



CITY OF HENDERSONVILLE
CITY COUNCIL SECOND MONTHLY MEETING
City Hall-2nd Floor Meeting Room | 160 6th Ave. E. | Hendersonville, NC 28792
Wednesday, July 23, 2025 – 4:00 PM

AGENDA

1. **CALL TO ORDER**
2. **CONSIDERATION OF AGENDA**
3. **CONSENT AGENDA** - *Items are considered routine, noncontroversial in nature and are considered approved by a single motion and vote.*
 - A. Hazard Mitigation Grant Designated Agent Form – *Michael Huffman, Stormwater Division Manager*
4. **PRESENTATIONS**
 - A. City Council Strategic Plan Update – *Brian Pahle, Deputy City Manager*
 - B. DEI Legislation Update – *Angie Beeker, City Attorney*
 - C. Discussion Regarding Towing of Vehicles Prior to Special Events – *Jamie Carpenter, Downtown Manager and Blair Myhand, Chief of Police*
 - D. Patton Pool & Whitmire Center Update & Discussion - *Richard Shook, Civil Engineer*
5. **NEW BUSINESS**
 - A. Approval of Resolution Accept Comebaq Courts Grant – *Brent Detwiler, Assistant City Manager*
 - B. Approval of Special Event Permit for Hendersonville Splash Day – *Brian Pahle, Deputy City Manager and Allison Justus, Communications Director*
6. **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.



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

SUBMITTER: Michael Huffman **MEETING DATE:** 07/23/25

AGENDA SECTION: Consent **DEPARTMENT:** Stormwater

TITLE OF ITEM, Presenter Name, Title: Hazard Mitigation Grant Designated Agent Form – *Michael Huffman, Stormwater Division Manager*

SUGGESTED MOTION(S): I move City Council designate Brent Detwiler and John Connet as Designated Agents for the Wash Creek Hazard Mitigation Advanced Assistance Grant.

SUMMARY:

The Stormwater Department has applied to the Advanced Assistance program through the NC Hazard Mitigation Grant Program to fund the design of two stormwater capital improvement projects identified by the Comprehensive Stormwater Master Plan. A designated agent form is required should the project be awarded. City Council must approve the designated agents with the attached form.

BUDGET IMPACT: N/A

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

If no, describe how it will be funded.

PROJECT NUMBER: 21029 **PETITION NUMBER:** N/A

ADDITIONAL PETITION NUMBER: N/A

PETITIONER NAME: N/A

ATTACHMENTS:

HMGP Designated Agent Form

RESOLUTION DESIGNATION OF APPLICANT'S AGENT North Carolina Division of Emergency Management		Item A.
Organization Name (thereafter named Organization) City of Hendersonville		Disaster Number DR-4827
Applicant's State Cognizant Agency for Single Audit purposes (If Cognizant Agency is not assigned, please indicate): N/A		
Applicant's Fiscal Year (FY) Start: 2025	Month: July	Day: 01
Applicant's Federal Employer's Identification Number:		56 - 6001242
Applicant's Federal Information Processing Standards (FIPS) Number: 37089		
PRIMARY AGENT		SECONDARY AGENT
Agent's Name John Connet		Agent's Name Brent Detwiler
Organization City of Hendersonville		Organization City of Hendersonville
Official Position City Manager		Official Position Assistant City Manager
Mailing Address 160 Sixth Avenue East		Mailing Address 160 Sixth Avenue East
City, State, Zip Hendersonville, NC 28792		City, State, Zip Hendersonville, NC 28792
Daytime Telephone 828-233-3201		Daytime Telephone 828-697-3060
Facsimile Number n/a		Facsimile Number n/a
Pager or Cellular Number n/a		Pager or Cellular Number n/a
<p>BE IT RESOLVED BY the governing body of the Organization (a public entity duly organized under the laws of the State of North Carolina) that the above-named Primary and Secondary Agents are hereby authorized to execute and file applications for federal and/or state assistance on behalf of the Organization for the purpose of obtaining certain state and federal financial assistance under the Robert T. Stafford Disaster Relief & Emergency Assistance Act, (Public Law 93-288 as amended) or as otherwise available. BE IT FURTHER RESOLVED that the above-named agents are authorized to represent and act for the Organization in all dealings with the State of North Carolina and the Federal Emergency Management Agency for all matters pertaining to such disaster assistance required by the grant agreements and the assurances printed on the reverse side hereof. BE IT FINALLY RESOLVED THAT the above-named agents are authorized to act severally.</p> <p>PASSED AND APPROVED this 23 day of July, 2025</p>		
GOVERNING BODY		CERTIFYING OFFICIAL
Name and Title Barbara Volk -Mayor		Name Barbara Volk
Name and Title		Official Position Mayor
Name and Title		Daytime Telephone
CERTIFICATION I Barbara Volk, (name) duly appointed and Mayor (title) of the Governing Body, do hereby certify that the above is true and correct copy of a resolution passes and approved by the Governing Body of (organization) on the 23 day of July, 20 25 Date: _____ Signature: _____		
Rev. 06/02		

APPLICANT ASSURANCES

Item A.

The applicant hereby assures and certifies that it will comply with the FEMA regulations, policies, guidelines and requirements including OMB's Circulars No. A-95 and A-102, and 74-4, as they relate to the application, acceptance and use of Federal funds for this Federally assisted project. Also, the Applicant gives assurance and certifies with respect to the use of such funds as a condition for the grant that:

1. It possesses legal authority to apply for the grant, and to finance and construct the proposed facilities; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body, authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.
2. It will comply with the provisions of: Executive Order 11988, relating to Floodplain Management and Executive Order 11990, relating to Protection of Wetlands.
3. It will have sufficient funds available to meet the non-Federal share of the cost for construction projects. Sufficient funds will be available when construction is completed to assure effective operation and maintenance of the facility for the purpose constructed.
4. It will not enter into a construction contract(s) for the project or undertake other activities until the conditions of the grant program(s) have been met.
5. It will provide and maintain competent and adequate architectural engineering supervision and inspection at the construction site to insure that the completed work conforms with the approved plans and specifications; that it will furnish progress reports and such other information as the Federal grantor agency may need.
6. It will operate and maintain the facility in accordance with the minimum standards as may be required or prescribed by the applicable Federal, State and local agencies for the maintenance and operation of such facilities.
7. It will give the grantor agency and the Comptroller General, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the grant.
8. It will require the facility to be designed to comply with the "American Standard Specifications for Making Buildings and Facilities Accessible to, and Usable by the Physically Handicapped," Number A117.1-1961, as modified (41 CFR 101-17-7031). The applicant will be responsible for conducting inspections to insure compliance with these specifications by the contractor.
9. It will cause work on the project to be commenced within a reasonable time after receipt of notification from the approving Federal agency that funds have been approved and will see that work on the project will be prosecuted to completion with reasonable diligence.
10. It will not dispose of or encumber its title or other interests in the site and facilities during the period of Federal interest or while the Government holds bonds, whichever is the longer.
11. It agrees to comply with Section 311, P.L. 93-288 and with Title VI of the Civil Rights Act of 1964 (P.L. 83-352) and in accordance with Title VI of the Act, no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the applicant receives Federal financial assistance and will immediately take any measures necessary to effectuate this agreement. If any real property or structure is provided or improved with the aid of Federal financial assistance extended to the Applicant, this assurance shall obligate the Applicant, or in the case of any transfer of such property, any transferee, for the period during which the real property or structure is used for a purpose for which the Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits.
12. It will establish safeguards to prohibit employees from using their positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties.
13. It will comply with the requirements of Title II and Title III of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (P.L. 91-646) which provides for fair and equitable treatment of persons displaced as a result of Federal and Federally assisted programs.
14. It will comply with all requirements imposed by the Federal grantor agency concerning special requirements of law, program requirements, and other administrative requirements approved in accordance with OMB Circular A-102, P.L. 93-288 as amended, and applicable Federal Regulations.
15. It will comply with the provisions of the Hatch Act which limit the political activity of employees.
16. It will comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act, as they apply to hospital and educational institution employees of State and local governments.
17. (To the best of his/her knowledge and belief) the disaster relief work described on each Federal Emergency Management Agency (FEMA) Project Application for which Federal Financial assistance is requested is eligible in accordance with the criteria contained in 44 Code of Federal Regulations, Part 206, and applicable FEMA Handbooks.
18. The emergency or disaster relief work therein described for which Federal Assistance is requested hereunder does not or will not duplicate benefits received for the same loss from another source.
19. It will (1) provide without cost to the United States all lands, easements and rights-of-way necessary for accomplishments of the approved work; (2) hold and save the United States free from damages due to the approved work or Federal funding.
20. This assurance is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, reimbursements, advances, contracts, property, discounts of other Federal financial assistance extended after the date hereof to the Applicant by FEMA, that such Federal Financial assistance will be extended in reliance on the representations and agreements made in this assurance and that the United States shall have the right to seek judicial enforcement of this assurance. This assurance is binding on the applicant, its successors, transferees, and assignees, and the person or persons whose signatures appear on the reverse as authorized to sign this assurance on behalf of the applicant.
21. It will comply with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973, Public Law 93-234, 87 Stat. 975, approved December 31, 1973. Section 102(a) requires, on and after March 2, 1975, the purchase of flood insurance in communities where such insurance is available as a condition for the receipt of any Federal financial assistance for construction or acquisition purposes for use in any area that has been identified by the Director, Federal Emergency Management Agency as an area having special flood hazards. The phrase "Federal financial assistance" includes any form of loan, grant, guaranty, insurance payment, rebate, subsidy, disaster assistance loan or grant, or any other form of direct or indirect Federal assistance.
22. It will comply with the insurance requirements of Section 314, PL 93-288, to obtain and maintain any other insurance as may be reasonable, adequate, and necessary to protect against further loss to any property which was replaced, restored, repaired, or constructed with this assistance.
23. It will defer funding of any projects involving flexible funding until FEMA makes a favorable environmental clearance, if this is required.
24. It will assist the Federal grantor agency in its compliance with Section 106 of the National Historic Preservation Act of 1966, as amended, (16 U.S.C. 470), Executive Order 11593, and the Archeological and Historic Preservation Act of 1966 (16 U.S.C. 469a-1 et seq.) by (a) consulting with the State Historic Preservation Officer on the conduct of investigations, as necessary, to identify properties listed in or eligible for inclusion in the National Register of Historic places that are subject to adverse effects (see 36 CFR Part 800.8) by the activity, and notifying the Federal grantor agency of the existence of any such properties, and by (b) complying with all requirements established by the Federal grantor agency to avoid or mitigate adverse effects upon such properties.
25. It will, for any repairs or construction financed herewith, comply with applicable standards of safety, decency and sanitation and in conformity with applicable codes, specifications and standards; and, will evaluate the natural hazards in areas in which the proceeds of the grant or loan are to be used and take appropriate action to mitigate such hazards, including safe land use and construction practices.

STATE ASSURANCES

The State agrees to take any necessary action within State capabilities to require compliance with these assurances and agreements by the applicant or to assume responsibility to the Federal government for any deficiencies not resolved to the satisfaction of the Regional Director.



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

SUBMITTER: John Connet, City Manager **MEETING DATE:** 7/23/2025
AGENDA SECTION: PRESENTATION **DEPARTMENT:** Administration
TITLE OF ITEM: City Council Strategic Plan Update – *John Connet, City Manager*

SUGGESTED MOTION(S):

NA

SUMMARY:

Deputy City Manager Brian Pahle will present City Council with a update on your Strategic Plan.

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: John Connet, City Manager **MEETING DATE:** 7/23/2025
AGENDA SECTION: PRESENTATION **DEPARTMENT:** Administration
TITLE OF ITEM: DEI Legislation Update – *Angie Beeker, City Attorney*

SUGGESTED MOTION(S):

NA

SUMMARY:

City Attorney Angie Beeker will provide an update regarding federal and state DEI legislation.

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: John Connet, City Manager **MEETING DATE:** 7/23/2025
AGENDA SECTION: PRESENTATION **DEPARTMENT:** Administration
TITLE OF ITEM: Discussion Regarding Towing of Vehicles Prior to Special Events – *Jamie Carpenter, Downtown Manager and Blair Myhand, Chief of Police*

SUGGESTED MOTION(S):

SUMMARY:

The Downtown Advisory Board has asked staff to modify our approach to towing vehicles prior to special events. City staff feels that City Council should weigh in on this matter. Therefore, we have placed this item on your agenda.

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: Brent Detwiler **MEETING DATE:** July 23, 2025
AGENDA SECTION: PRESENTATION **DEPARTMENT:** Public Services
TITLE OF ITEM: Patton Pool & Whitmire Center Update and Discussion – *Richard Shook, Civil Engineer*

SUGGESTED MOTION(S):

None

SUMMARY:

Staff seeks to review the progress of the Patton Pool and Whitmire Center conceptual designs and outreach strategies and gather initial feedback from Council to help guide the process.

BUDGET IMPACT: N/A

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

If no, describe how it will be funded.

ATTACHMENTS:



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

SUBMITTER: John Connet, City Manager **MEETING DATE:** 7/23/2025

AGENDA SECTION: NEW BUSINESS **DEPARTMENT:** Administration

TITLE OF ITEM: Approval of Resolution Accept Comebaq Courts Grant – *Brent Detwiler, Assistant City Manager*

SUGGESTED MOTION(S):

I move that the City Council accept the Combaq Courts Grant and approve the placement of sponsorship names as shown in the provided renderings.

SUMMARY:

The City of Hendersonville and the Henderson County Boys and Girls Club has received a grant to renovate the basketball courts at Sullivan Park. One of the grant stipulations is that grant sponsors allow their logos to be placed on the basketball goals. These logos are depicted in the attached renderings. In accordance with the City's Sponsorship Policy, the City Manager may ask the City Council to approve the use of logos at City facilities. Therefore, I am submitting a request that City Council approve the use logos on the basketball goals.

BUDGET IMPACT: \$ 45,000

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

If no, describe how it will be funded. NA

ATTACHMENTS:

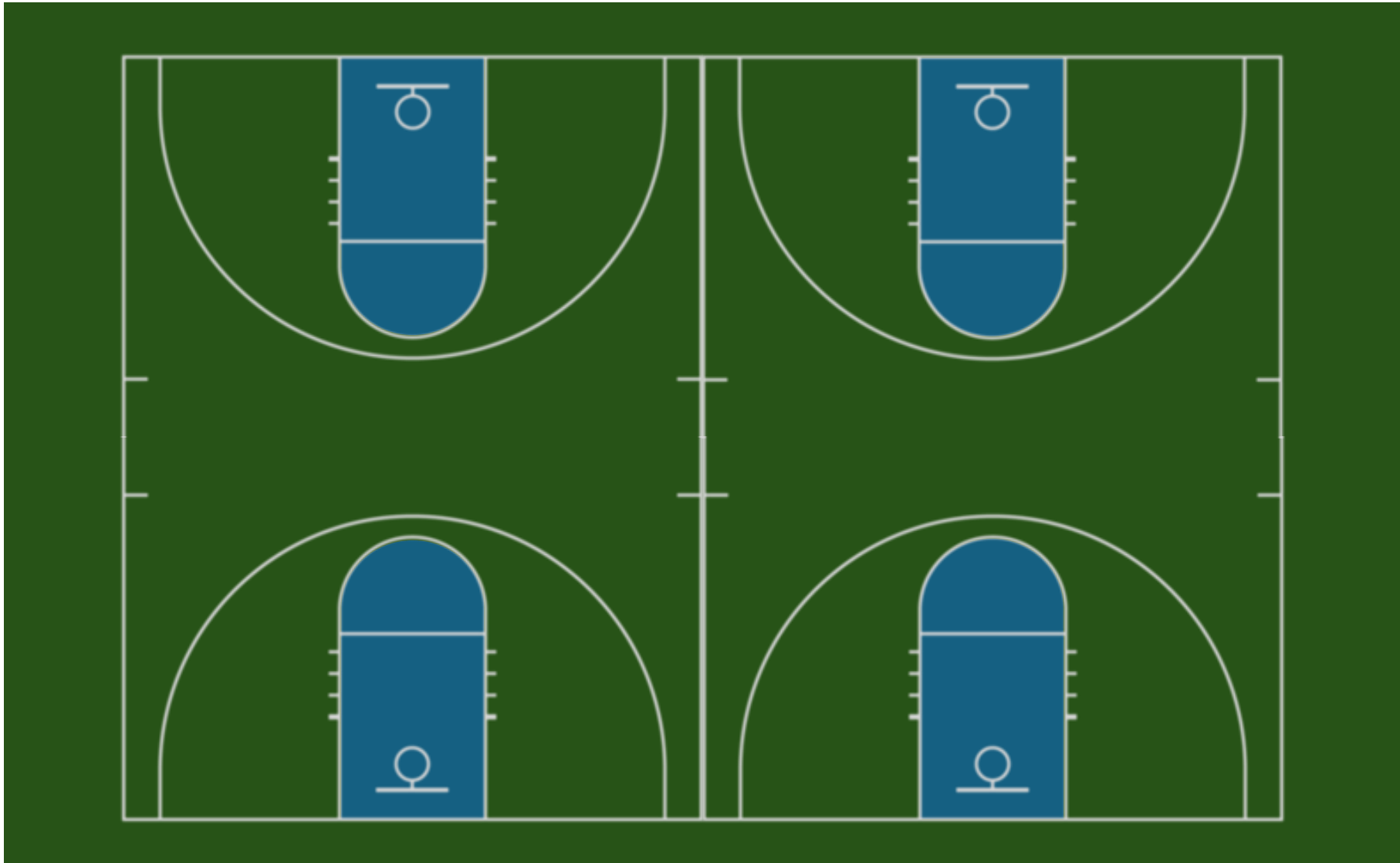
Proposed Resolution

Project Renderings

Sponsorship Policy

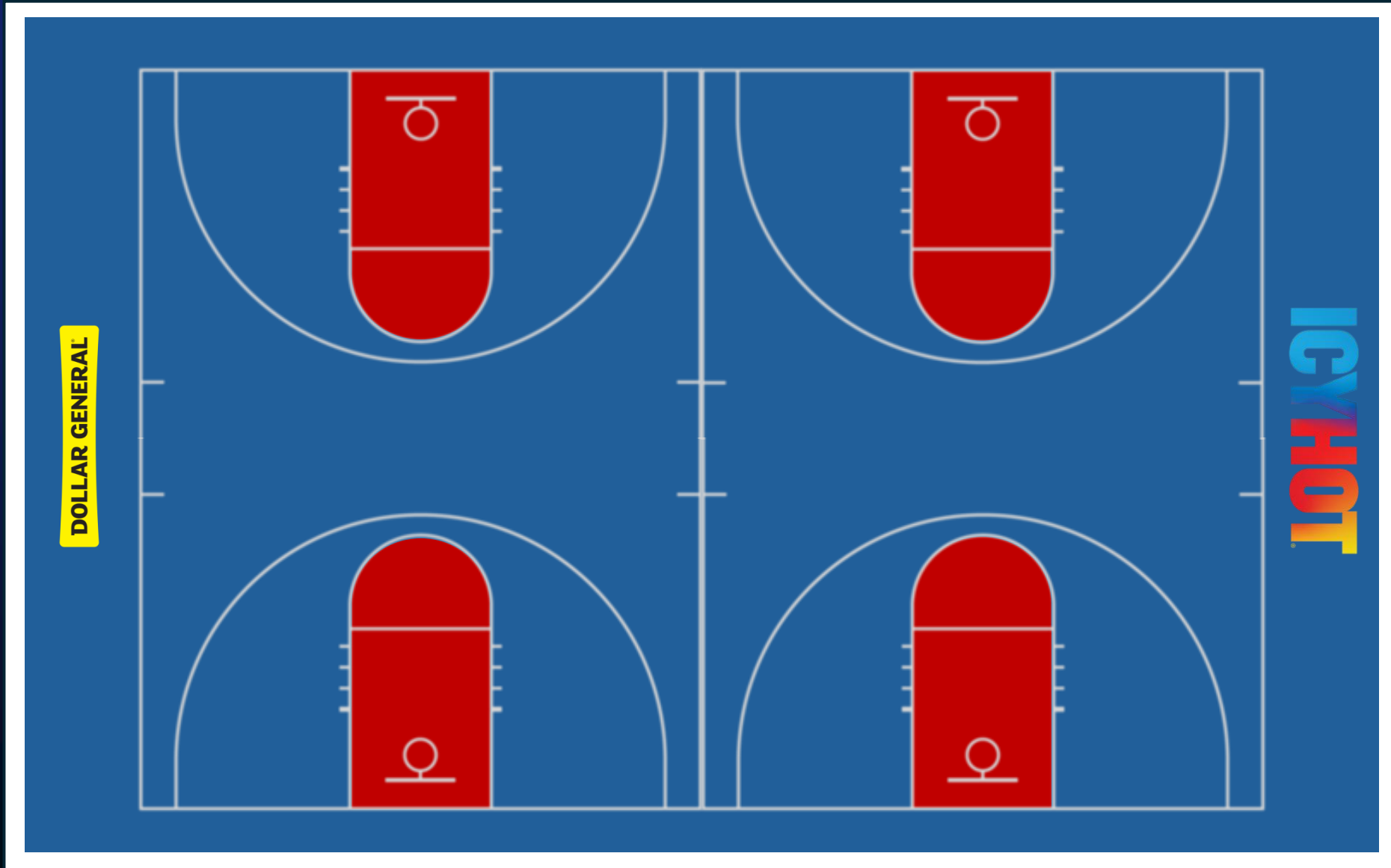
Current Court Surface

Item A.



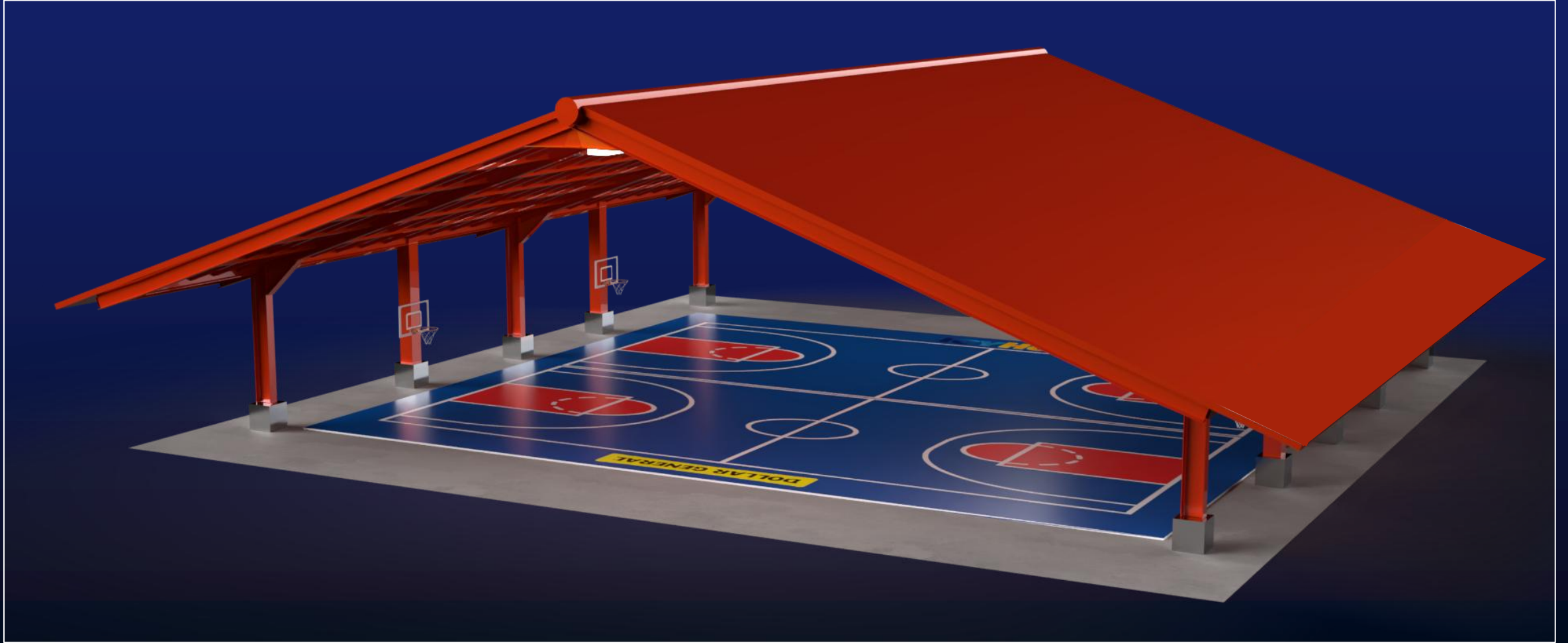
Court Resurface

Item A.



Basketball Court Rendering

Item A.



Basketball Court Rendering

Item A.



Incremental Branding Options

Item A.



**RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL ACCEPTING A
GRANT FROM RETAIL SPORTS MARKETING, INC. FOR THE PURPOSE OF
REHABILITATING THE SULLIVAN PARK BASKETBALL COURTS**

WHEREAS, the Comebaq Courts Foundation (the “Foundation”) has established a grant that provides funding to municipalities for the rehabilitation of the Sullivan Park Basketball Courts; and

WHEREAS, the Foundation, through Retail Sports Marketing, Inc. (“RSM”) has agreed to award the City \$45,000.00 to be used for rehabilitating the basketball courts, including fixing the court surface and replacing the basketball goals; and

WHEREAS, the City previously adopted a resolution accepting the grant funds; and

WHEREAS, however, RSM has since provided renderings of brand logos identifying the grant’s fiscal sponsors for placement on the basketball court surface and backboards as a condition of the grant; and

WHEREAS, the City of Hendersonville desires to accept the grant funds with the added condition and authorize the execution of the grant funding agreement.

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

1. The City hereby accepts the grant from the Foundation and RSM to be used for the rehabilitation of the Sullivan Park Basketball Courts; and
2. The placement of the brand logos in accordance with the renderings provided is hereby approved. Said logos are permitted to remain until such time as the City determines that the court surface requires resurfacing or the backboards require replacement, however, the City shall have no obligation to maintain or repair the logos; and
3. The Assistant City Manager, Brent Detwiler, is authorized to execute the revised Grant Commitment Letter, with such changes as he deems appropriate, provided they are consistent with the terms of this Resolution; and
4. City Staff are authorized and directed to proceed with the rehabilitation of the courts.

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 Murry, City Clerk

Approved as to form:

Angela S. Beeker, City Attorney



Retail Sports Marketing, Inc.
10150 Mallard Creek Rd
Charlotte, NC 28262
704-717-9400
Chadf@rsmbiz.com

Date: 6/25/25

TO:

City of Hendersonville
Mark Stierwalt
305 Williams St
Hendersonville, NC 28792

AND

Henderson County Boys & Girls Club
Kent Parent
1304 Ashe St
Hendersonville, NC 28792

Subject: Grant Commitment Letter – Icy Hot & Dollar General Court Refresh Initiative

Dear Mark Stierwalt and Kent Parent,

Retail Sports Marketing, Inc. ("RSM") – on behalf of Opella Healthcare Group and the Icy Hot brand – is pleased to confirm its commitment to support Henderson County and the Henderson County Boys & Girls Club through the Icy Hot court refresh initiative—a community impact program powered by Icy Hot and designed to enhance wellness and educational opportunities for local youth.

Grant Overview:

RSM will provide a total of \$45,000.00 in funding to support this initiative, distributed as follows:

- \$45,000 to City of Hendersonville for the renovation and upfit of a public basketball court that will serve as a shared recreational space for the surrounding community and be actively utilized by the Henderson County Boys & Girls Club. Renovation includes crack repair, court resurfacing and new basketball goals installed.

- The City of Hendersonville agrees to permit RSM to place branded logos on the basketball court surface and backboards, in accordance with the renderings attached hereto. However, nothing herein constitutes an endorsement of RSM, or any other entity, or their activities, goods, or services.

- The City of Hendersonville will permit the logos to remain until such time as the the City of Hendersonville determines that the court requires resurfacing, or the backboards require replacement. The City of Hendersonville shall have no obligation to maintain or repair the logos, including, without limitation, ordinary wear and tear and vandalism. The City will permit RSM to maintain and/or repair the logos at its own expense until such time as the City of Hendersonville determines that the court requires resurfacing or the backboards require replacement.

- Retail Sports Marketing ("RSM") shall act solely as the fiscal agent for the basketball court renovation project. As such, RSM will remit payment directly to all approved vendors for goods and services rendered in connection with the court renovation.

- The City of Hendersonville serves as the primary point of contact for all vendor communications, project oversight, and operational coordination. RSM shall not be involved in the selection or management of vendors beyond the facilitation of payments.

- All vendors contracted for the project must carry adequate insurance coverage as defined by applicable standards. Each vendor shall provide a valid Certificate of Insurance (COI) naming RSM and the City of Hendersonville as additional insureds prior to the commencement of any work or services.

- The City of Hendersonville and all vendors engaged by the City shall bear sole responsibility for any and all claims, damages, or liabilities arising from or related to the performance of services or execution of the project. RSM shall assume no liability beyond its role as fiscal agent.

- Retail Sports Marketing, Icy Hot brand and Opella will work with Dollar General to secure an additional literacy grant for the Boys & Girls Club of Henderson County to support literary initiatives. RSM will act as liaison between the parties to help ensure funds are secured and used in the manner presented on behalf of the Boys & Girls Club of Henderson County.

Use of Funds:

Each grant must be used solely for the purpose outlined above. Funds may not be redirected or used for unrelated activities without written approval from RSM. Any unused funds must be returned or reallocated based on mutual agreement in writing.

Reporting & Accountability:

Each organization agrees to provide a final report to RSM no later than November 1, 2025, detailing:

- A summary of how the funds were utilized.

- Documentation of expenditures (receipts, invoices, etc.).
- Photos and/or storytelling content that highlights program outcomes and community impact.

Acknowledgment:

RSM is proud to serve as the fiscal administrator of this program and looks forward to working closely with both Henderson County and the Boys & Girls Club to bring this initiative to life. We are confident that this partnership will positively impact the youth and families of Henderson County for years to come.

Please acknowledge your acceptance of this grant and its terms by signing below. If you have any questions or require additional information, feel free to contact us at any time.

Sincerely,
Retail Sports Marketing, Inc.

Chad Freeman
Account Executive
Date: 6/25/25

Acknowledged and Agreed:

City of Hendersonville

Brent Detwiler
Assistant City Manager
Date: _____

Henderson County Boys & Girls Club

Kent Parent
CEO
Date: _____



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

SUBMITTER: John Connet, City Manager **MEETING DATE:** 7/23/2025

AGENDA SECTION: NEW BUSINESS **DEPARTMENT:** Administration

TITLE OF ITEM: Approval of Special Event Permit for Hendersonville Splash Day – *Brian Pahle, Deputy City Manager and Allison Justus, Communications Director*

SUGGESTED MOTION(S):

I move that the City Council approve the Hendersonville Splash Day Special Event Permit.

SUMMARY:

City staff has planned a Hendersonville Splash Day for Saturday, August 2, 2025. Splash Day will include water fun with the Fire Department 10:00 AM – 1:00 PM, free mini-golf (All Day), snow cones, hot dogs, snacks and drinks (lunch time hours). We request City Council approve closing a portion of Locust Street from 9:00 AM – 2:00 PM.

BUDGET IMPACT: \$ < 3000.00

Is this expenditure approved in the current fiscal year budget? Yes (Patton Pool Budget)

If no, describe how it will be funded. NA

ATTACHMENTS:

None