**MINUTES**
**BREVARD CITY COUNCIL**
**Regular Meeting**
**January 6, 2025 – 5:30 PM**

The Brevard City Council met in regular session on Monday, January 6, 2025, 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, Lauren Wise and Pamela Holder

**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, Human Resources Director Kelley Craig, Planning Director Paul Ray, Assistant Planning Director Aaron Bland, Senior Planner Emily Brewer, Planner Stephanie Holland, Communications Coordinator Becky McCann, Police Chief Tom Jordan, Fire Chief Bobby Cooper, Wastewater Treatment Plant ORC Emory Owen, Community Center Director Tyree Griffin, Police Captain Aaron Thompson, and Police Department Evidence Collection Technician Eden Hinds

**Press** – Dave Bradley, Transylvania Times.

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

**B. Invocation** – Rev. Bob Renjilian of Unitarian Universalists of Transylvania County 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. Morrow moved, seconded by Ms. Holder to approve the agenda as presented. The motion carried unanimously.

**F. Approval of Minutes**

**F-1. December 2, 2024 Regular Meeting** – Mr. Baker moved, seconded by Mr. Wise to approve the minutes of the December 2, 2024 Regular Meeting as presented. The motion carried unanimously.

**G. Public Comments**

Dr. Paula Hartman-Stein, Age Friendly Task Force Coordinator, distributed a written summary of the Age-Friendly Brevard program for 2024 (a copy is on file in the Clerk's office). She said we are living through a longevity revolution, yet our culture is relentlessly negative about aging. Even though our survey showed that most people in Brevard don't feel that they have experienced ageism, I can tell you first hand that students that I taught at Brevard College have deeply-held ageist beliefs. Four months later, following one-on-one discussions with older adults, 70% of the responses were positive. In 2023 only 1 of 40 nursing students at BRCC wanted to work with older adults. Could age-friendly programs make a difference? I think they do and have. Year one of our program focused on the domains of respect, communication and information, and community health. We offered 17 different sessions, including 8 life-long learning programs and 9 support groups, totaling 410 contacts. We have more to do and with your support of our action plan, we'll accomplish a lot more for all ages, all stages of life. If I have a say in the programs, just maybe we'll reduce the ageism present in our young adults who receive their education here.

Rebecca Chaplin, AARP Associate State Director, said as your AARP staff delegate, I am joined today by committed volunteers and community members to ask for your endorsement of the adoption of the Brevard Age Friendly Action Plan, because it's really good. I have seen a lot of action plans and this one really summarizes the needs that were expressed in the survey. The 8 domains of an Age Friendly Community are social participation, civic engagement, respect and inclusion, outdoor spaces, transportation, housing, community and health services, and communication and information. I think we can all accept that enhancements and improvements in all of those areas will improve the quality of life for all ages and all ability levels. An Age Friendly Community is truly a community for all ages. This action plan chooses to focus on 5 of those domains: affordable housing, transportation, community and health services, communication and information, and outdoor spaces. Each of these domains bring in a benefit to social inclusion, economic benefits, benefits to tourism, but really benefit the people who already live in Brevard. What I mostly want to do is congratulate this diverse task force that has worked hard in a short amount of time to create this plan. I see that it builds on your Master Plan, your Pedestrian Plan and affordable housing plans, and it paves the way for the future. You have already joined the network and there's benefits to that, like becoming a network with other communities nationwide who are like-minded. But, now that you have this focused action plan, it can increase grant funding opportunities, as I have seen in other communities, and it can also really focus efforts and improve community collaboration. I am here to endorse the plan and let you know that it is a really good one relatively, to thank those members of the task force that put this together, and to thank you in anticipation of your approval of the plan.

Sara Knapp of 78 Bruce Circle, Pisgah Forest said it has been my pleasure to have been part of the Brevard Age Friendly Task Force and to witness the evolution of the Age Friendly Brevard Action Plan. This plan has evolved through gathered input from adults, aged 50 and above, about Brevard livability, and to formulate the results into action initiatives. I have been happy to play a role in particular in data analysis for the survey results and more significantly, the plan has been the result of no small effort on the part of Mayor Copelof, on the part of Task Leader Dr. Hartman-Stein, as well as the other Task Force members in terms of pulling the action plan together, finding a way to actually help to see a path forward in terms of the Age Friendly initiative. What impresses me most is how well the action plan actually melds with the current initiatives that the City has, particularly the Comprehensive Land Use Plan. Just that recognition that as we look at the issues associated with being age friendly, those initiatives not only benefit older adults, but also benefit the community overall. As we look at the specific needs perhaps related to older adults, we will see how the types of solutions in the plan actually helps everyone in the community, young and old. One of the best benefits of the Age Friendly Action Plan is the opportunity it gives members of the community to participate in city planning. I know that this opportunity has always existed, but for me, being part of the Task Force actually provides a very natural avenue in terms of understanding more deeply the City's priorities and how I can be a part of providing input to those priorities. I will feel a satisfying sense of participation when I consult a new community calendar, use a new crosswalk or repaired sidewalk, or use alternative transportation to get to destinations downtown. These are just a few benefits I anticipate as we become more entrenched in an age friendly way of life; the benefits will gradually grow and build upon each other. To me, Age Friendly Brevard is simply meant to be.

Kay Argroves 167 Hilt St. said I am here to ask you to vote in the affirmative for the Age Friendly Action Plan. Several of us locals approached the Mayor requesting her to see if she could support this and to her credit, she listened to us. As a result of the survey that looked at what the population here in Brevard wanted, some of the activities that were really a lot of fun included a 6-week wellness program that was opened up to the community where they could have private consultations with a physical therapist, dental folks, the Nursing School was involved in it, and they could have their blood pressure checked. It was later turfed into a support group after the hurricane. We also had a very dynamic program learning about GPT and GPT4 and had

the IT cybersecurity from the Jr. College come to teach us how to be safer with our internet browsing, which actually has a long-term effect because it builds in safety and lowers your responsibilities and the Police Department's responsibilities for scam issues. The Task Force was very diverse; we had our Planning and Transportation Director, a sociologist, Heart of Brevard was represented, we had 5 AARP volunteers, a local physician, and when you looked at the survey, we addressed then, and with our action plan, things that the community was concerned about in very creative ways. Dr. Hartman-Stein wrote several articles which garnered national attention and made Brevard look very good. I can only tell you that I and many of my compatriots here are very passionate and committed to this program and we would request that you vote in the affirmative to this action plan.

Jeff Adams, Transylvania County Director of Transportation, Planning and Community Development, said I want to thank the Mayor for including us in part of this plan. I think why it's important – three things that I want you to remember – 1) just look at the data; we're the 6th oldest county, out of 100 counties according to the 2020 census in the state; 2) look at your key finds from your survey and note that 7 of the 8, whether it is the ability to age in place, affordable housing, transportation, conveniently located public parking, safety issues, adult daycare, they're all having to do with planning, transportation and community development; and those are all things that drive me every day to think about to make better connections, and that's number 3. I think of it as an age spectrum and I think some of the earlier comments talked about what you do for the elderly, you also do for the younger. What we're doing with this Task Force is to look at all the age spectrum and to think about planning in advance, whether it's with the City or with the County and those other agencies that need to be at the table to think about our planning for the future. Thank you and thanks for the consideration.

Jeanne Denon of 268 Fox Cross Dr. said I am here to support Dr. Paula Hartman-Stein's program. I have been participating and have benefitted greatly with her program. I am so thankful and if I can benefit, I think the whole community can, so I am just here to say thank you and please consider it a done deed.

**H. Certificates/Awards/Recognition** – None.

**I. Special Presentations** – None.

**J. Public Hearing(s)**

**J-1. Proposed Amendment to City of Brevard Fee Schedule – Utility Tap Fees** – Mr. Hooper explained that this proposed amendment to waive utility tap fees would only be available for temporary uses intended to support the response and recovery of a "state of emergency". The amendment is a footnote to the Fee Schedule as follows:

> "During a "State of Emergency" as defined by Chapter 21.2 of the Brevard Unified Development Ordinance, the Zoning Administrator may temporarily waive such fees for temporary uses associated with emergency response and recovery as described in Chapter 21.3 of the UDO. The duration of the waiver shall correspond with the duration of the State of Emergency, after which the fees must be paid in full or the meters recovered and the utility access terminated."

Mr. Hooper added that anyone applying for this waiver would be required to complete a waiver application and acknowledge that should the temporary use become permanent, or cease to support response and recovery, the waiver would no longer be valid, and the applicant would be subject to expiration provisions set out in the waiver. The duration of the waiver corresponds with the length of the local State of Emergency declared under Chapter 21.2 of the UDO. If City Council were to extend the State of Emergency, the applicant would need to reapply for the waiver. When the tap loses its waiver eligibility, the applicant would have 30 days to pay the fee in full. If not paid

within 30 days, the meter will be subject to immediate recovery by the City and the service will be terminated.

At 6:02 p.m. Mr. Morrow moved, seconded by Mr. Daniel to open the public hearing. The motion carried unanimously.

Public Participation – None.

At 6:02 p.m. Mr. Morrow moved, seconded by Ms. Holder to close the public hearing. The motion carried unanimously. This item will be added to Council's agenda for action at the February 3, 2025 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. Morrow moved, seconded by Mr. Baker to approve the consent agenda. The motion carried unanimously.

### K-1. Tax Settlement Report – November 2024

### K-2. Property Tax Releases – December, 2024

**RESOLUTION 2025-01**

**A RESOLUTION APPROVING PROPERTY TAX RELEASES**

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

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

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

2024: $ 2,950.98

Adopted and approved this the 6th day of January, 2025.

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

### K-3. Proclamation No. 2024-26 May Declared State of Emergency – Tropical Storm Helene

**PROCLAMATION NO. 2024-26**

**MAYOR DECLARED STATE OF EMERGENCY**

**WHEREAS,** on September 25, 2024 Governor Roy Cooper declared a statewide state of emergency in the State of North Carolina due to the anticipated impacts from Tropical Storm Helene; and

**WHEREAS**, on September 25, 2024 Jason Chappell, Chairman of the Transylvania County Board of Commissioners declared a local state of emergency inclusive of all areas and townships inside the geographic borders of Transylvania County; and

**WHEREAS,** on September 28, 2024 President Biden granted Governor Roy Cooper's request for a Federal Major Disaster Declaration for Tropical Storm Helene providing immediate federal help for 25 North Carolina counties; and

**WHEREAS,** as authorized by Brevard Code of Ordinances Chapter 26, Article 1, Section 26.32, City of Brevard Mayor Maureen Copelof consented to the Transylvania County declaration of local state of emergency; and

**WHEREAS,** the State of North Carolina has vested in the City Council and, where so ordained, the Mayor the power to issue such proclamations and any subsequent proclamations that may restrict movement and other actions during declared emergencies; and

**WHEREAS,** I, as Mayor, have adjudged it practical and expedient because of existing circumstances to declare an emergency and issue such a proclamation; and

**WHEREAS**, on December 2, 2024 Brevard City Council passed revisions to the Brevard Unified Development Ordinance, establishing Chapter 21 – Emergency Response and Recovery, that would apply during certain declared emergencies, adding stipulations for temporary housing and non-residential uses; and

**WHEREAS,** Chapter 21's emergency provision may not be applicable to all states of emergency, and thus Chapter 21 includes an additional and separate declaration procedure.

**NOW, THEREFORE**, by the power vested in me by the State of North Carolina and pursuant to the City Code of Ordinances, Section 26.32, and Unified Development Ordinance, Chapter 21, I, Maureen Copelof, Mayor of the City of Brevard do hereby declare that a state of emergency is in effect and proclaim the effectiveness of emergency procedures as follows:

1. This state of emergency is declared by the City of Brevard.

2. The state of emergency shall retroactively be in effect beginning on the 28th day of September, 2024.

3. The state of emergency covers the municipal boundaries of the City of Brevard, as well as all City-owned properties and facilities.

4. The City Manager is hereby authorized to take necessary actions and expend City funds to protect City facilities and the health, safety and welfare of Brevard citizens.

5. The state of emergency is in effect until the end of the state of emergency as declared by the Mayor.

6. The City Clerk and other persons designated by me are hereby directed to disseminate this declaration to the press and other news media and upon electronic distribution media controlled by the City of Brevard.

Signed this 27th day of December, 2024.

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

## K-4. Resolution in Support of Tobacco 21 to Protect Our Kids from Vaping and Nicotine Addiction

**RESOLUTION NO. 2025-02**
**RESOLUTION IN SUPPORT OF TOBACCO 21 TO PROTECT OUR KIDS FROM VAPING AND NICOTINE ADDICTION**

**WHEREAS**, one of every five deaths in North Carolina is associated with cigarette smoking,[1] and for each death, 30 more people are sick or live with a disability [2]; and

**WHEREAS**, 95% of tobacco users start before the age of 21[3]; and

**WHEREAS**, as of 2022, 27% of high school students in North Carolina report tobacco use. E-cigarette use has significantly increased among youth since 2011[4]; and

**WHEREAS**, nicotine is harmful to developing brains, and its use during adolescence can disrupt the formation of brain circuits that control attention, learning, and susceptibility to addiction [5]; and

**WHEREAS**, in a 2020 study among NC schools, a high proportion of school administrator and teacher respondents believed that e-cigarette use among students is somewhat or very problematic (91%), and that student e-cigarette use it is a somewhat or high priority issue for their school administration (90%)[6]; and

**WHEREAS**, most North Carolina young people obtain tobacco products, including e-cigarettes, from retailers. NC young people who get e-cigarettes from friends primarily get them from friends who are under 21[7]; and

**WHEREAS**, in 2019, Congress increased the federal minimum legal sales age of all tobacco products, including e-cigarettes, from 18 to 21. While a majority of states (43 states, as of October 2024) have increased their minimum tobacco sales age to 21 to match federal law, North Carolina's minimum sales age remains 18 [8]; and

**WHEREAS**, having the same legal sales age at 21 for alcohol and tobacco products reduces the burden on retailers; and

**WHEREAS**, North Carolina is one of only 9 states in the country that do not require tobacco retailers to obtain a license or permit[9]; and

**WHEREAS**, the North Carolina ABC Commission is capable of implementing an efficient and effective tobacco retailer permitting system based on the system also in place for alcohol retailer permitting; and

**WHEREAS**, establishing a retailer permitting system AND raising the minimum legal sale age to 21 will:

- Allow the state to know where tobacco products are being sold
- Improve merchant education efforts
- Allow the state to inspect for responsible retail practices
- Protect law-abiding retailers by holding non-compliant retailers accountable
- Prevent and reduce youth use of highly addictive nicotine products
- Help eliminate the use of e-cigarette and other emerging nicotine products in schools
- Reduce any confusion among retailers and consumers by having one legal sales age for state and federal law[10, 11]; and

**WHEREAS**, Under the Federal Synar law, states are expected to reduce the illegal sale of tobacco products to individuals under the age of 21. NC could lose over $5.2 million in annual funding from the Substance Abuse Prevention and Treatment Block Grant money (money NC uses to pay for drug treatment) through penalties under the federal Synar amendment if sales to underage youth are too high in required annual inspections[12]; and

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

**Section 1**. The City of Brevard supports policy changes for North Carolina to protect our children and youth from vaping and nicotine addiction by establishing a tobacco retailer permitting system, raising the minimum age of sales from 18 to 21, and adopting other needed provisions of legal sales of tobacco products to match federal law.

**Section 2**. This resolution shall be effective upon adoption.

Adopted and approved this the 6th day of January, 2025.

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

## K-5. City Manager Employment Agreement Amendments

**ORDINANCE NO. 2025-01**
**AN ORDINANCE FIXING COMPENSATION AND OTHER TERMS FOR EMPLOYMENT FOR CITY MANAGER WILSON HOOPER**

**WHEREAS**, in accord with Chapter 2, Article III of the Brevard City Code, the compensation of the City Manager and other terms of his employment are to be fixed by Ordinance; and,

**WHEREAS**, Council now desires to set forth the terms of such employment in this Ordinance;

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

**SECTION 1**. RATIFICATION AND CONTINUATION OF EMPLOYMENT. The compensation and other terms for employment for City Manager Wilson Hooper are hereby amended as set forth in the Employment Agreement made and entered into by the City of Brevard, North Carolina and Wilson Hooper, which is attached hereto and incorporated herein by reference.

**SECTION 2**. EFFECTIVE DATE. This Ordinance shall be effective as of January 1, 2025.

Adopted and approved this the 6th day of January, 2025.

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

## K-6. Finance Report at September 30, 2024

## K-7. Council Downtown Master Plan Committee Minutes – 9/19/2024

**K-8. Council Finance, Human Resources & Citizen Appointment Committee Minutes – 10/28/2024**

**K-9. Council Public Safety Committee Minutes – 10/28/2024**

**K-10. Ecusta Trail Advisory Board Minutes – 10/30/2024**

**K-11. Council Public Works & Utilities Committee Minutes – 11/6/2024**

**K-12. Council Housing Committee Minutes – 11/19/2024**

**K-13. Council Parks, Trails & Recreation Committee Minutes – 11/20/2024**

**K-14. Correspondence** *(No Action. Offered as information only.)*

**K-14-a. ABC Board Minutes – 10/24/2024**

**L. Unfinished Business**

**L-1. Ordinance – Voluntary Contiguous Annexation – Mills Ave Properties, LLC/Forest Hill Drive** – Aaron Bland recalled that the request is to annex four vacant parcels on Forest Hill Drive. The Planning Board discussed this request at its November 19, 2024 meeting and voted in favor of the request, and Council held a public hearing on this petition at its December 2, 2024 meeting. In response to a request from Council Member Baker for supplementary information on how this annexation might impact trail development in the vicinity, Mr. Bland distributed information regarding an existing easement the City has between Forest Hill Road and property owned by the Board of Education. He noted that this easement is three parcels south of the subject annexation area. Mr. Morrow moved, seconded by Mr. Daniel to adopt the annexation as presented. The motion carried unanimously.

**ORDINANCE NO. 2025-02**
**AN ORDINANCE TO EXTEND THE CORPORATE LIMITS**
**OF THE CITY OF BREVARD, NORTH CAROLINA**

**WHEREAS**, the Brevard City Council has been petitioned under G.S. 160A-31, as amended, to annex the contiguous area described herein, and,

**WHEREAS**, the City Council has by Resolution No. 2024-47 directed the City Clerk to investigate the sufficiency of said petition; and,

**WHEREAS**, the Brevard Planning Board reviewed the Petition at their meeting held on November 19, 2024 and recommended approval of the voluntary contiguous annexation; and,

**WHEREAS**, the City Clerk has certified the sufficiency of said petition (relying on the opinion of the City Attorney) and the City Council adopted Resolution No. 2024-48 fixing a date of public hearing. By authority granted by G.S. 160A-31, a public hearing on the question of this annexation was held at the City Council Chambers at 5:30 P.M. on the 2nd day of December, 2024, after due notice by publication on the 18th day of November, 2024; and

**WHEREAS**, the City Council does hereby find as a fact that the petition meets the requirements of G.S. 160A-31, as amended.

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

**Section 1**. By virtue of the authority granted by G.S. 160A-31, as amended, all of that property lying in Transylvania County, owned by Mills Ave Properties, LLC, as shown and being that property described in the deed recorded in Document Book 1035, Pages 743-745, in the Transylvania County Register of Deeds and that certain plat provided by the Petitioners to be duly recorded upon annexation is hereby annexed and made a part of the City of Brevard as of the 6th day of January, 2025.

Said property is more fully described as follows:

Location: Forest Hill Drive, Brevard, NC 28712. Transylvania County Tax Property Identification Numbers: 8585-36-0021; 8585-35-0899-000; 8585-35-1747-000; and 8585-35-1676-000

Property Description:

Beginning at a broken concrete monument having North Carolina NAD 83/86 grid coordinates of North: 555675.23 East: 882903.55; said monument standing S 36°49'51" E a distance of 1,328.41 from NCGS MONUMENT GEORGE which has North Carolina NAD 83/86 grid coordinates of North: 556738.54 East: 882107.07 and 6.2' away from an existing utility pole in the right of way for Forest Hill Road; thence N 72°35'30" W a distance of 9.48' to a calculated point on the old 45' right of way; thence N 22°22'36" W a distance of 58.85' to a calculated point on the old 45' right of way; thence N 22°22'36" W a distance of 30.91' to a calculated point on the old 45' right of way; thence with a curve turning to the right with an arc length of 27.95', with a radius of 289.00', with a chord bearing of N 19°36'24" W, with a chord length of 27.93', to a calculated point on the old 45' right of way; thence with a compound curve turning to the right with an arc length of 58.85', with a radius of 289.00', with a chord bearing of N 11°00'10" W, with a chord length of 58.75', to a calculated point on the old 45' right of way; thence with a compound curve turning to the right with an arc length of 58.87', with a radius of 289.00', with a chord bearing of N 00°39'58" E, with a chord length of 58.76', to a calculated point on the old 45' right of way; thence leaving the old right of way N 42°42'28" E a distance of 18.15' to a point in the center of a ditch; thence down and with the center of a ditch N 70°17'08" E a distance of 32.99' to a point in the center of the ditch; thence N 65°22'33" E a distance of 44.58' to a point in the center of a ditch; thence N 39°05'26" E a distance of 19.33' to a point in the center of a ditch; thence N 13°02'07" W a distance of 42.04' to a point in the center of a ditch; thence N 15°38'54" E a distance of 60.58' to a point in the center of a ditch; thence N 27°30'15" E a distance of 27.48' to a point in the center of a ditch; thence N 46°24'44" E a distance of 34.48' to a point in the center of a ditch; thence N 52°18'45" E a distance of 44.06' to a point in the center of a ditch; thence N 63°35'23" E a distance of 24.90' to a point in the center of a ditch; thence N 68°35'48" E a distance of 34.51' to a point in the center of a ditch; thence N 82°42'23" E a distance of 18.77' to a point in the center of a ditch; thence N 59°06'04" E a distance of 10.91' to a point where the ditch meets the center of Brushy Creek; thence down and with the center of Brushy Creek S 31°45'09" E a distance of 62.74' to a point in the center of Brushy Creek; thence S 36°59'42" E a distance of 95.95' to a point in the center of Brushy Creek; thence S 36°59'42" E a distance of 76.42' to a point in the center of Brushy Creek; thence S 11°00'05" E a distance of 45.80' to a point in the center of Brushy Creek; thence S 19°22'35" E a distance of 32.79' to a point in the center of Brushy Creek; thence S 38°07'26" E a distance of 24.16' to a point in the center of Brushy Creek; thence S 58°35'26" E a distance of 37.39' to a point in the center of Brushy Creek; thence S 38°46'28" E a distance of 17.91' to a point in the center of Brushy Creek; thence S 38°46'28" E a distance of 15.80' to a point in the center of Brushy Creek; thence S 28°10'33" E a distance of 121.25' to a point in the center of Brushy Creek; thence S 22°12'32" E a distance of 22.95' to a point in the center of Brushy Creek; thence S 09°32'28" E a distance of 3.35' to a point in the center of Brushy Creek; thence S 09°32'28" E a distance of 16.33' to a point in the center of Brushy Creek; thence S 18°24'11" W a distance of 35.66' to a point in the center of Brushy Creek; thence S 33°58'27" W a distance of 65.28' to a point in the center of Brushy Creek; thence S 44°26'22" W a distance of 31.27' to a point in the center of Brushy Creek; thence S 14°19'46" W a distance of 29.38' to a point in the center of Brushy Creek; thence leaving the center of Brushy Creek N 77°32'22" W a distance of 21.02' to a point in the center of a ditch; thence N 70°38'59" W a distance of 156.06' to a point in the center of a ditch; thence N 77°40'10" W a distance of 71.18' to a 5/8" rebar; thence N 72°39'09" W a distance of 29.26' to a 5/8" rebar; thence N 46°48'46" W a distance of 41.05' to a 5/8" rebar; thence S 89°46'32" W a distance of 60.26' to 5/8" rebar; thence N 72°47'04" W a distance of 28.12' to a 5/8" rebar; thence N 72°50'41" W a distance of 30.42' to a broken concrete monument; which is the place and point of beginning and containing Tracts 2A, 2B, 2C and 2D as shown on Plat File 22, Slide 158, and having an area of 4.640 acres.

**Section 2**. Upon and after the 6th day of January, 2025 the above-described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Brevard and shall be entitled to the same privileges and benefits as other parts of the City of Brevard. Said territory shall be subject to the municipal taxes according to G.S. 160A-31.

Also being all of that property described in a plat prepared by Michael A. Pfoutz, Sr., PLS for Mills Ave Properties, LLC, dated September 27, 2024, and recorded in Plat File 25, Slide 5, of the Transylvania County Registry.

**Section 3**. Pursuant to 160A-29 it shall be the duty of the Mayor of the City of Brevard to cause an accurate map of the annexed territory as described in Section 1 hereof, together with a duly certified copy of this Ordinance, to be recorded in the office of the Register of Deeds of Transylvania County, North Carolina, and in the office of the Secretary of State at Raleigh, North Carolina. Such a map shall also be delivered to the Transylvania County Board of Elections as required by G.S. 163.288.1.

**Section 4**. Notice of adoption of this Ordinance shall be published once, following the effective date of annexation, in a newspaper having general circulation in the City of Brevard.

Adopted and approved this the 6th day of January, 2025

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

## M. New Business

**M-1. Age Friendly Brevard Action Plan** – Mr. Hooper explained that this is a follow up to Council's action in February 2024 to pursue the AARP "Age Friendly Community" designation and to establish a task force to review the City's plans through an age-specific lens and make recommendations on how to enhance those plans for the benefit of the area's aging population. Council Member Wise serves on the Age Friendly Task Force and summarized the Age Friendly Brevard Action Plan 2025. He noted that while this has an age-friendly focus, the intent of it will benefit everyone in our community. He explained that the primary goal of the Task Force was to survey residents over 50 years of age and use that information to create an action plan to give the City greater insight into the concerns and needs of this group. Additionally, the Task Force conducted four listening sessions open to all members of the community. The Age Friendly Brevard Action Plan 2025 focuses on 5 of the 8 AARP domains of livability: housing, transportation (including walking, biking and public transit), outdoor spaces, health services and community supports, and communication and information. Mr. Wise said we are asking City Council to accept this report because the value of this document, outside of being able to participate in the AARP Age Friendly Communities program, is to ensure the strategic priorities that Council has identified and enumerated in our Comprehensive Land Use Plan are aligned with the needs of our community. This plan should be viewed as a useful look into this specific community needs, but as a whole, as a support document for the entire Comprehensive Land Use Plan.

Mr. Morrow moved, seconded by Ms. Holder to adopt the resolution to accept the Age Friendly Action Plan. During discussion Mr. Baker and Mr. Daniel had a number of questions regarding where this project would interact with current city plans/priorities and whether work would be done through the committee structure. Mr. Hooper said he sees this document as a supplemental document, and that accepting the plan would not be a blanket permission to implement anything, but permission to consider it, and that the Task Force would work with the existing committees to work through the details. Vote on the motion was 4 in favor and 1 opposed (Daniel); the motion carried.

**RESOLUTION NO. 2025-03**
**RESOLUTION ACCEPTING AGE FRIENDLY BREVARD ACTION PLAN 2025**

**WHEREAS**, at its meeting on February 19, 2024 Brevard City Council adopted Resolution No. 2024-08 approving the City's application for designation as an AARP Age-Friendly Community; and

**WHEREAS**, Resolution No. 2024-08 called for the establishment of a Community Leader and volunteer group to review the City's plans through an age-specific lens and make recommendations on how to enhance them for the benefit of the area's aging population; and

**WHEREAS**, the Age-Friendly Task Force has conducted the review of the City's plans and completed a survey of residents over age 65; and

**WHEREAS**, the Age-Friendly Task Force has drafted an "Age Friendly Brevard Action Plan 2025" summarizing the results of its review and the survey results.

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

**Section 1**. the "Age Friendly Brevard Action Plan 2025" attached hereto and presented to City Council at its January 6, 2025 meeting is hereby accepted.

**Section 2**. This resolution shall be effective upon adoption.

Adopted and approved this the 6th day of January, 2025.

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

~~ At 6:55 PM Mayor Copelof called for a ten-minute break ~~

**M-2. Non-Profit Funding Policy Amendments** – Mr. Hooper noted that at its meeting on October 28, 2024 the Finance, Human Resources, and Citizen Appointment Committee referred the proposed policy to full Council with a recommendation to approve. Dean Luebbe explained that the proposed amendments include the following provisions:

- Recommendation for a cap on nonprofit awards of no more than 1% of the previous year's General Fund budget.
- Nonprofits receiving over $25,000 must submit audited financial statements; those receiving less than $25,000 must submit financial statements approved by its governing board.
- Nonprofits will be required to sign a contract with the City and to provide programmatic reports at mid-year and year-end.
- The Finance, Human Resources and Citizen Appointment Committee will review all applications and make recommendations that will be presented with the City Manager's recommended budget.

Mr. Daniel moved, seconded by Mr. Wise to adopt the Non-Profit Funding Policy as presented and recommended by the Finance, Human Resources and Citizen Appointment Committee. The motion carried unanimously.

**RESOLUTION NO. 2025-04**
**A RESOLUTION ADOPTING THE CITY OF BREVARD**
**NONPROFIT FUNDING POLICY**

**WHEREAS**, the City of Brevard recognizes that nonprofit organizations serve a vital role in improving the quality of life for our community by delivering services to our citizens in a cost-effective manner through the use of partnerships; and

**WHEREAS**, the City of Brevard is committed to providing financial assistance to those nonprofit agencies which assist the City in conducting its mission; and

**WHEREAS**, it shall be the policy of the City of Brevard to set parameters and establish guidelines for the funding of nonprofit organizations to ensure transparency, accountability, consistency and adherence to best practices; and

**WHEREAS**, the City Council Finance, Human Resources and Citizen Appointment Committee has reviewed the draft Nonprofit Funding Policy and recommends approval.

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

**Section 1**. The City of Brevard Nonprofit Funding Policy attached hereto and presented to City Council at its January 6, 2025 meeting is hereby adopted.

**Section 2**. The City of Brevard Nonprofit Funding Policy shall become effective on January 6, 2025 .

Adopted and approved this the 6th day of January 2025.

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

**M-3. NCLM Municipal Advocacy Goals** – Mr. Hooper explained that prior to the North Carolina General Assembly's biennial session the NCLM Legislative Policy Committee (LPC) creates a list of proposed legislative goals that will form the

foundation of NCLM's lobbying strategy. This year the LPC proposed 16 goals and each member organization may select their ten highest priorities. The draft resolution includes the preferred goals as recommended by Staff in consultation with Mayor Copelof. Mr. Morrow moved, seconded by Mr. Baker to approve the resolution as presented. The motion carried unanimously.

**RESOLUTION NO. 2025-05**
**A RESOLUTION ENUMERATING THE CITY OF BREVARD'S**
**PREFERRED LEGISLATIVE PRIORITIES**
**FOR THE NORTH CAROLINA LEAGUE OF MUNICIPALITIES (NCLM)**

**WHEREAS**, the biennial "long-session" of the North Carolina General Assembly is scheduled to convene in January 2025; and

**WHEREAS**, during the "long-session" the North Carolina General Assembly develops the state's biennial budget, and considers new legislation; 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 January 6, 2025 the Brevard City Council discussed in open session a list of legislative priorities that they ask the North Carolina League of Municipalities to lobby for on their behalf.

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

**Section 1.** The City of Brevard identifies the following ten items as its chosen priorities for NCLM's legislative advocacy during the 2025 General Assembly;

- Expand funding opportunities for disaster resiliency and recovery efforts
- Establish long-term funding streams that adequately address water, sewer, stormwater, transportation and other infrastructure needs
- Expand state transportation funding streams for construction and maintenance of municipal and state-owned secondary roads
- Expand incentives and funding for local economic development
- Create incentives to encourage development of diverse housing options
- Provide local revenue options beyond the property tax
- Address the needs of a changing municipal workforce through state assistance that supports employee retention, including training and recruitment
- Update the annexation petition thresholds to make voluntary annexation easier to initiate
- Preserve authority for extraterritorial jurisdiction to ensure growth is well-planned and investments by homeowners and businesses are protected
- Protect the ability of municipal elected officials, acting on behalf of local voters, to determine election format, districts and other election matter currently under their purview

**Section 2.** That Mayor Maureen Copelof is designated as Brevard's voting delegate for the purposes of recording the city's ten priority goals with NCLM.

Approved and adopted this 6th day of January, 2025.

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

**M-4. City of Brevard Legislative Requests** – Mr. Hooper presented Staff's list of proposed legislative requests and explained that these are based on the themes of housing, local control of planning/zoning, and storm recovery/resiliency. The proposed request also includes a specific request for financial assistance in the amount of $52M for the upcoming Wastewater Treatment Plant upgrade/replacement. Once approved, the list will be submitted to Senator Corbin and Representative Clampitt and shared with NCLM and the County.

**City of Brevard 2025 Legislative Requests**

| Direct Allocation Requests | | |
|---|---|---|
| Project | Amount | Description |
| Brevard Wastewater Treatment Plan Replacement | $52,000,000 | The upgrade/replacement of the city's aging WWTP is Brevard's most critical infrastructure need to ensure economic competitiveness and environmental health. The city appreciates the $13M allocated in the last Long Session budget. Thought it was earmarked for general "water and wastewater infrastructure projects" the city intends to use it for its WWTP. So far $352,000 has been encumbered for Preliminary Engineering, with more identified for actual engineering costs. Brevard requests additional consideration in future budgets for construction costs. |

| Policy Requests | |
|---|---|
| Housing | Brevard requests support for legislation that:<br>• Permits public entities to financially support workforce housing serving beneficiaries having incomes up to 120% of AMI<br>• Amends North Carolina's Low Income Housing Tax Credit (LIHTC) formula to make small, rural communities more competitive.<br>• Names housing as an eligible "tourism-related" expense so that duly-chartered Tourism Development Authorities can use occupancy tax proceeds to support housing development. The lack of housing units affordable to tourism-industry workers is inhibiting the growth of the tourism sector in the area.<br>• Names housing as an economic development tool, making housing eligible for funding/programs that support ED. |
| Local control of planning/zoning | Brevard requests support for legislation that:<br>• Preserves its Extraterritorial Jurisdiction (ETJ). Brevard's irregular corporate boundaries mean that built-up areas exist in unincorporated areas immediately adjacent to incorporated ones. ETJ gives Brevard the ability to ensure that incompatible land uses are not placed next to each other, and that property values, health, and safety are protected.<br>• Replaces or amends previous legislation that limits local governments' authority to initiate, implement, and enforce zoning changes and make decision about land use within their jurisdiction as long as they do not conflict with state or federal laws.<br>• Maintains local control over planning/zoning decisions where local conditions are better understood and local voices can be considered. Over the last two years Brevard has exercised great regulatory sensitivity when it comes to land use regulation. The city removed outdates zoning restrictions and adopted a future land use map informed by public engagement. |
| Storm recovery/resiliency | Brevard requests support for legislation that:<br>• Provides grants to business and individuals to help recover from storm-related loss.<br>• Supplements Federal programs like Hazard Mitigation Grant Program with State dollars.<br>• Provides local governments with authority to flexibly apply their local regulations to support recover. |

Mr. Morrow moved, seconded by Ms. Holder to approve the resolution identifying the City of Brevard's legislative requests. During discussion Mr. Baker suggested including an additional theme regarding transportation. He noted that under the Strategic Transportation Investment Law, NCDOT is prohibited from using state funds on standalone bicycle/pedestrian projects. Mr. Hooper recommended adding the following language:

Brevard requests support for legislation that:

- Permits state funds to be used for standalone bicycle/pedestrian projects
- Protects Powell Bill allocations

Mr. Morrow amended his motion, seconded by Ms. Holder to approve the list with the additional transportation items. The motion carried unanimously.

**RESOLUTION NO. 2025-06**

**A RESOLUTION IDENTIFYING THE CITY OF BREVARD'S REQUESTS FOR THE 2025 SESSION OF THE NORTH CAROLINA GENERAL ASSEMBLY**

**WHEREAS**, the biennial "long-session" of the North Carolina General Assembly is scheduled to convene in January 2025; and

**WHEREAS**, during the "long-session" the North Carolina General Assembly develops the state's biennial budget, and considers new legislation; 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 concerns; 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 January 6, 2025 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:**

1) The "City of Brevard's 2025 Legislative Request" document, incorporated by reference, is hereby respectfully submitted to the North Carolina General Assembly for their consideration; and

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

Approved and adopted this 6th day of January, 2025.

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

**M-5. Amendment to 2025 City Council Meeting Schedule – Reschedule Budget Workshop and April Regular Meeting** – Ms. Hodsdon explained that due a potential conflict with Transylvania County Schools' Spring Break, Staff recommends rescheduling the Budget Workshop to Friday, April 11, 2025 and to add a Regular Meeting on Monday, April 21, 2025. Mr. Baker moved, seconded by Mr. Morrow to approve the amendment to the City Council Meeting Schedule. The motion carried unanimously.

**N. Remarks/Future Agenda Considerations.**

Mr. Morrow noted that 72% of property taxes have been received and gave a shoutout to staff. He said it was a great decision for the City to collect our own taxes and to offer a 2% discount.

Mr. Daniel asked if we have heard from the Brevard-Davidson River Presbyterian Church regarding the lease agreement. Mr. Hooper said they are interested in keeping the conversation going and we will convene to talk about it in the weeks to come. Mr. Daniel also expressed concern regarding trail etiquette for pedestrians and cyclists on the Estatoe Trail and the potential for serious injuries. He said I would encourage us to start formulating regulations and put up signage to start getting people informed of what they need to know to use the trail.

Ms. Holder informed everyone that there will be a Martin Luther King, Jr. ceremony at Bethel "A" Baptist Church on January 20th. Participants will meet at the Courthouse at 4pm and march to the church for refreshments and a 6pm ceremony. On Saturday January 18th there will be a unity dinner at MCJCCC starting at 5pm.

Mr. Wise wished everyone a Happy New Year. He said I appreciate the open discussion we had tonight. He mentioned that someone drove a truck on the boardwalk on the bike path this weekend and said I love that people are using our walkways and bike paths, but please don't drive on them because they're not meant for that.

Mr. Baker thanked Public Works staff for quickly getting the boardwalk back up and running. He mentioned that the previously scheduled Ecusta Trail strategic planning session was canceled due to the hurricane and that it is still important for Council and the City to think strategically about the Ecusta Trail as we go forward. He hoped we could have that session soon.

Mr. Hooper thanked Public Works staff for their quick response to both the boardwalk incident and the vandalism at the Depot bathrooms, which they are still repairing, but hope to have them back in service soon.

Mayor Copelof echoed thanks to Public Works staff. She said it is disappointing that we had this vandalism at our facilities. She thanked Dr. Paula Hartman-Stein and members of the Age Friendly Task Force. She noted that we are getting national recognition thanks to the incredible team. The Task Force will be reconvening soon to begin working on some of the items in the action plan. Upcoming events include White Squirrel Day on February 2nd at MCJCCC, and the next Meet the Mayor will be this Thursday at 11:30 MCJCCC. She noted that a Code Purple has been declared through January 12th and the Cove will be open as a shelter and The Haven will be providing transportation each day for people that might need the shelter.

**O. Closed Session** – None.

**P. Adjourn –** There being no further business, at 7:54 p.m. Mr. Morrow moved, seconded by Ms. Holder, to adjourn the meeting. The motion carried unanimously.

| | |
|---|---|
| Maureen Copelof<br>Mayor | Denise Hodsdon, CMC<br>City Clerk |

Minutes Approved: January 21, 2025