MINUTES
BREVARD CITY COUNCIL
Regular Meeting
April 21, 2025 – 5:30 PM

The Brevard City Council met in regular session on Monday, April 21, 2025, at 5:30 p.m. in the Council Chambers of City Hall with Mayor Copelof presiding.

Present – Mayor Maureen Copelof and Council Members Mac Morrow, Aaron Baker, Lauren Wise and Pamela Holder

Absent – Mayor Pro Tem Gary Daniel

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 Resource Director Kelley Craig, Communications Coordinator Becky McCann, Planning Director Paul Ray, Assistant Planning Director Aaron Bland, Police Chief Tom Jordan, Public Works Director Wesley Shook, Wastewater Treatment Plant ORC Aaron Winans, Water Treatment Plan ORC Dennis Richardson, and Community Center Director Tyree Griffin

Guests/Presenters – John Lapsley of CDM Smith via Zoom

Press – Dave Bradley, Transylvania Times; Dan DeWitt, Brevard NewsBeat

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

B. Invocation – Pastor Brian Land of Grace Brevard 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. Mr. Morrow moved, seconded by Mr. Baker to excuse Mayor Pro Tem Daniel. The motion carried unanimously.

E. Approval of Agenda – Mr. Hooper referred Council to the updated Staff Report and resolution for Item L-1. Loan Information for Azalea Avenue Property. Mr. Morrow moved, seconded by Mr. Baker to approve the agenda as presented. The motion carried unanimously.

F. Approval of Minutes

F-1. April 7, 2025 Regular Meeting – Mr. Baker moved, seconded by Ms. Holder to approve the minutes of the April 7, 2025 Regular Meeting as presented. The motion carried unanimously.

G. Public Comments

Bruce Gleasman of 1012 Seven Springs Rd. in Pisgah Forest said I am here to talk about the sewerage treatment plant and the smells that have been occurring, and also is it safe for water levels going into the French Broad. We live about 1½ miles away from the treatment plant on a ridge, 800+ feet above the French Broad basin. We have had at least ten smells this year, which is more than most years. The river basin is about 1½ miles away from the plant and it smells a lot more. Near the Pisgah Forest Post Office and surrounding areas, when the treatment plant is smelling, it can almost make you cry. I have talked to the last mayor. He was able to get some funding for maintenance which was needed, and it helped it out for a while. I talked with the past city engineer

and technicians in the plant, and they were doing whatever they could do with the money they had to keep the smells down. I talked to the current site manager and technicians, and they were hoping that the new money will help in some way to control the smell, but they really are unknown at this point. They need dollars to find out what source and how to correct it. I also talked to the current mayor about the smells. I also talked to the Assistant City Manager, and he indicated there was a grant money of about $14M coming in, but on the side he said to really make it work you need $50M to $60M and have a new waste treatment plant because it is out of date; it's way past its life. My point is two-fold: 1) smell-elimination, and 2) the treatment plant should stay within the permit limits because of the drinking water. Everybody gets drinking water out of the French Broad River and we get drinking water out of groundwater. So, what I am asking is can the City Council post a response on the current future progress on the repairs, address the smell, and how to keep the plant in operations for safe drinking water consumption. I think it is very important that the waste treatment plant is operating correctly, and the people in the area should not walk outside and cry; that is just plain wrong.

Rebecca Wynn of 180 Duckworth Ave. said I am a member of Bethel "A" Baptist Church. I just want to point out something that may be petty to many, but to me I felt very disrespected. I have been attending these meetings bi-weekly for over three years and I notice that you invite different clergy men and women of different faiths to give the invocation. Many of these people wear many hats in the community. After each prayer they were asked to tell a little about themselves, their churches or organizations. This may be petty, but if you listen to some of the complaints about paying too much for parking tickets, dogs barking after midnight, the fact that they did not like the protest rally that was held on Main Street, or the grass is growing between the cracks in the bricks in the sidewalk, please listen to me. I am hoping it was an oversight because Rev. Dr. Holder, as you pointed out, is a councilwoman who wears many hats and travels in the same circle as you, which means you know a lot about her. However, for a brief moment, she was a clergy; she had on her clergy hat when you asked her to give the invocation, but she was not given the same courtesy given to other clergy men and women who have come and given invocation. I am sure there were many persons who were attending the April 7 meeting, either in person or by Zoom, that did not know very much about her. I just wonder if there was a reason why she was not given the opportunity to elaborate as to who she is, the location of her church, and her current concerns and contribution for and to this community. Bethel "A" has been a pillar of the community for many years. They were responsible for integration, they were responsible for low-income houses, they created an outreach ministry called Neighbors in Ministry, and Rise and Shine, an afterschool program that is in force now. And we also donated property and $10,000 for the Silversteen Park to the City. All I'm asking is that in the future you give Pastor Holder, Councilwoman Holder, the respect you have given any other clergy when she is wearing her clergy hat.

Scott Barnett of 123 Gillespie Circle asked City Council to please narrow the window for display of political signs. He said they get to be a real clutter as the election approaches and they're an eyesore too in my opinion. There is just a whole lot of them and some of them have already started to appear last month in March. That's ridiculous in my opinion. Allowing them to be displayed maybe 30 to 60 days before the election seems like adequate time. Also, maybe include private property. I have discovered that you can display a political sign on private property 365 days a year, but it seems like that should be included in the overall ordinance, which is about display on public property or rights-of-way.

Linda Gallo of 671 Probart St. said I want to thank Bobby Cooper for all the effort he has put in. We are constantly seeing them at work out on the street, the sirens, and the work that he has done in our community and just thank him for that. I also want to say that I totally appreciate that we now have 11 speed bumps on Probart, and the effort that went into that. I didn't quite appreciate how long that took and of the documentation that went into that, and now I see how necessary that was. I appreciate that now we have documentation that shows why we did what we did, why we have the number we have, and that it is effective. Thank you for doing that.

Rodney Locks of 187 S. Rice St. said first I'd like to compliment you for your last budget session that you had. You went through every item in detail and you realize that it is hard fixing a budget. There are some things that you did that you didn't like to do. For example, you decided that you're not going to have a lot of Fire Department people and you're not going to fill the Public Works staff. But those aren't the things that really bothered most people. What they bother about is the $60 a month that they have to pay, even if they don't turn the water on. There are some things you're still going to work on, like the $1.2M for the boardwalk, and you're going to push back on DOT, I hope, for charging you 20% for paying for their projects. But you still have time to do that. Just remember that the people here still cannot afford to live here. You have a vision; you don't have to accomplish it in 4 years or the time you're sitting here. The city's not going anywhere; you can stretch this out for a long time. But if your vision is sound, it will get accomplished.

Kevin Gallo of 671 Probart St. said I am representing several residents on West Probart that couldn't be here, but they wanted to express their appreciation and thankfulness to the leadership of the City that they established a Traffic Calming Policy and were willing to pursue the various options based on the policy and guidelines for the installation of the speed cushions on Probart. They wanted to thank the Council Members, Mayor, City Staff, especially including the Public Works Department that installed them, and any others that contributed to the completion of the project as it provides greater safety for the pedestrians, cyclists, and for vehicles that utilize Probart Street. I also want to add my gratitude for Chief Cooper's many years of service here at the City of Brevard.

Harvey Sankey of 51 Lake House Trail said I would like to talk about the recent budget meeting that the City Manager had presented to the City Council. The revenue neutral tax rate is the property tax that would generate the same tax levy on the County's new post-reappraisal tax base next year as the County received this year on its existing tax base. In other words, a revenue neutral tax rate is the rate that would keep the countywide tax bill the same next year as it was this year despite the change in the tax base. This revenue neutral tax rate was 33 cents according to the City Manager and as the discussion happened over the period, everybody was looking at a 35.5 cent tax rate. This is about a 7% tax increase. However, if you take a look at some of the people, and this was presented by the City Manager, these are facts. Impact on a city household of $191,660 appraised value – last year it was appraised at $98,960; that's a 48% increase in their appraisal. These people are going to get hit harder with the tax rate even at 33 cents, but you want to add another 7% to that amount of money to these people. These are middle-income people, lower-income people that cannot afford this increase on the tax rate, so I'm imploring you to go back and look at that 33-cent tax rate the City Manager provided you here and give that tax rate to the city residents. I know you're going to come up with the tax revaluation shouldn't have happened this year because of Hurricane Helene. I'm sure the people who evaluated the properties took that into consideration, so don't use that as an excuse as to why this tax rate is going to go up. And the people out there on Saturdays are saying we're going to have a reduction in Medicare, Medicaid, and Social Security. That increase in taxes is going to hurt the middle income and lower income people even more. Hands off our property taxes!

Rob Stein of 249 Pine Mountain Trail said a few minutes ago we all stood up and pledged allegiance to the flag, which I have done hundreds and hundreds of times, and many of you have done all your life. We pledged to liberty and justice for all if you remember those words. Let me take one word – liberty. Liberty is freedom from arbitrary or despotic government control; the right of doing, thinking, speaking according to choice. Thank you Mayor, thank you City Council for your stand in reminding all of us that freedom is not free, it is something that has to be won, and I appreciate living in Brevard and living with a City Council and a Mayor who remind us of that often.

H. Certificates/Awards/Recognition

H-1. Recognition of Retired Fire Chief Bobby Cooper – Mayor Copelof read Proclamation No. 2025-11 Honoring Chief Bobby Cooper and Designating April 28, 2025 as "Bobby Cooper Day" in the City of Brevard. She presented the Proclamation and a Mayor's Challenge Coin to Chief Cooper.

PROCLAMATION NO. 2025-11
A PROCLAMATION HONORING CHIEF BOBBY COOPER
AND DESIGNATING APRIL 28, 2025 AS
"BOBBY COOPER DAY" IN THE CITY OF BREVARD

WHEREAS, Bobby had been a familiar face across the Transylvania County emergency services community for over thirty years, serving several agencies concurrently; and

WHEREAS, in November 2018 Robert "Bobby" Cooper was named the Brevard Fire Department's first full-time Fire Chief; and

WHEREAS, upon his appointment Bobby had ten years of experience as a part-time firefighter for BFD, twenty-six years of experience across multiple positions with Lake Toxaway Fire Rescue, and more than twenty years of experience as a paramedic with Transylvania County Emergency Medical Services, the last few as its Director; and

WHEREAS, Bobby is trained in most of the discrete disciplines within the emergency response field, and he has completed the University of North Carolina Charlotte's EMS Management Institute; and

WHEREAS, Bobby holds a Bachelor of Science degree in Management from Clemson University, and a Masters of Public Affairs degree from Western Carolina University; and

WHEREAS, in his time as Brevard Fire Department's Chief, Bobby led the department's transition from a part-time department staffed exclusively by part-time and volunteer firefighters to a hybrid department with a roster that now includes four full-time engineers; and

WHEREAS, Bobby also oversaw the department's transition into the agency responsible for all medical first responder calls within the City, which resulted in the doubling of the number of calls Brevard Fire Department was responsible for but also enhanced services to the residents of Brevard; and

WHEREAS, Bobby's abilities across disciplines helped create a department that could respond quickly, efficiently, and professionally to all types of calls for service, giving Brevard's residents peace of mind; and

WHEREAS, Bobby resurrected the tradition of having a firehouse dog, bringing his chocolate lab Birdie with him to work. Birdie's presence brought joy to all those who worked at the Brevard Fire Department and Brevard City Hall; and

WHEREAS, Bobby's professional accomplishments, his exemplary leadership, and his character as a friend and colleague at the Brevard Fire Department/City of Brevard are all worthy of recognition.

NOW, THEREFORE, BE IT PROCLAIMED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BREVARD THAT:

1. This body expresses to you, Robert Cooper, on behalf of its citizens and officials, our thanks and appreciation for your service to the Brevard Fire Department and the City of Brevard.
2. April 28, 2025 shall be recognized as "Bobby Cooper Day" in the City of Brevard, and its observance commended to all Brevard's residents and visitors.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Brevard to be affixed this 21st day of April, 2025.

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

H-2. Proclamation No. 2025-09 Older Americans Month, May 2025 – Mayor Copelof read the proclamation aloud and presented it to Dr. Paula Hartman-Stein, Community Coordinator for Brevard's Age-Friendly Community Initiative.

Proclamation No. 2025-09
Older Americans Month

WHEREAS, May is Older Americans Month, a time for us to recognize and honor older adults and their immense influence on every facet of American society; and

WHEREAS, through their wealth of life experience and wisdom, older adults guide our younger generations and carry forward abundant cultural and historical knowledge; and

WHEREAS, older Americans improve our communities through intergenerational relationships, community service, civic engagement, and many other activities; and

WHEREAS, communities benefit when people of all ages, abilities, and backgrounds have the opportunity to participate and live independently; and

WHEREAS, we must ensure that older Americans have the resources and support needed to stay involved in our community – reflecting our commitment to inclusivity and connectedness.

NOW, THEREFORE, I, Maureen Copelof, Mayor of Brevard, do hereby proclaim May 2025 as Older Americans Month in the City of Brevard. This year's theme, "Flip the Script on Aging," focuses on transforming how society perceives, talks about, and approaches aging. It encourages individuals and communities to challenge stereotypes and dispel misconceptions.

We call upon all residents to join us in recognizing the contributions of our older citizens and promoting programs and activities that foster connection, inclusion, and support for older adults.

IN WITNESS WHEREOF, I have hereunto set my hand and cause the Seal of the City of Brevard to be affixed on this 21st day of April, 2025.

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

I. Special Presentations – None.

J. Public Hearing(s)

J-1. Proposed Text Amendment to City of Brevard Unified Development Ordinance Chapters 3 and 19 – New Flea Market Retail Land Use – Aaron Bland explained that this is a staff-initiated text amendment to clarify two definitions in the UDO that pertain to the abandonment of land uses and retail land uses.

Abandonment – Mr. Bland noted that "abandonment" is a critical definition that is currently not in the UDO, but is an important word because it is a trigger point for compliance with nonconforming land uses. Section 14.2 states that nonconforming land uses that are abandoned for 180 consecutive calendar days shall not be allowed to be reestablished. It is important to know what it means to be abandoned for those 180 days in order to enforce that fairly and consistently. The proposed definition of "Abandon" is "to intentionally discontinue from actively using land, structures, or any premises for the intended or previous use for a specified period of time, but excluding temporary periods of inactivity due to remodeling, maintaining, restoring, or otherwise improving a facility."

Retail Land Uses – Mr. Bland explained that currently the UDO has a "catchall" category for retail uses. In administering the ordinance and in fielding phone calls about potential retail uses, the need to add a definition for a more outdoor-focused retail establishment, as opposed to the typical brick-and-mortar indoor establishment, became clear. Staff is proposing to create a new sub-category called "Flea Market". That would be allowed by Special Use Permit only in the Corridor Mixed Use District. The retail definition has also been tweaked to clarify that that is conducted primarily indoors within an enclosed building. The new use "Flea Market" is defined as "an occasional or periodic sales activity held in an open area, semi-open facility, or temporary structure, where individual merchants offer goods, new and used, for sale to the general public. This definition shall not include private yard sales or garage sales that are conducted on a residentially developed lot by members of the household."

At 6:16 p.m. Mr. Morrow moved, seconded by Mr. Baker to open the public hearing. The motion carried unanimously.

Public Participation: None.

At 6:17 p.m. Ms. Holder moved, seconded by Mr. Wise to close the public hearing. The motion carried unanimously.

During discussion, Mr. Baker asked Attorney McKeller whether the abandon provision would apply to short-term rentals that were listed but not rented for 180 days. Attorney McKeller said he would have to look into that and report back at the next meeting. Mr. Wise asked if there was a definition for "occasional" or "periodic" and noted that he would not want to see a full-time flea market. Mr. Bland said that if an ordinance doesn't specifically define something, staff would use a general definition and would look at on a case-by-case basis and it might look different for different land uses.

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

K-1. Proclamation No. 2025-10 National Day of Prayer

Proclamation No. 2025-10
National Day of Prayer

WHEREAS, a National Day of Prayer has been part of our heritage since it was declared by the First Continental Congress in 1775, and the United States Congress in 1952 approved a Joint Resolution setting aside a day each year to pray in our nation; and

WHEREAS, the United States Congress, by Public Law 100-307, in 1988, as amended, affirms that it is essential for us as a nation to pray and directs the President of the United States to set aside and proclaim the first Thursday of May, annually, as a National Day of Prayer to be celebrated by all faiths and religions; and

WHEREAS, a National Day of Prayer is an occasion for each of us to pause in our normal daily routine and come together as one community giving thanks for all that we enjoy as Americans and as residents of Brevard, including our treasured freedom to practice religion as we choose; and

WHEREAS, regardless of one's faith tradition, prayer helps remind us of our humanity and helps connect all of us to the greater community, nation and world in which we all share; and

WHEREAS, on this National Day of Prayer I encourage all members of our community to pray, reflect or meditate in a manner most appropriate to their own religious or spiritual beliefs.

NOW, THEREFORE, I, Maureen Copelof, Mayor of The City of Brevard, North Carolina do hereby proclaim May 1, 2025, as a Day of Prayer throughout the City of Brevard, NC and encourage all members of our Brevard community to join in thankfulness, prayer and reflection for:

Our nation and other nations especially for all those who battle for freedom throughout the world including our brave men and women in uniform;

For those who help keep us safe here at home – our Law Enforcement, Fire Department and EMS personnel;

For those entrusted with the care and education of our children – our parents, our teachers and child care workers;

For those who are still recovering from the impact of Hurricane Helene and the recent fires;

For our most vulnerable neighbors and for all who are struggling and need compassion and assistance;

For our leaders, so that they have the strength to meet the challenges we face today and tomorrow and the wisdom to know what to do and the commitment to do what is right; and

For our nation and the diversity that makes us strong; may we treat everyone with respect and come together in unity as Americans.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Brevard to be affixed this 21st day of April, 2025.

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

K-2. Tax Settlement Report – March 2025

K-3. Audit Contract for the Year Ending June 30, 2025

K-4. Stormwater Master Plan Designer Selection

RESOLUTION NO. 2025-28

RESOLUTION TO APPROVE 2025 STORMWATER MASTER PLAN DESIGNER RECOMMENDATION AS PER NORTH CAROLINA GENERAL STATUE G.S. 143-64.31

WHEREAS, the City Council of Brevard, NC has determined that it is in the best interests of the City to develop an updated Stormwater Master Plan; and

WHEREAS, the development of the 2025 Stormwater Master Plan will be supervised by City staff; and

WHEREAS, G.S. 143-64.31 (referred to as the "Mini Brooks Act") requires the initial solicitation and evaluation of firms to perform architectural , engineering, surveying, construction management-at-risk services, and design-build services (collectively "design services") to be based on qualifications and without regard to fee; and,

WHEREAS, the City Staff has issued Request for Qualifications ("RFQs") to obtain the services of qualified designers and engineering firms for the project; and

WHEREAS, the Public Works and Utilities Committee in conjunction with City staff has carefully evaluated each response to those RFQs utilizing a number of criteria as specified by the North Carolina State Construction Office rules and guidelines including such elements as qualifications, prior experience with the City of Brevard, whether the design or engineering firm represents a historically underutilized business, whether the design or engineering firm represents a local business entity, and other relevant factors; and

WHEREAS, the Public Works and Utilities Committee in conjunction with City staff and the City Manager has selected and interviewed two qualified designers or engineering firms and recommends them in priority order: McAdams of Asheville/Charlottle, NC, and TRC of Charlottle/Cary, NC ("Recommended Designers"); and

WHEREAS, the City Council is charged by the State of North Carolina with the authority and responsibility to approve the selection of designers and engineers for projects in the City of Brevard, NC; and

WHEREAS, the Public Works and Utilities Committee recommends approval by City Council of the Recommended Designers for the 2025 Stormwater Master Plan.

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

Section 1. City Council hereby approves the Recommended Designers.

Section 2. The City Manager, or his designee, is authorized to select one of the Recommended Designers in priority order, and to execute a contract dependent on successful negotiations, for the 2025 Stormwater Master Plan.

Adopted and approved this 21st day of April 2025.

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

K-5. Health Insurance Transition to Carolina Public Entity Cooperative

RESOLUTION NO. 2025-29
RESOLUTION APPROVING MEMBERSHIP IN THE CAROLINA PUBLIC ENTITY COOPERATIVE FOR THE PURPOSES OF EMPLOYER-PROVIDED HEALTH INSURANCE

WHEREAS, on April 21, 2025 the Brevard City Council heard a presentation from staff, summarized in the affixed staff report, on the proposed switch from the Intergovernmental Healthcare Alliance to the Carolina Public Entity Cooperative (CPEC); and

WHEREAS, the Council's Finance, Human Resources, and Citizen Appointment Committee discussed the proposed switch at its March 24, 2025 meeting and recommended the change to full City Council.

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

Section 1. Membership in the Carolina Public Entity Cooperative beginning July 1, 2025 is hereby approved.

Section 2. The City Manager or his designee is hereby authorized to execute the switch from the current plan to CPEC.

Adopted and approved this the 21st day of April, 2025.

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

K-6. Budget Amendment – $100,000 County Vehicle Maintenance

ORDINANCE NO. 2025-16
AN ORDINANCE AMENDING THE FY2024-2025 BUDGET.
BUDGET AMENDMENT NUMBER 25-07

SUBJECT: Budget Amendment for County Vehicle Maintenance, $100,000

AGENDA INFORMATION

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

BRIEF SUMMARY: The City of Brevard Public Works Garage division is expending significantly more funds on County vehicles than anticipated in the FY24-25 original budget, and a budget amendment is needed to account for the higher expenditures. The City passes these costs on to the County on a monthly basis, and the corresponding revenue account will be adjusted at the same amount.

MOTION FOR CONSIDERATION: To approve Budget Amendment 25-07, as submitted, increasing the budget in expenditure account:

10-5550-3120 (Maint and Repair - County)	$120,000
10-5550-3120 (Maint and Repair - County)	**$100,000**
TOTAL	**$220,000**

And increasing the budget in revenue account:

10-3970-1100 (County Veh Maint Revenue)	$200,000
10-3970-1100 (County Veh Maint Revenue)	**$100,000**
TOTAL	**$300,000**

ATTACHMENTS: None.

MANAGER'S RECOMMENDATION: Adopt as presented.

Approved and adopted this 21st day of April 2025.

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

L. Unfinished Business

L-1. Loan Information for Azalea Avenue Property – Mr. Hooper explained that Staff solicited loan proposals from seven banking institutions. Three proposals were received, and Staff recommend moving forward with the proposal from United Community Bank at a rate 4.33% with no upfront fees, no prepayment fees, and costs not to exceed $5,000. It would require monthly payments of $17,459 for 59 months starting July 1, 2025. North Carolina law requires that before entering into an installment loan contract to purchase real estate, units of local government must hold a public hearing on the contract. The proposed resolution sets the public hearing for Council's next meeting on May 5th. Mr. Morrow moved, seconded by Mr. Wise to approve the resolution accepting the terms of a loan offer from United Community Bank and to set the public hearing for May 5, 2025. The motion carried unanimously.

RESOLUTION NO. 2025-30
RESOLUTION APPROVING THE SUMMARY OF INDICATIVE TERMS OF A LOAN OFFER FROM UNITED COMMUNITY BANK INC. FOR THE PURCHASE OF REAL PROPERTY OFF AZALEA AVENUE FOR LOW-TO-MODERATE INCOME HOUSING.

WHEREAS, the City of Brevard wishes to acquire developable property for the construction of low-to-moderate income housing; and

WHEREAS, in late 2024 the City, after consultation with Development Finance Initiative (DFI) on the developability of three adjacent parcels off Azalea Ave, entered into a Purchase Option agreement with the properties' owners so as to have some control over the property in order to conduct further due diligence; and

WHEREAS, in the interim geotechnical analysis, architectural renderings, community engagement, and preliminary financial proforma have been conducted, each affirming that the property is a good candidate for low-to-moderate income housing development; and

WHEREAS, the balance of the City's Housing Trust Fund is not adequate enough to purchase the property outright, so the purchase must be financed; and

WHEREAS, this information was shared with City Council at its April 7, 2025 meeting, and the Council informally agreed to proceed with the purchase.

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

Section 1. The City Council accepts the terms and conditions of the $925,000 loan offered by United Community Bank, Inc. that are summarized in the affixed staff report.

Section 2. Staff are directed to advertise for and hold a Public Hearing on May 5, 2025 regarding the purchase of parcels 8596-05-5538-000, 8596-05-6391-000, and 8596-05-8315-000 via installment financing.

Section 3. The City Manager or his designee is authorized to take necessary steps to finalize the loan and purchase of the three parcels identified above according to the terms memorialized in the October 2024 Purchase Option pending the completion of necessary Public Hearing and other legal requirements.

Adopted and approved this the 21st day of April, 2025.

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

M. New Business

M-1. Proposed Police Department Pay Plan Enhancement – Kelley Craig explained the Staff recently completed a compensation study for sworn law enforcement positions. Based on the findings of the study, staff is recommending adjustments to the pay scales for all sworn law enforcement positions to bring the city's compensation levels to the top of the market for comparable positions in our region, and to pull them off into a separate pay plan that can be modified and adjusted as needed. Staff is recommending implementation of the proposed increases for current employees effective April 28, 2025 in order to remain competitive for recruitment and retention purposes. The proposed adjustments are as follows:

Current FY25 Pay Plan								
Grade		Scheduled Hours	Hourly Min	Annual Min		Min + 5%	Annual @ 1 yr	Max of Pay Range
15	Police Trainee	2080	$ 20.19	$ 41,996.19			$ -	
16	Police Officer	2229.5	$ 21.20	$ 47,265.40		$ 22.26	$ 49,628.67	$ 70,886.40
17	Police Detective	2080	$ 23.86	$ 49,628.80		$ 25.05	$ 52,110.24	$ 74,443.20
18	Police Sergeant	2229.5	$ 23.38	$ 52,125.71		$ 24.55	$ 54,732.00	$ 78,156.00
18	Police Sergeant	2080	$ 25.05	$ 52,104.00		$ 26.30	$ 54,709.20	$ 78,156.00
21	Police Lieutenant	2229.5	$ 27.06	$ 60,330.27		$ 28.41	$ 63,346.78	$ 90,708.00
24	Police Captain	2080	$ 33.57	$ 69,826.60		$ 35.25	$ 73,317.93	$ 104,738.40

* Employees currently get a 5% increase at the end of a 1 year probationary period (Min + 5%)

Proposed Plan									
Grade		Scheduled Hours	Hourly Min	Annual Min	Min +2.5%	Annual @ 6 months	+ 2.5% (1yr)	Annual @ 1 yr	Max of Pay Range
P1	Police Trainee	2080	$ 22.24	$ 46,255.24					
P2	Police Officer	2229.5	$ 23.35	$ 52,058.83	$ 23.93	$ 53,360.30	$ 24.53	$ 54,694.30	$ 78,088.24
P3	Police Detective	2080	$ 25.76	$ 53,578.09					$ 80,367.14
P4	Police Sergeant	2229.5	$ 26.99	$ 60,163.73					$ 90,245.60
P4	Police Sergeant	2080	$ 26.99	$ 56,129.43					$ 84,194.15
P5	Police Lieutenant	2229.5	$ 29.68	$ 66,180.11					$ 99,270.16
P6	Police Captain	2080	$ 34.14	$ 71,003.73					$ 106,505.59

* Proposed provides 2.5% increase to new officers at the end of 6 months and then an additional 2.5% increase at end of one year probationary period.

Ms. Craig added that in July Staff will be requesting with the budget that the City implement some incentive programs to further enhance our competitiveness compared to what other agencies are doing.

Mr. Baker moved, seconded by Mr. Morrow to approve the proposed pay plan enhancement. The motion carried unanimously.

M-2. Sewer Pump Station Rehabilitation Bid Award – David Todd explained that in October 2022 Council approved the Sewer Pump Station Rehabilitation Project in the amount of $2,873,000 to be funded through the American Rescue Plan funding from the State Recovery Fund. The project was put out to bid and the bid opening on April 8, 2025 revealed a significant funding shortfall of approximately $3M attributed largely to 3 primary factors: 1) escalation from time between the initial estimate development and bid date; 2) a more comprehensive scope including additional controls and variable speed drives than what was included in the original design; and 3) a difficult project with many construction challenges primarily related to installation of the new wet well at the Gallimore Road Sewer Pump Station that is deeper and larger than initially conceived.

CDM Smith reviewed the three bids received and prepared a certified detailed bid tabulation. Based on the review of the three bids, Staff's recommendation of award is to the lowest responsible bidder, TP Howard's Plumbing Co., Inc. for $4,444,000. Mr. Todd noted that the proposed resolution includes that Staff has identified two funding sources for the remaining $3,000,000 of needed project funds from NCDWI via either a 0.0% interest rate 20-year loan, or via using a portion of the $12,805,000 already approved appropriation initially identified as funding for the Wastewater Treatment Plant Upgrade or Replacement. Staff is recommending to proceed with the project utilizing $3M of the $12.8M current authorization to supplement the shortfall, which would allow us to immediately move forward upon full confirmation from NCDEQ on use of those funds. The proposed resolution would be modified to include whichever option Council approves.

Mr. Morrow moved, seconded by Mr. Wise to award the construction contract to T.P. Howard's Plumbing Co., Inc. and to use $3M of the earmark upon approval from NCDEQ; and if the project is not eligible for funding from the earmark, to pursue loan funding. The motion carried unanimously.

RESOLUTION NO. 2025-31
A RESOLUTION AWARDING THE CONSTRUCTION WORK FOR THE CITY OF BREVARD SEWER PUMP STATIONS REHABILITATION PROJECT

WHEREAS, The City of Brevard has previously approved the Sewer Pump Station Rehabilitation Project (The Project) on October 3rd, 2022 in Ordinance Number 2022-64; and

WHEREAS, The Project has received approval and permits from the North Carolina Division of Water Infrastructure (NCDWI) state regulating agency; and

WHEREAS, The City of Brevard has placed The Project to public bid under state requirements, and has received bids that exceeded the established budget for The Project; and

WHEREAS, The City of Brevard has secured $2,873,000 of funding of the total needed $5,873,000 Budget for The Project through the American Rescue Plan funding from the State Recovery Fund; and

WHEREAS, The City of Brevard has identified two funding sources for the remaining $3,000,000 of needed projects funds from NCDWI, via either a 0.0% interest rate 20-year loan or via using a portion of the $12,805,000 of already approved appropriation initially identified as funding for the Wastewater Treatment Plant Upgrade or Replacement; and

WHEREAS, The City of Brevard has placed The Project to public bid under state requirements, and has received bids that exceeded the established budget for The Project; and

WHEREAS, The City of Brevard, upon recommendation of the City's Consulting Engineers, CDM Smith, desires to accept the low bid, award and construct The Project; and

WHEREAS, in accordance with G.S. 143-129, the City of Brevard received formal bids for the Sewer Pump Stations Rehabilitation Project at 1:00 P.M. on Tuesday, April 8, 2025 at Brevard City Hall; and,

WHEREAS, after receiving the Bid Tabulation from this bid opening for the proposed project, the Brevard City Council now desires to approve an award of contract.

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

Section 1. The City Manager or his designee is authorized to award a construction contract for the Sewer Pump Station Rehabilitation Project, Ordinance No. 2022-64 to T.P. Howard's Plumbing Co., Inc., of Asheville, NC for the bid price of **$4,444,000** as received at 1:00 P.M., on Tuesday, April 8, 2025, in accordance with the City's bid documents, produced by CDM Smith, the designer of record for this Project.

Section 2. City Council elects to dedicate a portion of its $12,805,000 earmark from the State of North Carolina to fund the difference between the bid cost and the portion of the grant funded via American Rescue Plan funding, and the City Manager or his designee is authorized to take necessary steps to secure that funding and, upon award approval from the NCDEQ, is authorized and directed to sign a contract with T.P. Howard's Plumbing Co., Inc.

Section 3. Should the project not be eligible for funding from the earmark, City Council also authorizes the City Manager or his designee to pursue and execute above referenced loan funding from the State of North Carolina.

Section 4. The City Manager is authorized and directed to take all necessary actions required by the NCDEQ to complete The Project, including all close out documents.

Section 5. The City Manager is authorized and directed to process and approve any required change orders up to The Project's budget limit that may be needed to complete The Project.

Section 6. The City Manager shall advise the Council periodically on the status of The Project.

Section 7. This Resolution shall become effective upon its adoption and approval.

Adopted and approved this 21st day of April, 2025.

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

M-3. Water Treatment Plant Improvements Bid Award – David Todd explained that in January 2023 Council approved the Water Treatment Plant Improvements Project with a budget of $4,929,000, entirely funded through

American Rescue Plan funding from the State Recovery Fund. Staff solicited bids for a bid opening on March 25, 2025, but only received two bids. In accordance with NC Public Contracting Statutes, the project was rebid for a bid opening on April 15, 2025. At that time three bids were received and Brown Consultants, PA analyzed the bids and prepared a Bid Tabulation. Brown Consultants recommends award of the project to the low bidder, Carolina Specialties Construction, LLC in the amount of $3,177,628. This amount is within the scope of the overall project budget for construction which is $3,994,000.

Mr. Morrow moved, seconded by Mr. Wise to approve the resolution awarding the construction work for the Water Treatment Plant Improvements Project to Carolina Specialties. The motion carried unanimously.

RESOLUTION NO. 2025-32
A RESOLUTION AWARDING THE CONSTRUCTION WORK FOR THE CITY OF BREVARD WATER TREATMENT PLANT IMPROVEMENTS PROJECT

WHEREAS, The City of Brevard has previously approved the Water Treatment Plant Improvements Project (The Project) on January 3rd, 2023 in Ordinance Number 2023-01; and

WHEREAS, The Project has received approval and permits from the North Carolina Division of Water Infrastructure (NCDWI) state regulating agency; and

WHEREAS, The City of Brevard has secured $4,929,000 of funding, the total needed budget for The Project through the American Rescue Plan funding from the State Recovery Fund; and

WHEREAS, The City of Brevard has placed The Project to public bid under state requirements, and has received bids that are within the established budget for The Project; and

WHEREAS, The City of Brevard, upon recommendation of the City's Consulting Engineers, Brown Consultants, desires to accept the low bid, award and construct The Project; and

WHEREAS, in accordance with G.S. 143-129, the City of Brevard received formal bids for the Water Treatment Plant Improvements Project at 11:00 AM on Tuesday, April 15, 2025 at Brevard City Hall; and

WHEREAS, after receiving the Bid Tabulation from this bid opening for the proposed project, the Brevard City Council now desires to approve an award of contract.

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

Section 1. A construction contract for the Water Treatment Plant Improvements Project, Ordinance No. 2023-01 is hereby awarded to Carolina Specialties Construction LLC, Inc. of Asheville, NC for the bid price of **$3,177,628** as received at 1:00 P.M., on Tuesday, April 15, 2025, 2022, in accordance with the City's bid documents, produced by Brown Consultants, the designer of record for this Project.

Section 2. The City Manager upon award approval from the NCDEQ, is authorized and directed to sign a construction contract with Carolina Specialties Construction LLC, Inc.

Section 3. The City Manager is authorized and directed to take all necessary actions required by the NCDEQ to complete The Project, including all close out documents.

Section 4. The City Manager is authorized and directed to process and approve any required change orders up to The Project's budget limit that may be needed to complete The Project.

Section 5. The City Manager shall advise the Council periodically on the status of The Project.

Section 6. This Resolution shall become effective upon its adoption and approval.

Adopted and approved this 21st day of April, 2025.

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

M-4. Sewer Asset Inventory Assessment Project Change Order – Capital Project Amendment – Dean Luebbe explained that in December 2022 the City received a grant in the amount of $387,500 from NCDEQ to complete a Water and Sewer Asset Inventory Assessment (AIA). Summit Engineering was selected to

perform the work at a cost of $431,500, with the Water and Sewer Fund transferring an additional $44,000 to completely fund the project. As the Sewer portion of the Project has progressed, it has become apparent that there are more manholes in need of assessment than initially anticipated, and Summit Engineering has submitted a change order in the amount of $68,500 to complete the sewer portion of the AIA. Council is asked to approve a Capital Project amendment and a Budget Amendment transferring an additional $75,000 into this project to complete the sewer portion of this assessment.

Ms. Holder moved, seconded by Mr. Morrow to approve the Capital Project Amendment and Budget Amendment as presented. The motion carried unanimously.

ORDINANCE NO. 2025-17
CAPITAL PROJECT ORDINANCE TO AMEND ORDINANCE
NO. 2022-77 WATER AND SEWER ASSET INVENTORY AND ASSESSMENT PROJECT

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

Section 1: The budgeted expenditures and revenues listed under the ordinance 2022-77 will be increased by $75,000.

Section 2: Summit Engineering has notified City staff that a change order will be necessary to complete the Sewer Asset Inventory and Assessment Project. The Project was established in December of 2022, mainly funded through a grant of $387,500 from NCDEQ, and included both a Water and Sewer Assessment. The original agreement of the Sewer Assessment included the location and assessment of 1,500 manholes, but staff has now concluded there are actually closer to 2,000 manholes.

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

Account Number	Account Name	Budget Amount
31-8540-4900	Asset Inventory…	$431,500
31-8540-4900	**Asset Inventory…**	**$75,000**
	TOTAL PROJECT APPROPRIATION	**$406,500**

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

Account Number	Account Name	Budget Amount
31-3760-0140	AIA Grant – ARP 0124-0106	$387,500
31-3760-1907	Transfer from 30 – AIA	$44,000
31-3760-1907	**Transfer from 30 – AIA**	**$75,000**
	TOTAL PROJECT REVENUE	**$406,500**

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 21st day of April, 2025.

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

ORDINANCE NO. 2025-18
AN ORDINANCE AMENDING THE FY2024-2025 BUDGET.
BUDGET AMENDMENT NUMBER 25-08

SUBJECT: Budget Amendment for additional Sewer Asset Inventory and Assessment, $75,000

AGENDA INFORMATION

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

BRIEF SUMMARY: In the FY25 budget, the City originally intended to transfer $357,000 from the Water and Sewer Fund to fund preliminary engineering at the Wastewater Treatment Plant. Shortly after the budget was passed, the City received notification from NCDEQ, that we would be allowed to use a portion of our 13M earmark for this purpose, so this transfer was not made.

To fund the additional work needed for the Sewer Asset Inventory and Assessment the City is requesting to use $75,000 of this amount to complete the project.

MOTION FOR CONSIDERATION: To approve Budget Amendment 25-08, as submitted, increasing the budget in expenditure account:

30-6600-9407 (Transfer to Fund 31 - AIA)	$75,000
TOTAL	**$75,000**

And decreasing the budget in expense account:

30-6600-9408 (Transfer to WWTP Upgrade)	($75,000)
TOTAL	**($75,000)**

ATTACHMENTS: None.

MANAGER'S RECOMMENDATION: Adopt as presented.

Approved and adopted this 21st day of April 2025.

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

N. Remarks/Future Agenda Considerations.

Mr. Wise said this year's budget workshop is the second one I have done, and they have been radically different from each other. This was a challenging one and I feel like we stuck to our clearly stated goals from our strategic priorities retreat to get this budget into a place where we're able to move forward with critical things, and we had to let some things go that hurt all of us differently at different amounts. We would still encourage input from the public about anything that you're concerned about. Just know that this weighs heavily on all of us.

Ms. Holder agreed with Mr. Wise. She said this was my second budget workshop as well and I was not looking forward to it. We take it personally when we can't bring in staff that we know is needed because the funds are not there, or to give staff the raises that are due because the funding is not there. But, we are glad that we are able to continue to move on as we are based on what we do have. For that I am grateful, and grateful to staff for all that you do, and please extend it to the ones who are not here. We really do appreciate it.

Mr. Morrow said everybody has probably realized that we've got a new graffiti artist around town on various places. Just recently it seems to be that's something that we need to offer another place for them to do that in. Maybe at the skate park – we've talked about doing that and having an art competition with street art at the skate park, but it does not need to be on the side of buildings or backs of stop signs, or even on the construction screens down by the Pardee project. I offer that as a challenge. At last week's Transylvania County Transportation Advisory meeting, the discussion about speeding everywhere in the city and county was a big deal. They want to get City Police and the Sheriff together and talk about why is speeding such an issue and what can we do better together? During our budget workshop when we saw the property appraisals we were all shocked that some of the commercial and institutional appraisals seem to be low. Had they been normal, we wouldn't be faced with where we were. I understand that the County's Tax Collector is going to come talk to us and I am glad that we will have an opportunity to ask questions.

Mr. Baker thanked Chief Cooper for all his hard work. He said I first encountered Bobby long before I was up here. When we had events at Oskar Blues, we would have to meet with Fire and Police about safety and emergency plans, and Bobby was always very professional but also just really nice to be around. We are going to miss him a lot. I was very shocked when looking at some of the revaluation numbers we were comparing between residences and some of our large commercial properties. Anytime that a revaluation causes the entire tax base to essentially jump 48%, which also lowers your tax rate such a large amount, and yet people are going to be paying more, it's a big change. And, it's hard for a budget to adjust for that. What was especially shocking was that it did seem like the revaluation was shifting the tax burden from large commercial properties, like HCA and Ingles, who, if we move forward with the Manager's Recommended Budget, are going to be seeing a tax bill that is tens of thousands dollars less than they paid last year. That has nothing to do with what we're tasked with up here setting the tax rate. That has everything to do with the revaluation that occurred and how different types of properties were valued. I don't have enough answers to know why that is, but I think we should definitely follow up on that and I am glad to hear that we are going to have them at the next meeting. But, I also think we should be prepared to have an ongoing effort, because I'm not sure one presentation is going to be enough for us to really hear all the answers that we need, so I would recommend that perhaps the Finance, Human Resources and Citizen Appointment Committee take up that task and have an ongoing effort. These revaluations are a significant change for the entire community and I think it is important for us to really drill down on the methodology that was employed, the reasoning behind that methodology, and the impact that it has. It does take some of the decision-making abilities and our ability to provide relief or services to the citizens out of our hands in a way, because we cannot affect what the properties are valued at. I am not suggesting that we should affect how the properties are valued, but we need to make sure that they are accurate because if we are shifting the tax burden to everyday people instead of some of our commercial properties, well then everything we're doing on the housing front can be wiped out in a very short period of time because that represents a massive amount of increase in housing costs potentially.

Mr. Hooper informed Council that this week he intends to sign a listing agreement with Jeremy Owen and Lizzie McGann of Beverly Hanks to advertise our Cashiers Valley Road and James Street properties that we're going to sell. He also asked if Council was okay with him and Mayor Copelof sending letters to our elected officials opposing HB 765 and HB 1009, which would throw out the ETJ and shift the entire zoning authority away from municipalities to the state. There was consensus to send the letters.

Mayor Copelof said I am thrilled about several things that we did tonight. First was approving and moving forward on a city-initiated affordable housing project. We have been working on that for a long time and I want to say thank you to staff and everybody who has worked so hard to get us where we are. It is one of three affordable housing projects that the City is directly involved in making it happen. Second was the incredible amount of infrastructure upgrades coming up. One of the public comments

was about what are we doing with the Wastewater Treatment Plant. There was an article in our latest quarterly newsletter that described a lot of what we are doing in terms of working to upgrade that facility, both for capacity eventually, the type of biologic treatment that we're using, and the phased approach. We try to be extremely thorough and transparent with what we are doing and I encourage people to take advantage of the information we put out there. You heard tonight the authorization to move forward with over $8M of grant-funded infrastructure upgrades, which is massive for a little town. And when you add in some of the other projects, we have over $27M of infrastructure upgrades under way or about to be under way. It is not something shiny and nice that you see, but it is an incredible amount of work, and I am proud that our city is able to make this work. Thank you to all of the staff that has worked so hard on these projects. Third, our Police Department is a priority and what you saw tonight was a proactive approach to try to make sure that we can attract good man/womanpower by making sure we are competitive with the pay. I am proud of how our Police Department operates and the job they do to keep our city safe, and I am proud of how we have been proactively working to make it competitive. I think we have come up with a great approach. I think we have to take care of our people; our people are our greatest resource. Yes, the budget this year has been difficult and a challenge, because as much as we have seen costs increase for us personally, the city has seen cost increase also. We have a cost of living for all our employees that they need; we need to be competitive and to keep those good people working for us. The budget is going to be presented at our next meeting, and then a public hearing on the budget on May 19th. That is the opportunity for the public to look at the budget and if you think we have the wrong priorities in that budget, that public hearing is your opportunity to tell us. I want to address and thank Rebecca Wynn for her comments. That was a total oversight and there was no disrespect to Councilwoman Pastor Reverend Dr. Holder. I totally forgot to ask her to explain about Bethel "A" and I apologize publicly for forgetting that. Mayor Copelof then thanked the Heart of Brevard and Comporium for creating a 25-space parking lot specifically for downtown employees, and mentioned a number of upcoming events.

O. Closed Session – None.

P. Adjourn – There being no further business, at 7:35 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: May 19, 2025