundee St.
Asheville, NC 28801

Tyler C. Morrow
Planner II | Community Development Dept.
Planning Division
City of Hendersonville
100 N King St, Hendersonville, NC 28792

This letter is authorizing that Alyce M. Knaflich, Founding Director of Aura Home Women Vets, has authority to conduct business and financial responsibilities for Aura Home Women Vets with the authority to sign on behalf of AURA HOME WOMEN VETS.

Lisa Clark
Director/Secretary
Aura Home Women Vets



July 15, 2024

City of Hendersonville
100 N. King St.
Hendersonville, NC 28792

Attn: Tyler Morrow, CZO

Regarding: Request for Removal from ETJ
Stoney Mountain Road Residential Subdivision Property
Henderson County PIN 9650900668


Dear Mr. Morrow:

CMH Homes, Inc., is formally requesting that the above referenced parcel be removed entirely from the City of Hendersonville ETJ.

The parcel is 7.86 acres in total and approximately 2.52 acres in the ETJ. We have solicited water allocation from the City and it is our understanding there is inadequate pressure to serve the entire parcel. The nearest gravity sewer line is over ½ mile away. The owners previously applied for a special 2 lot subdivision in the portion of the parcel within the ETJ and we were told that this would have to meet the City's subdivision ordinance including connecting to City water and sewer, which are not feasible. We suggested that the proposed plan could be amended to leave only one lot in the City ETJ, but we were told even that would have to meet subdivision standards. So, the only way to utilize the property for residential development appears to be removed from the City's ETJ. Prior submitted plans for a 9 lots subdivision have already been approved by Henderson County Planning.

We appreciate your review and consideration of this request. Please let us know if further information can be provided. We hope to be included on the August City Council meeting agenda.

Sincerely,
CMH Homes, Inc.

DocuSigned by:

830D91D8B35F406...

Amie Hacker
Vice President, Real Estate and Acquisitions

Ordinance #17-_____

**AN ORDINANCE AMENDING THE ORDINANCE ESTABLISHING
EXTRATERRITORIAL JURISDICTION BOUNDARIES FOR THE CITY OF
HENDERSONVILLE**

WHEREAS, the General Assembly has granted authority to municipalities to adopt, administer and enforce zoning and subdivision regulation ordinances, building codes and minimum housing standards and other related measures; and

WHEREAS, N.C.G.S. § 160D-202 provides that the delegated municipal powers conferred by Chapter 160D may be exercised within the extraterritorial jurisdiction (“ETJ”) surrounding a municipality; and

WHEREAS, N.C.G.S. § 160D-202 further provides that any municipality wishing to exercise extraterritorial jurisdiction of powers conferred under the said Chapter 160D shall adopt, and may amend from time to time, an ordinance specifying the boundaries of those areas within which the City will exercise its extraterritorial jurisdiction; and

WHEREAS, N.C.G.S. § 160D-202 requires that the boundaries specified in the ordinance shall at all times be drawn on a map, set forth in a written description, or shown by a combination of these techniques, and maintained in the same manner as required by N.C.G.S. § 160A-122 for the delineation of the corporate limits; and

WHEREAS, the City has adopted an ordinance establishing ETJ and has amended said ordinance from time to time, most recently by means of an ordinance dated July 6, 2017, which ordinance clarified the geographical boundary of the ETJ; and

WHEREAS, The City has received a request from CMH Homes, Inc. seeking to have certain properties removed from the City’s ETJ; and

WHEREAS, N.C.G.S. § 160D-202 provides for the amendment of an ETJ ordinance and the relinquishing of any part of such jurisdiction to the appropriate county; and

WHEREAS, a public hearing was held before the City Council exclusion of this real property from the City’s extraterritorial jurisdiction pursuant to the requirements of Chapter 160D;

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

SECTION 1. The written boundaries of the of the extraterritorial jurisdiction of the City of Hendersonville is hereby amended by this ordinance. The new are of extraterritorial jurisdiction is described as follows:

BEGINNING at a point located in the center of Willow Road, said center also being the Laurel Park corporate limit line, and said point being approximately 135 feet east of the intersection of the center of Willow Road and the center of Country Club Road (SR 1220); thence running from

said point with the center of Willow Road (SR 1171) in a southwesterly direction approximately 2,780 feet to a point in the centerline of Willow Road where said road is intersected by an unnamed tributary of Finley Creek; thence southeasterly along the center of said unnamed tributary and Finley Creek to a point in the center of Lakeside Drive where said drive is intersected by Finley Creek; thence easterly along the centerline of Lakeside Drive to a point where said drive is intersected by Texas Street; thence southeasterly, a straight line distance of approximately 1,430 feet to a point in the centerline of Kanuga Road, said point being approximately 1,400 feet northeast of the intersection of Bonner Street with Kanuga Road; thence easterly, a straight line distance of approximately 6,030 feet to a point in the centerline of Rutledge Drive, where said drive is intersected by Kings Lane; thence northeasterly, a straight line distance of approximately 1,880 feet to a point in the centerline of U.S. Highway 25 where said highway is intersected by a private drive said point being approximately 550 feet north of the intersection of Stewart Street with U.S. Highway 25; thence northeasterly, a straight line distance of approximately 3,280 feet to a point in the centerline of Southern Railway's line where said line is intersected by Brooklyn Avenue; thence in a southerly direction along the centerline of the Southern Railway line to a point in the center of King Creek where said creek is intersected by said railroad line; thence in a northeasterly direction along the center of King Creek to a point in the centerline of U.S. Highway 176 where said highway is intersected by King Creek; thence northeasterly, a straight line distance of approximately 660 feet to the centerline of Old Spartanburg Highway; thence northwesterly approximately 70 feet the centerline of Old Spartanburg Highway to a property line projected; thence northeasterly along a property line projected and a property line approximately 291 feet to a property corner; said property line being the western property line of lot 9559, block 51 as shown on Henderson County property map 9578.19; thence northwesterly along a property line 64.51 feet to a property corner; thence northeasterly approximately 259 feet to a point on the City's boundary of extraterritorial jurisdiction; thence northeasterly approximately 900 feet to a point in the centerline of Airport Road thence in a northwesterly direction along the centerline of East Gilbert Street to its western terminus adjoining the lot identified as Henderson County PIN 9578449355, and continuing with the centerline of the unopened or unpaved right of way to the centerline of West Gilbert Street, and following the centerline of West Gilbert Street to the point of intersection of the centerline of Bradshaw Avenue, thence in a northeasterly direction with the centerline of Bradshaw Avenue (following the centerline of Bradshaw Avenue through the curve to the northwest) and thence continuing with the centerline of Blue Ridge Street to the point of the intersection of Blue Ridge Street and New Hope Road, thence northeasterly along the centerline of New Hope Road to a point located at the intersection of the centerline of New Hope Road and the centerline of Bat Fork; thence northerly, a straight line distance of approximately 3,580 feet to a point in the centerline of Tracy Grove Road, said point being approximately 200 feet west of the intersection of Duncan Road (State Road 1754) with Tracy Grove Road; thence northerly approximately 893 feet to a property corner located at Devils Fork Creek; thence easterly approximately 2,300 feet following property lines and Devils Fork Creek to property corner located on the western right-of-way line of Interstate 26; thence easterly approximately 180 feet along a property line projected to a point on the centerline of Interstate 26; thence northerly approximately 5,230 feet to a point located at the intersection of the centerline of Interstate 26 and a property line projected, said property line being the western property line of parcel 8609 as shown on Henderson County Property Map 9579.15, block 54; thence northerly approximately 93 feet along the western property line of said parcel to a property corner; thence easterly approximately 490 feet along the northern property line of said point to a property corner; thence northerly

approximately 520 feet along a property line to a property corner; thence easterly approximately 360 feet along the southern property line of parcel 3762 as shown on Henderson County Property Map 9579.02, block 65 to a property corner; thence easterly and southerly approximately 350 feet along property lines to a property corner; thence southerly approximately 470 feet along the western property line of lot 6536, block 64, as shown on Henderson County Property Map 9579.15, to a property corner on the eastern right-of-way line of Prince Road; thence with the eastern right-of-way line of Prince Road approximately 333 feet to a property corner; thence easterly along the southern property line of lot 6536 369.83 feet the southernmost property corner of lot 6536; thence northeasterly approximately 580 feet along the southeastern property line of lot 6536 to a property corner; thence easterly approximately 585 feet along the southern property lines of lots 2125 and 8324, block 75 as shown on Henderson County Property Map 9579.02, to a property corner; thence northerly approximately 355 feet along the eastern property line of lot 8324 to a property corner; thence easterly approximately 300 feet along a property line to a property corner, said property corner being the southeastern property corner of parcel 8324 as shown on Henderson County Property Map 9579.02, block 75; thence approximately 1,100 feet along the eastern property line of said parcel to a property corner located on the southern right-of-way line of Sugarloaf Road; thence northerly 30 feet to a point located on the centerline of Sugarloaf Road; thence easterly approximately 570 feet along the centerline of Sugarloaf Road to a point located at the intersection of the centerline of Sugarloaf Road and a property line projected, said property line being the eastern property line of parcel 4387 as shown on Henderson County Property Map 9579.02, block 86; thence northerly approximately 550 feet along said property line projected to a point located at the intersection of said property line projected and the centerline of Howard Gap Road; thence northeasterly approximately 1,230 feet along the eastern property line of parcel 9255 as shown on Henderson County Property Map 9579.02, block 87; thence westerly 142 feet along the northern property line of said parcel to a property corner; thence northerly approximately 326 feet along the eastern property line of parcel 8857 as shown on Henderson County Property Map 9579.02, block 87, to a property corner located on the southern right-of-way line of Sunset Road; thence northeasterly diagonally across Sunset Road approximately 265 feet to a property corner located on the northern right-of-way line of Sunset Road; thence northerly approximately 1,100 feet along the eastern property line of parcel 7740 as shown on Henderson County Property Map 9579.02, block 88, to a property corner; thence westerly approximately 520 feet along the northern property line of said parcel to a property corner; thence northerly 263 feet along the eastern right-of-way line of parcel 4338, as shown on Henderson County Property Map 9579.02, block 89, to a property corner; thence westerly approximately 670 feet along property lines to a property corner, said property corner being the northwestern property corner of parcel 9505 as shown on Henderson County Property Map 9579.02, block 79; thence northerly approximately 675 feet to a property corner, said property corner being the northeastern property corner of parcel 6101 as shown on Henderson County Property Map 9670, block 70; thence southeast 431 feet along a property line to a property corner, said property corner being the southeast property corner of parcel 0422 as shown on Henderson County Property Map 9670, block 80; thence northerly 271 feet along the eastern property line of said parcel to a property corner; thence easterly approximately 1,030 feet to a property corner, said property corner being the southeastern property corner of parcel 7870 as shown on Henderson County Property Map 9670, block 80; thence northerly approximately 1,400 feet along property lines to a property corner, said property corner being the southwestern property corner of parcel 6504 as shown on Henderson County Property Map 9670, block 91; thence easterly 300 feet along the southern property line of said parcel to the

southwestern property corner of said parcel; thence northerly along property lines and a property line projected approximately 880 feet to a point located within the right-of-way of Highway U.S. 64 East, said point being located at the intersection of the eastern property line projected of parcel 7577 as shown on Henderson County Property map 9670, block 92. and the southern property line projected of parcel 1167, as shown on Henderson County Property Map 9670, block 93 (North Henderson High School); thence westerly along said property line projected and said property line approximately 1,800 feet to a property corner; thence northwesterly approximately 464 feet to a property corner located at Clear Creek; thence westerly approximately 5,600 feet along Clear Creek, across Howard Gap Road and along Clear Creek to the intersection with a cross country electric power transmission line owned by Duke Power Company; thence running with the center of said power line in a westerly direction a distance of 4,250 feet to a wooden "H" frame tower near the eastern right-of-way of Interstate Highway 26 as shown on Henderson County Property Map 9660.04; thence leaving said power right-of-way and running in a southwesterly direction 1,620 feet in a straight line to a property corner in the western boundary of Parcel 2124; thence running from said property corner in a southerly direction 615 feet with said western boundary to a property corner in the northeastern right-of-way of Capps Road (S.R. 1508); thence running in a southerly direction 399 feet with the northeastern right-of-way to the southwest property corner of Parcel 3781; thence continuing across Capps Road (S.R. 1508) 60 feet to the northeast property corner of Parcel 8443; thence running from said property corner in a westerly direction 500 feet with the northern boundary line of said Parcel 8443 to a property corner on the eastern bank of Mud Creek; thence continuing from the property corner with the same course 25 feet to a point in the center of Mud Creek; thence running with the center of Mud Creek in a southerly direction 300 feet upstream to a point in the center of Mud Creek where said creek intersects Clear Creek; thence northwesterly, a straight line distance of approximately 3,700 feet to a point in the centerline of U.S. Highway 25 where said highway is intersected by a private road, said point being approximately 1,080 feet north of the intersection of State Road 1392 with U.S. Highway 25; thence south 76° 30' west 2,150 feet to a point on the eastern property line of that property designated as Henderson County PID 01-14540; thence south with the eastern property line of that parcel and thence continuing southerly with the eastern property line of the Baldwin property designated as Henderson County PID 01-14879 to the southeasternmost corner of that parcel, thence west southwesterly with the southern line of that parcel 383 feet to the southeasternmost corner of that parcel; thence north 90 feet to a property corner on the southeastern property line of property designated as Henderson County PID 01-13928; thence southwest 375 feet with the southeastern line of that parcel to a property corner; thence south 15 feet to the southern most property corner of that property; thence west northwest along the southern line of the Thomas L. Tatham Farm, Inc. property designated as Henderson County PID 01-13928 478 feet to a southwest corner of that parcel where the same borders the eastern margin of the right of way of Lyndhurst Drive; thence northerly 26 feet along the eastern margin of that right of way to its intersection with the McCoy property designated as Henderson County PID 01-10218; thence easterly, thence northerly, thence westerly all with the common boundary of the said McCoy parcel and the Tatham Farm property to the northwest margin of the said McCoy parcel; thence continuing with the western line of the Tatham Farm property 171.13 feet to a point at the southeast corner of the Cliffside at the Boulders, LLC property thence with the southern line of the Cliffside at the Boulders, LLC property North 87° 35' West 470.85 feet to a $\frac{3}{4}$ inch iron pipe, thence North 02° 47' West 184.04 feet to a #4 rebar, thence South 76° 30' West 944.90 feet to a calculated and unmarked point within the eastern boundary line and that property shown on the plat recorded in

Plat Book 2022 at Slide 14278, Henderson County registry, having PIN: 9650-90-0668, thence with the boundary of said Parcel 9650-90-0668 the following six calls: (1) South 15°50'03" West 489.03 feet to an iron pin set; thence (2) North 81°15'24" West 195.17 feet to a ¾ inch iron pin; thence on the same course (3) North 81°15'24" West 39.30 feet to an iron pin set; thence (4) North 24°00'40" East 184.78 feet to an iron pin set; thence (5) North 22°05'49" West 131.82 feet to an iron pin set having NC Grid coordinates of N: 600,425.37' and E: 958,834.48' as shown on Plat Book 2022 Slide 14278, Henderson County registry, thence (6) North 46°40'03" West 81.91 feet to a calculated and unmarked point within the western boundary of said Parcel 9650-90-0668, thence South 76° 30' West 452.79 feet ~~570 feet; thence south 76° 30' west a distance of 2350 feet~~ to a point in the centerline of Stoney Mountain Road where said road is intersected by a private drive situated between Henderson County PID 01-14999 on the west and Henderson County PID 99-70298 on the east, said point being approximately 1,740 feet northwest of the intersection of State Road 1453 with Stoney Mountain Road; thence southwesterly, a straight line distance of approximately 2,020 feet to a point in the centerline of N.C. Highway 191 where said highway is intersected by Holly Hill Drive, said point being approximately 1,710 feet northwest of the intersection of two private roads with N.C. Highway 191; thence southeasterly approximately 6,350 feet to the ridge line of Long John Mountain; thence southeasterly approximately 2,050 with the ridge line of Long John Mountain to a northern property corner in the northern property line of parcel 1620, said parcel also being known as Laurel Park Place and being shown on Henderson County Property Map 9559.20; thence running from said northern property corner with said northern property line in a southeastern direction approximately 880 feet to a property corner of said parcel 1620; thence running from said property corner with the southern property line of parcel 1620 in a southwestern direction approximately 560 feet to a southeastern property corner of parcel 1620; thence running from said southeastern property corner with a property line of said parcel 1620 in a northwestern direction 159.97 feet to a corner on the Laurel Park corporate limit line; thence running with the Laurel Park corporate limit line in a southern direction to a corner in the center of U.S. Highway 64W; thence leaving said Laurel Park corporate limit line and running from said corner with the center of U.S. Highway 64W in a southeastern direction approximately 860 feet to the center of the intersection of U.S. Highway 64W and Glasgow Lane as shown on Henderson County Property Map 9568.05; thence running from said intersection with the center of Glasgow Lane in a southwestern direction approximately 1,370 feet to a point in the centerline of the Norfolk and Southern Railroad, said centerline also being the Laurel Park corporate limit line; thence continuing with the Laurel Park corporate limit line in a southern direction to a point in the center of Willow Road; thence west along the center of Willow Road approximately 310 feet to the point of BEGINNING.

Subject to the territorial jurisdiction of the City as established by ordinance(s).

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 effect from and after September 2, 2024.

Adopted this first day of August, 2024.

Attest:

Barbara G. Volk, Mayor, City of Hendersonville

Jill Murray, City Clerk

Approved as to form:

Angela S. Beeker, City Attorney

**Actions by *Unanimous Written Consent*
of The Board of Directors
of CMH Homes, Inc.**

The undersigned, being all directors of CMH Homes, Inc., a Tennessee corporation (the "Corporation"), acting by written consent without a meeting pursuant to Section 48-18-202 of the Tennessee Business Corporation Act, do hereby consent to the following resolutions in lieu of holding a meeting of the Board of Directors of the Corporation (the "Board of Directors"):

WHEREAS, the Board of Directors desires to add an authorized signatory to execute contracts for any real estate related agreements.

NOW, THEREFORE, the undersigned declare that the actions expressed in the following resolutions are taken by the Board of Directors as of the 27th day of December 2023, to become effective immediately upon execution.

APPOINTMENT OF AUTHORIZED SIGNATORIES

RESOLVED, that the following individual is hereby authorized and empowered to sign all documents and take action necessary to complete any real estate transaction on behalf of the corporation without further corporate resolution:

- Amie Hacker – VP of Real Estate and Acquisitions

RESOLVED FURTHER, that each of the actions of such authorized signatory of the Corporation taken in connection with the matter contemplated by the foregoing resolution taken prior to this consent be and hereby is, approved, ratified and adopted in all respects as fully as if such actions had been presented to this Board of Directors for its approval prior to such actions being taken.

PHOTOGRAPHIC COPIES AND COUNTERPARTS

RESOLVED, that photographic or facsimile reproductions of this Consent Resolution may be made and relied upon to the same extent as though the copy were an original.

IN WITNESS WHEREOF, the undersigned, being all of the Directors of the Corporation, have executed this Consent Resolution as of the day and year first above written.

DocuSigned by:

Danny J. Warrick

Danny J. Warrick CF...

DocuSigned by:

Hugh A. Davidson

Hugh A. Davidson AI...

DocuSigned by:

Kevin T. Clayton

Kevin T. Clayton EO...

**Actions by *Unanimous Written Consent*
of The Board of Directors
of CMH Homes, Inc.**

The undersigned, being all directors of CMH Homes, Inc., a Tennessee corporation (the corporation) acting pursuant to Tenn. Code Ann., Title 48, Chapter 18, Section 202, eff. 1986 (48-18-202); hereby adopts as of February 3, 2020, by written consent, the following resolutions with the same force and effect as if they had been adopted unanimously at a duly convened meeting of the Board of Directors of the Corporation and direct that this written consent be filed with the minutes of proceedings of the Board of Directors of the Corporation:

RESOLVED, the following persons were nominated and elected to serve as officers of CMH Homes, Inc. and CMH Homes of KY, Inc.

President	Danny J. Warrick
Vice President & Secretary	Hugh T. Statum, III
Assistant Secretary & Treasurer	Nathan Britt
Vice President	Matthew Mallery
Assistant Secretary	Larry Carter

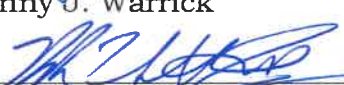
FURTHER RESOLVED, that the above officers are hereby authorized and empowered to sign all documents and take action necessary to complete any real estate transaction without further corporate resolution, or to designate in writing a named company representative that can sign and deliver any and all documents in connection with home and land sales from the corporation to individual purchasers.

FURTHER RESOLVED, that each of the actions of the officers of the Corporation taken in connection with the matters contemplated by the foregoing resolutions taken prior to this Unanimous Written Consent be and hereby are, approved, ratified, and adopted in all respects as fully as if such actions had been presented to this Board of Directors for its approval prior to such actions being taken.

IN WITNESS WHEREOF, the undersigned, being all directors of CMH Homes, Inc. and CMH of KY, Inc., have executed this Unanimous Written Consent as of February 3, 2020.



Danny J. Warrick



Hugh T. Statum, III



Kevin T. Clayton



This document presented and filed:
07/02/2024 04:07:08 PM

WILLIAM LEE KING, Henderson COUNTY, NC
Transfer Tax: \$720.00

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: \$720.00

Parcel Identifier No: 10007307Verified by _____ County on the ____ day of _____, 20____
By: _____

Mail/Box to: The Collie Law Firm – 1645 Asheville Hwy., Hendersonville, NC 28791 _____
This instrument was prepared by: Sherri L. Brewer – DEED PREP ONLY – NO TITLE EXAMINED ←

Brief description for the Index: 7.86 acres Stoney Mountain Road, Hendersonville, NC 28792 _____

THIS DEED made this 20th day of May, 2024 by and between

GRANTOR

GRANTEE

Elizabeth Ann Hollingsworth, unremarried widow
and
Julia Darlene Dotson and husband, Rickie Dean Dotson,
Crystal W. Fletcher and husband, Barry S. Fletcher, and
David S. Worley and wife, Michelle K. Worley

CMH Homes, Inc., a Tennessee Corporation

318 Pressley Road
Hendersonville, NC 28792

5000 Clayton Road
Maryville, TN 37801

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WHEREAS, Steve Worley died March 5, 2011 leaving Lucille B. Worley sole owner by operation of law. Whereas the hereinabove described property was owned by Lucille B. Worley at the time of her death on December 20th, 2014. The Last Will and Testament of Lucille B. Worley is filed in the Office of the Superior Court for Henderson County North Carolina in Estate File 23-E-681, leaving Elizabeth Ann Hollingsworth, Julia Darlene Dotson, and Joel Stephen Worley her sole heirs at law. WHEREAS, Joel Stephen Worley died August 28, 2012, prior to Lucille B. Worley. Said Last Will and Testament of Lucille B. Worley provided for the issue of any predeceased children to take their parents share. Joel Stephen Worley died having two children survive him, those said children being Crystal W. Fletcher and David S. Worley.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in Henderson County, North Carolina and more particularly described as follows:

SEE ATTACHED EXHIBIT A.

The property hereinabove described was acquired by Grantor by instrument recorded in Estate File 23-E-681.

All or a portion of the property herein conveyed ____ includes or X does not include the primary residence of a Grantor.

A map showing the above described property is recorded in Plat Slide 14278.

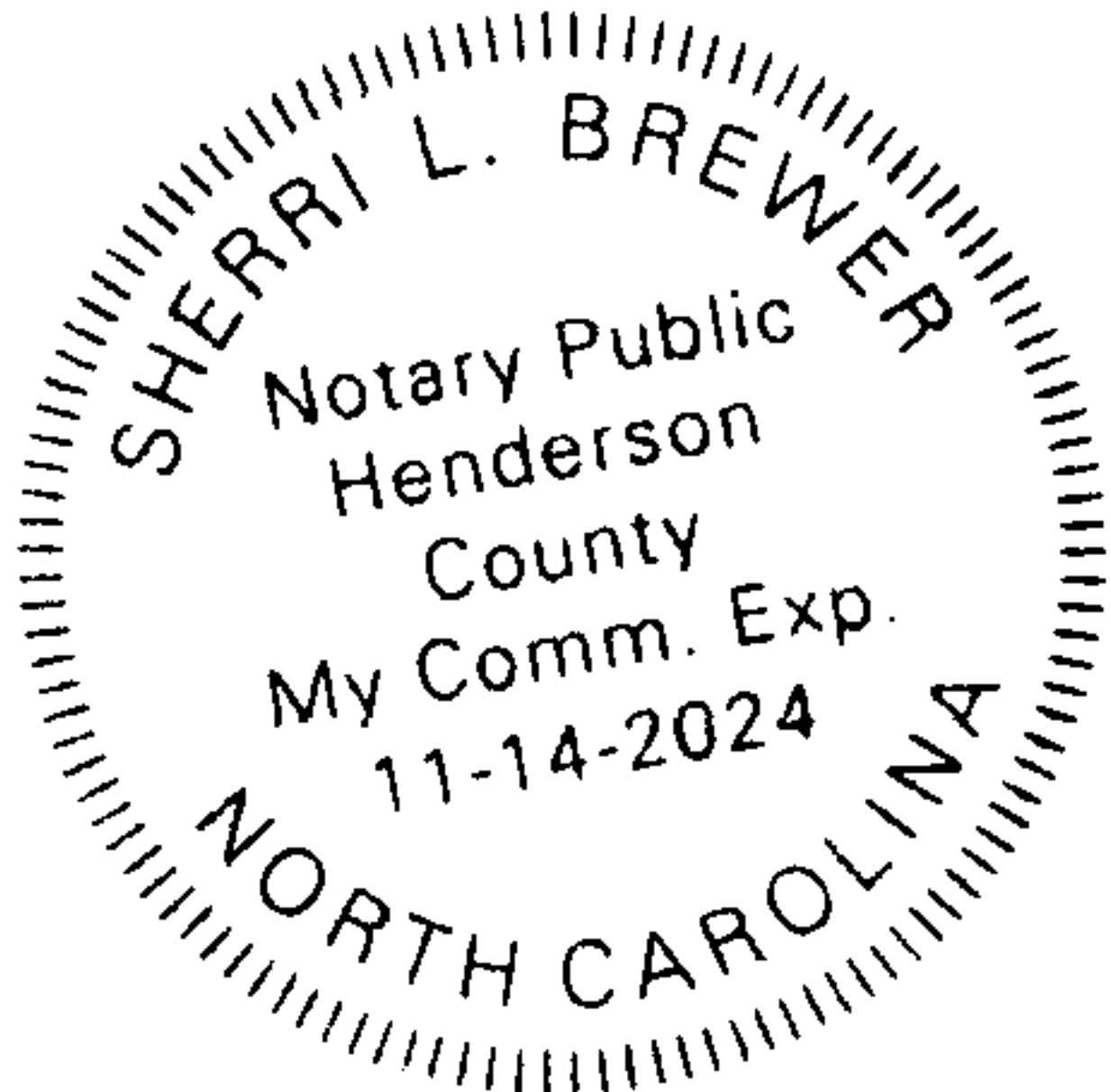
TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions:

Subject to Henderson County ad valorem taxes.
Subject to Restrictions, Easements, and Rights of Way of Record.

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

Elizabeth Ann Hollingsworth (SEAL)
Elizabeth Ann Hollingsworth



(Affix Seal)

State of North Carolina - County of Henderson

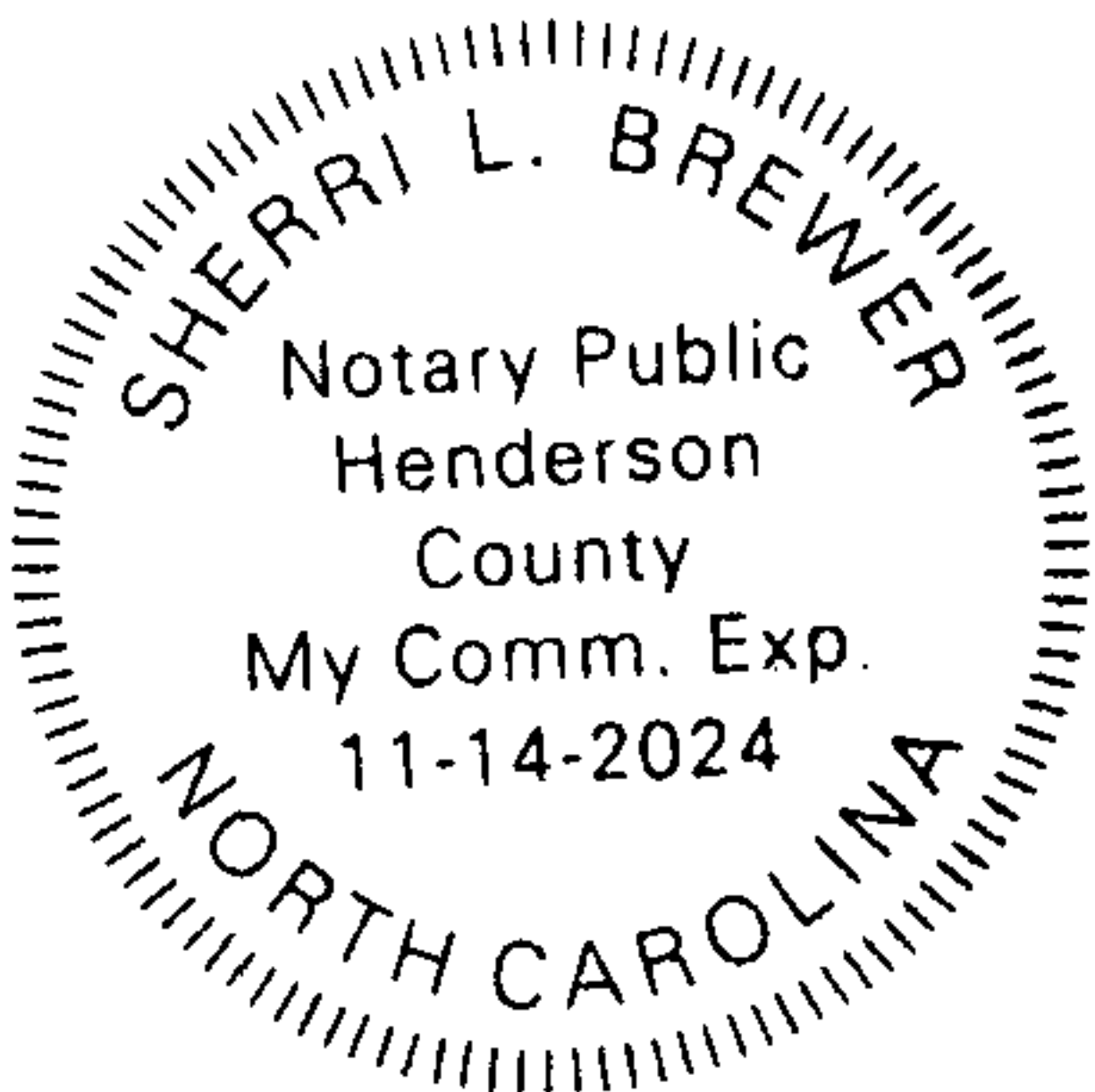
I, the undersigned Notary Public of the County and State aforesaid, certify that Elizabeth Ann Hollingsworth personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this 22nd day of May, 2024.

My Commission Expires:
11-14-2024

Sherri L. Brewer
Sherri L. Brewer Notary Public
Notary's Printed or Typed Name

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

Julia Darlene Dotson (SEAL)
Julia Darlene Dotson
Rickie Dean Dotson (SEAL)
Rickie Dean Dotson



(Affix Seal)

State of North Carolina - County of Henderson

I, the undersigned Notary Public of the County and State aforesaid, certify that Julia Darlene Dotson and Rickie Dean Dotson personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this 22nd day of May, 2024.

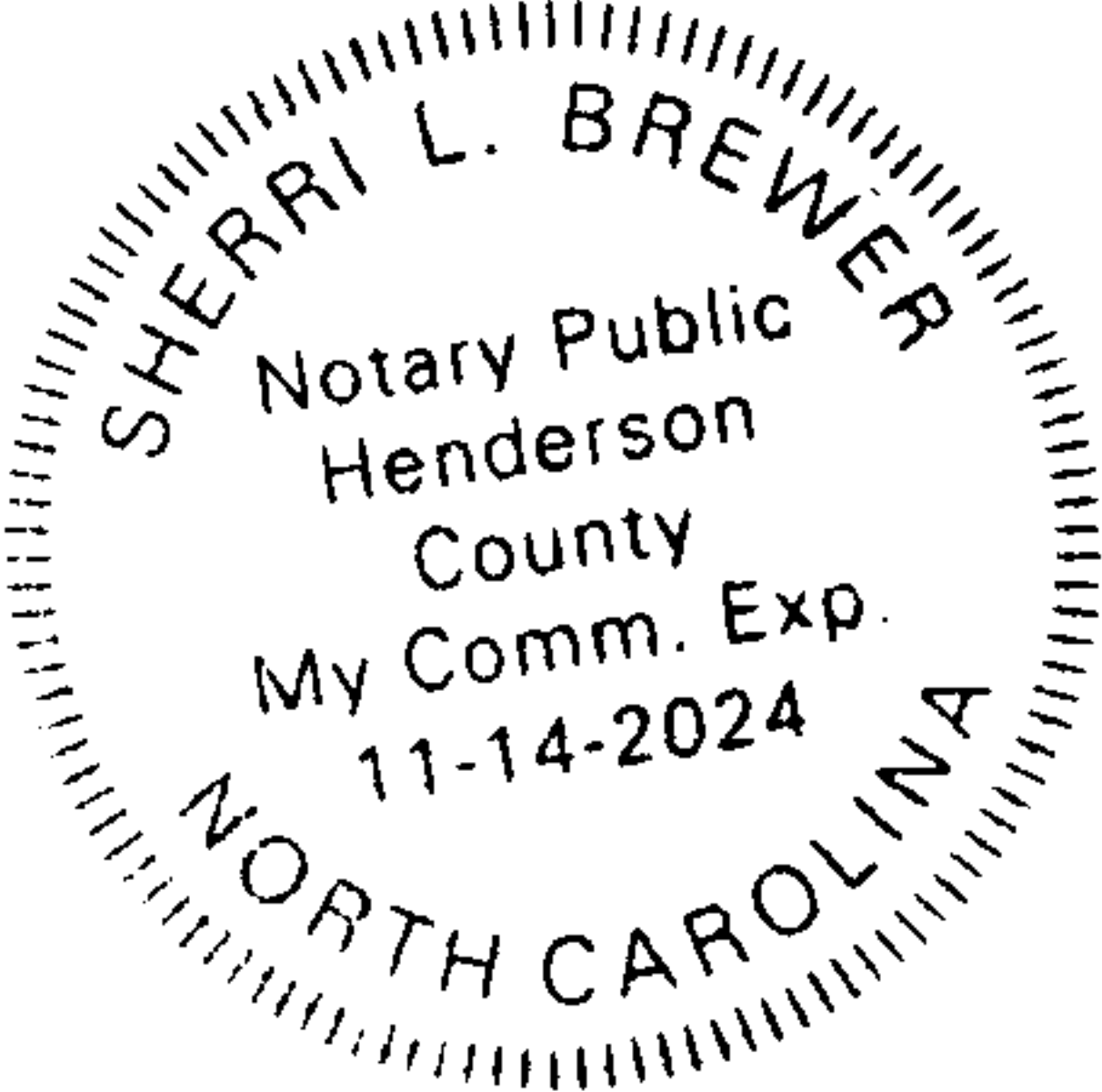
My Commission Expires:
11-14-2024

Sherri L. Brewer
Sherri L. Brewer Notary Public
Notary's Printed or Typed Name

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

Crystal W. Fletcher (SEAL)

Crystal W. Fletcher
Barry S. Fletcher (SEAL)
Barry S. Fletcher



(Affix Seal)

State of North Carolina - County of Henderson

I, the undersigned Notary Public of the County and State aforesaid, certify that Crystal W. Fletcher and Barry S. Fletcher personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this 21st day of May, 2024.

My Commission Expires:
11-14-2024

Sherri L. Brewer
Sherri L. Brewer Notary Public
Notary's Printed or Typed Name

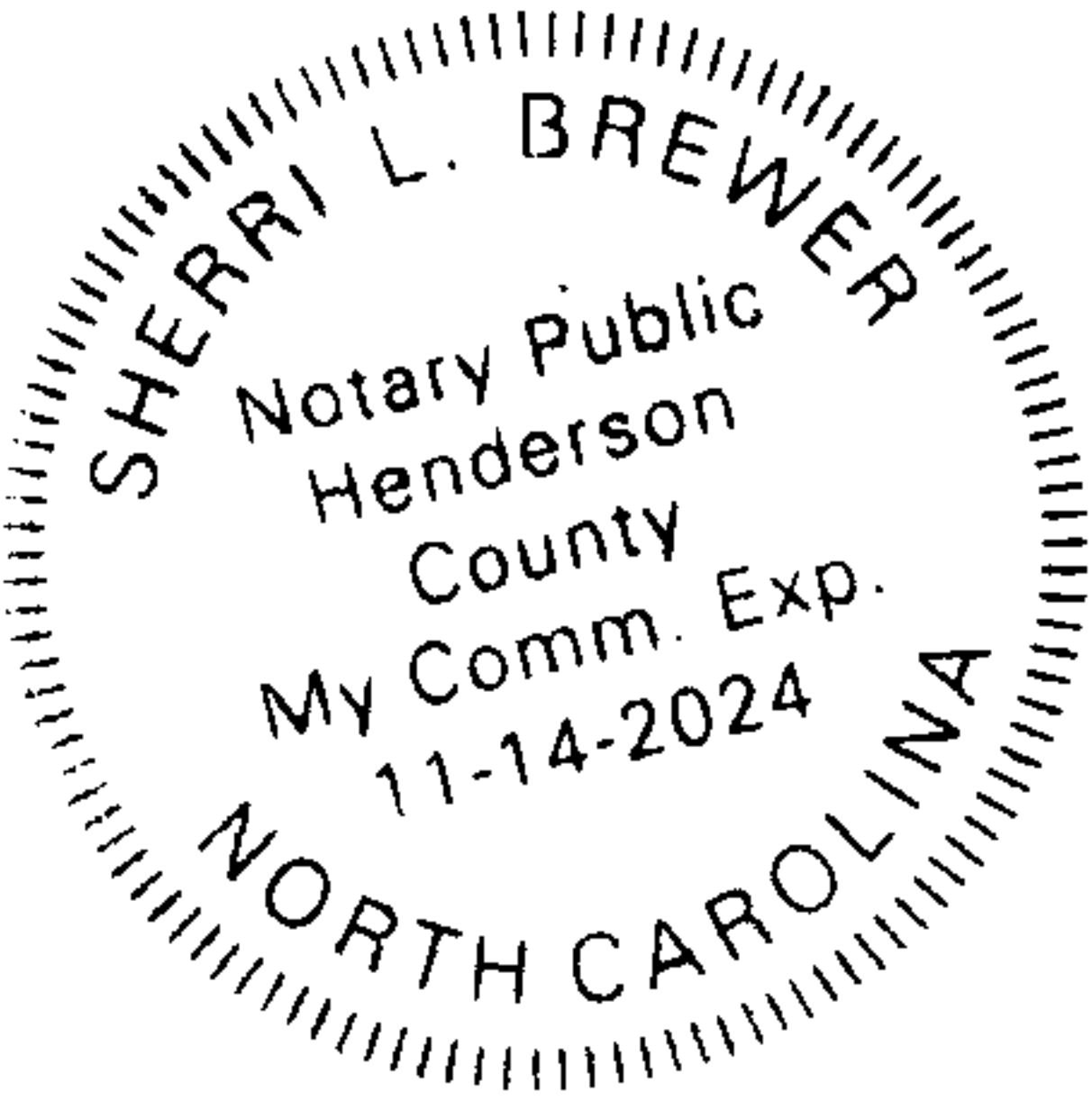
IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

David S. Worley (SEAL)

David S. Worley

Michelle K. Worley (SEAL)

Michelle K. Worley



State of North Carolina - County of Henderson

I, the undersigned Notary Public of the County and State aforesaid, certify that David S. Worley and Michelle K. Worley personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this 20th day of May, 2024.

(Affix Seal)

My Commission Expires:

11-14-2024

Sherri L. Brewer

Sherri L. Brewer Notary Public
Notary's Printed or Typed Name

EXHIBIT A



BEING all of that 7.86 acres as shown on Plat Slide 14278 in the Office of the Register of Deeds for Henderson County NC, reference to which is hereby made for a more particular description.

There is also CONVEYED herewith a non-exclusive right of way over that forty-five (45') foot right of way shown on Plat Slide 13288 and Plat Slide 14278 as recorded in the Office of the Register of Deeds for Henderson County, North Carolina.

ALSO BEING that same property conveyed to Steve Worley and wife, Lucille B. Worley by deed recorded in Book 340 at Page 17 in the Office of the Register of Deeds for Henderson County, North Carolina.



CMH Homes Inc.
C24-46-ETJ
PIN: 9650-90-0668
Acreage: 2.52 (ETJ)
Removal from the ETJ

-  Subject Property
-  Hendersonville ETJ





CITY OF HENDERSONVILLE CITY COUNCIL AGENDA ITEM SUMMARY

SUBMITTER: Matthew Manley

MEETING DATE: August 1, 2024

AGENDA SECTION: Unfinished Business

DEPARTMENT: Community
Development

TITLE OF ITEM: Ordinance to Adopt the *Gen H 2045 Comprehensive Plan* – Matthew Manley, AICP (Project Manager) and representative from consultant team (Bolton-Menk)

SUGGESTED MOTION(S):

I move City Council adopted the *Gen H 2045 Comprehensive Plan* as presented with the following recommended revisions:

- 1)
- 2)

SUMMARY:

City Staff will present the primary revisions to the Draft *Gen H 2045 Comprehensive Plan* as based on feedback from elected officials, appointed boards, city staff and the general public. While numerous revisions have been made to correct typos, improve clarity, include timely additions, update information, and address board feedback, the most substantive changes have been to revise key locations on the Future Land Use & Conservation Map. Those changes include:

- Removing the Large Activity Center Symbols from Map and create a new map that highlights “intensity nodes”.
- Changing the area around Blythe St and Hwy 191 from Multi-Generational Living to Neighborhood Center
- Changing the area around Asheville Hwy and Flemming/Justice St from Neighborhood Center to Institutional
- Changing the area around Oak St north of US 64 from Institutional to Multi-Generational Living
- Changing the area around Oak St south of US 64 from Institutional to Multi-Generational Living
- Changing the area along 4th Ave north from Downtown to Multi-Generational Living
- Changing the area around S Whitted/Dale north of the Ecusta Trail from Multi-Generational Living to Neighborhood Center
- Changing the area around S Whitted/Lennox Park south of the Ecusta Trail from Neighborhood Center to Multi-Generational Living.
- Changing the area around Chadwick Ave/Wayside Ln from Mixed Use - Commercial to Multi-Generational Living.

- Changing the area around the southwest side of I-26 interchange at US 64 from Multi-Generational Living to Mixed Use - Commercial

ATTACHMENTS:

1. Link to Draft Plan, Appendix, and Future Land Use & Conservation Map:
<https://www.hendersonvillenc.gov/gen-h-plan-development-materials>
2. Final Draft Memo
3. Draft Ordinance for Adoption of the Comp Plan

Ordinance # ____ - ____

**AN ORDINANCE OF THE CITY OF HENDERSONVILLE CITY COUNCIL TO ADOPT
THE “GEN H 2045 COMPREHENSIVE PLAN”**

WHEREAS, North Carolina General Statutes 160D-501 provides that a local government shall adopt and reasonably maintain a comprehensive plan or land-use plan as a condition of adopting and applying zoning regulations; and

WHEREAS, a comprehensive plan sets forth goals, policies and programs intended to guide the present and future physical, social and economic development of the municipality; and

WHEREAS, the City of Hendersonville engaged in a robust community engagement process over the course of the planning process commencing in June of 2023; and

WHEREAS, the City of Hendersonville staff, elected officials, and community advisory committee were closely engaged in the development of the final plan; and

WHEREAS, Planning Board held public comment and deliberated on the Gen H Comprehensive Plan at its special-called meeting on June 24, 2024, voting 7-0 to recommend approval of the Gen H 2045 Comprehensive Plan; and

WHEREAS, City Council conducted a duly advertised public hearing and deliberated on the Gen H Comprehensive Plan on July 10, 2024,

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Hendersonville, North Carolina that pursuant to Pursuant to North Carolina General Statute 160D-501, the City of Hendersonville hereby adopts the Gen H 2045 Comprehensive Plan.

Adopted this 1st day of August 2024.

Attest: _____
Barbara G. Volk, Mayor, City of Hendersonville

Jill Murray, City Clerk

Approved as to form:

Angela S. Beeker, City Attorney



Real People. Real Solutions.

1801 North Graham Street
Suite 320
Charlotte, NC 28206

Phone: (704) 376-1555
Bolton-Menk.com

Gen H Comprehensive Plan

Memo

July 26th, 2024

Matt Manley

RE: Gen H Comprehensive Plan
City of Hendersonville, NC
Project No. 4931

Our team at Bolton & Menk, Inc. has reviewed and incorporated comments provided by City Staff for Chapters 1-6, Appendices A-E, and the Future Land Use Map. In the Final Comments section, we detail the outstanding changes made, along with their corresponding page numbers.

We look forward to the pending adoption of the Gen H Comprehensive Plan and firmly believe that these refinements significantly enhance the Plan. We extend our gratitude to City Staff and all other contributors who took the time to thoroughly review and provide valuable input, which has been instrumental in refining the Plan in its final stage. Your collaboration and dedication are deeply appreciated.

Sincerely,

Bolton & Menk, Inc.

Final Comments - 7/26/2024

Draft Gen H Comp Plan

General Recommendations:

Planning Board:

- 1) Look for ways to streamline the document
 - Staff recommendations have been included.
- 2) Consider different photos
 - Staff recommendations have been included. References to other cities have been removed except for case studies and image sources that have a city's name.

Chapter I.

Pg. 9:

- Planning Jurisdiction has been emphasized and notes City's corporate limits, its ETJ, and City/County Joint Planning Area.

Pg. 13:

- Appendix A has been emphasized in reference to the Policy Analysis.

Pg. 16: Strategic Housing Plan and Tree Canopy Assessment Report

- Updated: Strategic Housing Plan added.

Pg. 17: Add Strategic Housing Plan and Tree Canopy Assessment Report. For the Tree Canopy Assessment, Tree Board would like to note that the City has had some canopy decline.

- Updated: Tree Canopy Cover Assessment added.

Pg. 18: Adopted in May-ish. Double check.

- Updated Sustainability Strategic Plan to show it being adopted

Pg. 30: Dept is mixed in with the Boards and Committees. Update header to say "Governing Structure" or something to that effect.

- Updated: Changed subtitle to "Governing Structure"

Chapter II.

No notable changes were required for this chapter.

Chapter III.

Pg 55: Is "Other" Hispanic? Should this be updated

- Updated: Demographic graph has been changed to show the racial breakdown and Hispanic is included.

Pg 57: Enhance this section with a breakdown of the acres between existing city limits and ETJ.

- Updated: Added breakdown of the acres between existing city limits and ETJ.

Pg 64: These terms can be unclear to the lay reader. Consider another approach and/or additional clarity. Make sure any revisions are consistent with Ec Dev Appendix.

- Updated: Added descriptions of tapestry segments.

Pg 71: Could we build an Issue and Opportunity around "Attracting & Retaining Young Professionals, Work Force Development, etc... you know, good old Richard Florida stuff"

- Updated: Added "Attracting and retaining young professionals, families, and businesses" as an opportunity in the Sustainable and Resilient Future category.
- Updated: Affordable housing definition has been added to Housing category

Chapter IV.

All Focus Areas – Maps and Images

- Updated street names
- Added landmarks

Pg. 78-79:

- Descriptions added for Constrained, Underdeveloped and Constrained, Undeveloped
- Table added with acreages for land supply categories within city limits, ETJ, and Joint Planning Area
- Land supply updated to 3,413 acres for city and ETJ (updated GIS layer from city)

Pg. 79: Figure 4.4.2 (new) Land Supply Table

- Added table with acreage/percentage for: underdeveloped, undeveloped, constrained-undeveloped, and constrained-vacant
- Partial parcels account for land supply in instances where they are constrained

Pg. 80: Figure 4.4.1 Land Supply Map

- Updated with categories and floodplain
- Added color to differentiate between: underdeveloped, undeveloped, constrained-undeveloped, and constrained-vacant

Pg. 83: Figure 4.5 Residential Suitability Map

- McMurray Rd. Tract

Pg. 84: Figure 4.5 Commercial Suitability Map

- McMurray Rd. Tract

Pg. 85: Figure 4.6 Industrial Suitability Map

- McMurray Rd. Tract

Pg. 94:

- Updated first bullet to “Downtown remains the heart of the community and gathering spaces, like a central community park, are the focal point of civic activity and celebration” under Authentic Community Character

Pg. 109:

- Affordable housing definition has been included

Pg. 116-117:

- CTP reference included
- Vision Map has been updated to reflect staff directed changes
- Add definitions for City Limits, ETJ and City/County Joint Planning Area

Pg. 117: Figure 4.12.1 The Future Land Use and Conservation Map (Vision Map)

- Added parcel lines
- Added NCDOT Functional Class
- Removed large activity center circles
- Updated as directed by staff.

Pg. 119: Figure 14.12.2 (new) Focused Intensity Nodes

- Map of road network and key landmarks within activity centers – with activity center circles
- Caption: Concentrations of more intense development are envisioned for key nodes where “Mixed-Use Commercial Center (MU-C)” character areas are delineated on the Future Land Use Map. These nodes are intended to be the largest activity centers outside of downtown and support a broad range of compatible uses. Each MU-C is flanked by multiple character areas, some of which are encompassed by the centers shown on the map above. Within these centers, connectivity and compatible relationships should be prioritized to create seamless transitions between developments.

Pg. 120: Figure 14.13.1 Character Area Percentages

- Updated percentages based on Vision Map changes

Pg. 121: Figure 14.13.2 Character Area Percentages

- Updated percentages based on Vision Map changes

Pg. 122-123: Figure 14.14-17 Character Area Maps

- Updated percentages based on Vision Map changes

Pg. 126-127:

- Updated MGL per staff comments regarding building height and lot sizes.

Pg. 128:

- Updated MX-C per staff comments regarding intensity.
- Updated NC to include “limited amount of residential”.

Pg.130-131:

- Updated MX-E to include building height language.
- Updated PRO per staff comments regarding urban sawmills.
- Updated INST to include building height and master planned campus language.

Pg. 132-133: Figure 14.18 Character Area Crosswalk

- Updated per staff direction

Pg. 134:

- Reordered focus areas per staff direction.
- Pages 138-145 (Western Ecusta Trail) moved to Ch. 5.

Pg. 136-151: All Focus Areas – Maps and Images

- Updated street names
- Added landmarks

Chapter V.**All Focus Areas – Maps and Images:**

- Updated street names
- Added landmarks

Pg. 178:

- Comment: In order to have a standalone Downtown Master Plan, we may need to consider adding in the relevant projects from Chapter VI that relate to downtown. I think there are some key projects in there that people will benefit from seeing alongside the info in this chapter as it stands.
 - These are addressed by district as opportunities and elements.

Pg. 180:

- Comment: We need a way to emphasize that the edge of the Downtown Edge should transition to an appropriate scale and uses. The nature of the west side in particular calls for uses to be tied to street typology. Residential 1 and 2 streets should not have commercial uses but could feature appropriately scaled multi-family/attached single-family.
 - Downtown edge transition to appropriate scale is addressed on pg. 260: Rear and Side Stepbacks for Development: Character District Transitions

- Street Typology: Addressed on pg. 218: Streetscape character typologies were developed based on existing street conditions, usage, context, and functionality.
- Land uses are defined by Character Areas – the west side is predominately MGL that allows for mixed residential development and a limited amount of small scaled neighborhood-serving commercial.

Pg. 181: Figure 5.2 Character Districts Map

- Updated to reflect new boundary
- Updated to reflect Vision Map character areas per staff comment

Pg. 206-213:

- Lower Trailhead (Western Ecusta Trail) moved to Ch. 5 (formerly pages 138-145)

Pg. 216: Figure 5.7 Functional Classification

- Updated to reflect new boundary

Pg. 220: Figure 5.8 Streetscape Character Table

- Updated table for streets that also have one-way conditions to have an asterisk that says:
*These streets also exhibit characteristics typical of a Downtown One-Way streetscape.
 - Those streets are N Main St, 6th Ave, US Hwy 64/4 Seasons Blvd, Buncombe St.
 - Streets that are entirely Downtown One-Way are Church St and King St.
- Updated table to include Fleming St, Elks Aly, N Justice St, N Oak St, and Powers Aly
 - Fleming St - Character: Residential 1, Class: Local, ROW: 40', Speed Limit: 20 mph
 - N Justice St - Character: Residential 1, Class: Local, ROW: 40', Speed Limit: 20 mph
 - N Oak St - Character: Residential 1, Class: Local, ROW: 40', Speed Limit: 25 mph
 - Elks Alley - Character: Alley, Class: Local, ROW: 20', Speed Limit: N/A
 - Powers Alley - Character: Alley, Class: Local, ROW: 10', Speed Limit: N/A
- Updated table to have S Main St be "Festival Street/Main Street" and Whitted St be "Festival Street/Downtown"
- Updated Allen, 1st Ave, 2nd Ave, 3rd Ave, 4th Ave to be "Downtown/Residential 1"
- Updated table to not include Private Streets, but rather list them out at the bottom.

Pg. 222: Streetscape Character Map

- Updated map boundary
- Updated streets colors/typologies to represent the table

Pg. 224-235: Streetscape Character

- Updated streetscape character key maps to match the streetscape character map
- Updated Festival Street dimensions from 40' to 40'-100'

Pg. 226: Streetscape Character

- Added language to minimize curb cuts on festival streets

Pg. 227: Recommended uses – tying land use to streetscape comment

- Without doing additional analysis, this recommendation would be better suited during the UDO development

Pg. 252: Signature Park

- Added signature park recommendation

Pg. 258-259: Building Heights Map

- Updated Building Heights Map per staff comments
- Added: Within the Main Street Historic District, building frontages along Main Street should not exceed a maximum height of 40', but may have a 10' rear step up to 54'.
- Comment: And transition areas within the Downtown Edge
 - This is addressed in the next section “Character District Transitions”
- Added: Main Street Historic District Building Height Diagram

Pg. 260: Rear and Side Stepbacks for Development

- Updated text: When development is located next to a district with a lower height maximum, the development should not exceed the height maximum of the adjacent district for the first 50 feet of building width.
-

Pg. 270:

- Added: 60% of all **ground floor** openings on or visible from a frontage shall be screened with architectural louvers and/or panels.

Pg. 271: Make a distinction between Main St and Downtown Edge. There are portions of Downtown Edge that should be residential only. This is also at odds with the amount of infill housing being proposed on the east side that is featured in the Downtown Edge Focus Area.

- Updated: Use of ground floors for private residences is discouraged within the Main Street and Downtown Edge districts, with exception for townhomes and brownstones, or for entry foyers to upper floor units.
- Updated: Private residence entries should incorporate features such as stoops, porches, etc.

Pg. 279 - Private residences are prohibited on primary frontages within Main Street and Downtown Edge districts.

- Comment: Consider allowing townhomes/brownstones in this district.
- Revision: Use of ground floors for private residences is discouraged within the Main Street and Downtown Edge districts, with exception for townhomes and brownstones, or for entry foyers to upper floor units.

Pg. 280: Need clarity of how this would function and look. Given the number of drive-throughs in this area, we need to make sure we understand this clearly.

- Updated to say “Within the Lower Trailhead district, drive-throughs are permitted but cannot be along the primary frontage. They shall be located to the **rear or side** of the building.”

Matt, Pg. 281: Is this correct? Consider removal as this is a major transportation hub and will continue to be an automobile oriented commercial area for some time...

- Updated - “monument signs” is removed from first bullet

Chapter VI.

Pg. 278: Is it possible to switch the Jenn Hensley photo on 278 with this one to give her photo a little more attention?

- The picture of Jenn Hensley is too blurry to be a full spread.

Pg. 288: Should the recommendation referenced on p. A-18 in the appendix be referenced in this project? It doesn't appear that this recommendation got carried over to this list of recommendations unless it is buried in 3.05. I would suggest shining more light on it

- Lew determined that no alteration to the recommendation is needed.

Pg. 290:

- Updated: 4.02: Codify Downtown Design Guidelines in Current Zoning Ordinance and UDO Updates (Project 4.01): Translate the Downtown Design Guidelines into enforceable standards for new development and redevelopment by integrating them into the current zoning ordinance and the new UDO.
- 4.05 – added to the short-term list

Appendices

Appendix A.

Pg. A4: Remove draft - Walk Hendo has been adopted

- Updated: removed “draft”

Pg. A5: In addition to the recommendation about the housing study, the City is in the process of developing a Strategic Housing Plan.

- Updated: replaced “As a result, the City...” with the above language

Pg. A4: Either make language more current or add a date that makes this the analysis as of Fall 2023

- Updated: added date to appendices covers

Pg. A4: Update numbers for 2024

- Policy Analysis was completed in Fall of 2023, added date to appendices covers

Pg. A6: Attracting and retaining young professionals

- Added: “such as attracting and retaining young professionals and families”

Pg. A22: Can you clarify that this is the City general fund budget? It reads like it's the total budget (which is 56 million).

- Clarified and updated to say: “the City general fund budget for this year is \$56 million, with a fund balance of 30.2% as of 6/30/22 and an FY24 tax rate of \$0.49 per \$100 valuation.”

Pg. A23: Is this in the implementation project list? (Plan Implementation Fund)

- Not explicitly. 10.03: Continue to promote City fiscal health by extending time horizon on CIP and staffing plan; 10.07 – Explore and advocate for additional revenue options...10.08 – Conduct analysis to ensure full alignment of adopted city plans

Pg. A24: Is this in the implementation project list? City-wide Innovation Fund

- Not explicitly. 10.07: Explore and advocate for additional revenue options, like 1/4-cent sales tax, grants, and loans Identify and pursue new revenue sources to help provide local public services.

Pg. A26: The text below does not correspond to this title

- Revised title to: Continued Progress

Pg. A27: Should this be located directly after info on A22?

- Moved to A.23

Pg. A28: See previous comment

- I’m not sure what the previous comment was but this one points to a table.

Appendix B.

Pg. B2: Do you want to tack on Saluda at the end of this list since it is shown in the map?

- Updated: Added “Saluda” to the end of the list.

Pg. B4: This feels like the way people used to describe Hendersonville. Or how it is described from a nostalgic perspective but avoids some realities. I wonder if we might want to update this to be more accurate to today..."the slower but growing pace of life"

- Updated: Changed language to “the serene pace of life that Hendersonville offers”

Pg. B6: Double check stats from Census

- Updated: Confirmed census numbers for 2022 with link provided by Matt for information available

Pg. B7: I believe this was supposed to say 51.9. Update stats and make sure they match what is in the narrative.

- Updated: Age graphic added

Pg. B8: -1%? Is “Other” Hispanic? This should be updated

- Updated: Demographic graph has been changed to show the racial breakdown and Hispanic is included.

Pg. B8: Pie graphs, legends, etc. very difficult to read

- Updated to be larger and have better legibility

Pg. B11: Font color goes lighter, maybe?

- Updated: Fill color is corrected

Pg. B13: Double checking for accuracy; Please add that Mud Creek, Bat Fork, Devils Fork, and Clear Creek are listed as impaired by the State

- Updated: Added new sentence that says, “Mud Creek, Bat Fork, Devils Fork, and Clear Creek are listed as impaired by the State.”

Pg. B13: Double checking for accuracy

- Updated: Resolved according to Acrobat document

Pg. B15: Different looking text compared to rest of page

- Updated: Resolved

Pg. B16: This link is broken. It would be better to use the tree board’s web address because the pdf for the tree list gets updated whenever they update the list.

<https://www.hendersonvillenc.gov/treeboard>

- Updated: Replaced hyperlink

Pg. B1: Is this accurate? Did Henderson Co do a tree assessment? We are not familiar with this. The language you have in here says the County studied the area in the county outside city limits but then it says they were identifying concentrations within city limits?? We need to make sure this is accurate and double check the numbers. Additionally, we would prefer that you lead off with the City Tree Canopy Assessment and then, IF the County did an assessment, you can say "Also, the County did one and these were the findings..."

- Revised with City Tree Canopy Assessment numbers

Pg. B16: Rhododendron

- Updated: Replaced “azaleas” with “rhododendron.”

Pg. B19: I am not sure this is accurate. Are they really protected for preservation or are there broad limitations for what can go on them? From what I can gather the limitations only apply on ridges above 3,000' and even then, it only limits the height of buildings to 35' tall in those places.

- [North Carolina Mountain Ridge Protection Act \(MRPA\) Ridgelines | NC OneMap](#)
- Updated: Added language – “Some ridges near the ETJ limits have established protections in the form of building height restrictions through the North Carolina Mountain Ridge Protection Act (MRPA) of 1983.”

Pg. B20: I am not sure this is relevant unless you are tying it to current conditions. I'd prefer this be a summary of our existing distribution of land uses. I am also not familiar with an "existing land use plan". The precursor to the Comp Plan was the "Land Development Plan." But again, I'm not sure that is relevant in this section unless you are tying those plans to the current distribution of land uses.

- Removed “plan”

Pg. B24: This map should match the color symbology of our current zoning map. You can match the colors in this one or just use a screenshot of it in its place:

https://www.hendersonvillenc.gov/sites/default/files/uploads/official_printing_zoning_map_june_2024.pdf

- Updated: Replaced the map with the City's current zoning map

Pg. B30: Provide analysis on how these constraints affect land availability. Could include the 50' Stream Buffer on all Blue Line Streams as a constraint too.

- Analysis for existing conditions has concluded and we are only updating text and figures within the context of accuracy vs. development of new figures or content for the appendices.

Pg. B29: Update this page to provide data provided on 7/16

- Updated with provided data

Pg. B38: Make sure map and text correspond. We believe that some of the roads are not identified correctly. Haywood Rd as a Principal? It's a two lane. Asheville Hwy is a Minor Arterial? It has the highest vpd. The text seems to be correct in some places but has some errors.

- The functional classification is from GIS and the roads identified in the text and on the map align with the NCDOT Functional Classification Map: [NCDOT Functional Class Map \(arcgis.com\)](#)

Pg. B39: I think Chadwick Avenue has intersections with Greenville Hwy, Spartanburg Hwy and Grove St. Not sure which intersection this is referring to - but Hwy 25 isn't called Asheville Hwy that far south. Maybe @MatthewManley can clarify this?

- Updated to “Greenville Highway near Chadwick Avenue”

Pg. B44: Could be linked to adopted plan chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.hendersonvillenc.gov/sites/default/files/uploads/departments/planning/WalkHendo/final_walk_hendo_plan.pdf

- Updated: Added hyperlink

Pg. B54: Seems like a better photo here would be one pertaining to streets/public works/trash collection vs. sewer treatment... Here is a photo of a garbage truck if needed
<https://hvlncgov.sharepoint.com/:i:/g/ETI2stBqEoJPppBU3KxIR0MB8DQc01pTiVggutNiOUSiDQ?e=JqFKtR>

- Link provided is expired; therefore, the existing image was just realigned with text

Pg. B59: Is this correct? 11-30-2010

- Omitted

Pg. B67: Enhances community__?

- Updated: to “enhances a sense of community”

Pg. B68: Prevent__?

- Updated: Extended text box to not cut off sentence

Pg. B68: This link asked me for a long in in Esri

- Updated: Relinked hyperlink

Pg. B70: Text looks different than rest of page

- Updated: Fixed text style

Pg. B72: Incomplete sentence

- Updated: changed sentence to “Alongside the retail, shoppers may access various other commercial enterprises, including restaurants, cafes, entertainment venues, and professional services.”

Pg. B72: Will want to list Martin Luther King Jr Blvd. or M.L.K. Jr Blvd. as it is a portion of this corridor. From Grove to Dana is the MLK section.

- Updated

Pg. B75: Rework this sentence to highlight the undersupply of preschool and daycare. Currently reads as if there is an abundance.

- Updated to reflect supply/demand

Pg. B75: Should this be one block downtown? or a few blocks of the downtown area?

- Updated

Pg. B77: I would suggest adding the Hendersonville Police Department to this list since the Sheriff's Office and fire department are listed.

- Updated: Added HVL PD to the list

Pg. B78: D is a building and not a parking lot (Public Restrooms and office space)

- Updated on the map

Pg. B78: Add PD to map

- Updated on the map

Pg. B78: Add FS1 to the map

- Updated on the map

Pg. B78: Change title. This is only a map of city properties

- Updated: Changed title

Pg. B79: I'd remove this sentence. It doesn't add anything IMO and is out of place. "The medical district can be impacted by initiatives."

- Updated: Removed

Pg. B88: Could add kayaking, tubing, fishing if you want to include some water activities.

- Updated: Changed sentence to "Eco-tourists explore the natural beauty surrounding the city with activities like hiking, biking, kayaking, fishing, or picnicking..."

Pg. B87: you can strike this. Is it possible that you were confused with Flat Rock Playhouse (state theatre)?

- Updated

Pg. B90: 2013, 2017 and 2021.

- Updated: Changed sentence to "who was elected in November 2009 and re-elected in 2013, 2017, and 2021."

Pg. B89: The election schedule for City Council will change from odd to even years beginning in 2024 following NC General Assembly legislation.

- Updated: "The election schedule for City Council will change from odd to even years beginning in 2024 following NC General Assembly legislation."

Pg. B90: Add "B" in front of numbering for all this section.

- Updated

Appendix C.

Pg. C2: On the right photo caption - Gen H team member discusses scenarios with City Council members

- Updated: Changed caption

Pg. C7 & C11: Clarify this Call Out

- Updated: Moved location of callouts

Pg. C11: Utilities?

- Updated: Added “utilities”

Appendix D.

Pg. D4: Numbering drops “D” from this page on

- Updated

Pg. D5: Engage City Council, Boards, Committees

- Updated: adjusted wording to match Allison’s suggestion

Pg. D6: Should be its own bullet point

- Updated: made its own bullet point

Pg. D14: Too small to be legible. Consider page layout options to improve readability

- Adjusted slightly – limited based on original formatting and page constraints

Pg. D16: Added “Homeless Providers”

Pg. D18: Oklawaha Greenway, photo by Lu Ann Welter

- Updated: changed caption

Pg. D21: The project team hosted field trips at City Hall for Bruce Drysdale Elementary School students

- Updated: Changed caption to language that is suggested

Appendix E.

Pg. E15: Can we have a glossary for jargon? If not, please add an asterisk and explain at the bottom of the page.

- Added: “*A brownfield is a tract of land that has been developed for industrial purposes, polluted, and then abandoned| Source: Merriam-Webster”

Pg. E19: Is this correct or is it not to exceed 30,000?

- Updated: “not to exceed”



CITY OF HENDERSONVILLE
AGENDA ITEM SUMMARY

SUBMITTER: Matthew Manley **MEETING DATE:** August 1, 2024
AGENDA SECTION: Unfinished Business **DEPARTMENT:** Community Development
TITLE OF ITEM: Resolution to Accept Short Term Implementation Project List – *Matthew Manley, AICP - Strategic Projects Manager*

SUGGESTED MOTION(S):

For Approval:

I move City Council adopt a resolution accepting the list of Short-Term Implementation Projects Table associated with the Gen H Comprehensive Plan with a recommendation that the Planning Board and City Manager review any changes to the priority list.

[DISCUSS & VOTE]

SUMMARY:

As part of the implementation of the City’s Gen H Comprehensive Plan, a standalone table of projects has been derived from the full Implementation Plan - Chapter 6 of the Comprehensive Plan. Whereas the full Implementation Plan recommends projects that will take place over the course of the life of the plan (10-15 years), the Short-Term Implementation Projects Table identifies just those projects that will be initiated and/or completed in the first 1-2 years after plan adoption. These priority projects were vetted by City Staff including City Management as well as the Community Advisory Committee and Planning Board. The stand-alone nature of the Short-Term Implementation Projects Table allows the list to be updated and amended as necessary without requiring a full-scale amendment to the Gen H Comprehensive Plan.

ATTACHMENTS:	<ol style="list-style-type: none">1. Draft Resolution to Accept Short-Term Implementation Projects Table2. Short-Term Implementation Projects Table
---------------------	--

HVL Gen H Comp Plan Implementation Portfolio – Short-Term Projects (Draft, 6/3/24)

The Hendersonville Gen H Comprehensive Plan includes a number of action steps to help the City of Hendersonville move quickly and effectively from planning to implementation to begin pursuing its shared community vision. The comprehensive plan lists 76 different implementation measures organized under the 10 plan goals. This is an extensive list that will take years to fully implement. As a result, below is a list of 34 of these projects to consider for short-term action. Together, these form a pool of projects from which to draw for initial implementation efforts, once the plan is adopted. In this way, the City of Hendersonville and its partners can work together in the years ahead to help manage the forces of change and advance the shared community vision. This is a living document and project details will evolve over time, so City of Hendersonville staff will need to update this list periodically to reflect the latest information about each project.

KEY FOR "ESTIMATED COST LEVEL" COLUMN

This column suggests who should be authorized to initiate funding for each project in order to move forward in a timely and effective manner, based on plan approved by Town Council.

\$ = Able to be implemented using discretionary funding available to Department Head

\$ = Able to be implemented using discretionary funding available to City Manager

\$\$\$ = Able to be implemented with a line item in the annual City budget

\$\$\$\$ = Able to be implemented with a line item in City Capital Improvements Program

\$\$\$\$\$ = Able to be implemented with third-party funding, e.g. grants or partner resources

KEY FOR "PRIORITY LEVEL"

This designation after each project name suggests a prioritization for the short-term projects for the City to consider when deciding which projects to initiate.

S-1 = Consider initiating these projects first.

S-2 = Consider initiating these projects second.

S-3 = Consider initiating these projects third.

NO.	NAME	DESCRIPTION	LEAD STAFF	EST. COST LEVEL	POTENTIAL FUNDING SOURCES	NEXT STEPS
1. Vibrant Neighborhoods						
1.01	Establish neighborhood matching grant program for self-directed improvements (S-3)	Invite neighborhood organizations and community groups to submit grant proposals to the City to make improvements that they propose such as gateway signage, artwork, local history installations, and improvements to pocket parks.	Community Development Dept.; Engineering Dept.; Public Works Dept.	\$\$\$	General Fund	<ul style="list-style-type: none"> • Add to Dept. work plans • Research examples • Develop and finalize program structure and procedures • Include funding in annual budget • Run program pilot to test approach

NO.	NAME	DESCRIPTION	LEAD STAFF	EST. COST	FUNDING SOURCES	• NEXT STEPS
1.02	Better connect neighborhoods to green space amenities by making public investments and adding code standards in new UDO (S-2)	Strengthen the linkages between residential areas and parks through public improvements such as sidewalks and trails, and development requirements requiring these connections.	Community Development Dept.; Engineering Dept.; Public Works Dept.	\$\$\$\$	General Fund; MPO grants; state and federal grants	<ul style="list-style-type: none"> • Add to Dept. work plans • Identify and prioritize infrastructure projects • Write grant proposals as needed • Include code updates in larger UDO update
1.03	Update minimum housing code to reinvent code enforcement to improve dilapidated properties in equitable manner (S-1)	Revise code requirements to catalyze action to address unsafe conditions and poor maintenance on properties in a way that assists residents with limited resources or fixed incomes.	Community Development Dept.	\$\$\$	General Fund	<ul style="list-style-type: none"> • Add to Dept. work plan • Research examples • Identify preferred program features • Implement updated program
2. Abundant Housing Choices						
2.01	Utilize existing Mixed Use Zoning Districts to introduce multi-family housing in commercial corridors and redevelopment areas (S-1)	Support the production of multi-family housing units in commercial corridors and redevelopment areas through the City's existing mixed use zoning districts to support implementation of the Future Land Use and Conservation Map.	Community Development Dept.	Staff time	NA	<ul style="list-style-type: none"> • Develop public information about current entitlement opportunity • Share information with economic development partners, development community, business community, and property owners

NO.	NAME	DESCRIPTION	LEAD STAFF	EST. COST	FUNDING SOURCES	NEXT STEPS
2.02	Implement top projects from Affordable Housing Strategic Plan (S-2)	Support the production of more affordable housing by implementing the top projects in the City's new Affordable Housing Strategic Plan. Strategies might include creating a Housing Trust Fund, working with institutional partners to catalyze affordable housing development, using development standards to promote affordable housing production (e.g. expand housing types, incentivize affordable housing, update conditional zoning standards), working with selected neighborhoods (e.g. Green Meadows) to develop a community land trust to protect and develop affordable housing, studying publicly owned land for use for affordable housing, and assisting property owners as micro developers.	Community Development Dept.	\$\$\$\$	General Fund; possible City Bond Referendum; HOME AND CDBG funds; Low-Income Housing Tax Credit; partner resources	<ul style="list-style-type: none"> • Select priority implementation projects from Affordable Housing Strategic Plan • Scope projects; add to Dept. work plan • Secure necessary funding • Organize and initiate projects • Manage project portfolio
2.03	Explore code provisions in new UDO to diversify housing stock to promote lifecycle housing and more neighborhood age diversity (S-2)	Support the development of neighborhoods with housing for all ages by allowing a broader range of housing types and other development standards in a manner consistent with community character.	Community Development Dept.	Staff time	NA	<ul style="list-style-type: none"> • Include in larger UDO update
2.04	Develop City Land Bank to clear dilapidated properties and promote redevelopment (S-3)	Create an organization to acquire, stabilize, improve, and resell unsafe and abandoned properties to put them back into productive use.	Community Development Dept.; Administration Dept.	\$\$\$	General Fund (start-up funding)	<ul style="list-style-type: none"> • Add to Dept. work plans • Research examples • Identify preferred organizational structure • Develop sustainable funding

NO.	NAME	DESCRIPTION	LEAD STAFF	EST. COST	FUNDING SOURCES	NEXT STEPS
3. Healthy and Accessible Natural Environment						
3.01	Update green space protection standards as part of new UDO to promote access and prioritize type and quality of green space protected with new development (S-2)	Develop green space standards for new development that clarify the preferred type and characteristics of land to be protected, and that promote local access to this resource.	Community Development Dept.; Public Works Dept.	Staff time	NA	<ul style="list-style-type: none"> • Include in larger UDO update
3.03	Integrate Natural Resources requirements in zoning ordinance with floodplain requirements as part of new UDO (S-1)	Combine the development standards for natural resources and floodplain protection as part of drafting a new Unified Development Ordinance.	Community Development Dept.; Stormwater Dept.	Staff time	NA	<ul style="list-style-type: none"> • Include in larger UDO update
3.05	Implement top priorities of Parks & Green Space Master Plan (S-3)	Improve the local park system by pursuing the top implementation projects called for in the new Parks & Green Space Master Plan.	Public Works Dept.	\$\$\$\$	General Fund; state and federal grants	<ul style="list-style-type: none"> • Include in Dept. work plan • Draft and issue RFQ/RFP for project designs and construction management • Select project consultant • Finalize scope and contract • Oversee consultant designs • Put projects out to bid
3.06	Develop urban forestry plan for maintaining and expanding tree canopy (S-2)	Work systematically to protect and expand the tree canopy in the City by drafting and implementing an urban forestry plan.	Public Works Dept.	\$\$\$	General Fund	<ul style="list-style-type: none"> • Add to Dept. work plan • Select internal project manager • Draft and issue RFQ/RFP • Select project consultant • Finalize scope and contract

NO.	NAME	DESCRIPTION	LEAD STAFF	EST. COST	FUNDING SOURCES	NEXT STEPS
4. Authentic Community Character						
4.01	Create Unified Development Ordinance (UDO) to improve clarity and quality of development standards (S-1)	Provide a single, integrated set of development standards that is consistent with the new Gen H Comprehensive Plan by drafting a Unified Development Ordinance.	Community Development Dept.	\$\$\$	General Fund	<ul style="list-style-type: none"> • Add to Dept. work plan • Select internal project manager • Draft and issue RFQ/RFP • Select project consultant • Finalize scope and contract
4.02	Codify Downtown Design Guidelines with UDO updates (S-2)	Translate the Downtown Design Guidelines into enforceable standards for new development and redevelopment by integrating them into the new UDO.	Community Development Dept.	Staff time	NA	<ul style="list-style-type: none"> • Include in larger UDO update
4.03	Study entry corridors and other areas as needed for development of appropriate Design Guidelines in new UDO (S-2)	Improve the appearance and function of entry corridors and other areas by exploring the development of design guidelines for these areas for inclusion in the UDO.	Community Development Dept.	Staff time	NA	<ul style="list-style-type: none"> • Include in larger UDO update
4.04	Update development standards in new UDO to catalyze aging commercial redevelopment; consider developing form-based code standards for activity centers (S-2)	Increase the vitality and utilization of aging commercial areas by preparing updated development standards that promote walkable mixed-use environments. Consider using form-based code standards for these and other activity centers.	Community Development Dept.	Staff time	NA	<ul style="list-style-type: none"> • Include in larger UDO update

NO.	NAME	DESCRIPTION	LEAD STAFF	EST. COST	FUNDING SOURCES	NEXT STEPS
4.08	Establish vacant property program as component of revised Commercial Building Maintenance Code and/or Minimum Housing Code (S-1)	Improve the maintenance of vacant buildings and catalyze their redevelopment through the creation of a vacant property program.	Community Development Dept.	Staff time	NA	<ul style="list-style-type: none"> • Include in Dept. work plan • Research examples • Develop proposed program structure and procedures • Solicit input from property owners and community stakeholders • Finalize program structure, procedures • Launch program with property owner outreach
5. Safe Streets and Trails						
5.01	Implement low-cost projects from 2023 Walk Hendo Pedestrian Plan and begin design on other priority projects in the plan (S-2)	Work to improve pedestrian safety and convenience by pursuing projects from the new Walk Hendo that the City can currently afford, and begin design on more expensive projects in the plan to use in securing additional funding.	Community Development Dept.; Engineering Dept.; Public Works Dept.	\$\$\$\$	General Fund; MPO grants; state and federal grants; local transportation bond	<ul style="list-style-type: none"> • Include in Dept. work plans • Draft and issue RFQ/RFP for project design and construction management • Select project consultant • Finalize scope and contract • Oversee consultant design • Put projects out to bid
5.02	Seek NCDOT grant to fund targeted updates to HVL Bike Plan (S-3)	New trail projects and other initiatives such as the Ecusta Trail necessitate an update to the 2017 Hendersonville Bike Plan to reflect a changing bike network. As a result, request grant monies from the N.C. Department of Transportation to fund this work.	Community Development Dept.; Engineering Dept.; Public Works Dept.	\$\$\$	General Fund; NCDOT Grant	<ul style="list-style-type: none"> • Add to Dept. work plans • Select internal project manager • Write NCDOT grant proposal • Draft and issue RFQ/RFP • Select project consultant • Finalize scope and contract
5.05	Develop gateway corridor streetscape plans (S-3)	Improve the appearance and functionality by preparing streetscape plans for the City's gateway corridors.	Community Development Dept.; Engineering Dept.; Public Works Dept.	\$\$\$	General Fund	<ul style="list-style-type: none"> • Add to Dept. work plans • Select internal project manager • Draft and issue RFQ/RFP • Select project consultant • Finalize scope and contract

NO.	NAME	DESCRIPTION	LEAD STAFF	EST. COST	FUNDING SOURCES	NEXT STEPS
5.06	Promote trail-oriented development, guidelines, and standards in new UDO (S-2)	Adopt code provisions to support appropriate development along local trails to serve users and leverage this public investment.	Community Development Dept.; Engineering Dept.; Public Works Dept.	Staff time	NA	<ul style="list-style-type: none"> • Include in larger UDO update
5.07	Continue to develop team approach to coordinate floodplain management, stream restoration, trails, and on-street bicycle and pedestrian facilities. (S-1)	Integrate work to improve the pedestrian and bicycle network with floodplain management and restoration of riparian corridors to harmonize these activities and maximize their effectiveness. Utilize utility improvements and road resurfacing projects to assist with this work.	Community Development Dept.; Stormwater Dept.; Engineering Dept.; Public Works Dept.	Staff time	NA	<ul style="list-style-type: none"> • Compare existing and planned projects • Identify opportunities for coordination and integration
5.08	Continue to utilize local and NCDOT resurfacing projects as an opportunity to improve mobility for all users (S-1)	Use resurfacing projects as an opportunity to reconfigure and restripe road rights of way to include safe bicycle and pedestrian facilities.	Community Development Dept.; Engineering Dept.; Public Works Dept.	Staff time	General Fund	<ul style="list-style-type: none"> • Use Walk Hendo Plan, Bike Plan, and Transportation Plan to identify opportunities for restriping network to serve all modes • Coordinate internally and with NCDOT • Hire engineering design consultant if needed
5.09	Develop City street cross sections that support pedestrian friendly design and traffic calming (i.e. street trees, narrow lanes, chicanes, etc.) (S-1)	Create standard City street cross sections for construction by the City and by developers that make streets safer for all modes of travel.	Community Development Dept.; Engineering Dept.; Public Works Dept.	\$\$\$	NA	<ul style="list-style-type: none"> • Add to Dept. work plans • Select internal project manager • Draft and issue RFQ/RFP • Select project consultant • Finalize scope and contract • Conduct project and add new cross sections to engineering design manual

NO.	NAME	DESCRIPTION	LEAD STAFF	EST. COST	FUNDING SOURCES	NEXT STEPS
6. Reliable and Accessible Utility Services						
6.01	Align utility and infrastructure policy/plans with land use plans and with local and state partners (S-1)	Coordinate land use, utility, and infrastructure planning and policies with partner agencies to advance community goals.	Community Development Dept.; Administration Dept.; Public Works Dept.; Water & Sewer Dept.	Staff time	NA	<ul style="list-style-type: none"> Review land use plans and utility and infrastructure plans and policies Engage local and state partners to coordinate Explore policy updates, Memoranda of Understanding, Interlocal Agreements, and other tools as appropriate
6.04	HVL Team: Add water, wastewater, and stormwater projects (S-2)	Fund priority utility and infrastructure projects to provide water, wastewater, and stormwater management services.	Water & Sewer Dept.; Stormwater Dept.	\$\$\$\$	Water & Sewer Capital Fund; Stormwater Fund	<ul style="list-style-type: none"> Include in Dept. work plans Draft and issue RFQ/RFP for project design and construction management Select project consultant Finalize scope and contract Oversee consultant design Put projects out to bid
7. Satisfying Work Opportunities						
7.01	Continue to engage business community in business improvement and policy decisions (S-2)	Continue to hold regular meetings and other activities with members of the local business community to actively involve them in improving local business conditions and related policy questions.	Downtown Hendersonville; Administration Dept.; Community Development Dept.	Staff time	NA	<ul style="list-style-type: none"> Continue to actively engage local business owners Coordinate with Hendersonville Chamber, Henderson County Economic Development Partnership, and other partners
7.05	Use Downtown Opportunities Fund as test case for possible expansion outside downtown (S-2)	Leverage experience with the Downtown Opportunities Fund to potentially assist businesses throughout the community.	Downtown Hendersonville; Administration Dept.; Community Development Dept.	\$\$\$	General Fund	<ul style="list-style-type: none"> Work with business owners and other stakeholders to identify business needs outside downtown Identify components of Downtown Opportunities Fund that are transferable Develop program structure and procedures Secure funding Run pilot program to test approach

NO.	NAME	DESCRIPTION	LEAD STAFF	EST. COST	FUNDING SOURCES	NEXT STEPS
8. Welcoming and Inclusive Community						
8.04	Encourage development of entrepreneur assistance program (S-3)	Work to catalyze and support local businesses by assisting in the creation of small-business development initiative.	Downtown Hendersonville; Administration Dept.; Community Development Dept.	Staff time	NA	<ul style="list-style-type: none"> • Engage partners in identifying entrepreneur assistance needs • Collaborate to develop program structure
8.06	Complete ADA transition plan (S-1)	Finish the strategy for improving accessibility in the community.	Public Works Dept.; Engineering Dept.	Staff time	NA	<ul style="list-style-type: none"> • Finalize plan • Include clear portfolio of implementation measures
8.10	Develop Citizens Academy to build local leadership and civic participation (S-2)	Establish a program to teach people about how government and other civic organizations work and build their leadership skills.	Administration Dept.; all depts.	Staff time	NA	<ul style="list-style-type: none"> • Select project manager • Research examples • Develop proposed structure and procedures • Solicit input from stakeholders • Finalize program structure, procedures • Launch program
9. Accessible and Available Community Uses and Services						
9.01	Continue to consider access and equity in development of service master plans (e.g. parks plan, Walk Hendo plan) (S-2)	Work to make City systems more accessible and equitable by continuing to include these considerations in the development of service master plans.	Public Works Dept.; Engineering Dept.; Administration Dept.	Staff time	NA	<ul style="list-style-type: none"> • Continue to identify access and equity as key goals • Communicate these goals to dept. staff and plan consultants
9.02	Continue to identify additional opportunities to consistently provide accessible meetings and public participation (S-2)	Work to increase public engagement and involvement by finding additional ways to make public meetings and activities accessible.	Administration Dept.; Community Development Dept.	Staff time	NA	<ul style="list-style-type: none"> • Review public engagement methods and meeting procedures for opportunities to improve access and engagement • Test additional methods identified

NO.	NAME	DESCRIPTION	LEAD STAFF	EST. COST	FUNDING SOURCES	• NEXT STEPS
9.05	Continue to explore smart cities technologies to make selected improvements to service delivery (S-2)	Develop tools and processes such as vendor demos and pitch and pilot events to evaluate the potential of new technologies to improve local services.	Administration Dept.	Staff time	NA	<ul style="list-style-type: none"> • Select project manager • Add to Dept. work plan • Identify services that could potentially be improved by smart cities technologies • Solicit vendor solutions through pitch events • Arrange vendor demos and pilots to test promising technologies • Fund and scale up technologies that work
10. Resilient Community						
10.08	Conduct analysis to ensure full alignment of adopted City plans (S-2)	Help make sure all of the City's adopted plans are working together in a coordinated manner by analyzing their consistency.	Community Development Dept.; Administration Dept.; other depts. As appropriate	Staff time	NA	<ul style="list-style-type: none"> • Add to Dept. work plans • Research analysis methods such as Plan Integration Scorecard • Identify plans to analyze • Create working group of plan stewards • Select approach • Conduct analysis • Discuss findings • Revise plans as appropriate

**RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL
ACCEPTING THE SHORT-TERM IMPLEMENTATION PROJECTS LIST ASSOCIATED
WITH GEN H COMPREHENSIVE PLAN**

WHEREAS, the City of Hendersonville has adopted the Gen H Comprehensive Plan which includes an Implementation Plan (Chapter VI); and

WHEREAS, Chapter VI of the Gen H Comprehensive Plan recommends projects that will take place over the course of the life of the plan (10-15 years), the Short-Term Implementation Projects Table identifies just those projects that will be initiated and/or completed in the first 1-2 years after plan adoption; and

WHEREAS, these priority projects identified in the Short-Term Implementation Projects List were vetted by City Staff including City Management as well as the Community Advisory Committee; and

WHEREAS, the stand-alone nature of the Short-Term Implementation Projects Table allows the list to be updated and amended as necessary without requiring a full-scale amendment to the Gen H Comprehensive Plan;

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

1. The City hereby accepts the Short-Term Implementation Projects List as a standalone document; and
2. The City Manager is authorized to modify and amend the Short-Term Implementation Projects List as needed in conjunction with the Gen H Comprehensive Plan;

Adopted by the City Council of the City of Hendersonville, North Carolina on this 1st day of August 2024.

Attest:

Barbara G. Volk, Mayor, City of Hendersonville

Jill Murray, City Clerk

Approved as to form:

Angela S. Beeker, City Attorney



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

SUBMITTER: John Connet, City Manager **MEETING DATE:** 8/1/2024
AGENDA SECTION: NEW BUSINESS **DEPARTMENT:** Administration
TITLE OF ITEM: Saluda Water System Merger Study Update – *John Connet, City Manager*

SUGGESTED MOTION(S):

I move that Council Members _____ and _____ be appointed to meet with the City of Saluda to discuss their draft Water System Merger Study.

SUMMARY:

The City of Saluda received funding to investigate merging of their water system with the City of Hendersonville’s Utility System. The Saluda City Council has requested the Hendersonville City Council to appoint two members to meet with two members of the Saluda City Council to discuss the draft study.

BUDGET IMPACT: \$NA

Is this expenditure approved in the current fiscal year budget? NA

If no, describe how it will be funded. NA

ATTACHMENTS:

None



CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

SUBMITTER:

Jennifer Floyd

MEETING DATE: 08/01/2024

AGENDA SECTION:

City Manager Report

DEPARTMENT: Administration

TITLE OF ITEM:

July 2024 Contingency and Adjustment Report – *John Connet, City Manager*

SUGGESTED MOTION(S):

N/A – Presentation Only.

SUMMARY:

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.

BUDGET IMPACT: Detailed Above

Is this expenditure approved in the current fiscal year budget? N/A

If no, describe how it will be funded. N/A

ATTACHMENTS:

Contingency and Adjustment Report

FISCAL YEAR 2023 - 2024 (FY24) BUDGET AMENDMENTS			Completed	Corrected	
			Proposed	Denied	
ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
060-0000-534999	Contingency	35,250	-	2,500	32,750
060-7002-531700	Liab & Prop Ins & Bonds	110,039	2,500	-	112,539

DESCRIPTION	APPROVED	TYPE	AMENDMENT NUMBER
Etowah Lawsuit	yes	adjustment	7/19/2024
Etowah Lawsuit	yes	adjustment	7/19/2024



CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

SUBMITTER:

John Buchanan

MEETING DATE:

8/1/24

AGENDA SECTION:

Staff Reports

DEPARTMENT:

EnterTextHere

TITLE OF ITEM:

Cash & Investment Report, *John Buchanan, Finance Director*

SUGGESTED MOTION(S):

N/A

SUMMARY:

	3/31/24	3/31/24
U.S. Treasuries	\$3,953,732.79	\$1,987,625.01
Agencies	499,125.00	499,125.00
Commercial Paper	0.00	0.00
NCCMT Mutual Fund	6,759,589.03	8,868,699.60
NCCMT Cash Fund	7,958,009.20	2,856,249.57
Wells Fargo H&W	58,700.80	77,151.26
Wells Fargo Operating Account	6,615,485.77	2,797,195.56
Total	\$25,844,642.59	\$17,086,046.00
Undisbursed Restricted Proceeds		
2019 Revenue Bond	\$239,921.61	\$0.00
2022 Revenue Bond	\$760,802.20	\$268,548.26
2023 Revenue Bond	\$4,332,930.54	\$3,793,279.82
2021 LOB	\$2,153,650.94	\$1,716,869.89
2022 IFC Fire Station	\$6,419,319.86	\$3,498,556.87
2023 City Hall/Ops Construction	\$4,163,240.38	\$3,402,291.77
2024 Vehicle Loan	\$1,219,172.31	\$827,455.69
2024 Powell Bill	\$526,402.78	\$492,271.02

BUDGET IMPACT: \$

Is this expenditure approved in the current fiscal year budget? EnterTextHere

If no, describe how it will be funded. EnterTextHere

ATTACHMENTS:

Investment Detail

CITY OF HENDERSONVILLE
FIRST CITIZENS CUSTODIAN ACCOUNT

INVESTMENT REPORT

June 2024

Investment Name		Rating	Cusip	Price	Coupon	YTM	Purchased Date	Issued Date	Maturity Date	Callable	Cost Basis
TREASURY AND FEDERAL AGENCIES											
Federal Home Loan Bks Cons Bds	FHL		3130ALLN2	99.825	0.50%	0.50%	3/24/2021	3/24/2021	3/24/2026	NO	499,125.00
US Treasury Note Dtd 09/30/22 Due 9/30/27	USN		91282CFM8	99.936	4.13%	4.16%	9/30/2022	2/30/2024	9/30/2027	NO	999,359.38
US Treasury Note Dtd 02/25/23 Due 02/15/26	USN		91282CGL9	98.827	4.00%	4.05%	2/15/2023	2/15/2024	2/15/2026	NO	988,265.63
TOTAL TREASURY AND FEDERAL AGENCIES											2,486,750.01
COMMERCIAL PAPER/CASH EQUIVALENT											
TOTAL COMMERCIAL PAPER/ CASH EQUIVALENT											0.00
OTHER INVESTMENTS (MUNI/BABS/)											
TOTAL OTHER INVESTMENTS (MUNI/BABS)											0.00
Total Securities											2,486,750.01
NC Capt Management	Cash										8,868,699.60
Total Security - Cost Basis											11,355,449.61

Portfolio Allocation - by Security Type				% of Total	
				Cash	
Fannie Mae	FNMA		-	0.00%	
Federal Home Loan bank	FHLB		499,125.00	2.94%	
Freddie Mac	FHLMC		-	0.00%	
Federal Farm Credit Bank	FFCB	\$	-	0.00%	
US Treasury Note	USTN		1,987,625.01	11.72%	
US Treasury Bill	USTB		-	0.00%	
Total GOVERNMENT AGENCIES		\$	2,486,750.01		
Commercial Paper			-	0.00%	
MUNI/OTHER			-		
Cash			8,868,699.60		
		\$	11,355,449.61		

Portfolio Allocation - by Maturity Date:		
FY24	\$	-
FY25	\$	-
FY26	\$	1,487,390.63
FY27	\$	-
FY28	\$	999,359.38
		\$2,486,750.01