MINUTES
BREVARD CITY COUNCIL
Regular Meeting
April 1, 2024 – 5:30 PM

The Brevard City Council met in regular session on Monday, April 1, 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, Planning Director Paul Ray, Assistant Planning Director Aaron Bland, 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, Community Center Director Tyree Griffin, and Members of Brevard Police Department

Guests – Rebecca Chaplin of AARP NC Mountain Region; JHPC Members John Koury, Marcy Thompson, Ellen Harris, and Billy Parrish; and Rebecca Jackson of UNC School of Government Center for Public Leadership & Governance (via Zoom)

Press – Jon Rich, Transylvania Times

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 that a quorum was present.

E. Approval of Agenda – Mr. Wise moved, seconded by Mr. Morrow to approve the agenda as presented. The motion carried unanimously.

F. Approval of Minutes

F-1. March 18, 2024 Regular Meeting – Ms. Holder moved, seconded by Mr. Baker to approve the minutes of the March 18, 2024 Regular Meeting as presented. The motion carried unanimously.

G. Public Comments

Rachel Hall of 487 Probart Street said as you may be aware, since 2022 several residents of Probart Street have been working with City Manager Wilson Hooper and the Public Safety Committee on the need for traffic calming on Probart Street, particularly from Oaklawn to Rosenwald Lane. The Public Safety Committee has been most receptive and cooperative with our efforts and contracted for a traffic study, as well as conducted community meetings with Probart residents and stakeholders. The findings of the study were that Probart Street was a candidate for traffic calming and residents are supportive. Since the road was narrowed to allow construction of a sidewalk in 2017 there are frequent incidents of cars hitting the curb, jumping the curb, blowing out tires, losing hubcaps, and with some occurring in proximity of pedestrians. In addition to the narrowness of the street, the speed at which large box trucks, dump

trucks and cars are consistently traveling 40-45 mph, make the street more dangerous for walkers, cyclers and motorists. My purpose in speaking to you is to ensure that the City Council approves funding for these initiatives in your upcoming 2024 city budget. Hopefully by then you will have a more thorough report on recommendations of the Public Safety Committee, but which at this time include installation of a 3-way stop sign at Probart Street and Railroad Avenue at the head of the bike path; installation of additional warning signs, such as "road narrows" and "watch for pedestrians"; and installation of a number of speed cushions. I suspect that you will eventually see more requests for traffic calming across town, as this is not only a Probart Street issue; there is a need for traffic calming citywide. Please consider annually allocating a piece of the city budget for traffic calming as needs arise.

Linda Gallo of 671 Probart Street said I echo what Rachel said and I would also just say that this has been a process and it seems that many are aware that it is an issue in town. I also see it as a safety issue, but also a lawsuit, if people were injured and were to find out that we have been aware of this issue and have not acted on it. So, I just remind people of that. We hope that it would be fully funded for this year for Probart Street in particular, and then in the future for the rest of the city.

Harvey Sankey said I attended the Strategic Planning session for the City Council last month and it was an outside consultant that took care of that meeting. At the end of the meeting there was consensus of the City Council Members that their number one priority was infrastructure. With that I would like to go into the Wastewater Treatment Plant. I would like to say the people on that committee, Mr. Morrow, Mr. Wise and Owen Carson, are doing a great job taking care of this problem that we have. I attended the Public Works meetings and the first one I attended you had four very good engineering companies present their plans for taking care of the Wastewater Treatment Plant. They were excellent. You also had the Public Works Director there and people who work at the Wastewater Treatment Plant, and Wilson Hooper also, and everybody had some good questions of these four engineering firms. You also had an engineering person from the city to attend these meetings, so it was very well-attended. A lot of good questions and I really like the way it was handled. Right now the four firms are still alive and there will be a meeting I guess this week to determine which one the Public Works Committee will choose. What I liked about these engineering firms is they talked about helping us get money through grants. We need these grants to take care of the cost. We already have $13M and I understand the water rates will take of the downfall and there will be no property taxes to take care of it. God forbid, we don't need any more new taxes.

Jim Smeaton said I live at 560 Probart Street part-time. I also have an interest in traffic safety and the plans for traffic calming on Probart Street. Probart Street is a thoroughfare, but it also runs through a residential neighborhood and this neighborhood, I am proud to say I live here part-time and I enjoy it, is growing. There are more houses, sidewalks that were put in several years ago, and pedestrians use it very frequently. Unfortunately, the sidewalk is inches from the street, but I want to commend the members of City Council and my fellow citizens who have shown interest, and we have something moving forward now, which I am also eager to see in the City's budget. I commend you all for doing this and for acting proactively. I also live in Greenville, SC and we have similar problems there that give a larger magnitude because of a larger population. I will say, however, that it has been my experience in the last couple years to see some very effective traffic calming measures put in place and this is with the help of professional engineering firms that know their business. I think this is the direction we're heading in here. I will also say that this only happened after two very high-profile fatal accidents. One young woman was run over in a crosswalk and another young woman was run over on a sidewalk walking her dog; both killed. I really thank you all for acting proactively.

H. Certificates/Awards/Recognition

H-1. Administration of Oaths of Office for Brevard Police Department

H-1-a. Jordan Dale Ryan – Jordan Dale Ryan was administered the Oath of Office as a Law Enforcement Officer by City Clerk Denise Hodsdon.

State of North Carolina
County of Transylvania
City of Brevard

I, Jordan Dale Ryan, do solemnly and sincerely swear that I will support the Constitution and laws of the United States; that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; that I will endeavor to support, maintain and defend the Constitution and laws of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; and that I will faithfully discharge the duties of my office as a Law Enforcement Officer for the City of Brevard, so help me God.

s/ Jordan Dale Ryan

Oath Administered By:
Denise Hodsdon, CMC
City Clerk

H-1-b. David Rutledge Kennemer – David Rutledge Kennemer was administered the Oath of Office as a Law Enforcement Officer by City Clerk Denise Hodsdon.

State of North Carolina
County of Transylvania
City of Brevard

I, David Rutledge Kennemer, do solemnly and sincerely swear that I will support the Constitution and laws of the United States; that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; that I will endeavor to support, maintain and defend the Constitution and laws of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; and that I will faithfully discharge the duties of my office as a Law Enforcement Officer for the City of Brevard, so help me God.

s/ David Rutledge Kennemer

Oath Administered By:
Denise Hodsdon, CMC
City Clerk

H-1-c. Jeffrey Brian Thompson – Jeffrey Brian Thompson was administered the Oath of Office as a Law Enforcement Officer by City Clerk Denise Hodsdon.

State of North Carolina
County of Transylvania
City of Brevard

I, Jeffrey Brian Thompson, do solemnly and sincerely swear that I will support the Constitution and laws of the United States; that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; that I will endeavor to support, maintain and defend the Constitution and laws of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; and that I will faithfully discharge the duties of my office as a Law Enforcement Officer for the City of Brevard, so help me God.

s/ Jeffrey Brian Thompson

Oath Administered By:
Denise Hodsdon, CMC
City Clerk

H-1-d. Adam Perry Moore – Adam Perry Moore was administered the Oath of Office as a Law Enforcement Officer by City Clerk Denise Hodsdon.

State of North Carolina
County of Transylvania
City of Brevard

I, Adam Perry Moore, do solemnly and sincerely swear that I will support the Constitution and laws of the United States; that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; that I will endeavor to support, maintain and defend the Constitution and laws of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; and that I will faithfully discharge the duties of my office as a Law Enforcement Officer for the City of Brevard, so help me God.

s/ Adam Perry Moore

Oath Administered By:
Denise Hodsdon, CMC
City Clerk

H-2. Presentation by AARP Recognizing City of Brevard as Age-Friendly Community – Rebecca Chaplin of AARP NC Mountain Region presented a Certificate of the City of Brevard's Acceptance as a Member of the AARP Network of Age-Friendly States and Communities to Mayor Copelof and members of the Age-Friendly Community volunteer group. Ms. Chaplin noted that the City of Brevard is the 18th community in NC and the 834th community Nationwide to join the Network of Age-Friendly States and Communities. She expressed thanks to Mayor Copelof and the dedicated team of community group volunteers Sara Knapp, Kay Argoves, Bob and Lisa Decker, Richard Mills, and Community Leader Dr. Paula Hartman-Stein.

H-3. Proclamation No. 2024-02 Sexual Assault Awareness Month, April 2024 – Mayor Copelof read the proclamation aloud and presented it to Sterling Woodruff of SAFE.

Proclamation No. 2024-02
Sexual Assault Awareness Month
April 2024

Whereas, nationally one in three women and one in four men will experience some form of sexual assault in their lifetime; and

Whereas, Sexual Assault Awareness Month draws attention to the fact that sexual violence is widespread and has implications for every community member; and

Whereas, there is compelling evidence that we can be successful in reducing sexual violence through prevention education, increased awareness, and holding perpetrators who commit acts of violence responsible for their actions; and

Whereas, we must work together to educate our community about what can be done to prevent sexual assault and how to support survivors; and

Whereas, anyone can be a leader in preventing and ending sexual violence. As employers, educators, parents, and friends, we all have an obligation to uphold the basic principle that every individual should be free from violence and fear; and

Whereas, sexual harassment, assault, and abuse can happen anywhere, including in online spaces. For too long harassment, cyberbullying, and sexual abuse and exploitation have come to be expected as typical and unavoidable behaviors online and

Whereas, the theme for **Sexual Assault Awareness Month** this year is "**Building Connected Communities**," we encourage every person to help build more connected, respectful and inclusive communities.

NOW, THEREFORE, IT IS PROCLAIMED by the Mayor and City Council of the City of Brevard, North Carolina, the month of April as **Sexual Assault Awareness Month** and urge the citizens of Brevard to work together to eliminate sexual assault from our community, to keep our community members safe from this crime and to stand with survivors and victims of sexual assault.

IN WITNESS WHEREOF, I have hereunto set my hand and cause the Seal of the City of Brevard to be affixed on this 1st day of April, 2024.

s/Maureen Copelof
Mayor

H-4. Proclamation No. 2024-03 Historic Preservation Month, May 2024 – Mayor Copelof read the proclamation aloud and presented it to John Koury, Chair of the Joint Historic Preservation Commission.

PROCLAMATION NO. 2024-03
HISTORIC PRESERVATION MONTH

WHEREAS, historic preservation is an effective tool for managing growth, revitalizing neighborhoods, fostering local pride, and maintaining community character while enhancing the livability of a community; and

WHEREAS, historic preservation is relevant for communities across the nation, both urban and rural, and for Americans of all ages, all walks of life, and all ethnic backgrounds; and

WHEREAS, in the City of Brevard it is important to celebrate the role of history in our lives and the contributions made by dedicated individuals in helping to preserve the tangible aspects of the heritage that has shaped us as a people; and

WHEREAS, the City of Brevard has two National Register Districts and 18 of 23 Locally Designated Local Landmarks for Transylvania County; and

WHEREAS, May has been celebrated as National Historic Preservation throughout the United States of America since 1973; and

WHEREAS, This May there will be a host of events that have been prepared by local historical organizations and co-sponsored by Transylvania County Joint Historic Preservation Commission, whose mission is to help preserve the historic identity of the City of Brevard and Transylvania County;

NOW, THEREFORE, I, Mayor Maureen Copelof and the Brevard City Council do hereby proclaim and recognize the month of May 2024 as Historic Preservation Month.

Adopted and approved this the 1st day of April, 2024.

s/Maureen Copelof
Mayor

H-5. Proclamation No. 2024-04 Second Chance Month, April 2024 – Mayor Copelof read the proclamation aloud. She noted that there is a reentry simulation event on April 9th at Brevard College. The event is being organized for the community so that people can experience first-hand the obstacles people face after their release from prison.

Proclamation No. 2024-04
Designation of April as Second Chance Month

WHEREAS, every person is endowed with human dignity and value; and

WHEREAS, redemption and second chances are American values; and

WHEREAS, an estimated 70 million American citizens have a criminal record; and

WHEREAS, those individuals who have paid their debt after committing a crime face significant barriers, also known as collateral consequences, to reintegrating into society; and

WHEREAS, many of these consequences are mandatory, without taking into account the seriousness of the offense, the time passed since the offense, the individual's efforts to make amends, or whether the consequence has a proven public safety benefit; and

WHEREAS, gaining meaningful employment is one of the most significant predictors of successful reentry, and ninety percent of those who have been incarcerated struggle to find employment because of societal and legal barriers; and

WHEREAS, while education is also a significant predictor of successful reentry, those with a criminal record have significant difficulty acquiring admission to and funding for educational programs; and

WHEREAS, people with a criminal history also face significant barriers in securing a place to live, and this inability to access housing has been found to increase the number of individuals returning to prison; and

WHEREAS, these and other barriers prevent the 70 million Americans with criminal records from contributing fully to their families and communities, which negatively impacts the well-being of their children and families for generations; and

WHEREAS, the designation of April as Second Chance Month can contribute to increased awareness about the challenges faced by those who have paid their debt and generate opportunities for individuals, employers, congregations, and communities to extend second chances.

NOW, THEREFORE, I, Maureen Copelof, Mayor of Brevard, do hereby proclaim April 2024 as "Second Chance Month." During this month I call on residents to honor the work of those who strive to remove barriers that prevent individuals with a criminal record from becoming productive members of society and to observe Second Chance Month through actions and programs that promote opportunities to unlock second chances.

IN WITNESS WHEREOF, I have hereunto set my hand and cause the Seal of the City of Brevard to be affixed on this 1st day of April, 2024.

s/Maureen Copelof
Mayor

I. Special Presentations – None.

J. Public Hearing(s) – None.

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 Mr. Baker to approve the consent agenda. The motion carried unanimously.

K-1. Proclamation No. 2024-05 Month of the Young Child & Child Abuse Prevention Month, April 2024

Proclamation No. 2024-05
Month of the Young Child &
Child Abuse Prevention Month

Whereas, the youth-serving agencies of Transylvania County come together to celebrate The Month of the Young Child during the month of April 2024 to focus public attention on the needs of young children and their families and to recognize the early childhood programs and services that meet those needs; and

Whereas, children's cognitive, physical, social and emotional, and language and literacy development are built on a foundation of children's positive, safe, and nurturing interactions with adults, peers, and their environment; and

Whereas, youth-serving agencies of Transylvania County are collaborating to raise awareness and prevent child abuse in our community; and

Whereas, all children deserve to have the safe, stable, nurturing homes and communities they need to foster their healthy growth and development; and

Whereas, child abuse and neglect is a community responsibility affecting both the current and future quality of life of a community; and

Whereas, communities that provide parents with the social support, knowledge of parenting and child development, and concrete resources they need to cope with stress and nurture their children ensure all children grow to their full potential; and

Whereas, effective child abuse prevention strategies succeed because of partnerships created among citizens, human service agencies, schools, faith communities, health care providers, civic organizations, law enforcement agencies, and the business community.

Therefore, we proclaim April as The Month of the Young Child and Child Abuse Prevention Month and call upon all citizens, community agencies, faith groups, medical facilities, elected leaders, and businesses to increase their participation in our efforts to support families, thereby supporting early childhood programs and preventing child abuse and strengthening the communities in which we live.

IN WITNESS WHEREOF, I have hereunto set my hand and cause the Seal of the City of Brevard to be affixed on this 1st day of April, 2024.

s/ Maureen Copelof
Mayor

K-2. Proclamation 2024-06 Arbor Day, April 6, 2024

Proclamation No. 2024-06
ARBOR DAY
Brevard, North Carolina

WHEREAS, in 1872 J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife; and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products; and

WHEREAS, trees in our City increase property values, enhance the economic vitality of business areas and beautify our community; and

WHEREAS, this is the 45th year Brevard has been recognized as a Tree City USA by the National Arbor Day Foundation and desires to continue its tree planting ways.

NOW, THEREFORE, I, Mayor Maureen Copelof and the Brevard City Council, do hereby proclaim **April 26, 2024,** as **Arbor Day in the City of Brevard** and we urge all citizens to support efforts to protect our trees and woodlands, to support our City's urban forestry program, and we urge all citizens to plant trees to promote the well being of our present and future.

Adopted and approved this the 1st day of April, 2024.

s/Maureen Copelof
Mayor

K-3. Resolution Fixing a Date of Public Hearing for Annexation – Pisgah Hospitality, LLC / Intersection of Lambs Creek Road and US Hwy 64

RESOLUTION NO. 2024-13
A RESOLUTION FIXING A DATE OF PUBLIC HEARING
ON THE QUESTION OF 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); and

WHEREAS, the Brevard City Council has by Resolution No. 2024-11 directed the City Clerk to investigate the sufficiency thereof; and

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

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

Section 1. That a public hearing on the question of annexation of the contiguous area described below as requested by Pisgah Hospitality, will be held at Brevard City Hall at 5:30 P.M. on the 6th day of May, 2024.

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

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.

Section 3. Notice of said public hearing shall be published in the Transylvania Times, a newspaper having general circulation in the City of Brevard, at least ten (10) days prior to the date of said public hearing.

Section 4. This Resolution shall become effective upon its adoption and approval.

Adopted and approved this the 1st day of April, 2024.

s/Maureen Copelof
Mayor

K-4. Budget Amendment for Roundabouts Project

ORDINANCE NO. 2024-05
CAPITAL PROJECT ORDINANCE TO AMEND ORDINANCE NO. 2022-48, ROUNDABOUTS PROJECT

BE IT ORDAINED by the City Council of the City of Brevard, North Carolina that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby amended:

Section 1: The budgeted expenditures and revenues listed under the ordinance 2022-48 will be increased from $100,000 to $300,000. The Roundabouts Capital Project was established in August of 2022 to account for the City portion of landscaping and other cost costs associated with the roundabouts planned for the City that are not covered by NCDOT. NCDOT allows up to 1.5% of total project costs for approved landscaping.

At this time, revenues for this project are being budgeted as transfers in from the General Fund, although the City is pursuing funding from outside agencies. The FY25 recommended budget currently has $75,000 being transferred to the Roundabout project. NCDOT project R-5799 is estimated to be completed in 2026, and project R-5605 (Davidson River Connector) was completed in July of 2023.

Section 2: City Council has already authorized several contracts to help improve the appearance of the City's major transportation corridors with betterments to future NCDOT roundabouts. This began with project R-5799, the two roundabouts on US 64/276 at the gateway to Brevard and Pisgah National Forest approved on August 14, 2019, which lead to an Asheville Highway Corridor Visioning Initiative, approved by Council on October 21, 2019. Council has been steadfast in its vision for creating a more welcoming corridor into Brevard by leveraging local funds and working

with NCDOT and other partners such as the Transylvania County Tourism Authority, to achieve this goal.

Section 3: The following amounts are appropriated for the project:

Account Number	Account Name	Budget Amount
78-6600-4550	Roundabouts Project	$100,000
78-6600-4550	**Roundabouts Project**	**$200,000**
	TOTAL PROJECT APPROPRIATION	**$300,000**

Section 4: The following revenues are anticipated to be available for project expenses:

Account Number	Account Name	Budget Amount
78-3750-0220	Transfer from General Fund	$100,000
78-3750-0220	**Transfer from General Fund**	**$200,000**
	TOTAL PROJECT REVENUE	**$300,000**

Section 5: The Finance Director is hereby directed to maintain within the capital project fund sufficient specific detailed accounting records to satisfy the disclosure requirements of all the contractual agreements, if applicable.

Section 6: Funds may be advanced from the General Fund or from any Enterprise Fund as necessary for the purpose of making payments as due. Reimbursement requests shall be made in an orderly and timely manner.

Section 7: The Finance Director is directed to report, on a quarterly basis, on the financial status of each project element in Section 3 and Section 4.

Section 8: The Finance Director is further instructed to include a detailed analysis of past and future revenues and expenses during each annual budget submission made to the Governing Board.

Section 9: Copies of this capital project shall be furnished to the City Clerk, Finance Director and City Manager for direction in carrying out this project.

ADOPTED by the City Council of the City of Brevard, North Carolina, on this 1st day of April, 2024.

s/Maureen Copelof
Mayor

L. Unfinished Business

L-1. Designation of Historic Landmark – Bryant House, 132 King Street – Paul Ray recalled that Council and the Joint Historic Preservation Commission held a joint public hearing on March 18th on the application from Paul Wilander for his property known as the Bryant House, located at 132 King Street to be designated a historic landmark. The State Historic Preservation Office has reviewed the application and designation report and determined that it does meet the requirements for local designation. Mr. Morrow moved, seconded by Mr. Daniel to approve the Ordinance Designating the Bryant House a Historic Landmark. The motion carried unanimously.

ORDINANCE NO. 2024-06

AN ORDINANCE DESIGNATING AS AN HISTORIC LANDMARK CERTAIN PROPERTY KNOWN AS THE BRYANT HOUSE AS IS MORE SPECIFICALLY DESCRIBED IN A DEED IN THE TRANSYLVANIA COUNTY REGISTER OF DEEDS OFFICE, IN DEED BOOK 1081, AT PAGE 56, AND BEING DATED JUNE 8, 2023, SAID PROPERTY BEING OWNED BY JOHN PAUL WILANDER; THE PARCEL OF LAND BEING ESPECIALLY DESIGNATED IS ALL OF THE PARCEL OF LAND OCCUPIED BY THE BUILDING, LISTED UNDER TAX PARCEL NO. 8586-42-8383-000 IN THE TRANSYLVANIA COUNTY TAX OFFICE, BREVARD, NORTH CAROLINA

WHEREAS, all the prerequisites to the adoption of this Ordinance described in Chapter 160A, Article 19, as amended of the North Carolina General Statutes and Ordinance No. 26-97 of the City of Brevard have been fully completed; and

WHEREAS, the City Council has taken into full consideration all statements and information presented during a public hearing held on March 18, 2024, on the question of designating certain property known as The BRYANT HOUSE as an historic landmark; and

WHEREAS, The BRYANT HOUSE was built in or near the year 1915-1916 as a boarding house is now one of the oldest historic buildings in the City of Brevard in present and continual service; and

WHEREAS, The BRYANT HOUSE possesses special significance in terms of its history, architectural and cultural importance; and

WHEREAS, the property known as The BRYANT HOUSE is presently owned by JOHN PAUL WILANDER.

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

Section 1. That the property known as The BRYANT HOUSE (including the entire exterior of the building, the entire parcel of land listed under Tax Parcel No. 8586-42-8383-000) is hereby designated as an historic landmark pursuant to Chapter 160A, Article 19, as amended, of the North Carolina General Statutes and Ordinance No. 26-97 of the City of Brevard. The location of said landmark is hereby noted as being situated at 132 King Street, Brevard, North Carolina. The exterior features of The BRYANT HOUSE are more completely described in the Application for Local Historic Landmark Status, dated September 23, 2023 and in the report filed January of 2024.

Section 2. That said designated historic landmark may be materially altered, restored, moved or demolished only following the issuance of a Certificate of Appropriateness by the Joint Historic Preservation Commission, With regard to issuance of any Certificate of Appropriateness, the provisions of Ordinance No. 26-97 of the City of Brevard shall control.

Section 3. This Ordinance shall not be construed to prevent or delay ordinary maintenance or repair of any architectural feature in or on said landmark that does not involve a change in design, material or outer appearance, nor to prevent or delay the construction, reconstruction, alteration, restoration, demolition or removal of any such feature in the event that a building inspector or similar official certifies to the Commission that such action is required for the public safety because of an unsafe condition. Nothing herein shall be construed or interpreted to prevent the owner of the historic landmark from making any use not prohibited by other statutes, ordinance or regulations, including the zoning ordinance of the City of Brevard.

Section 4. A suitable sign may be posted on the property with the owners' permission or near the property in the City right-of-way, indicating that said property has been designated as an historic landmark, and containing any other appropriate information. Such sign must comply with the Sign Ordinance of the City of Brevard.

Section 5. The owner of the historic landmark known as The BRYANT HOUSE shall be given notice of this Ordinance as required by law, and a certified copy of this Ordinance shall be filed and indexed in the offices of the Transylvania County Register of Deeds and Brevard City Clerk.

Section 6. The BRYANT HOUSE, hereby designated as an historic landmark, shall be subject to the provisions of Chapter 160A, Article 19, as amended, of the North Carolina General Statutes, as well as any subsequent amendments thereto, and Ordinance No. 26-97 of the City of Brevard, as well as any subsequent amendments thereto.

Section 7. This Ordinance shall be effective upon its adoption and approval.

Adopted and approved this 1st day of April, 2024.

s/Maureen Copelof
Mayor

L-2. Proposed Amendment to City of Brevard Code or Ordinances Chapter 66 – Overnight Parking – Police Chief Tom Jordan recalled that at its last meeting Council held a public hearing on this proposed amendment which would allow for an exception to the restriction of overnight parking on city-owned parking lots if a duly authorized permit is displayed. Mr. Daniel moved, seconded by Mr. Baker to approve the amendment. The motion carried unanimously.

ORDINANCE NO. 2024-07
AN ORDINANCE AMENDING THE CITY OF BREVARD CODE OF ORDINANCES, CHAPTER 66 – TRAFFIC: SPECIFICALLY AMENDING REGULATIONS REGARDING OVERTIME AND OVERNIGHT PARKING

WHEREAS, certain provisions of the Brevard City Code of Ordinances must be updated to allow permitted parking during overnight hours for duly authorized vehicles displaying a permit; and

WHEREAS, a public hearing was conducted on March 18, 2024, by 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 Brevard City Council that the City Code of Ordinances be amended as outlined below.

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

SECTION 01. The City of Brevard Code of Ordinances is hereby amended as follows:

66-133. **Overtime parking prohibited; exceptions for persons serving on jury.**
It shall be unlawful and a violation of the provisions of this article for any person to cause, allow, permit or suffer any vehicle registered in the name of or operated by such person to be parked overtime, or beyond the period of legal parking time established for any space or parking lot designated for parking, either upon a public road or street or public parking lot without displaying a duly authorized parking permit.

66-135. Long-term parking prohibited.
It shall be unlawful and a violation of the provisions of this article for any person to cause, allow, or permit any privately owned vehicle or trailer to be parked more than 24 consecutive hours within any municipal parking lot of the city without displaying a duly authorized parking permit. Moving a vehicle between spaces within the same lot for the purpose of circumventing this ordinance shall constitute a violation of this section.

SECTION 02. The City Clerk of the City of Brevard is hereby authorized and directed to revise and amend the official records and the Code of Ordinances to reflect the changes as set forth above.

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.

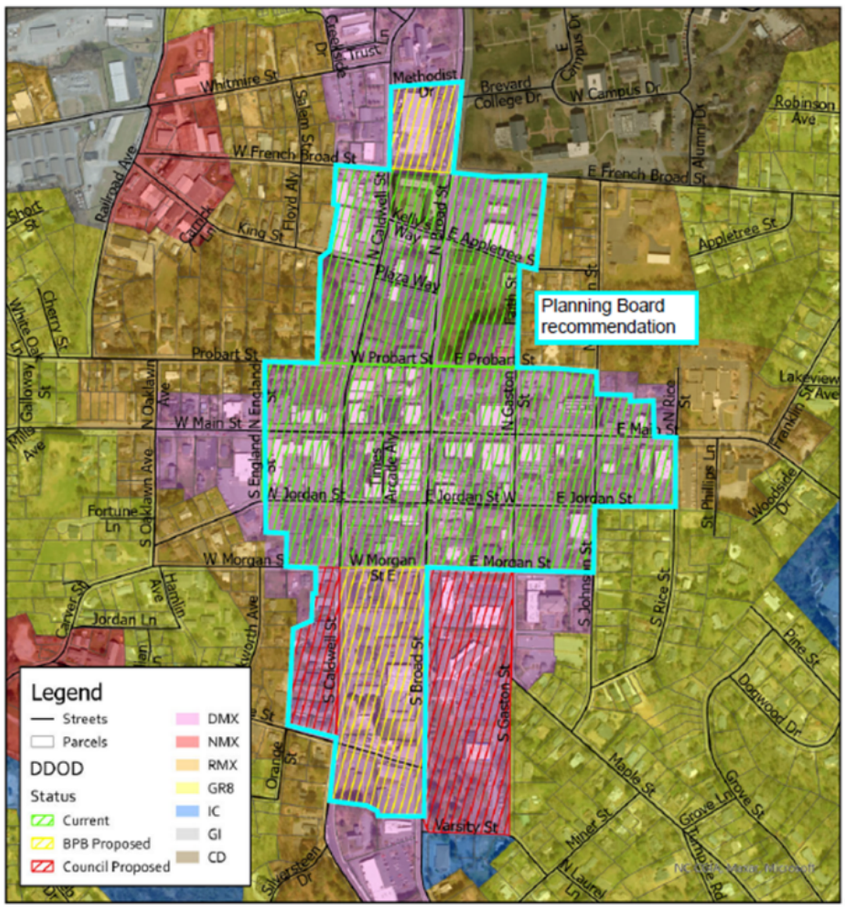
SECTION 04. This Ordinance shall be in full force and in effect from and after the date of its adoption and approval.

Adopted and approved on the 1st day of April, 2024.

s/Maureen Copelof
Mayor

L-3. Clarifying Motion re Additional Rezoning / Expansion of Downtown Development Overlay District – Aaron Bland recalled that Council held a public hearing regarding this proposal on February 5, 2024. Council considered the proposal at its February 19, 2024 meeting and voted to table it until after the rewrite of Chapter 5 of the UDO is completed. At its meeting on March 18, 2024, upon motion by Council Member Wise, Council voted to remove the item from the table. A motion was then made and seconded to approve, and the motion carried unanimously. The proposed expansion discussion included more than one option for Council's consideration as indicated on the below map. Mr. Bland noted that the hearing included all of the hatched area indicated on the map. The motion to approve did not specify which option Council wished to adopt. Council is asked consider a motion clarifying which proposal was approved at the March 18th meeting.

REZ-23-005 - Downtown Development Overlay District
Second Expansion Proposal



Mr. Wise moved, seconded by Mr. Baker to approve the Downtown Development Overlay District expansion encompassing the fully hatched area as shown on the map. The motion carried unanimously.

ORDINANCE NO. 2024-08
AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF BREVARD TO EXPAND THE DOWNTOWN DEVELOPMENT OVERLAY DISTRICT

WHEREAS, the Downtown Development Overlay District was created on February 17, 2020 by Ordinance 2020-04 and expanded on November 6, 2023 by Ordinance 2023-55; and,

WHEREAS, the City of Brevard Planning Board considered this proposed map amendment on December 12, 2023; and,

WHEREAS, a public hearing was conducted February 5, 2024, in consideration of this proposed map amendment; and,

WHEREAS, in accordance with North Carolina General Statute 160D-605, Brevard City Council finds the following:

1) The proposed zoning map amendment is **consistent** with the following elements of the City's adopted plans and policies:

   Building Brevard 2030 Recommendations

   Recommendation Land Use & Housing – 7: Consider the development of a form-based code for Downtown that supports a human-scaled, pedestrian-friendly environment.

2) The proposed zoning map amendment is in the public interest and reasonable due to the following factors:

   - The expansion of the Downtown Development Overlay District will help to ensure that as downtown is redeveloped and expands the design of the built environment will maintain a pedestrian-oriented character.
   - The Plan is consistent with the above element of the Comprehensive Land

and,

WHEREAS, the City of Brevard, after hearing all persons wishing to comment on this request, desires to approve said proposal.

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

Section 1. The Official Zoning Map of the City of Brevard is hereby amended as depicted herein on Exhibit A which is attached hereto and incorporated by reference.

Section 2. The Planning Director is hereby authorized and directed to modify the City's Official Zoning Map and the Future Land Use Map consistent with this Ordinance.

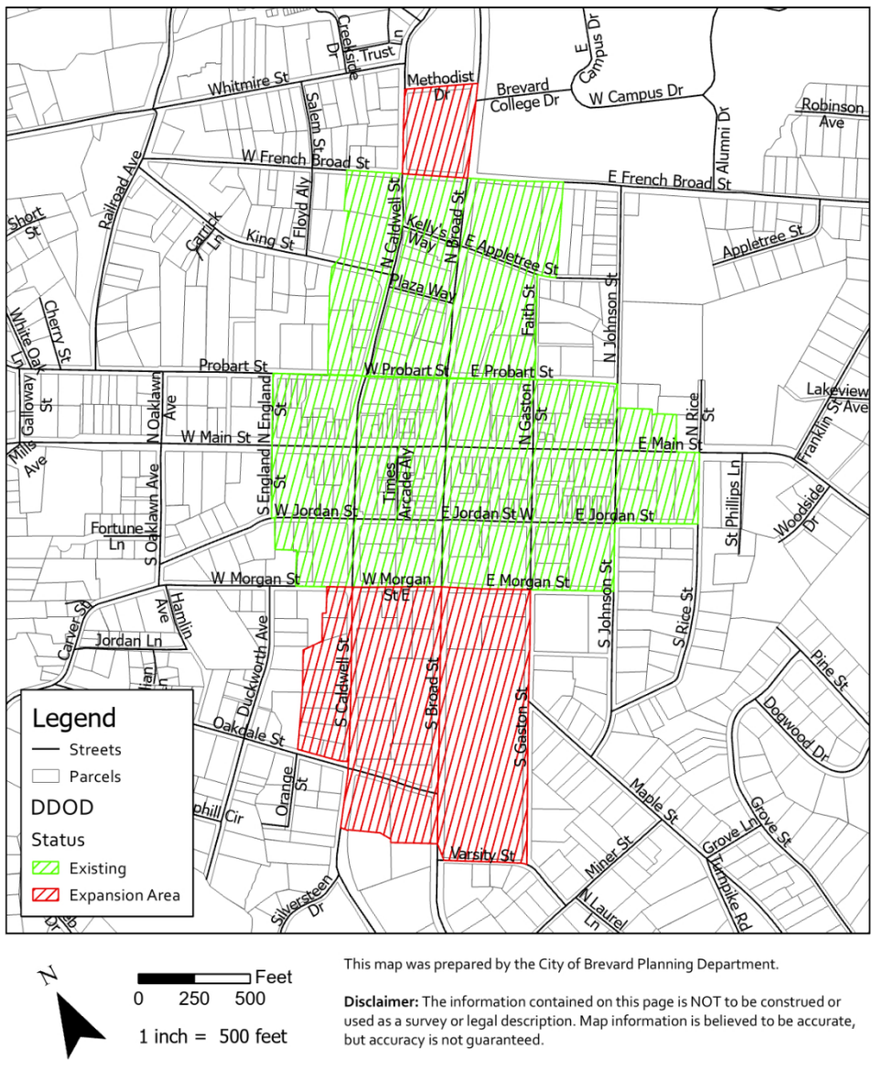
Section 3. This Ordinance shall become effective upon its adoption and approval.

Adopted and approved this the 1st day of April 2024.

s/Maureen Copelof
Mayor

EXHIBIT A

REZ-23-005 - Downtown Development Overlay District
Second Expansion



M. New Business.

M-1. Follow-up to Council Priority Setting Retreat – Mr. Hooper noted that at its Strategic Planning Retreat on February 29, 2024, Council participated in a series of facilitated exercises intended to craft its vision and identify its goals for the next 12-18 months; and to identify and prioritize "Key Strategic Actions" (KSA's) it expects the organization to fund and execute over the same period. The retreat was facilitated by

Rebecca Jackson, adjunct faculty member of the UNC School of Government's Center for Public Leadership and Governance. As part of her facilitation agreement, Ms. Jackson has produced a report summarizing the results of the retreat's exercises. Ms. Jackson joined the meeting via Zoom. Mr. Hooper said he would like feedback from Council on whether the report accurately reflects the goals and priorities that Council wants us to move forward with. He noted that at the upcoming Budget Workshop Council will see beginnings of a proposal that either directly funds or identifies an alternative strategy to achieve all the KSA's that received votes and he just needs a head-nod that those are the priorities Council wants to see funded in the budget . He said he needs some more direction on the rest of the goals and KSA's, namely the KSA's that didn't receive votes. He noted that when Council went through the exercise that identified the goals and actions, some of them, even some that ultimately didn't receive votes, seemed to have some backing to them and seemed to inspire some enthusiasm. Whereas others, even though they were on that list didn't seem to inspire the same level of enthusiasm. He asked for clarification on whether Council actually wants us to proceed with all of them, or if there are a few that didn't really register with you. He said we need that kind of direction because, not only are staff and I working on our plan on how the City should spend its money, we are simultaneously working on a plan on how we are going to spend our time over the next 12 months as well, and Council's priorities will form the heart of my workplan and the workplans of our department directors and employees. So, I need some feedback and confirmation that those are indeed the goals and KSA's you want us to work on over the next 18 months.

Mr. Wise said he would summarize the retreat as a renewed focus on infrastructure, finishing projects and continuing looking at what the city needs, and maybe less of an outward focus on new projects and new shiny things. Some of those projects include our desperate need for housing and our desperate need for wastewater treatment. I think one issue that we talked about circuitously but didn't really focus on, but I think we have to keep our eye on, is the impact of the Ecusta Trail on our community. I don't think we have come anywhere near tackling the impact of that project and I think that is broadly going to be a really positive impact, but we need to look at all sides of that issue to really understand what it is bringing in with all this opportunity. To me, to take a 10,000-foot view, this year should be about focusing on the needs of the city and the infrastructure and prepping for the Ecusta Trail which is moving quickly. We've gotten more funding for that and it is really exciting.

Ms. Jackson said I think that is very intuitive and also highlights the section in the report that talks about the overall themes that came through when we were talking about what was key to successes for the upcoming fiscal year…"an overall theme came through of that the City has 'planted many seeds' and now it is time to water and grow. Council also discussed the importance of adapting to change." It is that theme of getting things done; project managing; making sure that we're finishing what we've started. The Ecusta Trail would be under Goal 7 Objective #2 to ensure adequate trails and multiuse pathways especially focused on supporting the Ecusta and Estatoe trails.

Ms. Holder said I am still very focused on the infrastructure, including the wastewater treatment plant; and on housing. Everything is almost lateral from there – road structure is important, completing projects is important, but if we're bringing people in, where are they going to live?

Ms. Jackson referred to the KSA's under "Goal 2: To Provide Effective and Sustainable Infrastructure" and noted that the KSA 3 "increase maintenance of existing infrastructure received 5 dots; KSA 1 "make progress on the WWTP" received 4 dots. Under "Goal 4: To Ensure Affordable Housing for All", KSA 3 "underwrite programs that produce affordable housing units" received 3 dots.

Mr. Morrow said specifically for the WWTP we are moving relatively fast as far as what we can do this year, but we're looking at 18 months at the earliest before a design will be approved and we can talk about what's going to go on, so it's more of a process than it is what are we going to do if we've already got the money. As long as he's keeping it going, I challenge the word "provide it"; we are providing it now. It's

where do we want to be 30-40 years from now, that's more the question. In my mind, in the budget there are so many things that are still left on the list to do and that deals with a lot of connections with the Estatoe Trail or safety issues. I guess we hash those out in the budget. We've talked a lot about the Depot, and I would like to see us finish that project as an interpretive center. That project has been put on hold and a lot of work went into that. I would like to see implementation of the Clemson Plaza storyline. We are fortunate that we have hopefully coming up in the NCDOT budget a lot of pedestrian projects that are awaiting funding or that are in the holding tank at this point, and we will know this spring where we stand with some of those. That should move us even further and might put other priorities on where the future dollars go. I think there does need to be some flexibility so we can leverage any kind of projects that do come our way.

Mr. Daniel said I think the strategic planning session went really well and we got some good information. We have a lot of stuff out here and I think there is another step that we are beginning to take at this moment, but I'm not sure we can complete this step in this forum. I felt like we got a lot of information and when we went away, I had that moment where I went "what about this?" or "let me refine my thoughts on that". I would like to repeat what has been said, that execution and follow-through of the plans that have been developed recently and are being focused on is something that is important to me personally. Getting back to the goals, looking at "Goal 3: To cultivate a vibrant economy in Brevard, characterized by vitality and sustainable development", our Goal Key Partners are Henderson County, Transylvania County and Friends of the Ecusta Trail. I would suggest that we add Heart of Brevard to that list. I would also suggest that, yes, the Ecusta Trail should be on "Goal 7: To ensure effective transportation network that enhances the connectivity of the community and access to natural resources", but it should also be part of "Goal 3: to cultivate a vibrant economy", because that's what I think we're looking at with this trail coming in. That's one of the things where I was saying refining my thoughts on something. I also note that on "Goal 5: To promote unity, foster a strong sense of community, and encourage collaboration among residents and stakeholders", the KSA that was presented, which didn't get any votes, was to refresh Brevard's approach to organizing and hosting festivals. That was a pretty low goal if you ask me. I would suggest that something that may have been more interesting would be to communicate with our key partners to help form a strategic action for this. That is something we could have considered if given more thought. Otherwise, the items that got votes are pretty much the ones that I think are important, but there are a lot of items that got votes and probably more than we can really focus on in a year's time and that needs refinement.

Mr. Baker said I think the 7 goals that we set are great and I appreciate that we went through the exercise of listing KSA's and then essentially voting on them. I do want to make sure and caution against those KSA's being too prescriptive, or for us being so tied to them in terms of the work that the City Manager then does with staff, that we don't lose sight of the forest for the trees. We rely on City Staff to be the experts on a lot of these topics, and we can set the broad goals and set the themes for the staff, and we can have input on KSA's, but I think staff also needs to be able to say "here's a KSA that you didn't mention but this strategic action actually gets us to this goal that you have set." I think broadly this is a great roadmap, but I think flexibility in how we achieve the goals that we've set is needed. I echo some of the comments that other Council Members have made about the Ecusta Trail. I do think we need a strategic planning session and goal-setting session just for this $46M project that we're already embarking on where we can talk about how it interacts with many of the goals that are here. As mentioned, it is going to be an economic development driver. It does interact with the trails and transportation network that we already have, and I think we need time and space to actually talk through those and avoid some of the pitfalls that I think we almost fell into at the last meeting. We haven't really talked about our strategy and goal broadly for the Ecusta Trail and set some KSA's just for that trail itself, such as things where the main trailhead will be, where it begins and ends, how it interacts with our own city trail. The scope of that project is massive; a $46M project that is already underway, and we need to understand now how that is going to fit in with all our other goals and get the most out if it that we possibly can. I think if we don't stop and

strategize we sort of fall into a trap of just going through the motions of the project and wanting to get to some sort of finish line, and again lose the forest for the trees there. I don't want us to get too focused in that we can't take a step back and look at the big picture.

Mr. Hooper asked if there is interest in incorporating some of the edits that Mr. Daniel suggested into the document:

- Goal 5 replacing "refresh Brevard's approach to organizing and hosting festivals" to more of a "cooperative effort/communicate with key partners";
- Adding the Ecusta Trail to Goals 2 and 3; and
- Adding Heart of Brevard to key partners in Goal 3. Mr. Baker suggested that we should also add the Transylvania Economic Alliance as a key partner in Goal 3.

There was consensus of Council to add those to the report and Mr. Hooper will bring an updated draft to next week's Budget Workshop for Council to reaffirm.

N. Remarks/Future Agenda Considerations.

Mr. Wise said he wanted to follow up on Mr. Sankey's comments. We have made some great progress in the Public Works & Utilities Committee on interviewing engineering firms; that process is moving forward, which is very exciting. We also started talking a little bit more proactively about the Ecusta Trail in the Parks, Trails & Recreation Committee meeting. We also got some funding for the Ecusta Trail from TDA. It was funding that they had pledged, but we were able to sort of rewrite it to cover engineering.

Mr. Hooper recalled that at the last meeting Council approved an application to the NC Dept. of Commerce for downtown revitalization. Our intention was to submit a grant to get money to plant replacement trees and silva cells downtown. We had a pre-application meeting with the Dept. of Commerce, and they strongly discouraged us from submitting a grant with that context as it likely wouldn't be competitive because it wouldn't create jobs in the same way that some of the other projects would. So, we have decided not to apply for that project that we stood no chance of getting. Paul and I and the team are thinking of other ways to accomplish the same goal, but with another source of funds.

Mayor Copelof said I want to congratulate the Police Department and Chief Jordan for getting our four new officers sworn in. It's the people in the city, it's the staff; that is how we manage to accomplish all of the things; that's what makes our strategic goals reality; it's the people that work for the City of Brevard. I am so happy to welcome four new members onboard, but also to again acknowledge that the 100-some people that run this city 24 hours day, seven days a week, all through whatever is going on, are really the people that make the things happen. Thank you to the staff. When we get new employees, it just makes realize how precious our personnel are. We have our budget workshop next Friday. It will be from 8:30 am to 5:00 pm in the Council Chambers and the public is welcome to come. The first part of that planning was the strategic planning that we did in February with our consultant. That is what was in the report here tonight and next Friday this will be much more specific as we work to actually to put funding towards each of those different goals and KSA's. I also want to thank the Friends of Ecusta Trail and TDA because we did indeed get the commitment from both of them last week at our Ecusta Trail meeting for additional funding for engineering of the Ecusta Trail. That is another $1M in engineering funds that allows this incredible project to move forward. That is the type of collaboration between partners that is making this reality. We have a lot going on right now. This coming Saturday we have the Assault on the Carolinas and we will have about 850 bike riders joining us downtown for this ride. Once again, we are welcoming people to our town to take advantage of the wonderful outdoor recreation. We also want to keep people aware that Heart of Brevard and a lot of our downtown merchants are staying open late

on Friday night, not just for our visitors that are coming for the AOTC, but also for all of us. So, I encourage everybody to support our downtown merchants on Friday evening and hopefully it will be a wonderful night. Our fourth of four Age Exchange Forums, which is part of our new AARP Age-Friendly initiative, is coming up on April 13th from 11:00 am to 1:00 pm at the Rogow Room. This one is on technology basics for the non-digital native. It will have tips on cyber security, as well as information about various digital applications. Thank you to Dr. Paula Hartman-Stein for organizing and leading this series. The reentry simulation is on April 9th at Brevard College. I have done this in the past and it opens your eyes to just how hard it is for someone when they get out of prison to reenter our society, as we have so many barriers that make it so difficult.

O. Closed Session

Closed Session #1 – At 6:54 p.m. Mr. Morrow moved, seconded by Ms. Holder 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 Planning Director Paul Ray.

Council Returned to Regular Session – at 7:13 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 7:13 p.m. Ms. Holder moved, seconded by Mr. Morrow, to adjourn the meeting. The motion carried unanimously.

_____ _____

Maureen Copelof
Mayor

Denise Hodsdon, CMC
City Clerk

Minutes Approved: May 6, 2024