MINUTES
BREVARD CITY COUNCIL
Regular Meeting
August 4, 2025 – 5:30 PM

The Brevard City Council met in regular session on Monday, August 4, 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 to the City Manager Selena Coffey, Planning Director Paul Ray, Assistant Planning Director Aaron Bland, Police Chief Tom Jordan, Interim Fire Chief Bradley Elmore, Public Works Director Wesley Shook, Wastewater Treatment Plant ORC Aaron Winans, Water Treatment Plant ORC Dennis Richardson, and Community Center Director Tyree Griffin, Police Officers Hannah Owen and Jesse Wallin, Police Captain Aaron Thompson, Police Detective Ronnie Bickford, Police Department Evidence Specialist Eden Hinds, Police Department Administrative Specialist Carrie Hart

Presenters/Guests – Retired Wastewater Treatment Plant ORC Emory Owen and family members, Director of Governor Stein's Western Office Holly Jones, and Artists Ann DerGara and Charles Calvin

Press – Nick Haseloff, Transylvania Times

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

B. Invocation – Associate Pastor Victor Foster of Glade Creek Baptist 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 – Mr. Daniel asked to remove Item K-6 City Council Public Safety Committee Meeting Minutes – April 28, 2025 from the Consent Agenda and add it to New Business as Item M-4. Mr. Daniel also asked to move Public Comments to Item H. and move Certificates/Awards/Recognition to Item G. Mr. Wise moved, seconded by Mr. Morrow to approve the agenda as amended. The motion carried unanimously.

F. Approval of Minutes

F-1. June 16, 2025 Regular Meeting – Ms. Holder moved, seconded by Mr. Baker to approve the minutes of the June 16, 2025 Regular Meeting as presented. The motion carried unanimously.

G. Certificates / Awards / Recognition

G-1. Presentation of the Order of the Long Leaf Pine Award to Emory Owen – Holly Jones, Director of Governor Stein's Western Office presented the Order of the Long Leaf Pine Award to Retired Wastewater Treatment Plant ORC Emory Owen, honoring his 45 years of service to the City of Brevard. Mr. Owen was accompanied by his wife, his mother, his daughter and grandsons.

G-2. Police Officers Swearing-in

G-2-a. Hannah Langford Owen – Hannah Owen was sworn in as a Law Enforcement Officer by City Clerk Denise Hodsdon. Officer Owen was accompanied by her husband.

G-2-b. Jesse Vincent Wallin – Jesse Wallin was sworn in as a Law Enforcement Officer by City Clerk Denise Hodsdon. Officer Wallin was accompanied by his wife and daughter.

H. Public Comments

Joellen Risacher of 25 Chipmunk Ct. said I represent the Brevard Sustainability Council and I'm here with a few colleagues. We are a new group that arose out of a mutual concern over climate change. We hope to be honored tonight with a sponsorship by the City. We're very excited about that. We are deeply concerned about climate change, but I must state that we are also very positive. We see opportunities through sustainable activities for our community to thrive while we preserve the surrounding forests and the waterways that we all love so very much. We look forward to working with our beloved city and staff, and City Council administration; and we'll explore this new relationship we hope this evening.

Drew Deane of 116 W. Main St. said I have a business right on W. Main St. and my fellow block business owners are also here tonight to support me. I am here to express concern for the street camping that has most recently happened downtown, but also is a general concern in the entire community. Most of you have seen photos attached along with an email I sent to the Heart of Brevard Director. Although Law Enforcement has helped to lessen the frequency of this issue downtown, it still remains a huge specific problem in the Clemson Plaza. It is within the statutes of North Carolina law that the ordinances, along with signage can be implemented to include specific directives against street camping and loitering in public spaces. There are no clear rules in Clemson Park and the camping and loitering in that space is deterring business on our block. It is a threat to public safety and public health. I have witnessed both camping and loitering in the plaza to exceed five or more hours at one time where the same people do not move. People are intimidated just entering the space or using the covered bench. It is pretty much impossible as it is constantly monopolized. Last Monday I attended a Safety Committee meeting and was disheartened that this subject, including other areas in the community where it affects, was nowhere on the agenda. Two of my biggest takeaways from this meeting were: 1) law enforcement doesn't have much support to handle this type of issue. It is clear they need some support from social workers or substance abuse specialists. One such model that could be studied is the Community Care Program in Sylva. They have clear partnerships and community support. 2) the City doesn't seem to have a clear set of goals and objectives to deal properly with this issue. A perfect model for success is the one Pitt County has implemented. They created a 10-year plan beginning in 2008 with clear goals, objectives and strategies and have seen an 88% success rate in reducing chronic homelessness. Both counties I have mentioned have developed solid outreach support to achieve positive results and I am sure our community could learn from their systems and connect with their support. All of the information is out on the internet and easy to find regarding those plans.

Jesse Draper of 83 Kaden Lane said I am here to speak about the Brevard 2030 Comprehensive Land Use Plan (CLUP) and the Unified Development Ordinance (UDO). Reviewing the proposed Burl Haven development, which is going to be 65 homes on 11½ wooded acres off of Probart, we can easily see that the development does not meet the 2030 CLUP requirements, although it does meet the UDO. So, that means that the CLUP has no teeth; it doesn't reflect anything in the UDO. So, the UDO needs to be updated per the CLUP. The plan says it will serve as a strategic guide for land use infrastructure and programming decisions for the city and the extraterritorial jurisdiction. The Future Land Use Map and accompanying Character Area descriptions should be referenced by decision-makers, including city staff, Planning Board and the

City Council in rezoning cases and in development proposals. This plan should also serve as a guide to investors in the general public when making land acquisition and development decisions. So, the Burl Haven development plan is designated a conservation design subdivision with 40% land preservation per the CLUP, but per the UDO, it doesn't matter—nothing is reflected in the UDO regarding the land use…so the development can go ahead because the CLUP has no teeth. It means nothing. We spent so much money and time – 14 months on the plan, and a lot of money, and it's nothing; it's just out there. Also the 2030 plan is coming to an end. We're going to have to develop the 2050 plan, I think it is, and again we're going to spend more money for this pie in the sky, this is how we want to develop the City of Brevard and preserving land, but if the Burl Haven is approved as a traditional neighborhood, where the CLUP says it's supposed to conservation, so the plan means nothing and that's a real conflict.

Hannah Bowers said I am here on behalf of the Transylvania NAACP to read you a letter: Dear Members of City Council, we are writing to express our concerns regarding the variance granted for the property located at 85 North Lane in Brevard, NC in 2022. As you are aware, a request was made and granted for a variance from the side yard setback requirement of 6 feet in the GR-8 zoning district, reducing it to just 2 feet This decision harmed neighboring property owner Charles Gardin, and we are calling on the City Council to adopt new policies to prevent the Board of Adjustment from making similar harmful decisions in the future. The lot at 85 North Lane was purchased for $7,400 at a tax auction. A variance was applied for, and it was determined that the unnecessary hardship requirement had been met. Six months later, the lot was sold to a builder for $70,000 - a tenfold increase in value. During the 2025 tax reassessment that sale was used as a comp for other lots in Rosenwald, raising land values and increasing the tax burden on long-time property owners. It must be recognized how such decisions can facilitate gentrification and impact residents in the broader social and economic context. Further, decisions like this call into question the very purpose of property line setbacks, if not to protect adjacent property owners and maintain good relationships between neighbors. Moving forward, the City Council should amend the requirements and conditions of variances granted for property line setbacks. The applicant should be required to prove that construction can take place without harm to neighboring properties, and agreement to mitigate any incidental harm should be a condition of the variance. During the hearings, Mr. Gardin demonstrated that a smaller home could be built on the site within existing regulations and articulated the potential negative impact on his property value and quality of life if the variance was approved. His fears materialized. He experienced trespassing, and is still coping with ongoing code violations and debris that was left on his property as a result of construction. After several promises to clean it up, the builder ultimately chose to leave the debris and sell the home, relieving himself of responsibility for the building site. The Board of Adjustment prioritized the concerns of the developer rather than a long-time property owner. As indicated by the builders' attempt to buy a one-foot strip of Mr. Gardin's property after development, even the developer knew a 2' lot line was inadequate. This decision has caused a great deal of grief and hardship for those affected, and this Council is ultimately responsible for the metrics the Board of Adjustment must use in their decision making. A strong community can only be built when ALL its residents are considered, not just those who raise the tax values. In closing, this Council should affirm the purpose of setbacks as safeguards for all property owners, not obstacles to be waived for financial betterment, and implement additional "findings" regarding adjacent properties that must be met before a variance is granted in the future. That is from the Racial Justice Committee of the Transylvania NAACP.

Dr. Paula Hartman-Stein, volunteer Task Force Coordinator for Brevard's Age Friendly initiatives updated Council on a Community Challenge grant received from AARP for Community Resilience. The grant is about disaster preparedness and emotional recovery from the hurricane. Dr. Hartman-Stein has conducted two of four community disaster preparedness discussions and trainings. The next two events will take place on September 27th, the commemoration of surviving Hurricane Helene, and the final one will be in October for Parkinson's Disease caregivers. She is also co-producing a video entitled "Ready and Resilient – A Community Model for Preparedness and Emotional Recovery", which she hopes to have finished by October.

Chris Wiener of 503 S. Broad St. said for the past few years, citizens, business owners and service providers in Brevard have sounded the alarm about our growing homelessness crisis. We have asked for action, we have offered ideas, and yet the urgency and harm to our community, safety, health and dignity; the city has failed to implement a coherent and measurable plan. Today, I am here to challenge that. I have prepared a two-year structured homelessness response plan rigored in compassion, driven by data, and designed for measurable success. It is tailored specifically for Brevard and Transylvania County and works within the limits of North Carolina state law. The plan sets forth the clear North Star, reducing unsheltered homelessness by 40-60% within two years; cuts first time homelessness by 25% and increases exits to permanent housing by 50%. It includes a homelessness response steering committee with city, county, non-profits, law enforcement, and lived-experience voices at the table; a [inaudible] named list and coordinated entry system so that every individual is known and actively case-conferenced; mobile outreach teams, street medicine, and a low-barrier bridge shelter with recuperative care; rapid rehousing, landlord incentives and a targeted eviction prevention; a day-service hub; transitional employment crews and apprenticeship pipelines to help people rejoin the workforce; and a humane encampment protocol that offers a real alternative before any enforcement. The truth is simple—the city has had years to develop a plan like this; instead we have been watching a patchwork of temporary measures, inconsistent enforcement, and no clear metrics for success. The result is that we all see downtown, in our parks, and in our neighborhoods, conditions that are neither compassionate nor effective. Our citizens have been patient; they have advocated; they have asked for meaningful change; they have received delay and inaction—that is not leadership. I am not here to criticize; I am here to hand you a ready to implement roadmap. The plan is practical, lawful, fundable through a mix of state, federal, and private resources. If we act with urgency, we can not only move to restore order and public safety, but we can also give our most vulnerable neighbors a real path forward. At this point I am submitting to you a printed copy and a digital copy will be emailed to you as well. I urge you to adopt it, or at the very least commit to a public transparent process to evaluate and implement its key elements within the next 90 days. Our community deserves better than the status quo. The plan is the first step toward a safer, healthier and more compassionate Brevard. I look forward to working with you all next year after the election.

Paige Dinsdale of 63 Poplar St. said I am a student at Brevard High School and I am here to present an idea that will prevent pollution in some of our public spaces and parks after seeing lots of trash at Franklin Park cleanup with one of my clubs. We spent a majority of our time picking up plastic-based confetti around picnic tables, which led us to want to produce either a city ordinance or a letter of suggestion that would aim to eliminate that form of confetti pollution. After this I spent some more time thinking about how this would actually work and found out through producing my own paper confetti, I am able to do this with recycled, unused or used shredded paper, forming it into sheets and cutting it into confetti. This can be packaged into boxes and bags and be available at park shelters for groups to use at events and parties. Having confetti in these little packages would be cheap, accessible and convenient for groups and encourage them to follow the ordinance or suggestion since they won't have to go out of their way for it. This form of confetti would also be easier to pick up and even if people decide not to pick it up, the impact on the surrounding environment and animals will be far less than that of plastics, which will never decompose. So, overall my suggestion is the creation of either an ordinance or letter which would aim to eliminate plastic confetti use in public spaces in the city, such as Franklin Park, and allow the ability of homemade or store-bought confetti if the demand for that would increase people to use the honor system in order to reduce the environmental impact. I handed you a confetti proposal which is a little bit more detailed version of the plan.

Dean Lytle of 45 Carver St. said I recently filed to run for City Council and I am here tonight to simply observe and listen as I begin a new chapter of public service. For me, this isn't about politics; it's about legacy. My grandmother Selena Robinson dedicated her life to this community, from helping the efforts to integrating our schools to advocating for affordable housing, to serving on boards to shape Brevard's health,

history and opportunity. Her tempo taught me that real change starts right here with showing up and working together. I am running because I believe we can do more for working families, for young people searching for purpose, and for neighborhoods that have too often been overlooked. I appreciate the chance to be here and I look forward to learning from all of you in the coming weeks.

James Veal of 627 Bay Shore Dr. in Pensacola, FL said I have a house up at 187 Pinnacle Road. I appeared before you last August 5th to let you know that I would like to meet with each one of you and talk about a problem of the bottom 200 feet of Bracken Trail blocking access to six parcels of land up there. Thank you Mr. Morrow and Ms. Holder for meeting with me. In the coming weeks I will reach out to the rest of you guys to see if you might want to squeeze a few minutes to talk about it. On August 19th I had the honor to appear before the Council at the Mary C. Jenkins Community Center and I shared with you that blocking access to these peoples' property up there is the same as stealing the value of the property. So, I wonder did anybody do anything? Has anybody asked anybody to check into it? I also expressed an interest in solving this at the Council level, or I might have to go through some other avenues, and I don't want to do that. I met with Mr. McKeller a year ago last November and expressed an interest in being a good neighbor, but I also let him know that it's easier to be a good neighbor when you have good neighbors. I ended up appearing before the Parks and Rec Committee; it got a little exciting. Mr. Hooper took me under his wing and was going to send me to Public Works and Utilities; that was never scheduled. So, that being said, I look forward to maybe having an in-person dialogue with you guys and hopefully we can come up with a solution that restores the value of these peoples' property, including mine.

Connie Chase of 149 Old NC 280 said I am here as a representative and member of the Brevard Sustainability Council and I am excited that you all are considering joining with us and partnering with us. I think it would be a great thing for our city in that we will work to help with the sustainability issues, wastewater issues, and with education. We're a whole group of people that are willing to volunteer and work for the city to help with climate change and pollution and all the things that threaten the livability of this beautiful area. I just want to say thanks for considering that.

Rodney Locks of 187 S. Rice St. said yesterday I watched a story on ABC called "Highballed: How disproportionate property taxes are forcing some Americans out of their homes". The story featured one Baltimore homeowner who has highballed on their property assessment. Since Baltimore is my hometown I've been just paying the taxes, but I didn't realize that the assessments in the Black community were three times what they have been in the white community; and there are 44,000 people in Brevard [sic], most of whom are Black, who are disadvantaged because of property tax assessments. They have shown that it wasn't just in Baltimore, it was in New York and Philadelphia, Pennsylvania, and it didn't talk about what happened here in Brevard, because we went through a similar thing. The essence of the whole story was as long as you make property taxes your primary place for revenue, as the federal government and state government takes away their revenue from you, you're going to have to depend on property taxes. And the same thing that's happening in other places will happen here. You're saying hey, this can't happen and you weren't interested. Don't forget the people who live here are the people who made Brevard what it is and having the improper property tax assessments are going to force them out. I hope you do something.

Harvey Sankey of 51 Lake House Trail said the resolution endorsing the Brevard Sustainability Council by the Mayor should be rejected by the City Council. That is one of the four actions that the Mayor has asked for. The City Council at this time does not have enough information to get all of the facts, such as who are these individuals, and why are they needed to tell the city how to improve our quality of life. Are they part of an NGO and will they get paid by an outside source? What policies are they going to follow? Is it from UN Agenda 21 or UN Agenda 30? This will lead to more regulations and involve city strategic planning and investments—tax dollars. They will ask for the city to commit to creating a climate action plan and to perform an energy audit of its

operations. This will involve spending our tax dollars. What's more important to the city – infrastructure, safety, affordable housing, or homelessness? Sustainability development was not our top priority during the budget negotiations. Red flag – some city support to the work of the BSC, but without supplying significant city resources, money or staff time to the pursuit. Sorry, it's going to cost you money. However, any significant commitment of city resources would need to be approved by the Council on a case-by-case basis. Once again, they're going to come up and ask for money. No city financial resources will be applied to BSC activities without additional Council approval. Minimal staff time -for example, the city's Communications Coordinator posting a BCS message online- will be applied. There's going to be more than that folks. This is nothing but getting the camel's head under the tent. The camel will eventually be under out tent and we will be paying our tax dollars for a new person to implement the plans in the future. It's going to cost us money folks. If any type of improving our quality of life is needed, the Planning Department, Downtown Planning Committee and Public Works can do the job.

I. Special Presentations – None.

J. Public Hearing(s)

J-1. Proposed Amendment to City of Brevard Traffic Schedule – No Parking on Railroad Avenue and Galloway Street – Chief Tom Jordan explained that this proposal came about due to complaints received at the time of the White Squirrel Festival where people were parked on both sides of Galloway St, creating a traffic hazard for our emergency vehicles that can't get by. The proposal is to add all of Galloway Street to the "Schedule I: No Parking Areas" of the Traffic Schedule. Likewise, we have received a number of complaints about people parking on the side of Railroad Avenue past the Depot closer to Whitmire St. and clogging the street, where emergency vehicles were having difficulty getting down the road on certain days. The proposal is to add all of Railroad Ave. from Whitmire to McLean St. to the "Schedule I: No Parking Areas" of the Traffic Schedule. It would not include the designated on-street parking recently added to the section between French Broad and Whitmire.

At 6:33 p.m. Ms. Holder moved, seconded by Mr. Morrow to open the public hearing. The motion carried unanimously.

Public Participation:

Lisa Radke of 420 Whitmire St. said please don't take away parking on Railroad Avenue. I was thrilled when the new owners of the property on Railroad and Whitmire opened an espresso coffee and ice cream stand in an Airstream silver bullet trailer. They added children's playground equipment and picnic tables, and it is a super popular place for young families to enjoy a coffee while relaxing watching their kids have great fun. I have never seen so many young families have a place that they can relax and enjoy. Then the owners had a lovely Christmas market with live music, enabling local entrepreneurs and encouraging first-time entrepreneurs to sell unique gifts. In April they started a trailside market on Thursday afternoons that includes many local farmers, organic eggs at a reasonable price, and not early on Saturday morning. It's Thursday afternoon; it's easy for part-time farmers or after-work people to come and wonderful food vendors, just entrepreneurs, low budget, tamales, a cheap wonderful dinner. A lot of the farmers, Gaia Herbs, and some local businesses have little stands there. Most Thursdays it is so popular that the Railroad Depot parking is absolutely full. I do understand that the current parallel parking is a bit chaotic. Now, the owners have boulders set up to delineate the border of where the parking is, and actually I am sure they would be willing to move the boulders farther away from Railroad and put in gravel for diagonal parking and that would avoid the in-and-out and back-and-forth and trying to avoid hitting the boulders when they're parking. And that would provide more space and have the parking stop before it's close to the bend in the road to get over the creek. So, I'm sure that these wonderful owners that have provided an opportunity to raise sales taxes and new business starters... I want to thank you and please do not…Galloway I totally understand…but Railroad please do not. Plus, the

music venue at King St. is such a wonderful money-maker community center and everything and that would be definitely paralyzed if parking on Railroad were taken away. Please do not take away parking on Railroad; make it a little bit less chaotic, but please we need that. People used to park on the other side also where the multi-use trail is; that has been taken away, but the other side has been painted. We do need more crosswalks there, but please do not take away Railroad parking.

Chris Wiener of 503 S. Broad St. said one of the things that I would remind the City Council more broadly is that we actually need more parking, not less parking. I think that is a well-understood issue. Anybody that operates any reasonable-sized agricultural vehicle like I do, even a little 1500 Ram barely fits into any of the parking spaces in town, and God forbid I try to bring my dually in town, there's two parking spaces that are actually large enough for me to park in. But, that being said, what you all may not know is that once upon a time I used to work for the United States Army Corps of Engineers and one of the things that we did was build roads, bridges, dams, and all kinds of port facilities. Now, parking is a relatively simple problem to solve, if you take example of Europe, which implements one-way systems. What I would propose is that Galloway, Oaklawn and England St. be made one-way streets with parking designated on one side of the road and potentially even made as diagonal parking. Further, if you go down the road on avenue there is about 300 feet at the top of the road that would amply create diagonal parking on the left side between the road and the pathway. The same studies should be conducted within the rest of the city of Brevard. The two roads that are in town – Jordan and I can't remember the name of it right now – need to be reversed. The reason for that is the idea behind one-way streets integrating with two-way streets or other one-way streets, is that when you get to the junction, you don't have to cross traffic to turn. Both of those streets require you to cross traffic to turn off of that street. You cannot turn right, which is a natural turn right on red, from either of those streets and maneuver in a loop. I would ask the City to decide not to take this action forward and instead take on a relatively easy traffic survey analysis, which I am happy to provide free consulting service to the city, to outline methods to improve both the traffic flow within the city, and how to regain some of the parking spaces that we lost. I will submit my plan for Galloway, Oaklawn and England St.

At 6:41 p.m. Mr. Morrow moved, seconded by Ms. Holder to close the public hearing. The motion carried unanimously.

This item will be placed on the agenda for Council action at its August 18th meeting.

J-2. Proposed Amendments to the City of Brevard Unified Development Ordinance, Multiple Chapters – Specificity on General Residential and Residential Mixed Use Districts – Aaron Bland recalled that in April City Council adopted two new definitions into the Unified Development Ordinance in response to NC Session Law 2024-57. The two new definitions codified were "new construction" and "residential zoning district". This is a staff-initiated text amendment to clarify various requirements throughout the UDO that relied on a former interpretation of the term "residential zoning district". When this term did not have a codified definition, it was standard practice to interpret residential zoning districts as General Residential and Residential Mixed Use. However, the new codified definition changes this. The new definition now reads "any zoning district that permits residential land uses" which includes several districts besides just GR and RMX. This amendment replaces any instance of vague language such as "residential districts" or "non-residential districts" peppered throughout the ordinance with an explicit list of applicable zoning districts. Because the amendments make no changes to the actual UDO regulations and only seek to codify the interpretations that have always been made, Staff is requesting the Council take action at this time to avoid any complications or conflicts with applicants. The Planning Board discussed the amendments at its July 22nd meeting and unanimously recommended in favor as written.

At 6:52 p.m. Mr. Morrow moved, seconded by Mr. Daniel to open the public hearing. The motion carried unanimously.

Public Participation: None.

At 6:52 p.m. Mr. Morrow moved, seconded by Ms. Holder to close the public hearing. The motion carried unanimously.

Mr. Morrow moved, seconded by Mr. Daniel to approve the ordinance as written. The motion carried unanimously.

ORDINANCE NO. 2025-39
AN ORDINANCE AMENDING CITY OF BREVARD UNIFIED DEVELOPMENT ORDINANCE CHAPTER 19 – DEFINITIONS TO CODIFY NEW DEFINITIONS

WHEREAS, on December 11, 2024, the North Carolina General Assembly enacted Session Law 2024-57 via a veto override which included a provision that amended the definition of "down-zoning"; and,

WHEREAS, the North Carolina General Statutes lack definitions of critical terms necessary for the interpretation and application of SL 2024-57, leaving the process for enactment of zoning ordinance amendments unclear; and,

WHEREAS, in April of this year, the City Council adopted Ordinance 2025-13 to establish these definitions in the Unified Development Ordinance in order to comply with SL 2024-57; and,

WHEREAS, with these new definitions in place, it is the desire of the City Council to further clarify the standards contained within the Unified Development Ordinance that have relied on these previously undefined terms; and,

WHEREAS, the Brevard Planning Board considered these amendments on July 22, 2025, and unanimously recommended in favor; and,

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

- **Goal 2:** Expand housing opportunities for all residents while preserving the character of Brevard and its neighborhoods.
- **Goal 3**: Encourage a development pattern that respects Brevard's sense of place and prioritizes livable communities.
- **LUH-19:** Enhance communication of land use planning efforts, policy development, approvals and processes.

and,

WHEREAS, a public hearing was conducted on Monday, August 4, 2025, by the Brevard City Council.

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

SECTION 1. Brevard City Code, Unified Development Ordinance is hereby amended as depicted in Exhibit A, which is attached hereto and incorporated herein by reference.

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

SECTION 3. If any section, subsection, paragraph, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed severable and such holding shall not affect the validity of the remaining portions hereof.

SECTION 4. This Ordinance shall be in full force and in effect from and after the date of its adoption and approval.

Adopted and approved this the 4th day of August 2025.

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

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

K-1. Tax Settlement Report – June, 2025

K-2. Capital Project Amendment – WWTP – KCI - $878,000

ORDINANCE NO. 2025-40
CAPITAL PROJECT ORDINANCE TO AMEND ORDINANCE
NO. 2024-40 WASTEWATER TREATMENT PLANT UPGRADE PROJECT

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

Section 1: The budgeted expenditures and revenues listed under the ordinance 2024-40 will be increased by $878,000.

Section 2: Assistant City Manager David Todd has worked closely with KCI in developing the supplemental agreement which has been approved by NCDEQ and is intended to finish the design of Phase 1 and complete preliminary engineering reports for Phases 2 and 3 of the Wastewater Treatment Plant Upgrade.

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

Account Number	Account Name	Budget Amount
31-8220-0925	Professional Services	$ 352,000
31-8220-0925	**Professional Services**	**$ 878,000**
	TOTAL PROJECT APPROPRIATION	**$1,230,000**

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

Account Number	Account Name	Budget Amount
31-3970-0800	NCDEQ SRP-W-134-0175	$ 352,000
31-3970-0800	**NCDEQ SRP-W-134-0175**	**$ 878,000**
	TOTAL PROJECT REVENUE	**$1,230,000**

Section 5: The Finance Director is hereby directed to maintain within the capital project fund sufficient specific detailed accounting records to satisfy the disclosure requirements of all the contractual agreements, if applicable.

Section 6: Funds may be advanced from the General Fund or from any Enterprise Fund as necessary for the purpose of making payments as due. Reimbursement requests shall be made in an orderly and timely manner.

Section 7: The Finance Director is directed to report, on a quarterly basis, on the financial status of each project element in Section 3 and Section 4.

Section 8: The Finance Director is further instructed to include a detailed analysis of past and future revenues and expenses during each annual budget submission made to the Governing Board.

Section 9: Copies of this capital project shall be furnished to the City Clerk, Finance Director and City Manager for direction in carrying out this project.

ADOPTED by the City Council of the City of Brevard, North Carolina, on this 4th day of August, 2025.

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

K-3. Budget Amendment – Bucket Truck - $150,000 – Debt Financed

ORDINANCE NO. 2025-41
AN ORDINANCE AMENDING THE FY2025-2026 BUDGET.
BUDGET AMENDMENT NUMBER 26-01

SUBJECT: Budget Amendment to increase General Fund budget by $150,000 for the purchase of a new Ford F550 Bucket Truck.

AGENDA INFORMATION

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

BRIEF SUMMARY: The one bucket truck that the City owns was purchased in 1998 and has recently required extensive repairs that make it inoperable. City staff has contacted repair facilities that have previously worked on the vehicle, and they have communicated they cannot work on the vehicle, because of its age and potential liability issues. The City desires to purchase a new Ford F550 Bucket Truck (or an equivalent vehicle) at an estimated cost of $150,000 and include this in the debt offering being sent out for the Vacuum Truck and Sanitation Truck, which were approved by City Council in the FY25-26 budget.

MOTION FOR CONSIDERATION: To approve Budget Amendment 26-01, as submitted, increasing the budget in expenditure account:

10-5600-7400 (Capital Outlay)	$150,000
TOTAL	**$150,000**

And increasing the budget in the revenue account:

10-3950-0100 (Debt Proceeds)	$150,000
TOTAL	**$150,000**

ATTACHMENTS: None.

MANAGER'S RECOMMENDATION: Adopt as presented.

Approved and adopted this 4th day of August 2025.

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

K-4. Establishing Norton Creek Streambank Restoration Capital Project (Cashiers Valley Road to Rosman Highway)

ORDINANCE NO. 2025-42
CAPITAL PROJECT ORDINANCE TO ESTABLISH NORTON CREEK STREAMBANK RESTORATION CAPITAL PROJECT (CASHIERS VALLEY ROAD TO ROSMAN HWY)

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 adopted:

Section 1: In February of 2025, the City and the Land of Sky Regional Council finalized a grant contract with the North Carolina Land and Water Fund in the amount of $75,000 for the purpose of developing a stream restoration alternative on Norton Creek between Cashiers Valley Road and Rosman Highway. For some time, the City has been aware that the area in question has needed attention, and we are hopeful this is just the beginning of what will ultimately be a wide ranging plan to improve the physical environment of the City in this area, and reduce the impacts of erosion and overflow.

Section 2: This Project will be recorded in the newly established Stormwater Capital Projects Fund. The City is expecting that the initial project budget of $75,000 will be increased as the specifics of the Project become known, and the Project will likely be ongoing for a number of years, and will likely require additional grant funding.

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

Account Number	Account Name	Budget Amount
36-4900-0925	Prof Serv – Norton Creek	$75,000
	TOTAL PROJECT APPROPRIATION	**$75,000**

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

Account Number	Account Name	Budget Amount
36-3910-0300	NC Land & Water Fund Grant	$75,000
	TOTAL PROJECT REVENUE	**$75,000**

Section 5: The Finance Director is hereby directed to maintain within the capital project fund sufficient specific detailed accounting records to satisfy the disclosure requirements of all the contractual agreements, if applicable.

Section 6: Funds may be advanced from the General Fund or from any Enterprise Fund as necessary for the purpose of making payments as due. Reimbursement requests shall be made in an orderly and timely manner.

Section 7: The Finance Director is directed to report, on a quarterly basis, on the financial status of each project element in Section 3 and Section 4.

Section 8: The Finance Director is further instructed to include a detailed analysis of past and future revenues and expenses during each annual budget submission made to the Governing Board.

Section 9: Copies of this capital project shall be furnished to the City Clerk, Finance Director and City Manager for direction in carrying out this project.

ADOPTED by the City Council of the City of Brevard, North Carolina, on this 4th day of August, 2025.

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

K-5. City Council Finance, Human Resources & Citizen Appointment Committee Meeting Minutes – April 28, 2025

K-7. City Council Public Works & Utilities Committee Meeting Minutes – May 7, 2025

K-8. City Council Housing Committee Meeting Minutes – May 13, 2025

K-9. City Council Parks, Trails & Recreation Committee Meeting Minutes – May 21, 2025

K-10. City Council Public Safety Committee Meeting Minutes – May 27, 2025

K-11. City Council Finance, Human Resources & Citizen Appointment Committee Meeting Minutes – May 28, 2025

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

K-12-a. ABC Board Meeting Minutes – May 22, 2025

K-12-b. ABC Board Meeting Minutes – June 26, 2025

~~ At 6:55 p.m. Mayor Copelof called for a five minute break ~~

L. Unfinished Business

L-1. Proposed Amendment to the Official Zoning Map of the City of Brevard – Pisgah Gateway District (Request to Table) – Aaron Bland recalled that Council held a public hearing on June 16th to consider reinstating the Pisgah Gateway Mixed Use District (PGX) which would rezone much of the area around the US 64 / US 276 / NC 280 intersection at the entrance to Pisgah National Forest. Council's original enactment of this district in 2024 was nullified by Session Law 2024-57. Staff initiated a rezoning to reapply the PGX district this year in the same geographic area it was previously applied to. A change in SL 2024-57 also removed an exception to the limits on downzoning if the rezoning was initiated by the local government. However, there is a new bill working its way through the General Assembly, Senate Bill 587, which would add that exception back. SB 587 would also make some major changes to regulation of nonconformities and vested rights. Due to the uncertainty of this pending legislation, Staff is requesting that Council table the PGX matter to wait for the results SB 587. The passage of the bill would also necessitate text amendments to the UDO as it relates to vested rights and nonconformities.

Mr. Daniel moved, seconded by Ms. Holder to table this item. The motion carried unanimously.

M. New Business

M-1. Resolution re Brevard Sustainability Council – Mr. Hooper explained that over the past year the Brevard Sustainability Council (BSC), a citizen-led advocacy group has asked for the city to commit to creating a Climate Action Plan and to perform an energy audit of its operations. During priority-setting and budget season, Council did not identify sustainability or environmental initiatives as a priority. He said the BSC has approached the Mayor and I with a compromise approach—a way to advance these interests, which a number of Council members have expressed support for—that gives some city support to the work of the BSC, but without applying significant city resources of money or staff time. Mayor Copelof added that we looked at what we could do without funding or staff time from the City. She noted that the BSC are active, engaged community members who are willing to donate their time and expertise and we thought that they could look at ways that our community could become more sustainable and work with the community in terms of education. They would look for grants that might be available and research what other communities are doing. BSC is looking for a resolution endorsing the creation of and operation of the BSC and that we are willing to help promote things as government speech by sharing them on our government-controlled forums. The minimal amount of staff effort would be asking our Communications Director to post things. She said we are not looking to develop a plan, but asking to endorse this idea, utilize this community effort, and I volunteered to be the liaison between the group and the elected body. When there are projects that the City would be promoting, we would take them to the appropriate committee for evaluation.

Mr. Morrow moved, seconded by Mr. Wise to approve the resolution as written. During discussion, Mr. Daniel said he was in favor of sustainability, but expressed concern with the process, which he said would create a committee that we have no oversight of and would allow someone to speak for Council without knowing who that someone is or what they would say. Vote on the motion was 4 in favor; 1 opposed (Daniel). The motion carried.

RESOLUTION NO. 2025-46
RESOLUTION ENDORSING THE BREVARD SUSTAINABILITY COUNCIL

WHEREAS, increased frequency and intensity of extreme weather events, including flash floods, severe storms, and prolonged droughts, threaten the safety and economic stability of our community; and

WHEREAS, extreme weather events increasingly damage aging infrastructure including roads, bridges, water systems, and electrical grids that are expensive to repair and often lack redundant systems; and

WHEREAS, the City of Brevard desires to support sustainability efforts that cut down on greenhouse gas (GHG) emissions, reduce waste, protect the natural environment and enhance infrastructure resilience; and

WHEREAS, Brevard's Comprehensive Land Use Plan (CLUP) lists as goals "Celebrating Brevard's natural resources through conservation of environmentally sensitive areas, improving access to recreation, and restoration of native ecosystems" and "Plan for efficient, equitable and resilient infrastructure and services that maintain and improve the quality of life throughout the city" with the specific task of incorporating climate resiliency into City strategic planning and investments; and

WHEREAS, Brevard's other policy documents are imbued with sustainability themes such as multi-modal transportation, infill development, and replacement of inefficient infrastructure; and

WHEREAS, the Brevard Sustainability Council (BSC) is a volunteer-led group that promotes sustainability through awareness, advocacy, and action; and

WHEREAS, the BSC has offered to undertake efforts to support local sustainability that align with city goals.

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

Section 1. The City of Brevard endorses the creation and operation of the Brevard Sustainability Council.

Section 2. The City of Brevard supports BSC's efforts to decrease greenhouse gas emissions, increase the prevalence of alternative sources of energy, reduce waste, protect trees and waterways, promote sustainable practices, and increase awareness of the impacts of global warming thereby improving the community's overall resilience.

Section 3. The City of Brevard may adopt, at the discretion of its agents, some of BSC's statements as government speech and share them across government-controlled forums.

Section 4. This resolution becomes effective upon adoption.

Adopted and approved this the 4th day of August, 2025.

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

M-2. Potential Amendment to Roundabout Design Contract / Bear Statue Proposal – Mr. Hooper explained that in 2020 Council approved a landscaping and art plan for NCDOT's R5799 roundabout project. With construction of R5799 currently underway, it is time to move forward with hiring McAdams to secure permits from NCDOT and oversee the installation of the landscaping enhancements. A group of local artists have put forward an idea for a statue at the R-5799 roundabout at the entrance to Brevard and Pisgah National Forest. This new idea is being shared with Council tonight to ascertain if there is interest in possibly amending the plan and asking McAdams to evaluate what it would take to accommodate this new proposal. The contract with McAdams for the originally-envisioned betterments was anticipated, and funds were reserved in Fund 75 for that purpose. The additional funds needed to pay for the extra work for the proposed statue would be about $2,200 and would require are unbudgeted allocation from that same fund.

Mayor Copelof added that a group of local artists, led by Ann DerGara has proposed the installation of a bear statue at the R-5799 Pisgah Forest roundabout. Ms. DerGara has submitted a concept rendering, with the idea that the sculpture would be created by artist Charles Calvin. To support this effort, the group has already secured $20,000 in pledged donations toward the cost of producing the piece. Ms. DerGara and Mr. Calvin displayed a life-sized drawing of the bear.

Mr. Morrow moved, seconded by Mr. Daniel to instruct staff to amend the scope of the McAdams contract to include a preliminary exploration of the bear statue proposal and find the $2,200. The motion carried unanimously.

M-3. ABC Board Appointments – Board Member and Designation of Board Chair – Ms. Hodsdon explained that there is one vacancy on the ABC Board. The

Finance, Human Resources and Citizen Appointment Committee reviewed all applications at its July 28th meeting and recommended the appointment of Thomas Carpenter to the ABC Board. Additionally, City Council annually appoints one member of the ABC Board to serve as chairman. At its meeting on June 26th the ABC Board nominated Lisa Conner to serve another year as Chair. Mr. Baker moved, seconded by Mr. Wise to approve the resolution appointing an ABC Board member and designating ABC Board Chair. The motion carried unanimously.

RESOLUTION NO. 2025-47
RESOLUTION APPOINTING A MEMBER TO THE BREVARD ABC BOARD AND DESIGNATING ABC BOARD CHAIR

WHEREAS, pursuant to NC G.S. § 18B-700(a) Local ABC Board members are appointed by the City Council as the appointing authority; and

WHEREAS, Brevard ABC Board members serve staggered three-year terms and the term of one member expired in July, 2025; and

WHEREAS, city staff, with the oversight of the Finance, Human Resources and Citizen Appointment Committee, conducted an open recruitment for citizens interested in serving on the ABC Board; and

WHEREAS, the Finance, Human Resources and Citizen Appointment Committee considered applications at their July 28, 2025 meeting and recommended appointment of Thomas Carpenter to the Brevard ABC Board; and

WHEREAS, NC G.S. § 18B-700(a) also states "the appointing authority shall designate one member of the local board as chairman"; and

WHEREAS, pursuant to Section 6.3 of the City of Brevard Charter, the Mayor and City Council shall annually appoint one member of the ABC Board to serve as chairman; and

WHEREAS, the Brevard ABC Board Chair has historically served a one-year term from July 1 to June 30 to coincide with the fiscal year; and

WHEREAS, at its meeting on June 26, 2025 the Brevard ABC Board nominated Lisa Conner to serve another term as ABC Board Chair until July 2026.

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

1) The Brevard City Council does hereby appoint Thomas Carpenter to the Brevard ABC Board effective August 2025 and expiring in July, 2028.

2) The Brevard City Council does hereby designate Brevard ABC Board Member Lisa Conner to serve as Chair effective immediately until June 30, 2025.

Adopted and approved this 4th day of August, 2025.

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

M-4. (K-6.) City Council Public Safety Committee Meeting Minutes – April 28, 2025 – Mr. Daniel noted that the minutes included a Fire Department incident report for the first quarter of 2025 and remarked that there were four incidents in one day (March 18, 2025). He asked if we know of any reason that these all happened in one day. Interim Fire Chief Elmore provided a written report of all incidents over the past 17 months and explained that the incidents on that day were not related. Mr. Daniel moved, seconded by Mr. Morrow to accept the Public Safety Committee meeting minutes of April 28, 2025. The motion carried unanimously.

N. Remarks/Future Agenda Considerations.

Mr. Morrow noted that we now have security lights at the Dog Park and gave a shout out to Assistant City Managers Dean Luebbe and David Todd.

Mr. Wise expressed appreciation to everyone who came to speak to Council today. He congratulated Emory Owen and mentioned that the groundbreaking for the Fairhaven Meadows affordable housing project will take place tomorrow morning.

Mr. Daniel read part of reading from the Fourth of July about King George and shared a story about a spectator who scoffed at the reading and walked off. Mr. Daniel said this is the foundation of this nation, the Bill of Rights, the Declaration of Independence. If our citizenry thinks that that is something to be scoffed at and walked away from, I think we have problems in this country and someone saying that in public in a crowd, disrespecting this country is abhorrent.

Mr. Baker remarked that while Council hasn't had a meeting since June, the committees have still been working and gave a shout out to all the volunteer members who attended those meetings. He thanked our Police Officers who are often asked to be the first point of contact with folks who are unhoused. He said I am really proud of the City over the last few years that we have gotten much better connected with many of the non-profits in our community who are working on this issue. He added that you cannot disconnect issues of homelessness from issues of affordable housing, and our goal should be to provide a safe housing situation for every resident. He thanked the School Board for approving studying land they own across from Brevard High School for a potential affordable teacher housing project.

Mr. Hooper reported that last week the City submitted a grant application to Dogwood Foundation for seed money for a tax relief program. If funded, it will refund folks with the lowest incomes and the highest increases in their property values. He noted that Chief Jordan has announced his retirement and he thanked him for his service. The City has hired the firm Developmental Associates to help us find his replacement. He expressed appreciation to Holly Jones from Governor Stein's Office for being here to honor Emory Owen and reading the first verse of the State Toast. He then read the third verse.

Mayor Copelof noted that we have all been in agreement about the importance of housing and trying to get where everyone in our community is housed, but we do have unhoused folks in our community. We are very fortunate that we have a process where we work with all sorts of partners that provide the services people need. We continue to make progress, and we are striving to make sure we have all the options for that continuum of housing. She mentioned that we saw tonight how our community gets involved in a number of initiatives, which augment our priorities. She said the opening of today's meeting, where Emory Owen was recognized for 45 years of service and two new Police Officers were sworn in, was all about people and our staff. She expressed pride and thanks to all of the City's staff.

O. Closed Sessions

O-1. Pending Litigation: NCGS §143-318.11.(a)(3) – ***In re Mission Health Antitrust Litigation*** – At 8:25 p.m. Mr. Morrow moved, seconded by Ms. Holder to go into closed session to discuss the pending litigation matter and to clear Council Chambers. The motion carried unanimously. Authorized to remain for the closed session with Council and the Attorney were City Manager Wilson Hooper and City Clerk Denise Hodsdon.

Council Returned to Regular Session – at 8:52 p.m. Council resumed the meeting in regular session. No official action was taken in closed session, and the minutes of the closed session are authorized to be sealed.

P. Adjourn – There being no further business, at 8:52 p.m. Mr. Wise moved, seconded by Ms. Holder, to adjourn the meeting. The motion carried unanimously.

Maureen Copelof Mayor	Denise Hodsdon, CMC City Clerk

Minutes Approved: August 18, 2025