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

The Brevard City Council met in regular session on Monday, November 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 City Manager David Todd, Assistant to the City Manager Selena Coffey, Planning Director Paul Ray, Senior Planner Emily Brewer, Communications Coordinator Becky McCann, Police Chief Tom Jordan, Fire Chief Bobby Cooper, Public Works Director Wesley Shook, Water Treatment Plant ORC Dennis Richardson, Wastewater Treatment Plant ORC Emory Owen, and Community Center Director Tyree Griffin

Press – Jon Rich, Transylvania Times

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

B. Invocation – Norm Bossert of the Brevard Jewish Community 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 – Attorney McKeller requested to add a Closed Session for a Pending Litigation matter as Item O-2 and a Closed Session for a Personnel matter as Item O-3 . Mr. Morrow moved, seconded by Mr. Wise to approve the agenda as amended. The motion carried unanimously.

F. Approval of Minutes

F-1. November 4, 2024 Regular Meeting – Mr. Baker moved, seconded by Ms. Holder to approve the minutes of the November 4, 2024 Regular Meeting as presented. The motion carried unanimously.

G. Public Comments

Joshua Fisher of Greenville Hwy said protecting our children in the city is very near and dear to my heart. I have been in contact with the Chief and Mr. Hooper about crossing guards in the city. What I have been told is that the reason the Police Department does it is to build relationships with the children; a courtesy is what they call it. Every other city and county that I have lived in in this country has cross guards to protect our children; either the city doesn't, or they do. If it is not the City Police Department responsibility, or a duty, then just tell us parents. Right now, I have a lot of parents that are onboard with me that are very upset that their children have to cross there every morning. School starts at 7:30. I talked with Chief Jordan, and he said that he changed it to 7:25 after talking with Mr. Kirst. The crossing guards don't get there until 7:32 or 7:33; we're only talking about 2 or 3 minutes, yet that's the 2 or 3 minutes that kids can cross there and some kids get there at 7:30. If they're crossing at 7:29 or 7:30 and they get hit by a car; a 10-year old kid, such as my son, should not have to judge if they can walk across that intersection on a foggy morning with cars coming. Adults with driver's licenses make mistakes driving, so how do we expect a child to

make that decision? It's fine if he says he doesn't want to do it and we'll let all the citizens know, all the parents know, and we'll start a citizen team that wants to do it. But as of right now, all I'm getting is the beat around on it; either it is, or it isn't. When I brought it up to Chief Jordan he said, "well let me know when my personnel is late." So now you want me to manage city employees? He and Mr. Hooper said it would be helpful. So, I asked Kelley Craig, who is ultimately responsible for city employees if they're late for work. She said she doesn't have control over city employees who don't directly report to her. So, if it's not the Chief, the HR Director or the City Manager, who is it? Which one of you guys are going to take responsibility of protecting these children? The second thing is when Dan Godman told me last year that it wasn't the city's responsibility to protect the children, that still upsets me today. Since we're still not doing it, I am taking it to my heart. When are we going to start protecting the children? After I got involved in this I started talking with the citizens and I started talking with current Brevard Police Department Officers, which I am not going to name. If Dan Godman has had his instructor's license suspended from the Police Academy, why hasn't the City looked into that? And if you have, why haven't you told the citizens about it? With all the allegations coming from the Brevard Police Department and the officers? I started a petition for Dan Godman and Tom Jordan to resign since they can't do their jobs, and nobody wants to take responsibility.

Courtney Dale of Elseetos Drive said I was not aware of all of these issues until fairly recently when I've seen things passed online through various local forums and groups. As a fellow concerned citizen and parent of the City of Brevard, I just want to state to you I moved from an area when I found out I was having a son, that I was told, and I believed that was a utopia for children and families. I would like to believe that we can continue as such in this community and up until now, very recently, I have had wonderful experiences raising my son and I love having him here. I came from Wilmington just for reference, a much higher crime rate. I fairly recently have become aware and been shown several different aspects of negligence and corruption within the law enforcement in our city, as well as our county, but that's a different issue. I would hope that you, as fellow citizens of this city, would take this seriously because we as parents of this community rely on Brevard being a safe and engaging environment for our children, who will one day be us here. Once you come to Brevard, you most likely never leave. I would just hope that you guys can take that to heart and take what I say with a grain of salt.

Monica Driscoll of Kimzey Circle said I've got a couple of things on my mind. The first one I've talked about before and that is communications and access to information. I know there have been efforts to improve that and I really believe the Communications Director has made a big difference, but it's not enough and if there is anything I can do in the way of…just bringing it to your attention again I feel like is a good effort. I wish I had some of the answers to present to you. Even accessing information online is difficult to do. Over the weekend I was trying to access some information, and I had the agenda packet, but it's hard to get it in a form or copy it into something on my computer that I can use to make notes or highlight or even travel from one page to another. So there are some difficulties there. The second item has to do with, in particular I'm talking about the Pisgah Gateway right now. I didn't know about the information session until it was taking place and that was probably on me. I know that efforts were made, and I want to commend the Planning Department for their information sessions that they are doing on a semi-regular basis when subjects come up. I think that's terrific, but not enough people are finding out about it. Again, it's communications and I just know people that would come if they knew in advance what was being discussed. I can't do it all; I can't even get the information myself. One of the things about that that has bothered me is learning that the recommendations of the Planning Department about setbacks in the Pisgah Gateway were not approved by the Planning Board. I don't know exactly why, and I did talk with the Planning Department and they told me that maybe the issue that is bothering me is not set in stone as far as not being mandated setbacks. It bothers me that that's coming for City Council approval tonight and it hasn't even…I would think that the minutes from the Planning Board would have to be approved by the Planning Board before they come to you all and that meeting in

October did not take place because there was no quorum. So, I don't understand why it's in your hands tonight and maybe I'll get an answer to that.

H. Certificates/Awards/Recognition – None.

I. Special Presentations

I-1. Update from Helene Regional Recovery Convening – On November 8th Mayor Copelof and City Manager Hooper attended a convening of local officials from jurisdictions affected by Tropical Storm Helene. Speakers included FEMA head Deanne Criswell, Governor Roy Cooper, Senator Tom Tillis, and members of the North Carolina General Assembly. The primary purpose of the meeting was for those leaders to share the latest on the recovery efforts directly with leaders from the impacted communities, and to hear directly from local leaders as to what their recovery needs are. Mayor Copelof and Mr. Hooper shared information received at the convening, and follow-up steps that have been taken or will be taken. Mayor Copelof also shared information regarding the status of local recovery efforts with regard to housing. A copy of Mayor Copelof's PowerPoint presentation is attached.

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. Daniel to approve the consent agenda. The motion carried unanimously.

K-1. Tax Settlement Report – October 2024

K-2. Ordinance Declaring Road Closure for Special Event – Light Up the Night and Holiday Parade

ORDINANCE NO. 2024-42
AN ORDINANCE DECLARING MULTIPLE
ROAD CLOSURES FOR SPECIAL EVENTS

WHEREAS, Brevard City Council acknowledges a tradition of providing for festivals and special events downtown for the pleasure and enjoyment of citizens and visitors alike; and,

WHEREAS, Brevard City Council acknowledges that festivals and special events provide an opportunity for family-oriented activities that celebrate our small-town charm; and,

WHEREAS, Brevard City Council acknowledges these events require NCDOT system roads to be closed for setup, activities, and cleanup; and,

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

SECTION 1. Pursuant to authority granted by G.S. 20-169, the City of Brevard hereby declares the following temporary road closure during the day and time set forth below on the following described portion of a State Highway System route:

Light Up the Night

Date:	Saturday, December 7, 2024
Time:	6:00 AM – 8:00 PM
Route Description:	Main Street (US 276) from Caldwell Street to Gaston Street; Broad Street (US 64) from Probart Street to Morgan Street

SECTION 2. Pursuant to authority granted by G.S. 20-169, the City of Brevard hereby declares the following temporary road closure during the day and time set forth below on the following described portion of a State Highway System route:

Holiday Parade

Date:	Saturday, December 7, 2024
Time:	1:30 PM – 5:00 PM
Route Description:	North Country Club Road (SR 1116) from Brevard High School to South Broad Street; Broad Street (US 64) from North Country Club Road to the Brevard College main entrance.

SECTION 3. This ordinance shall be in full force and effect from and after the date of its adoption.

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

Attest: Denise Hodsdon, CMC, City Clerk s/ Maureen Copelof, Mayor
Approved as to Form: Mack McKeller, City Attorney

K-3. Pump Station Easements

RESOLUTION NO. 2024-54
AUTHORIZING CITY MANAGER TO NEGOTIATE AND EXECUTE AGREEMENTS FOR PERMANENT AND/OR TEMPORARY EASEMENTS FOR PUMP STATIONS

WHEREAS, The City is preparing to solicit bids for its ARPA-funded "Pump Station Rehabilitation and Replacement" project to upgrade or replace sewer pump stations near Gallimore Rd., Pisgah Fish Camp, and Wilson Rd.; and

WHEREAS, the Gallimore Rd. and Pisgah Fish Camp projects both require property acquisition in the form of permanent and/or temporary easements; and

WHEREAS, The Pisgah Fish Camp project will require the city to purchase a permanent easement and a temporary construction easement in the parking lot of the Fish Camp restaurant; and

WHEREAS, The Gallimore Rd. project will require acquisition of a temporary construction easement on parcel 8585-67-8032 owned by Tore's Properties LLC, and acquisition of a permanent utility easement on parcel 8585-76-0653 owned by Transylvania County.

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

The City Manager (or his designee) is hereby authorized to execute easement agreements with the above listed property owners.

Approved and adopted this 18th day of November, 2024.

Attest: Denise Hodsdon, CMC, City Clerk s/ Maureen Copelof, Mayor

K-4. Council Public Works & Utilities Committee Meeting Minutes – September 3, 2024

L. Unfinished Business

L-1. Proposed City of Brevard Unified Development Ordinance Text Amendment re Pisgah Gateway District – Emily Brewer recalled that Council held public hearings on the proposed text amendment and Zoning Map amendment at its November 4, 2024 meeting. This is a staff-initiated rezoning and text amendment to create a new district, the Pisgah Gateway Mixed Use (PGX) district. She explained that to adopt PGX, Council would need to make two separate motions: one for the text amendment and another for the map amendment and each has two separate recommendations for consideration. The two recommendations for the text amendment are:

- Staff Recommendation and Rationale
  - Places of Worship – Not Permitted
    - Community input identified religious institutions and places of worship as "unfavorable
  - Front Setback – 15 feet
    - High traffic area with a significant right-of-way
    - Aligns with NMX requirements

- Planning Board Recommendation and Discussion
  - Places of Worship – Permitted by-right
    - Places of worship are permitted in NMX and DMX
  - Front Setback – Edge of right-of-way

- Allowing buildings to be placed at the right-of-way will create an enhanced "gateway feeling"
- Prioritizing walkability along major thoroughfares

Mr. Morrow moved, seconded by Mr. Daniel to approve the text amendment written by Staff.

During discussion, Mr. Baker said he preferred the setback recommendation from the Planning Board, which he felt better fit the idea of a gateway and the effect of entering a city. Ms. Holder said she was not in favor of not permitting places of worship. Vote on the motion was 3 in favor (Morrow, Daniel and Wise); 2 opposed (Baker and Holder). The motion carried.

ORDINANCE NO. 2024-43
AN ORDINANCE AMENDING MULTIPLE CHAPTERS OF THE CITY OF BREVARD UNIFIED DEVELOPMENT ORDINANCE TO CREATE THE PISGAH GATEWAY MIXED USE ZONING DISTRICT AND ASSOCIATED REGULATIONS

WHEREAS, the area in the vicinity of the US 64 / US 276 / NC 280 intersection and the entrance to Pisgah National Forest is a unique urban location within the City of Brevard, providing an entrance into the Pisgah National Forest as well as the City of Brevard itself; and,

WHEREAS, the City of Brevard Planning Board has recommended that the Brevard City Code, Unified Development Ordinance be amended to create the Pisgah Gateway Mixed Use (PGX) zoning district in order to codify context-sensitive regulations for this important area; and,

WHEREAS, the City Council of the City of Brevard finds that the proposed amendment is consistent with the following elements of the City of Brevard Comprehensive Land Use Plan *Building Brevard 2030*:

> ***Recommendation Land Use & Housing – 10:*** *Establish zoning overlay districts for the Asheville Highway Corridor and Pisgah Forest Area.*

WHEREAS, a public hearing was conducted on Monday, November 4, 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 that the 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 1. Brevard City Code, Unified Development Ordinance is hereby amended as depicted in Exhibit A, which is attached hereto and incorporated herein by reference.

SECTION 2. As to any conflict between this Ordinance and any parts of existing ordinances, the provisions of this Ordinance shall control.

SECTION 3. 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 4. 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 November 2024.

Attest: Denise Hodsdon, CMC, City Clerk s/ Maureen Copelof, Mayor
Approved as to Form: Mack McKeller, City Attorney

L-2. Proposed City of Brevard Zoning Map Amendment re Pisgah Gateway District – Emily Brewer explained that the two recommendations for the Zoning Map amendment are as follows:

- Staff Recommendation and Rationale
  - Entire area presented – Include Deavor Road in PGX, Single-family homes not permitted
    - Recommendation to rezone <u>all</u> of the property in the area to PGX:
      - Aligns more with the Future Land Use Map

        - Aligns with the architectural character area endorsed by Council in June
        - Removes split-zoned properties (clearer, more objective standards)
    - Existing single-family homes and manufactured homes are grandfathered in and allowed to improve / expand their homes (Section 14.2)

- Planning Board Recommendation and Discussion
    - Entire area *except* frontage on Deavor Road – Do not rezone properties on Deavor Road, remain RMX where single-family homes are permitted
        - Concern that the few single-family homes on Deavor Road would be limited in improving their homes / upgrading their manufactured homes

Mr. Morrow moved, seconded by Mr. Wise to adopt the Zoning Map amendment recommended by Staff. The motion carried unanimously.

ORDINANCE NO. 2024-44
AN ORDINANCE AMENDING THE CITY OF BREVARD OFFICIAL ZONING MAP TO CREATE THE PISGAH GATEWAY MIXED USE ZONING DISTRICT

WHEREAS, the area in the vicinity of the US 64 / US 276 / NC 280 intersection and the entrance to Pisgah National Forest is a unique urban location within the City of Brevard, providing an entrance into the Pisgah National Forest as well as the City of Brevard itself; and,

WHEREAS, the City of Brevard Planning Board has recommended that the Brevard City Code, Unified Development Ordinance be amended to create the Pisgah Gateway Mixed Use (PGX) zoning district in order to codify context-sensitive regulations for this important area; and,

WHEREAS, the City Council of the City of Brevard finds that the proposed amendment is consistent with the following elements of the City of Brevard Comprehensive Land Use Plan *Building Brevard 2030*:

> ***Recommendation Land Use & Housing – 10:*** *Establish zoning overlay districts for the Asheville Highway Corridor and Pisgah Forest Area.*
>
> ***Future Land Use Map*** *identifies parcels in this area as a mix of Major Activity Center, Urban Corridor, and Conservation Design.*

WHEREAS, in accordance with North Carolina General Statute 160D-605, the Brevard City Council finds that this proposed zoning map amendment is reasonable due to the following factors:

- The location of the proposed zoning district is centered around the entrance to the Pisgah National Forest.
- The size of the proposed rezoning diminishes any spot zoning concerns.
- There is a strong relationship between the currently allowed uses and the allowed uses of the proposed new district.
- The new district benefits landowners by replacing an inappropriate downtown-focused district with a more context-sensitive district.
- Conditions at the US64/US276/NC280 intersection will be changing due to the NCDOT R-5799 intersection improvement project.
- It is in the public interest to create a more context-sensitive zoning district for this area as it is one of the primary gateways to our community, heavily trafficked by residents and visitors alike.
- The Plan is consistent with the above elements of the Comprehensive Land Use Plan and the Future Land Use Map.

WHEREAS, a public hearing was conducted on Monday, November 4, 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 that the Official Zoning Map be amended as outlined below.

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

SECTION 1. The zoning classification of the parcels identified by the Parcel Identification Numbers (PINs) below is hereby rezoned to Pisgah Gateway Mixed Use (PGX) as depicted in Exhibit A to this Ordinance, which is attached hereto and incorporated herein by reference:

8597-45-0298-000, 8597-45-1544-001, 8597-45-2252-000, 8597-45-2811-000, 8597-45-3585-000, 8597-45-4145-000, 8597-45-6400-000, 8597-45-7490-000, 8597-45-7785-000, 8597-45-8002-000, 8597-45-9061-000, 8597-46-3093-000, 8597-46-7468-000, 8597-47-3949-000, 8597-47-7210-000, 8597-54-1925-000, 8597-54-2869-000, 8597-54-3864-000, 8597-54-4908-000, 8597-54-5783-000, 8597-54-5936-000, 8597-54-6984-000, 8597-54-8650-000, 8597-54-8898-000, 8597-54-8900-000, 8597-54-9896-000, 8597-55-1410-000, 8597-55-1810-000, 8597-55-2546-000, 8597-55-2991-000, 8597-55-3136-000, 8597-55-3428-000, 8597-55-3549-000, 8597-55-4424-000, 8597-55-5313-000, 8597-55-5503-000, 8597-55-5681-000, 8597-55-6667-000, 8597-56-1525-000, 8597-56-4170-000, 8597-56-4615-000, 8597-57-0292-000, 8597-57-7985-000, 8597-64-1942-000, 8597-64-2864-000, 8597-64-3698-000, 8597-64-4657-000, 8597-64-4992-000, 8597-64-5558-000, 8597-64-5877-000, 8597-64-5877-000, 8597-64-6683-000, 8597-64-6737-000, 8597-64-7555-000, 8597-64-7714-000, and 8597-64-8466-000.

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

SECTION 3. As to any conflict between this Ordinance and any parts of existing ordinances, the provisions of this Ordinance shall control.

SECTION 4. 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 05. 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 November 2024.

Attest: Denise Hodsdon, CMC, City Clerk s/Maureen Copelof, Mayor
Approved as to Form: Mack McKeller, City Attorney

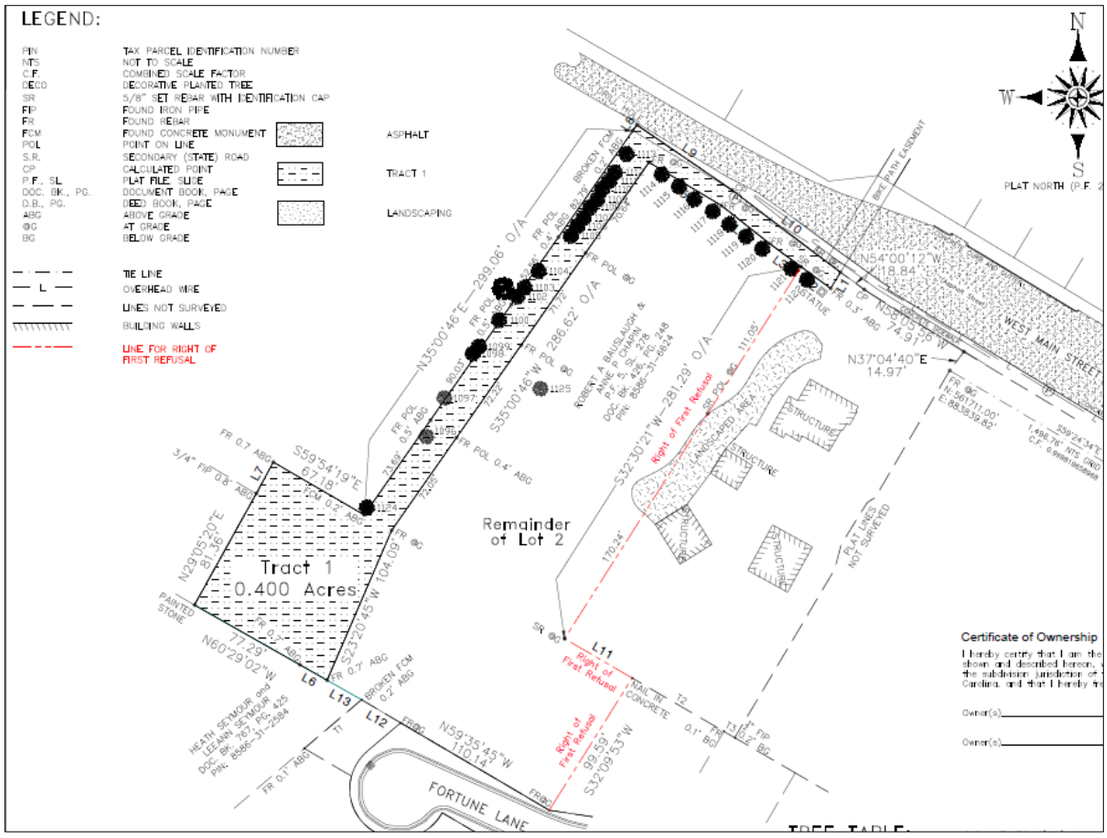
~~ At 6:51 PM Mayor Copelof called for a ten-minute break ~~

M. New Business

M-1. Approval of Settlement Agreement and Purchase of Robert Bauslaugh Property at 287 W. Main Street – Attorney McKeller explained that in 2021 the City filed an action for eminent domain to acquire a thin strip of property near 287 W. Main St. for the Estatoe Trail from Main Street toward the Mary C. Jenkins Center. The City deposited $53,000 in escrow with the Court as compensation for the taking, based on an appraisal of the property at the time. The property owners disagreed with the appraised value and initiated a legal action against the City contesting the taking. Following mediation and reappraisal of the property, the City and the property owner came to a settlement agreement as follows:

- The City shall pay an additional $147,000 to purchase the property and receive the other considerations in the settlement. This makes the final purchase price $200,000.
- Landowner agrees to convey in fee simple the property displayed as Tract 1 in the map below, which includes the original trail right-of-way and an additional area at the south end of the property.
- The City agrees to permit a future curb cut near 287 W Main St. for future development of the property and to allow motorized vehicles to cross the bike path at that location.
- The City agrees to build a fence along the entirety of the bike path separating it from the adjacent 287 W. Main St. property
- The Landowner agrees to release the City from all claims relating to, or arising out of the civil action and the taking of the easement.

- The Landowner grants the City a one-time right of first refusal to purchase the vacant remnant parcel adjacent to which the bike path will run if the landowner receives and accepts a bona fide offer to purchase that property.



Mr. Hooper provided two options for funding the additional $147,000. The first was to take it from unobligated Fund Balance, but Mr. Hooper cautioned that we need to preserve those funds to make up for any shortfalls that we might experience as a result of the storm. His recommendation was Option 2, which was to take it from the fund established for development of the Estatoe Trail.

Mr. Morrow moved, seconded by Mr. Wise to approve the resolution to accept the settlement agreement. The motion carried unanimously.

RESOLUTION NO. 2024-55
APPROVING THE TERMS OF A SETTLEMENT AGREEMENT
BY AND BETWEEN CITY OF BREVARD AND ROBERT BAUSLAUGH
REGARDING PROPERTY AT 287 WEST MAIN STREET

WHEREAS, the City filed condemnation action 21 CVS 381 ("Civil Action") in the Transylvania Superior Court on August 31, 2021 against Robert A. Bauslaugh and Anne P. Chapin relating to property at 287 West Main Street; and

WHEREAS, pursuant to G.S. 40A et. Seq., the City, through the Civil Action, acquired an easement in the Property for the construction of a public bicycle path; and

WHEREAS, the City deposited Fifty-three Thousand ($53,000) Dollars with the Court as estimate of just compensation; and

WHEREAS, defendant Anne P. Chapin passed away on January 26, 2024 and her interest in the property passed to Robert Bauslaugh by operation of law; and

WHEREAS, the City and Robert Bauslaugh have come to a settlement agreement.

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

SECTION 1. City Council hereby approves the terms of the attached Settlement Agreement by and between the City of Brevard and Robert A. Bauslaugh.

SECTION 2. Brevard City Council hereby designates the Mayor to sign and execute the Settlement Agreement.

Approved and adopted this 18th day of November, 2024.

Attest: Denise Hodsdon, CMC, City Clerk s/Maureen Copelof, Mayor

Ms. Holder moved, seconded by Mr. Morrow to fund the $147,000 from Staff's recommendation of Option 2. The motion carried unanimously.

ORDINANCE NO. 2024-45
CAPITAL PROJECT ORDINANCE TO AMEND ORDINANCE
NO. 2024-10 ESTATOE TRAIL 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 2024-10 will be increased by $147,000.

Section 2: The Project involves the City obtaining portions the Bauslaugh property, (as detailed in the Settlement Agreement) located at 287 West Main Street for the purpose of completing the section of the Estatoe Trail between Main Street and the Mary C. Jenkins Community Center.

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

Account Number	Account Name	Budget Amount
78-6300-4400	**Estatoe Trail Project**	**$147,000**
	TOTAL PROJECT APPROPRIATION	**$147,000**

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

Account Number	Account Name	Budget Amount
78-3990-0000	**Fund Balance**	**$147,000**
	TOTAL PROJECT REVENUE	**$147,000**

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 18th day of November, 2024.

Attest: Denise Hodsdon, CMC, City Clerk s/Maureen Copelof, Mayor
Approved as to Form: Mack McKeller, City Attorney

N. Remarks/Future Agenda Considerations.

Mr. Baker noted that there are some large properties within city limits that are currently vacant and have been for some time. Those properties are the former K-Mart and Bi-Lo buildings, and they have the same owner. He requested a Staff presentation to Council for open discussion about potential strategies for dealing with properties

that are left vacant for a long time. He mentioned that in the last year two former council members were hit by a car while riding their bike. He said we don't talk a lot about these incidents, and this is a reminder that we have more work to do on bicycle safety and it is a reason to keep plugging along on the multi-use path so people can walk and bike safely. He said he was thankful for the massive housing effort that has gone into helping the families that were impacted by the storm. Housing has been a slow-motion crisis for a long time, and it is obvious to us when 53 families are affected by a horrible storm. It is less obvious when someone loses their job or has a medical issue that affects their ability to pay for housing and they cannot find another place to live and have to move out of the city. He expressed pride in Council's support of housing issues over the past few years, but thought the hurricane and its impact should mean we have more focus on that in the future. He thanked the County Commissioners for approving some help to extend water and sewer to Pisgah Labs.

Mr. Morrow commended Mayor Copelof for her impressive report on Hurricane Helene recovery. He mentioned that NCDOT will be giving a report this Thursday at a combined meeting of the Land of Sky RPO and the French Broad River MPO.

Ms. Holder agreed with Mr. Baker's comments regarding housing. She repeated her concerns about safety issues at the W. Main St. and Oaklawn Ave. intersection.

Mr. Wise echoed Mr. Baker's comments. He commented that a lot has happened in our country since we last met here and reminded everyone that local government is what really powers our communities. He said it is fantastic to see people here and talking to us, because we cannot make decisions without you, and we want to listen, and we need to be your voice.

Mr. Hooper welcomed the City's newest staff member, Assistant to the City Manager Selena Coffey. He also informed Council that after 40-plus years, Wastewater Treatment Plant ORC Emory Owen has announced he will be retiring in the spring.

Mayor Copelof said we have the most remarkable community. We are doing more in our county and our city to take care of our people than any of the 23 other counties and 40 or so other municipalities that were at that regional meeting. I am proud of the companies and non-profits that have stood up, and of our staff going out of their way . The City and the County have been aligned and partnered on this for the last 50 days and collaborating with all these partners has allowed us to focus on creative solutions. She thanked Staff and the Military Museum for a wonderful Veterans Day ceremony. She announced several upcoming events for the week.

O. Closed Session

O-1. Potential Litigation: NCGS §143-318.11.(a)(3) – At 7:38 p.m. Mr. Baker moved, seconded by Ms. Holder to go 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 7:52 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.

O-2. Pending Litigation: NCGS §143-318.11.(a)(3) – At 7:52 p.m. Mr. Wise moved, seconded by Mr. Morrow to go into closed session to discuss pending litigation matter City of Brevard et al vs. HCA et al. The motion carried unanimously. Authorized to remain for the closed session with Council and the Attorney were City Manager Wilson Hooper and City Clerk Denise Hodsdon.

Council Returned to Regular Session – At 8:05 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.

O-3. Personnel and/or Employment: GS § 143-318.11. (a)(5)(6) – At 8:05 p.m. Ms. Holder moved, seconded by Mr. Morrow to go into closed session to discuss a personnel matter. The motion carried unanimously. City Clerk Denise Hodsdon was authorized to remain for the closed session with Council and the Attorney.

Council Returned to Regular Session – At 8:12 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 8:12 p.m. Mr. Baker moved, seconded by Mr. Morrow, to adjourn the meeting. The motion carried unanimously.

Maureen Copelof Mayor	Denise Hodsdon, CMC City Clerk

Minutes Approved: December 2, 2024