MINUTES
City Council Public Safety Committee

Tuesday, October 28, 2025 – 3:30pm
City Hall, Council Chambers

Members Present:	Aaron Baker, Chair, Council Member Kevin Gallo, Citizen Member Mayor Maureen Copelof, Ex-Officio Member
Members Absent:	Mac Morrow, Vice Chair, Council Member
Staff Present:	David Todd, Assistant City Manager Mack McKeller, City Attorney Mark Norton, Asst. Fire Chief Jack Moorman, Interim Police Chief Denise Hodsdon, City Clerk
Guests:	Harvey Sankey, Jermois Morris, Celia Richmond, Jeff Leigh and Joseph Shadel

A. Welcome & Call to Order

Committee Chair Aaron Baker welcomed everyone and called the meeting to order at 3:34pm.

B. Certification of Quorum

City Clerk Denise Hodsdon certified that a quorum was present.

C. Approval of Agenda

Mr. Baker added an item to the agenda for public comment as Item I. Mr. Gallo moved, seconded by Mr. Baker to approve the agenda as amended. The motion carried unanimously.

D. Approval of Minutes

1. **August 26, 2025 Meeting** – Mr. Gallo moved, seconded by Mr. Baker to approve the minutes of the August 26, 2025 meeting. The motion carried unanimously.

2. **September 23, 2025 Meeting** – Mr. Gallo pointed out that the last paragraph in Item F. Vape Store Regulations Discussion included a sentence stating that the ordinance will ban hemp shops where they don't currently exist and noted that he didn't see that in the draft ordinance. Attorney McKeller confirmed that that could not legally be done. The committee agreed to strike that sentence from the minutes. Mr. Gallo moved, seconded by Mr. Baker to approve the minutes of the September 23, 2025 meeting as amended. The motion carried unanimously.

E. Update on Traffic Calming Measures – Public Meeting Follow-up

Mr. Todd reported that there were 25-30 attendees at the public meeting, which was mainly focused on Carolina Avenue and the Rosenwald community. There were four stations with questionnaires for attendees to provide their feedback on the following areas:

- Existing conditions – folks were asked to describe the traffic they see on Carolina Ave. and Mills Ave. near the park. The largest number of comments were regarding the speed on Carolina Ave. There was a lot of feedback on the speed bumps on Probart St. Several mentioned that they felt traffic on Main was now faster because of people trying to drive around the speed bumps on Probart.
- Traffic Data – traffic data was displayed and folks were asked whether the figures presented in this station were higher, lower or on par with what they expected. The consensus was that the numbers were lower, in particular that the speed was not as representative as what folks had witnessed. They felt the speed was higher than the radar signs showed.
- Types of Traffic Calming – folks were asked which types of traffic calming devices seemed most effective in their experience. The largest response was speed bumps/humps/cushions. There were also a couple of mentions of chicanes.
- General Thoughts About Traffic Calming – attendees were asked if they were willing to make tradeoffs that the installation of certain traffic calming measures would bring. The majority of folks said yes.

Mr. Todd said he felt that the meeting provided some good information and the comments were pretty much what was expected. Staff is in the process of compiling the comments, but he thinks the biggest focus would be on Carolina Ave. and trying to find solutions there. Staff is working with the traffic consultant to come up with a solution. He mentioned that it becomes difficult because of the road changing ownership at Shipman from Brevard to NCDOT. Where we need to put the traffic calming measures are on the DOT portion. There was concern if traffic calming is installed on the section the City owns, people would try to bypass that on roads that are much smaller and less likely to handle the kind of traffic that Carolina has now.

Mr. Baker mentioned that he heard a lot of feedback at the meeting about people bypassing Probart. It seems that it has worked to an extent to keep people from using Probart to go around town, but the flipside of that is that people are bypassing the speed bumps other ways through town, such as on W. Main and Whitmire. He thought it would be helpful to share that information with the traffic consultant. Chief Moorman reported that the Police Department is currently collecting data in the 200 block of W. Main St. and will then move further up W. Main.

F. Proposed Hemp Shop Regulations

Attorney McKeller reviewed the proposed regulations of hemp-derived consumable products (copy attached). He noted that the proposed amendments would make it unlawful for any person or entity to sell or give hemp-derived consumable products to a person who is under 21 years of age within 2,000 feet of the property line of any public or private school, public park, or after school facility. Any seller or giver within said radius must demand proof of age from a prospective purchaser if the purchaser appears under 30 years of age. It would also be unlawful for anyone under the age of 21 to possess, purchase, or attempt to purchase any hemp-derived consumable product at any prohibited location, or to attempt to purchase said products using fraudulent or altered identification. Violation of the provisions shall be a civil penalty of $100 for the first violation, $250 for the second violation, and $500 for each violation thereafter. Attorney McKeller pointed out that this is a police ordinance, not a zoning ordinance, so it would only apply within the city limits; it would not apply in the ETJ.

Mr. Gallo noted that the amendment mentions "seller or giver" in a few places, but in Section 38-197 Enforcement, it only mentions seller. Attorney McKeller recommended expanding the definition of "seller" to mean "any person or entity who sells or gives...".

Mr. Baker pointed out that the City feels this is necessary because the state is dropping the ball. He said he would like to ask staff to draft a resolution in support of House Bill 328.

Mr. Gallo moved, seconded by Mr. Baker to forward the proposed amendment to City Council with a recommendation to approve, and a recommendation to adopt a resolution in support of HB 328. The motion carried.

G. Clemson Plaza Safety Measures

Mr. Todd noted that in the last few months there has been an influx of unhoused individuals staying in Clemson Plaza. Recently, folks seemed to have left that area, but Mayor Copelof reported that there were some there during Halloweenfest in the daytime who were inebriated. Mr. Todd said that patrols continue and staff has requested quotes to install cameras in the plaza, which would be a part of the new

camera security system at the Police Department, but we do not have those quotes yet.

Mayor Copelof recalled that there had been discussion about making it a park. Attorney McKeller said DOT has told the City that even if it was made a park, a sidewalk would still be required to go through a park.

Mr. Baker asked if there had been any enforceable action taken at Clemson Plaza. Chief Moorman responded that officers make spot checks on a regular patrol basis. Recently there was a fight involving a couple of individuals who were arrested. It was around that time that we saw somewhat of a decrease in Clemson Plaza with a movement to the Depot. He said at some point they will most likely come back to Clemson Plaza and the Police Department's limit is that if there isn't any chargeable offense, there is very little they can do other than to stop by and check on their welfare and direct them to resources. He feels that would be the benefit of the camera system—to see and enforce violations and incidents that occur that we would not be able to enforce through routine patrol.

Mr. Todd expects to have quotes for cameras to bring to the committee for review at the next meeting.

H. Cherry St. Evacuation Routes

Mr. Todd explained that during Helene the Cherry St. neighborhood was completely inundated with floodwaters and residents expressed concern that there was no evacuation route out of the neighborhood. Several residents had to be rescued by boat. Staff has tried to identify options for evacuation routes to improve the safety of the neighborhood and has reached out to one of the City's civil engineering firms. They have come out to look at the neighborhood and what actually flooded vs. what shows on the flood maps. Mr. Todd noted that there are challenges all around, but a couple of different areas of refuge have been identified: 1) TVS has a parking lot that is outside the floodplain, and 2) the Transylvania County Parks & Rec building that served as a shelter. The consultants have given us a proposal of $20,000 to look at each of the three streets in the neighborhood to determine what it would take to develop an evacuation route off of each of those streets, in addition to a fourth evacuation route all the way at the end of Cherry Street where it is further away from the bike path. The bike path does look like it would be a critical component in any of these evacuation routes to get people to the refuge areas. Their proposal would also include cost estimates for each option. He explained the complexities of all four routes.

1. Spruce St. has a connection to the bike path at the end of the road, but it is very steep and it's almost impossible for a car to traverse it, and there is also a shallow water line under part of that, making it difficult to adjust the grade. Additionally, there is a ditch that runs between the neighborhood and the bike path, and it would be necessary to navigate around that. If that ditch

floods, then folks couldn't get out of the neighborhood through any of the evacuation routes.

2. Burnette Dr. could be a connection, but would require easements/right- of-way connection to the bike path.
3. The same would be true for Idlewood St. and at the end of Cherry St. There would have to be some give and take with the neighbors in acquisition of land in those areas if we wanted to make multiple escape routes.

Mr. Todd has asked the civil engineers to look for grant funding that would pay for 1) construction of the evacuation routes, and 2) might even pay for their study. He explained that staff has not yet identified a funding source and suggested that if the committee selected one route to move forward with, it would be cheaper to look at just that one option.

Mr. Baker moved, seconded by Mr. Gallo to narrow the scope to Spruce St. and ask the city manager and finance director to find options for funding that. The motion carried.

I. Public Comment

Joey Shadel of 20 James said I live on the corner of W. Main and James St. and we have definitely seen an increase in traffic on W. Main, mostly since the speed cushions have been installed on Probart St. There are families living on that road, cyclists, both young and old, there are bus stops on that road, and there has been an uptick in service vehicles because of many construction projects happening that neighborhood. I think there has to be some sort of traffic easement done at some point and I urge you to consider that. Thank you for considering another data study. I think there was one done over the summer, and I think the speed limit was set wrong when that was done. When you do that one, I implore you to make sure that it is set at 20 mph. When the revised data was looked at using the correct speed limit, they found that there was a 10% violation rate.

Jeff Leigh of 467 Maple St. said I am here to start the conversation on traffic calming measures on Maple St. Very few people adhere to the 20 mph speed limit. Chief Moorman informed the committee that officers continue to monitor that location and Maple St. is next on the list for data collection.

Harvey Sankey commented that cameras are a great idea and said that would be a good use of taxpayer dollars. He asked who would monitor the cameras. Chief Moorman responded that we will have access to them at the police station, although we can't have somebody dedicated to monitoring them full-time. If there is something that indicates that a crime had occurred the investigators could go back and review the footage. It would be more of an investigative tool for identification and apprehension than a full-time monitor.

J. Set Date for Next Meeting – November 24, 2025 at 3:30pm

The next meeting was scheduled for Monday, November 24, 2025, at 3:30pm in City Council Chambers.

K. Adjourn

There being no further business, the meeting was adjourned at 4:58pm.

Minutes Approved: November 24, 2025

X _____
Aaron Baker, Chair, Council Member or
Mac Morrow, Vice Chair, Council Member

X _____
Denise Hodsdon
City Clerk

CITY CODE OF ORDINANCES

PART II: CODE OF ORDINANCES

CHAPTER 1. GENERAL PROVISIONS

1-2. Definitions and rules of construction.

In the construction of this Code and of all ordinances, the following definitions and rules of construction shall be observed, unless inconsistent with the manifest intent of the council or the context clearly requires otherwise:

Hazardous recreational activity means skateboarding, inline skating, or freestyle bicycling, and, or, any other type(s) not listed.

Hemp has the same meaning as defined in G.S. 90-87 of the North Carolina Controlled Substances Act, as the same may be amended

Hemp-derived cannabinoid means any phytocannabinoid found in hemp, including but not limited to delta-9 tetrahydrocannabinol (delta-9 THC), tetrahydrocannabinolic acid (THCA), cannabidiol (CBP), cannabidiolic acid (CBPA), cannabinol (CBN), cannabigerol (CBG), cannabichromene (CBC), cannabicyclol (CBL), 9 cannabivarin (CBV), tetrahydrocannabivarin (THCV), cannabidivarin (CBPV), cannabicitran (CBT), delta-7 tetrahydrocannabinol (delta-7 THC), delta-8 tetrahydrocannibinol (delta-8 THC), or delta-10 tetrahydrocannibinol (delta-10 THC). This term also includes any synthetic cannabinoid derived from hemp and contained in a hemp-derived consumable product.

Hemp-derived consumable products means a hemp product that is a finished good intended for human ingestion or inhalation that contains less than 0.3% of delta-9 THC concentration on a dry weight basis, but which contain concentrations of any other hemp-derived cannabinoid(s) in excess of that amount. This term does not include hemp products intended for topical application in which transdermal absorption does not occur, or seeds or seed derived ingredients that are generally recognized as safe by the United States Food and Drug Administration (FDA).

Hemp products has the same meaning as defined in G.S. 90-87 of the North Carolina Controlled Substances Act, as the same may be amended

Head of household means the person who maintains the household, or, if no one person maintains the household, the head of the household shall be the eldest person residing in the household.

Ingestion means the process of consuming a substance in any of the following manners:

1. Through the mouth, by swallowing the substance into the gastrointestinal system
2. Through tissue absorption by transdermal delivery, or any other method of skin delivery in which the substance or any of its components is absorbed beneath the skin and into the body or into the blood stream
3. Subcutaneously through injection beneath the skin
4. By needed injection into the blood stream

Inhalation means the process for consuming hemp in the respiratory system through the mouth or nasal passages

Inherent risk means those dangers or conditions that are characteristic of, intrinsic to, or an integral part of skateboarding.

Seller means any person or entity who sells a hemp-derived consumable product to the consumer of the product, or who sells a hemp-derived consumable product at retail

Septage means the solid and liquid contents of privies, septic tanks or cesspools, industrial wastes, chemical compounds and sludges which are hauled by truck or other mobile conveyance.

CHAPTER 38. HEALTH AND SANITATION

(NEW) ARTICLE IV. RESTRICTIONS ON HEMP-DERIVED CONSUMABLE PROUDCTS

Contents:

- 38-195. Reserved.
- 38-196. Restriction on hemp-derived consumable products for persons under the age of 21
- 38-197. Enforcement

38-195. Reserved.

38-196. Restrictions on hemp-derived consumable products for persons under the age of 21.

It shall be unlawful of any person or entity to do any of the following

1. Knowingly, or having reason to know, sell or give a hemp-derived consumable product to a person who is under 21 years of age at any of the following prohibited locations:
    a. Within 2,000 feet of the property line of any public or private school, public park, or after school facility

b. In any public park

Any seller or giver of hemp-derived consumable products at any of these prohibited locations shall demand proof of age from a prospective purchaser or recipient of hemp-derived consumable products before the hemp-derived consumable product(s) are released to the purchaser or recipient if the seller or giver has reasonable grounds to believe that the prospective buyer or recipient is under 30 years of age.

2. Knowingly, or having reason to know, distribute samples of hemp-derived consumable products in any location where sales to a person under the age of 21 are prohibited

3. If a person is under the age of 21, to posses, purchase, or attempt to purchase any hemp-derived consumable product at any location where the sale of hemp-derived consumable products to persons under the age of 21 is prohibited.

4. If a person is under the age of 21, to use any type of fraudulent or altered identification or any identification belonging to another person, to attempt to possess or purchase a hemp-derived consumable product in violation of this section.

38-197. Enforcement.

A. Any seller who violates or fails to comply with the provisions of this Chapter shall be subject to one or a combination of the following methods:

   1. Civil penalty. Any seller who violates any provision of this Chapter shall be subject to the following penalties:
      a. For the first violation, a fine of $100.00 shall be assessed
      b. For the second violation, a fine of $250.00 shall be assessed
      c. For each violation thereafter, a fine of $500.00 shall be assessed
      d. Fines may be recovered by the City in a civil action in the nature of the debt if the violator does not pay the penalty within 30 days from the date the violator is notified of the penalty. Any other service charges imposed by this article may be collected by the City as a civil penalty in a civil action.
   2. Equitable remedy. The City may apply to a court of competent jurisdiction for an injunction, abatement order or any other appropriate equitable remedy.

B. Notice. The City of Brevard Police Department shall serve written notice of any violation of this Chapter to the offender.