MINUTES
BREVARD CITY COUNCIL
Regular Meeting
March 18, 2024 – 5:30 PM

The Brevard City Council met in regular session on Monday, March 18, 2024, at 5:30 p.m. in the Council Chambers of City Hall with Mayor Copelof presiding.

Present – Mayor Maureen Copelof, Mayor Pro Tem Gary Daniel, and Council Members Mac Morrow, Aaron Baker, Pamela Holder, and Lauren Wise

Staff Present – City Attorney Mack McKeller, City Manager Wilson Hooper, City Clerk Denise Hodsdon, Assistant City Manager/Finance Director Dean Luebbe, Assistant to the City Manager Alex Shepherd, Assistant Planning Director Aaron Bland, Planner Katherine Buzby, Human Resources Director Kelley Craig, Communications Coordinator Becky McCann, Police Chief Tom Jordan, Fire Chief Bobby Cooper, Public Works Director Wesley Shook, Wastewater Treatment Plant ORC Emory Owen, Water Treatment Plant ORC Dennis Richardson, and Community Center Director Tyree Griffin

Guests/Presenters – Dave Neumann and Julie Heinitsh of Pisgah Health Foundation; Teresa Buckwalter and Christy Staudt of Transportation Planning & Design; Mark Tooley of Friends of Ecusta Trail; and JHPC Members Katherine Buzby, Marcy Thompson, Ellen Harris, Andrew Wing, Nicole Bentley and Billy Parrish

Press – Jon Rich, Transylvania Times; and Dan DeWitt, Brevard NewsBeat

A. Welcome and Call to Order – Mayor Copelof called the meeting to order and welcomed those present.

B. Invocation – Pastor Veranita Alvord of Brevard First United Methodist Church offered an invocation.

C. Pledge of Allegiance – Mayor Copelof led the pledge of allegiance.

D. Certification of Quorum –City Clerk Denise Hodsdon certified a quorum present.

E. Approval of Agenda – Mr. Wise asked to add as Item L-2 under Unfinished Business to pick up off the table the Downtown Development Overlay District Second Expansion Proposal, which was tabled at the last meeting. Mr. Hooper noted that there was a modified resolution regarding Item M-1 and that each Council Member had a copy. Mr. Morrow moved, seconded by Mr. Daniel to approve the agenda as amended. The motion carried unanimously.

F. Approval of Minutes

F-1. February 19, 2024 Regular Meeting – Mr. Wise moved, seconded by Ms. Holder to approve the minutes of the February 19, 2024 Regular Meeting as presented. The motion carried unanimously.

G. Public Comments

Billy Parrish said I am the current Board Chair of the Heart of Brevard and I live at 515 Probart Street. I am here tonight to present for public comment a statement from the Heart of Brevard Executive Committee. The Heart of Brevard recommends the designation and use of the existing Railroad Avenue Depot Park as the primary multi-use Hub for the City of Brevard. The designation of the Railroad Avenue Depot was recommended by the Blue Zones Brevard Built Environment Committee in its Ecusta Trail Estatoe Trail Access Study presented to the Ecusta Advisory Committee and to the

City of Brevard in the Fall of 2022. This study highlighted the Depot in the recommendation and illustration entitled "City of Brevard Depot Park as Main Estatoe Trail Trailhead: Option G . . ." It was felt then by the trail access analysis team that utilizing the current facility was clearly the most cost-effective and expeditious option as the site already contains over sixty paved parking spaces, public restrooms, bicycle repair stations and sits directly on the city's Estatoe Trail. In addition, the Heart of Brevard supports the concept of the creation of a trail access point and information center on or near the location where the Ecusta Trail enters the city limits of Brevard. The Heart of Brevard further recommends that the designation of the Railroad Avenue Depot Park be the top priority of the city in its pursuit of the creation of trail access information and access centers. Given that the actual construction of the city's portion of the Ecusta Trail is currently anticipated as beginning in the late summer of 2026, there is ample time for a thorough exploration by the City's Parks and Trails Committee and other partner organizations of the creation of an accessible and cost-effective access point and information center where the Ecusta Trail enters the city. Finally, we recommend that the city make as a priority the creation of a designated bike/ped linkage from the current terminus of the City's portion of the trail at West Main Street to downtown. To this end the Heart of Brevard pledges to collaborate with the City through our Built Environment Committee in the development and funding of a safe, appealing, and cost-effective bike/ped route from the West Main trail terminus to downtown. The original concept of the Ecusta Trail Project articulated from the very beginning of this journey was that the Ecusta Trail would go "From Main Street to Main Street." The single trail head project as proposed for this point in the project timeline feels like a terminus, the proverbial end of the trail rather than an entryway that welcomes trail users to the City of Brevard's multi-use path and greenway that connects visitors coming in on the Ecusta Trail to all that Brevard has to offer. Thank you for all that you do for our community and thank you Mayor Copelof for your tireless advocacy and work in making the Railroad Avenue Depot Park such a remarkable and flexible public asset. We look forward to working with the City and its partner organizations in bringing the dream of the Ecusta Trail to fruition.

James Tyson said I want to speak in favor of this plan to develop a park in the area right behind the hospital apartments and use it as, not so much as a trailhead, but as a beginning for another part of the Ecusta Trail. We need to really work on exercise and prevention and having something like this, we will have places to exercise, we will have to get folks in and walking, and adults more so than children. There are plenty of places in town for children and for parks, but I am more interested in people much younger than I, but also as I am. I want to get us out; I want to get us walking because it is much easier to prevent illness than to treat illness. I think this would be a great place to do that.

Ashley Borman of 191 Allison Road said thank you for allowing this opportunity to speak about the proposal on tonight's agenda about Allison Road. I do live on Allison Road, but I'd still think this was an unnecessary project, even if I didn't. I actually find the proposal a little bit confusing. I am mostly confused about why this would even be considered as a trailhead for the Ecusta Trail. Please don't get me wrong; I am not opposed to the trail, but I don't see how any businesses would benefit from a trail access that is 2 ½ miles away from downtown. The natural place to have a trailhead is where infrastructure already exists. It should also be close to businesses that can actually benefit from the additional visitors. You have a lovely building on Railroad Avenue that fits both of these requirements. Choosing an existing location with parking and facilities already in place just makes more sense than changing an entire neighborhood to build a parking lot in a beautiful and peaceful location. I have many other concerns of developing this space at all. The greenway should remain as green as possible. I would like to share a letter that my third grader wrote (copy distributed to Council Members separately and on file in the Clerk's office), and she came up with this when I told her they might put a playground or parking at the end of our street. She talks of birds, foxes, snakes and salamanders that call that field home. Is there a way to work with the Pisgah Health Foundation to conserve the land and keep the trail that is already there? I hope you will read her letter and consider what developing that field would mean, not only for this generation, but future generations of Brevard residents.

DeeDee Perkins said I am here wearing many hats. I am a 30-year business owner in downtown Brevard and a long-time advocate for Brevard. I am also the current chairperson for the Transylvania County Tourism Development Authority. Plans are being presented to City Council this afternoon for a proposed future trailhead for the Ecusta Trail to be built on land currently owned by Pisgah Health Foundation near the hospital. I am here to ask City Council to take its time before making such a significant decision about where the official trailhead could be built and consider its financial impacts. Ecusta Trail needs a great trailhead. Its location should be carefully studied, and all viable options should be considered before selecting the proposal that is before you. Brevard's vision for the Ecusta Trail and its significant economic impact on our community have been dreamed of, been planned for, for more than 15 years. The original Brevard trail committee always believed that the Ecusta Trail should sync with the Estatoe Trail and together those trails will pull visitors and residents into the community. For 25 years, and longer than that, we have lamented how do we get people the 3 ½ miles from Pisgah Forest into our historic downtown. By bringing the trailhead closer to town center, you will increase the economic development impact to this community in monumental ways. As a vested stakeholder and financial supporter of the trail, TDA sees benefits to the trailhead being located closer to Brevard's economic centerpiece and to so many of Brevard's assets. As an example, a viable location to consider is the newly built Depot Railroad Avenue Park. This major city investment is centrally located to town, ideally located and already serves as a de facto trailhead for the Estatoe Trail, and it has multiple public amenities and infrastructure. It provides great connectivity to many of the city's best attractions and public gathering places. The Depot provides access by hike or bike to the city's remarkable Bracken Mountain Preserve, to the up-and-coming Railroad Avenue business and arts district. Millions of dollars would have to be spent at the Pisgah Health Foundation property. Those dollars could be better utilized for trail needs like wayfinding and signage, enhancements to the trail, and long-range maintenance. We are asking that you do an in-depth assessment, consult with stakeholders and your city committees and take caution before you make the critical decision.

James Carli said I come before you today as someone who has a background in transportation planning and kind of a spokesperson for many of the younger people who are progressive and independent politically in our community. I want to thank Mayor Copelof for your dedicated leadership in the long-time development of the Depot building. I live there and I see it in heavy use all the time with a variety of civic and social groups and nonetheless, it is never at capacity. There is a lot more capacity that it can contain. I would like to echo the comments made by the Heart of Brevard Board and the Transylvania Development Authority against the development of the what I am calling the hospital field site at the end of Allison Road, in support of greater consideration of various options and stakeholders before approving the proposal to convert that area into this trailhead. One thing that the transportation planner in me wonders about is that it is in a flood zone between two creeks and if we had visitors who came from Waynesville and parked there and then rode their bikes to Hendersonville to spend the night, and then while they were there, there was heavy rain or flooding and their vehicles became damaged or new-built infrastructure became damaged, what would the liability costs for the city be when an owner of a flooded car wants to pursue litigation against the City. I don't know, but that's something that came to mind with the flooding risk in that location. A neighbor also said why don't they further develop or pave the parking lot that exists at the recreation fields. That is something that I heard about today, which I hadn't thought about. I know Conserving Carolina is a stakeholder in the Ecusta Trail development and I remember a February 2023 Transylvania Times article that highlighted how this location is a special spot for migratory and rare birds, so that would be an argument for conserving this space, perhaps working with groups like Conserving Carolina. I would like to reaffirm the points I had sent to each of you in an email earlier this weekend and I encourage you to vote against the proposal to develop the hospital field site off Allison Road pending more thought and discussions. Since it was added to the agenda, I would also encourage the approval of the Downtown Overlay Development District.

Anna Davis said I am here as a representative for Brevard Bike Alliance. We have been around in town for about a year now, just trying to advocate for cyclists of all ages and abilities around this town to make it safer and more accessible. Previously we sent this in an email to most of you I believe. I would just like to read a little blurb for the rest of the folks here. Only a few years ago we cut the ribbon to celebrate our brand-new Railroad Avenue Depot. Every month on the last Wednesday of the month Brevard Bike Alliance begins our social rides from the Depot. These rides have attracted dozens of bike riders across demographics. Each month we see firsthand the vacant picnic tables, broken bicycle repair stands, and the empty parking lot spaces. Choosing to use the Depot as the trailhead could bring vibrancy to the historic neighborhood and beautiful, yet unutilized building. It is readily equipped with restrooms, bike parking, water bottle stations, lights, and of course, parking. Additionally, it is a given that we hope to encourage the City of Brevard, rather than feeling encouraged to head back after reaching a parking lot off Allison Road, which is nearly 2 miles shy of the downtown community. In August 2018 City Council passed a resolution to connect the Estatoe path to the high school by 2021. Still to today we have not seen the implementation of this six-year-old resolution. We will acknowledge and are grateful for the section that has been completed. We await the day our children can safely travel to school by foot, bike or board. We are well acquainted with the many hot spots on existing stretches of the Estatoe Trail. For example, the unmarked crosswalks, the blind intersections, the threatening potholes, and we worry about our community's ability to maintain trail safety as these issues persist unaddressed. We urge you to develop and improve the facilities we already have along the trail and follow through with the August 2018 resolution of taking the Estatoe Trail to the high school, rather than investing any more into the trailhead Option F. The Ecusta and Estatoe Trails are huge wins for the equity and access in our community providing safe passages for active transportation by users, as well as recreationists from outside of our community. Building more infrastructure specifically catering to cars without a proven need detracts from the safety and equity of the community path. We think it is more important to provide for cyclists and the active folks of our community than the bars.

Madeline Magin said I own 185 King Street and Noblebräu Brewing which is right around the corner from the existing Railroad Depot and I want to make comment today towards the proposed Pisgah Health Foundation property to create a parking lot at the end of Allison Road. I believe the Ecusta Trail and Estatoe Trail will prove to be huge economic drivers in our community, however I don't feel like this project will benefit that function. It is within a neighborhood and not close to businesses as previously mentioned here tonight. To me it seems to be an unnecessary development of at-risk land noted in the fact that it is a floodplain. My business is located right around the corner from the current Railroad Depot that you guys invested a lot of time and money into developing and it has resulted in a very beautiful property that I also see being underutilized at the current time. I ask the City to focus on finishing the Estatoe Trail and focus on breaking ground on the Ecusta Trail before considering adding more parking when the current parking isn't being fully utilized. Of course, if at that time it is being fully utilized and we need more parking, I feel like answer the question then rather than before the trail is done. I have sat in on several meetings where several members of the City Council, as well as concerned citizens, have brought up a topic and concern that people will reach the end of the Ecusta Trail and think that's the end and think they've reached Brevard when they are in Pisgah Forest. I think that building this parking lot here would only make that situation worse rather than bringing them closer to town. I would encourage using the current facility that you've built to be the gateway to the Ecusta Trail and then that would bring people closer into downtown. In conclusion, please focus on assets that we already have, in this case the Railroad Depot, and focus on putting down pavement toward the trail rather than parking spots.

Shelly Webb said I am the Executive Director of the Sharing House and I am here really for two things: to say thank you for your incredible leadership and to give you a report of something that has happened for the past year and three months. There has been a great surge of cooperation and collaboration between non-profits and the county government, the city government, private citizens, and other funding

foundations. We have started something called Brevard Transylvania County Housing Coalition. We meet once a month on the fourth Tuesday at 1:00 at the Habitat for Humanity conference room. Several of you have attended and were founding members of our council and we are just thrilled that this past week at Brevard First United Methodist Church we held our first Faith and Housing Summit. We had over 100 people attending. There was Dogwood Health Trust telling us about collaborative efforts. We had the Ormand Center from Duke Divinity School there to talk about rural communities and what can communities of faith do to work with our existing partners with city and county governments so that we can truly help people who are in crisis. Sharing House has been around for 43 years. There is a housing crisis going on. There is .1% availability for rent, which if we want people to serve and work and live here, believing that everyone has an intrinsic sacred value to have housing, we are falling short. We believe that we can work together. I have wanted to tell you a story, because I think stories make it real. I see it every day and sometimes I feel like I've got to speak for these folks because they are welcome here, but they don't often come. In January I was helping a new member of our community who lives up in the Rosman area in a trailer park with wheels to work. We were actually handing the keys over to her with her brand-new van. She was in the parking lot, she looked across the street and she said do you know if the Haven has any spaces? She was thrilled to be getting a van because she said she is a CNA and her husband worked in landscaping; it was January, seasonal; and she said I'm worried that at the end of this month we will be evicted; at least I'll have a van to live in.

Lynn Bartosh said I am on the advisory board for Freedom Park, and I went out to the property recently. There are plans for a wonderful playground out there and it will serve from the very young to senior residents. It will also serve those with special needs, and it will provide additional parking spaces so that there could be overflow parking if the area at the Depot were to fill up. If the Ecusta Trail does become as popular as I think it's going to be, I think that that parking may very well be very important. I also think it is very important to have an area where people can get out and play and exercise in that area of town vs. the downtown area where we have our playgrounds currently.

H. Certificates/Awards/Recognition – None.

I. Special Presentations

I-1. Proposed Ecusta Trail Trailhead and Park Facility at Pisgah Health Property off Allison Road – Mr. Hooper explained that this presentation was a team effort between City Staff, Friends of Ecusta Trail, Pisgah Health Foundation and our design firm Transportation Planning and Design. He noted that Mark Tooley from Friends of Ecusta Trail would share amenities from other trailheads that his group has seen and that they like so the folks in the room and our viewers can have a sense of the type of facilities that could go on the Pisgah Health property. Mr. Tooley is also here in another capacity and that is as a potential funder, because Friends of Ecusta Trail is one of the non-profits we will go to to ask if they are willing to sponsor this project. Mr. Hooper said I need to note that we have to go to non-profit partners for funding because the trailhead project on this site, or at the Depot, is not eligible for funding from the grants. The federal grant money can only be used on the railroad right-of-way and adjacent properties. The development of any trail-related amenity outside that footprint has to be funded from outside sources. As background, Mr. Hooper explained that in October 2022 the Ecusta Trail Advisory Committee received a presentation from two of its participants on the pros/cons of several possible trailhead sites. After their presentation we also explored some other sites that were not listed on their assessment, but were close by. This Pisgah Health property rose to the top of the list because, all things considered and despite its challenges, it's a promising site. It has a willing owner; it is a good location at the junction of two trails; and it has a ready-made pastoral setting. It is promising enough that when Pisgah Health approached us with the possibility of partnership I directed Staff to perform some basic due diligence to determine whether it was even developable or not. That due diligence found that

the property was developable with some work. Because there is work involved and because there are other possibilities, we wanted to touch base with you today to make sure there is interest in pursuing this possibility before we dedicate the time and resources that is needed to pursue it further. He introduced Dave Neumann and Julie Heinitsh of Pisgah Health Foundation and asked them to share their vision for the property.

Mr. Neumann said the Pisgah Health Foundation is excited to have a chance for a possible partnership with the City of Brevard. We have had this vacant property ever since we were incorporated and we see it as an opportunity to make a gift to the community, working with the City, to create a space that could serve, if you so choose, as a trailhead to the Ecusta Trail and to include a small park with amenities. It being in a flood zone, we feel the highest and best use is this. The property will be able to provide health and wellness opportunities for the county and the community.

Julie Heinitsh added that Pisgah Health's vision of Freedom Park is to create a space for all ages, literally from zero to 100, to come out to play and exercise. Part of the property would be an ADA-compliant playground that would include playground equipment, sensory play activities, benches and a covered picnic area. We also plan to include adult fitness stations. We think this ties really well with Brevard recently being named an AARP Age-Friendly Community and that aspect of it also serves a demographic that we're not currently serving. Depending on how much space could be available, we've also envisioned there could be a tricycle park there. PHF staff visited the Adventure Park at Trailblazer Park in Traveler's Rest and were very impressed with what we saw with their playground. Based on that observation and in conversations with their staff and the research that they did, we identified KOMPAN as a company that we are interested in working with regarding the park part. It is important to us that the pieces have a natural look and fit in well with the environment. She reviewed schematics of what the pieces could look like (slides 1-4 of the presentation). In terms of the size of Freedom Park, it is a big piece of property, but we are certainly not envisioning that the entire piece is going to be a huge playground. We know the wooded area is a very popular place and it is big for birding, and we don't want to put anything in that area. We have talked about including some signage for children to learn more about the birds that do inhabit that area. We do have an advisory committee of community members that is providing some input, suggestions and ideas in terms of what elements will be good to include. If this is approved, once everything is finalized, we will do fundraising through the Pisgah Health Foundation to raise the money for these elements.

Mark Tooley from Friends of Ecusta Trail presented some elements that you might find in a trailhead (examples shown in slides 5-13), such as parking, restrooms where you would find kiosk signage and maybe a drinking fountain, and trail access behind it. He said we feel it's important, wherever the trailhead is located, that it have a distinctive beginning. Parking obviously is important, and a gravel lot would be more permeable to rain and not have as much runoff. An example of a well-developed trailhead area includes restrooms, a picnic shelter, a bike repair station, drinking fountains, and bike racks. It is important to direct people and also inform users of the trail with signage, including maps and wayfinding signage, and rules/safety information. Trail art adds a lot to the trail and would be a way for us to engage and showcase some of our arts in the area.

Teresa Buckwalter of Transportation Planning and Design shared some initial findings after their review of the property (slides 14-31). She reviewed TPD's experience with the trailhead for Middle Fork Greenway between Boone and Blowing Rock. She then reviewed the Pisgah Health property and noted that it has a lot happening. It is the confluence of the Estatoe Trail and what will become the Ecusta Trail. It has two creeks and some floodway, so access is definitely one of those things that needs further investigation. Allison Road neighborhood context needs to be understood and valued and listening sessions would be part of the process. The property is 1.9 miles from downtown. Both of the streams on the

property are trout waters and we would need to make sure to stay under DEQ's disturbance threshold of 100 linear foot of stream buffer. The floodway is the most significant challenge, but not something that couldn't be overcome. Access to the property would be from Allison Road and we would need to make sure that anything that is proposed wouldn't impact the base flood elevation. Preliminary investigation by Andrew Bick identified a potential area for siting a restroom. Further investigation would include a topographical survey and model of existing conditions and proposed conditions to make sure we're not causing a rise in the base flood elevation. They are proposing to look at this as more than a feasibility study but look at it as a preliminary design as the next step. Their proposal includes five phases: community engagement; access preliminary design; hydrology and hydraulic analysis; site analysis for location of elements; and construction costs and permitting needs. The estimated timeline would be 6 to 8 months. Mr. Hooper informed Council that the total cost of TPD's proposal is $85,000. At the end of the 8 months, we would have a plan that will tell us the approximate cost of constructing the trailhead and what it will take to make it happen.

Mayor Copelof asked for questions from Council.

Ms. Holder said $85,000 is concerning for me and I would like to see what it might look like if we looked at both locations so I could compare what it would cost. Is Pisgah Health taking care of the building and the development; who's paying for that? We're talking about raising more funds; is this a priority and have we completed our projects on the parks that we have already started?

Mr. Hooper explained that Pisgah Health's primary contribution would be the land, but he has suggested to them that we might need to come back to them and ask them to underwrite a larger part of the construction cost. They would also raise funds for the playground equipment and the elements of the park that they want to include. But for the money for things like the bathrooms, the bridge, the parking lot, we would approach other non-profit partners, including Friends of the Ecusta Trail and perhaps TDA and others, to see if they would be willing to consider partnering to fund those parts of the facility.

Ms. Holder said I love the idea of having a health and wellness park, but I just want to make sure that what we're doing is a priority. Have we completed projects that we have already started in other parks? If not, can we go back to that? I think it would be a great idea that we have the Depot and we use this property as well. My concern is the fact that it is a flood zone, and we would have to spend $85,000 to even find out if we can use it.

Mr. Morrow said I am really excited about this being a wellness park, but not really excited about the access options. I was wondering, because of the Cedar Hill development having access there now, if expanding their parking lot on the park side just seems to be a practical matter. Ms. Buckwalter thought that was worthy of exploration. Mr. Morrow said what I don't like is the idea of a trailhead because it is not big enough. It is somewhat limited, however you would still have, no matter what amenities we put on the Estatoe Trail, it is going to have to be an interpretive center as to where you are, where you're going and how to get to wherever you're going.

Mr. Daniel said I have two questions for now. First could you tell us what the Parks and Trail Committee's recommendation is on this? Mr. Hooper said his recollection was that they didn't have one. Mr. Daniel asked how much money we have already spent on this. Mr. Hooper said Andrew Bick's fee was approximately $1800 and that is all we have spent so far.

J. Public Hearing(s)

Mayor Copelof noted that the first public hearing is joint hearing with the Joint Historic Preservation Commission. She asked for a motion to recess the regular City

Council meeting. Ms. Holder so moved, seconded by Mr. Baker. The motion carried unanimously.

J-1. Designation of Historic Landmark – Bryant House, 132 King Street – Joint Public Hearing with JHPC

Mayor Copelof asked for a motion to convene a joint public hearing of the Brevard City Council and the Transylvania County Joint Historic Preservation Commission for the purpose of considering a designation of historic landmark for the Bryant House. Mr. Daniel so moved, seconded by Ms. Holder. The motion carried unanimously.

Mayor Copelof welcomed the members of the Joint Historic Preservation Commission (JHPC) and asked Acting Chair Marcy Thompson to convene the Commission members for the joint public hearing. Andrew Wing moved, seconded by Katherine Buzby to convene for the joint public hearing with Brevard City Council. The motion carried unanimously.

City Planner and JHPC Member Katherine Buzby explained that Paul Wilander has submitted an application to JHPC for his property, the Bryant House located at 132 King Street, to be locally designated as an historic landmark. The application and Designation Report was reviewed by the State Historic Preservation Office and determined that it does meet the requirements for local designation. The benefits of being locally designated allows the owner to receive a 50% reduction in taxes, which is estimated at $1,607 based on last year's assessment.

Marcy Thompson gave a brief history of the property and what makes it worthy of a local designation. The Bryant House was built in 1916 and the home retains much of its original character and architectural features. It was built to serve as a boarding house located just a block from the railroad depot and over the years it was owned and operated by two families of women. It served as a gathering place for many local groups and civic organizations. The Bryant House was the longest serving boarding house in the county, still accommodating boarders after 90 years in 2007. All of this cements its value as an architectural, historical and culturally significant place in our town's history.

Mayor Copelof opened the public hearing at 6:45 p.m.

Public Hearing Public Participation – None.

Public Hearing Closed – Mayor Copelof closed the hearing on behalf of Council at 6:45 p.m.

Mayor Copelof asked for a motion from the JHPC to close the joint public hearing. Motion by Katherine Buzby, seconded by Billy Parrish to close the public hearing. The motion carried unanimously.

Mayor Copelof asked for a motion to come out of recess and resume Council's regular meeting. Mr. Morrow so moved, seconded by Ms. Holder. The motion carried unanimously.

~~At 7:03 p.m. Mayor Copelof called for a ten-minute break.~~

J-2. Proposed Amendment to City of Brevard Code of Ordinances Chapter 66 – Overnight Parking – Chief Tom Jordan explained that upon recommendation by the Public Safety Committee, staff explored options for the core downtown residential parking permits. Currently city lots have a prohibition on 24-hour parking and this ordinance amendment would allow for an exception to the restriction and permit overnight parking if a duly authorized permit was displayed.

Mayor Copelof opened the public hearing at 7:00 PM.

Public Hearing Public Participation – None.

Public Hearing Closed – Mayor Copelof closed the hearing at 7:00 PM.

K. Consent and Information - Consent Agenda items are considered routine and are enacted by one motion. Mayor Copelof read aloud the items listed and asked for a motion to approve the consent agenda. Mr. Morrow moved, seconded by Ms. Holder to approve the consent agenda. The motion carried unanimously.

K-1. Tax Settlement Report – February, 2024

K-2. Property Tax Releases – February, 2024

RESOLUTION 2024-10

A RESOLUTION APPROVING PROPERTY TAX RELEASES

WHEREAS, The City of Brevard has previously determined to collect property taxes for the City of Brevard and the Heart of Brevard and it is necessary to release the below shown amount from the city tax records.

BE IT NOW, THEREFORE, RESOLVED THAT:

The Tax Collector is hereby authorized to remove February 2024 property values from the tax scroll in the amount of:

2023: $ 555.36

Adopted this the 18th day of March, 2024.

K-3. Audit Contract for the Year Ending June 30, 2024

K-4. Resolution Directing Clerk to Investigate Sufficiency of Petition for Annexation – Pisgah Hospitality, LLC / Intersection of Lambs Creek Road and US Hwy 64

RESOLUTION NO. 2024-11

A RESOLUTION DIRECTING THE CITY CLERK TO INVESTIGATE THE SUFFICIENCY OF A PETITION FOR AN ANNEXATION PURSUANT TO NCGS 160A-31, AS AMENDED

WHEREAS, a petition was received on June 14, 2023, requesting the annexation of a contiguous area described in said Petition as the Pisgah Hospitality property at the intersection of Lambs Creek Road and US Highway 64, Brevard, NC 28712, consisting of 12.23 acres, more or less, be annexed into the City of Brevard. (Tax Property Identification Numbers: 8597-01-8529-000; 8597-01-6950-000; 8597-02-9059-000; 8597-12-0348-000; and a portion of 8597-11-1969-000).

Metes and Bounds Property Description:

Beginning on an unmarked point in the existing City of Brevard City Limits, being located in the North boundary line of the property of David Chak Chieu per Deed Book 115, Page 272 and as shown on a plat recorded in Plat File 9, Slide 787. Said point also being located N 74°17'02" W, 164.95' from an iron rod set at the Northeast corner of the noted Chieu property. Thence running with the Chieu property line and with the existing City of Brevard City Limits two calls: N 74°17'06" W, 295.00' and N 74°17'08" W, 5.19' to an existing 5/8" iron rod found.Thence running N 74°17'05" W, 83.83' to an existing 3/4" iron pipe found at a fence corner. Thence running with the Eastern boundary of a 1' wide greenway area per Plat File 11, Slides 900-902 and generally with an existing wire fence and existing City Limits for two calls: N 16°09'02" E, 183.78' to an existing concrete monument found at a fence corner and N 17°55'07" W, 446.31' to an existing concrete monument found at a fence corner. Thence leaving the existing City Limits boundary and running generally with an existing wire fence and with the Violet W. Whitmire property per Deed Book 695, Pages 643-647 two calls: N 25°05'36" E, 282.31' to an existing 5/8" iron rod and N 25°05'36" E, 38.00' to an unmarked point in the center of Lambs Creek Road, State Road No. 1359. Thence running with the center of Lambs Creek Road, S 36°07'48" E, 11.33' to an unmarked point. Thence leaving Lambs Creek Road and running with the boundary of Roy B. Davis, III per Deed Book 841, Pages 494-498 for three calls: N 11°43'35" E, 33.94' to an existing 5/8" iron rod found, N 11°43'35' E, 4.71' to a 62" poplar tree and N 11°43'35" E, 84.25' to an unmarked point in the center of Lambs Creek, thence running down and with the center of Lambs Creek for three calls to unmarked points: S 25°51'42" E, 44.90', S 22°20'06" W, 18.08' and S 23°52'22" E, 60.27'. Thence running with the property of Barbara Merrell per Deed Book 107, Page 224 for four calls: N 80°39'49" E, 15.00' to an iron rod set, N 80°39"49" E, 175.62' to a 1/2" iron pipe found, N 27°39'49" E, 96.00' to an unmarked point and N 27°39'49" E, 78.12' to a concrete monument found. Thence running with the Enno F. Camenzind property per Deed Book 284, Page 511 for two calls: N 13°53'09" E, 186.82' to a 1/2" iron pipe found and N 13°53'09" E, 32.18' to a nail set in the center of Tanglewood Heights Road, State Road No. 1383.Thence generally running with the center of Tanglewood Height Road, S 51°15'42" E, 25.52' to a nail found and S 47°19'07" E, 41.28' to a nail found and S 48°58'57" E, 20.25' to a spike found and still running generally with the center of Tanglewood Heights Road for thirteen calls to unmarked points: S 34°10'10" E, 23.70' and S 36°14'47" E, 23.40' and S 32°09'23" E, 24.62' and S 28°56'00" E, 29.71' and S 23°02'47" E, 24.06' and S 20°28'58" E, 20.46' and S 17°46'17" E, 18.79' and S 14°15'17" E, 16.98' and S 10°23'40" E, 19.15' and S 07°30'45" E, 20.21' and S 04°57'52" E, 121.92' and S 07°12'49" E, 88.49' and S 07°12'49" E, 57.44' to an unmarked point in Tanglewood Heights Road in the City of Brevard City Limits and then running with the City Limits boundary on a curve running in a Southwestern direction with a radius of 1,495.00' and an arc length of 918.81' with a cord bearing and cord distance of S 16°10'08' W, 904.42' to the unmarked point at the Point of Beginning. Containing 12.23 acres +/- and as shown on a plat recorded in Plat File 22 at Slide 295. Being a portion of the property owned by : PISGAH HOSPITALITY, LLC, a South Carolina limited liability company per Document Book 1050, Pages 151-153 and Document Book 1057 Pages 6-8 and Document Book 1057, Pages 393-395.

WHEREAS, said Petition has been received by the City Council of the City of Brevard, North Carolina; and

WHEREAS, NCGS 160A-31, as amended, provides that the sufficiency of the Petition shall be investigated by the City Clerk before further annexation proceedings may take place; and

WHEREAS, the City Council of the City of Brevard deems it advisable to proceed in response to this request for annexation.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BREVARD, NORTH CAROLINA THAT:

Section 1. The City Clerk is hereby directed to investigate the sufficiency of the above described Petition and to certify as soon as possible to the City Council the result of her investigation.

Section 2. This Resolution shall become effective upon its adoption and approval.

Adopted and approved this the 18th day of March, 2024.

K-5. Council Housing Committee Meeting Minutes – December 12, 2023

K-6. Council Downtown Masterplan Committee Meeting Minutes – January 10, 2024

K-7. Council Park, Trails & Recreation Committee Meeting Minutes – January 17, 2024

K-8. Council Finance, Human Resources, & Citizen Appointment Committee Meetings Minutes – January 22, 2024

K-9. Council Public Works & Utilities Committee Meeting Minutes – February 7, 2024

L. Unfinished Business

L-1. Proposed Amendment to City of Brevard Unified Development Ordinance Chapter 16 – Planning Board's Role in Zoning Map Amendments – Aaron Bland recalled that Council held a public hearing on this amendment on February 19th. Previously it was discovered that Chapter 16 does not authorize the Planning Board to forward a recommendation to Council for a zoning map amendment that enlarges an area to be rezoned. Council instructed Staff to initiate the amendment to provide the Planning Board with that authority. The amendment includes a provision that should the board want to recommend an increase in the rezoning area, they have to hold a second meeting, before which staff would send a letter to the newly affected property owners inviting them to that meeting. The amendment also includes a provision that if the City initiates the rezoning, then staff would send that letter to property owners before the first Planning Board meeting. That way anyway who is brought into a rezoning process without having asked for it is made aware that their property is included in that process. Motion by Mr. Morrow, seconded by Mr. Daniel to approve the amendment. The motion carried unanimously.

ORDINANCE NO. 2024-04

AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE: CHAPTER 16 – ADMINISTRATION TO AMEND THE PLANNING BOARD'S ROLE IN LEGISLATIVE DECISIONS

WHEREAS, the City of Brevard Planning Board has recommended that the Brevard City Code, Unified Development Ordinance be amended; and,

WHEREAS, the City Council of the City of Brevard finds that the proposed amendment is consistent with the following adopted plans and policies:

Building Brevard 2030 Comprehensive Land Use Plan

LUH-19*: Enhance communication of land use planning efforts, policy development, approvals and processes.*

and,

WHEREAS, a public hearing was conducted on Monday, February 19, 2024, by the Brevard City Council, and, after hearing all persons wishing to comment, and upon review and consideration of the proposed amendments, it is the desire of the City Council of the City of Brevard Unified Development Ordinance be amended as outlined below.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BREVARD, NORTH CAROLINA THAT:

SECTION 01. Brevard City Code, Unified Development Ordinance is hereby amended as depicted in Exhibit A, which is attached hereto and incorporated herein by reference.

SECTION 02. As to any conflict between this Ordinance and any parts of existing ordinances, the provisions of this Ordinance shall control.

SECTION 03. If any section, subsection, paragraph, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed severable and such holding shall not affect the validity of the remaining portions hereof.

SECTION 04. This Ordinance shall be in full force and in effect from and after the date of its adoption and approval.

Adopted and approved this the 18th day of March 2024.

L-2. Additional Proposed Rezoning / Expansion of Downtown Development Overlay District – Mr. Wise moved, seconded by Mr. Daniel to remove the Downtown Development Overlay District second expansion proposal from the table and bring it before the Council. During discussion, Mr. Wise noted that he had some

questions at the last meeting, mainly about delineation that Planning Staff has clarified for him. He said that was my only apprehension and I am actually very much in favor of this district, so I wanted to bring this back up and close it out as soon as possible. The motion carried unanimously.

Mayor Copelof asked for a motion to approve. Mr. Baker so moved. Mr. Wise seconded the motion. The motion carried 5-0.

Clerk's Note: The proposed expansion discussion included more than one option for Council to consider. The motion to approve did not include which option Council wished to adopt. This item will be placed on the April 1, 2024 agenda for a clarifying motion.

M. New Business.

M-1. Resolution re Pisgah Health Property – Mr. Hooper noted that the updated resolution that Council received this evening adds an authorization for the City Manager to negotiate and execute a short-term memorandum of understanding with Pisgah Health Foundation and other potential partners that memorializes the relationship between the parties during the preliminary design period. If the design is acceptable and Council and our partners wish to move forward, we will enter into a long-term lease and the resolution gives the City Manager the authority to negotiate the terms of the long-term lease, but the terms would ultimately be approved by Council. Finally, it authorizes the City Manager to seek outside funding and authorizes an engineering firm (TPD) to commence the preliminary design that they described in their presentation. Mr. Morrow moved to approve the resolution. The motion failed for lack of a second.

Mr. Baker moved, seconded by Mr. Daniel to refer this to the Parks, Trails & Recreation Committee.

During discussion, Mr. Baker expressed disappointment in the process of bringing this to Council. He said I felt like we skipped many steps in the process that we have established as a city for how we discuss things like this. The Ecusta Trail Advisory Board did not make a recommendation for this trailhead to move forward. We also have a Parks, Trails & Recreation Committee and that committee did not make a recommendation for this trailhead to move forward, so no lower-level committee has taken up this particular trailhead as a recommendation. I am a little confused about how we got to this point and I am very concerned that some well-connected non-profit folks, along with the Mayor and some other people, have put this forward above other priorities that this city has established, and that we have skipped over many, many steps in order to get to this point tonight. I am disappointed that staff has put as much time and energy into this project as we have without any sort of direction from a citizen committee or from Council. It is really hard to sit up here and be against a playground and something called Freedom Park, but I am for being very strategic about the Ecusta Trail and the over $40M that we have been gifted through hard work by the staff getting those grants. The Railroad Depot was built as a trailhead and it's got everything you want in a trailhead – ample parking, bathrooms, it's located in a commercial district that is ready for new development, it is very close to downtown and on the way to Bracken Preserve. To me it is already the trailhead for the Ecusta Trail; we just have to figure out how we can best get folks there. The wellness park is a wonderful idea and if the Pisgah Health Foundation is interested in developing that, the City has properties that we already own and control, whether we would accept a playground and a wellness park for all ages, I think that is a great idea and I don't want to minimize the gift that that would be to the community, but it needs to be in the schedule of the City's priorities that we currently have and it should not detract from the priorities that we have already set. I said this during our Strategic Planning Session, during which we hardly talked about the Ecusta Trail, and I was pretty confused and upset by that because this thing is coming, it is going to be transformational for Brevard, and we as the public body in charge of the City, we need to have a planning session about the Ecusta Trail specifically and how it interacts with all our neighborhoods; talk about the

trailhead situation which we have not really discussed; talk about security and maintenance. We need to have that sooner rather than later and that should come well before we see a proposal for a trailhead that seems entirely premature.

Mr. Wise said the process has been a little confusing to me. When we were first tossing this idea around, we talked about maybe looking at this site along with others. I was on the Ecusta Advisory Board when we were presented with 6 or 8 potential locations for a trailhead. Suddenly it feels like this thing catapulted and within less than a week it got onto our agenda. The thing that troubles me the most is a potential agreement, which I don't think anyone would be in favor of without more fully vetting all the potential sites. This kind of project is difficult because there is no perfect site out there. That makes it even more important that we spend some time to vet what we do have and really take a look at it. We have some custom-made committees to do that very thing; the Ecusta Trail Advisory Board and the Parks, Trails & Recreation Committee that can look at these properties. I sit on Parks and Rec with Aaron and I was on Ecusta Trail and we never talked about any trailhead stuff in-depth. It worries me a little bit that we got from point A to point Z so quickly, even to the point of having a proposal for $85,000 that none of us had heard of before tonight. So, the process is little bit concerning. I don't feel like there is a rush on this. There is a lot of work to do on Ecusta and we're still engineering it, but more importantly, we need to also think very hard about the impact of Ecusta on our community. We need to understand with more depth how this project will benefit us and can hurt us. That includes where is the terminus of this; how do we think about what the gateway is or are there multiple gateways; or do we have multiple parking areas. There are a lot of questions. While I love the idea of a wellness facility or center, and I love the idea especially of multi-tasking and getting multiple functions in one place, I think we need to slow it down a little bit and take our time to investigate. We actually have in this case the luxury of having a little bit of time and committees to help us with this work. There are a lot of issues about this site that are worrisome, and I don't think we need to get into those specifically now, but I think there are many opportunities and let's look at that.

Ms. Holder said I love the idea of a wellness park. I agree that the process was a little different for me this time because I had not heard of this until we started reading this week's report. I think it should go back to the committee for recommendations to come back to us with a plan, and that to not only include Allison Road, but to also include the Depot and the 5 or 6 other possible opportunities. If we could get information about all of the potentials and not just one area, and maybe the wellness park could be just that and not necessarily the trailhead. I also have concerns with the stormwater management in that area once the trailhead is built, and what would a lease look like. I am certainly not ready to enter a contract at this point. I am not saying no to the wellness park because I really like the idea. Thinking long-term about what that looks like, my concern with that would also be would there be any type of management there for people who come to the park during certain hours to help manage and navigate through the exercise equipment. Entering into a contract right now is premature and I would like to see it go back to the committee for recommendations on all aspects.

Mr. Daniel said I have a lot concerns about the plan that was presented. First is the very idea of it. When I served on the Blue Zones Built Environment Committee this property was considered for a marquee project to be the trailhead of the Ecusta Trail and that committee rejected it for the reasons of it needs a bridge, it floods, it's a trout stream, and it's just generally not a good location. Now that we have full funding for this trail, I would say it is actually time for a reset. My second concern is that the City of Brevard really doesn't have a plan. We don't have a vision for what we are going to do here. We have been working and planning to secure funding and we have. Now we need to work on a plan on how the trail will bring the best outcome to Brevard. This plan that was presented highlights how a haphazard approach can lead to unintended consequences at best, and just plain bad decisions at worst. This Council needs a special planning session to understand what is about to happen to our community and to make intentional decisions to direct our future. We have several partners whose concerns and ideas need to be heard, who have been left out of the process that formed

this plan. We need to get our act together on this. My third concern is the park plan itself. I would suggest that if Pisgah Health wants to enhance the health and wellbeing of our community, that they could help us reroute the trail in front of Enmarket and make that a safe passageway for our children. That is a plan that has already begun and it's stalled out at this present moment. I think it needs to be picked back up and proceed with that. I personally have no interest in another project that no one asked for, no one needs, and in all probability would get minimal use and the City is going to be responsible for the maintenance of. This is something that we addressed 2 ½ weeks ago at our Strategic Planning Session that we would not be just picking up stuff and adding to our labor load; and here we are considering this. The fourth has already been said many times – the Depot; we got it and it meets the very definition that was given in the report of what the terminus should be. Why are we trying to recreate something? Part of that is I think we need to reconsider where the Ecusta Trail goes. I think that the Ecusta Trail…we need to change the names and the Ecusta Trail needs to come all the way into Brevard. The Estatoe Trail can be the spur that goes into the forest; that makes sense to me. None of this is creative thinking, it is just plain old common sense in my mind. Another concern that I have is that the Ecusta Trail has potential for massive economic development, and I question why we would place the trailhead in the middle of a residential neighborhood. It is an economic development chokepoint and it doesn't reach the city proper. Let's plan and let's make thoughtful informed decisions about this. A more disturbing concern is the process. The Council finds itself in a situation that seems to be becoming a common occurrence; a widely unpopular project is brought to the City Council out of the blue without a recommendation from the Parks and Trails Committee or the Ecusta Trail Advisory Board. Staff has been instructed to proceed with planning and money has been spent on studies; and it's a park that has already been named. Now the City Council has dig out of this morass that was created without our knowledge or our consent. We need to define how we are going to proceed with the Brevard portion of the trail. We need to follow our established procedures going through Parks and Trails Committee and I believe that the Ecusta Advisory Board should be an advisory sub-committee to the Parks and Trails Committee and that committee have clearly defined responsibilities and should operate like other committees. We have time to do this, and it is prudent that we do so.

Mr. Morrow thanked Mr. Neumann and Ms. Heinitsh and the Pisgah Health Foundation for its vision to enhance community health. He said our city, like many local governments across the country particularly need the public/private sector partnership to accomplish community goals. In our recently completed 2030 Comprehensive Plan, it calls for a built environment that provides a safe active multi-use system and community health and wellness. The recreational master plan says that households that have a need for parks and recreation by percentage of responses was that 48% of 6099 people said adult fitness and wellness programs was number one. This opportunity for Freedom Park creates what is defined as a special use park and Brevard is so blessed because we have Hap Simpson, we have the City's Sports Complex, we have the community gardens, and we have the skate parks. Those are classic special use parks. To have a park where someone with physical needs can take their wheelchair and swing or someone of my age can go down and get fit, or as Dr. Tyson says, to have a place where seniors can go for exercise and prevention is most important. I know that while on the Ecusta Trail Advisory Board we talked about it. It was not a secret. We got to this point, I'm not sure tonight, it's on the agenda mainly because you leverage your opportunities when you can, so I understand that. We have a need for it; it's been on our wish list forever. It has nothing to do in my mind with the trail other than the fact it is along the Estatoe Trail. But I want you to remember that the $43M for the Ecusta Trail is overseen by the North Carolina DOT, which the Council approved, we've given them that. In my mind we've discussed this as an option. I didn't think it is that great as a trailhead but you have to realize if you create any kind of special use park along the trail you've got to decide and figure out how you can get from, as I mentioned before if you were going to Dolly's you've already missed it if you started from Hendersonville. But the point is the parking lot that is being proposed, there are only 25 spaces and if you compare that to Franklin Park, Franklin Park has 32, so it's not like a huge parking lot. That's why I made the motion. I don't have a problem

with starting it. Obviously I think there's more work to be done. Thank you Pisgah Health Foundation, I am hoping at the end your vision will get realized.

Vote on the motion to refer this to the Parks, Trails & Recreation Committee was unanimously in favor. The motion carried.

M-2. Resolution Supporting NC Department of Commerce Rural Downtown Economic Development Grant Application to Enhance the Downtown Master Plan Streetscape –Mr. Bland explained that this is a resolution authorizing application for a grant to try to keep some momentum going with implementation of the Downtown Master Plan. This grant would be written to plant trees along West Main Street, primarily between Caldwell and Oaklawn where there is only one street tree left. If awarded, the project would include trees and the installation of Silva Cells underground systems to support healthy tree growth within existing space without the need for bump-outs. Staff recommends applying for funds not to exceed $400,000 and there is a 5% cash commitment if we are awarded the grant. The deadline for the application is April 1st. Mr. Daniel moved, seconded by Mr. Baker to approve the resolution. The motion carried unanimously.

RESOLUTION NO. 2024-12

RESOLUTION SUPPORTING THE NORTH CAROLINA DEPARTMENT OF COMMERCE RURAL DOWNTOWN ECONOMIC DEVELOPMENT GRANT APPLICATION TO ENHANCE BREVARD'S DOWNTOWN MASTER PLAN STREETSCAPE

WHEREAS, Brevard continues to strive as an outstanding place to live, work, and play by finding ways to maintain, enhance, and build upon its distinctive small-town charm, and remain a livable community for everyone; and,

WHEREAS, Brevard is committed to investing in the implementation of the downtown streetscape to promote economic development and vitality and to maintain a distinguished and attractive community where the form and function plays a significant role in defining urban renewal; and,

WHEREAS, the 2030 Comprehensive Land Use Plan PNRC-16 prioritizes diversity of urban trees and their succession by replacing trees on Main Street, and recognizes the benefit of natural shade structures that remove various pollutants from the air, evaporate emissions, and remove and store carbon; and,

WHEREAS, the City of Brevard is a municipal government within a Tier 2 county with an eligible project within the downtown central business district and is designated a NC Main Street community.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BREVARD, NORTH CAROLINA THAT:

SECTION 1. Brevard City Council is committed to gradually implementing the Downtown Master Plan in phases and commits to a 5% cash match of the grant amount if awarded the NC Department of Commerce Rural Downtown Economic Development Grant.

SECTION 2. The maximum allowable grant request is $850,000.

SECTION 3. The City of Brevard will work with NCDOT, and other agencies as needed, to obtain valuable input and to obtain permitting prior to commencing work on any part of the downtown streetscape project.

Approved and adopted this the 18th day of March, 2024.

N. Remarks/Future Agenda Considerations.

Mr. Baker said a little while back Council paused work on the Estatoe Trail between Main Street and the Mary C. Jenkins Community Center, and I would like to suggest that we take that back up and start looking again at easements for that connection. Also, I would like to request an update on the Rosman Highway to Brevard High School section of the path, as well as the North Tannery section. I have talked about the Pisgah Health Foundation property trailhead quite a bit with various people in the community this week, and one of the things I kept coming back to was that our citizens need to have access to the Ecusta Trail from their homes and from their

businesses. For the people living here, that would be best done by foot or by bike or board, and not by car. One of the best ways to provide access to the Ecusta Trail for our citizens is to complete the city's multi-use path that we started many years ago. Along with discussing potential trailhead sites, I want to see the City make a commitment to finish the multi-use path before the Ecusta Trail is finished so that we can provide access to the folks that actually live here. My next item is related and is about the Ecusta Trail Advisory Board that has been mentioned several times tonight. I serve on that board now as the Chair of the Parks, Trails and Recreation Committee and it seems to me that that committee has been in sort of a weird middle ground between an official committee and less so. I have a question for the City Attorney regarding the resolution that established that committee. Does that operate as any of our other city committees orperate? Attorney McKeller said I believe it operates exactly as it is listed as, which is an advisory committee because it consists of numerous people outside of the city's purview, including Conserving Carolina. It was formed as a part of the lease when we took responsibility for the Ecusta Trail. Because it was formed under that I would have to do a little research to give you a firm answer as to whether we could put it under the purview of the Parks and Trails Committee as a special sub-committee. Mr. Baker said as it's currently constructed, we should be getting minutes of that committee and that committee can make recommendations to this board, is that correct? Attorney McKeller said my understanding is that committee makes recommendations to this board regarding the Ecusta Trail. If Council wanted to change it so the Ecusta Trail Advisory Board is required to make advisory comments to the Parks and Trails Committee, the resolution could be amended as such. Mr. Baker said that might be an unnecessary step to be honest, but I just want to make sure it has the power to make recommendation to City Council. Attorney McKeller said based on reading what it is for, that seems to be only authority it has. Mr. Baker asked how does that work, you said it was constituted regarding the lease, I mean we're talking about some other city property along the trail that may eventually become the Ecusta Trail by name, or a trailhead that exists outside of the lease from Conserving Carolina, so how does that work with the purview of the committee? Attorney McKeller said he will look into that. Technically it is for the Ecusta Trail and the Ecusta Trail terminus is out by Oskar Blues. Mr. Baker said my concern in bringing that up is I think we need to formalize that board a little bit more. It has been in sort of a mode of different entities and stakeholders reporting the progress from their particular area on the Ecusta Trail, but I think there needs to be some decision-making involved at that level so that when items like what we discussed tonight come up, that they actually feel empowered to make such a recommendation, which is probably how this whole thing should have gone from the get-go in my mind. Mr. Baker said I want to completely switch gears now and talk about the DOT project on Wilson Road and the loss of affordable housing. Dan DeWitt wrote a good article about that and I struggled with that because I have learned over the course of my time on City Council that although the City does not control housing directly, that we have to start thinking of housing almost like we think about infrastructure in that it is really at the base of what builds our cities; the people that live in the houses, of course, but you have to have those houses built for those people and affordability is certainly a part of that. When you lose any affordable housing, and that is outside city limits, but I don't really care when it comes to affordable housing, I would like us to think of it as almost the loss of some city infrastructure that we would be very upset about. I am heartened that the state DOT has a program where it sounds like the renters that are in that building are paid the differential of their new rent for up to 3 ½ years, which seems like a good program, but from the city's perspective, or from the county's perspective hopefully, that doesn't do anything to mitigate the loss of that affordable housing. That housing is not being rebuilt and I think as we talk to our state leaders, and perhaps this can be raised when we're making recommendations to the state legislature, that if NCDOT has a project that removes housing, particularly affordable housing, there needs to be some function of state government that gives back to the community that has lost that housing. The City has stepped up and made an effort to have a committee solely focused on that effort and we could accept that state money and put it to good use to build more affordable housing and actually replace that housing that is lost. I hope in the future that our county partners would also have a committee or a program where that money could go since the property I am talking about on Wilson Road is actually in the county. I really struggled with that particular

project because it's very nuanced and it is hard to understand. If you only know a part of it, it is easy to get very upset and start to point the finger one way or the other. My biggest outcome was it seems like state road projects, if they are affecting affordable housing, it should be their responsibility to give back and actually replace that housing on the ground.

Mr. Daniel said I would like to echo Aaron's comments on finishing the trail from Main Street to Mary C. Jenkins that was put on hold. We need to go ahead and get this trail done. Without that we have two separate trails so I would like to pick that back up. I would also like to say my comments about the Ecusta Trail Advisory Board, basically really what I want to do is to understand how it works and what its responsibilities are to the City and whether those responsibilities mesh with the City's vision, which I am hoping we will be establishing at some point. I would like to make a comment about the Strategic Planning Retreat. I felt that we had a really good day's meeting and I feel like it was probably maybe a half a day short. The City Manager takes the information gathered from that meeting and makes his plans for the year and I feel, as Aaron commented, that there were some things that were missed in that meeting. A lot of times you have to process stuff, you talk about things and the next day realize that that thing I forgot was really important. I feel like that to take what we came up with from that meeting and to say that that is the will of the Council is not a complete picture. Some things were mentioned, but only toward the end.

Mr. Morrow mentioned that French Broad Street is being milled and Whitmire is complete.

Ms. Holder asked Mr. Hooper when we would get the report from the Strategic Planning Retreat of what our priorities were. She said perhaps that would give us more guidance. The trails are great and again I love the idea of a wellness park, but when we attract more people to come and live here, where will they live if we don't have the housing? I want to say thanks to the citizens for taking time out to come and stand before the Council and speak. I want to also ask; this is the first city I have ever lived in where we did not honor Presidents Day. Is that a consideration or can it be a consideration; would you have to do a study about what it would cost; what needs to happen for us to consider making that a holiday for City employees? Mr. Hooper said he would provide that information in an upcoming memo so Council will have it for consideration during our budget deliberations in the weeks to come.

Mr. Wise said I sadly find myself to be an optimist. I look at the process we went through tonight and while I think we've discovered a lot of issues, I am encouraged that we can have that process and that includes the public outreach for some things on our agenda tonight, but also in general. I was really encouraged to see that our public is watching what is going on and engaged. Our adoring public left unfortunately, but they deserve a lot of thanks. Although I think we have a lot of things to talk about and things to think about, I think we have a Council that really does think, and I really appreciate that from everyone sitting up here and the public and our staff as well. I went to the Faith Housing Symposium that happened last week and that was a very sobering discussion about the very real crisis of housing, not only in our community, but nationwide. I agree completely with you, Pamela and Aaron. I know these are passionate projects for all of us up here. We really need to put a lot of focus onto that and once you really start digesting the scope of the problem, it is overwhelming. I would just like to put that in everyone's minds, so let's keep that at the forefront. Thanks to everyone tonight.

Attorney McKeller reminded everyone that there will be two closed sessions for potential litigation matters.

Mr. Hooper said I found out about ten minutes before the meeting that the State has approved an extra $72,000 grant to us so that we can extend the Norton Creek streambank restoration into the neighbor's yard next door. That was an action we took a few weeks ago and we finally got that approval so we will get the wheels turning on

constructing that project. As for some of these other follow-up items, we will transmit those to you all in the next couple of weeks.

Mayor Copelof said that is good news; I am really glad we got that grant. I am extremely glad to see that we are putting in for that grant that the Planning Department briefed to try to get money to replace our aging trees on Main Street. What people don't realize is that is going to cost a couple hundred thousand dollars. It all comes down to money, folks. Every project we do, everything that we attempt to do takes dollars, those priorities, so when we can get that outside money, we go after it. Thank you Planning for being so proactive and coming up with that and hopefully we will get that and replace some of those aging cherry trees that are out there. Also, I was really impressed with our architectural standards last week. We had three days of incredible community input. When they gave their outbrief, they said they were so surprised as our community provided more input than basically anybody. I said that doesn't surprise me; our community is always involved in providing input and that's what makes us so strong. I am looking forward to a great product from that team and that will help us as we go forward and start to wrestle with what is the vision, how should our city physically look with the architecture and how do we preserve what is so very special here. I have to say thank you to Shelley Webb and the folks that put on our Faith Housing Summit. That really was special too. I think it showed that incredible partnership that we have between our non-profit community and our city government and other non-profits. It's something sort of unique where we're not afraid to step out and to reach for that vision. I was so proud of the fact that were briefing actual initiatives. We weren't briefing theory or wishes, we were briefing things that we were making happen. We're going to continue to work on those, but thank you so much to Sharing House and Habitat for Humanity, the two partners that really worked to put that together. I also want to thank Pisgah Health Foundation. They came with a great vision - the idea that we could be more inclusive in how we approach recreation. It is something that I ask Council to think about because we have done a lot of recreation. We've focused an awful lot on young people, and that's great because we didn't have a lot for them five years ago when we started on this. But now we have two skate parks; we have a basketball court; we have a playground; we have a bike trail and yes it still needs work; but we haven't done a lot for part of another demographic that's here, and that's what Pisgah Health was really briefing tonight, was let's do something that is inclusive across the entire demographic of people who live here, the people that we have a responsibility to support. That vision didn't go forward tonight, but I am hoping that they will take that vision and they will rework it and hopefully come back and that we can, in the future, partner to make something happen so that we are reaching out to people who are in wheelchairs, who have mobility problems, who are older, who are just as much of our community as everybody else. So, I thank them for that vision and that effort and to come forward. And, I thank the Planning Department for taking that, for working with the Ecusta Trail Advisory Board and coming up with a proposed plan. It didn't fly; obviously it got sent back for work and more analysis, but I appreciate the fact that we took a look at it, we put it out there, and now we can work to make it even better. We have our monthly Meet the Mayor tomorrow at 4:30 at the Mary C. Jenkins Community Center.

O. Closed Session

Closed Session #1 – At 8:03 p.m. Mr. Baker moved, seconded by Mr. Wise to enter into closed session to discuss a potential litigation matter and to clear Council Chambers. The motion carried unanimously. Authorized to remain for the closed session with Council and the Attorney were City Manager Wilson Hooper, City Clerk Denise Hodsdon, and Public Works Director Wesley Shook.

Council Returned to Regular Session – at 8:19 p.m. Council resumed the meeting in regular session. No official action was taken in closed session and the minutes of the closed session are authorized to be sealed.

Closed Session #2 – At 8:19 p.m. Mr. Daniel moved, seconded by Mr. Baker to enter into closed session to discuss a potential litigation matter. The motion carried

unanimously. Authorized to remain for the closed session with Council and the Attorney were City Manager Wilson Hooper, City Clerk Denise Hodsdon, and Assistant Planning Director Aaron Bland.

Council Returned to Regular Session – at 8:53 p.m. Council resumed the meeting in regular session. No official action was taken in closed session and the minutes of the closed session are authorized to be sealed.

P. Adjourn – There being no further business, at 8:54 p.m. Mr. Daniel moved, seconded by Ms. Holder, to adjourn the meeting. The motion carried unanimously.

Maureen Copelof Mayor	Denise Hodsdon, CMC City Clerk

Minutes Approved: April 1, 2024