MINUTES
BREVARD CITY COUNCIL
Regular Meeting
May 18, 2026 – 5:30 PM

The Brevard City Council met in regular session on Monday, May 18, 2026, at 5:30 p.m. in the Council Chambers of City Hall with Mayor Copelof presiding.

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

Staff Present – City Manager Wilson Hooper, City Clerk Denise Hodsdon, Assistant City Manager David Todd, Assistant City Manager/Finance Director Dean Luebbe, Assistant to the City Manager Shawnee Cummings, Communications Coordinator Becky McCann, Human Resources Director Kelley Craig, Planning Director Paul Ray, Senior Planner Emily Brewer, Planner Stephanie Holland, Police Chief Christy Wentzell, Fire Chief Chase Owen, Public Works Director Wesley Shook, Water Treatment Plant ORC Dennis Richardson, and Wastewater Treatment Plant ORC Aaron Winans

Press – Jonathan Rich, Brevard Beagle

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

B. Invocation – Pastor Ken Albright of Lutheran Church of the Good Shepherd 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 Ms. Holder to approve the agenda as presented. The motion carried unanimously.

F. Approval of Minutes

F-1. March 6, 2026 Priority Setting Retreat – Mr. Daniel challenged the section in the "Summary of Outcomes" that stated that "Council has also agreed to a new label: 'concern'. These are areas where Council wishes to make a position and muster the non-budgetary, non-staff resources at its disposal." He said my recollection is that we did not create a new label; I said yes, I am concerned, I have a concern about that, but I have a lot of concerns and if we were to start labeling all of my concerns, it would get to be an unmanageable list. I object to this being in here because our decision was, and this was concerning the unhoused, is that we have extensive, and we actually support, our local community resources to the tune of $73,000. And Mr. Lytle offered to be an intermediary on his own, without being appointed to a committee, because there is no committee at this time. I feel like again, and I have said this many times in the last few years, it's overworking something. We did not say that we would create a new label, and I would appreciate it if that was not how it was presented.

Mr. Baker moved, seconded by Ms. Holder to table the approval of these minutes. The motion carried unanimously.

F-2. May 4, 2026 Regular Meeting – Mr. Baker moved, seconded by Mr. Lytle to approve the minutes of the May 4, 2026 Regular Meeting as presented. The motion carried unanimously.

G. Certificates / Awards / Recognition

G-1. Proclamation No. 2026-17 National Public Works Week – Mayor Copelof read the proclamation aloud and presented it to Public Works Director Wesley Shook, Water Treatment Plant ORC Dennis Richardson, Wastewater Treatment Plant ORC Aaron Winans, and David Todd, Assistant City Manager for Infrastructure, Utilities and Public Works.

PROCLAMATION N0. 2026-17
NATIONAL PUBLIC WORKS WEEK
May 17-23, 2026
"Rooted in Service, Powered by Community"

WHEREAS, Public Works Professionals focus on infrastructure, facilities, and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life, and well-being of the people of the City of Brevard; and

WHEREAS, these infrastructure, facilities, and services could not be provided without the dedicated efforts of public works professionals, who are engineers, managers, and employees at all levels of government and the private sector, who are responsible for rebuilding, improving, and protecting our nation's transportation, water supply, water treatment and solid waste systems, public buildings, and other structures and facilities essential for our citizens; and

WHEREAS, it is in the public interest for the citizens, civic leaders, and children in the City of Brevard to gain knowledge of and maintain an ongoing interest and understanding of the importance of public works and public works programs in their respective communities; and

WHEREAS, the year 2026 marks the 66th annual National Public Works Week sponsored by the American Public Works Association.

NOW THEREFORE, I, Maureen Copelof, Mayor of the City of Brevard, do hereby designate the week May 17–23, 2026, as **National Public Works Week**. I urge all citizens to join with representatives of the American Public Works Association and government agencies in activities, events, and ceremonies designed to pay tribute to our Public Works professionals, engineers, managers, and employees and to recognize the substantial contributions they make to protecting our national health, safety, and advancing quality of life for all.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Brevard to be affixed on this 18th day of May, 2026.

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

H. Public Comments

Doug Powell commented that 250 years ago on May 17, 1776 the Second Continental Congress issued a call to the 13 colonies for humiliation, fasting and prayer in anticipation of some very difficult decisions regarding independence. He said prayer, the Bible, our churches and pastors have always been an essential part of America's history and tradition since the very beginning. I appreciate the invocations from local pastors and ministers that carry on this tradition at the start of these meetings. Founding Fathers John Jay and John Rutledge knew as judges and political leaders that civil laws rest their authority upon God's laws. That is why our national motto is "In God We Trust". In Congress, they were concerned that there were so many Christian denominations represented that they could not join together in a similar act of worship and prayer. Samuel Adams, the "Father of the American Revolution" solved the problem when he announced to his contemporaries that he would be led in prayer by any pastor of good character and virtue as long as he loved his country, no matter what denomination. On September 7th, their first day of addressing the tyranny of King George, III these men didn't partake in a brief invocation, but spent the first two hours of their meeting being led in prayer and bible study. Now we all know the real history and tradition of America's founding; we know that the first official act of the first congress was bible study and prayer decided by the very men who would go on to sign the Declaration and the Constitution. So, as we celebrate our nation's founding in a mere 47 days, if you are tempted to believe the Founding Fathers wanted a godless and a secular constitution, you may want to remember this scene of our political leaders gathered on their knees in prayer.

I. Special Presentations – None.

J. Public Hearing(s)

J-1. Proposed FY 2026-2027 Budget and Ordinance – Mr. Hooper gave a brief recap of his presentation at the May 4th meeting. He explained that the proposed FY27 budget is essentially flat compared to the FY26 budget, but whereas last year's budget reached that level because of a series of large capital expenses and their offsetting revenues, like loan proceeds, this year's expenses tilt toward operational needs, and the revenues needed to pay for them need to come from natural normal revenue sources. The proposed budget would by and large maintain all service levels and enhance them in the public works and fire areas. The proposal includes:

- Three new full-time positions in Public Works, and a change in the residential garbage collection model that should free up additional man hours from existing staff.
- Enhanced staffing levels for Brevard Fire Department. The amount included will either fund one new full-time position and enough additional part-time hours to fund staff on shifts where most needed, or the City's 53% portion of three new full-time firefighters. Which option gets implemented depends on whether the County grants the City's request for additional funding.
- A 2.7% cost of living increase for all eligible employees.

The proposal funds these expenses via:

- A proposed 2.5-cent increase in Brevard's property tax rate.
- Increased sanitation collection fees for commercial and institutional properties.
- Proposed 2-cent increase in the Heart of Brevard tax, which would yield approximately $16,300 in new revenue.
- Small increase in the employee contribution to the cost of health insurance coverage for dependents.
- Continuation of the city's regular 4% increases to the "per/1000 gallon" utility fee, and 4% increases to other utility fees including the high strength waste surcharge, and the fee septage haulers pay to dump their trucks at the Wastewater Treatment Plant.

This budget, when coupled with the millions of dollars of outside funds the City has leveraged over the last few years, will enable us to keep the capital maintenance program active and initiate two new efforts that will help preserve the system—a non-revenue water mitigation program, and a fats, oils, and grease (FOG) regulatory program.

At 5:56 p.m. Mr. Baker moved, seconded by Mr. Daniel to open the public hearing. The motion carried unanimously.

Public Participation:

Carl Mooney said I am here to talk about the budget proposal to remove $98,000 from the budget that was earmarked for the Rosenwald Community. My concern is that in the Rosenwald Community our roads need to be repaired, we need sidewalks. On many mornings I watch the kids get on the school bus but they're having to stand in the road to wait on the bus. My main concern is that in my lifetime, I've been a lifelong resident of the city, I've never heard of you putting money into the Rosenwald Community. This has never happened, so I would like to see these funds stay so they can be helpful to our community.

Jonalyn Crite said I am also here because I've heard about the budget proposal to take the $98,000 that was proposed for the Rosenwald Community and fold it back into the General Fund. My main concern, like Mr. Mooney's, is that I was raised in the Rosenwald Community and I am also a co-heir of property that is in the Rosenwald Community, and I have concerns about how the infrastructure has been neglected and

needs to be addressed. As he said, streets need to be repaved, sidewalks need to be repaired, sidewalks need to be installed in some areas, and my particular concern for property that I'm a co-heir of is the city drainage. I appreciate that the Public Works supervisors are here this evening, but I realize that they have to get their work orders from someone. Where our property is on Oakdale St. the floodwater is a problem because there is not enough drainage there. So, my main concern is that if this funding is taken away from the Rosenwald Community that our community will not get the services that are needed and it may be deprioritized. I ask you respectfully to please keep this in the budget. There are many other concerns around the community that I know other people will speak on, but I kindly ask that you keep this in the budget for the improvement of the Rosenwald Community.

Sheila Mooney said I really appreciate the reverend's opening prayer about integrity. Also, I'm very pleased with this plan for the meeting in the Mary C. Jenkins Community Center about the Rosenwald Community. Because of that, and obviously you have goals and plans for our community, I'm just here to strongly encourage you to maintain that $98,000 for our community. Carl and Jonalyn have spoken about the needs, and there are many more, and the fact that our community seems to be shrinking, we are still here and we still take pride in our community, and we want it to be one of the best communities. We want our children to understand the vast and great history of our people, and living in a safe, clean, beautiful community will definitely impact that. So, I do not envy your task of balancing a budget, but while you're making plans, please remember the importance of the Rosenwald Community, not just to the members of Rosenwald, but to the whole county and city of Brevard.

Adam Perkins spoke on behalf of the Heart of Brevard. He said I would like to thank the Mayor, Council and City staff for your continued partnership and collaboration with the Heart of Brevard. As you know, downtown Brevard is much more than a collection of storefronts; it's the heart of our community. Downtown serves as one of the city's most powerful economic engines through property taxes, sales tax, tourism spending, job creation, and ongoing private investment. Downtown businesses and property owners contribute substantially to the city's financial health. If you were to take downtown Brevard and put a roof on it, it would stand out as one of the community's largest and most productive economic assets. Within just a few walkable city blocks downtown generates millions in taxable sales, supports hundreds of jobs, sustains some of the highest property values in the city, and attracts substantial private investment. On a per-acre basis downtown produces more tax revenue and economic activity than almost any other area in Brevard. These revenues help fund essential services such as police, fire, public works, infrastructure improvements, and benefit residents throughout the community, because when downtown thrives, it strengthens the entire city. Heart of Brevard exists to strengthen and sustain that economic engine. As Brevard's nationally accredited Main Street Program, we use the National Main Street Center's four-point approach to economic vitality, historic preservation, design improvements, and community engagement. With a staff of only two full-time employees and the support of more than 300 volunteers contributing more than 2,000 hours annually we leverage a relatively modest public investment into significant returns for the community. In recent years our work has helped facilitate more than $30M in public and private investment in downtown Brevard. We administer façade improvements, business improvement grants, coordinate beautification and strategic planning efforts, advocate for infrastructure improvements, and produce free events that drive substantial foot traffic for local businesses. Heart of Brevard works closely with the City through the year on initiatives that enhance the downtown experience and support long-term economic development. These collaborative efforts include the walkability assessment, the employee parking program, downtown wayfinding and signage, and implementation of the Downtown Master Plan. Our signature events, including White Squirrel Weekend, Halloweenfest, Light Up the Night, and the Brevard Plein Air Festival attract tens of thousands of residents and visitors downtown each year. The White Squirrel Weekend alone is expected to draw more than 30,000 attendees this coming weekend. These visitors shop in our stores, they dine in our restaurants, they stay in local accommodations, and they contribute directly to the local economy. Heart of Brevard remains committed to

creating a vibrant downtown that is welcoming, inclusive and economically successful. Our board is committed to keeping these events free and open to the public, but they're not free to produce. The cost for staging, sound, lighting, bathrooms, permits, safety accessibility, insurance and contract labor continue to rise at an alarming rate. We recognize that this is a particularly challenging budget year for the City, and we appreciate the difficult decisions that must be made to balance in competing priorities. The current proposed budget includes both a reduction in the Heart of Brevard's non-profit funding and a proposed increase to the MSD tax. As you consider the proposed budget, I want to emphasize that the Heart of Brevard is not advocating for an increase in the MSD tax at this time. We understand that downtown property owners and small businesses are already facing significant economic pressures, and we believe it's important to avoid placing additional strain on the various stakeholders who invest so much into making downtown Brevard so successful. We believe there are creative alternatives worth exploring before considering an MSD tax increase. One option would be to amend the existing community development contract so that the Heart of Brevard retains the full $19,000 allocation rather than redirecting $11,000 to the Downtown Master Plan Fund. This adjustment would reduce our projected budget shortfall by approximately $5,000 and provide a short-term stability while broader funding discussions continue. More broadly, we encourage the City to continue viewing downtown as a high-return investment. Investments in downtown improvements, wayfinding, planting, and placemaking are not simply expenses, they are economic development strategies that strengthen property tax values, increase tax revenue, attract visitors, and enhance the quality of life for residents. Heart of Brevard stands ready to collaborate with the City and identify solutions that reserve this momentum that we've built together over the last 30 years. Downtown Brevard is one of the community's greatest assets and again, when downtown thrives the entire city benefits.

Hannah Bowers said I am here in my capacity with Transylvania NAACP. At the previous city council meeting amidst discussions of budget, it was suggested that the $98,000 in the Rosenwald Fund might be reallocated for the upcoming budget. It is not the burden of the Rosenwald Community to alleviate strain elsewhere in the City budget. While we understand the impulse to exercise every option to avoid raising taxes, reallocation of these funds would be inappropriate and must not be considered a viable option. Those dollars have been allocated to the Rosenwald Community and should remain as such. There will be no other source of funding for critical and long-overdue projects like having real restrooms at Silversteen Park. You must look elsewhere to balance your budget or implement the necessary tax increase across the city, instead of defunding one neighborhood to make up the deficit. Thank you, the Transylvania NAACP.

Rodney Locks shared what he doesn't like about the proposed FY 2026-2027 Budget. He said I don't see anything Council is doing to make it affordable to live in Brevard, take care of the homeless, and much less improve our quality of life. Most of us don't have high-paying jobs that will allow us to afford another property tax increase or pay higher water and sewer rates. Council needs to look at its own internal health. When you need money, merging funds into the General Fund is like robbing Peter to pay Paul. So, don't take the money from the Rosenwald Fund and leave the community with outhouses on the playground so you can renovate bathrooms elsewhere. You need to find ways of getting more new revenue, or you too, will be living pay check to pay check like the rest of us. I don't like that you are raising property taxes 2.5 cents and water/sewer rates 4.5 cents. I don't like the fact that more than one-half of the tax increase is to maintain the operation of the government. 57% of the General Fund is for personnel and 28% is for operations. I will say I approve of paying staff a livable wage, but the Council will decrease its share of the healthcare premiums for employees' dependent plans from 86% to 83%. Increasing employee dependent share premiums will make it almost impossible for Council to provide COLA and salary increase to compensate for this increase in premiums and make it hard for employees to maintain a living wage. Premiums for employee-only plan coverage will not be affected yet. What do you think these employees will do when they need to cover their dependents? That doesn't leave much for non-profits, multi-use plans, Downtown Master Plan projects, renovating City Hall, fixing facilities at the Sports Complex, removing outhouses at

Silversteen Playground, and other projects you might have. I see also you propose to increase the commercial recycling and cardboard collection fee from $13 to $15 a month to cover 100% of the cost of the services for business. I don't know how you can calculate costs, but that means that sanitation workers pick up cardboard 20 times a month for 5 days a week; that works out to 75 cents a day. The amount of cardboard they pick up is unlimited. You say this is a better deal than the competitive private-sector options—how do we get that deal? We residents pay $15 to $75 for one single special collection pickup for televisions, cardboard, furniture, and any of the other stuff. I am against the tipper carts program. I see this program as the city appearance program. You add the architectural study to change the corridor, you're beautifying roundabouts, and now you want to buy 2500 60-gallon tipper carts and give all residential customers a new rollout bin for household trash. You say this will create a cleaner community appearance on collection day, as a uniform system of bins will replace the hodgepodge system we currently utilize. I suggest you repair our streets and Council can brag about how we have the best looking streets in Brevard. You can keep my tipper cart, and you can use the money to help pay for increasing the Public Works Staff. I wish I had could give this to somebody else because I've got plenty more that I don't like about it.

Rebecca Wynn said everybody has said what I wanted to say, so I am going to take over where Rodney left off. Speaking of Public Works, they are seriously understaffed and overworked in sanitation—asked for seven people to talk them down to four. At the end of the day, you are offering two Buildings and Grounds and one Streets, zero Sanitation. Maybe with this increase we can fix facilities, landscapes and repair the sidewalks. With the tipper carts, sanitation workers may still be short-handed and overworked, but Council thinks they will eventually become healthier. Next, you budget the City's share for three additional fire workers and hope to get the other 47% from the County Commissioners. The City Fire Department really needs to maintain a level of service expected to save lives. I favor including the community's share in the budget first and hire the three firefighters. You do trust the County will reimburse you. How the County gets the money is of no concern as long as they repay you. Let me not forget the 4.5% water/sewer rate increase. If you live in the city you will pay $27.30 basic charge for service of water, sewer, garbage, recycle, meter plus city water service and $20.52 for the first 1000 gallons, and if you live outside the city the basic charge is $41.00 and then $30.88 for the first 1000 gallons. That is a hit to our pocket every month. Since garbage collection is based on a 32-gallon container, does that mean when you give residents a 96-gallon container, will this cost us more or is it free of charge? I suspect Council will do a budget amendment sometime this fiscal year and start implementing the Chief of Police recommendation.

Kellyn Haight said two years ago last fall I requested placement of two stop signs on Carolina Ave., used as a cut-through to Rosman Hwy. and a drag strip. Traffic studies conducted last year found 30% of drivers committing ticketable offenses, 3000 vehicles per day passing through, and a top speed of 57 mph. The City then created a plan to install four speed cushions at a cost of $14,000. You all have deleted this item from the 2027 budget consideration. Just last year 13 speed cushions were installed on Probart St. at a cost greater than $50,000. By deleting our project from budget consideration, not only are you not representing or advocating for us, you are perpetuating an insidious inequity that has been experienced by our neighborhood for decades. Physical safety is a basic human need. My neighbors and I do not feel safe; we do not feel safe pulling our cars out of our driveways, walking down the street, checking the mail or letting our children play. This project is important and necessary and should not be classified as voluntary. I implore you to reconsider and vote to include this modest project in this coming year's budget, and if there is truly no money to be found, please consider the following: redistribute two or three speed cushions from the Probart installation, or better yet and cheaper still, give us the 3-way stop that was requested two years ago.

Anthony Gardin said I am here with the same concerns that many of my neighbors have had about the budget money for the Rosenwald Community. I have lived there all of my life, and I can tell you now that not one time have I seen there been

considered anything in the budget since 2008. My concern is about the property…the city drainage in my yard. I was told it wasn't in the budget; I was told it was going to be put in the budget. Now that this Rosenwald budget is…grant is out there…wherever the money come from, I wish it would be provided. Once again, you are asking the least to give the most to those who don't need it. Our community is hurting. I just called the City about patching some holes in our road. They patched one hole at the scene. I called the next day and asked what happened…we had an emergency and had to leave that one patch, and we will call you back whenever we are going to come out there. And that's it, so now we've got one little patch in the road and it's hard. We can't get any help. We call and I think you all just dismiss us. How do you all just dismiss us? We've been here a long time, and you act like we don't even exist until a contractor decides he wants to build a house in our neighborhood. You dig up the road, remove out all of the dirt, put in a pipe, and leave the gravel there until the rain washes it away, and then we have to call and complain about the road with holes in it. It doesn't make sense to me that I was told that these contractors, when they do ask to get permits to build these homes, money is provided to repair these roads, but they have not been repaired. If the money was provided, why haven't they been repaired? What else can we say? We come up here and we ask and we talk, we never get any answers; nobody seems to have an answer for a thing…nobody.

Patrick Whiteside had signed up to speak but said everything he was going to say had already been said, so he did not speak.

Harvey Sankey said it is hard to follow Rodney and the others who spoke before me. They spoke with integrity; they spoke the truth. They have issues that you should all pay attention to. Property tax increases, they don't stay contained; they hit homeowners directly and then ripple out to maybe renters, families, and anyone trying to get ahead. You can have a stable payment one year and then suddenly your escrow jumps for property taxes, if you have a mortgage, and you're paying significantly more each month. For a lot of people that's not a small adjustment. It's the difference between feeling secure and feeling stretched, and yet these increases keep happening like they don't have real consequences. They do. They affect how people live, how they save and how they plan for the future. The recommended fiscal year budget for 2026-2027 by the city manager shows a property tax increase of 7% over last year, plus additional fees over last year. And, that comes after we had an 8.3% tax increase the prior year. So, you've got an 8.3% tax increase, now you have a 7% tax increase. Part of the 7% increase includes a 4.4% increase in the General Fund for operating departments. I agree that this increase is necessary—it includes 2.7% COLA for the city employees, three new full-time positions in the Public Works department, enhanced staffing levels for the Fire Department, and two new police cars for the Police Department. Well, what about the other 2.6%? Are these increases necessary? These are in the non-departmental funds that I'm talking about—are they necessary? Housing Trust Fund, the Multi-use Path Fund, the Downtown Master Plan Fund, and other fund increases in these non-departmental budgets. Are they needs or are they wants? The city manager prepared an accumulated impact of potential tax and fee increases. I looked at the last two years…on the burden increase, which includes the property tax increase of last year and this year, plus additional fees, that's a 20.5% burden increase on a household that is appraised at $191,760. On a household of $595,000, it's a 29.8% burden increase over the last two years on those households. The other item I'd like to talk about is the Fire Department. I know we are looking for money from Transylvania County, but if we don't get that money are we going to spend 100% of the payroll for these three Fire Department people or what are we going to do? The recommended budget includes a city share of 53% of those wages. We're looking for 47% from Transylvania. Property tax rebates for the lower income taxpayers…why can't we have something…and I brought this up last year when we had this problem…a rebate for the taxpayers who are lower income or age-related. I brought this up last year. You started, it stopped, now you're doing something, you're going to mention this later on, to help these people out. But, you started too late; you should have started this six months ago.

William Bell said mostly I want to speak on the drainage system and I think we do need to keep this budget at Rosenwald. I have been here since 1982, and I have a very bad drainage system over in our area. The City has come out twice and looked at it and they walked away. The streets when they dig up to put in new pipes for the new homes that they put in our area, they just patched it. Well, we've got holes now because the holes where they dug up have not been refinished or fixed over. So, my thing is flooding in my area and the playground. When it rains, I go down to the playground because I know it's going to flood. It's worse than my yard because we have no drainage system. I think this $98,000 that they are talking about taking from the Rosenwald Community needs to be left alone. We need some help in that area. If we move out then you're going to put another home there and they're going to have the same problem. My request is, and I think you are doing a good job, but please don't make promises that you're not going to keep.

Serena Sackett said I have two statements of concern to me tonight. The first is the removal of funding for the road speed bumps on Carolina Ave. I am afraid to walk on the street at night because people literally floor it through that road. There are currently two tire marks on the road; one of which I witnessed someone speeding so quickly and was so surprised by the stop sign that they had to brake really hard to make it. I have to put on my hazards to pull out of my driveway and really even during the daytime I'm afraid to walk my dog or for my partner's daughter to bike around the area. So, I'd really appreciate it if the funds stayed for that purpose. It feels like the area isn't being considered as much as other areas in the city. Secondly, I would also like to state my support for the funding staying for the Rosenwald Community as well, but I feel that those concerns have already been really sufficiently stated.

Jeremy Whitworth said I live on Carolina Ave. and every night between about 9:30 and 10:00 I walk out the door with the intention to walk my dogs 50 yards to my left down the road to this little grassy area on the corner of Silversteen and Carolina Ave. I walk out the door, I go left on the road, I'm at the head of Beth and Steven's driveway, and thankfully they pull forward quite a bit, so there's a lot of room there. When I get to Miss Sylvia's yard, she parks just off of the road, and I have to be in the road to keep going in that direction. So, I get around her car hopefully, go a little further, and then I eventually look both ways and scramble across the road to the little grassy section on the corner. When I turn around after the dogs have done their business, I then begin to make a new plan of how I'm going to get back to my house. I'm telling you this because every single night, I have to make a bailout plan so I don't get hit by a car. Last week three times myself or my dogs almost got hit by cars going too fast down that road. It's $14,000. I'm a small business owner, I have two employees, one of them is myself, and I spend more than $14,000 a year on workers' comp insurance alone. So, $14,000 potentially allows my daughter to actually go get the mail without me being scared about the fact that she's ten yards up the road, but she's on the side of the road. $14,000 means that maybe myself or my dogs don't get hit by a car trying to take them to go to the bathroom at 9:30 or 10:00 at night; and I don't have to walk up and down that road always having a bailout plan because people drive like bats out of hell, thinking that there's a time race somewhere that I'm not aware of that goes from one end of Carolina Ave. to the other end of it. It sure seems that way if you look there. So, my ask is that you look around, and you find $14,000 and get us some speed bumps so that I'm not in here in a wheelchair next time saying hey, can we have it now because I got hit by a car.

Ella Jones said I don't want to be redundant, but some of the same things that have been spoken already, I'd like to bring them up again. When we start talking about the budget for the Rosenwald Community, if it's not remaining the same, can it be increased for these reasons? And here we are again talking about the rise of taxes in the community, and I proposed one time before, and I will again, most of the people in the Rosenwald Community are retirees and are on a strict budget. If we talk about raising taxes again we may be putting these people in some kind of financial harm, which we don't want to do. We've also heard about water problems on Oakdale, on North Lane, a lot of other places, and these areas, if you look at them, could be considered a water plain; even on McMinn. If we continue to put structures or not put structures or

improve the road situations in these areas, that's what it will become. We also need speed breakers in our community for our kids. People just fly through Cashiers Valley Rd., whether it's large vehicles or what. But we have children that play on the playground and when people…we thought that once we got the area fixed for the water was coming in and everything was sinking in, we got that covered up, thought we had worked out, but it seems to be a speedway through there. We need either…I don't even know if a stop sign would do it, but we need something where people are coming across that bridge…we don't have to worry about our kids being killed. We also need to…I've talked about the repairing of the streets in the community and on Oakdale when it rains, it's just about a water situation there. We've had people complain about so much water in their yards, and there has been help that has come, but it seemed like it's to no avail. We just need help there. And, before we talk about increasing taxes again, please consider that there are people who are really struggling. The other thing is there has been a proposal to help with the playground in reference to having a shed, I hope that that is still in the budget and that it will be materialized soon. And as Rodney, Rebecca, and many others have talked about our concerns, the concerns are universal. We all feel the same way. I love my community; I want it to be taken care of just like everywhere else.

At 6:40 p.m. Mr. Baker moved, seconded by Ms. Holder to close the public hearing. The motion carried unanimously.

Questions/Comments by Council: Council members thanked everyone for speaking. Mr. Wise said this helps us weigh priorities and Ms. Holder said it has made an impact and has enlightened her in many ways. She also said we need restrooms at Silversteen, and the $98,000 won't pay for it, but perhaps it could be seed money and perhaps we can get other people to come in and help.

Mr. Baker said when I was listening to a lot of the comments, I think the City has failed to communicate about so many of the things that are in the budget – the Rosenwald Fund in particular. I think that is the reason why we have that listening session coming up. I live on the outskirts of that community on McMinn Ave. and there are a lot of changes happening, some that have to do with the City and some have nothing to do with the City, but we owe it to that community in particular to fully communicate the things that we have control of and hear from them what their priorities are and where they would like to see additional funding. He asked the City Manager to explain where that $98,000 came from and track that for us so we know where that funding is from.

Mr. Hooper explained that a budget amendment ordinance was done on June 16, 2025 to make a $100,000 General Fund contribution to the Norton Creek Streambank Restoration Project in anticipation of overages in the construction contract. That money was put in Fund 82, also known as the Rosenwald Fund, because that is where the money to fund that project was parked. It turns out we didn't need that $100,000 extra because the project came in on budget. But, it was never redirected after it was parked there and we realized we didn't need it anymore, so there it sits to this day. The budget amendment was clear what the council's intention for that money was.

Mr. Baker continued to say that to the public, and this is where the City failed, what the public sees is $100,000 in the Rosenwald Fund, and whether we like it or not, that is perceived as a promise. I can look at this paper and track it and say it was overages from this project that got completed and that money is now not assigned to anything. We did not communicate well enough about where it was coming from, and that represents a promise that now I don't know how we do anything with that money other than assign it to the Rosenwald Fund. We have a lot of serious needs all over the city, and $100,000 is a half-cent on the tax rate, so that is a substantial amount of money, but to me we have now represented something to the community that we have to follow through on. Unfortunately, that money is still unassigned and now we've got to do the hard work of figuring out where that money goes. It was great to hear things tonight from the community on sidewalks and streets, but the truth is we can't necessarily spend that exact money on a particular project in a particular spot as of

now. We've got to do that work as a group and maybe the listening session can be a part of that. I maintain that this budget has to, in my mind, we've got to do some work at the Sports Complex and have to figure out that parking lot. That is a dire need and a safety issue, and that is why I proposed using the Alternate 2 of the commercial cardboard fee to add funding for the redesign of that parking area, and that does not include construction funds, which we are going to have to find as well once we have the design work.

Mr. Baker suggested that Council consider taking the Heart of Brevard suggestion to reduce the amount they are currently paying back to the Downtown Master Plan, which doesn't get us all the way there on the two cent increase, so we may still have to see an MSD tax increase of a half-cent, or whatever that calculation is.

Mr. Daniel said the comments have given me some food for thought, but I would like to address one thing. I served on the Mary C. Jenkins Community Center Task Force that the City joined in with members of the Rosenwald Community and the Mary C. Jenkins Board, and when I hear respected members of the community say that the City hasn't done anything for the Rosenwald Community, I don't get it. A lot of people worked hard on that, and we've put a lot of money into the Mary C. Jenkins Community Center. We've put in the Silversteen Playground, and we concentrated on that community over the last five years probably more than any other area of the city. Mr. Daniel added that to Mr. Baker's point about promises made, we made a lot of promises that we're not going to be able to keep. We promised the Downtown Master Plan that we'd be putting $100,000 into their account several years back. We're putting 11% of that into that account, a serious decrease, not an increase. So is the Parks, Trails and Recreation; most every service of that type across the board is getting cut. These other plans share the same pain that the Rosenwald Community is sharing. I don't want to dismiss that pain, but I don't want to deny that others are feeling the same pain. I would like to know what the cost of a grant writer for the Downtown Master Plan would be before we make the decision to take the Heart of Brevard's suggestion regarding the $11,000 back to the Downtown Master Plan Fund. That grant writer funding is not included in the budget, and I would like to make sure that we have the money to do that.

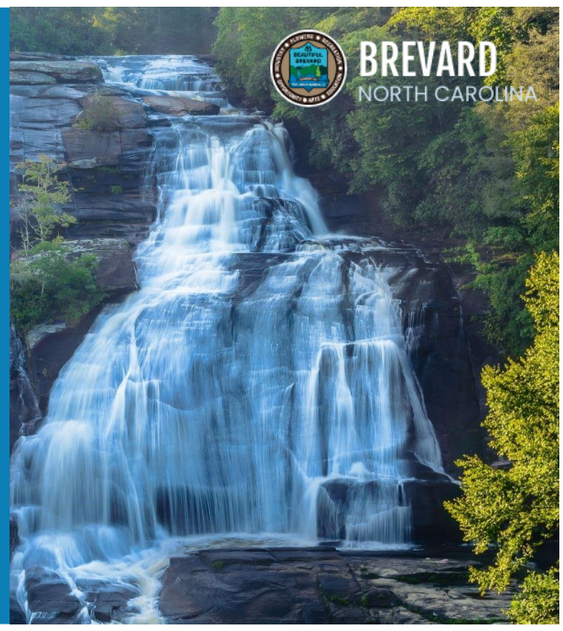
Mr. Lytle said as I was listening everybody give their opinion, one of the things that is positive is that you gave an opinion because if you felt that your voices wouldn't be heard at all, that it didn't make a difference, you would not be here to say your peace. I take that as you're entrusting in us to make those right decisions and they are very, very tough. As a philosophy, I understand some of the real issues of budget and finances, and it's not going to get any better any time soon, so I look at what is essential in everyday life. When we talk about investing in community, I agree with that, but also we look at what is absolutely essential. Roads and sidewalks are very essential, they're also very expensive, and I think it's also important to see the connection between some of the decisions that are being contemplated—adding additional manpower for Public Works leads to projects like that actually getting done. I don't know quite what my conclusion is. I know I've got to contemplate and take back some of the comments and really think about the budget. I think in the end there will be someone unhappy, but I hope that we can come to a budget that at least takes care of our essentials and makes sure that everyone is safe and has a safe place to live in.

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

J-2. Proposed Amendments to the City of Brevard Unified Development Ordinance Chapters 2, 5, 8, 10, 11, 12, 13, 14, 16 and 19 – Regulations for Nonconformities – Emily Brewer gave a PowerPoint presentation that provided an overview of how nonconformities are regulated and outlined how the proposed amendments will improve the clarity, fairness and redevelopment outcomes of the City's Unified Development Ordinance.

Nonconformities Public Hearing

City Council | May 18, 2026



What is a Nonconformity?

- **Nonconformity**: A lot, structure, use, sign or site feature that was ***legally-established*** but that no longer complies with the code
  - **Nonconformities ≠ Violations**
  - Typically, the result of development code amendments, annexations, and zoning district changes
- **Types / Examples:**
  - **Nonconforming uses**: a use that is no longer permitted in the zoning district
  - **Nonconforming structures:** a building that does not meet dimensional standards (setbacks, height, size, etc.)
  - **Nonconforming lots:** a lot that does not meet current requirements for street frontage
  - **Nonconforming site features:** a site element that does not meet the current requirements (parking layouts, landscaping, signs, buffers, etc.)

BREVARD NORTH CAROLINA PLANNING DEPARTMENT | 2

Regulations for Nonconformities

- **Continuation of Lawful Nonconformities (aka "Grandfathering")**
  - Allow for lawfully established nonconforming uses, structures, and lots to continue even if they no longer comply with current zoning regulations.
  - Typical ordinance language:
    - May **continue in operation**
    - May **remain in its existing location and footprint**
    - Must have been **lawfully established before the zoning change**
  - Cities adopt ordinances to manage them over time
  - Nonconformities sit at the intersection of **vested rights** (what property owners can continue to do) and **municipal zoning authority** (City's authority to regulate land use and development)

BREVARD NORTH CAROLINA PLANNING DEPARTMENT | 3

Regulations for Nonconformities

- **Diverging Ideas:**
  - Protecting existing property rights
  - Advancing community planning goals
- **Development Balancing Act:**
  - Too strict → discourages reinvestment
  - Too lenient → perpetuates noncompliance
- **Goals of Regulations**
  - Limit substantial investment in nonconformities
  - Bring about eventual elimination and/or lessen their impact on surroundings
  - Preserve the integrity of the ordinance and the character of the city

BREVARD NORTH CAROLINA PLANNING DEPARTMENT | 4

Current Ordinance Challenges

- **Vague and confusing**
  - Difficult to administer fairly or objectively
  - Difficult for developers to understand expectations
  - Uses language like “to the maximum extent possible” or “increasing the degree of nonconformity”
- **Conflates nonconforming uses and structures**
  - Regulated differently but included together
  - Contradictory in many cases
- **Relies on investment as a percentage of building value to determine compliance**
  - Doesn’t define normal repairs / maintenance versus building improvements
  - Requires staff to parse out project costs to our best ability
  - In practice, many low-value buildings are unable to make any improvements because they cannot afford full site redevelopment

BREVARD NORTH CAROLINA PLANNING DEPARTMENT | 5

Nonconformity Regulation Components

Types of Nonconformities

- Uses
- Structures
- Lots
- Site Features

Policy Considerations

- Authority to Continue
- Authority to Expand / Alter
- When Compliance is Required

BREVARD NORTH CAROLINA PLANNING DEPARTMENT | 6

Expansion Policy Approaches

- **Strict Elimination**
  - No expansion allowed
  - Simple to administer
  - Discourages reinvestment but requires full compliance when it does redevelop
- **Controlled Expansion**
  - Allows expansion with caps (e.g., percentage increase)
  - Moderately flexible
  - May still limit meaningful improvements
- **Compliance-Based Approach**
  - Expansion allowed if complies with regulations
  - New investment aligned with policy goals

BREVARD NORTH CAROLINA PLANNING DEPARTMENT | 7

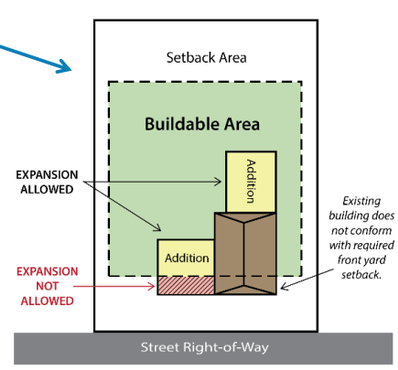
Nonconforming Uses

- Expansion not permitted
  - Exception: single-family, duplex, triplex and quadraplex uses
  - Example: single-family residential is not permitted in DMX, but we would allow house with a single-family residential use to be expanded
- Increased intensity not permitted
  - Example: the use now has longer, hours, more employees, more trips generated per day, etc.
- If use is abandoned for 180 days or more, it cannot be reestablished
- Once a nonconforming use is changed to a conforming use, it cannot revert back

BREVARD NORTH CAROLINA PLANNING DEPARTMENT | 8

Nonconforming Structures

- May be enlarged if it doesn't increase the extent of its nonconformity and it complies with current regulations
- Damaged or destroyed by natural disaster or accident varies based on amount of damage compared to the replacement cost of the structure
  - Damage >50% → Can be replaced or reconstructed as pre-damaged but must begin work within 180 days
  - Damage 50%+ → Cannot be replaced or reconstructed as pre-damaged, must be built back conforming
- Notable distinctions
  - Historic structures can be altered or expanded if meets setback requirements and is approved by JHPC
  - Manufactured home cannot be replaced if they don't meet ordinance requirements (e.g., setbacks, located outside of MHD)



BREVARD NORTH CAROLINA PLANNING DEPARTMENT | 9

Other Nonconformities

- **Nonconforming Lots**
  - Inadequate street frontage
  - May be developed have evidence of a deeded right-of-way or access easement
  - Cannot be developed if can be combined with an adjoining lot owned by the same person
  - No subdivision activity allowed unless it remedies or improves the nonconformance
- **Nonconforming Site Features**
  - Accessory structures, fences, signs, off-street parking areas, landscaping, buffers, lighting, etc.
  - Changes need to bring feature into greater compliance
  - The administrator can always require changes to site characteristics that endanger public health and safety (e.g. driveways, curbing, sidewalks)

BREVARD NORTH CAROLINA PLANNING DEPARTMENT | 10

Compliance Thresholds

- **Redevelopment Trigger Compliance**
  - Properties required to meet current zoning and site design standards when redevelopment occurs
  - Example: construction of a new principal building and major structural expansions
  - Avoids forcing full compliance during minor repairs but challenging for low-value structures
- **Proportional Compliance Investment**
  - Applicant must invest a percentage of project value into correcting nonconformities
  - Example: 5% of project cost must be spent improving nonconforming landscaping and sidewalks
  - Moves projects closer to compliance but hard to administer or to fairly / objectively apply
- **Incremental Improvement Compliance**
  - Certain elements required to be brought into compliance as improvements are made
  - Example: expanding parking lot requires compliance with parking area design, buffers, and sidewalks
  - Limited investment in nonconforming elements, gradual compliance based on “rational nexus”

BREVARD NORTH CAROLINA PLANNING DEPARTMENT | 11

Proposed Hybrid Compliance Approach

- **Full compliance triggered by “new construction” of a principal building:**
  - New construction is “any newly constructed building or structure. This definition shall also apply to existing buildings that are altered in the following ways:
    - Additions to existing structures that equal or exceed 75% of the gross floor area of the existing structure.
    - Substantial improvements to existing structures that equal or exceed 75% of the value of the existing structure and require the issuance of at least two trade permits from the Transylvania County Building and Inspections Department.”
- **Incremental compliance based on what improvements are being done**
  - Applicability is derived from impact not necessarily monetary investment
  - Example: Compliance with landscaping buffers and screening (Section 8.4) when:
    - New construction of principal building
    - Expansion of existing principal building (gross floor area increase 25%+)
    - Expansion of a parking area by 50% or 10+ spaces (whichever is greater)

BREVARD NORTH CAROLINA PLANNING DEPARTMENT | 12

Adoption Process

- ✓**January – March**: Staff reviewed ordinance language for other municipalities and "tested" potential options here in Brevard based on previous development
- ✓**March 24th**: Staff held a workshop with Planning Board to discuss nonconformities and proposed ideas
- ✓**April 8th**: Planning Board reviewed draft language and unanimously recommended in favor
- ✓**May 18th**: City Council holds public hearing
- **June 1st**: City Council votes on proposed amendments

BREVARD NORTH CAROLINA PLANNING DEPARTMENT | 13

At 7:35 p.m. Mr. Daniel moved, seconded by Mr. Baker to open the public hearing. The motion carried unanimously.

Public Participation – None.

At 7:35 p.m. Mr. Daniel moved, seconded by Mr. Lytle to close the public hearing. The motion carried unanimously.

During questions and comments Mr. Daniel noted that in the nonconforming lot, a subdivision can occur only if it improves a nonconformity and said in the interest of being understandable by the public, I would like a definition of how you improve a nonconformity. Ms. Brewer will include some additional language to the proposed amendment before Council takes action at the next meeting.

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. Wise moved, seconded by Mr. Baker to approve the consent agenda. The motion carried unanimously.

K-1. Tax Settlement Report – April 2026

K-2. Amendment to Roundabouts Capital Project Fund

ORDINANCE NO. 2026-16
CAPITAL PROJECT ORDINANCE TO AMEND ORDINANCE
NO. 2024-05, 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 2024-05 will be increased from $300,000 to $349,000. 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.

Prior to this project amendment, all revenues in this fund originated from General Fund transfers. Recently, the City has received a contribution of $9,613 from TDA and $9,387 from the Community Focus Foundation to cover the cost of a contract of $19,660 for engineering and design of the Bear Statue at the Roundabout at the entrance to Pisgah National Forest.

Additionally, in April of 2025, the City received $30,000 from NCDOT related to the relocation of art at Brevard College.

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 led 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
75-6600-4550	Roundabouts Project	$300,000
75-6600-4550	**Roundabouts Project**	**$49,000**
	TOTAL PROJECT APPROPRIATION	**$349,000**

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	$300,000
75-3755-0300	**NCDOT-Brevard College Art**	**$30,000**
75-3755-0400	**Contr from TDA – Bear Statue**	**$9,613**
75-3755-0500	**Contr from CFF – Bear Statue**	**$9,387**
	TOTAL PROJECT REVENUE	**$349,000**

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 May, 2026.

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

K-3. Budget Amendment 2026-05 Lease Payments at 132 Commerce St.

ORDINANCE NO. 2026-17
AN ORDINANCE AMENDING THE FY2025-2026 BUDGET.
BUDGET AMENDMENT NUMBER 26-05

SUBJECT: Budget Amendment to properly record lease payment under Non Departmental.

AGENDA INFORMATION

Agenda Location **Consent**
Department: **Finance**
Contact: **Dean Luebbe, Assistant City Manager and Finance Director**

BRIEF SUMMARY: Capital lease payment should be recorded under Non Departmental (6600) instead of an individual department. Lease payment associated with the Police facility at 132 Commerce Street were originally budgeted under Police (5100), and this entry will transfer the budget and actual amounts to Non Departmental. This entry has no effect on fund balance.

MOTION FOR CONSIDERATION: To approve Budget Amendment 26-05, as submitted, increasing the budget in expenditure accounts:

10-6600-9380 (Lease Principal Due – 132 Commerce)	$65,000
10-6600-9381 (Lease Interest Due – 132 Commerce)	$31,000
TOTAL	**$96,000**

And decreasing the budget in the expenditure account:

10-5100-4200 (Commerce Street Lease)	$96,000
TOTAL	**$96,000**

ATTACHMENTS: None.

MANAGER'S RECOMMENDATION: Adopt as presented.

Approved and adopted this 18th day of May, 2026.

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

K-4. Public Works and Utilities Committee Meeting Minutes – April 1, 2026

K-5. Housing Committee Meeting Minutes – February 10, 2026

K-6. Housing Committee Meeting Session Notes – March 10, 2026

L. Unfinished Business

L-1. Proposed Amendment to the Official Zoning Map of the City of Brevard – The Hub – Paul Ray recalled that Council held a public hearing at its May 4th meeting. This proposed amendment would rezone two properties owned by Ogeechee Davidson LLC located at 11 Mamas Place, which contains the Hub bike shop, and at 113 Mamas Place to the Pisgah Gateway Mixed Use (PGX) zoning district.

Mr. Wise moved, seconded by Mr. Baker to grant the zoning map amendment as presented. The motion carried unanimously.

ORDINANCE NO. 2026-18
AN ORDINANCE AMENDING THE CITY OF
BREVARD OFFICIAL ZONING MAP TO REZONE
11 MAMAS PLACE AND 113 MAMAS PLACE

WHEREAS, the City has received a request from representatives of Ogeechee Davidson LLC that the Official Zoning Map of the City of Brevard be amended by rezoning two (2) parcels of land, identified by PINs 8597-45-3585-000 & 8597-46-3093-000, and hereafter referred to as the "Subject Properties," from the Residential Mixed Use (RMX), General Residential – 4 (GR4), and Downtown Mixed Use (DMX) districts to the Pisgah Gateway Mixed Use (PGX) district; and,

WHEREAS, the City of Brevard Planning Board considered this proposed map amendment on April 8, 2026, and recommended approval; and,

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

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

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:

- 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.
- 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 multiple inappropriate districts with a more context-sensitive district.
- The rezoning will eliminate the confusion of split zoning.
- Conditions at the US64/US276/NC280 intersection will be changing due to the NCODT R-5799 intersection improvement project.
- The rezoning is consistent with the above element of the Comprehensive Land Use Plan.
- The rezoning is consistent with the Future Land Use Map, as amended by Ordinance 2025-04.

and,

WHEREAS, a public hearing was conducted on May 4, 2026, by the Brevard City Council, and, after hearing all persons wishing to comment, and upon review and consideration of the proposed amendment, it is the desire of the City Council of the City of Brevard 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 8597-45-3585-000 & 8597-46-3093-000is hereby rezoned to Pisgah Gateway Mixed Use, as depicted in Exhibit A to this Ordinance, which is attached hereto and incorporated herein by reference.

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 if needed, 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.

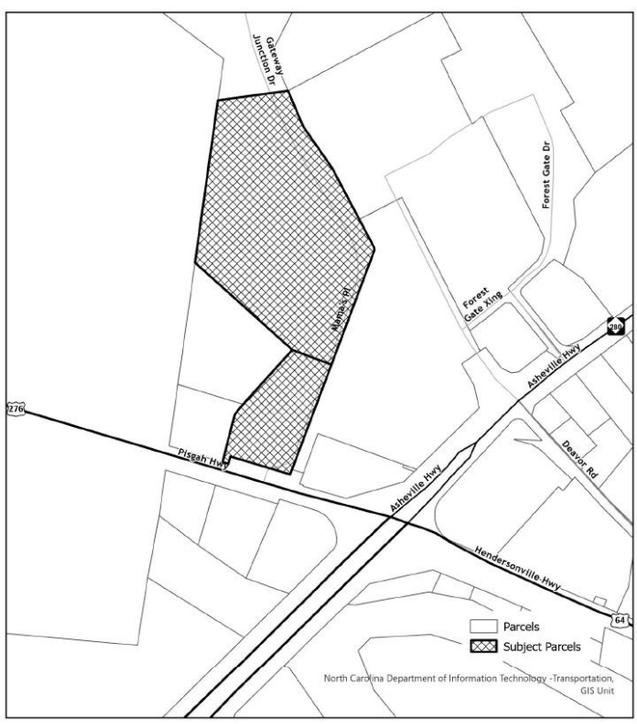
SECTION 4. If any section, subsection, paragraph, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed severable and such holding shall not affect the validity of the remaining portions 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 May 2026.

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

Rezoning #REZ-26-0002 Exhibit A



L-2. Proposed Amendments to the City of Brevard Unified Development Ordinance Chapters 2, 3 and 19 – Regulations for Data Centers – Paul Ray recalled that Council held a public hearing on the proposed amendments at its May 4th meeting. This staff-initiated text amendment will add a new specific land use for data centers and similar facilities. By adding these uses as a specific land use, the UDO will be clearer in addressing this high-impact use, and the City will have greater control in regulating them and ensuring minimal negative impacts on surrounding properties and City utilities. In the amendments, Staff is proposing a new land use definition and allowing the use only in the General Industrial zoning district as a part of a conditional zoning district (CZD). By limiting the use to a CZD, the City will have full flexibility to adequately regulate and mitigate impacts to surrounding properties on a case-by-case basis, without the potential limitations of "one size fits all" regulations. Further, these amendments also tweak the definition of "heavy manufacturing" to include uses that have "excessive utility usage" in order to capture any use that puts a major strain on the City's water or wastewater treatment plants. The Planning Board reviewed the amendments and recommended approval with one modification removing a line that lists specific impacts Council should consider during a conditional zoning review.

Mr. Baker moved, seconded by Mr. Daniel to accept and approve the Planning Board's recommendation. The motion carried unanimously.

ORDINANCE NO. 2026-19
AN ORDINANCE AMENDING MULTIPLE CHAPTERS OF THE CITY OF BREVARD UNIFIED DEVELOPMENT ORDINANCE TO ESTABLISH A DATA CENTER LAND USE DEFINITION AND RELATED REGULATIONS

WHEREAS, the City of Brevard Planning Board has recommended that the Brevard City Code, Unified Development Ordinance Chapter 2 – Districts and General Provisions, Chapter 3 – Use Definitions and Standards, and Chapter 19 – Definitions be amended; and,

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

- **Goal 7:** Support economic vitality and grow the tax base, cultivate local businesses, and attract sustainable industry.
- **Goal 8:** Plan for efficient, equitable, and resilient infrastructure and services that maintain and improve quality of life throughout the city.

and,

WHEREAS, a public hearing was conducted on Monday, May 4, 206, 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 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. City of Brevard Unified Development Ordinance is hereby amended as depicted in Exhibit A, which is attached hereto and incorporated herein by reference.

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

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

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

Adopted and approved this the 18th day of May 2026.

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

M. New Business

M-1. Proposed Amendment to City of Brevard Fee Schedule re Pool Fees – Dean Luebbe explained that Staff is requesting an amendment to the Fee Schedule to increase the admission fee at Franklin Pool from $2 per person per day to $3. This increase would result in a $12,000 savings for the City by reducing the contract with Swim Club Pool Management from $72,000 to $60,000.

Ms. Holder moved, seconded by Mr. Wise to approve the ordinance amending the Fee Schedule as presented. The motion carried unanimously.

ORDINANCE NO. 2026-20
AN ORDINANCE AMENDING THE FEE SCHEDULE OF THE
FY 2025-2026 CITY OF BREVARD BUDGET

WHEREAS, the City of Brevard adopted the FY 2025-2026 budget on June 2, 2025, including a schedule of fees; and

WHEREAS, the Franklin Pool operates seasonally from Memorial Day weekend through Labor Day weekend and will open this year on May 23, 2026; and

WHEREAS, the City Council wishes to increase the daily admission fee per individual by one dollar; and

WHEREAS, it is the desire of the City Council of the City of Brevard that the FY 2025-2026 budget fee schedule 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 FY 2025-2026 fee schedule is hereby amended as described below:

SECTION 02. The Admission Fee is increased from $2.00 to $3.00 per day per individual.

SECTION 03. The City Manager of the City of Brevard is hereby authorized to amend the official FY 2025-2026 budget to reflect the change as set forth herein.

SECTION 04. This Ordinance shall become effective upon its adoption and approval.

Adopted and approved upon first reading this the 18th day of May 2026.

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

M-2. 2026 North Carolina General Assembly "Short Session" Legislative Requests – Mr. Hooper noted that Staff's proposed list of legislative requests is divided into financial requests and policy requests. It does not include any support or opposition of a particular bill, but instead support or opposition to outcomes, including support of legislation that preserves the City's ability to set our local tax rate without restrictions imposed by the State, support for housing-related initiatives, preservation of local control of planning/zoning regulations, support of legislation regarding storm recovery/resilience, and support of transportation legislation that would permit state funding for standalone bicycle/pedestrian projects. Funding requests include $2.6M for design and engineering of Phase 2 of the Wastewater Treatment Plant Upgrade project, $18M for Stormwater Master Plan Jumping Branch Watershed improvements, $400,000 for restrooms and paving at the Sports Complex, $2M for inflow and infiltration improvements in upper Brushy Creek watershed, $1.2M for a fire engine replacement, and $100,000 for a study of the City's overall facility needs.

Mr. Hooper noted that an alternative to Staff's proposal has been proffered by Mr. Baker (Alternative 1) that includes support for specific legislation—HB 369 regarding parking and runoff requirements for developments; and HB 1063 repealing existing sales tax exemptions for data centers—and adds a request for support of legislation that addresses valuation laws which systemically undervalue higher valued properties and create a disparity in revaluation increases between lower value

properties and higher value properties. Mr. Baker said for consistency he would be open to striking the specific bills but leaving the language.

During Council comments there was discussion about adding a provision advocating for allowing local governments to set variable tax rates for second homes similar to the position that the North Carolina Association of County Commissioners has been discussing.

Mr. Baker moved, seconded by Mr. Daniel to adopt Alternative 1 with the addition of language regarding variable tax rates referencing the North Carolina Association of County Commissioners under Local government revenue/property tax fairness, and where possible reference specific bills having to do with these policy requests. The motion carried unanimously.

Mr. Baker moved, seconded by Mr. Daniel to adopt the resolution memorializing the request. The motion carried unanimously.

RESOLUTION NO. 2026-30
A RESOLUTION IDENTIFYING THE CITY OF BREVARD'S REQUESTS FOR THE 2026 SESSION OF THE NORTH CAROLINA GENERAL ASSEMBLY

WHEREAS, the biennial "short session" of the North Carolina General Assembly convened in April 2026; and

WHEREAS, in North Carolina, the General Assembly endows municipalities with their powers; and

WHEREAS, in North Carolina, the General Assembly may grant state funding to municipalities to fund projects of local concern; and

WHEREAS, for those reasons and others it is in municipalities best interest to maintain positive working relationships with their legislators and make clear their needs; and

WHEREAS, on May 18, 2026 the Brevard City Council discussed in open session a list of legislative requests that they feel will enable them to better serve the people of Brevard and Transylvania County

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

Section 1. The "City of Brevard's 2026 Legislative Request" document, incorporated by reference, is hereby respectfully submitted to the North Carolina General Assembly for their consideration.

Section 2. The City Manager is instructed to submit, in a form acceptable to its recipients, its contents to Rep. Anna Ferguson (NC-119), Sen. Kevin Corbin (NC-50), and other appropriate parties.

Approved and adopted this 18th day of May, 2026.

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

M-3. Resolution Requesting Increased Funding from Transylvania County to Support Enhanced Staffing for Brevard Fire Department – Mr. Hooper explained that this is a procedural request from Transylvania County asking all partner agencies who make a budget request of them that is greater than 2% more than the previous year's allocation to submit a resolution to accompany the request. He noted that in addition to the resolution in the packet, Staff has presented an alternative resolution for Council's consideration.

Mr. Baker moved, seconded by Mr. Wise to adopt the Alternative 1 resolution. The motion carried unanimously.

RESOLUTION NO. 2026-31
A RESOLUTION SUPPORTING FUNDING FROM TRANSYLVANIA COUNTY FOR ITS SHARE OF THREE FULL-TIME FIREFIGHTER POSITIONS TO ENHANCE BREVARD FIRE DEPARTMENT'S ABILITY TO PROVIDE ADEQUATE SERVICES TO BREVARD AND SYLVAN VALLEY II FIRE DISTRICTS

WHEREAS, the Brevard Fire Department responds to approximately 2,800 incidents annually while serving both the City of Brevard Fire District and Transylvania County's Sylvan Valley II Fire District, making it the busiest fire department in Transylvania County by a significant margin; and

WHEREAS, the County's next closest fire department responds to fewer than 1,000 incidents per year while maintaining the same level of county-funded staffing; and

WHEREAS, despite substantially higher operational demand, the Brevard Fire Department currently operates with only three full-time engineers and a paid Fire Chief supplemented by part-time personnel; and

WHEREAS, during Fiscal Year 2025, Transylvania County established a minimum staffing benchmark of four full-time positions for County fire departments serving each fire district and provided funding assistance to departments below that threshold; and

WHEREAS, the Brevard Fire Department did not receive additional staffing assistance from Transylvania County because it already maintained four funded positions while serving two Fire Districts; and

WHEREAS, the Brevard Fire Department continues to experience increased call volumes and growing service demands, including overlapping incidents that increase response times and impact the department's ability to effectively manage concurrent emergencies; and

WHEREAS, the City of Brevard Fire District and the Sylvan Valley II Fire District serve as the urban hub of Transylvania County, and additional staffing is necessary to provide adequate emergency response coverage; and

WHEREAS, the Brevard Fire Department has experienced an increase in requests for personnel to provide apparatus drivers for Transylvania County Emergency Medical Services, a mandated service of Transylvania County, during periods when EMS transport units are committed to other calls and supervisory personnel are required to respond; and

WHEREAS, under North Carolina law, county commissioners possess limited mechanisms for increasing revenue, with property taxes and fire taxes serving as the primary method for funding county operations and public safety services.

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

Section 1. The City of Brevard formally requests Transylvania County's consideration of increased revenue, if necessary, for the purpose of funding three additional full-time firefighter positions for the Brevard Fire Department.

Section 2. The Brevard City Council finds that the requested staffing increase is necessary to maintain adequate emergency response capability and public safety services within the City of Brevard and the Sylvan Valley II Fire District.

Section 3. The Brevard City Council further supports continued partnership efforts between the City of Brevard and Transylvania County to ensure appropriate staffing resources are available to meet increased operational demands and the growing need for emergency services.

Section 4. The City's adoption of this resolution shall serve as formal expression of support for Transylvania County's consideration of additional public safety funding through increased revenue, if required, and shall not obligate the City of Brevard to independently fund the requested positions in full.

Adopted and approved this the 18th day of May 2026.

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

N. Remarks/Future Agenda Considerations.

Mr. Lytle commented that it was a good and difficult meeting with lots to reflect on. I think it's going to be a case where there will be some unhappy folks, but at the end of the day hopefully we can come up with a budget that is good for the city.

Mr. Daniel agreed with Mr. Lytle.

Mr. Wise said Dean brought up an interesting word earlier "connection", and that and "integrity" sort of resonated with me. We just declared this as Public Works week and what we heard from a lot of people today, and what we're dealing with in almost every capacity, deals with Public Works. The connection between what we hear people say and what we're actually doing in funding in our budget for Public Works can be lost. We hear things about stormwater, drainage, trash pickup and other issues, and they all are at the top of our priorities, and that is why we are spending so much time this year on Public Works with new personnel, new methodologies, and new strategies. I think it is important to look at those connections to understand that none of these things that individuals deal with live in isolation; they're all part of a larger matrix that we are well aware of and trying to deal with.

Ms. Holder asked what the budget was for the Norton Creek Streambank project. Mr. Hooper will follow up with that information.

Mr. Baker called back to what he said earlier regarding communication. He said the City certainly has an obligation to communicate clearly, but communication is a two-way street, and there were a lot of things said which, with a little bit of knowledge and paying attention to some of our meetings over the last six months I think would have cleared up a lot of misconception. I was struck by a lot of the comments referencing things like stormwater, and two years ago we established a stormwater fund and are working on a stormwater master plan to address those issues and things like sidewalks and streets that are a direct result of our Public Works department being understaffed. I encourage people to reach out and ask questions if you are concerned about a specific thing. We heard a lot from the public tonight and some of it was pointed and directed, maybe in a negative way towards the budget as it sits, but I think if you zoom out and really look at the budget and the priorities that we put in there, I feel like we addressed many of those concerns, and I'm proud of that. I think it is good that the things we're hearing from the public are things that we are already addressing. He added there are a couple of lingering things that we still need to nail down, and I am hopeful that when we are passing the budget we can clearly lay those out so that Council knows how to take action on the full budget, but then maybe some supplemental actions on individual things we have talked about over the last couple of meetings, so that we can make those small adjustments on the final document.

Mr. Hooper said I think I know one of those that Council Member Baker is talking about and we had planned on having the smokestack discussion tonight, but there is still one critical piece of information that we don't have. But, there has been some development in that area. There is a possibility that we can retain a remnant of the stack, and I am waiting to hear back from one of underwriters as to what information they need from us to make that decision, and how much it will cost us to provide that type of information. That is going to be important for Council to decide whether to demolish the smokestack all together or keep a remnant of it. It will be on the next agenda.

Mayor Copelof commented that when you first get elected to public office, they tell you that the most important thing you will do as an elected official is the budget, but they don't tell you that it's also the most difficult thing that you will do, because there is never enough money to do everything that everybody wants. It's identifying the needs versus the things we want and really concentrating on the things we need to do to make sure that Brevard is a safe healthy community where everybody can thrive across our demographic. This is the most feedback we have ever had on a budget, and I appreciate the honesty people expressed tonight. We listened and heard you, and we will be discussing with the manager how to incorporate what we heard into a final product to the best of our ability. Making sure that we are doing right by our employees is also another high priority as we look at the budget. She encouraged everyone to attend the Rosenwald Community information and listening session that will be on June 11th at 6:00 pm at the Mary C. Jenkins Center.

O. Closed Sessions – None.

P. Adjourn – There being no further business, at 8:42 p.m. Ms. Holder moved, seconded by Mr. Baker, to adjourn the meeting. The motion carried unanimously.

Maureen Copelof Mayor	Denise Hodsdon, CMC City Clerk

Minutes Approved: June 1, 2026