MINUTES
BREVARD CITY COUNCIL
Regular Meeting
February 3, 2025 – 5:30 PM

The Brevard City Council met in regular session on Monday, February 3, 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, Communications Coordinator Becky McCann, Police Chief Tom Jordan, Fire Chief Bobby Cooper, Public Works Director Wesley Shook, Wastewater Treatment Plant ORC Emory Owen, Water Treatment Plan ORC Dennis Richardson, 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. Keith Thompson of Brevard-Davidson River Presbyterian Church offered an invocation.

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

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

E. Approval of Agenda – Mayor Copelof requested to add an item regarding a statement from Council concerning immigration as Item M-1 under New Business. Ms. Holder moved, seconded by Mr. Morrow to approve the agenda as amended. The motion carried unanimously.

F. Approval of Minutes

F-1. January 21, 2025 Regular Meeting – Mr. Wise moved, seconded by Mr. Morrow to approve the minutes of the January 21, 2025 Regular Meeting as presented. The motion carried unanimously.

G. Public Comments

Josh Fisher of 402 Greenville Hwy said you guys are still not doing your jobs. We're still not having crossing guards out there. At 7:58 this morning two kids crossed the street and the crossing guard being paid by the city is sitting in their car. If you guys can't do it and the Chief of Police can't do it, who is going to do this? Tomorrow morning I will be out there myself helping cross the children. I saw today that you were going to talk about the evidence room audit and I want to read something from best practices and industry standards: Having police departments audit their own evidence rooms presents a conflict of interest and a potential for corruption and mismanagement, where errors can go unchecked. While internal audits can be useful for routine checks, they should be supplemented with independent oversight. External audits by third party agencies, civilian review boards, or internal affairs divisions from a different jurisdiction would help ensure accountability, transparency and public trust. Without independent verification there is a risk of evidence tampering, lost evidence or

mishandling going unnoticed or recorded. So, I'm going to congratulate everyone in this room; your internal audit…good job. I don't know what else we have to do to get you guys to open your eyes and realize what's going on. This started with the crossing guard issue, and once I started that and started talking to citizens in the city, it is a lot worse. You guys don't realize it because you only talk to people you want to talk to. If you went out and talked to a lot more people in the city you would see it is about public trust. Mr. Baker, I still respect you a lot and believe you listen, and same thing with Ms. Holder. For the ones that don't want to do anything, the last thing I will say is that Mark Twain once said that diapers are like politicians and should be changed out very often.

H. Certificates/Awards/Recognition

H-1. Proclamation No. 2025-03 Career and Technical Education Month – Mayor Copelof read the proclamation aloud and presented it to Brevard High School CTE Director Kerry Putnam, Brevard High School Teacher Laura Smith, and Brevard High School DECA Officers McKinley Newton, Zia Brown and Ayanna Carter.

Proclamation No. 2025-03
Career and Technical Education Month

WHEREAS, the month of February is designated Career and Technical Education (CTE) Month® by the Association for Career and Technical Education; and

WHEREAS, CTE offers students the opportunity to gain the academic, technical and employability skills necessary for true career readiness; and

WHEREAS, students in CTE programs participate in authentic, meaningful experiences that improve the quality of their education and increase their engagement and achievement; and

WHEREAS, CTE provides students with career exploration opportunities early in their educational experience, which enables them to make informed and beneficial decisions about their academic coursework and pursue established programs of study and career pathways; and

WHEREAS, leaders from business and industry nationwide report increasing challenges related to addressing the skills gap and connecting qualified professionals with careers in critical and growing CTE-related fields; and

WHEREAS, CTE programs in Transylvania County provide hands-on learning experiences in fields such as business, hospitality, technology, and skilled trades, preparing students for both college and career pathways and leading to the attainment of industry-recognized credentials; and

WHEREAS, CTE programs ensure that employers have access to a qualified and thriving workforce, ensuring our nation is a strong and competitive economy.

NOW, THEREFORE, I, Maureen Copelof, Mayor of Brevard, do hereby proclaim February 1-28, 2025 as Career and Technical Education Month in the City of Brevard, and urge all citizens to become familiar with the services and benefits offered by the CTE programs in our community and to support and participate in these programs to enhance their individual skills and productivity.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Brevard to be affixed on this 3rd day of February, 2025.

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

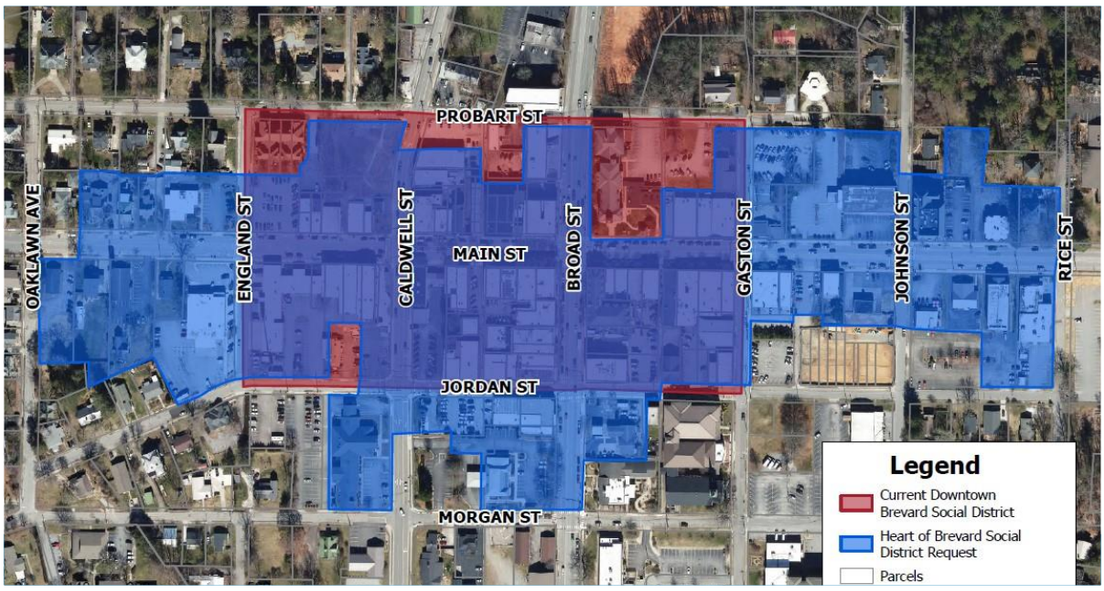
H-2. Presentation of AARP Certificate of Renewal as an Age-Friendly Community – Mayor Copelof and Age Friendly Task Force Coordinator Dr. Paula Hartman-Stein accepted the certificate from AARP Volunteers Kay Argroves and Sara Knapp.

I. Special Presentations

I-1. Evidence Room Audit Report – Police Chief Tom Jordan presented the results of the recently completed comprehensive evidence/property room audit. A copy of his presentation is attached, and a copy of the full audit report is on file. Chief Jordan added that once a new camera system is installed at the new location, the evidence room will be ready to be moved, and a third-party representative from the International Association of Property Evidence (IAPE) will be brought in to oversee the move.

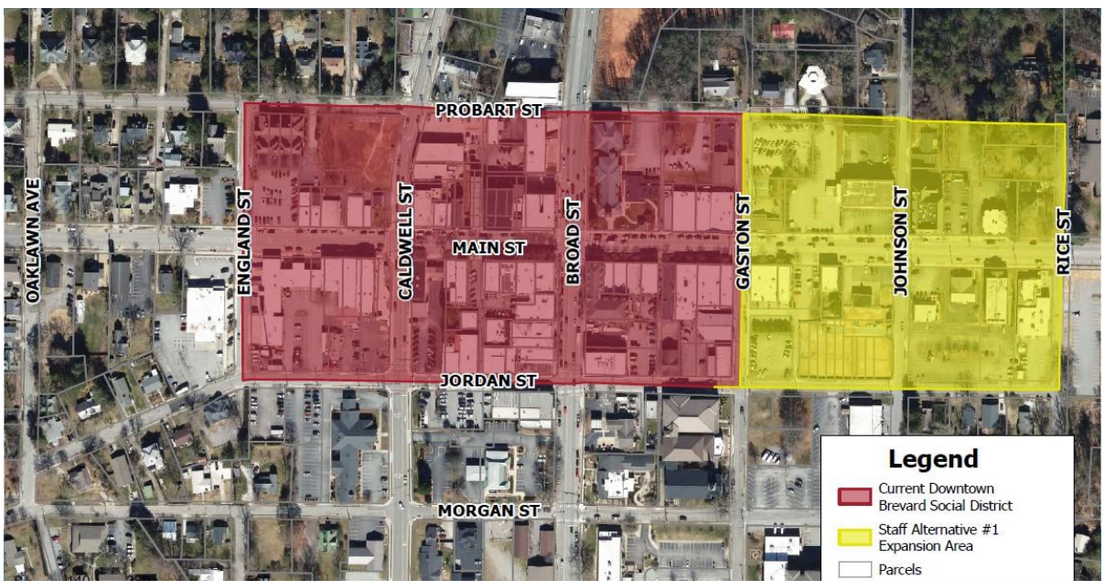
J. Public Hearing(s)

J-1. Proposed Amendment to City of Brevard Code of Ordinances Chapter 43-5(1) – Social District Expansion – Emily Brewer explained that after one year of operation, the social district has resulted in no significant challenges and Heart of Brevard (HOB) is requesting an extension of the social district boundaries to expand its benefits to more participants and better accommodate events. The rationale for the HOB requested expansion is to better align with the Municipal Service District / Heart of Brevard boundary; better align the social district boundaries with downtown festival boundaries; and to include additional ABC-permitted businesses that currently fall outside the boundaries. Specifically, HOB is requesting that the social district boundaries be amended to align with the full Municipal Service District / Heart of Brevard boundary, excluding the Transylvania County, First Baptist Church, and City Camper properties. This request would roughly bring the boundaries west to Oaklawn Ave, south to Morgan Street, and east to Rice Street.



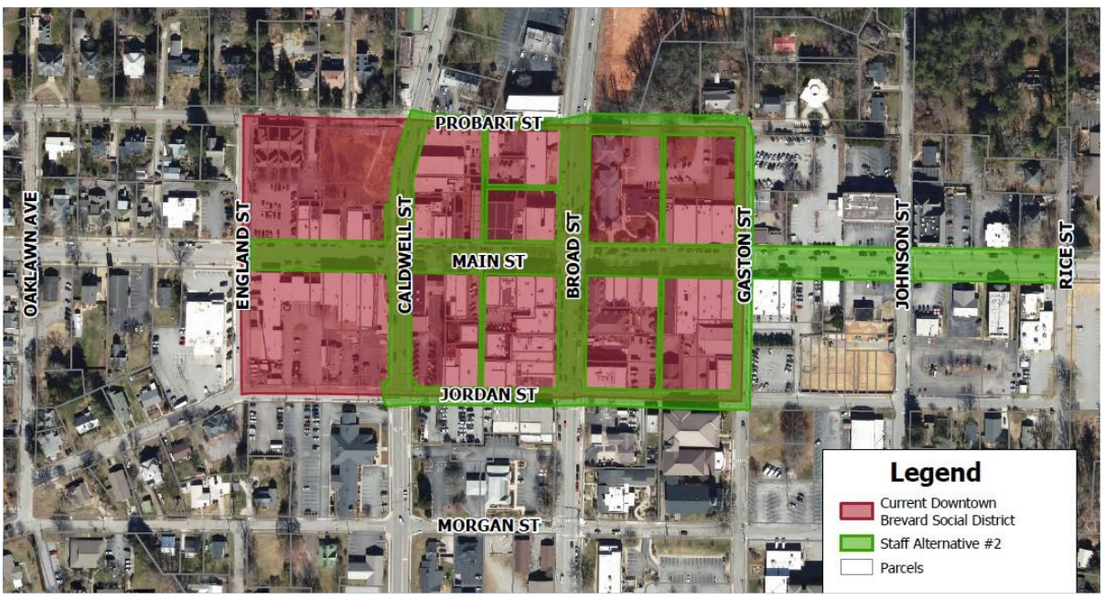
Staff has assessed the request and has offered two alternative scenarios for Council's consideration:

- **Alternative #1** - Expand the Social District eastward along Main Street two blocks to Rice Street. This scenario would expand the district to more closely match festival footprints and accommodate the traditional stage / seating area for downtown festivals.



- **Alternative #2** - Amend the map to show the rights-of-way where the Social District is active instead of the area where businesses may opt-in and expand the

boundaries two blocks to Rice Street. In this scenario, the language of Chapter 43 would need to be amended to state that any business that abuts the social district would be allowed to participate. The benefits of this scenario would be that the social district boundaries would be able to extend to both sides of streets (i.e., Jordan Street) and align with the footprints of downtown festivals. However, this may be more challenging for businesses and patrons to understand.



Ms. Brewer noted that Heart of Brevard is requesting immediate action as there are a number of steps that must be taken following adoption, including updating the management and maintenance plan, re-registering the social district with the NC ABC Commission, newly-added businesses must secure permits, and new signage will need to be updated, ordered and installed. It is the hope of HOB that the amended social district can be in effect before White Squirrel Weekend in May.

At 6:24 p.m. Mr. Morrow moved, seconded by Mr. Baker to open the public hearing. The motion carried unanimously.

Public Participation:

Russell Jackson said my wife and I own Territory Wine Market, currently located at 43 S. Broad Street. We are a current ABC permit holder and a current Social District permit holder. We are moving our business to 110 E. Main St., the old gas station property near where the festival stage is located. We are in support of expanding the boundaries for numerous reasons. One would be our personal business. We are making a significant investment in that space and the social district would allow us to sell drinks at that portion of the downtown district and hopefully increase our revenues. Outside of our business we think it could be beneficial for Brevard by creating a larger walkable area, downtown shopping area for tourists and locals alike, thereby creating more revenue for the city for tax base and more revenue for businesses along that corridor. Finally, right now where the new business will be located at 110 East Main is very close to where the stage sits for the festivals and if the boundary was not expanded I think there could be some confusion about where people can take a drink during a festival, and how do we police that during festival times if there are two different avenues for purchasing alcoholic beverage in that area. We would hope to see one of the options move forward.

Garbriel Garcia of Quixote at 43 S. Broad St. said we also are in favor of the expansion of the social district. We have seen a lot of people very happy with the social district; the fact that they can go into different businesses with their drink in their hands. Families that have been coming to town and they are able to split up while the wife goes shopping and the husband is going to a restaurant, or a wine bar, or wherever he wants to go, they can go around and they can see different businesses. This has been a great point I believe because we have gotten people with social district cups from

different businesses and we love the fact that it is interchangeable, and you can consume something different all the time. There are some businesses that were excluded from the boundaries at first because I believe it was more like a project to see if it would work or not. I have not personally heard or seen anything that has been bad as far as having the social district a part of the Heart of Brevard and largely, I believe we rely a lot into the money of tourists coming to town. We rely on that money and the income from festivals. We love our locals; they support us through the whole year and that is how we get through as well, but having the social district is a differentiation from other cities and is something that will attract people to come to Brevard. I believe that competition out there is far greater than we think because a lot of cities are doing a lot of things to receive tourists who bring people in and we can keep making progress to bring more tourism, bring more people to live here and make the town even greater. It will bring more businesses into the social district, more people participating, and my personal belief is you can try it on to see if it works, and if it doesn't we can always go back. This expansion is basically the private sector asking the public sector to be working together and making this work for everybody and making it even better.

Laura Hoeke, owner of Brevard Clay said it is our mission to craft connections, nurture creativity and enrich lives. We believe in fostering a welcoming vibrant space where creativity and community intercept. Expanding the social district will allow us and other businesses beyond the current six-block footprint to fully contribute to and benefit from the thriving downtown experience. Since its launch last year, the social district has encouraged foot traffic, supported local businesses, and enhanced major events like the White Squirrel Festival and Halloweenfest. These events bring people together supporting the economic and cultural vibrancy of our town. The proposed expansion will strengthen this momentum, seamlessly connecting the expanding area of the heart of downtown and inviting both locals and visitors to explore, engage, and support businesses like ours. For Brevard Clay this means more opportunities to invite bypassers into our space, whether they're browsing our gallery, participating in a workshop, or simply discovering the joy of handmade art. When people feel included in the downtown energy they are more likely to explore and stay and support the businesses that make Brevard unique. A larger more cohesive social district will eliminate logistical hurdles, reduce the strain on event organizers and law enforcement, and create a stronger sense of place where creativity, commerce and the community thrive together. By adopting this ordinance, you will not only support economic growth but also reinforce Brevard as a place where businesses like Brevard Clay can continue to enrich lives through art, connection, and shared experience.

Adam Perkins of 1113 N. Country Club Rd. said I'm here representing the Board of Directors for the Heart of Brevard. I currently sit as Vice President of the Executive Board, and I am here to give you our statement as a board in support of expanding the social district downtown. The Board of Directors wholeheartedly supports the expansion of the social district to the full MSD, excluding Transylvania County Courthouse and the First Baptist Church properties. In addition, we support the idea of taking the City Camper site out of the current social district until all of the construction and development has been completed on that property. Since its launch in February of last year, the social district has become a cornerstone in downtown Brevard fostering economic growth, enhancing community connections and significantly contributing to the success of our events such as White Squirrel Weekend and Halloweenfest. We estimate that the social district has generated roughly $127,000 in direct beverage sales. Those numbers are based off roughly 19,500 social district stickers that we have distributed around town to businesses that are participating, as well as the proceeds that were generated during White Squirrel Weekend. This figure only reflects direct sales. It underscores additional benefits of increased foot traffic, tourism, and retail activity. Expanding the district will only amplify these aspects creating greater opportunities for local businesses, fostering long-term economic growth. Operationally this expansion is pretty essential for events that we are having downtown, such as White Squirrel Weekend, Halloweenfest, and other events. The current six-block footprint creates logistical challenges requiring additional permits and temporary boundaries for such events. These complexities place an unnecessary strain on the Police Department, who must dedicate other resources to managing these boundaries, as well as Heart of Brevard staff and our volunteers. A larger more-consistent district

would streamline event management, allowing staff to focus on enhanced event experiences, and freeing police resources to ensure more overall safety downtown during these events. Social district has become an integral part of Brevard's major events, encouraging attendees to explore beyond event boundaries and driving foot traffic throughout downtown. This expanded footprint will eliminate operational inefficiencies, create more inclusive opportunities for businesses to participate, and provide the flexibility to host larger-scale events that enhance community connections. By adopting this ordinance, the City of Brevard will solidify downtown as a vibrant hub for business, culture and tourism. Together we can build on the success of the pilot program and ensure Downtown Brevard continues to thrive as a destination where businesses succeed, events flourish, and community connections can continue to grow. Your commitment and partnership are vital to this revitalization of the vision that we have for the social district. We thank you for your continued support.

Jan Stevens of Quotations said I have been here for two years and one thing I can say about Brevard is it is the best community that I have ever lived in; welcoming, good people, and good community. I would like to support the social district because it will help our economy to grow, it will help my business, and it will help people to get together and hang out. That's the first main goal of Quotations; we want to create a space for people to come together, communicate, spend time together, and create a friendly community gathering. I think the social district would add more opportunity for people to come. People can stop at Quotations, walk all the way down to Wild Morel with one cup of drink. The don't have to offer or buy anymore. I'm the one that will drink one and done and I will be starting at Wild Morel with one cup and end up at Quotations with a Wild Morel cup. It creates opportunity for businesses to work together to create a friendly community for tourists, for locals, and for each other. I am here to support social district and me personally as a business owner. I agree that every business owner will follow the rules and make this work.

Dee Dee Perkins of D.D. Bullwinkel's said I am here to encourage you to support the expansion of the social district as it has been presented and asked from the Heart of Brevard. I think some of the Heart of Brevard folks here and some of you, as we were going through this process last February knew I had some reservations and reluctancies about the social district. I will say that now as a full participant and seeing how the social district has worked in the last few months, it is showing its true value to downtown and to the district as a whole, and to us as a business and to my neighboring businesses as well. We have seen responsible behaviors; we have seen increased foot traffic and positive impacts to our business revenues as a participant in the social district. I want to say that I think this expansion will extend those same experiences to our neighbors. One of the purposes I want to speak to about the social district is the gap that exists right now from downtown restaurants and shops to our stage areas during the festivals. That gap is a problem because it is not an enhancement to our visitors' experience when they have to come out, drop a cup, go into a certain staged area, buy another beverage, finish that beverage, or not finish it if they want to head down to other places. I do think that by expanding the district down West Main St. where we can include those businesses Wild Morel and The Bohemian, also businesses that are on the other side of the street on Jordan St. will encourage a walkable community. It will encourage people to be able to walk all the way from the music to those restaurants, or have a drink at the restaurant, leave there and walk down to the festival area. I think it is a great synergy; it is about visitors' experience when they arrive here; and for that communication to them to be happy and easy and not complicated. I think by having that expansion we will be able to address those complications. I know that D.D. Bullwinkel's, my neighbors, and other restaurants within our area are seeing the value. I think all the businesses within our district should be able to experience that same value. I hope that you will see the value and I encourage you to consider that expansion.

At 6:43 p.m. Ms. Holder moved, seconded by Mr. Daniel to close the public hearing. The motion carried unanimously.

During discussion, Council favored Staff Alternative #2, but Mr. Daniel and Mr. Baker recommended extending the district westerly on W. Main St. to Oaklawn Ave. Mr.

Baker moved, seconded by Mr. Daniel to adopt Staff Alternative #2 with the addition of West Main St. to Oaklawn Ave. The motion carried unanimously.

ORDINANCE NO. 2025-08
AN ORDINANCE AMENDING THE CITY OF BREVARD CODE OF ORDINANCES
CHAPTER 43 – SOCIAL DISTRICTS AND
THE OFFICIAL DOWNTOWN BREVARD SOCIAL DISTRICT MAP

WHEREAS, the North Carolina General Assembly enacted legislation in 2021 allowing municipalities to designate social districts within their jurisdiction to allow alcoholic beverages sold by licensed premises to be consumed within the district, outside of the establishment where the beverage was purchased; and

WHEREAS, the City of Brevard and the Heart of Brevard worked together to propose a social district in downtown Brevard in accordance with North Carolina General Statutes 160A-205.4 and Chapter 18B; and,

WHEREAS, the City of Brevard adopted the Downtown Brevard Social District on August 21, 2023; and,

WHEREAS, the Heart of Brevard requested that the social district boundaries be amended to better correspond with the boundaries set for festivals and special events held in downtown; and,

WHEREAS, the City of Brevard and the Heart of Brevard believe that a social district is a valuable tool to increase economic activity and the vibrancy of downtown Brevard; and,

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

Building Brevard 2030 Comprehensive Land Use Plan

- ***Goal 7:*** *Support economic vitality and grow the tax base, cultivate local businesses, and attract sustainable industry.*
- ***Economic Development, Infrastructure & Resiliency - 13:*** *Consider designation of one or more social districts to encourage the food and beverage cluster.*

and,

WHEREAS, a public hearing was conducted on Monday, February 3, 2025, 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 Code of Ordinances is hereby amended as depicted in Exhibit A, which is attached hereto and incorporated herein by reference.

SECTION 02. The Official Downtown Brevard Social District map is hereby amended as depicted herein as Exhibit B which is attached hereto and incorporated herein by reference.

SECTION 03. Staff is hereby directed to amend the management and maintenance plan for the Downtown Brevard Social District that establishes policies and procedures for enforcement of this Ordinance. The amended management and maintenance plan and the social district boundaries map shall be posted on the City's website.

SECTION 04. Staff is hereby instructed to submit a detailed map of the amended Downtown Brevard Social District, the days and hours during which the Social District shall be in operation, and all other necessary documentation to the North Carolina Alcoholic Beverage Control Commission.

SECTION 05. As to any conflict between this Ordinance and any parts of existing ordinances, the provisions of this Ordinance shall control.

SECTION 06. 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.

Adopted and approved upon first reading this the 3rd day of February 2025.

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



Downtown Brevard Social District Boundaries

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 Ms. Holder to approve the consent agenda. The motion carried unanimously.

K-1. Property Tax Releases – January 2025

RESOLUTION 2025-10
A RESOLUTION APPROVING PROPERTY TAX RELEASES

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

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 January 2025 property values from the tax scroll in the amount of:

2025: $ 86.40

Adopted and approved this the 3rd day of February 3, 2025.

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

K-2. Finance Report for the Quarter Ending December 31, 2024

K-3. Budget Amendment 25-03 – Insurance Proceeds

ORDINANCE NO. 2025-05
AN ORDINANCE AMENDING THE FY2024-2025 BUDGET.
BUDGET AMENDMENT NUMBER 25-03

SUBJECT: Budget Amendment for insurance proceeds from July 1, 2024 through December 31, 2024

AGENDA INFORMATION

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

BRIEF SUMMARY: The City has incurred a higher-than-normal dollar amount of insurable events in the first half of fiscal year 2025 and wishes to propose a budget amendment to increase expenditures and

record the insurance proceeds. The events included a severely damaged sanitation truck, a totaled 2022 police car, and three events involving loss in the fire department.

MOTION FOR CONSIDERATION: To approve Budget Amendment 25-03, as submitted, increasing the budget in expenditure account:

10-5100-7400 (Capital Outlay)	$31,100
10-5800-7400 (Capital Outlay)	$57,300
10-5800-4500 (Contracted Services)	$13,200
40-5300-4500 (Contracted Services)	$14,400
TOTAL	**$116,000**

And increasing the budget in revenue account:

10-3660-0000 (Insurance Proceeds)	$101,600
40-3600-0000 (Insurance Proceeds)	$14,400
TOTAL	**$116,000**

ATTACHMENTS: None.

MANAGER'S RECOMMENDATION: Adopt as presented.

Approved and adopted this third day of February 2025.

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

K-4. Budget Amendment 25-04 – Mower Purchase, NCLM Safety Grant

ORDINANCE NO. 2025-06
AN ORDINANCE AMENDING THE FY2024-2025 BUDGET.
BUDGET AMENDMENT NUMBER 25-04

SUBJECT: Budget Amendment for Mower purchase, funded in part by a North Carolina League of Municipalities Safety Grant

AGENDA INFORMATION

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

BRIEF SUMMARY: In the summer of 2024, the City voluntarily took part in an OSHA safety inspection. The City was notified that we should have mowers that can handle higher slopes to prevent potential incidents involving rollovers. In November of 2024, the City applied for a $5,000 Safety Grant from the League of Municipalities, and the City was awarded the grant in January of 2025.

The cost of the mower is $12,900, so the City will need to spend $7,900 of fund balance to complete the purchase.

MOTION FOR CONSIDERATION: To approve Budget Amendment 25-04, as submitted, increasing the budget in expenditure account:

10-5000-7400 (Capital Outlay)	$12,900
TOTAL	**$12,900**

And increasing the budget in revenue accounts:

10-3940-0000 (NCLM Safety Grant)	$5,000
10-3990-0000 (Fund Balance)	$7,900
TOTAL	**$12,900**

ATTACHMENTS: None.

MANAGER'S RECOMMENDATION: Adopt as presented.

Approved and adopted this 3rd day of February, 2025.

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

K-5. Council Public Safety Committee Minutes – November 25, 2024

K-6. Council Public Works & Utilities Committee Minutes – December 5, 2024

K-7. Council Housing Committee Minutes – December 10, 2024

K-8. Council Downtown Master Plan Committee Minutes – December 11, 2024

K-9. Council Finance, Human Resources and Citizen Appointment Committee Minutes – December 16, 2024

K-10. Council Parks, Trails & Recreation Committee Minutes – December 18, 2024

K-11. Council Public Safety Committee Minutes – January 6, 2025

K-12. Correspondence *(No Action. Offered as information only.)*

K-12-a. ABC Board Minutes – December 5, 2024

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

L. Unfinished Business

L-1. Proposed Amendment to City of Brevard Unified Development Ordinance Chapters 12 and 19 - Signs – Aaron Bland recalled that Council held a public hearing on this staff-initiated text amendment on January 21st. During the public hearing and subsequent discussion by Council, the issue of putting a timeline on political signs was questioned. To help Council to consider the options for regulating temporary signs around an election, Staff did some research on what other municipalities do for that timeline. The specifics vary, but it is common for cities to establish a display window beginning 90, 60 or 30 days before early voting starts and ending 7-10 days after election day. For the record, Attorney McKeller clarified that this amendment is regarding regulation of **all** small temporary signs, regardless of content. Staff offered three options for Council's consideration:

- **OPTION #1 (Presented at Public Hearing)**
  - Planning Board/Staff recommended
  - Same as presented at the public hearing
  - 30 days before early voting to 10 days after Election Day for both private property and in ROWs

- **OPTION #2**
  - Represents no change in how temporary political signs are regulated.
  - Private property: 90 days before early voting to 10 days after Election Day (keep current standard, but with amended language)
  - In ROWs: 30 days before early voting to 10 days after Election Day (current practice, but add to UDO)

- **OPTION #3**
  - Timeframe shortened but not as much as Option 1.
  - Private property: 60 days before early voting to 10 days after Election Day
  - In ROWs: 30 days before early voting to 10 days after Election Day (current practice, but add to UDO)

Mr. Morrow moved, seconded by Mr. Wise to adopt Option #1. The motion carried unanimously.

ORDINANCE NO. 2025-07
AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE: CHAPTER 12 – SIGNS AND CHAPTER 19 – DEFINITIONS TO CLARIFY REQUIREMENTS AND REGULATIONS FOR VARIOUS TYPES OF TEMPORARY AND PERMANENT SIGNS

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

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

Building Brevard Comprehensive Land Use Plan:

Goal 2: Encourage a development pattern that respects Brevard's sense of place and prioritizes livable communities.

Goal 4: Create a built environment that prioritizes a safe, active, multi-modal transportation system and community health and wellness.

WHEREAS, a public hearing was conducted on Tuesday, January 21, 2025, by the Brevard City Council, and, after hearing all persons wishing to comment, and upon review and consideration of the proposed amendments, it is the desire of the City Council of the City of Brevard Unified Development Ordinance be amended as outlined below.

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

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

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

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

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

Adopted and approved this the 3rd day of February 2025.

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

M. New Business

M-1. Proposed Statement from Brevard City Council re Immigration – Mayor Copelof explained that this is the result of a number of individuals and organizations coming forward to express their concerns regarding immigration and what is going on. In particular a lot of our immigrant community here in town are expressing fear of going to school, the grocery stores, their churches and I have been asked repeatedly in the last week what is the city's policy in terms of immigration enforcement. To try and clarify this I have worked with the City Manager and the Police Chief in terms of, not stating anything that is new; there is absolutely nothing in here that is a new policy; this is what we have been doing all along, but is putting it out so when people ask, we can have a consistent answer that says this is what the city does with law enforcement. We understand this is a dynamic and moving environment and things might change, federal law might change, and we might be forced to change our position. But today our position is that our law enforcement does not do immigration enforcement; that we do not act in terms of an individual's status; we react to the actions, either they have broken a law, or they have not broken the law. One of the biggest concerns that I have heard from the community is that our immigrant population, a lot of our Latino population, are now afraid to call law enforcement if they needed help. We don't ever want somebody in this community to be afraid to call for help and we want to assure them that when you call for help, we're not going to ask if you are legally here or not. We're just going to ask what happened and how can we help you? This is just a statement that we as a city would put out to try and reassure a portion of our community that today literally is terrified. This would give some

certainty that when our law enforcement people are out there, they don't have to have that fear.

Mr. Morrow moved, seconded by Mr. Daniel to accept the proposed statement from the Brevard City Council. The motion carried unanimously. A copy of the signed statement is on file in the City Clerk's office.

N. Remarks/Future Agenda Considerations.

Ms. Holder shared her thoughts about affirmative action, diversity, equity and inclusion, and critical race theory. She said the onus is now on us and treating each other as one race, and that's the human race, loving each other as one race. We don't need affirmative action, diversity, equity and inclusion, or critical race theory if we are treating one another well.

Mr. Wise thanked Pisgah Piper for ending this chaos of a winter. He asked everyone to remember that we have started Black History Month and noted that there is a lot going on in the community to celebrate. He mentioned that he was excited to see recognition of the CTE program on the agenda. He said it is such an important program and a fantastic opportunity for young people.

Mr. Hooper briefed Council on a couple of items that will be on the February 17th agenda. One of the items is regarding the Times Arcade Alley project and identifying funding sources to make up the gap created after the state refused to reimburse us for some expenses that we thought were eligible. The second item is a discussion about the City's possible contribution to the Fairhaven Meadows LMI housing project.

Mayor Copelof noted that today we talked about the fear that is growing in our community and said she is so proud to be part of this elected body that didn't hesitate to go forward to say that we support you and we will be there for each individual because that is what Brevard is all about. This town is about people; it is about community; it is about inclusion; and it is about diversity and being equitable to everybody. As Council has said, that is the foundation on which our city is built and that is the foundation that we will publicly stand behind.

O. Closed Session

O-1. Personnel and/or Employment: NCGS §143-318.11.(a)(3)(5)(6) – At 7:44 p.m. Ms. Holder moved, seconded by Mr. Morrow to go into closed session to discuss a personnel matter and to clear Council Chambers. The motion carried unanimously. Authorized to remain for the closed session with Council and the Attorney were City Manager Wilson Hooper, Human Resources Director Kelley Craig, and City Clerk Denise Hodsdon.

Council Returned to Regular Session – at 7:56 p.m. Council resumed the meeting in regular session. No official action was taken in closed session, and the minutes of the closed session are authorized to be sealed.

P. Adjourn – There being no further business, at 7:56 p.m. Mr. Morrow moved, seconded by Ms. Holder, to adjourn the meeting. The motion carried unanimously.

Maureen Copelof	Denise Hodsdon, CMC
Mayor	City Clerk

Minutes Approved: February 17, 2025