



AGENDA
BREVARD CITY COUNCIL - REGULAR MEETING
Monday, May 1, 2023 - 5:30 PM
City Council Chambers

A. Welcome and Call to Order

B. Invocation

Reverend Elizabeth Roles, St. Philips Episcopal Church

C. Pledge of Allegiance

D. Certification of Quorum

E. Approval of Agenda

F. Approval of Minutes

1. Monday, April 17, 2023 Regular Meeting

G. Public Comments

H. Certificates / Awards / Recognition

1. Proclamation 2023-09 National Police Week & Peace Officer's Memorial Day 2023
2. Proclamation 2023-10 National Bike Month
3. Proclamation 2023-11 National Day of Prayer

I. Special Presentation(s)

1. Personnel Policy Revisions
2. Classification and Compensation Study Presentation
3. FY 2023-2024 Recommended Budget Presentation and Set Date for Public Hearing

J. Public Hearing(s)

K. Consent and Information

1. Resolution - Governor's Crime Commission Grant

2. Council Parks, Trails & Recreation Committee Minutes - January 18, 2023
3. Council Public Safety Committee Minutes - February 27, 2023
4. Council Parks, Trails & Recreation Committee Minutes - March 15, 2023

L. Unfinished Business

1. Proposed Amendments to City of Brevard Code of Ordinances Chapter 42 (re: Encampments)
2. Proposed Text Amendment to the Brevard Unified Development Ordinance, Chapters 2, 3, and 19 - Land Use Matrix Revisions
3. REZ-21-004 Osborne Road Rezoning

M. New Business

N. Remarks / Future Agenda Considerations

O. Closed Session(s)

P. Adjourn

Agenda Posted, Website, Sunshine List (April 27, 2023)
D. Hodsdon, City Clerk

To review Agenda materials, go to the City's website www.cityofbrevard.com. Select "Your Government" tab followed by "Agenda Packet" tab. Agenda packet materials are posted on Thursday afternoon prior to Council's Monday meeting.

**MINUTES
BREVARD CITY COUNCIL
Regular Meeting
April 17, 2023 – 5:30 PM**

The Brevard City Council met in regular session on Monday, April 17, 2023, 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, Maurice Jones, Geraldine Dinkins, and Aaron Baker

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, Planning Director Paul Ray, Senior Planner Emily Brewer, Human Resources Director Kelley Craig, Communications Coordinator Becky McCann, Fire Chief Bobby Cooper, Acting Public Works Director Wesley Shook, ORC Water Treatment Plant Dennis Richardson, and ORC Wastewater Treatment Plant Emory Owen

Presenter – Nicole Bentley, Heart of Brevard Executive Director

Press – Jon Rich, Transylvania Times

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

B. Invocation – Father Shawn O’Neal of Sacred Heart Catholic Church offered an invocation.

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

D. Certification of Quorum – City Clerk Denise Hodsdon certified a quorum present. Mayor Copelof noted that Mayor Pro Tem Gary Daniel was absent and asked for a motion to excuse him. Ms. Dinkins so moved, seconded by Mr. Baker. The motion carried unanimously.

E. Approval of Agenda – Mr. Hooper asked to add a Resolution Opposing SB 515 Water/Sewer Affordability Act under New Business as Item M-1. Attorney McKeller asked to add a Closed Session for Pending Litigation. Mr. Baker asked that Item K-6 Resolution Supporting PARTF Grant Application (TYSA) be pulled from the Consent Agenda and added under New Business as Item M-2. Ms. Dinkins moved, seconded by Mr. Baker to approve the agenda as amended. The motion carried unanimously.

F. Approval of Minutes

F-1. March 1-2, 2023 Strategic Planning Retreat – Mr. Jones moved, seconded by Mr. Morrow to approve the minutes of the March 1-2, 2023 Strategic Planning Retreat as presented. The motion carried unanimously.

F-2. Monday, March 20, 2023 Regular Meeting – Mr. Morrow moved, seconded by Mr. Baker, to approve the minutes of the March 20, 2023 Regular Meeting as presented. The motion carried unanimously.

G. Public Comments

Alan Mercaldo said before warmer weather hits this year, I want to ask the City to take on an issue that bothered me a bunch last year, and from talking with others, it seems to bother them as well. It is about the commercial operation of paramotors

flying around Brevard. For the most part they are flying pretty much over farms, the river, but people's residences as well. They are making excessive noise, especially when they stall to take in the scenery it becomes extremely noisy and really disturbs the peace. Because I live in an area off Sugarloaf Road where there are some farms and livestock, I have noticed that they get really disturbed and start jumping and running around. Sometimes the cows make as much noise as the paramotors. We have also noticed a lot more wildlife moving during the day when they are out disturbing their area and I think that is a danger to both them and people driving. Last year a couple of times there were up to six flying overhead and it forced us inside. We had to close our doors and windows because of the noise, about the time in the evening when we would like to be enjoying outside after a day at work. The biggest concern is that they are videotaping their flight, basically filming whatever they are flying over, and especially when they hit that stalling motion I think they are filming even more. If you are sitting outside, you can pretty much get on camera and who knows what they are doing with that video or where they are posting it, but obviously without anyone's consent to do that. We haven't moved here to have people spying on us and making noise overhead while enjoying the natural beauty of our surroundings. While paramotors are not specifically controlled by the FAA, they're really not allowed to fly within certain miles of an airport or over populated areas. I believe the last time I checked, Brevard is a populated area. There are self-policing guidelines that they are supposed to follow. For instance, they are not supposed to be flying within 30 minutes of the official sunset and I already saw that they violated that last year, so I really don't think they can be trusted to impose some self-regulations on how they want to operate. The company that is running this, from what I saw on Facebook, is Pinnacle Paramotors out of Henderson County, so they are not even part of the County. There is really no benefit to any of us here. I am just asking for this Council to please pass a ban on paramotor operations within the City ETJ limits and enforce an action against any company that does so, whether for profit or not.

Jeff Brewer said I want to help try to quell some rumors that are out there and maybe you can give some guidance. The question has been asked regarding July 4th. There is some confusion among folks in the county. The event evidently this year has been moved, and whether it was a Heart of Brevard event or whether it was a City event, where it is going to be, why it moved; people are looking for clarification on that. Secondly, there is a rumor that the Christmas parade that we have in December has been renamed. I don't know if that is true or not, but just asking the question if that is true or false, where that's going. I appreciate your time and your service, but felt those two questions needed to be asked.

H. Certificates/Awards/Recognition

H-1. Proclamation 2023-05 Month of the Young Child & Child Abuse Prevention Month – Mayor Copelof read the proclamation aloud.

Proclamation No. 2023-05

Month of the Young Child & Child Abuse Prevention Month

Whereas, the youth-serving agencies of Transylvania County come together to celebrate The Month of the Young Child during the month of April 2023 to focus public attention on the needs of young children and their families and to recognize the early childhood programs and services that meet those needs.

Whereas, children's cognitive, physical, social and emotional, and language and literacy development are built on a foundation of children's positive, safe, and nurturing interactions with adults, peers, and their environment.

Whereas, youth-serving agencies of Transylvania County are collaborating to establish a county-wide plan to prevent child abuse in our community and raise awareness about prevention measures.

Whereas, we work to improve opportunities for our children knowing they are vital to our state's future success, prosperity, and quality of life as well as being our most vulnerable assets;

Whereas, all children deserve to have the safe, stable, nurturing homes and communities they need to foster their healthy growth and development;

Whereas, child abuse and neglect is a community responsibility affecting both the current and future quality of life of a community;

Whereas, the youth-serving agencies of Transylvania County commit to investments that stabilize, sustain, and support child care and early learning so our community may continue to support children, families, and our economy through the ongoing pandemic crisis, recovery, and beyond.

Whereas, communities that provide parents with the social support, knowledge of parenting and child development, and concrete resources they need to cope with stress and nurture their children ensure all children grow to their full potential;

Whereas, effective child abuse prevention strategies succeed because of partnerships created among citizens, human service agencies, schools, faith communities, health care providers, civic organizations, law enforcement agencies, and the business community;

Therefore, we proclaim April as The Month of the Young Child and Child Abuse Prevention Month and call upon all citizens, community agencies, faith groups, medical facilities, elected leaders, and businesses to increase their participation in our efforts to support families, thereby supporting early childhood programs and preventing child abuse and strengthening the communities in which we live.

IN WITNESS WHEREOF, I have hereunto set my hand and cause the Seal of the City of Brevard to be affixed on this 17th day of April, 2023.

H-2. Proclamation 2023-06 Historic Preservation Month – Mayor Copelof welcomed Marcy Thompson of the Joint Historic Preservation Commission and read and presented the proclamation to her.

PROCLAMATION NO. 2023-06

HISTORIC PRESERVATION MONTH

WHEREAS, historic preservation is an effective tool for managing growth, revitalizing neighborhoods, fostering local pride, and maintaining community character while enhancing the livability of a community; and

WHEREAS, historic preservation is relevant for communities across the nation, both urban and rural, and for Americans of all ages, all walks of life, and all ethnic backgrounds; and

WHEREAS, in the City of Brevard it is important to celebrate the role of history in our lives and the contributions made by dedicated individuals in helping to preserve the tangible aspects of the heritage that has shaped us as a people; and

WHEREAS, the City of Brevard has two National Register Districts and 18 of 23 Locally Designated Local Landmarks for Transylvania County; and

WHEREAS, May has been celebrated as National Historic Preservation throughout the United States of America since 1973; and

WHEREAS, This May there will be a host of events that have been prepared by local historical organizations and co-sponsored by Transylvania County Joint Historic Preservation Commission, whose mission is to help preserve the historic identity of the City of Brevard and Transylvania County;

NOW, THEREFORE, I, Mayor Maureen Copelof and the Brevard City Council do hereby proclaim and recognize the month of May 2023 as Historic Preservation Month.

Adopted and approved this the 17th day of April, 2023.

H-3. Proclamation 2023-08 Sexual Assault Awareness Month, April 2023 – Mayor Copelof welcomed Patience Camp of SAFE and read and presented the proclamation to her.

Proclamation No. 2023-08
Sexual Assault Awareness Month
April 2023

Whereas, nationally one in three women and one in four men will experience some form of sexual assault in their lifetime; and

Whereas, Sexual Assault Awareness Month draws attention to the fact that sexual violence is widespread and has implications for every community member; and

Whereas, there is compelling evidence that we can be successful in reducing sexual violence through prevention education, increased awareness, and holding perpetrators who commit acts of violence responsible for their actions; and

Whereas, we must work together to educate our community about what can be done to prevent sexual assault and how to support survivors; and

Whereas, anyone can be a leader in preventing and ending sexual violence. As employers, educators, parents, and friends, we all have an obligation to uphold the basic principle that every individual should be free from violence and fear; and

Whereas, sexual harassment, assault, and abuse can happen anywhere, including in online spaces. For too long harassment, cyberbullying, and sexual abuse and exploitation have come to be expected as typical and unavoidable behaviors online and

Whereas, the theme for **Sexual Assault Awareness Month** this year is “**Building Safe Online Spaces Together**,” we encourage every person to practice digital consent, intervene when we see harmful content and behaviors, and promote online communities that value respect, inclusion, and safety.

NOW, THEREFORE, IT IS PROCLAIMED by the Mayor and City Council of the City of Brevard, North Carolina, the month of April as **Sexual Assault Awareness Month** and urge the citizens of Brevard to work together to eliminate sexual assault from our community, to keep our community members safe from this crime and to stand with survivors and victims of sexual assault.

IN WITNESS WHEREOF, I have hereunto set my hand and cause the Seal of the City of Brevard to be affixed on this 17th day of April, 2023.

H-4. Proclamation 2023-07 Arbor Day – Mayor Copelof welcomed Acting Public Works Director Wesley Shook and read and presented the proclamation to him.

Proclamation No. 2023-07
ARBOR DAY
Brevard, North Carolina

WHEREAS, in 1872 J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife; and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products; and

WHEREAS, trees in our City increase property values, enhance the economic vitality of business areas and beautify our community; and

WHEREAS, this is the 44th year Brevard has been recognized as a Tree City USA by the National Arbor Day Foundation and desires to continue its tree planting ways.

NOW, THEREFORE, I, Mayor Maureen Copelof and the Brevard City Council, do hereby proclaim **April 28, 2023**, as **Arbor Day in the City of Brevard** and we urge all citizens to support efforts to protect our trees and woodlands, to support our City's urban forestry program, and we urge all citizens to plant trees to promote the well being of our present and future.

Adopted and approved this the 17th day of April, 2023.

I. Special Presentations

I-1. Heart of Brevard Activities Update and Budget Request – Heart of Brevard Executive Director Nicole Bentley noted that the Heart of Brevard is celebrating its 30th Anniversary this year. Even though the work of this organization began in the late 1980's, it became an official 501(c)3 in 1993 and since then has been contracting with the City of Brevard to provide downtown development and economic development services for the municipal services district or the Heart of Brevard. The Heart of Brevard (HOB) is funded through a mix of public and private investment, which includes grant monies that come from the City of Brevard, as well as other grants, local business sponsorship, and event revenue. Between 2020 and 2022 HOB saw \$13M in public and private investment and the State of North Carolina saw \$815M in public and private investment. Over the past few years we continue to see record amount of investments in downtowns statewide, in our own community, and across the nation. Even during the pandemic, our community showed a great deal of resiliency and we continue to show that post-pandemic. Ms. Bentley reviewed the 2023 event line up and noted that it is a little different than what the community is used to. HOB did a strategic evaluation of our programs and decided to focus on larger branded events that would support a downtown economy and the quality of our programming being more important than the number of events. The other reality post-pandemic is that events are very hard and very expensive to produce. We have seen those costs going up astronomically year after year and we have not asked for an increase in our allocation in funding from the City of Brevard in over 15 years. The HOB and the City have a very long-standing relationship and we have ongoing collaborations including:

- Downtown Master Plan Committee
- Jordan Street Trash/Recycling Program
- Downtown Maintenance and Beautification Initiatives
- Downtown Business Liaison

New projects include:

- Downtown Holiday Lighting – this year, for the first time ever, the service provider has asked for compensation which was unexpected.
- Heart of Brevard Employee Parking Initiative
- Public Art Advisory Committee
- Heart of Brevard Business Directory
- Special Event Guidelines and Permitting Advisory Committee
- Main Street Streetscape Project – HOB is working closely with the City and downtown businesses on this project. Knowing that this project would be disruptive to downtown businesses and how important foot traffic and support for businesses is, HOB has developed a marketing campaign to support businesses and allow visitors to plan for their trip downtown, including kiosk and sandwich board signs with links to a dedicated page on the HOB website with City of Brevard press releases, updates, and a parking map. Additionally, the campaign includes radio ads encouraging the community to shop with their heart and support the downtown community.

Mr. Baker asked Ms. Bentley to give an overview of this year's July 4th events. She explained that this year's celebration will include music and food vendors, with an opportunity for the community to enjoy fireworks and picnicking at Brevard College. There will not be a downtown street festival and there will not be a festival-type setting at Brevard College. It is really a time to celebrate all of the things that are going on in our community, enjoy the Year of the Trail and recreate, and then spend the evening enjoying the fireworks show.

J. Public Hearing(s)

J-1. Ordinance – Voluntary Contiguous Annexation – Nielsen, 31 York Circle – Mayor Copelof opened the public hearing at 6:10 p.m. Mr. Jones moved,

seconded by Ms. Dinkins to recess the public hearing until the Council's June 19, 2023 meeting at the request of the property owner. The motion carried unanimously.

J-2. Proposed Amendments to City of Brevard Code of Ordinances Chapter 42 (re: Encampments) – Mayor Copelof opened the public hearing at 6:11 p.m.

Public Hearing Public Participation – Kathleen Barnes said making homelessness a crime is not the answer to homelessness in Brevard, Transylvania County, North Carolina or anywhere in the country. It may seem overly simplistic, but the reason people are homeless is because they do not have a home. Until we solve our housing shortfall, the problem will persist. I know that building more housing, not only workforce housing, let alone building homes for those who are truly without resources can't happen tomorrow or next year, or maybe even for the next two or three years. But criminalizing people who are already down and out is not the answer. In fact it will only add to the problem since people with criminal records are ineligible for public housing, which already has a year's long waiting list locally. The proposed anti-camping ordinance promises that outreach and services will be delivered to people found camping on public land, but I ask you what services and what resources? In fact there are few if any. Meridian mental health and addiction counseling are currently non-existent in Transylvania County. What about temporary housing? There is virtually none except through The Haven, which provides excellent transitional housing but is almost always fully occupied. Certainly, I am told, it is nearly impossible for someone to go from the street directly into The Haven. Then there is the Cove temporary shelter. Yes, there are beds available, but those that take advantage of those beds must leave their partners and pets behind and their belongings unguarded. Plus, they are pressured to participate in religious services. These are all deal breakers for many people. When the two-week grace period expires where will they go? Members of Brevard City Council, I implore you to look for real solutions. Consider public/private and non-profit partnerships to find and fund rapid rehousing situations like those Austin, Texas has implemented. Consider eliminating the explosive growth of short-term rentals that has quite literally destroyed the affordable housing market in Brevard. Work with state and federal legislators, not only to increase funding for housing, but for mental health and addiction services. Work with Transylvania County and other local governments to use and leverage the opioid settlement money in meaningful ways that will directly address the issues of addiction and resident homelessness. Take this opportunity to create a real solution. We can do this. We are better than this.

Public Hearing Closed – Mayor Copelof closed the hearing at 6:15 p.m.

J-3. Proposed Text Amendment to the Brevard Unified Development Ordinance, Chapters 2, 3 and 19 – Land Use Matrix Revisions – Emily Brewer recalled that in December Council adopted Ordinance 2022-76 amending the land use matrix, standards and definitions. This amendment clarified, consolidated, and added new use definitions and standards in more logical groupings to improve the usability and efficiency of the UDO. Since then, Staff has been using the ordinance and found some items that can be refined. City ordinances are not meant to be static, but living documents that change as the City does and as its needs change. Planning Board considered the text amendment at their March 28, 2023, meeting and unanimously recommended approval.

The proposed text amendments are as follows:

- Shelters: Despite being considered a residential use in our ordinance, shelters are not permitted in residential districts. However, there are existing shelters that are in residential settings, such as the Haven located in the Residential Mixed-Use (RMX) zoning district, that are compatible with the surrounding areas. This amendment makes shelters allowed with a Special Use Permit in General Residential (GR) and permitted with standards in RMX.
- Live-Work Units and Mixed-Use Residential Unit: The definition of live-work units was refined in last year's text amendment to say: "a residential building

type that consists of both a residential use and a non-residential use...” Since then, Staff has determined that another land use is required to account for non-residential building types (e.g., mixed-use buildings). Staff has added a definition and standards for “Mixed-Use Residential Unit” that mirrors that of the live-work unit. The permissions for this new household living type aligns with the zoning districts where “Mixed-Use Buildings” under Section 5.6 of the UDO. Planning Board's recommendation is included as Option 1 and includes the stipulation that the residential unit must be located above the non-residential use. Since then, Staff prepared an alternative for Council's consideration. This option states that the ground floor shall be primarily non-residential with residential units encouraged to be above or behind the non-residential use. Staff seeks Council's guidance on which option they would prefer.

- Mobile Food Vendor Site: Mobile food vendors (or food trucks) are currently in the UDO as a temporary use that is only permitted for 90 days at a time, after which they would be required to vacate and not be established for a period of 45 days. However, the City does not regulate food trucks (they have to secure permits from the Transylvania County Health Department and the State), but it does regulate the food truck site. The site has requirements for setbacks and separation distances. The site is permanently established, but according to our use standards the vendor would need to vacate. The solution proposed by Staff is to remove “Mobile Food Vendors” from the temporary uses section and incorporate the standards as a new non-residential accessory use: Mobile Food Vendor Site.

Effective land use is an essential function of city planning and zoning. The proposed text amendment is consistent with a number of elements in our new *Building Brevard 2030* Comprehensive Land Use Plan, including:

- LUH-4: Identify areas across the City that are best positioned to accommodate future growth.
- LUH-9: Evaluate and amend development ordinances to facilitate infill development on vacant and underdeveloped parcels, as well as revitalization of developed parcels.
- EDIR-3: Encourage building and site upgrades Downtown and in other key commercial areas.

Public Hearing Public Participation – Mayor Copelof opened the public hearing at 6:20 p.m. There was no public participation.

Public Hearing Closed – Mayor Copelof closed the hearing and asked for questions and comments from Council.

Following questions and comments from Council regarding the two options for Mixed-Use Residential Units, Mayor Copelof noted that there would be no action taken at this time and this will come back to Council for action at the next regular meeting in May.

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. Ms. Dinkins moved, seconded by Mr. Jones to approve the consent agenda. The motion carried unanimously.

K-1. Tax Settlement Report - March, 2023

K-2. Audit Contract for Year Ending June 30, 2023

K-3. Ordinance Declaring Road Closures for Special Event-White Squirrel Weekend

ORDINANCE NO. 2023-14

**AN ORDINANCE DECLARING STREET CLOSURES
FOR THE 2023 WHITE SQUIRREL FESTIVAL**

WHEREAS, Brevard City Council acknowledges a tradition of providing for festivals and special events downtown for the pleasure and enjoyment of citizens and visitors alike; and,

WHEREAS, Brevard City Council acknowledges that festivals and special events provide an opportunity for family-oriented activities that celebrate our small-town charm; and,

WHEREAS, Brevard City Council acknowledges these events require NCDOT system roads to be closed for setup, activities, and cleanup; and,

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

SECTION 1. Pursuant to authority granted by G.S. 20-169, the City of Brevard hereby declares the following temporary road closures on the following described portions of the State Highway System:

Beginning Friday, May 26th at 6:00 AM, Main Street (US 276) shall be closed between Rice Street and Broad Street. This closure will be extended to include Main Street between Rice Street and Caldwell Street, as well as Broad Street (US 64) between Probart Street and Oakdale Street, beginning at 6:00 AM on Saturday, May 27th and remaining closed until the conclusion of the event on Sunday, May 28th at 6:00 PM. The Main Street block between Broad Street and Gaston Street will remain closed until 1:00 PM on Monday, May 29th.

SECTION 2. This ordinance shall be in full force and effect from and after the date of its adoption.

Adopted and approved this the 17th day of April, 2023.

**K-4. Resolution Authorizing City Manager to Partially Relinquish Claim for
Abandoned NCDOT Right of Way and Assert Claim Over Portion of
NCDOT Right of Way (CANarchy)**

RESOLUTION NO. 2023-18

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO
PARTIALLY RELINQUISH CLAIM FOR ABANDONED NCDOT
RIGHT OF WAY AND ASSERT CLAIM OVER PORTION OF NCDOT
RIGHT OF WAY**

WHEREAS, The City of Brevard owns a trail known as the Cherry Street Greenway located adjacent to Mountain Industrial Drive (State Road 1651), a fifty foot right of way held by the State of North Carolina which ends in a cul-de-sac adjacent to certain real property owned by Canarchy Craft Brewery Collective, LLC and 342 Mountain Industrial Drive, LLC; and

WHEREAS, The City has been made aware that the North Carolina Department of Transportation intends to abandon a portion of the said cul-de-sac in order to extend Mountain Industrial Drive (S.R. 1651) west alongside the Cherry Street Greenway; and

WHEREAS, pursuant to North Carolina General Statute Section 136-63, the City is entitled to assert ownership over any right of way abandoned by the North Carolina Department of Transportation which is connected to the City street system; and

WHEREAS, Canarchy Craft Brewery Collective, LLC has requested the City relinquish its right to claim the northern portion of the current right of way which the North Carolina Department of Transportation is abandoning; and

WHEREAS, the City has need of retaining and claiming possession of the abandoned portion of the current right of way which will lie to the south of the new right of way in order to afford better public access to the Cherry Street Greenway, and

WHEREAS, the City of Brevard has no need to assert ownership or possession over the abandoned right of way located north of the current right of way as it is not adjacent to City of Brevard property;

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

SECTION 1. The City Manager is hereby authorized to execute and pursue those actions necessary for the City of Brevard to lawfully assert possession over the southern portion of the right of way/cul-de-sac abandoned by the North Carolina Department of Transportation when it extends Mountain Industrial Drive (SR 1651) and to further execute any documents relinquishing a potential claim over the northern portion of the said right-of-way cul-de-sac for the benefit of Canarchy Craft Brewery Collective LLC, their heir, successor or assign.

SECTION 2. This Resolution shall become effective upon its adoption and approval.

Adopted and approved this the 17th day of April 2023.

K-5. Resolutions Supporting Applications for Golden Leaf Grants for Stormwater Projects

K-5.a. Times Arcade Alley Stormwater

RESOLUTION NO. 2023-19

A RESOLUTION OF SUPPORT FOR AN APPLICATION TO THE GOLDEN LEAF FLOOD MITIGATION GRANT PROGRAM

WHEREAS, the State of North Carolina provided funds to the Golden LEAF Foundation to award funds to units of local government for public infrastructure projects for flood mitigation; and

WHEREAS, under state legislation, Golden LEAF funds must be encumbered by June 30, 2023, with a goal of funding projects that are ready for implementation; and

WHEREAS, the maximum funding request per project is \$250,000; and

WHEREAS, the City of Brevard has a fully engineered project for improving stormwater management along a city owned right-of-way, Times Arcade Alley, where several business and property owners adjacent to this alley are impacted by heavy flooding during moderate and heavy rain events; and

WHEREAS, time is of the essence for the City to receive additional funding and begin construction this winter so that project completion is prior to heavier tourist activity, effectively minimizing the disruption and economic impact to businesses along the alley and mitigating repetitive flooding throughout the year; and

WHEREAS, the City's 2030 Comprehensive Land Use Plan incorporates climate resiliency considerations focusing on reducing vulnerability to flooding.

NOW THEREFORE, BE IT RESOLVED that the Brevard City Council supports the application to the Golden LEAF Flood Mitigation Program and authorizes the City Manager to submit all the required application documents and accept funding if awarded.

Adopted and approved this the 17rd day of April, 2023.

K-5.b. Citywide Stormwater Evaluation and Mapping System

RESOLUTION NO. 2023-20

A RESOLUTION OF SUPPORT FOR AN APPLICATION TO THE GOLDEN LEAF FLOOD MITIGATION GRANT PROGRAM

WHEREAS, the State of North Carolina provided funds to the Golden LEAF Foundation to award funds to units of local government for public infrastructure projects for flood mitigation; and

WHEREAS, the maximum funding request per project is \$250,000; and

WHEREAS, under state legislation, Golden LEAF funds must be encumbered by June 30, 2023, with a goal of funding projects that are ready for implementation; and

WHEREAS, the City has a 2007 Stormwater Master Plan which needs updating to identify current conditions of existing stormwater infrastructure and areas for expansion and improvement to mitigate urban stormwater runoff for increased volumes of runoff during storm events; and

WHEREAS, the 2030 Comprehensive Land Use Plan emphasizes updating this document and using it to improve stormwater management.

NOW THEREFORE, BE IT RESOLVED that the Brevard City Council supports the application to the Golden LEAF Flood Mitigation Program and authorizes the City Manager to submit all the required application documents and materials and accept funding if awarded.

Adopted and approved this the 17rd day of April, 2023.

K-7. Rosenwald Community Advisory Board Minutes – January 19, 2023

K-8. Council Public Works & Utilities Committee Minutes – February 1, 2023

K-9. Council Finance, Human Resources & Citizen Appointment Committee Minutes – February 27, 2023

K-10. Council Public Works & Utilities Committee Minutes – March 9, 2023

K-11. Correspondence (*No Action. Offered as information only.*)

a. Proclamation 2023-04 100th Anniversary of American Legion Monroe Wilson Post 88

Proclamation No. 2023-04

**100th Anniversary of
American Legion Monroe Wilson Post 88**

WHEREAS, The American Legion was founded in 1919, in the wake of World War I, on the principles of patriotism, justice, freedom, democracy, peace, and goodwill; and

WHEREAS, Post 88 of the American Legion was named in honor of Transylvania Veteran Monroe Wilson, who died in World War I; and

WHEREAS, The American Legion Post 88 has faithfully contributed to the organization's legacy of service and advocacy for veterans, military personnel, and our nation's youth; and

WHEREAS, The American Legion Post 88 has maintained a facility that fosters a strong veteran community in Transylvania County; and

WHEREAS, The American Legion Post 88 performs acts of service on local, state, and national levels to assist veterans and civilians alike; and

WHEREAS, The American Legion Post 88 recognizes and supports local youth through the ROTC Military Excellence and ROTC Scholastic Excellence Medals and the sponsorship of participants in North Carolina's Boys State Program; and

WHEREAS, The American Legion Post 88 contributes to local and national charities that honor and improve the lives of veterans and military personnel; and

WHEREAS, The American Legion Post 88 continually demonstrates its steadfast patriotism in Memorial Day, Flag Day, Fourth of July, Labor Day, and Veterans Day events and in myriad other ceremonies that celebrate our nation; and

WHEREAS, The American Legion Monroe Wilson Post 88 will celebrate the 100th anniversary of receiving its Charter on March 23, 2023;

NOW, THEREFORE, I, Maureen Copelof, Mayor of the City of Brevard, hereby honor the 100th Anniversary of the American Legion Monroe Wilson Post 88 and ask our citizens to extend their appreciation for the exemplary work the American Legion Post 88 continues to do in our community.

IN WITNESS WHEREOF, I have set my hand and executed the Great Seal of the City of Brevard on this the 25th day of March, 2023.

b. Transylvania County Building Activity Report – March, 2023

L. Unfinished Business

L-1. Proposed Amendments to the City of Brevard Unified Development Ordinance, Chapter 13 – Waiver of Tap Fees – Emily Brewer explained that on May 16, 2022, City Council adopted Ordinance 2022-25 amending Chapters 13 and 19 of the

Unified Development Ordinance authorizing the City to issue water and sewer tap fee waivers for eligible affordable rental housing projects. Since then, the UNC School of Government has determined that fee waivers for affordable housing projects are not permissible. In February the Housing Committee discussed the possibility of changing the existing tap fee waivers to an eligible expense for reimbursement with Housing Trust Fund resources. The Housing Committee recommended adoption of the text amendment and folding this initiative into the Housing Trust Fund programs. The Housing Trust Fund bylaws were recently revised to include this as an eligible expense. Planning Board considered the text amendment at their February 28, 2023, meeting and unanimously recommended approval. Council held a public hearing on March 20, 2023 on this proposed amendment. Mr. Jones moved, seconded by Ms. Dinkins to approve the proposed amendment. The motion carried unanimously.

ORDINANCE NO. 2023-15

**AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE
CHAPTER 13 – INFRASTRUCTURE IMPROVEMENT REQUIREMENTS**

WHEREAS, the City of Brevard Planning Board has recommended that Brevard City Code, Unified Development Ordinance, Ordinance Chapter 13 – Infrastructure Improvement Requirements; 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 Plans:

Building Brevard 2030

- **GOAL 1:** *Expand housing opportunities for all residents while preserving the character of Brevard and its neighborhoods.*
- **LAND USE & HOUSING-5:** *Consider adjustments to the development approval process and other incentives for projects that meet defined criteria in growth opportunity areas.*
- **LAND USE & HOUSING-9:** *Evaluate and amend development ordinances to facilitate infill development on vacant and underdeveloped parcels, as well as revitalization of developed parcels.*
- **LAND USE & HOUSING-13:** *Utilize the Housing Trust Fund to leverage private investment to create affordable and workforce housing units.*
- **LAND USE & HOUSING-15:** *Consider additional incentives and policies to support workforce and affordable housing.*

and,

WHEREAS, the Brevard City Council concurs with the recommendation of the Brevard Housing Committee to include utility connections for qualifying affordable housing projects as an expense eligible for reimbursement through the Housing Trust Fund; and,

WHEREAS, a public hearing was conducted on Tuesday, March 20, 2023, by the Brevard City Council, and, after hearing all persons wishing to comment, and upon review and consideration of the proposed amendments, it is the desire of the City Council of the City of Brevard that Brevard City Code, Unified Development Ordinance be amended as outlined below.

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

SECTION 01. Brevard City Code, Unified Development Ordinance Chapter 13 is hereby amended as depicted in Exhibit A, which is attached hereto and incorporated herein by reference.

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

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

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

Adopted and approved upon first reading this the 17th day of April 2023.

M. New Business

M-1. Resolution Opposing SB 515 Water/Sewer Affordability Act – Mr.

Hooper explained that Senate Bill 515 as introduced in the General Assembly would cap the amount that municipalities are allowed to charge out-of-town customers for their utility services. The cap would be set at 125% or one-quarter more than the in-town rate. He said it cost more than one-quarter more than the in-town rate to service many of the out-of-town customers. Our current rate is 150% of the in-town rate due to the higher cost of providing service to out-of-town customers. Already the taxpayers and in-town customers, who are also taxpayers, underwrite the Utility Fund somewhat because we give administration, finance, and human resources services to the Utility Fund at a discount. The Utility Fund is an enterprise meant to operate only on the rates that it takes in, and if we charged it the actual cost of those services, it would be much more than the \$600,000 that that fund reimburses. If this bill were to pass and we had to reduce the rates for out-of-town customers, the taxpayers would be underwriting that and everyone's rates would have to go up in order to cover that extra expense. He said that this proposal is moving quickly and the NC League of Municipalities has asked municipalities across the state to consider passing a resolution opposing SB 515 known as the "Water and Sewer Affordability Act". Following discussion, Ms. Dinkins moved, seconded by Mr. Morrow to approve the resolution. The motion carried unanimously.

RESOLUTION NO. 2023-22

A RESOLUTION OPPOSING SENATE BILL 515 KNOWN AS THE "WATER AND SEWER AFFORDABILITY ACT"

WHEREAS, prior to the start of the North Carolina General Assembly's biennial "long-session" in January 2023, the City of Brevard submitted a list of legislative requests to its representatives Sen. Kevin Corbin (NC-50) and Rep. Mike Clompitt (NC-119); and

WHEREAS, the City of Brevard also adopted the North Carolina League of Municipalities legislative agenda which, among other things, advocates for the preservation of municipal authority, protection of local revenue streams, and fewer state mandates.

WHEREAS, Senate Bill 515, known as the "Water and Sewer Affordability Act", would limit the utility rates municipalities can charge out-of-town customers to 125% of the rate charged to in-town customers; and

WHEREAS, the City of Brevard out-of-town rate is 150% of the in-town rate due to the higher cost of providing service to out-of-town customers; and

WHEREAS, artificially capping the rate out-of-town customers pay will unfairly place the burden of supporting utility operations and capital improvements on in-town customers who, in many cases, already underwrite the cost of utility enterprises by funding auxiliary services like administration, finance, and human resources from tax-supported revenues; and

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

Section 1. The City of Brevard does hereby oppose Senate Bill 515 and calls on state elected officials to oppose it as well; and

Section 2. The City Manager is instructed to submit the contents of this resolution, in a form acceptable to its recipients, to the members of the Transylvania County legislative delegation mentioned above and other appropriate parties.

Approved and adopted this 17th day of April, 2023.

M-2 (K-6). Resolution Supporting PARTF Grant Application (TYSA) – Mr.

Baker said this has not come before the Parks, Trails & Recreation Committee and he wanted to have a discussion about this grant request and whether PARTF grants can be used for trails. Given that we just got out of our strategic planning session and identified the Estatoe as our top recreation project, should we instead be using these grant monies for that this year? Mr. Ray explained that PARTF funds can be used for trail construction and he thought about using it for the Tannery South parcel (also known as the Rathie property), but the awards won't be made until fall and he thought we would want to get started on construction in-house using current funds in the Multi-

Use Path Fund as we had discussed. That is also part of our local match for the Carbon Reduction grant on the tannery side in the Brownfield. The grant application is due May 1st and if we want to use it for Tannery South, we still can, but we would not be able to buy materials or get started on that site at all until we had an answer on a grant application. Mr. Baker stated that given our experience with trail building, waiting until the fall does not seem like a big deal, especially if it is aligned with the priorities that we have set out, which is trying to finish that trail. I would rather us use this on the Estatoe Trail and will vote against the resolution in hopes that we can rework it and apply for a PARTF grant for the trail. He added that after our budget workshops, it looks like we are only going to have half of the amount of funds for the path in our budget this year than we have had previously.

Mr. Morrow moved, seconded by Mr. Jones to approve the resolution.

During discussion, Ms. Dinkins said she is struggling with using precious money on a facility that would be used just for playing soccer, whereas the multi-use path can be used by people of all ages, all abilities, and all walks of life. I think I am going to vote against this too and risk that we wait on the path and see if we can get this funding for the path. Mr. Jones said he thinks this would be the year to go ahead and assist them with the Sports Complex. Mr. Hooper clarified that the proposed budget does include a \$132,000 contribution to the Multi-Use Path Fund, which will be added to the approximately half-million that is already in that fund. There will be some cash in that account in the new fiscal year which we planned to use on constructing a portion of the trail in the new year. Certainly another \$500,000 would allow us to do more, but there will be some activity on that project in the year to come. But by applying for this grant to complete the TYSA project, there would actually be no city money involved. If we won this grant, we would use it to subsidize the construction of the soccer field and TYSA, in turn, would use some of their money that they have raised to build a public restroom on our behalf. He added that the reason we thought this was a good idea, in addition to being able to leverage private investment to build a city facility, was because there is a risk that once that new facility is built, it will not have the necessary ADA access and public restroom access to be in compliance with those requirements. Building that restroom, particularly if we can do it with private funds, will help us avoid a regulatory headache later on.

Vote on the motion was two in favor (Morrow and Jones) and two opposed (Baker and Dinkins). Due to the tie vote, Mayor Copelof cast the tie-breaking vote in favor of the motion. The motion carried.

RESOLUTION NO. 2023-21

A RESOLUTION OF SUPPORT FOR AN APPLICATION TO THE PARTF GRANT PROGRAM

WHEREAS, the North Carolina Parks and Recreation Trust Fund (PARTF) provides matching grants to local governments to assist with public park and recreation projects; and

WHEREAS, the maximum request for this grant shall not exceed \$500,000 with a fifty percent local match; and

WHEREAS, Transylvania Youth Soccer Association, Inc. (TYSA) shall be responsible for providing the entire local match, and grant funding shall be used to improve the City's Sports Complex, specifically to support constructing an artificial turf soccer field; and

WHEREAS, TYSA has agreed to revise their scope of work to include constructing a public restroom building, for the general public, and owned and maintained by the City; and

WHEREAS, the public restroom building shall be of the City's choosing; and

WHEREAS, the City's 2030 Comprehensive Land Use Plan recommends maintaining and improving existing parks.

NOW THEREFORE, BE IT RESOLVED that the Brevard City Council supports an application to PARTF and authorizes the City Manager to submit all the required application documents and materials and accept funding if awarded.

Adopted and approved this the 17rd day of April, 2023.

N. Remarks/Future Agenda Considerations.

Mr. Jones said I want to thank those individuals in city services who worked around the clock for 24 to 48 hours when we had our big wind awhile back and all the trees that were down. I want to thank you all for coming out. You have been very efficient and we appreciate all that you have done.

Ms. Dinkins asked if at some point we could have an update on the hotel project. I have noticed that there isn't a whole lot of activity and some of the heavy machinery has been removed from the site. Rumors start flying as soon as nothing is happening and all we have is a large temporary sign that people are also upset about.

Mr. Baker said going back to the mixed-use change to the UDO that we talked about earlier, in everything that we are talking about, especially with the UDO, given the housing situation that we are in, we really need to think about whether what we are doing is making it more restrictive to build housing. We've got a proposal in the budget to put some dollars towards housing and that is really good, but it shouldn't absolve us from thinking about housing every time we are looking at changes like that. Things as simple as could you put an additional house on the ground floor of a mixed-use building or would you have to put the housing unit only above. Those things do matter over time as you build multiple layers to the UDO like that. That is just one example, but I think we should always be thinking about that when we are looking at changes to the UDO in particular. A bill has been filed at the state level in regards to short-term rentals, which sets the permit fee that cities would be allowed to charge for the short-term rentals statewide at \$25. It is kind of insane to me that the people in Raleigh think that they should be able to set what the permit should be. This is on top of the restrictions that we already have that we have studied for a year and a-half in the Short-term Rental Task Force. We have very little tools to actually address short-term rentals and this would take even more of those tools away from us. We get a lot of comments from the public and they are often very common-sense oriented and smart ideas, things like why don't you charge a permit fee to short-term rentals and use that money for affordable housing. I would love to do that, but we are not allowed to, and this bill, at \$25 per short-term rental per year, is not going to help. We've got a Short-term Rental Task Force meeting this Thursday at 11:00 am and we are going to forge ahead under current state laws until the state actually passes that bill.

Manager Hooper noted that at the next regular meeting on May 1st, he will be presenting his recommended FY 2023-2024 Municipal Budget. He encouraged folks to tune in and hear what the spending plan for your city government is proposed to be in the year to come.

Mayor Copelof said there is a nice article about Brevard in the online *Business View Magazine*, and they call it a "vibrant, diverse and innovative city". Once again we are getting recognized nationally for everything that our city is doing. Listening to our Council meeting tonight, I am struck by how many things we are doing and the great partners we have that make it possible for us to accomplish so much. Tonight we talked about a number of partners: Heart of Brevard and everything they are doing with us; GetSet Transylvania with our early childhood education initiatives; SAFE providing a safe haven for sexual abuse victims; our care partners with people suffering from homelessness, The Haven being one of those primary partners; the Historic Preservation Commission which helps us maintain some of what is so important to us; and TYSA who is raising \$1.5M to build a facility. As Mayor, I want to thank all of these partnerships that allow us to be that vibrant, diverse and innovative city. As an elected government we can't do it all ourselves, but we can do it when are partnered with such incredible organizations that put their heart and soul into working for our community.

The next Meet the Mayor session will be on April 27th from 5 to 7 p.m. at the Mary C. Jenkins Community Center.

N. Closed Session – At 6:57 p.m. Mr. Jones moved, seconded by Ms. Dinkins, to enter into closed session for pending litigation. 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 7:13 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.

O. Adjourn – There being no further business, at 7:13 p.m. Ms. Dinkins moved, seconded by Mr. Baker, to adjourn the meeting. The motion carried unanimously.

Maureen Copelof
Mayor

Denise Hodsdon, CMC
City Clerk

Minutes Approved: May 1, 2023



**Proclamation No. 2023-09
National Police Week and
Peace Officer's Memorial Day 2023
Brevard, North Carolina**

WHEREAS, the Congress and the President of the United States have designated that there be a national Law Enforcement Officers Week; and

WHEREAS, the members of the law enforcement agencies of North Carolina play an essential role in safeguarding the rights and freedom of the citizens of the State; and

WHEREAS, there are more than 800,000 law enforcement officers serving in communities across the United States, including the dedicated members of the Brevard Police Department and the Transylvania County Sheriff's Office and;

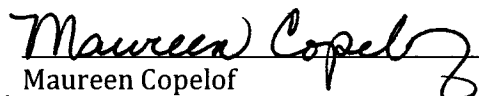
WHEREAS, the service and sacrifice of all officers killed in the line of duty will be honored during the National Law Enforcement Officers Memorial Fund's 35th Annual Candlelight Vigil, on the evening of Saturday, May 13, 2023 and;

WHEREAS, it is important that all citizens know and understand the problems, duties and responsibilities of their law enforcement offices and agencies, and that members of those agencies recognize their duty to serve the people by safeguarding life and property, by protecting them against violence or disorder, and by protecting the innocent against deception and the weak against oppression or intimidation; and

WHEREAS, the citizens of Brevard recognize and appreciate the contributions made by law enforcement officers at all levels of government;

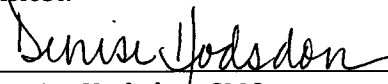
NOW, THEREFORE, I, Mayor Maureen Copelof and the Brevard City Council, call upon all citizens to observe Monday, **May 15, 2023**, as "**PEACE OFFICER'S MEMORIAL DAY**" and **May 14-20, 2023** as "**NATIONAL POLICE WEEK**" in Brevard, North Carolina, and that all of our people join in commemorating law enforcement officers, past and present, who by their faithful and loyal devotion to their responsibilities have rendered a dedicated service to their communities. In so doing, they have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens.

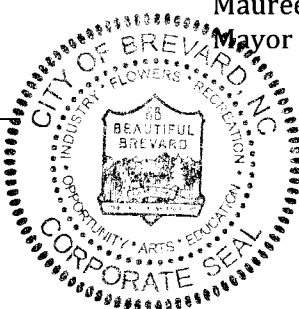
IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Brevard to be affixed this 1st day of May, 2023.


Maureen Copelof

Mayor

Attest:


Denise Hodsdon, CMC
City Clerk





**PROCLAMATION NO. 2023-10
NATIONAL BIKE MONTH**

WHEREAS, the bicycle is an economical, healthy, convenient, viable, and environmentally sound form of transportation and an excellent form of recreation and enjoyment of Brevard and Transylvania County's scenic beauty; and

WHEREAS, millions of North Carolinians will experience the joys of bicycling during the month of May through educational programs, races, commuting events, trail work days, helmet promotion, charity events, or going for a recreational ride; and

WHEREAS, Brevard and Transylvania County trails and roads attract bicyclists each year from across the country and the world; and

WHEREAS, Brevard hosts several major cycling races and events, including the Assault on the Carolinas, the WNC Flyer, and the Pisgah Stage Race; and

WHEREAS, these bicycling activities and attractions have great potential to have a positive impact on Brevard's economy and tourism industry, as well as to stimulate economic development by making the city attractive to businesses and citizens who enjoy the out of doors and healthy lifestyles; and

WHEREAS, creating bicycle-friendly communities has been shown to improve citizens' health, well-being, and quality of life, to boost community spirit, to improve traffic safety, and to reduce pollution and congestion; and

WHEREAS, May has been declared National Bike Month since 1956 and is so again in 2023; and

WHEREAS, the League of American Bicyclists, bicycle clubs, schools, parks and recreation departments, police departments, hospitals, companies, and civic groups throughout North Carolina will be promoting bicycling as a leisure activity as well as an environmentally-friendly alternative to the automobile during the month of May 2023; and

WHEREAS, the education of bicyclists and motorists as to the proper and safe operation of bicycles is important to ensure the safety and comfort of all users; and

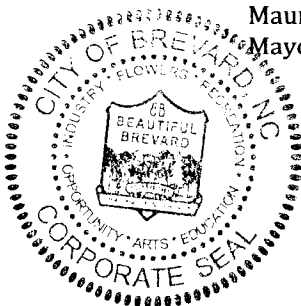
WHEREAS, the City of Brevard Comprehensive Plan includes several objectives and policies aimed at improving cycling as both a form of recreation and transportation.

NOW, THEREFORE, I, Mayor Maureen Copelof and the Brevard City Council do hereby proclaim and recognize the month of May 2023 as National Bike Month and Bicycle Safety Month.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Brevard to be affixed this 1st day of May, 2023.

Attest:

Denise Hodsdon, CMC
City Clerk



Maureen Copelof
Mayor



Proclamation No. 2023-11

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.

THEREFORE, I invite our community to join in prayer or 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 our youth who are still recovering from the effects of the pandemic;

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

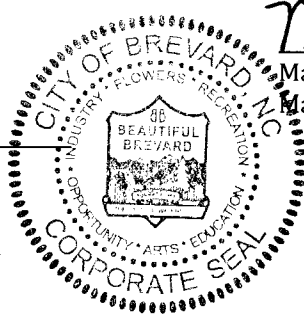
For our nation and the diversity that makes us strong; may we treat everyone with respect and come together in unity as Americans.

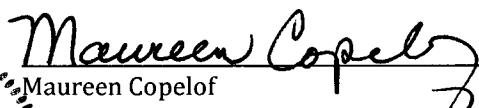
NOW, THEREFORE, BE IT RESOLVED, I, Maureen Copelof, Mayor of The City of Brevard, North Carolina do hereby proclaim May 4, 2023, as a Day of Prayer throughout the City of Brevard, NC and encourage all members of our Brevard community to join in thankfulness, prayer and reflection.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Brevard to be affixed this 1st day of May, 2023.

Attest:


Denise Hodsdon, CMC
City Clerk




Maureen Copelof
Mayor

STAFF REPORT

City Council, Monday, May 1, 2023

Title: Personnel Policy Revisions

Speaker: Kelley Craig, Human Resources Director
Wilson Hooper, City Manager

Prepared by: Kelley Craig, Human Resources Director

Approved by: Wilson Hooper, City Manager

BACKGROUND

Brevard's Personnel Policy governs personnel administration for all employees of the City organization. It is established under authority of NCGS 160A, Article 7. It was last updated in December 2020.

The Policy endows Council the responsibility to establish and approve personnel policies and the position classification and pay plan.

The changes being proposed this evening were discussed with the Finance, Human Resources, and Citizen Appointment Committee at its March 27, 2023 meeting.

DISCUSSION

Staff is proposing a number of updates to the Policy that serve several purposes: bring certain provisions in-line with FLSA requirements, revise classification and pay plans to reflect results of recently concluded class/comp study, enhance employee benefits, and clean up grievance/employee appeal processes by eliminating the "Personnel Board". Per the Finance, Human Resources and Citizen Appointment Committee's direction, staff have also proposed an update to the provision regarding the employment of relatives or those with whom a supervisor holds a close personal relationship.

ACTION

No action requested. For information and discussion only. This matter will run concurrently with the FY23/24 budget recommendation.

Attachments:

1. Personnel Policy Summary Changes 2023
2. Personnel Policy Recommended Amendments 2023

PERSONNEL POLICY UPDATE

2023

ELECTIVE POLICY CHANGES

1. Holiday Schedule Update

- ✓ *Addition of Juneteenth Holiday to the list of approved City holidays.*

Anticipated budgetary impact would be approximately \$5,000 annually given there are employees who work on the holiday and are paid holiday hours in excess of their regularly scheduled hours (police, fire, water, wastewater, etc.).

2. Paid Parental Leave

- ✓ *Article VII, Section 18. Paid Parental Leave is a new section providing up to 6 weeks of paid parental leave for the birth or placement of a child for an eligible employee.*

3. Personnel Board

- ✓ *Delete Article XII. Personnel Board*
- ✓ *Removal of reference to appeal to Personnel Board in Article X. Grievance Procedure and Adverse Action Appeal.*

POLICY CHANGES UPDATES FROM COMPENSATION STUDY OR OTHER COMPLIANCE/CLEAN UP.

4. Pay Plan Change to Range Names

- ✓ *Our current pay plan has a hiring rate, minimum rate, and maximum rate. Included in the compensation study recommendations, was the recommendation to re-name our hiring rate the minimum rate. This is standard pay plan and compensation administration practices.*

This change would impact multiple sections throughout the policy where the hiring rate was referenced. This reference would be changed to minimum, grade minimum, or minimum salary.

Our current hiring rate would become the minimum.

5. Overtime Pay Provisions

- ✓ *With the addition of full-time fire department staff, we have placed those employees on a pay schedule in accordance with the Fair Labor Standards Act that pays them for overtime based on a 28 day work period and when hours worked*

are over 212 hours in that work period. A revision to **Article III. Section 12** of the policy just reflects this change that is already in place and agreed upon by the hire letters signed by those employees.

6. Inclement Weather and Emergency Closings

- ✓ Language added to make the section more thorough and expansive to cover situations like pandemics and other situations where city facilities might be impacted outside of weather.

7. Holidays and Leaves of Absences

- ✓ Change in Vacation Accrual for those with 0-2 years of service, moving them to the same accrual rate as those who have been here 3-4 years.

Prorating leave accruals for those who work more than 40 hours per week on average (Police & Fire).

- *For example, a firefighter works on average 56 hours per week so would get 11.2 hours per each holiday instead of 8 hours for each holiday.*
- *A Police officer works on average 42 hours a week and thus would get 8.4 hours per each holiday instead of 8 hours per holiday.*
- *Vacation and sick leave hours would be adjusted up as well based on the calculations.*

There may be a budgetary impact to the adjusted accruals if an employee were to leave service and there were a vacation payout. This is hard to calculate.

Section 20. Workers' compensation leave section has language added to clarify leave is not subject to retirement system contributions and 401k contributions. Also new section regarding return to work provisions (modeled after the state policy).

8. Administrative Leave

- ✓ *Cleaning up the language to be consistent on administrative leave and taking out reference to suspension.*

9. Internal Application Process

- ✓ *Article IV, Section 5 has a slight change to the language indicating that employees wishing to apply for promotions need to submit an internal application. This removes the need to contact Human Resources for an application.*

With the implementation of our online system, all positions are posted online including internal only postings and employees can complete the internal application online or via paper and submit it to Human Resources.

10. Employment of Relatives

- ✓ *A rewrite of Article V, Section 5 Employment of Relatives.*

The updated language provides clearer definition of "Close Personal Relationships and adds Rules and Procedures for the reporting of relationships that exist and/or develop and how those will be managed moving forward.



CITY OF BREVARD

PERSONNEL POLICY

Adopted May 2, 2005

Revised & Adopted October 1, 2007

Revised & Adopted October 5, 2009

Revised & Adopted June 17, 2013

Revised & Adopted May 19, 2014

Revised & Adopted December 7, 2020

CITY OF BREVARD

PERSONNEL POLICY

BE IT RESOLVED by the City Council of the City of Brevard that the following policies apply to the appointment, classification, benefits, salary, promotion, demotion, dismissal, and conditions of employment of the employees of the City of Brevard.

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ARTICLE I. GENERAL PROVISIONS

SECTION 1. PURPOSE OF THE POLICY

It is the purpose of this policy to establish a fair and uniform system of personnel administration for all employees of the City of Brevard, under the supervision of the City Manager. This policy is established under authority of Chapter 160A, Article 7, of the General Statutes of North Carolina.

The City retains the right, in its sole discretion and at any time, to change, modify, suspend, interpret differently, or cancel, in whole or in part, any of the policies or procedures herein even though not previously communicated to employees or reprinted, provided that notice of any such change to the published personnel policies or procedures is posted in a place accessible to the employees prior to the effective date thereof.

SECTION 2. AT WILL EMPLOYMENT

The City of Brevard is an “at will” employer. Nothing in this policy creates an employment contract or a guarantee of employment for any period of time or term between the City and its employees. No person has the authority to grant any employee any contractual rights of employment. The provision of the benefits described in this Personnel Policy are subject to availability of funds and the approval of the City Council in the City’s annual budget. The provisions of this Personnel Policy may be changed at any time, with or without notice to the Employees, at the discretion of the City Council.

SECTION 3. MERIT PRINCIPLE

All appointments and promotions shall be made solely on the basis of merit. All positions requiring the performance of the same duties and fulfillment of the same responsibilities shall be assigned to the same class and the same salary range. No applicant for employment or employee shall be deprived of employment opportunities or otherwise adversely affected as an employee because of that such individual’s race, color, religion, sex, national origin, political affiliation, non-disqualifying disability, or age.

SECTION 4. RESPONSIBILITIES OF THE CITY COUNCIL

The City Council shall be responsible for establishing and approving personnel policies, the position classification and pay plan, and may change the policies and benefits at their discretion, with or without prior notice to Employees. They also shall make and confirm appointments when so specified by the general statutes.

SECTION 5. RESPONSIBILITIES OF THE CITY MANAGER

The City Manager shall be accountable to the City Council for the administration and technical direction of the personnel program. The City Manager shall appoint, suspend, and remove all City employees except those whose appointment is otherwise provided for by law. The City Manager shall make appointments, dismissals and suspensions in accordance with the City charter and other policies and procedures spelled out in other Articles in this Policy.

The City Manager shall supervise or participate in:

- a) recommending rules and revisions to the personnel system to the City Council for consideration;
- b) making changes as necessary to maintain an up to date and accurate position classification plan;
- c) preparing and recommending necessary revisions to the pay plan;
- d) determining which employees shall be subject to the overtime provisions of FLSA;
- e) establishing and maintaining a roster of all persons and authorized positions in the municipal service, setting forth each position and employee, class title of position, salary, any changes in class title and status, and such data as may be desirable or useful;
- f) developing and administering such recruiting programs as may be necessary to obtain an adequate supply of competent applicants to meet the needs of the City;
- g) performing such other duties as may be assigned by the City Council not inconsistent with this Policy; and
- h) appointing an employee to the role of Human Resources Director.

The City Manager must authorize any action that has the effect of changing the status of any city employee as outlined by this policy.

SECTION 6. RESPONSIBILITIES OF THE HUMAN RESOURCES DIRECTOR

The responsibilities of the Human Resources Director are to make recommendations to the City Manager on the following:

- a) recommending rules and revisions to the personnel system to the City Manager for consideration;
- b) recommending changes as necessary to maintain an up to date and accurate position classification plan;
- c) recommending necessary revisions to the pay plan;
- d) recommending which employees shall be subject to the overtime provisions of FLSA;
- e) maintaining a roster of all persons in the municipal service;
- f) establishing and maintaining a list of authorized positions in the municipal service at the beginning of each budget year which identifies each authorized position, class title of position, salary range, any changes in class title and status, position number and other such data as may be desirable or useful;
- g) developing and administering such recruiting programs as may be necessary to obtain an adequate supply of competent applicants to meet the needs of the City;
- h) developing and coordinating training and educational programs for City employees;

~~i) serve as the Clerk to the Personnel Board;~~

~~ii)~~ periodically investigating the operation and effect of the personnel provisions of this Policy;

~~iii)~~ assist the City Manager and Department Heads by ensuring adherence to this policy; and

~~iv)~~ performing such other duties as may be assigned by the City Manager consistent with this Policy.

SECTION 7. APPLICATION OF POLICIES, PLAN, RULES, AND REGULATIONS

The personnel policy and all rules and regulations adopted pursuant thereto shall be binding on all City employees. The City Manager, City Attorney, members of the City Council and advisory boards and commissions will be exempted except in sections where specifically included. An employee violating any of the provisions of this policy shall be subject to appropriate disciplinary action, as well as prosecution under any civil or criminal laws which have been violated.

SECTION 8. DEPARTMENTAL RULES AND REGULATIONS

Because of the particular personnel and operational requirements of the various departments of the City, each department is authorized to establish supplemental written rules and regulations applicable only to the personnel of that department. All such rules and regulations shall be subject to the approval of the City Manager, and shall not in any way conflict with the provisions of this Policy, but shall be considered as a supplement to this Policy. In the event of any conflict or perceived conflict, the provisions of this Policy shall control. A copy of any such Departmental Rules and Regulations must be provided to the Human Resources Director to be filed.

SECTION 9. DEFINITIONS

For the purposes of this Policy, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Full-time employee. An employee who is in a position for which an average work week equals at least at least 30 hours per week and continuous employment of at least 12 months, are required by the City.

Grievance. A claim or complaint by an employee based on an event, term, or condition which adversely affects the circumstances under which an employee works, allegedly caused by the misinterpretation, unfair application, or lack of an established policy pertaining to employment conditions.

Part-time employee. An employee who is in a position for which an average work week of at least 20 hours and less than 30 hours and continuous employment of at least 12 months are required by the City.

Regular employee. An employee appointed to a full or part-time position who has successfully completed the designated probationary period.

Probationary employee. An employee appointed to a full or part-time position who has not yet successfully completed the designated probationary period.

Temporary employee. An employee appointed to a position for which either the average work week required by the City over the course of a year is less than 20 hours, or continuous employment required by the City is less than 12 months.

Trainee employee. An employee status when an applicant is hired (or employee promoted) who does not meet all of the requirements for the position. During the duration of a trainee appointment, the employee is on probationary status.

ARTICLE II. POSITION CLASSIFICATION PLAN

SECTION 1. PURPOSE.

The position classification plan provides a complete inventory of all authorized and regular positions in the City service, and an accurate description and specification for each class of employment. The plan standardizes job titles, each of which is indicative of a definite range of duties and responsibilities.

SECTION 2. COMPOSITION OF THE POSITION CLASSIFICATION PLAN

The classification plan shall consist of:

- a) a grouping of positions in classes which are approximately equal in difficulty and responsibility which call for the same general qualifications, and which can be equitably compensated within the same range of pay under similar working conditions;
- b) class titles descriptive of the work of the class;
- c) written specifications for each class of positions; and
- d) an allocation list showing the class title of each position in the classified service.

SECTION 3. USE OF THE POSITION CLASSIFICATION PLAN

The classification plan is to be used:

- a) as a guide in recruiting and examining applicants for employment;
- b) in determining lines of promotion and in developing employee training programs;
- c) in determining salary to be paid for various types of work;
- d) in determining personnel service items in departmental budgets; and
- e) in providing uniform job terminology.

SECTION 4. ADMINISTRATION OF THE POSITION CLASSIFICATION PLAN

The Human Resources Director shall allocate each position covered by the classification plan to its appropriate class, and shall be responsible for the administration of the position classification plan. The Human Resources Director shall periodically review portions of the classification plan and recommend appropriate changes to the City Manager

- Department heads shall be responsible for bringing it to the attention of the Human Resources Director when there have been substantial and/or material changes in the nature of duties, responsibilities, or working conditions that affect the classification of a position. When the Human Resources Director finds that a substantial change has occurred in the nature or level of duties and responsibilities of an existing position, the Human Resources Director shall make a

recommendation to the City Manager for one of the following; Direct that the existing class specification be revised

- Reallocate the position to the appropriate class within the existing classification plan, or

Amend the classification plan to establish a new class to which the position may be allocated.

SECTION 5. AMENDMENT OF THE CLASSIFICATION PLAN

Classes of positions shall be added to, modified within, and deleted from the classification plan by the City Manager, but shall be approved by the City Council as part of the annual review and approval of the budget

SECTION 6. AUTHORIZATION OF NEW POSITIONS

New regular positions shall be established upon recommendation of the City Manager and approval of the City Council. New positions shall be recommended to the City Council with a recommended class title after which the City Manager shall either allocate the new position into the appropriate existing class, or revise the position classification plan to establish a new class to which the new position may be allocated. The City manager may authorize the hiring of temporary staff during the budget year to meet workforce demands, and if there is a need for ongoing employment in a regular position, Council should review the request for a regular position at a regularly scheduled meeting and/or during the annual budget process.

ARTICLE III. THE PAY PLAN

SECTION 1. DEFINITION

The pay plan includes the basic salary schedule and the *Assignment of Classes to Grades* adopted by the City Council. The salary schedule consists of ~~hiring rate~~, minimum or beginning, midpoint, and maximum rates of pay for all classes of positions, and a designation of the standard hours in the work week for each position.

SECTION 2. ADMINISTRATION AND MAINTENANCE

The City Manager, assisted by the Human Resources Director, shall be responsible for the administration and maintenance of the pay plan. All employees covered by the pay plan shall be paid at a rate listed within the salary range established for the respective position classification, except for employees in probationary status, trainee status, or employees whose existing salaries are above the established maximum rate following transition to a new pay plan.

The pay plan is intended to provide equitable compensation for all positions with consideration to differences in the duties and responsibilities, comparable rates of pay for positions in private and public employment in the area, changes in the cost of living, the financial conditions of the City, and other factors. To this end, each budget year the Human Resources Director shall make comparative studies of all factors affecting the level of salary ranges including the consumer price index, anticipated changes in surrounding employer plans, and other relevant factors, and may recommend to the City Manager such

changes in salary ranges as appear to be pertinent. Periodically, the City Manager shall recommend that individual salary ranges be studied and adjusted as necessary to maintain market competitiveness. Such adjustments will be made by increasing or decreasing the assigned salary grade for the class and adjusting the rate of pay for employees in the class subject to the approval of the City Council.

SECTION 3. STARTING SALARIES

All persons employed in positions approved in the position classification plan shall be compensated at a rate within the approved pay range for the position classification. When a Department Director wishes to hire someone greater than five percent above the grade minimum-hiring rate, they must get the approval of the Human Resources Director and the City Manager.

SECTION 4. TRAINEE DESIGNATION AND PROVISIONS

Applicants being considered for employment or City employees who do not meet all of the requirements for the position for which they are being considered may be hired, promoted, demoted, or transferred by the City Manager to a "trainee" status. In such cases, a plan for training, including a time schedule, must be prepared by the Department Head. "Trainee" salaries shall be at least 5% below the hiring minimum salary rate established for the position for which the person is being trained. A new employee designated as "trainee" shall be regarded as being in a probationary period. However, probationary periods shall be no less than six months and trainee periods may extend from three to eighteen months. A trainee shall remain a probationary employee until the trainee period is satisfactorily completed.

If the training is not successfully completed to the satisfaction of the City Manager, the trainee shall be transferred, demoted, or dismissed. If the trainee successfully meets the required qualifications and completes the probationary period, the employee shall be moved to the minimum of the pay grade for which the employee is assigned. Trainees expected to have a probationary period beyond 6 months may have negotiated pay increases during the trainee period as long as the pay rate remains below the hiring rate minimum for the assigned pay grade.

SECTION 5. PROBATIONARY PAY INCREASES

Employees hired at or promoted into the hiring minimum rate of the pay range may receive a salary increase within the pay range of approximately 5% upon successful completion of the probationary period. Employees serving a twelve-month probationary period may be considered for this increase after six months of employment if recommended by the Department Director and approved by the City Manager.

~~Employees hired between the hiring rate and minimum rate of the pay range may receive a salary increase to the minimum of the pay range upon successful completion of the probationary period.~~

Employees hired at or promoted to a rate equal to or above the minimum for the pay range are not automatically eligible for a pay increase upon completion of probation. Employees may be eligible if so determined at the time of hiring and/or promotion and with the approval of the Human Resources Director and City Manager.

SECTION 6. PERFORMANCE PAY

Upward movement within the established salary range for an employee is not automatic. Procedures for determining performance levels and performance pay increases or other performance-related movement within the range shall be established in procedures approved by the City Manager.

Each fiscal year, the City Manager shall issue an administrative memorandum, based on approval of the budget, giving guidance to the Department Heads on the availability of funds for performance pay increases or performance pay bonuses and in what percentage amounts may be allotted.

Employees who are at the maximum amount of the salary range for their position are eligible to be considered for a performance bonus. Performance bonuses may be awarded when appropriate and subject to availability of funds, based upon the performance of the employee as described in the performance evaluation and in the same amounts as employees who are within the salary range. This bonus shall be awarded in lump sum payments and do not become part of base pay.

SECTION 7. SALARY EFFECT OF PROMOTIONS, DEMOTIONS, TRANSFERS, AND RECLASSIFICATIONS

All promotions, demotions, transfers and reclassifications must be submitted to the Human Resources Director to make recommendations to the City Manager. The City Manager will make the final decision on all requests.

Promotions. The purpose of the promotion pay increase is to recognize and compensate the employee for taking on increased responsibility. When an employee is promoted, the employee's salary shall normally be advanced to the hiring minimum rate of the new position, or to a salary which provides an increase of approximately 5% per pay grade increase with a maximum of 15% increase whichever is greater. In the event of highly skilled and qualified employees, shortage of qualified applicants, or other reasons related to the merit principle of employment, the City Manager may set the salary at an appropriate rate in the range of the position to which the employee is promoted that best reflects the employee's qualifications for the job and relative worth to the City, taking into account the range of the position and the relative qualifications of other employees in the same classification. In no event, however, shall the new salary exceed the maximum rate of the new salary range. In setting the promotion salary, the City shall consider internal comparisons with other employees in the same or similar jobs.

Demotions. When an employee is demoted to a position for which they are qualified, the salary shall be set at the rate in the lower pay range which provides a salary commensurate with the employees' qualifications to perform the job and consistent with the placement of other employees within the same classification in that salary range when the demotion is not the result of discipline. If the current salary is within the new range, the employee's salary may be retained at the previous rate if appropriate. If the demotion is the result of discipline, the salary shall be decreased at least 5%. Salaries of demoted employees may be no greater than the maximum of the new range. In setting the salary, the City shall consider internal comparisons with other employees in the same or similar jobs.

Transfers. The salary of an employee reassigned to a position in the same class or to a position in a different class within the same salary range shall not be changed by the reassignment.

Reclassifications. An employee whose position is reclassified to a class having a higher salary range shall receive a pay increase of approximately 5% per pay grade (with a 15% increase maximum) or an increase to the hiring-minimum rate of the new pay range, whichever is higher. If the employee has completed probation, the employee's salary shall be advanced to at least the-minimumfive percent above the minimum of the minimum -rate in the new range.

If the position is reclassified to a lower pay range, the employee's salary shall remain the same. If the employee's salary is above the maximum established for the new range, the salary of that employee shall be maintained at the current level until the range is increased above the employee's salary.

SECTION 8. SALARY EFFECT OF SALARY RANGE REVISIONS

When a class of positions is assigned to a higher salary range, employees in that class shall receive a pay increase of at least approximately 5% per increase in range, or to the hiringminimum rate of the new range, whichever is higher. If the employee has passed probation, the employee's salary shall be advanced at least to 5% above the minimum in the new range. When a class of positions is assigned to a lower salary range, the salaries of employees in that class will remain unchanged. If this assignment to a lower salary range results in an employee being paid at a rate above the maximum step established for the new class, the salary of that employee shall be maintained at that level until such time as the employee's salary range is increased above the employee's current salary.

SECTION 9. TRANSITION TO A NEW SALARY PLAN

The following principles shall govern the transition to a new salary plan:

- a) No employee shall receive a salary reduction as a result of the transition to a new salary plan.
- b) All employees being paid at a rate lower than the hiring-minimum rate established for their respective classes shall have their salaries raised at least to the new hiring-minimum rate for their classes. For employees who have completed probation, the employee's salary shall be advanced to at five (5) percent above least the minimum for the new salary rate in the new plan.
- c) All employees being paid at a rate below the maximum rate established for their respective classes shall maintain their current rate of pay unless the transition includes pay adjustments approved by City Council.
- d) All employees being paid at a rate above the maximum rate established for their respective classes shall have their salaries maintained at that salary level with no increases until such time as the employees' salary range is increased above the employees' current salary.

SECTION 10. EFFECTIVE DATE OF SALARY CHANGES

Salary changes approved after the first working day of a pay period shall become effective at the beginning of the next pay period. Performance Pay increases or bonuses will become effective the first

day of the first full pay period of the new fiscal year, or at such specific date as may be provided by procedures approved by the City Manager.

SECTION 11. PAYROLL AND TIMESHEETS

The pay week for all City departments will begin Monday and end Sunday night. However, exceptions may be made by the City Manager based on the needs of each department. Documentation shall be maintained by Human Resources and shall be reviewed annually by Human Resources as part of the budget process. Payroll is processed on a bi-weekly schedule and time cards are to be turned in following the weeks worked with signatures from both the employee and Department Head for the accurate time worked and/or any sick, vacation or holiday pay which has been approved.

If an employee willfully records time that was not worked in order to be paid these actions will be grounds for disciplinary action as outlined in Article IX.

Except for extenuating circumstances, any employee's failure or refusal to submit a signed time card will result in an employee's time not being processed for that pay week. Time worked will be paid upon completion of and the signing of the time card. Such actions may be grounds for disciplinary actions as outlined in Article IX.

Payroll will be run once a month for the City Council and the Mayor. Other council appointed boards that are eligible for meeting stipends, as designated by the City Council, will be paid semiannually during the year.

SECTION 12. OVERTIME PAY PROVISIONS

Employees of the City can be requested and may be required to work in excess of their regularly scheduled hours as necessitated by the needs of the City and determined by the Department Head. Overtime work should normally be approved in advance by the Department Head or City Manager.

To the extent that local government jurisdictions are so required, the City will comply with the Fair Labor Standards Act (FLSA). The City Manager and the Human Resources Director shall determine which jobs are "non-exempt" and are therefore subject to the Act in areas such as hours of work and work periods, rates of overtime compensation, and other provisions.

Non-exempt employees will be paid at a straight time rate for hours worked up to the FLSA established limit for their position (40 hours in a 7-day period; 86 hours for police, in a 14 day period, and ~~53~~212 hours for Fire personnel in a ~~7-28~~ day period). Hours worked beyond the FLSA established limit will be compensated in either time or pay at the appropriate overtime rate.

In determining eligibility for overtime in a work period, only hours actually worked shall be considered; in no event will vacation, sick leave, compensatory time used, or holidays be included in the computation of hours worked for FLSA purposes.

Whenever practicable, departments will schedule time off on an hour-for-hour basis within the applicable work period for non-exempt employees, instead of paying overtime or compensatory time.

When time off within the work period cannot be granted, overtime worked will be paid or compensatory time will be accrued at 1 ½ times the regular rate of pay, in accordance with the FLSA.

Employees that accrue compensatory time shall be required to use compensatory time prior to using vacation leave. Compensatory time balances may not exceed a maximum of 80 hours. Any employee who has a comp time balance exceeding 80 hours, will be required to work with their department to schedule time off to reduce the compensatory time balance to below 80 hours.

Department Heads will carefully review each employee's comp time earned, comp time paid and/or comp time "banked" request with each payroll. Departments will receive bi-weekly leave reports showing the amount of hours earned and banked for each employee's comp time.

All employees comp time must be recorded on timesheets for recordkeeping in the payroll system. Comp time reflected in the payroll system supersedes any comp time records established or maintained by departments or individuals.

Employees in positions determined to be classified as "exempt" by the FLSA (as Executive, Administrative, or Professional staff) will not receive pay for hours worked in excess of their normal work periods. These employees, due to the nature of their work and pay classification, will not receive compensation time for these hours. Exempt employees will be granted one week of exempt flex time at the beginning of each calendar year. Flex-time must be used prior to any vacation time. Flex time cannot be converted to regular vacation and/or sick time and will not be paid out at the time of separation. Flex time cannot be carried over from one calendar year to the next. Any time not used by December 31st of each year will be lost. An exempt employee hired after the first of the calendar year will be granted a prorated amount of flex time.

State of Emergency. When the Governor declares a State of emergency, overtime will be paid or compensatory time will be granted at straight-time to FLSA exempt employees when the following conditions occur:

- a) A gubernatorial declaration of state of emergency,
- b) Requirement by management for employees to work overtime for purposes of response and/or recovery during the emergency, and
- c) Funds are available. The City Manager shall determine if funds are available to cover the overtime payments. The City shall distribute any overtime pay consistently with a pre-defined standard that treats all employees equitably.

SECTION 13. ON-CALL PAY

The City provides a continuous twenty-four hour a day, seven day a week service to its citizens. Therefore, it is necessary for certain employees to respond to any reasonable request for duty at any hour of the day or night. One of the conditions of employment with the City is the acceptance of a share of the responsibility for continuous service, in accordance with the nature of each job position.

Each applicable department has an established rotation where different employees share responsibility for being ready to return to work for a specified period of time when called. On-call status in a department must be regularly shared by more than one employee on a rotating basis. The employee must be in touch by pager, radio, or telephone numbers left available at all times of assignment, wherever he or she goes. On-call status means being fit and able to report to work within an acceptably short period of time, as designated by the department.

Departments may also establish procedures where employees may request in advance to have a substitute cover for him/her for a designated portion of the on-call time for reasons acceptable to and approved by the supervisor. The hours which were covered by the substitute would be deducted from the total on-call hours of the primary employee, and would be paid to the substitute.

If an employee fails to respond to reasonable calls for emergency service, either special or routine, the employee shall be subject to disciplinary actions up to and including dismissal by the City Manager.

SECTION 14. ON-CALL COMPENSATION AND CALL-BACK PAY.

When designated on-call employees are not performing work duties, the City will provide compensation in appreciation for the commitment of being on-call. Compensation will be paid to non-exempt employees at the rate of \$.90 (90 cents) per hour of on-call time.

When a non-exempt employee is actually called back to work or a worksite because of special needs or emergencies, non-exempt employees will be paid for a minimum of two hours of work, even if their actual work time was shorter. "Call-back" provisions do not apply to previously scheduled overtime work (scheduled one or more days in advance).

SECTION 15. PAYROLL DEDUCTION

Deductions shall be made from each employee's salary, as required by law. Additional deductions may be made upon the request of the employee on determination by the City Manager as to capability of payroll equipment, associated increase in workload and appropriateness of the deduction.

It is the City's policy to comply with the provisions of the FLSA with regard to deductions from exempt employees' salaries. Accordingly, improper deductions from exempt employees' salaries are specifically prohibited. If an employee believes that an improper deduction has been made, immediately contact your supervisor and the Human Resources Director. Any exempt employee who believes that an improper deduction has been made from their salary may also file a grievance in accordance with the provisions of Article X.

Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, reimbursement for that deduction will be provided.

SECTION 16. LONGEVITY PAY

Full-time employees of the City may be compensated for years of continuous service by payment of a longevity supplement based on the following table. Annual longevity amounts are based on years of service and amount listed as outlined below. The date of eligibility will be set as of January 1st of each year. Payments shall be made the week of Thanksgiving.

Employees hired **after** July 1, 2014 will use the following guidelines:

Years of Service	Longevity Amount
5 -9	\$500.00
10-14	\$750.00
15-20	\$1000.00
21 yrs. and over	\$1250.00

Maximum longevity payment shall have a ceiling of \$1,250.00.

Employees hired **before** July 1, 2014 will maintain a grandfathered status and will use the following guidelines:

Years of Service	Longevity Amount
0-4	\$150.00
5 -9	\$500.00
10-14	\$750.00
15-20	\$1000.00
21 yrs. and over	\$1250.00

Maximum longevity payment shall have a ceiling of \$1,250.00.

Longevity pay is not guaranteed, but rather is subject to the approval of the City Council and may or may not be approved each fiscal year depending upon the financial conditions of the City and other factors. Longevity pay would not be considered a part of the annual base pay. Appropriate federal state, retirement, etc. deductions will be made.

Former employees returning to the City of Brevard for employment will be subject to the new Longevity Pay schedule and will not receive credit for prior service.

The Human Resources Department will maintain records of those employees who qualify as grandfathered and those who will follow the new Longevity Pay schedule.

An employee must be in active status through November 30th in order to be eligible for payment. Any eligible employee in a leave without pay status will not receive payment until they have returned to work and in an active pay status.

SECTION 17. BONUS FOR TEMPORARY PERSONNEL AND PART-TIME FIRE PERSONNEL

In lieu longevity, Temporary Personnel and Part-time Fire Personnel are eligible for a \$75 bonus if they meet the following eligibility requirements:

1. Employed prior to January 1 of the year of the bonus.
2. Worked over 200 hours during the current year and are still active on the department's roster.

Payments shall be made the week of Thanksgiving.

These bonuses are not guaranteed, but rather are subject to the approval of the City Council and may or may not be paid as approved for each fiscal year depending on the financial conditions and other factors. These Bonuses are not to be considered a part of annual base pay. Appropriate federal and state, retirement etc. deductions will be made.

An employee must be in active status through November 30th in order to be eligible for payment. Any eligible employee in a leave without pay status will not receive payment until they have returned to work and in an active pay status.

SECTION 18. PAY FOR ACTING IN A HIGHER LEVEL CLASSIFICATION

An employee who is formally designated to perform the duties of a job that is assigned to a higher salary grade than that of the employee's regular classification may receive an increase for the duration of the "Acting" assignment. The employee may receive a salary adjustment to the minimum level of the job in which the employee is acting or an increase of 5% increase per grade (with a 15% maximum increase), whichever is greater. Any such salary increase shall be temporary and upon completion of the assignment, the employee shall go back to the salary he or she would have had if not assigned in the "Acting" role, taking into account any increases the employee would have received if they had not been placed in the "Acting" role.

If a cost of living adjustment (COLA) increase is given during this time then the increase will be based on the original position. In the event a performance increase is given it will be based on the original position.

Department Heads who work in a capacity other than their department, along with assigned duties, for a temporary time frame will receive a minimum increase of 5% at the discretion of the City Manager.

ARTICLE IV. RECRUITMENT AND EMPLOYMENT

SECTION 1. EQUAL EMPLOYMENT OPPORTUNITY POLICY

It is the policy of the City to foster, maintain and promote equal employment opportunity. The City shall select employees on the basis of the applicant's qualifications for the job and award them with respect to compensation and opportunity for training and advancement, including upgrading and promotion, without regard to race, color, religion, sex (including pregnancy, gender identity, and sexual orientation), national origin, age (40 or older), political affiliation, marital status, disability or genetic information. Applicants with physical disabilities shall be given equal consideration with other applicants for positions in which their disabilities do not represent an unreasonable barrier to satisfactory performance of duties with or without reasonable accommodation.

SECTION 2. IMPLEMENTATION OF EQUAL EMPLOYMENT OPPORTUNITY POLICY

All personnel responsible for recruitment and employment will continue to review regularly the implementation of this personnel policy and relevant practices to assure that equal employment opportunity based on reasonable, job-related requirements is being actively observed to the end that no employee or applicant for employment shall suffer discrimination because of race, color, religion, sex (including pregnancy, gender identity, and sexual orientation), national origin, age (40 or older), political affiliation, marital status, disability or genetic information. Notices with regard to equal employment matters shall be posted in conspicuous places on City premises in places where notices are customarily posted.

SECTION 3. RECRUITMENT, SELECTION AND APPOINTMENT.

When full-time and part-time position vacancies occur the Human Resources Director shall publicize these opportunities for employment, including applicable salary information and employment qualifications. Information on job openings and hiring practices will be provided to recruitment sources, including organizations and news media available to minority applicants. In addition, notice of vacancies shall be posted at designated conspicuous sites within departments. Individuals shall be recruited from a geographic area as wide as necessary to establish a diverse and qualified applicant pool. —

Job Advertisements.

Employment advertisements shall contain assurances of equal employment opportunity and shall comply with Federal and State statutes.

Application for Employment.

All persons expressing interest in employment with the City shall be given the opportunity to file an application for positions which are currently vacant and open for applications.

Selection.

Department Heads, with the assistance of the Human Resources Director, shall make such investigations and conduct such examinations as necessary to assess accurately the knowledge, skills, and experience

qualifications required for the position, including criminal history where job-related using the DCI when needed. All selection devices administered by the City shall be valid measures of job performance.

Appointment.

Before any commitment is made to an applicant either internal or external, the Department Head shall make recommendations to the Human Resources Director including the position to be filled, the salary to be paid, and the reasons for selecting the candidate over other candidates. The Human Resources Director and Department Head shall recommend approval of appointments and the starting salary for all applicants to the City Manager. The City Manager will make the final decision on all internal and external applicants.

SECTION 4. PROBATIONARY PERIOD

An employee appointed or promoted to a regular position shall serve a probationary period of six-months, except that employees in sworn police, entry level fire, and Department Heads positions shall serve a twelve-month probationary period. Employees hired as "trainees" shall remain on probation until the provisions of their trainee status are satisfied. During the probationary period, supervisors shall monitor an employee's performance and communicate with the employee concerning performance progress. Employees serving a twelve-month probation shall have a probationary review at the end of six months as well as before the end of twelve months. The probationary period for employees of the fire department and sworn police officers may be shortened (but to no less than 6 months) for employees based on experience and qualifications upon the recommendation of the Department Head and approval of the Human Resources Director and City Manager.

Before the end of the probationary period, the supervisor shall conduct a performance evaluation conference with the employee and discuss accomplishments, strengths, and needed improvements. A summary of this discussion shall be documented in the employee's personnel file. The supervisor shall recommend in writing whether the probationary period should be completed, extended, or the employee transferred, demoted, or dismissed. The City Manager, upon a recommendation from the Department Head and Human Resources Director may extend the probationary period for a maximum of six additional months

Disciplinary action, including demotion and dismissal, may be taken at any time during the probationary period of a new hire without following the steps outlined in this Policy. A promoted employee who does not successfully complete the probationary period may be transferred or demoted to a position in which the employee shows promise of success. If no such position is available, the employee shall be dismissed.

While serving in a probationary status, regular employees shall receive all benefits provided in accordance with this policy except that such employees may not take vacation leave (unless the denial of such leave will create a hardship) and shall not be entitled to utilize the appeal or grievance procedures established by this Policy.

SECTION 5. PROMOTION

Promotion is the movement of an employee from one position to a vacant position in a class assigned to a higher salary range. It is the City's policy to create career opportunities for its employees whenever possible. Therefore, when a current employee applying for a vacant position is the best suited of all applicants, that applicant shall be appointed to that position. The City will balance three goals in the employment process: 1) the benefits to employees and the organization of promotion from within; 2) providing equal employment opportunity and a diversified workforce to the community; and 3) obtaining the best possible employee who will provide the most productivity in that position. Therefore, except in rare situations where previous City experience is essential (such as promotions to Police Sergeant), or exceptional qualifications of an internal candidate so indicate, the City will consider external and internal candidates rather than automatically promote from within. Candidates for promotion shall be chosen on the basis of their qualifications and their work records. Internal candidates shall apply for promotions by ~~contacting the Human Resources Director for an Internal Application~~ submitting an internal application.

SECTION 6. DEMOTION AND REASSIGNMENT

Demotion is the movement of an employee from one position to a position in a class assigned to a lower salary range. Demotion may be voluntary or involuntary. An employee whose work or conduct in the current position is unsatisfactory may be demoted provided that the employee shows promise of becoming a satisfactory employee in the lower position.

Voluntary Demotion: When an employee wishes to be considered for a position with less complex duties and reduced responsibilities, they may apply by contacting Human Resources and submitting an Internal Application. A voluntary demotion is made without using disciplinary procedures.

Involuntary Demotion: A disciplinary demotion shall follow the disciplinary procedures outlined in this Policy.

SECTION 7. TRANSFER

Transfer is the movement of an employee from one position to a position in a class in the same salary range. If a vacancy occurs and an employee in another department is eligible for a transfer, the employee shall apply for the transfer using the usual internal application process. The Department Head wishing to transfer an employee to a different department or classification shall make a recommendation through the Human Resources Director to the City Manager with the consent of the receiving Department Head. Any employee transferred without requesting the action may appeal the action in accordance with the grievance procedure outlined in this Policy.

An employee who has successfully completed a probationary period may be transferred into the same classification without serving another probationary period.

ARTICLE V. CONDITIONS OF EMPLOYMENT

SECTION 1. WORK SCHEDULE

Department Heads shall establish work schedules in consultation with the Human Resources Director and may implement with the approval of the City Manager which meet the operational needs of the department in the most cost effective manner possible. Any alterations to employee schedules or shifts must be submitted to the Human Resources Director. Recommendations will be made by the Human Resources Director and Department Head to the City Manager for final approval.

Attendance with respect to these work schedules are the responsibility of all City employees. Excessive absenteeism and tardiness over a period of time are grounds for disciplinary action as outlined in Article IX.

SECTION 2. POLITICAL ACTIVITY

Each employee has a civic responsibility to support good government by every available means and in every appropriate manner. Each employee may join or affiliate with civic organizations of a partisan or political nature, may attend political meetings, may advocate and support the principles or policies of civic or political organizations in accordance with the Constitution and laws of the State of North Carolina and in accordance with the Constitution and laws of the United States. However, no employee shall:

- a) Engage in any political or partisan activity while on duty;
- b) Use official authority or influence for the purpose of interfering with or affecting the result of a nomination or an election for office;
- c) Be required as a duty of employment or as condition for employment, promotion or tenure of office to contribute funds for political or partisan purposes;
- d) Coerce or compel contributions from another employee of the City for political or partisan purposes;
- e) Use any supplies or equipment of the City for political or partisan purposes; or
- f) Be a candidate for nomination or election to office under the City Charter;

Any violation of this section shall subject the employee to disciplinary action including dismissal.

SECTION 3. OUTSIDE EMPLOYMENT AND ACTIVITIES

The work of the City shall have precedence over other occupational interests of employees. All outside employment for salaries, wages, or commissions and all self-employment must be reported in advance to the employee's supervisor, who in turn will report it to the Department Head. The Department Head Human Resources Director and the City Manager will review such employment for possible conflict of interest and then submit a record of the employment and review to the personnel file.

Conflicting or unreported outside employment, or the use of City resources for such employment are grounds for disciplinary action up to and including dismissal. Documentation of the approval of outside employment will be placed in the employee's personnel file. In some cases, non-compensated activities may also create a conflict of interest. Employees are encouraged to report such activities and to use good judgment when determining whether such activities are appropriate when considering their position with the City.

Examples of conflicts of interest in outside employment and/or activities *include but are not limited to*:

- a) employment/positions with organizations or in capacities that are regulated by the employee or employee's department; or
- b) employment/positions with organizations or in capacities that negatively impact the employee's perceived integrity, neutrality, or reputation related to performance of the employee's City duties.

SECTION 4. DUAL EMPLOYMENT

A full or part-time employee of the City may simultaneously hold another position with the City if the temporary position is in a different department and clearly different program area from that of the full or part-time position. The work of the temporary position must also be performed on an occasional or sporadic basis as identified in Fair Labor Standards Act regulations. However, the work of the full or part-time position shall take precedence over the temporary position, and such temporary work will not ordinarily count toward the calculation of overtime for pay or time off.

SECTION 5. EMPLOYMENT OF RELATIVES

The City prohibits the hiring and employment of immediate family or those with a close personal relationship ~~(defined as significant other, domestic partner or similar situation)~~ in positions if such employment will result in one being in the chain of supervision of the other, nor where one member occupies a position which has influence over the others employment, promotion, salary administration, or other related management or personnel considerations. Employment of immediate family members or those with a close personal relationship in shall be prohibited within the same department, positions within the same work unit unless approved by the City Manager. This policy is intended to avoid circumstances that could create problems within the work unit or could undermine the public's perception of fairness in providing equal opportunity. For these reasons the city has limitations on the employment of relatives. This policy is not intended to prohibit relatives from working for the City.

DEFINITIONS:

- a) "Immediate Family" is defined -as: Spouse, parents, guardian, children, siblings, grandparents, great-grandparents, ~~grandchildren~~, aunts, uncles, nieces and nephews, plus the various combination of half, step, in-law and adopted relationships that can be derived from the relationships above.

- b) “Close Personal Relationship” for the purposes of this policy will include any relationship where the degree of closeness may suggest that problems might be created within the work unit, or that the public’s perception of fairness in providing equal opportunity for employment to all qualified individuals would be violated. This may include couples, roommates, other relatives who grew up together, or similar relationships.

The City also prohibits the employment of any person into a regular position who is an immediate family member or has a close personal relationship of individuals holding the following positions: Mayor, Mayor Pro Temp, City Council Member, City Manager, or Human Resources Director.

RULES AND PROCEDURES

- a. An employee who fails to report any existing relationship as defined above on his/her employment application will be subject to corrective action up to and including dismissal.
- b. Employees shall report any existing relationships as defined above when applying for other positions within the City of Brevard.
- c. An employee who has, or develops, a relationship as defined above must report that relationship and/or any changes to those relationships to the Department Head, who shall notify Human Resources.
- d. An employee must notify the Department Head in those cases where the degree of closeness of a relationship would suggest that problems might be created as defined above. The department will determine, in collaboration with the Human Resources Director, whether the closeness would result in a restriction on the position or job assignment.
- e. If the reported relationship would require a restriction or job assignment, the Human Resources Director will work with the department to affect changes whenever possible. If changes are not possible to comply with this policy, one of the relatives may be required to resign from City employment.
- f. Failure of an employee or supervisor to report any relationships that might be restricted by this policy to the Human Resources Director will result in corrective action, up to, and including dismissal.
- g. Department Directors shall be responsible for ensuring compliance with this policy.

a.—

The City also prohibits the employment of any person into a regular position who is an immediate family member of individuals holding the following positions: Mayor, Mayor Pro Temp, City Council Member, City Manager, or Human Resources Director.

~~Otherwise, the City will consider employing family members, related persons, or individuals in a close personal relationship in the service of the City, provided that such employment does not:~~

- ~~a) result in a supervisory/subordinate relationship;~~
- ~~b) result in on party auditing the work of another; ;~~
- ~~c) create a conflict of interest with either relative/close person and the City; or~~
- ~~d) create the potential or perception of favoritism.~~

~~This provision shall not apply retroactively to anyone employed when the provision is adopted by the City. In case of actual or potential problems, the City will take prompt action. This can include reassignment or, if necessary, termination of employment for one or both of the individuals involved.~~

SECTION 6. INCLEMENT WEATHER AND EMERGENCY CLOSINGS

The City of Brevard recognizes there may be instances of inclement weather or emergency conditions that may prevent or modify its ability to provide full services to the community. This policy sets forth guidelines for determination of modification in operating hours and services, designation of essential employees, and how employees shall account for their time when released from their regular work schedule due to inclement weather or emergency conditions.

Definitions:

Inclement Weather: Adverse weather or other conditions that may prohibit some employees from reporting to work, but do not necessitate the closing of facilities or curtailment of operations.

Emergency Closing Condition: Conditions that may be hazardous to life or safety and necessitate the closing of a City facility or curtailment of operations such as: catastrophic life-threatening weather (i.e. snow, ice, hurricane, tornado, earthquake, flood, pandemic, or other natural disaster), fire, equipment failure, disruption of power and/or water, contamination by hazardous agents, terrorist acts, or forced evacuations from the work site.

Essential Employees: Employees whose nature of work/job duties and responsibilities are required for the essential operations of the City. Essential employees will be required to report for work per their regular schedule or may be called in to work on an unscheduled workday, despite an official closing, delay, or cancellation. Essential employees who are required to remain at work during hazardous times may be relieved of duties for the period necessary to assure the safety of their families.

Non-essential Employees: Employees whose nature of work/job duties and responsibilities are not generally required for the essential operation of the City. Non-essential employees are excused from work during an official closing, delay, or cancellation unless they are notified by an appropriate supervisor that they must report for work to support the necessary operations of the City government in spite of a closing, delay, or cancellation. Such determinations and notifications are made on a situation-

specific basis and will not necessarily result in a permanent change to the non-essential employee designation for the position or require a change to the position description.

It is the general policy of the City that offices ~~do not close for inclement weather or in cases of~~ and facilities are open to provide regular services to the public during periods of inclement weather or other conditions of a non-emergency nature. ~~—emergency.~~ However, the City Manager, or designee, shall determine when conditions exist that warrant the modification of operational hours such as a late opening, closing for the full day, or closing early.

Mandatory Operations and Essential Employee Designation:

Some City departments and operations must continue to provide services during periods of inclement weather and emergency conditions. These include Police, Fire, Public Works, Water Treatment, and Wastewater Treatment, and other internal service department staff needed as designated by the Department Head and/or City Manager.

The department head or City Manager shall pre-determine, as much as possible, services required and designate employees for provision of mandatory operations. It must also be determined if additional non-essential employees will be needed to support City functions on a case-by-case basis. Employees who are considered essential are required to report to work. Department heads will exercise their best judgment for each situation as to which employees are considered essential.—An essential employee's late reporting or failure to report will result in review by the department head and can result in adjustment in leave hours, leave without pay, or disciplinary action as circumstances warrant.

Administrative Leave and Accounting for Time:

When the City Manager closes a facility and/or department for an entire day, non-essential employees will be required to use accrued time (compensatory time or vacation leave, in that order), or leave without pay. Department heads may authorize employee to work from home under certain circumstances. If such work is authorized, any hours worked will be counted as normal work hours. Employees unable to work remotely may request to be reassigned to assist with essential functions and if work is available will be allowed to report and be paid for any hours worked.

Department Heads may also authorize employees to make up some of the missed hours during the same work week if work is available.

When the City Manager modifies operational hours (delayed opening or closing early) eligible non-essential employees may be granted paid Administrative Leave.

In order for a non-essential employee to be considered for Administrative Leave

- 1) The employee must be a ~~regular~~ full-time or part-time employee (regularly scheduled at least 20 hours per week).

- 2) The day in which operational hours are altered must be a day on which the employee would normally work.
- 3) The hours during which the City offices are altered must fall within the employees normally scheduled work day.
- 4) Employees already scheduled off work due to vacation or sick leave are not eligible for paid Administrative Leave.
- 5) Employees must report to work during the hours designated as open. An employee who does not report to work, reports later than scheduled opening or leaves earlier than scheduled closing will be not be eligible for any Administrative Leave.
- 6) Paid Administrative Leave hours cannot be used to take an employee's hours above their scheduled work day and/or work week.
 - a) If an employee has already exceeded the hours of his/her standard workweek, the employee does not receive Administrative Leave for hours the City offices are closed.
 - b) If actual hours worked on the day in which operational hours are altered are greater than the employee's scheduled work day, the employee does not receive Administrative Leave.

The City Manager may authorize additional pay to exempt employees at straight time for additional hours worked when all the following conditions occur:

- The Mayor has declared a state of emergency.
- Exempt employees are required to work additional hours for purposes of response and/or recovery
- during the emergency.
- Funds are available, and the department head has obtained approval from the Town Manager to use such funds for this purpose.

Auxiliary and Temporary employees are not eligible for paid Administrative Leave.

Any deviation from this policy in any way will only be on the authority of the City Manager, or his designee.

SECTION 7. WORKPLACE HARASSMENT

The City believes that all employees are entitled to work in an environment free from harassment, intimidation and coercion, allowing each employee to reach his or her full potential. The City prohibits any form of harassment, discrimination or intimidation based on age, color, disability, national origin, race, religion, sex, sexual orientation, or other characteristic or activity protected by federal, state or local law. Forms of harassment under this policy would include, but are not limited to:

- Racial slurs, ethnic jokes, sexual remarks;
- Posting of offensive statements, posters or cartoons, offensive material downloaded from the internet;

- Solicitation of sexual favors, unwelcome physical contact, sexually explicit telephone, text message or e-mail communications.

Any employee who believes they have personally experienced or directly observed an act of harassment should report the incident to their supervisor/manager or a member of the Human Resources department immediately.

An employee may skip a level(s) in the management chain in order to seek an impartial, uninvolved party with which to lodge their complaint.

Supervisor/managers or Directors who receive a complaint, or who personally observe harassing conduct, should inform the Human Resources Department immediately.

The City will not retaliate in any way against an individual who makes a report of harassment, nor will it permit any other employee to do so. Retaliation is a serious violation of this policy and should be reported immediately to those persons involved in investigating the initial complaint.

The Human Resources and/or Legal departments will conduct an investigation and will be required to report the findings to the appropriate Executive for further action.

The privacy of the employee filing the report and the employee under investigation shall be respected at all times, consistent with the obligation to conduct a fair and thorough investigation.

In the event Human Resources does not establish probable cause or determines the event did not occur, the parties involved will be notified and the findings of the investigation communicated on a need-to-know basis.

Any substantiated intentional act of harassment or proven retaliation in response to a complaint of harassment is considered to be a serious violation of this policy and will be dealt with accordingly through the City's Disciplinary procedures. Additionally, any employee proven to have falsely accused another employee of an act of harassment as defined under this policy will be subject to disciplinary action.

Although the City encourages and expects prompt reporting of harassment claims so that rapid responses and appropriate actions may be taken, no limited time frame will be instituted for reporting such claims. The late reporting of a claim will not in and of itself preclude the City from investigating and/or taking remedial action.

SECTION 8. SOLICITATION AND ACCEPTANCE OF GIFTS AND FAVORS

- 1) No official or employee may accept any gift, favor, or thing of value from any person who, to the knowledge of the official or employee, is interested directly or indirectly in any manner whatsoever in business dealings with the City, or who stands to derive some financial benefit by any action or decision of the City, under circumstances where such acceptance may have or may reasonably appear to have a tendency to influence that official or employee in the discharge of duties.

- 2) No official or employee may grant in the discharge of duties any improper favor, service, or thing of value.
- 3) No official or employee may use his position with the City to secure a contract for the purchase of goods or services from any firm or organization in which he has a direct financial interest.
- 4) No elected official may be employed by the City in any capacity. If an employee is elected or selected to an official position, then he or she forfeits his or her employment with the City upon assuming that office.

SECTION 9. SAFETY

Safety is the responsibility of both the City and its employees. It is the policy of the City to establish a safe work environment for employees. The City shall establish a safety program including policies and procedures regarding safety practices and precautions and training in safety methods. Department Heads, Supervisors, and the Safety Committee are responsible for ensuring the safe work procedures of all employees and providing necessary safety training programs. Employees shall follow the safety policies and procedures and attend safety training programs as a condition of employment. Employees who violate such policies and procedures shall be subject to disciplinary action up to and including dismissal. The City Manager is responsible for the administration of a comprehensive safety program or his designee

SECTION 10. SOCIAL MEDIA

The City of Brevard recognizes that social media has become a common form of communication in the workplace and the community at large. Social media includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else's web log or blog, journal or diary, personal website, social networking or affinity website, web bulletin board or a chat room.

The City has adopted this Social Media Policy to provide guidance to City of Brevard employees when using social media in order to prevent violations of existing City policies and protect against inappropriate social media content. Employees who fail to conduct themselves in a manner consistent with this policy are subject to discipline, up to and including termination.

Employee Guidance for Participating In Social Media

- 1) Follow all copyright and privacy protection and disclosure laws that might apply to the City or your functional area.
- 2) Whenever possible and wherever content deems it appropriate, make it clear you are speaking for yourself and not on behalf of the City. Be mindful of your posts as you represent the City of Brevard, both on and off the clock. It is recommended that when commenting on City-related posts on non-City platforms or sites, in the spirit of transparency, that you identify yourself as a City employee.
- 3) The City advises that employees use discretion when using social media sites. Remember that what you write is public, may be public for a long period of time, and may spread to large

audiences. Refrain from posting information that you would not want your supervisor or other employees to read or that you would be embarrassed to see in the newspaper or on television.

- 4) The City expects its employees to be truthful, courteous, and respectful toward supervisors, co-workers, citizens, customers, and other persons associated with the City. Employees shall not engage in inappropriate postings that may include discriminatory remarks, harassment, and threats of violence or similarly inappropriate or unlawful conduct.
- 5) Employees should be mindful when posting photos on their personal social media accounts that could be deemed questionable in nature.
- 6) City employees shall not divulge private, non-public, and confidential information gained by reason of their authority or position. This includes personal information (social security numbers or home addresses) about your co-workers without their consent, information that may put your co-workers in harm's way, and Human Resources investigations. Any posts outside of these parameters are subject to review by Brevard Human Resources.
- 7) Employees shall not post any material that could impair the effective delivery of public service or seriously disrupt the normal operation of any branch of the City government.
- 8) Employees shall not post photographs or other depictions of departments' uniforms, badges, patches, marked units and City, Police Department and/or Fire Department logos in a manner not befitting of and/or clearly harmful to the City's reputation unless pre-approved by the City Manager.
- 9) Brevard public safety employees shall not like, share or post any information about on-going criminal investigations, confidential departmental affairs or active emergency scenes. Where applicable, police and fire personnel should be mindful of the possible adverse consequences of postings regarding cross-examination in criminal cases.

When in doubt employees are encouraged to seek the guidance of supervisors regarding any posting that may adversely reflect upon either the department or upon the professionalism or integrity of the employee.

City employees should expect that any information created, transmitted, downloaded, exchanged or discussed in a public online forum may be accessed by the City at any time without prior notice. The City reserves the right to monitor social media activities of employees, whether or not such activities are conducted with City resources, to the extent permitted and in accordance with applicable law.

Any employee who becomes aware of or has knowledge of any posting, website, or web page in violation of the provisions of this policy should notify his or her supervisor immediately for appropriate action.

As with checking personal email or personal use of Internet browsing on City equipment or technology, employees should limit participation for personal use on social networking or through websites or services such as Twitter, Facebook, or similar sites/services or posting to a blog or website, during working time. Personal use must not interfere with the employee's or other employees' ability to perform their jobs. Such personal use will be kept to a minimum and abuse of this privilege can result in disciplinary action up to and including termination.

SECTION 11. SUBSTANCE ABUSE POLICY

In order to ensure the safety and well-being of citizens and employees, and to comply with any state, federal, or other laws and regulations, the City is committed to providing a drug and alcohol free workplace for all employees.

No employee may use, possess, manufacture, distribute, dispense or sell alcohol or any controlled substance or illegal drug in the workplace or on the City's property, while on duty, on-call or while operating a City vehicle. In addition, no employee may report to work, remain on duty, or be placed on an on-call status while under the influence of or impaired by any illegal drug, controlled substance, or alcohol.

The City has procedures for pre-employment screenings, reasonable suspicion screenings, and post-accident screenings in order to facilitate this policy. These procedures are implemented by the Human Resources Director.

All employees are responsible for helping assure that we maintain a safe, drug and alcohol free workplace. If any employee has a reasonable suspicion of any violations of this policy, the employee must immediately report this issue to their supervisor or Human Resources.

The City will investigate thoroughly and promptly all claims of violations of this policy, WITHOUT CONSEQUENCE TO THE EMPLOYEE REPORTING THE CONDUCT, so long as the report is made in good faith and the information provided is truthful to the best of the employee's knowledge. However, if, after investigating any allegation of a violation of this policy, the City determines that the report was not bona fide and was not made in good faith, or that any employee has provided false information, disciplinary action may be taken against the employee who filed the improper report or who gave the false information.

Retaliation against employees who make reports under this section is expressly prohibited.

VIOLATIONS OF THIS POLICY OR RETALIATION AGAINST EMPLOYEES FOR MAKING BONA FIDE REPORTS UNDER THIS POLICY, WILL SUBJECT AN EMPLOYEE TO DISCIPLINARY ACTION UP TO AND INCLUDING IMMEDIATE DISMISSAL.

SECTION 12. DISRUPTION OF THE WORK PLACE

The City has a responsibility to maintain a productive and professional work environment conducive to conducting the City's business. To that end, employees are expected to keep any work place disruptions and distractions to a minimum. This includes personal visits and phone calls, receiving personal mail or packages, charitable solicitations, or other activities that distract an employee or coworkers from the work of the City. Supervisors will provide feedback to employees on any actions that are becoming distracting.

SECTION 13. WORK PLACE VIOLENCE

The City of Brevard is committed to the safety of its employees and the public. The City's mission is to maintain a workplace that is free of violence. Violence by employees or anyone else against an employee or visitor on City property will not be tolerated.

All employees are responsible for helping assure that we avoid incidents of workplace violence in the workplace. It is the responsibility of every employee to contribute to the safety of our work environment by refraining from threats, violence or activities that may provoke violence, and conducting City business with respect for all City employees and its citizens.

Workplace violence includes, but is not limited to, the following:

- 1) Harassment; stalking; physical violence; the use of weapons of any kind; the direct or implied threat of physical violence toward any employee or member of the public during working hours or by an employee on City premises or in City uniform.
- 2) This list of behaviors, while not inclusive, provides examples of conduct that is prohibited by this policy:
 - a) Causing physical injury to another person
 - b) Making threatening remarks
 - c) Aggressive or hostile behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional distress
 - d) Intentionally damaging employer property or property of another employee
 - e) Committing acts motivated by, or related to sexual harassment or domestic violence

Any potentially dangerous situation must be reported immediately to a supervisor/manager and if necessary, the Police Department. Reports or incidents warranting confidentiality will be handled appropriately and confidentiality will be maintained to the farthest extent possible.

To promote this safe workplace, the City has developed reporting guidelines for possible internal and external threats. If any employee receives, overhears or becomes aware of any threatening communications from an employee or outside third party, the employee must report it to his/her supervisor or the Department Head, immediately and follow the City's reporting guidelines. An employee's failure to report such conduct or to fully cooperate in the City's investigation of such conduct could result in disciplinary action.

Employees should not engage in or encourage another employee to engage in either physical or verbal confrontation with a potentially violent individual. If any employee encounters any individual who is threatening immediate harm to the employee, themselves or any other person, contact the police immediately.

The City reserves the right to seek a civil "no-contact" order in accordance with the provisions of the North Carolina General Statutes on behalf of any City employee who has been the victim or target of workplace violence or other unlawful conduct in the workplace in violation of this policy.

Anyone with questions in regards to potential violence or threats should contact his/her Department Head, Human Resources Director or the City Manager.

VIOLATIONS OF THIS POLICY AGAINST WORKPLACE VIOLENCE WILL SUBJECT AN EMPLOYEE TO DISCIPLINARY ACTION UP TO AND INCLUDING IMMEDIATE DISMISSAL.

SECTION 14. VEHICLE OPERATION

All employees driving City vehicles or driving personal vehicles for work related reasons must adhere to all traffic laws, speed limits, and pedestrian courtesies. When an incident warrants investigation one will be conducted by the Department Head, Supervisor, Human Resources Director, Finance Director and other resources as needed. A recommendation will be forwarded to the City Manager upon evaluation of the investigation and actions could warrant disciplinary actions outlined in Article IX.

SECTION 15. APPROPRIATE PERSONAL APPEARANCE, CLEANLINESS & UNIFORMS

All City employees will be advised of the appropriate dress for each department. It is the responsibility of all employees to adhere to the appropriate personal appearance for that work area.

In some departments uniforms may be provided along with professional cleaning service for these items. Uniform items provided by the City for employees include the following: appropriate safety shoes, work shirts, pants & jackets (when needed and budgeted by department), and safety equipment. These items must be purchased by the Department Head or Supervisor. In the event an individual makes purchases for uniform items and requests reimbursement the Finance Department may ask for additional receipts or information in regards to those items purchased. Items in question may be forwarded to the Department Head and City Manager for clarification prior to any reimbursement for items purchased.

In addition to personal cleanliness, all employees should keep their work unit clean and free of safety hazards.

Concerns regarding personal appearance or cleanliness should be forwarded to Department Heads and the Human Resources Director.

SECTION 16. PROHIBITION OF WEAPONS

Under no circumstances are weapons permitted on any City property, including parking areas, including but not limited to the following: firearms, switchblade knives, knives with a blade longer than four (4) inches, dangerous chemicals, explosives, including blasting caps, chains and other object carried for the apparent use of injuring or intimidating another.

Provided however that this section shall not be applicable to Police and/or Fire Department personnel with respect to such items which are issued for use in the performance of their official duties.

SECTION 17. ADHERENCE TO ADOPTED SECURITY POLICIES

In order to ensure the safety and security of the City of Brevard employees, city officials and the public, all employees are required to adhere to the City Hall Security Policy and such other Security Policies as may be adopted by the City Council from time to time.

SECTION 18. COMPUTER AND ELECTRONIC COMMUNICATION POLICY

ELECTRONIC COMMUNICATIONS

The City may maintain electronic communication systems (e.g. voice mail, e-mail, internet access), and may provide computers and other electronic devices (e.g. cell phones, personal data assistants) for employees' use. These systems and electronic devices are provided to assist employees in the conduct of City business, and should be used only for those purposes. Employees are responsible to check for and respond to messages in a timely manner.

Employees are authorized to use only the computer software and hardware licensed by the City. A City employee is authorized to use these systems then he/she has been given a user name and password and has read and signed the Computer and Electronic Communication Policy.

Unauthorized reading or listening to other employee's voice or electronic communications by other employees is expressly prohibited except where necessary for the conduct of City business; however these systems and electronic devices are not private. All such systems and electronic devices and the data stored on them are and remain at all times the property of the City. All electronic communications and/or messages composed, sent and received on personal computers or other electronic communication systems or devices are and remain the property of the City, and no employee has an expectation of privacy with regard to their use of any of these systems or devices. The City reserves the right to retrieve, read, monitor, randomly audit and/or retain any message or information transmitted, composed, sent, received or accessed on any such system or device, including but not limited to for the purpose of enforcing the City's No-Harassment/No-Discrimination policy and other policies.

Usage of these systems and electronic devices is a privilege and good judgment should be exercised at all time. Examples of prohibited/inappropriate uses of electronic communication systems (including e-mail) by City employees include, but not are limited to: Illegal activities, Threats, Harassment, Slander, Defamation, violations of the City's workplace violence policy, Political endorsements, commercial activity (defined as buying/selling items or services for personal gain), chain letters, violations of copyright laws, violation of City policy, or for any purpose which would compromise the integrity of the City in any way. Under no circumstances may any electronic communication systems or other electronic devices provided by the City be used to send, receive or retrieve any material that may be reasonably considered offensive or disruptive to any employee. Examples of prohibited material would include, but not be limited to: sexual comments or images, racial slurs, pornographic material or any words or images which could reasonably be considered to be in violation of the City's No-Harassment/No-Discrimination Policy.

These systems are subject to public records laws in many cases. Electronic message procedures are recommended as the following. If messages have reference of administrative value and meet the definition of a Public Record, these should be printed and the hard copy, including transmission and receipt date, be placed in the corresponding case/project file. Messages that do not hold any administrative or reference value should be deleted immediately. Messages that are subject to the Public Records Law should be deleted according to the municipal records retention policy.

Employees who learn of any misuse or violations of this electronic communications policy should notify their supervisor, department head, the HR Director or the City Manager immediately.

Violations of this electronic communications policy may result in discipline, up to and including discharge.

SECTION 19. WORKPLACE INSPECTIONS AND PRIVACY NOTICE

In order to safeguard the property of the City and our employees, maintain a safe working environment for our employees, and to help prevent the possession, sale and/or use of illegal drugs on City property, the City reserves the right to search any employee's office, desk, files, locker, sleeping areas, City owned vehicles or any other area or article which is on City property. Inspections may be conducted at any time, when the City Manager or department head determines that a search is appropriate.

Please be aware that all offices, desks, files, lockers, sleeping areas, City owned or maintained vehicles etc. are considered City property, and are provided for employee's use in their employment. The City will maintain a master key and/or a record of any combination/passcode for any locks installed in or on such areas. No employee should have an expectation of privacy with respect to any items or information located on or in City property, including but not limited to the areas listed above. As such, information and items which any employee considers private and/or personal should not be maintained on or in City property.

Refusal to cooperate or permit any inspection pursuant to this policy may result in disciplinary action, up to and including termination.

This policy regarding workplace searches shall be posted in conspicuous places on City premises where notices are customarily posted.

ARTICLE VI. EMPLOYEE BENEFITS

SECTION 1. ELIGIBILITY

All full-time employees of the City are eligible for employee benefits as provided for in this Article to the extent such benefits are made available to other similarly situated employees. The provision of the benefits described in this Personnel Policy are subject to availability of funds and the approval of the City Council in the City's annual budget, which is subject to change at the City's discretion with or without notice to the Employees. Temporary employees are eligible only for workers' compensation and FICA.

Regular Part-Time employees are eligible solely for the North Carolina Local Government Employee Retirement System, if they work the minimum number of hours to qualify, workers compensation, social security, unemployment compensation as prescribed by law and the Employee Assistance Program. Part-Time employees are also eligible to participate in any supplemental insurance or retirement plans.

SECTION 2. GROUP HEALTH AND DENTAL INSURANCE

The City provides group health and dental insurance programs for eligible full-time employees and their dependents. The provision of this benefit is subject to change and contingent upon the approval of the City Council.

Employees who meet the eligibility requirements may, if they so desire, purchase available group health and group dental through the City for themselves or for themselves and qualified dependents.

Employees shall be enrolled in the programs in accordance with the provision of the insurance contracts. Current employees enrolled in the group health plan and/or dental plan may make qualifying event changes only during the plan year and will have the opportunity to make election changes during Open Enrollment.

Information concerning cost and benefits will be available to all employees in the Human Resources office.

Continuation of benefits will be extended to all employees upon termination of employment, as required by law, and administered by the City's third party administrator for health benefits. The former employee will be responsible for the total premium amount for the type coverage designated on a timely basis.

SECTION 3. GROUP LIFE INSURANCE, SHORT-TERM DISABILITY, DEPENDENT LIFE INSURANCE

The City provides group life insurance, short-term disability, and dependent life insurance for each full-time employee subject to the stipulations of the insurance contract. Life insurance, short-term disability, and dependent life insurance will be provided on an annual basis to City employees based upon an outline of benefits recommended by the City Manager and approved by the City Council.

SECTION 4. OTHER OPTIONAL SUPPLEMENTAL INSURANCE PLANS

The City may make other supplemental insurance plans available to employees upon authorization of the City Manager or City Council. Upon this authorization the supplemental insurance options are up to the discretion of the employee and funded completely by the employee.

SECTION 5. RETIREE BENEFITS: HEALTH INSURANCE, DENTAL INSURANCE & NCLGER SYSTEM

The provision of Retiree Benefits described in this Personnel Policy are subject to the applicable provisions of the various benefits plans which may be available over time, the availability of funds and the approval of the City Council in the City's annual budget. All such benefits are subject to change at the City's discretion with or without notice to the Employees and/or Retirees.

Health & Dental Insurance. Employees who retire with the City under the North Carolina Local Government Employees' Retirement System may currently elect to stay on the group health and/or group dental policy until they are Medicare and/or Medicaid eligible; however the retirees must pay for the full cost of the coverage. Retired employee's premiums must be paid by the first of each month based on a system established by the Finance Director. Failure to pay the required premium will result in loss of coverage. Retirees may elect to retain dental insurance even after becoming Medicare and/or Medicaid eligible.

Upon retirement the former employees must elect all health, dental, and life insurance benefits for themselves and any of their dependents. Once these elections are made, the retirees may not be eligible for coverage's that weren't elected at the time of retirement, meaning coverage's that were dropped will not be extended to a retiree upon this election to drop the coverage.

NCLGERS. Each employee who is expected to work for the City more than 1,000 hours annually shall join the North Carolina Local Governmental Employees' Retirement System on the first day of employment as a condition of employment. Newly hired employees, who are current members of the NC Local or State Government Employees' Retirement Systems, shall be covered under the retirement system by the City on their first day of employment.

Employee and employer contributions are mandated by the Retirement System. Employee contributions are paid as payroll deductions. Employer contributions are not paid as a match; this is the required amount for an employer to enroll an employee in the retirement plan.

SECTION 6. LAW ENFORCEMENT SEPARATION ALLOWANCE

The City of Brevard provides a separation allowance to retired sworn law enforcement officers, as defined by N.C. Gen Stat. 128-21(11d) or N.C. Gen Stat 143-166.50, and as required and provided by N.C. Gen Stat 143-166.42. Eligibility and continuation of these benefits shall be subject to the conditions outlined in N.C. Gen Stat. 143-166.42.

SECTION 7. SUPPLEMENTAL RETIREMENT BENEFITS

The City may make other supplemental retirement plans available to employees upon authorization of the City Manager or City Council. These can include but are not limited to 401K plans, 457 deferred compensation plans, and Roth IRA's. Upon this authorization the supplemental retirement options are up to the discretion of the employee and funded completely by the employee.

SECTION 8. SOCIAL SECURITY

The City, to the extent of its lawful authority and power, has extended Social Security benefits for its eligible employees and eligible groups and classes of such employees.

SECTION 9. WORKERS' COMPENSATION

All employees of the City (full-time, part-time, and temporary) are covered by the North Carolina Workers' Compensation Act and are required to report all injuries arising out of and in the course of employment to their immediate supervisors at the time of the injury in order that appropriate action may be taken at once. The HR Director must be notified within 24 hours of any injury, illness or incident. Upon return to work, the employee's salary will be computed on the basis of the last salary plus any salary increase to which the employee would have been entitled based upon performance and other compensation policies.

Responsibility for claiming compensation under the Workers' Compensation Act is on the injured employee, and such claims must be filed by the employee with the North Carolina Industrial Commission within two years from date of injury. The Department Head and the Human Resources Director will assist the employee in filing the claim.

SECTION 10. UNEMPLOYMENT COMPENSATION

In accordance with Public Law 94-566 and subsequent amendments, local governments are covered by unemployment insurance. City employees who are terminated due to a reduction in force or released from City service may apply for benefits through the local Employment Security Commission office, where a determination of eligibility will be made.

SECTION 11. TUITION ASSISTANCE PROGRAM

Full-time employees who have completed initial probation may apply for tuition reimbursement for courses taken on their own time, which will improve their skills for their current job or prepare them for promotional opportunities within the City service. Tuition, registration fees, laboratory fees, and student fees are eligible expenses. Employees may be reimbursed for eligible expenses for one class per academic semester or quarter.

Requests for tuition assistance shall be submitted to the Department Head prior to course registration and are subject to the review by the Human Resources Director and approval of City Manager, subject to availability of funds. The City will require a certificate of satisfactory completion of the course prior to reimbursement.

SECTION 12. EMPLOYEE ASSISTANCE PROGRAM

The City provides an Employee Assistance Network designed to help employees and their families deal with financial difficulty, family or marital conflicts, substance abuse, etc. This is an extremely confidential benefit. An employee, or family member residing in the same household, who is experiencing a personal crisis should feel free to contact the Employee Assistance Network. Contact information is available online at the City's website or with the Human Resources Director.

In the event a Department Head or supervisor identifies a problem with job performance or personal conduct issues on the job a management referral can be made to the Employee Assistance Network. This referral can be completed by contacting the Human Resources Director. Upon evaluation of the situation and approval by the City Manager this referral to the Employee Assistance Network can be considered a condition of employment. This decision will be made on a case by case basis and clearly communicated to the employee.

ARTICLE VII. HOLIDAYS AND LEAVES OF ABSENCE

SECTION 1. POLICY

The policy of the City is to provide vacation leave, sick leave, and holiday leave to all full-time and part-time employees. Employees shall accrue leave proportionately with each payroll. Part-time Fire Department personnel, or temporary personnel are not eligible for holidays, sick or vacation leaves under this policy

SECTION 2. HOLIDAYS

The following days, and other such days as the City Council may designate, are holidays with pay for full-time and part-time employees of the City:

Month	Holiday	Observed
January	New Year's Day	January 1 st
January	Martin Luther King, Jr. Day	Third Monday in January
March/April	Good Friday	Friday Preceding Easter
May	Memorial Day	Last Monday of May
<u>June</u>	<u>Juneteenth</u>	<u>June 19th</u>
July	Independence Day	July 4 th
September	Labor Day	First Monday in September
November	Veteran's Day	November 11 th
November	Thanksgiving	Fourth Thursday in November (2 days – Thursday and Friday)
December	Christmas	December 25 (3 days – see schedule below)

If Christmas day falls on the day of the week indicated below, the days set forth will be observed as holidays:

<u>Day of the Week</u>	<u>Days Off</u>
Sunday	Friday, Monday and Tuesday
Monday	Monday, Tuesday and Wednesday

Tuesday	Monday, Tuesday and Wednesday
Wednesday	Tuesday, Wednesday and Thursday
Thursday	Wednesday Thursday and Friday
Friday	Thursday, Friday and Monday
Saturday	Thursday, Friday and Monday

When any recognized holiday (except Christmas), falls on Saturday, the preceding Friday will be the designated holiday. When any other recognized holiday (except Christmas), falls on Sunday, the following Monday will be the designed holiday.

Eligibility: In order to receive a paid holiday, the employee must have been in a paid status (including the use of approved leave accruals) the day before and the day after the holiday (working at least 50% of regular working week). Employees will not be paid for a holiday if he or she is on leave without pay.

Part-time employees will also receive these holidays, provided that they are regularly scheduled to work on the day of the holiday. The amount of time for which the employee receives holiday pay will be based on the average scheduled hours per week.

Employees required to work on any of these holidays shall receive the equivalent time off or receive the 8 hours of holiday pay in addition to hours worked. The City Manager may at his discretion work with departments to adjust schedules as needed when work is required on one of these holidays.

SECTION 3. HOLIDAYS: EFFECT ON OTHER TYPES OF LEAVE

Regular holidays which occur during a vacation, sick or other type of paid leave period of any employee shall not be considered as vacation, sick, or other leave.

SECTION 4. HOLIDAYS: COMPENSATION WHEN WORK IS REQUIRED OR REGULARLY SCHEDULED OFF FOR SHIFT PERSONNEL

Employees that work in departments that do not close for holidays (i.e. Police Department, Water Treatment and Wastewater Treatment) shall be compensated for the holidays designated as a legal holiday in the following manner:

- 1) Work performed on the holiday shall be paid at the normal rate for the hours actually worked; unless hours worked meet or exceed overtime provisions.
- 2) Additional eight hours holiday paid will be paid for holiday pay.
- 3) An employee in one of these departments, similar to all other City employees, who are scheduled off on both the actual holiday and the day celebrated shall be entitled to pay for eight hours holiday pay.

Employees required to work on any of these holidays shall receive the equivalent time off or compensation as outlined above.

Departments may have additional policies regarding scheduled holiday time. These policies must be uniformly applied to everyone in that department and approved by the Human Resources Director.

SECTION 5. VACATION LEAVE

Vacation leave is intended to be used for rest and relaxation, school appointments, and other personal needs. Vacation leave may also be used by employees who wish to observe religious holidays other than those granted by the City. Employees who wish to use leave for religious observances must request leave from their respective Department Heads. The Department Head will attempt to arrange the work schedule so that an employee may be granted vacation leave for the religious observance. Vacation leave for religious observance may be denied only when granting the leave would create an undue hardship for the City.

SECTION 6. VACATION LEAVE: USE BY PROBATIONARY EMPLOYEES

Employees serving a probationary period following initial employment may accumulate vacation leave but shall not be permitted to take vacation leave during the first six months of employment. Exceptions may be approved by the Department Head and/or the City Manager.

SECTION 7. VACATION LEAVE: ACCRUAL RATE

Each full and part-time employee of the City shall earn vacation at the following schedule, prorated by the average number of hours in the workweek (Section 16):

Years of Service	Days Accrued Per Year	Hours Per Pay Period (80 hrs)
0-2	10	3.076
30 -4	12	3.692
5-9	15	4.615
10-14	17	5.230
15-19	20	6.153
20-24	22	6.769 <u>77</u>
25 plus	24	7.384

Accruals will be made on a bi-weekly period basis. Accruals may be adjusted/pro-rated when an employee does not work a full two weeks.

ANNUAL LEAVE ACCRUAL WITH PRIOR LOCAL GOVERNMENT SERVICE.

The City of Brevard will allow each new employee with prior service in the North Carolina Local Government Employees Retirement System (LGERS) to accrue vacation accruals based on years of

contributing service to the LGERS when there has not been more than a one-year break in service. Employees must provide Human Resources with documentation that shows their total years of service in the LGERS within 60 days of hire. Years of service that have been withdrawn and/or purchased will not be eligible for consideration in calculating total years of service. Failure to provide proof of years of service within 60- days after the hire date will result in forfeiting this benefit.

This benefit will be made available for 60 days for any current City of Brevard employee who is earning annual leave at a rate less than the rate which equals their total years of service in the North Carolina Government Employee Retirement System (LGERS) prior to employment with the City of Brevard. Current employees will have 60 days from the adoption of this policy to provide Human Resources with notification either in person or via email that they have additional years of service in the LGERS.

Human Resources will verify employee's total service years. Accrual rates will be adjusted after the verification is complete and will not be retroactive, but will take effect once verification has occurred. The new Annual Leave accrual rate will be effective beginning January 1, 2021.

This benefit of recognizing additional service years, not earned in the City of Brevard, does not affect an employee's qualification for longevity pay or seniority.

SECTION 8. VACATION LEAVE: MAXIMUM ACCUMULATION

Vacation leave may be accumulated without any applicable maximum until December 31 of each year. However, if the employee departs from service, payment for accumulated vacation leave shall not exceed 240 hours.

Effective with the last payroll in the calendar year, any employee with more than 240 hours of accumulated leave shall have the excess accumulation removed so that only 240 hours are carried forward to January 1 of the next calendar year. Employees are not eligible to receive pay for vacation time not taken. At the end of the calendar year any employee with more than the designated number of vacation leave shall have the excess accumulation converted to sick leave. Converted sick leave shall be used in the same way as accrued sick leave.

Employees are cautioned not to retain excess accumulated vacation leave until late in the year. Because of the necessity to keep all functions in operation, large numbers of employees cannot be granted vacation leave at any one time. If an employee has excess leave accumulation during the latter part of the year and is unable to take such leave because of staffing demands, the employee shall receive no special consideration either in having vacation leave scheduled or in receiving any exception to the maximum accumulation.

SECTION 9. VACATION LEAVE: REQUESTING USE OF VACATION LEAVE

Employees should request vacation leave in advance of the proposed leave period and leave shall be granted at those times designated by the Department Head which will least obstruct normal operations of the City. Department Heads are responsible for ensuring that approved vacation leave does not hinder the effectiveness of service delivery. Requests should be made in advance to provide

Department Heads the maximum opportunity to evaluate the request and ensure the workplace is adequately staffed.

SECTION 10. VACATION LEAVE: COORDINATION OF LEAVE

- 1) Pay in lieu of vacation shall not be an option.
- 2) The City does not advance vacation time. Employees must have earned vacation leave before the leave may be used.
- 3) Vacation leave shall not be used to complete a resignation period after the last day of actual work.
- 4) If an employee is on vacation and becomes hurt or ill, that person may exercise the option to use sick time; the Department Head may request medical verification.
- 5) After having used all eligible sick leave, an employee may request to use accrued vacation leave or compensatory time off for a qualified Family and Medical Leave event.

SECTION 11. VACATION LEAVE: PAYMENT UPON SEPARATION

An employee who has successfully completed the probationary period will normally be paid for accumulated vacation leave upon separation not to exceed 240 hours, provided notice is given to the supervisor at least two weeks in advance of the effective date of resignation, four weeks in advance of the effective date for Department Heads. Any employee failing to give the notice required by this section shall forfeit payment for accumulated leave. The notice requirement may be waived by the City Manager when deemed to be in the best interest of the City.

Employees who are involuntarily separated may receive payment for accumulated vacation leave subject to the 240 hours maximum. Employees dismissed for criminal conduct or detrimental personal conduct, as defined in Article IX, may be determined ineligible to receive vacation pay.

The estate of an employee who dies while employed by the City shall be entitled to payment of all the accumulated vacation leave credited to the employee's account not to exceed the 240 hour maximum established.

SECTION 12. SICK LEAVE

Sick leave with pay is not a right which an employee may demand but a privilege granted by City Council for the benefit of an employee.

Full-time and regular part-time employees may be granted sick leave for an absence due to the following reasons:

- 1) Sickness or bodily injury that prevents the employee from performing his/her regular duties.
- 2) Medical or dental appointments.
- 3) Exposure to a contagious disease when continuing to work might jeopardize the health of others,
- 4) To care for a member of the immediate family who is ill,
- 5) Absences related to the death of an immediate family member, but not to exceed three days for any one occurrence, and
- 6) To supplement Workers' Compensation and Short Term Disability leave.

Immediate Family: Spouse, parents, guardian, children, siblings, grandparents, great-grandparents, grandchildren, aunts, uncles, nieces and nephews, plus the various combination of half, step, in-law and adopted relationships that can be derived from the relationships above.

Notification of the desire to take sick leave should be submitted to the employee's supervisor prior to the leave or according to departmental procedures.

SECTION 13. SICK LEAVE: ACCRUAL RATE AND ACCUMULATION

Each ~~regular~~ full-time employee shall earn sick leave on a bi-weekly basis at the equivalent of 12 days per year, based on the average work week. Sick leave for part-time employees shall be prorated as described in this Article. Sick leave will be cumulative for an indefinite period of time and may be converted upon retirement for service credit consistent with the provisions of the North Carolina Local Government Employees' Retirement System.

All sick leave accumulated by an employee shall end and terminate without compensation when the employee resigns or is separated from the City, except as stated for employees retiring or terminated due to reduction in force.

SECTION 14. TRANSFER OF SICK LEAVE FROM PREVIOUS EMPLOYER

The City will accept sick leave balances when documented by a previous employer when the employee worked for a previous employer covered by the State or Local Government Retirement System and the employee did not withdraw accumulated contributions from that employer when leaving employment. The sick leave will be treated as though it were earned with the City of Brevard. The sick leave amount must be certified by the previous employer and it is the employee's responsibility to provide documentation from his or her previous employer within three (3) months of employment. Transferred sick leave will be credited to the employee upon successful completion of the probationary period.

The same standards shall apply for an individual who is re-employed with the City of Brevard and has a prior documented sick leave balance that was not transferred to another employer.

SECTION 15. SICK LEAVE: MEDICAL CERTIFICATION

The employee's supervisor or Department Head may require a physician's certificate stating the nature of the employee's or employee's family member's illness and the employee's capacity to resume duties, for each occasion on which an employee uses sick leave or whenever the supervisor observes a "pattern of absenteeism." The employee may be required to submit to such medical examination or inquiry as the Department Head deems desirable. The Department Head shall be responsible for the application of this provision to the end that:

- 1) Employees shall not be on duty when they might endanger their health or the health of other employees; and
- 2) There will be no abuse of leave privileges.

- 3) Claiming sick leave under false pretense to obtain a day off with pay shall subject the employee to disciplinary action up to and including dismissal.

SECTION 16. LEAVE PRORATED

Holiday, annual, and sick leave earned by full-time and part-time employees with fewer or more hours than the basic work week shall be determined by the following formula:

- 1) The number of hours worked by such employees shall be divided by the number of hours in the basic work week (usually 40 hours)
- 2) The proportion obtained in step 1 shall be multiplied by the number of hours of leave earned annually by employees working the basic work week.
- 3) The number of hours in step 2 divided by 26 shall be the number of hours of leave earned biweekly.

SECTION 17. BEREAVEMENT LEAVE

A full-time or regular part-time, employee who has a death in the Immediate Family (as defined in Section 12 of this Article) is eligible for up to 3 days of paid bereavement leave. An employee who wishes to take time off due to the death of an immediate family member should notify his or her supervisor as soon as possible. If more leave time is desired or needed, or for deaths that are not covered by the Immediate Family designation, vacation leave or accrued compensatory time may be taken with the approval of the supervisor. Bereavement leave pay cannot duplicate any other compensation for the same time period or be used to pay an employee more than their regularly scheduled hours for the workweek. Employees out on approved Family Medical Leave, Workers' Compensation, or Leave without pay are not eligible for Bereavement Leave.

SECTION 18. PAID PARENTAL LEAVE

Regular full-time and regular part-time employees are eligible for up to six (6) weeks of paid parental leave following the birth of an employee's child or the placement of a child with an employee in connection with adoption or foster care. The purpose of paid parental leave is to enable the employee to care for and bond with a newborn or a newly adopted or newly placed child. This policy will run concurrently with the Family and Medical Leave Act (FMLA) Policy, as applicable. This policy will be in effect for births, adoptions, or placements of foster children occurring on or after XXXXX.

Coverage and Eligibility

An employee's eligibility for Paid Parental Leave shall be made based on the employee's months of service and hours worked as of the date of the qualifying life event. Employees who become parents via birth, adoption, foster or another legal placement are eligible if:

- Employee is a regular full-time or regular part-time position.

- Employee has been continuously employed by the City of Brevard for the immediate 12 preceding months.
- Employee has worked at least 1,250 hours during the 12 consecutive months immediately preceding the date the leave would begin.

Eligibility determinations are made as of the date that the child is born or placed via adoption, foster or other legal placement.

In addition, employees must meet one of the following criteria:

- Have given birth to a child.
- Have adopted a child or been placed with a foster child (in either case, the child must be age 17 or younger).
- Note: Other legal placement does not include parental custody cases or legal assignments as a Guardian ad Litem (GAL). This provision does not apply to the adoption of a stepchild by a stepparent or similar circumstances.
- Surrogate mothers and sperm donors are not eligible for parental leave.

Amount, Time Frame and Duration of Paid Parental Leave

- Eligible employees will receive a maximum of six (6) weeks of paid parental leave per birth, adoption, or placement of a child/children. The fact that a multiple birth, adoption, or placement occurs (e.g., the birth of twins or adoption of siblings) does not increase the six-week total amount of paid parental leave granted for that event. In addition, in no case will an employee receive more than six weeks of paid parental leave in a rolling 12-month period, regardless of whether more than one birth, adoption or foster care placement event occurs within that 12-month time frame.
- Each week of paid parental leave is compensated at 100 percent of the employee's regular, straight-time weekly pay (to exclude overtime, on-call, or any supplemental pay types). Paid parental leave will be paid on a biweekly basis on regularly scheduled pay dates. Employees who work alternate schedules (police, fire, Water, Wastewater, etc.) will only receive six consecutive calendar weeks, regardless of schedule.
- Approved paid parental leave may be taken at any time during the 12-month period immediately following the birth, adoption, or placement of a child with the employee. Paid parental leave may not be used or extended beyond this 12-month time frame.
- Employees must take paid parental leave in one continuous period of leave and must use all paid parental leave during the 12-month time frame indicated above. Any unused paid parental leave will be forfeited at the end of the 12-month time frame.

- Upon termination of the individual's employment, he or she will not be paid for any unused paid parental leave for which he or she was eligible.
- If the employee requires leave before the actual birth, adoption, or placement due to medical reasons or to fulfill legal obligations, other available leave balances shall be utilized in accordance with the city's policy. Paid parental leave shall not be used prior to the qualifying event.

Coordination with Other Policies

- Paid parental leave taken under this policy will run concurrently with leave under the FMLA; thus, any leave taken under this policy that falls under the definition of circumstances qualifying for leave due to the birth or placement of a child due to adoption or foster care, the leave will be counted toward the 12 weeks of available FMLA leave per a 12-month period. All other requirements and provisions under the FMLA will apply. In no case will the total amount of leave—whether paid or unpaid—granted to the employee under the FMLA exceed 12 weeks during the 12-month FMLA period. Please refer to the Family and Medical Leave Policy for further guidance on the FMLA.
- After the paid parental leave has been exhausted, any employee requesting additional leave that may be available still under the FMLA (if balance exists) will be compensated through employees' accrued sick, vacation and compensatory time. Upon exhaustion of accrued sick, vacation and compensatory time, any remaining leave will be unpaid leave. Please refer to the Family and Medical Leave Policy for further guidance on the FMLA.
- The city will maintain all benefits for employees during the paid parental leave period just as if they were taking any other city paid leave such as paid vacation leave or paid sick leave.
- If a city holiday occurs while the employee is on paid parental leave, such day will be charged to holiday pay; however, such holiday pay will not extend the total paid parental leave entitlement.
- If the employee is on paid parental leave when the city offers administrative leave (known as an "admin day"), that time will be recorded as paid parental leave. Administrative leave will not extend the paid parental leave entitlement.
- An employee who takes paid parental leave that does not qualify for FMLA leave will be afforded the same level of job protection for the period of time that the employee is on paid parental leave as if the employee were on FMLA-qualifying leave.
- Paid Family Leave cannot be paid concurrently with any other leave or any applicable Short Term Disability.

Employee Responsibility

- The employee will provide his or her supervisor and the human resource department with notice of the request for leave at least 30 days prior to the proposed date of the leave (or if the leave was not foreseeable, as soon as possible).
- The employee must complete the necessary HR forms and provide all documentation as required by the HR department to substantiate the request. Official documents may include FMLA certification paperwork, Birth Certificate or Report of Birth, Adoption Order, Proof of Placement, etc.

SECTION 19. FAMILY AND MEDICAL LEAVE POLICY

Eligible Employees are regular full-time and part-time employees who: (1) have been employed with the City for at least 12 months; (2) have worked at least 1,250 hours during the 12 months immediately prior to the commencement of the leave; and (3) are employed at a worksite where 50 or more employees are located within 75 miles of the worksite.

Basic FMLA Leave

Eligible Employees may take up to 12 weeks of unpaid leave during any 12-month period for any one or a combination of the following reasons:

- to care for the employee's child after birth or placement for adoption or foster care;
- to care for the employee's spouse, son or daughter or parent with a serious health condition;
- for the employee's own serious health condition (including any period of incapacity due to pregnancy, prenatal medical care or childbirth) which makes the employee unable to perform one or more of the essential functions of his/her job; and/or
- because of any qualifying exigency arising out of the fact that the employee's spouse, son, daughter or parent is a covered military member on active duty or has been notified of an impending call or order to active duty in support of a contingency operation.

Rules and definitions pertaining to basic FMLA Leave.

- **Serious Health Condition.** A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider (generally within 30 days of the first day of incapacity) or one visit and a regimen of continuing treatment under the supervision of the health care provider; incapacity due to pregnancy or for prenatal care; incapacity or treatment due to a chronic serious health condition; permanent or long-term conditions; or conditions which require multiple treatments. Other conditions may also meet the definition of continuing treatment.

- The amount of basic FMLA Leave an eligible employee is entitled to will be calculated based on a rolling 12-month period. This means that any FMLA Leave an eligible employee has used during the preceding twelve (12) months will be counted to determine the amount of available FMLA Leave remaining. Thus, each time an employee uses FMLA Leave, the amount of FMLA Leave which the employee has available is the balance of the twelve (12) weeks that the employee has not used during the immediately preceding twelve (12) months.
- FMLA Leave for the birth, placement for adoption or foster care of a child is available only during the first twelve (12) months after the birth or placement of the child for foster care or adoption.
- When both spouses work for the City and are both Eligible Employees, the total leave in any 12-month period for both spouses will be limited to 12 weeks if the leave is taken for the birth, care after birth, placement for adoption or foster care of a child, or to care for a sick parent.
- In the case of FMLA Leave for the birth, placement for adoption or foster care of a healthy child, intermittent leave or working reduced hours is not ordinarily permitted.

Military Family Leave Entitlements

Eligible employees whose spouse, son, daughter or parent is on covered active duty or call to covered active duty status may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

Rules Applicable to Special Injured Service member Leave

- A Covered Service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who is (1) undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness or (2) A covered veteran is an individual who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran.
- An employee may take up to 15 days of qualifying exigency leave related to the military member's Rest and Recuperation.
- Leave to care for a Covered Service member must be taken within the single 12 month period following the date the Eligible Employee first commences leave to care for a Covered Service member. Any leave remaining after the single 12 month period expires is forfeited.
- Leave to care for a Covered Service member, when combined with another FMLA qualified leave may not exceed 26 weeks during the single 12 month period.
- When both spouses work for the City and are both Eligible Employees, the total leave in any single 12-month period for both spouses will be limited to a combined total of 26 weeks if the

leave is taken for the birth, care after birth, placement for adoption or foster care of a child, to care for a sick parent, or to care for a covered service member with a serious injury or illness.

Intermittent and Reduced-Schedule Leave

Intermittent leave and reduced work schedules may be permitted: (1) when medically necessary due to the employee's serious medical condition; (2) when medically necessary to care for a parent, son, or daughter with a serious health condition; (3) when medically necessary to care for a Covered Service member with a serious injury or illness; (4) to provide care of psychological comfort to a covered family member with a serious health condition or a Covered Service member with a serious injury or illness; or (5) due to a Qualifying Exigency.

Rules Applicable to Intermittent/Reduced Leave Schedule

- In the case of FMLA Leave for the birth, placement for adoption or foster care of a healthy child or care of a parent, intermittent leave or working reduced hours is not ordinarily permitted.
- If and eligible employee requests intermittent leave or leave on a reduced work schedule for planned medical treatment, the employee must make a reasonable effort to schedule the treatment so as not to unduly disrupt City operations.
- If an eligible employee requests intermittent leave or leave on a reduced hours basis, the City reserves the option in the City's sole discretion, to require the employee to transfer, at their current pay and benefit level, to an alternative job for which the employee is qualified and which better accommodates the employee's need for intermittent leave or reduced hours than the employee's regular job.

General Rules for FMLA Leave

Employee Obligations

- All requests for FMLA Leave should be submitted to the Human Resources Director, and all questions regarding potential FMLA leaves of absence, eligibility, availability, etc. should be directed to the Human Resources Director. If FMLA Leave is planned in advance (expected or foreseeable) the employee must submit a request for leave at least thirty (30) days before the leave is expected to begin.
- If FMLA Leave is unexpected, or if an employee has less than thirty (30) days before the leave is scheduled to begin, the employee should notify his/her Supervisor and the Human Resources Director as soon as the employee is aware they will need leave. In this case an employee should submit their request for leave as soon as possible. Except in emergency situations, all employees will be expected to comply with the City's normal call-in policies for absences.
- If an employee fails to give 30 days' notice for foreseeable leave without a reasonable excuse for the delay, or fail to comply with the City's call-in requirements, the employee's FMLA leave request may be denied or delayed.

- Employees must provide the City with sufficient information for the City to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. An employee may do this by either requesting FMLA leave specifically or explaining the reasons they need leave sufficiently so that the City can ascertain that the leave is FMLA qualifying.
- An employee must advise the City if the reason they are requesting leave is for a reason for which FMLA leave was previously taken or certified.
- Employees must also respond to questions and provide requested information to Human Resources to enable us to determine if they qualify for FMLA leave.
- It is the employee's responsibility to provide the City with complete and sufficient medical certification to support their need for leave because of their own or a covered relative's serious health condition. Calling in "sick" without providing the reasons the employee needs leave, is not sufficient. Failure to provide the information requested or to authorize your health care provider or family member's health care provider to provide the required information may result in denial of the employee's request for leave.
- The City reserves the right to require an employee to obtain a second opinion from a health care provider selected by the City if we deem it appropriate. If there is disagreement between the health care providers with respect to an employee's need for leave, the City may require the opinion of a third, mutually agreed upon health care provider. In certain circumstances the City may also contact an employee's health care provider for clarification or authentication of the employee's leave certification form.
- It is the employee's responsibility to provide the City with complete and sufficient certification and supporting documentation supporting the employee's need for military family leave. This may include copies of relevant active duty orders or other documentation issued by the military, a certification from the employee setting forth the reasons the leave is needed and /or certifications completed by an authorized health care provider of the Covered Service member.
- If the City determines that the reason an employee is out on leave is FMLA qualified, the City will designate the leave as FMLA leave at the City's discretion even if the employee has not specifically requested FMLA leave. In some cases the City may designate this leave retroactively as FMLA leave with written notice to the employee of this designation.
- Employees should initiate a discussion with the Human Resources Director if the employee questions whether any absence should have been considered as a FMLA leave.

While an Employee is on FMLA Leave:

- The City may require the employee to report periodically on the employee's status and intention to return to work, and the City may also require periodic reports from the employee or the employee's family member's health care provider.
- Employees should notify the Human Resources Director as soon as they become aware of any change in the circumstances of the original FMLA Leave request, (i.e. the employee is able to return to work earlier than expected, or the employee will require FMLA Leave for longer than originally expected). Additional health care provider certifications/recertification may be required for extensions of FMLA Leave or situations where an employee will be returning to work prior to the expiration of your original certification.

- An employee will be required to use all of their accrued and unused sick, vacation, and compensatory leave as a part of their twelve (12) weeks of FMLA leave, unless they are out on worker's compensation leave. Once the employee's accrued leave time has been exhausted, the balance of FMLA Leave will be unpaid unless the employee is eligible for paid leave such as worker's compensation.
- Any share of health and dental premiums, along with any elected voluntary benefits, normally paid by the employee prior to leave must continue to be paid by the employee during the leave period. If the employee goes into an unpaid FMLA status, they must work with Human Resources Department and make arrangements to pay those premiums. If the employee's failure to make the premium payment leads to a lapse in coverage, the City shall upon the employee's return to work, restore the health coverage equivalent to that which the employee would have had if leave had not been taken and the premium payments had not been missed. If an employee is out on FMLA Leave as a result of a Worker's Compensation injury, the employee's FMLA Leave and Worker's Compensation leave will run concurrently (i.e. Worker's Compensation leave will count against the employee's FMLA Leave entitlement).
- Employees will be eligible to receive Holiday pay while the employee is on FMLA Leave as long as they have accrued leave to use for the day prior to and after the holiday. Employees will not be eligible for Holiday pay if they are in an unpaid FMLA status. ***The City's Obligations***
- The employee is entitled to receive written notice telling the employee: 1) whether the employee is eligible for FMLA leave; 2) the amount of leave to which the employee is entitled; 3) any additional information that will be required; 4) the employee's rights and responsibilities; and 5) if the City has determined the employee is not eligible for FMLA leave, the reasons why.
- During an employee's FMLA leave, all of the employee's group health benefits (e.g., major medical, hospitalization, and dental insurance) will continue, provided the employee continues to make the regular employee contributions to these plans, if any. Other benefits, such as pension, 401(k), life insurance, and long-term disability, will be governed in accordance with the terms of each benefit plan.
- Vacation, other employment benefits and seniority will accrue during periods of paid FMLA Leave and for purposes of vesting in pension or other retirement plans, an employee's service will be treated as continuing without a break during paid FMLA Leave. When an employee is in an unpaid FMLA leave status, leave accruals and retirement contributions will not continue.
- When an employee returns from FMLA Leave, the employee is entitled to be reinstated to his/her former or an equivalent position with equivalent benefits, pay, and other terms and conditions of employment. Exceptions to this provision may apply: (a) if business circumstances have changed during the FMLA Leave (e.g. the employee's job is no longer available due to a downsizing or job elimination); (b) the employee is a highly compensated employee; (c) the employee's leave has exceeded the amount of FMLA leave to which the employee was entitled; or (d) the employee has been on light duty in excess of 12 months.

Conditions on Return to Work/Failure to Return after Leave.

- In the case of FMLA Leave taken for an employee's own serious health condition, before the employee will be permitted to return to work from FMLA Leave, the employee will be required to present the City with a medical certification that he/she is capable of returning to work. (No certification will be required in the case of intermittent leave unless there are safety concerns or physical restrictions).
- If an employee is able to return to work earlier than expected, the employee will be required to give the City at least two business days' notice prior to the date the employee intends to report back to work if feasible, and the employee will be required to present the City with a medical certification that he/she is capable of returning to work on that date.
- If an employee fails to return to work after the expiration of his/her FMLA Leave, the employee will be required to reimburse the City for the full premiums for group health benefits premiums paid on his/her behalf during the FMLA Leave, unless the reason for the employee's failure to return to work is the continuation or presence of a serious health condition or circumstances beyond the employee's control.

Enforcement Information.

Under the FMLA, it is unlawful for any employer to interfere with, restrain or deny the exercise of any right provided under the FMLA or to discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

An employee may file a complaint with the United States Department of Labor or may bring a private lawsuit against an employer.

FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

In the event of any conflict between the provisions of the FMLA and this policy or any other leave policy of the City, the FMLA shall prevail.

SECTION 19. LEAVE OF ABSENCE WITHOUT PAY

A full or part-time employee may be granted a leave of absence without pay for a period of up to twelve months by the City Manager. The leave shall be used for reasons of personal disability, sickness or disability of immediate family members, continuation of education, special work that will permit the City to benefit by the experience gained or the work performed, or for other reasons deemed justified by the City Manager.

A leave of absence is a discretionary benefit to regular full and part time City employees. The City has no obligation to approve an unpaid leave of absence. The City will consider certain factors in making determination, some, but not all of which are included below:

- a) Length of employment
- b) Operational needs of the department

c) Prior performance and employment records

d) The reason for the leave of absence.

Leave of Absence requests are considered only after an employee has exhausted, or will have exhausted, all other leave that can be used for the situation under consideration. This may include, but is not limited to, compensatory time, holiday leave, annual leave, sick leave or donated leave.

Requests for a leave of absence are to be submitted in advance and in writing to the employee's Department Head, stating the anticipated start date, anticipated date of return, and the reason for the leave. An employee should not begin an unpaid leave of absence before it is approved. The City will consider extraordinary circumstances with appropriate documentation.

Approval: A Department Head may approve an unpaid leave of absence request of five (5) days or less. For requests of more than five (5) days, the requests must be approved by the Human Resources Director and City Manager.

The employee is obligated to return to duty within or at the end of the time determined appropriate by the City Manager. Upon returning to duty after being on leave without pay, the employee shall be entitled to return to the same position held at the time leave was granted or to one of like classification, seniority, and pay. If the employee decides not to return to work, the supervisor shall be notified immediately. Failure to report at the expiration of a leave of absence, unless an extension has been requested, shall be considered a resignation.

Effect on Benefits. An employee on unpaid leave may continue his or her participation in the City's insurance or other benefit plans at his or her expense, subject to any regulations approved by the City and any regulations of the insurance carrier. In addition, any employee on unpaid leave ceases to accrue vacation and sick leave and paid holiday benefits on the date that the leave without pay begins.

SECTION 20. WORKERS' COMPENSATION LEAVE

North Carolina Workers' Compensation law provides medical and disability compensation including a weekly compensation benefit for time lost from work, which is a percentage of the employee's average weekly wage up to a maximum established annually by the NC Industrial Commission. Benefits are provided to employees through the workers compensation insurance provider if the injury/illness meets their eligibility guidelines.

There is a seven (7) calendar day waiting period where no compensation for lost time will be provided. During the seven (7) day waiting period, employees may elect to use their accumulated compensatory time, vacation or sick leave. If the employee has exhausted his/her leave hours, he/she will be placed on Workers' Comp leave without pay immediately.

The City allows eligible employees the option to use previously accrued leave (compensatory time, sick or vacation) as a supplement to the payments provided by workers compensation. This optional supplement can only be used to cover payroll deductions such as medical, dental, vision, etc. and the remaining one-third of salary. At no time shall the combination of the supplemental leave benefit and the weekly workers' compensation payments exceed the employees' normal net compensation after taxes. Supplemental leave benefits are subject to withholdings such as state and federal income taxes, Social Security and Medicare. Supplemental leave benefits will not be subject to retirement system contributions or 401k contributions per retirement system guidelines.

When an employee is placed on Workers Comp leave without pay, the employee will cease to earn vacation and sick leave accruals and holiday pay for any week which they are on leave without pay. In addition, employer/employee contributions to the NC Retirement system will not be reported when on unpaid leave status, nor will the employee receive retirement service credit. Contributions for 401(k) will cease while an employee is on unpaid leave status. Temporary and part-time employees will go directly into leave without pay status and will receive all eligible benefits under the Worker's Compensation Act.

Return to Work

When an injured employee is released to return to work by the authorized treating physician and the employee has not been separated, the employer should act as follows:

1. If an injured employee has reached maximum medical improvement and has been released to return to work without restrictions or with restrictions that can be accommodated, the City shall return the employee to the same position held prior to the period of workers' compensation leave.
2. If an injured employee has reached maximum medical improvement and has been released to return to work by the authorized treating physician but has been assigned work restrictions which cannot be accommodated in the previous position, the City shall attempt to place the employee in another position that is suitable to the employee's capacity.

3. If an injured employee has not reached maximum medical improvement but is able to return to work with restrictions assigned by the authorized treating physician, the City shall provide a work assignment suitable to the employee's capacity and approved by the treating physician if such work is available.

Refusal of Suitable Employment

If an employee who is released to return to work by written statement of the authorized treating physician refuses suitable employment or work assignment, the employer shall request termination of disability compensation payments and implement separation procedures.

SECTION 21. MILITARY LEAVE

Regular employees who are members of the National Guard or Armed Forces Reserve have all leave and job rights under applicable state and federal law.

In addition to their rights under law, the City provides the following benefits:

Regular employees who are members of the National Guard or Armed Forces Reserve will be allowed fifteen (15) calendar day of military training leave annually with full Pay. If military duty is required beyond this fifteen (15) day period, the employee shall be eligible to elect to take accumulated vacation leave, or be placed in a leave without pay status once accrued vacation leave is exhausted. While on military leave – either with or without pay – the employee's leave credits and other benefits shall continue to accrue as if the employee physically remained with the City during this period, to the full extent permitted under the City's benefit policies and applicable law.

SECTION 22. CIVIL LEAVE

A City employee called for jury duty or as a court witness for the federal or state governments, or a subdivision thereof, shall receive leave with pay for such duty during the required absence without charge to accumulated leave. The employee may keep fees and travel allowances received for jury or witness duty in addition to regular compensation; except, that employees must turn over to the City any witness fees or travel allowance awarded by that court for court appearances in connection with official duties. While on civil leave, benefits and leave shall accrue as though on regular duty.

SECTION 23. PARENTAL SCHOOL LEAVE

A City employee who is a parent, guardian, or person standing in loco parentis (in place of the parent) may take up to four hours of unpaid leave annually to involve him or herself in school activities of his or her child(ren). This leave is subject to the three following conditions:

- a) The leave must be taken at a time mutually agreed upon by the employee and the City;
- b) The City may require the employee to request the leave in writing at least 48 hours prior to the time of the desired leave; and
- c) The City may require written verification from the child's school that the employee was involved at the school during the leave time.

Paid leave (vacation time or compensatory time) taken by an employee to attend to school activities of his or her child shall count toward the fulfillment of this provision by the City.

SECTION 24. SHARED LEAVE

The City's Shared Leave policy provides the opportunity for an employee to donate vacation leave to another employee on an "employee to employee" basis. This is a benefit supported solely by the contribution of vacation leave and is designed to provide extended sick leave benefits due to a serious medical condition of the employee or a member of the employee's family who lives in the employee's place of residence, or children, stepchildren, parents or spouse, regardless of place of residence; and will require the employee's absences for an extended period of time (at least 4 weeks).

In order to be eligible to receive voluntary shared leave an employee must have complied with the existing leave policies and:

- a) Recipient must work in a regular full-time position for at least one (1) year, serving at minimum of 30 hours per week.
- b) Have a prolonged serious medical condition (or a member of the employee's family as described above) that requires the employee's absence for a prolonged period of time.
- c) Have exhausted all accrued leave (vacation, sick, compensatory time)

- d) Short term, incidental, non-critical medical situations, including normal pregnancies not requiring bed rest, and absences for well-baby care are not considered *Verifiable Medical Emergencies*.
- e) Absences covered by worker's compensation shall not be considered under this policy.
- f) Employees, who have given notice that they are resigning or retiring from the City, shall not be eligible to donate leave under this policy.
- g) Apply to become a recipient.
- h) Produce medical certification documenting the need for the leave beyond the available accumulated leave including the estimated length of time needed, and
- i) Be approved by the City Manager.

Upon approval, any additional unused donated leave shall be returned to the donor on a prorated basis and credited to the leave account from which it was donated. If a recipient separates from employment, participation in the program ends and donated leave will be returned to the donor on the same prorated basis.

An employee on short-term disability will only be allowed to use shared leave in increments to supplement short-term disability payments. At no time shall the combination of the shared leave and the short-term disability payments exceed the employees' normal net compensation after taxes.

The Human Resources Director will establish a system of leave accountability and record keeping.

No employee will be allowed to intimidate, threaten, or coerce any other employee for the purpose of interfering with any right which the employee may have with respect to donating, receiving, or using leave under this program. Any such action may be grounds for disciplinary action.

Federal and State privacy laws require that medical information remain confidential. Therefore, when disclosing information on an approved recipient (employee or family member), only a statement that the recipient has a prolonged medical condition can be made. If the recipient wishes to make either his or her identity or his or her medical status public, then he or she must sign a release to allow the information to be known.

ARTICLE VIII. SEPARATION AND REINSTATEMENT

SECTION 1. TYPES OF SEPARATIONS

All separations of employees from positions in the service of the City shall be designated as one of the following types and shall be accomplished in the manner indicated: resignation, reduction in force, disability, voluntary retirement, dismissal, or death.

SECTION 2. RESIGNATION

An employee may resign by submitting the reasons for resignation and the effective date in writing to their immediate supervisor as far in advance as possible. In all instances, the minimum notice requirement is two weeks; four weeks for Department Heads. Failure to provide minimum notice shall result in forfeit of payment for accumulated vacation unless the notice is waived upon recommendation of the Department Head and approval by the City Manager.

Three consecutive days of absence without contacting the immediate supervisor or Department Head may be considered to be a voluntary resignation. Sick leave will only be approved during the final two weeks of a notice with a physician's certification or comparable documentation.

SECTION 3. REDUCTION IN FORCE

In the event that a reduction in force becomes necessary, consideration shall be given to the quality of each employee's performance, organizational needs, and seniority in determining those employees to be retained. Employees who are separated because of a reduction in force shall be given at least two weeks' notice of the anticipated action. No regular employee shall be separated because of a reduction in force while there are temporary or probationary employees serving in the same class in the department, unless the regular employee is not willing to transfer to the position held by the temporary or probationary employee.

SECTION 4. DISABILITY

An employee who cannot perform the essential duties of a position because of a physical or mental impairment may be separated for disability. Action may be initiated by the employee or the City. In cases initiated by the employee, such action must be accompanied by medical evidence acceptable to the City Manager. The City may require an examination, at the City's expense, performed by a physician of the City's choice.

SECTION 5. RETIREMENT

An employee who meets the conditions set forth under the provision of the North Carolina Local Government Employee's Retirement System may elect to retire and receive all benefits earned under the retirement plan.

SECTION 6. DEATH

Separation shall be effective as of the date of death. All compensation due shall be paid to the estate of the employee.

SECTION 7. DISMISSAL

An employee may be dismissed in accordance with the provisions and procedures of Article IX.

SECTION 8. REINSTATEMENT

An employee who is separated because of reduction in force may be reinstated within one year of the date of separation, upon recommendation of the Department Head, and upon approval of the City Manager. An employee who is reinstated in this manner shall be re-credited with his or her previously accrued sick leave.

SECTION 9. REHIRING

An employee who resigns while in good standing may be rehired with the approval of the City Manager, and may be regarded as a new employee, subject to all of the provisions of rules and regulations of this Policy. An employee in good standing who is separated due to a reduction in force shall be given the first opportunity to be rehired in the same or a similar position.

ARTICLE IX. UNSATISFACTORY JOB PERFORMANCE AND DETRIMENTAL PERSONAL CONDUCT

Because the City aspires to high standards of performance and behavior from its employees, it has established a progressive discipline policy. This policy is intended for guidance and does not entitle employees to progressive discipline in all situations. This discipline policy does not alter the at-will nature of employment.

SECTION 1. DISCIPLINARY ACTION FOR UNSATISFACTORY JOB PERFORMANCE

A regular employee may be placed on disciplinary suspension, demoted, or dismissed for unsatisfactory job performance. Ordinarily, the procedure outlined below should be followed; however it is within the Department Head's discretion, with the concurrence of the Human Resources Director, to bypass any or all of the below procedures when this is deemed to be in the best interest of the City.

The City Manager may delegate the responsibility to Department Heads in all cases of disciplinary suspension, demotion or dismissal. Department Heads must work closely with the Human Resources Director in all cases of disciplinary suspension, demotion or dismissal to ensure compliances with all applicable policies.

SECTION 2. UNSATISFACTORY JOB PERFORMANCE DEFINED

Unsatisfactory job performance includes any aspects of the employee's job which are not performed as required to meet the standards set by the Department Head or City Manager.

Examples of unsatisfactory job performance include, but are not limited to, the following:

- 1) Demonstrated inefficiency, negligence, or incompetence in the performance of duties;
- 2) Careless, negligent or improper use of City property or equipment;
- 3) Physical or mental incapacity to perform duties after reasonable accommodation;
- 4) Discourteous treatment of the public or other employees;
- 5) Absence without approved leave;
- 6) Improper use of leave privileges;
- 7) Failure to report for duty at the assigned time and place;
- 8) Failure to complete work within time frames established in work plan or work standards;
- 9) Failure to meet work standards over a period of time; or
- 10) Failure to follow the chain of command to address work-related issues.
- 11) Violation or neglect of safety rules, including unsafe actions, failure to promptly report a work-related injury or accident.
- 12) Conduct that discredits the employee or the City or willful conduct resulting in the misrepresentation of the City.
- 13) Failure to adhere to traffic laws while operating City vehicles or conducting work related business in personal vehicles.
- 14) Failure to comply with the Computer Usage Policy.

Provision to follow the chain of command DOES NOT apply in the following circumstances:

- a) an employee may discuss any concerns he/she has with the Human Resources Director at any time;
- b) an employee may contact the City Manager directly concerning a harassment complaint;
- c) an employee may contact the City Manager directly concerning a discrimination complaint.

SECTION 3. COMMUNICATION AND WARNING PROCEDURES PRECEDING DISCIPLINARY ACTION FOR UNSATISFACTORY JOB PERFORMANCE

When an employee's job performance is unsatisfactory, or when incidents or inappropriate actions warrant, the supervisor shall meet with the employee as soon as possible in one or more counseling sessions to discuss specific performance problems. A brief summary of these counseling sessions shall be noted in the employee's file by the supervisor. These counseling sessions should be communicated to the Human Resources Director by the supervisor.

An employee whose job performance is unsatisfactory over a period of time should normally, but not necessarily, receive at least two documented warnings, one of which may be in the final written warning, from the supervisor before disciplinary action resulting in dismissal is taken by the Department Head; however it is within the Department Head's discretion, with the concurrence of the Human Resources Director, to bypass any or all of the below procedures when this is deemed to be in the best interest of the City.

Where such meetings occur, the supervisor should record the dates of discussions with the employee, the performance deficiencies discussed, the corrective actions recommended, and the time limits set. If the employee's performance continues to be unsatisfactory, then the supervisor should ordinarily use the following steps:

- 1) A final written warning from the supervisor serving notice upon the employee that corrected performance must take place immediately in order to avoid suspension, demotion, or dismissal.
- 2) If performance does not improve, a written recommendation should be sent to the Department Head for disciplinary action such as suspension, demotion, or dismissal.

In the event that a supervisor is not present within a Department, the Department Head will assume the role of the supervisor in the above stated outline. During all stages of the process the Department should be communicating with the Human Resources Director. The City Manager assumes the role of the supervisor in the above stated outline for Department Heads in regards to disciplinary action for unsatisfactory job performance.

Demotions are appropriate when an employee has demonstrated inability to perform successfully in the current job, but shows promise and commitment to performing successfully in a lower level job. If no other options are available, dismissal is appropriate.

If after suspension or demotion, the employee's performance does not reach an acceptable level, the employee may be dismissed.

SECTION 4. DISCIPLINARY ACTION FOR DETRIMENTAL PERSONAL CONDUCT

Upon agreement between the Department Head and the Human Resources Director, an employee may be placed on disciplinary suspension, demoted, or dismissed without prior warning for causes relating to personal conduct detrimental to City service in order to 1) avoid undue disruption of work; 2) to protect the safety of persons or property; or 3) for other serious reasons.

The City Manager is responsible for any disciplinary action for Department Heads regarding detrimental personal conduct as defined below.

SECTION 5. DETRIMENTAL PERSONAL CONDUCT DEFINED

Detrimental personal conduct includes behavior of such a serious detrimental nature that the functioning of the City may be or has been impaired; the safety of persons or property may be or have been threatened; or the laws of any government may be or have been violated.

Examples of detrimental personal conduct include, but are not limited to, the following:

- 1) Fraud or theft;
- 2) Conviction of a felony or the entry of a plea of nolo contendere thereto;
- 3) Falsification of records for personal profit, to grant special privileges, or to obtain employment;
- 4) Willful misuse or gross negligence in the handling of City funds or inappropriate personal use of equipment, supplies or computers;
- 5) Willful or wanton damage or destruction to property;
- 6) Willful or wanton acts that endanger the lives and property of others;
- 7) Possession of unauthorized firearms or other lethal weapons on the job;
- 8) Brutality or excessive force in the performance of duties;
- 9) Reporting to work under the influence of alcohol or drugs or partaking of such while on duty. Prescribed medication may be taken within the limits set by a physician as long as medically necessary and does not impair job performance and the supervisor is notified;
- 10) Engaging in incompatible employment or serving a conflicting interest;
- 11) Request or acceptance of gifts in exchange for favors or influence;
- 12) Engaging in political activity prohibited by this Policy;
- 13) Harassment of an employee(s) and/or the public on the basis of sex or any other protected class status; or
- 14) Harassment of an employee or the public with threatening or obscene language and/or gestures;
- 15) Stated refusal to perform assigned duties, flagrant violation of work rules and regulations, or serious malfeasance of work;
- 16) Unauthorized release of confidential information or official records;
- 17) Failure to follow the grievance procedure set forth herein in reporting a grievance;
- 18) Gross negligence in operating City vehicle or personal vehicle while conducting City business.

SECTION 6. CONFERENCE

Before suspension, demotion, or dismissal action is taken, whether for failure in personal conduct or failure in performance of duties, the Department Head, with the Human Resources Director will conduct a conference with the employee. At this conference, the employee in attendance may present any response to the proposed disciplinary action. The Department Head will consider the employee's response, if any, to the proposed disciplinary action and will, within three working days following the conference; notify the employee in writing of the final decision. If the employee is dismissed, the notice shall contain a statement of the reasons for the action and employee's appeal rights.

The City Manager, in cases for Department Heads, will hold a conference consistent with the outline above.

SECTION 7. ADMINISTRATIVE LEAVE

With the approval of the City Manager, a department head may impose administrative leave (with or without pay) on any employee who has been accused of some action which, if the accusation is substantiated, would constitute a cause for disciplinary action. There may be no appeal from a ~~non-disciplinary suspension~~ Administrative leave period.

If administrative leave is imposed, the employee shall be notified in writing that the ~~suspension-leave~~ is non-disciplinary and temporary in nature (for example, pending the outcome of an investigation). Additionally, the employee will be told what the accusations or allegations are that triggered the ~~suspension-leave~~ and why an administrative leave ~~-suspension~~ has been imposed in the particular case. If the allegations or accusations are the subject of an internal investigation, such investigation shall be completed within 90 days of the commencement of the ~~suspension-leave period~~ unless prevented by events beyond the control of the City. If it is determined (through criminal trial, internal investigation or otherwise) that the charges are not substantiated, then the employee shall be reinstated with full recovery of any lost wages or benefits. If it is determined that the charges are substantiated, then appropriate disciplinary action may be taken in accordance with City policy. If an employee has been suspended without pay pending the outcome of the investigation and the employee is not dismissed and the discipline imposed is less severe than the suspension without pay the employee has already experienced, the employee may be entitled to partial recovery of lost wages or benefits according to the discipline imposed.

ARTICLE X. GRIEVANCE PROCEDURE AND ADVERSE ACTION APPEAL

SECTION 1. POLICY

It is the policy of the City to provide a just procedure for the presentation, consideration, and disposition of employee grievances. The purpose of this article is to outline the procedure and to assure all employees that a response to their complaints and grievances will be prompt and fair.

Employees utilizing the grievance procedures shall not be subjected to retaliation or any form of harassment from supervisors or employees for exercising their rights under this policy. Supervisors or other employees who violate this policy shall be subject to disciplinary action up to and including dismissal from City service.

SECTION 2. GRIEVANCE DEFINED

A grievance is a claim or complaint by a current or a former employee based upon an event or condition, which affects the circumstances under which an employee works, allegedly caused by misinterpretation, unfair application, or lack of established policy pertaining to employment conditions.

SECTION 3. PURPOSES OF THE GRIEVANCE PROCEDURE

The purposes of the grievance procedure include, but are not limited to:

- 1) Providing employees with a procedure by which their complaints can be considered promptly, fairly, and without reprisal;
- 2) Encouraging employees to express themselves about the conditions of work which affect them as employees;
- 3) Promoting better understanding of policies, practices, and procedures which affect employees;
- 4) Increasing employees' confidence that personnel actions taken are in accordance with established, fair, and uniform policies and procedures; and
- 5) Increasing the sense of responsibility exercised by supervisors in dealing with their employees.
- 6) Encouraging conflicts to be resolved between employees and supervisors who must maintain an effective future working relationship, and therefore, encouraging conflicts to be resolved at the lowest level possible of the chain of command; and
- 7) Creating a work environment free of continuing conflicts, disagreements, and negative feelings about the City or its leaders, thus freeing up employee motivation, productivity, and creativity.

SECTION 4. PROCEDURE

When an employee has a grievance, the following successive steps are to be taken unless otherwise provided. The number of days indicated for each step should be considered the maximum, unless otherwise provided, and every effort should be made to expedite the process. However, the time limits set forth may be extended by mutual consent. The last step initiated by an employee shall be considered to be the step at which the grievance is resolved. A decision to rescind a disciplinary suspension, demotion or dismissal must be approved by the City Manager after a recommendation from the Department Head and Human Resources Director.

The grievance procedure may be altered by deletion of step 1 with the following qualifying events:

- 1) In the case of dismissal the former employee has five working days to submit an appeal to the City Manager and begin the procedure at Step 2 upon notification to the Human Resources Director.
- 2) In the event a situation is present that has been formally discussed and documented with an employee, Department Head and Human Resources Director, the steps outlined in number one are void. The employee who wishes to file for a grievance can submit an appeal to the City Manager, outlined in Step 2, upon notification to the Human Resources Director.

Informal Resolution. Prior to the submission of a formal grievance, the employee and supervisor should meet to discuss the problem and seek to resolve it informally. Either the employee or the supervisor may involve the respective Department Head as a resource to help resolve the grievance. In addition, the employee or supervisor may request mediation from a local mediation services or other qualified parties to resolve the conflict, upon approval of the Human Resources Director. Mediation may be used at any step in the process when mutually agreed upon by the employee and relevant City supervisor or Manager. Mediation is the process where a neutral party assists the parties in conflict with identifying mutually agreeable solutions or understandings.

Step 1. If no resolution to the grievance is reached informally, the employee who wishes to pursue a grievance shall present the grievance to their Department Head in writing. The grievance must be presented within five (5) working days of the event or learning of the event or condition. Upon receipt of this notification the Department Head will alert the City Manager and the Human Resources Director. The Department Head shall respond to the grievance within five working days after receipt of the grievance. The Department Head, should, and is encouraged to, consult with any employee of the City in order to reach a correct, impartial, fair and equitable determination or decision concerning the grievance. Any employee consulted by the Department Head is required to cooperate to the fullest extent possible.

The response from the Department Head for each step in the formal grievance process shall be in writing and signed by the Department Head. In addition, the employee shall sign a copy to acknowledge receipt thereof. The responder at each step shall send copies of the grievance and response to the Human Resources Director.

Step 2. If the grievance is not resolved to the satisfaction of the employee at the end of Step 1, the employee may appeal, in writing, to the City Manager within five (5) working days after receipt of the response from Step1. The City Manager shall respond to the appeal, stating the determination of decision within ten (10) working days after receipt of the appeal.

~~**Step 3.** If the grievance has not been resolved to the satisfaction of the employee at the end of Step 2, the employee may request a hearing before the Personnel Board. Such request must be in writing and be submitted to the Personnel Board no later than five (5) working days after the City Manager's response in Step 2 of this procedure.~~

~~The Personnel Board will act upon the case within fifteen (15) working days following receipt of the written request for a hearing and submit to the City Manager a report in which it shall summarize its findings and state its recommendation in the case. Time allotted for action may be extended when quorum is not available, not to exceed a total of thirty (30) days, unless agreed upon by both parties.~~

~~**Step 4.** Upon receipt of the Personnel Board findings the City Manager will make a decision within five (5) working days. The City Manager's decision will be final.~~

Grievance Accountabilities: Any grievance not processed in accordance with the time limits provided above shall be considered abandoned conclusively. Any grievance not answered by management in the time limits provided above automatically advances to the next higher step of the grievance procedures.

SECTION 5. ROLE OF THE HUMAN RESOURCES DIRECTOR

Throughout the grievance procedure, the role of the Human Resources Director shall be as follows:

- 1) To advise parties (including employee, supervisors, Department Head, and City Manager) of their rights and responsibilities under this policy, including interpreting the grievance and other policies for consistency of application;
- 2) To be a clearinghouse for information and decisions in the matter including maintaining files of all grievance documents.
- 3) To give notices to parties concerning timetables of the process, etc.;
- 4) To assist employees and supervisors in drafting statements; and
- 5) To facilitate the resolution of conflicts in the procedures or of the grievance at any step in the process; and
- 6) To help locate mediation or other resources as needed.

SECTION 6. GRIEVANCE AND ADVERSE ACTION APPEAL PROCEDURE FOR DISCRIMINATION

When an employee, former employee, or applicant, believes that any employment action discriminates illegally (i.e. is based on age, sex, race, color, national origin, religion, creed, political affiliation, or non-job related handicap), he or she has the right to appeal such action using the grievance procedure outlined in this Article (Section 4 above). While such persons are encouraged to use the grievance procedure, they shall also have the right to appeal directly to the City Manager ~~or Personnel Board~~. Employment actions subject to appeal because of discrimination include promotion, training, classification, pay, disciplinary action, transfer, layoff, failure to hire, or termination of employment. An employee or applicant must appeal an alleged act of discrimination within thirty calendar days of the alleged discriminatory action.

ARTICLE XI. RECORDS AND REPORTS

SECTION 1. PUBLIC INFORMATION

In compliance with GS 160A-168, the following information with respect to each City employee is a matter of public record: name; age; date of original employment or appointment to the service; the terms of any contract by which the employee is employed whether written or oral, past and current, to the extent that the city has the written contract or a record of the oral contract in its possession; current position title; current salary; date and amount of the most recent increase or decrease in salary; date of the most recent promotion, demotion, transfer, suspension, separation, or other change in position classification; and the office to which the employee is currently assigned. For the purposes of this subsection, the term "salary" includes pay, benefits, incentives, bonuses, and deferred and all other forms of compensation paid by the employing entity. Any person may have access to this information for the purpose of inspection, examination, and copying, during regular business hours, subject only to such rules and regulations for the safekeeping of public records as the City may adopt.

SECTION 2. ACCESS TO CONFIDENTIAL RECORDS

All information contained in a City employee's personnel file, other than the information mentioned above is confidential and shall be open to inspection only in the following instances:

- 1) The employee or his duly authorized agent may examine all portions of his personnel file except (i) letters of reference solicited prior to employment, and (ii) information concerning a medical disability, mental or physical, that a prudent physician would not divulge to his patient.
- 2) A licensed physician designated in writing by the employee may examine the employee's medical record.
- 3) A city employee having supervisory authority over the employee may examine all material in the employee's personnel file.
- 4) By order of a court of competent jurisdiction, any person may examine such portion of an employee's personnel file as may be ordered by the court.
- 5) An official of an agency of the State or federal government, or any political subdivision of the State, may inspect any portion of a personnel file when such inspection is deemed by the official having custody of such records to be necessary and essential to the pursuance of a proper function of the inspecting agency, but no information shall be divulged for the purpose of assisting in a criminal prosecution (of the employee), or for the purpose of assisting in an investigation of (the employee's) tax liability. However, the official having custody of such records may release the name, address, and telephone number from a personnel file for the purpose of assisting in a criminal investigation.
- 6) An employee may sign a written release, to be placed with his personnel file, that permits the person with custody of the file to provide, either in person, by telephone, or by mail,

information specified in the release to prospective employers, educational institutions, or other persons specified in the release.

- 7) The city manager, with concurrence of the council, may inform any person of the employment or nonemployment, promotion, demotion, suspension or other disciplinary action, reinstatement, transfer, or termination of a city employee and the reasons for that personnel action. Before releasing the information, the manager or council shall determine in writing that the release is essential to maintaining public confidence in the administration of city services or to maintaining the level and quality of city services. This written determination shall be retained in the office of the manager or the city clerk, and is a record available for public inspection and shall become part of the employee's personnel file.
- 8) Even if considered part of an employee's personnel file, the following information need not be disclosed to an employee nor to any other person:
- 9) Testing or examination material used solely to determine individual qualifications for appointment, employment, or promotion in the city's service, when disclosure would compromise the objectivity or the fairness of the testing or examination process.
- 10) Investigative reports or memoranda and other information concerning the investigation of possible criminal actions of an employee, until the investigation is completed and no criminal action taken, or until the criminal action is concluded.
- 11) Information that might identify an undercover law enforcement officer or a law enforcement informer.
- 12) Notes, preliminary drafts and internal communications concerning an employee. In the event such materials are used for any official personnel decision, then the employee or his duly authorized agent shall have a right to inspect such materials.

The city council may permit access, subject to limitations they may impose, to selected personnel files by a professional representative of a training, research, or academic institution if that person certifies that he will not release information identifying the employees whose files are opened and that the information will be used solely for statistical, research, or teaching purposes. This certification shall be retained by the city as long as each personnel file examined is retained.

Notwithstanding any provision of this section to the contrary, the Retirement Systems Division of the Department of State Treasurer may disclose the name and mailing address of former local governmental employees to domiciled, nonprofit organizations representing 2,000 or more active or retired State government, local government, or public school employees.

SECTION 3. PERSONNEL ACTIONS

The Human Resources Director, with the approval of the City Manager, will prescribe necessary forms and reports for all personnel actions and will retain records necessary for the proper administration of

the personnel system. There shall be one set of official personnel files, centrally located as designated by the City Manager, normally in the Human Resources office. These files shall contain documents such as employment applications and related materials, records of personnel actions, documentation of employee warnings, Disciplinary actions, performance evaluations, retirement and insurance records, letters of recommendation, and other personnel-related documents.

SECTION 4. RECORDS OF FORMER EMPLOYEES

The provisions for access to records apply to former employees as they apply to present employees.

SECTION 5. REMEDIES OF EMPLOYEES OBJECTING TO MATERIAL IN FILE

An employee who objects to material in his/her file may place a statement in the file relating to the material considered to be inaccurate or misleading. The employee may seek removal of such material in accordance with established grievance procedures.

SECTION 6. INTERNAL INVESTIGATION RECORDS

Records relating to internal investigation into the conduct of an employee shall be kept separate from the personnel files. Such records shall be kept confidential and no person may have access to such records or disclose any information contained therein without the written approval of the City Manager.

If an internal investigation is undertaken in response to a complaint by a citizen, then the City Manager may disclose to the complainant that an investigation was made and whether the charge was founded or unfounded. The City may not disclose the nature of any disciplinary action taken except to the extent authorized by Section 7 of this Article.

SECTION 7. PENALTIES FOR PERMITTING ACCESS TO CONFIDENTIAL RECORDS

Section 160A-168 of the General Statutes provides that any public official or employee who knowingly and willfully permits any person to have access to information contained in a personnel file, except as is permitted by the general statutes, is guilty of a Class 3 misdemeanor and upon conviction shall be fined in an amount specified by the general statutes.

SECTION 8. EXAMINING AND/OR COPYING CONFIDENTIAL MATERIAL WITHOUT AUTHORIZATION

Section 160A-168 of the General Statutes of North Carolina provides that any person, not specifically authorized to have access to a personnel file designated as confidential, who shall knowingly and willfully examine in its official filing place, remove or copy any portion of a confidential personnel file shall be guilty of a misdemeanor and upon conviction shall be fined consistent with the General Statutes.

SECTION 9. DESTRUCTION OF RECORDS REGULATED

No public official may destroy, sell, loan, or otherwise dispose of any public record, except in accordance with GS 121.5, without the consent of the State Department of Cultural Resources. Whoever unlawfully removes a public record from the office where it is usually kept, or whoever, alters, defaces, mutilates or

destroys it will be guilty of a misdemeanor and upon conviction will be fined in an amount provided in Policy 132.3 of the General Statutes.

Destruction of any public record(s) shall be coordinated with the City Clerk and disposed of in compliance with the Records Retention Schedule as adopted by Council. A complete list of records to be destroyed shall be filed with the City Clerk prior to destruction.

~~ARTICLE XII. PERSONNEL BOARD~~

~~SECTION 1. CREATION, NUMBER OF MEMBERS, DUTIES~~

~~A Personnel Board for the City, consisting of three (3) members, is hereby created. The duties of the Board are:~~

- ~~1) To advise the City Manager, Personnel Director, and City Council on matters of personnel policy.~~
- ~~2) To represent the public interest in the improvement of personnel administration.~~
- ~~3) To hold and conduct hearings involving appeals of any employee from any decision affecting his employment or terms and conditions thereof made by the administrative officer of the City and submit a report with findings and recommendations on disposition of the case to the City Manager.~~

~~SECTION 2. COMPOSITION; OFFICERS~~

~~The members of the Personnel Board shall be appointed by City Council. Each member shall serve for a period of three (3) years except that in the initial setup of membership of the Personnel Board, one member shall be selected for a term of one year, one member for a term of two (2) years, and one member for a term of three (3) years. On the expiration of the term of membership for those initially selected for one year or two (2) terms their successors shall be selected for full terms of three (3) years. Members of the Board shall select yearly from their own membership a chairman to serve at the pleasure of the Board; the Human Resources Director shall serve as Executive Secretary and Clerk to the Board. No person who has been convicted of a crime involving moral turpitude shall be eligible to hold such office.~~

~~SECTION 3. REMOVAL~~

~~Members of the Personnel Board may be removed by the City Council by majority vote for incompetency, neglect of duty, or malfeasance in office. In the event of resignation or death of a board member or his removal from office, the City Council shall within twenty (20) days, appoint a member to fill the unexpired term of office.~~

~~SECTION 4. MEETINGS~~

~~The Personnel Board shall hold not less than one regular meeting quarterly and may hold other meetings at the call of the chairman as may be required for the transaction of the business of the Board or when deemed necessary. The Personnel Board must have all three regular members present to hold a regular meeting or hear a case during a grievance procedure. In the event of a grievance procedure, the alternates should make every effort to attend~~

CITY OF BREVARD

PERSONNEL POLICY ACKNOWLEDGMENT FORM

I have received a copy of the City of Brevard's Personnel Policy.

I am agreeing to work under these standards and guidelines as outlined in the policy.

I understand these policies are a guide for procedures, benefits, and general information only and is in no way contractual in nature.

I understand the City reserves the right to make changes to these policies and procedures upon the approval of the City Council.

My signature indicates I understand the above statements.

Employee Name (Printed): _____ Date: _____

Employee Signature: _____

Department: _____

HR Director Signature: _____ Date: _____

STAFF REPORT

City Council, Monday, May 1, 2023

Title: Classification and Compensation Study Presentation

Speaker: David Hill, Piedmont Triad Regional Council

Prepared by: Kelley Craig, Human Resources Director

Approved by: Wilson Hooper, City Manager

BACKGROUND:

In October 2022, City Council authorized the City Manager to award a contract to Piedmont Triad Regional Council to complete a Classification and Compensation study to evaluate the City's job classification and compensation programs and provide recommendations to help ensure the City was positioned to attract and retain a highly qualified and motivated workforce.

This work began in November of 2022 and is now complete. David Hill, the consultant with Piedmont Triad Regional Council, has submitted his findings and recommendations. Attached is the report that has been submitted with details of the project and recommendations for City Council's review.

The recommendations have been included in the manager's recommended budget for fiscal year 2023/2024. The policy change recommendations from this study are included in the Personnel Policy revisions that are being presented to City Council for consideration.

ACTION:

No action requested. For information and discussion only. This matter will run concurrently with the FY23/24 budget recommendation.

Attachments:

1. Classification and Compensation Study Report



PIEDMONT TRIAD REGIONAL COUNCIL

1398 CARROLLTON CROSSING DRIVE
KERNERSVILLE, NC 27284

(336) 904-0300

MATTHEW L. DOLGE • EXECUTIVE DIRECTOR

Pay Plan and Position Classification Study



April 20, 2023

Prepared and Presented By

Piedmont Triad Regional Council
1398 Carrollton Crossing Drive
Kernersville, NC 27284



Mr. Wilson Hooper
Manager, City of Brevard
95 W. Main Street
Brevard, North Carolina 28712

April 20, 2023

RE: Pay Plan and Classification Study

Dear Mr. Hooper,

On behalf of Piedmont Triad Regional Council, I thank you for the opportunity to conduct this Pay Plan and Classification Study for the City of Brevard (the "City"). The report which follows represents an analysis of the City's present position classification system and pay plan. It includes our methodology with respect to pay comparisons with competing labor markets and recommendations on amending the City's current Pay Plan. Also included are recommendations for changes in the grade assignments of individual position classifications and/or proposed employee pay changes.

The effectiveness of local government is measured in several ways. Two of the most important dimensions are the stewardship of public dollars and the delivery of services to citizens. The information contained in this report is based on a comprehensive review and comparable analysis of the City's classification system with previously identified local government entities in the City's relevant labor market. The analysis provides the data to ensure the City's salary grade structure remains competitive with other employers in the relevant market area. The recommendations are designed to ensure both salary grades and salary ranges are sufficient for the City to attract and retain well qualified employees as well as retain existing staff to meet varied service delivery requirements.

I appreciate the hospitality and cooperation extended to me from everyone in the City, especially employee assistance by completion of the Position Analysis Questionnaires.

Respectively Submitted,

David Hill

Management Analysts
Piedmont Triad Regional Council

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I. Overview

Piedmont Triad Regional Council (PTRC) was contracted to conduct a Pay and Classification study for each approved and budgeted position to determine the effectiveness of the City's pay plan and analyze each position for correct placement within the pay plan vis-à-vis market and internal relationships.

A pay and classification system establishes the basis by which employees are compensated and periodic studies will ensure external competitiveness and internal equity. The external competitive analysis of this study focused on those geographically located local governments that were identified as being a combination of:

- Competitors for talent
- Similar in size and/or services provided
- Similar in job functions

Those identified and surveyed local government entities are:

Asheville	Waynesville
Black Mountain	Weaverville
Fletcher	Woodfin
Forest City	Henderson County
Hendersonville	Jackson County
Shelby	Transylvania County

A formal job analysis of each position was completed to gain an understanding of the scope of responsibilities and the major job functions associated with each job. Employees completed a Position Description Questionnaire (PDQ) that was reviewed by the employee's supervisor before being forwarded to the Human Resources Director. The PDQ review and approval was followed by a comprehensive analysis of the data and information contained within each PDQ. Interviews were held with each Department Director to review organizational charts and gain additional information regarding each department workforce to ensure we had a full understanding of the uniqueness of each department and position. To enhance our understanding of the City's workforce, employee interviews were also conducted. After submission of the preliminary data, meetings were held with the City Manager, Human Resources Director and Assistant City Manager/Finance Director to provide an overview of the preliminary study results and recommendations followed by discussions and information exchange to identify relevant implementation options.

The relevancy of an effective market-based pay plan lies within the administration and methodology of establishing starting salaries for new employees and the systematic means by which experienced employees may advance across the salary range. Without an approved Pay Plan and salary administration methodology there will typically be a lack of consistency in salary administration as it relates to the establishment of new employee salaries as well as the systematic advancement of experienced employees. To that end, a recommended Pay Plan with established pay grades and ranges is included in this report.

As the City of Brevard continues to grow and change, it will be imperative for the City to offer competitive salaries to attract the best possible talent to serve the citizens. In order to remain competitive geographically and ensure all positions are properly classified and compensated, the pay and classification system must be properly maintained. To ensure this proper maintenance, a periodic and ongoing process is needed to review job responsibilities and that each individual job has a proper pay grade assignment that is both internally and externally competitive. This, in combination with an effective employee performance evaluation system, will provide overall performance management for the City, for each City Department, and for each individual employee.

II. Methodology

The following methodology was established and utilized to arrive at the stated and recommended outcomes contained herein:

Methodology for Position Classification:

- Initial meetings and communications included meeting with the City Manager and Human Resources Director to discuss the methodology of the study, potential issues regarding the full scope of work as well as discussing the study schedule, procedures, goals, project deliverables and employee completion of the Position Description Questionnaires (PDQ).
- Employee informational meetings were held to discuss the study and to review completion of the PDQ.
- The Human Resources Director provided necessary and timely workforce reports and documentation to assist in developing a full understanding of the City's present position classification structure.
- Employee position information generated by the completed PDQs was supplemented by Department Director meetings to ensure we received complete and accurate information regarding City positions.
- Collected data was analyzed to identify job families and to define the scope and different levels of work within each job family. Typical duties, knowledge, skills, abilities and other job-related characteristics were identified as required to perform the work. Based on this data, initial classification concepts and recommendations were produced and designed to appropriately describe the body of work being performed by employees.
- PTRC utilizes the whole job comparison method of job evaluation. The duties and responsibilities of individual positions are evaluated to determine their relative level of difficulty and responsibility. The factors used are generally accepted principles in human resources position analysis. The following are among the classification factors used in determining the level of each position:
 - Knowledge, skills, and abilities required
 - Difficulty, complexity, and variety of work performed
 - Decision making and judgment
 - Consequence of error
 - Nature, type, and significance of public contacts

- Supervision given
 - Supervision received
 - Working conditions
- Each classification was evaluated to ensure that content and titles were current, accurate, and consistent with Fair Labor Standards Act, Equal Employment Opportunity and Americans with Disabilities Act considerations.
- A meeting was held with the City Manager, Human Resources Director and Assistant City Manager/Finance Director to review and discuss the preliminary study findings and recommendations to solicit review and comments.
- Study results and recommendations were finalized and are presented to the City Manager by way of this report.
- Finalized study findings and recommendations are scheduled for presentation to the City Council.

Methodology for Pay Plan:

- Identified the relevant job market to base the comparative pay plan analysis. Primary emphasis was on those geographically similarly sized and comparatively staffed municipalities or who can be identified as natural competitors for the local workforce.
- Conducted the customized market salary survey focusing on identified benchmark positions within the workforce.
- Analyzed survey data and recommended a pay plan structure including pay grades and ranges as well as placement of individual classes within each pay grade.

III. Initial Workforce Analysis and Charts

Note: the following workforce analysis and chart information is based solely on the workforce demographics at the beginning of the pay and classification study and does not include any data associated with the pay and classification study. The pay and classification study data begins with Section V of this report.

The City of Brevard has a mature workforce as evidenced by the 8.87 average years of employment. Typically, across the state, we find that the average years of employment in local government is approximately 8 years. Even though the City meets our definition of a mature workforce, the initial workforce analysis found that 48.9% of the City's workforce have been employed less than five years and 64.4% have been employed less than 10 years. Our definition of a mature workforce is having an average year of employment of between 8 and 10 years.

With a mature workforce an employee with 8 or more years' experience in their classification, and performing their duties with demonstrated proficiencies and competencies, would be expected, in our opinion, to be earning the market rate, approximately 25% above the minimum of their salary grade range. However, the City of Brevard's average percentage above minimum is 15.8%. The City has 25.8% of the workforce with salaries less than 5% above their minimum salary and 28.7% of employees have salaries less than 10% above their pay grade minimum salary. One factor in having approximately a quarter of the workforce with compressed salaries is the number of relatively new employees who have not been employed long enough to have their salaries advance across their pay grade range. Another factor, discussed later in this report, is the use of a "hiring rate", a starting salary approximately 5% below the minimum salary of each grade range. A new employee is, typically, employed at the hiring rate and then has their salary advance to the grade range minimum salary after successful completion of their probationary period of employment.

Initial Workforce Summary

Total Service

<u>Employees By Total Service</u>	<u>Percentage</u>
Employed less than 2 years	34.4%
Employed less than 5 years	48.9%
Employed less than 10 years	64.4%
Average number of years employed	8.87 Years

Compensation

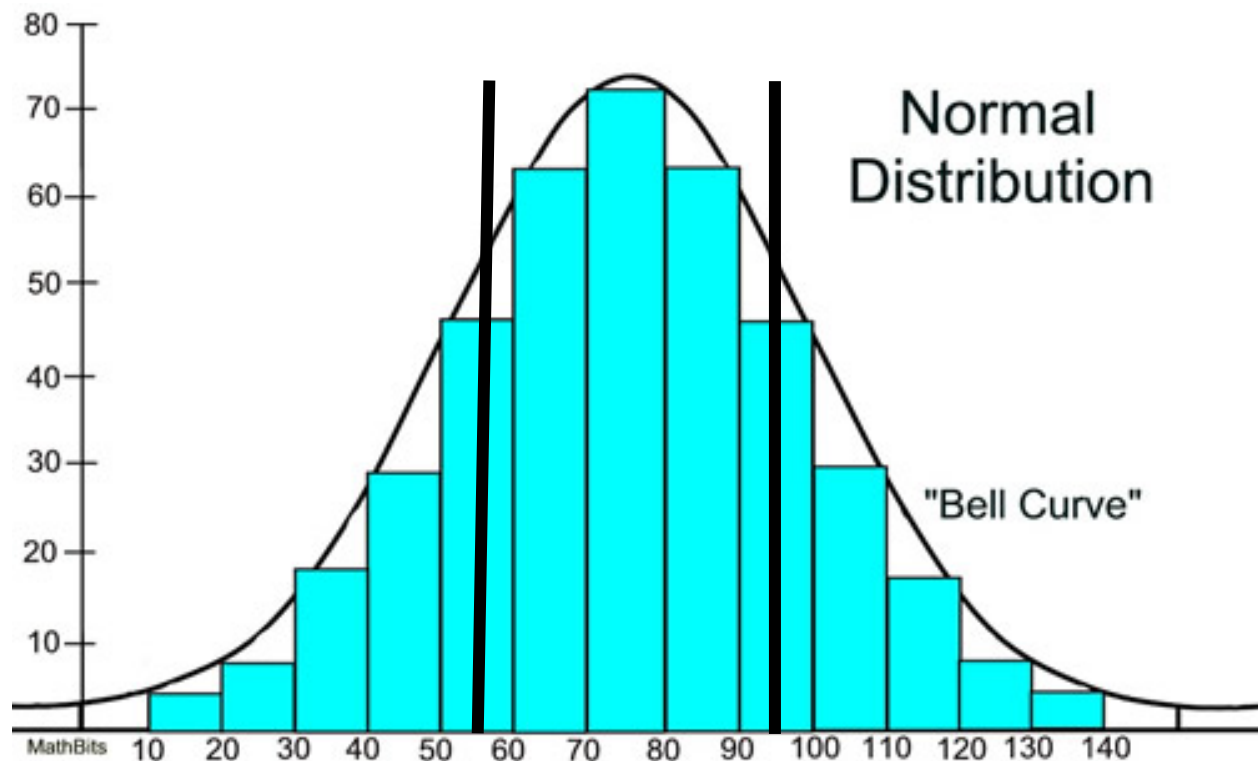
<u>Salaries in Current Job</u>	<u>Percentage</u>
Less than 5% above grade minimum	25.8%
Less than 10% above grade minimum	28.7%
Average Salary	\$53,445

Pay Plan

<u>Pay Plan Structure</u>	<u>Data Points</u>
Percent range spread (from hire to max salary)	50%
Percentage differential between grades	5%
Number of pay grades	24

The “Bell Curve”

The following workforce charts should be viewed with the backdrop of the standard deviation “Bell Curve”. All workforce measurements should be considered in relation to standard deviation (normal distribution) where a relatively few employees will be found on the extreme left and right sides of the scale while the majority of employees would be expected to appear at, or near, the midpoint of the scale, whether measuring length of employment, salaries, employee performance or any other workforce metric.



In a mature workforce (average length of employment between 8 and 10 years, approximately two-thirds of the workforce should, typically, be found in the middle one-third of standard deviation.

Note: We have a technical inability to produce an exact Bell Curve on the following charts and have substituted the Bell Curve with an arc to compare the City’s workforce data to the normal distribution.

Chart One

Employees Assigned to Each Pay Grade

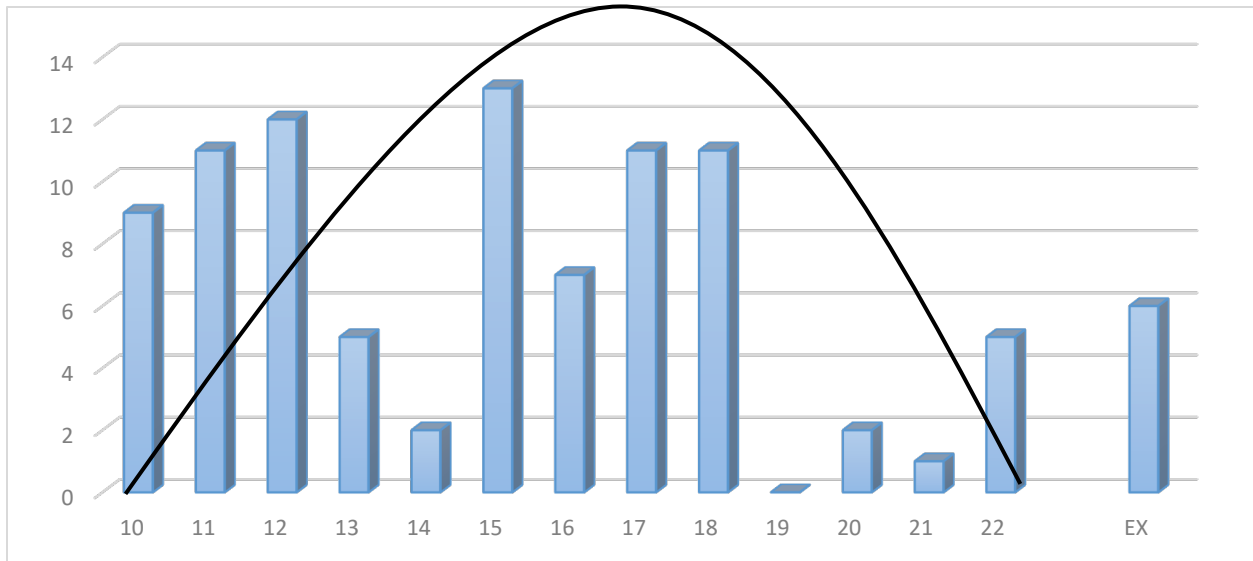


Chart One: This chart illustrates the number of employees working in positions assigned to each pay grade. The numbers on the vertical axis represent the number of employees working in classifications assigned to each pay grade. The horizontal axis represents each of the currently used grades.

- The first bar reflects the number of employees assigned to grade 10 (9 employees).
- The second bar reflects the number of employees assigned to grade 11 (11 employees).
- The third bar reflects the number of employees assigned to grade 12 (12 employees), etc.

This pay grade assignment chart reflects a typical distribution with less skilled classifications assigned to lower pay grades, technical and para professional classifications assigned to the middle grades and professional and management classifications assigned to higher pay grades.

Department Directors are assigned to a pay range band outside of the pay plan for other employees and are represented in the bar titled “EX”.

Chart Two

Employee Salaries in \$5,000 Increments

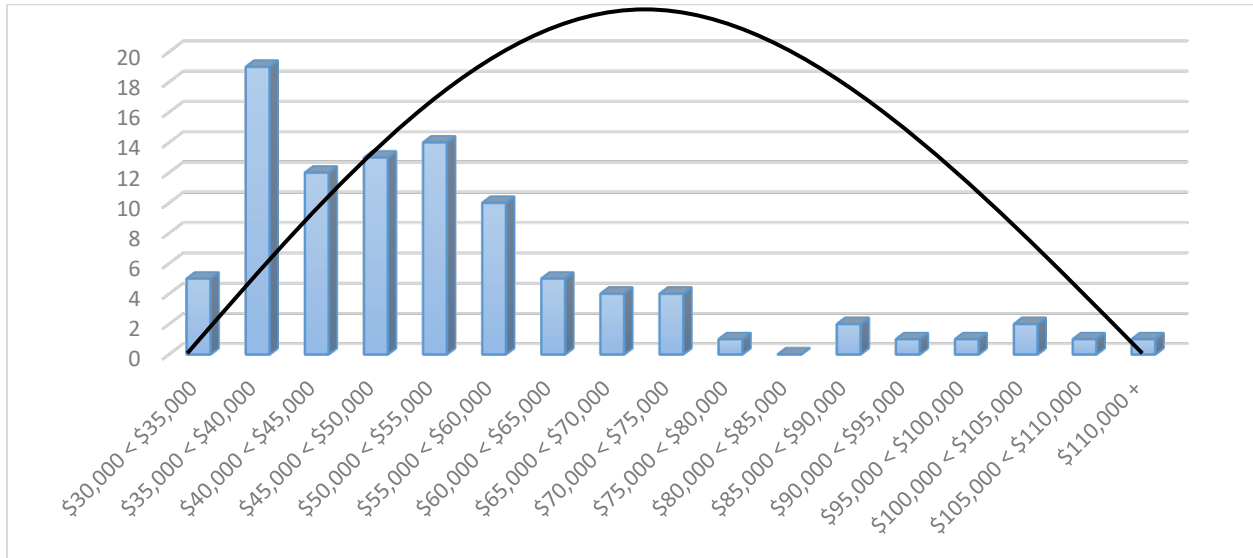


Chart Two: This chart identifies the number of employees by \$5,000 annual salary increments. The numbers on the vertical axis represent the number of employees while the amounts on the horizontal axis represent increments of five thousand dollars in annual salary.

- The first bar represents the number of employees earning annual salaries of at least \$30,000, but less than \$35,000 (5 employees)
- The second bar represents the number of employees earning annual salaries of at least \$35,000, but less than \$40,000 (19 employees)
- The third bar represents the number of employees earning annual salaries of at least \$40,000 but less than \$45,000 (12 employees), etc.

The greatest number of employees are those with annual salaries of at least \$35,000 but less than \$40,000. The average salary for all regular full-time employees is \$53,445.

Chart Three

Employees by Year of Employment

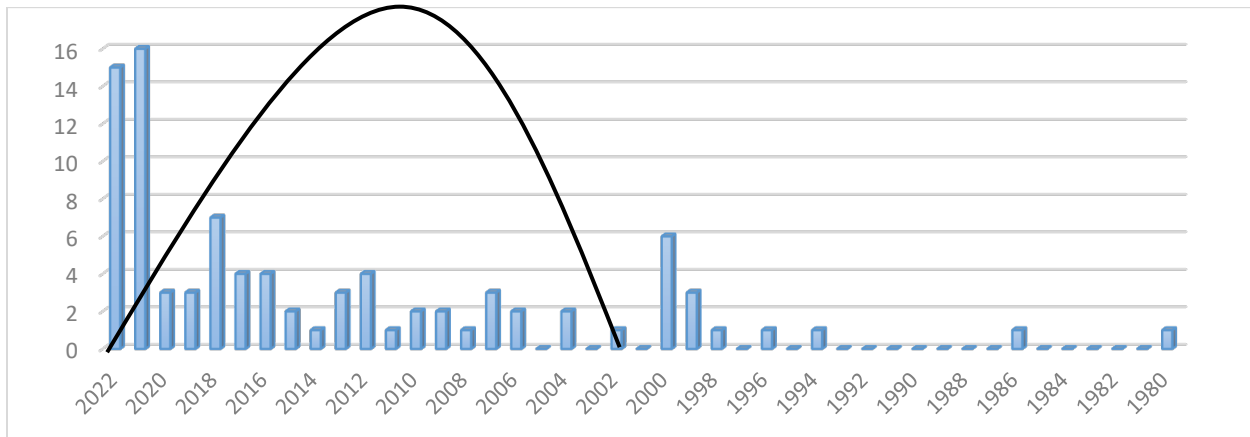


Chart Three: This chart shows the distribution of all regular full-time employees based on their year of employment. The data used for this workforce analysis was current as of the beginning of the present study, October 21, 2022. The average years of employment is 8.87 years. The arc represents a 20-year career.

This chart graphically shows that approximately one-half (48.9%) of employees have been employed less than 5 years and 64.4% have been employed less than 10 years. Of note regarding the information in this chart.

While this distribution of employees is based on their year of employment, not known are the number of employees hired during each of those years who are no longer employed.

Based on historical trends, into future years, the high bars on the left side of the graph will begin to resemble the bars to their right. This graph shows the historical dilemma each local government has regarding employee retention.

Chart Four

Employee Salaries as Percent Above Salary Grade Minimum

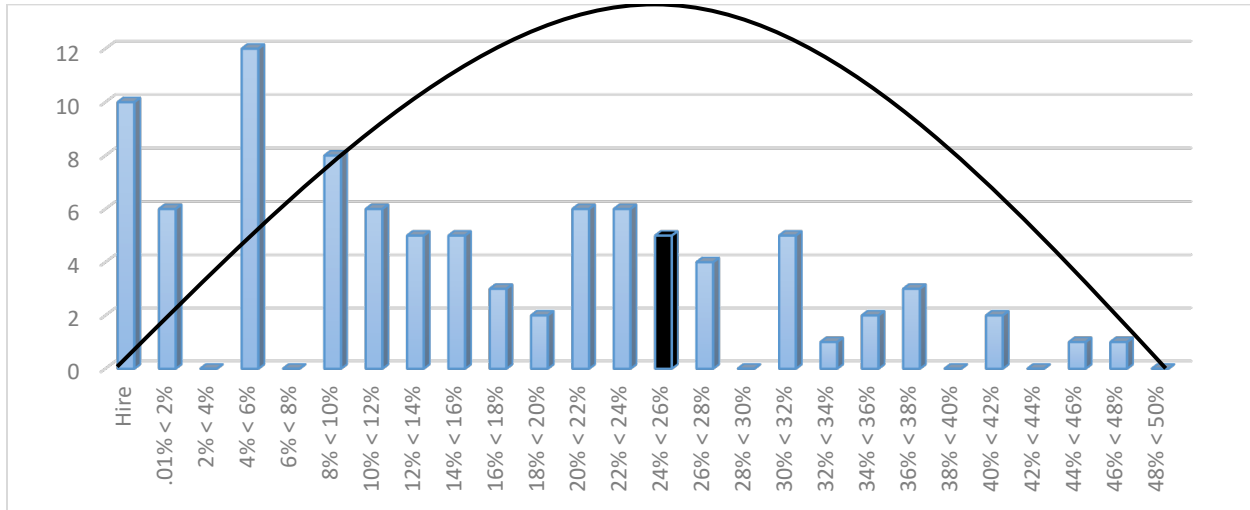


Chart Four: This chart illustrates employee annual base salaries as a percentage above the hire rate salary for each employee's pay grade. The numbers on the vertical axis represent the number of employees in each 2% range. The percentages on the horizontal axis represent each 2% range above the pay grade minimum salary, for example, 8% but less than 10%.

- The first bar reflects all salaries paid at the grade Hire Rate (10 employees).
- The second bar reflects all salaries at least .001% but less than 2% above Hire Rate (6 employees).
- The third bar reflects all salaries at least 2% but less than 4% above minimum (0 employees), etc.

With Brevard's 50% salary range (the percentage increase from hire to maximum salary of each pay grade) the midpoint for each pay grade is 25% above the minimum rate. The black bar in the center of the range, 24% but less than 26%, represents where salaries would be if at the midpoint (market value). This chart demonstrates, that while the City's average length of employment is 8.87 years, the City has 25.8% of the workforce with salaries compressed within less than 5% above the average grade minimum salary. However, that percentage is a factor of the number of relatively new employees who have not been employed a sufficient length of time for their salaries to have advanced. Discounting the new employee effect, the balance of the data shown on this graph shows an efficient and effective distribution of salaries across the pay grade ranges.

Reminder: The data presented in this preceding Initial Workforce Analysis is a snap shot of the City of Brevard's Workforce at the beginning of the pay study, and does not include any data, or interpretation of data, from the current pay and classification market study. The data from the current pay and classification market study is presented hereafter.

IV. General Recommendations

A. Adopt a Salary Administration Philosophy

The following *italicized* information was prepared by the Society for Human Resource Management (SHRM)

A Salary Administration/Compensation Philosophy is similar to a Mission and Vision Statement. It creates and supports a methodology of horizontal and vertical movement of employee compensation toward the Midpoint (Market Value) of an employee's salary range.

The philosophy is simply a formal statement documenting the employer's position about employee pay and total compensation. It essentially explains the "why" behind employee pay and creates a framework for consistency. Employers can benefit from being transparent about their compensation philosophy and having an official pay strategy.

The philosophy is based on many factors, including the employer's financial position, the size of the organization, the industry, business objectives, salary survey information, and the level of difficulty in finding qualified talent based on the economy, as well as the unique circumstances of the business. It is important for the compensation philosophy to be reviewed periodically and modified based on how well it is working and current factors affecting recruitment and retention. For example, market conditions may make it really difficult to find qualified talent in a particular specialization, and an employer may need to pay a premium for these candidates. If the employer's current compensation philosophy does not support this value, then the employer may need to change its philosophy to meet its current needs.

A well-designed compensation philosophy supports the employer's strategic plan and initiatives, business goals, competitive outlook, operating objectives, and compensation and total reward strategies.

As such, most compensation philosophies seek to:

- *Identify the organization's pay programs and total reward strategies*
- *Identify how the pay programs and strategies support the organization's business strategy, competitive outlook, operating objectives and human capital needs*
- *Attract people to join the organization*
- *Motivate employees to perform at the best of their competencies, abilities and skill sets*
- *Retain key talent and reward high-performing employees*
- *Define the competitive market position of the organization in relation to base pay, variable compensation and benefits opportunities*

- *Define how the organization plans to pay and reward competitively, based on business conditions, competition and ability to pay*

An effective compensation philosophy should pass the following quality test:

- *Is the overall program equitable?*
- *Is the overall program defensible and perceived by employees as fair?*
- *Is the overall program fiscally sensitive?*
- *Are the programs included in the compensation philosophy and policy legally compliant?*
- *Can the organization effectively communicate the philosophy, policy and overall programs to employees?*
- *Are the programs the organization offers fair, competitive and in line with the compensation philosophy and policies?*

While the City Manager and Human Resources Director are clearly in the lead in developing an organization's compensation philosophy and policy, success lies in close collaboration with the leadership team to obtain valuable input, direction, concurrence, and continuous funding.

Following are two of several models to consider:

Example #1:

The philosophy behind the City of Brevard's compensation program is to create a compensation program that supports our mission and values. We believe our compensation program is a management tool that, when aligned with an effective communication plan, is designed to support, reinforce and align our values, service delivery strategy, operational and financial needs with a goal of superior customer service.

The City of Brevard's compensation program is designed to attract, motivate, and retain talented employees who drive our success. We strive to provide base salaries that meet the market when employees are fully proficient and meeting expectations. We believe that employees consistently performing above expectations and who are proficient in their role should be rewarded with a higher base pay. Employees who are new to their role and/or not meeting expectations would be paid below the established market range. In addition to base salary, Brevard will utilize incentive, longevity or career development pay as a way to meet our strategic goals. Incentive pay will be available to employees with consideration for a number of factors and will be based on individual goals that relate to the City's objectives.

In alignment with our transparency culture and our vision statement, we will strive to communicate openly about the goals of the City and the design of the compensation program. The compensation process is intended to be fair and simple so that all employees and managers understand the goals

and the outcomes of the process. The City of Brevard will administer the compensation program in a manner that is consistent and free of discrimination.

Example 2:

It is the policy of the City of Brevard to compensate its employees at a level sufficient to encourage excellence of performance and to maintain the labor market competitiveness necessary to recruit, retain, and develop a competent and diverse workforce. In order to meet this expectation, the Human Resources will review the pay plan annually and present recommendations to the City Manager.

B. Administer Market-Based Salary Administration Practices

1. It is recommended that the City use the recommended practice of reclassification (change in grade level) for individual classifications or specific job roles of employees (or job series) to ensure competitive salaries without the need to revise the entire Salary Schedule. A full pay and classification review should be conducted every 3 - 4 years with interim adjustments in certain classes and/or class series, at minimum, every 2 - 3 years. (See Paragraph C of this section)
2. The focus of salary administration should not only be the competitive minimum salaries, but, also, the midpoint (market value/job rate) of each job classification. With a 50% range, from Minimum to Maximum, the midpoint/market value is, typically, established at the 25% mark of the range, measured from the minimum salary. The market rate can also be established as a plus/minus relationship to the midpoint salary. For example, the market rate can be identified as plus/minus 3% or 5% of the salary grade midpoint.
3. Salary Schedule adjustments do not, necessarily, need to coincide with employee compensation and we recommend consideration of only amending them when the entry level salaries of a significant portion of the benchmark classifications are no longer competitive. For example, after the adoption and implementation of these pay and classification study recommendations the salary grade ranges could remain unchanged even though the City may have implemented a Cost-of-Living adjustment (COLA) in the following fiscal year. The City could adjust employee salaries by the amount of the COLA but not move the salary grade ranges by the full COLA amount. This is effective in the first year after the adoption of the recommendations and assists in addressing salary compression. We do not recommend this strategy beyond the second year after implementation.

4. The focus of salary administration should also be on advancing employees toward the mid-point (market value) of each pay grade with a market based compa-ratio established at, for example, .95 to 1.05 (plus/minus 5% of the midpoint) relative to the mid-point and also provide methodologies whereby employees may continue to advance across their salary grade range.

C. Consider Establishing a One-Third Annual Review

For the foreseeable future there will remain a shrinking labor pool of interested and qualified candidates for employment within local government, especially in public safety/emergency services, i.e., Law Enforcement and Fire as well as other critical classifications. The demand for the available number of interested and qualified candidates will remain extremely competitive, as evidenced by several local governments recently making significant upward adjustments in the starting salaries for Law Enforcement Officers. This week (April 17th), effective immediately, the City of Rocky Mount raised the minimum salary for Police Officers to \$60,000.

To better position the City to become and remain competitive in this difficult market, we recommend an increasingly popular strategy of reviewing approximately one-third of the City's classification each fiscal year. This strategy provides several beneficial approaches to salary administration by:

1. Ensuring each classification receives a market review no less than every third year
2. Maintaining market competitiveness of salary ranges and pay grade assignments
3. Assisting in better addressing salary compression, and
4. Providing funding stewardship

V. Implementation Recommendations

A. Adopt the Recommended Pay Plan (see VII. - Proposed Pay Plan)

The below recommended market-based Pay Plan (Section VII) is based on the collected and analyzed market-based data. Based on that market data, our recommendation is to maintain the current pay plan grades and ranges which maintains a consistent 50% range from minimum salary to maximum salary and maintains a consistent 5% differential between each grade, whether measured at the minimum, midpoint or maximum of each grade. The recommended pay plan eliminates the term “hire rate” and identifies the former “hire rate” as the minimum salary of each pay grade range. The recommended pay plan has been adjusted for the City’s proposed cost of living, in which, 3.5% is applied to adjust the pay grade ranges.

B. Assign Each Classification to the Market Supported Pay Grade

A comparative analysis of each classification was made to the similar classifications in those local governments before here identified. Each pay grade minimum salary for each classification was determined by calculating the average and median minimum, midpoint and maximum salary for each salary range for the similar classifications of those local governments; then, forecasting the current market data to increase 6% at the beginning of Fiscal Year 2023-2024.

C. Set Each Employee’s Salary at the Same Relative Position

While Brevard’s salary compression is not significant, the majority of the compression can be attributed to the number of relatively new employees. This salary compression should be addressed in future years; but, for this current study, we recommend:

Each employee’s proposed salary be set at the same relative position (percent above minimum) in their new proposed grade as they have in their current pay grade. For example, if my position is currently in grade 10 and my salary is 10% above my grade minimum salary and, as a result of this study, my position moves to a new higher grade, then my salary is set at 10% above the minimum salary of the new grade. This method maintains each employee’s salary in the same relative position but, also, maintains the relative positioning of employee salaries to each other.

D. Modify Personnel Policy Language Regarding Leave Accruals

Leave accrual is an integral component of employee retention whereby employees working a schedule less than or greater than the standard 40-hour weekly schedule accrue leave commensurate with their standard work week, or work period. To accommodate this accrual change, we recommend personnel policy language modification to provide that employee leave

accruals are a factor of their standard work week, or work period. For example, an employee having a standard work week of 48 hours will accrue leave at a proportionately higher rate than an employee working a standard 40-hour work week, or work period.

VI. Implementation Costs

With the implementation of the above recommendations, we anticipate the following implementation costs will be required.

Salaries	FICA/Retirement/401(k), etc.	Total
\$277,302	\$69,325	\$346,627

The actual required funding requirements will fluctuate up to the time of approval and implementation as employees terminate, are employed, are promoted, etc. The required funding amount will also fluctuate slightly based on the specific percentage required for FICA, Retirement, 401(k), etc. For purposes of this report, we estimated that requirement at 25%.

These implementation costs are solely those associated with the present pay and classification study and do not include any amounts that may be associated with an across the board cost of living adjustment.

The recommendation for implementing changes for individual employees is provided in a separate spreadsheet submitted to the City Manager and Human Resources Director.

VII. Proposed Pay Plan

Below is the proposed pay plan with the pay grade ranges maintained at 50%, as measured from the grade minimum salary to maximum salary, and maintaining the percentage differential between each grade at 5%.

Grade	Minimum	Midpt	Maximum	Classification Title
10	34,159	42,699	51,239	Sanitation Worker
11	35,867	44,834	53,801	Buildings & Grounds Maintenance Worker
				Customer Service Representative
				Landscape Technician
				Maintenance Worker
				Office Assistant
				Parking and Support Officer
				Senior Sanitation Worker
				Streets Maintenance Worker
12	37,661	47,076	56,491	Accounting Clerk
				Administrative Specialist
				Meter Technician
				Police Records Specialist
				Sanitation Truck Driver
				Senior Customer Service Representative
				Skilled Maintenance Worker
13	39,543	49,430	59,316	Distribution & Collections Systems Oper.
14	41,521	51,901	62,281	Code Enforcement Technician
				Fleet Mechanic
				Senior Dist/Collections System Operator
				WTP Operator I
				WWTP Operator I
15	43,597	54,496	65,395	Accounting Technician
				Plant Maintenance Technician
				WTP Operator II
				WWTP Operator II
16	45,777	57,221	68,665	Police Officer
				Public Works Supv I (Bldg&Grnds Crew Ldr)

				Public Works Supv I (Street Crew Leader)
				WTP Operator III
				WWTP Operator III
				Utility Accounts Supervisor
17	48,065	60,082	72,098	Administrative Services Manager
				Community Center Director
				Field Operations Supervisor
				Human Resources Specialist
				Police Detective
18	50,469	63,086	75,703	Accountant
				Assistant to City Manager (Executive Asst.)
				Fire Engineer
				Fleet Maintenance Supervisor
				Planner/Assistant Zoning Administrator
				Public Works Supervisor II
				Senior Police Officer (Sergeant)
				Senior Police Officer (Investigations Sergeant)
				Tax Collector
19	52,992	66,240	79,488	Plant Maintenance Supervisor
20	55,642	69,552	83,462	Senior Planner
				Treatment Lab Supervisor / Pretreatment
21	58,424	73,030	87,636	Assistant Planning Director
				Police Shift Supervisor (Lieutenant)
22	61,345	76,682	92,018	City Clerk
				Public Information Officer (Comm. Coord.)
23	64,413	80,516	96,619	Assistant Public Works Director
24	67,633	84,541	101,450	Police Captain
				WWTP Superintendent/ORC
				WTP Superintendent/ORC
25	71,015	88,769	106,522	
26	74,566	93,207	111,848	

27	78,294	97,867	117,441	
28	82,209	102,761	123,313	
29	86,319	107,899	129,478	
30	90,635	113,294	135,952	Fire Chief
				Human Resources Director
				Planning Director
				Police Chief
				Public Works Director
31	95,167	118,958	142,750	Assistant City Manager/Finance Director
32	99,925	124,906	149,887	
33	104,922	131,152	157,382	
34	110,168	137,709	165,251	
35	115,676	144,595	173,513	

VIII. Definitions of Salary Survey Terms

<u>Terms</u>	<u>Description</u>
<u>Average</u>	The arithmetic mean of several reported salaries for a specific job classification (e.g., average salaries of all Firefighters as a class)
<u>Median</u>	The middle value (number) in a series of values in which half the values are above the middle number & half the values below the number
<u>Compa-Ratio</u>	The relationship (expressed as a decimal) between an employee's actual annual salary & the midpoint (market value) of the assigned pay grade (salary divided by the range's midpoint). The midpoint is represented as 1.00. Employee salaries below the midpoint are less than 1.0, & (e.g., .80, .95, etc.) & salaries above the midpoint are shown as 1.05, 1.10, etc., indicating a higher value to the midpoint (1.0)
<u>Market Rate</u>	The "market rate" for any job classification is determined by surveying other employer salaries of employees with similar skills & experience. This includes new and existing employees many of whom may have qualifications exceeding recent new hires. Market rates signify someone who is fully knowledgeable with the requisite experience, education, & years of consistent levels of performance with an employer. Salaries at this level should correspond to the Median (+/- 5%) or averages of competitors surveyed. Market rates vary by job classification, industry, location, size of employer, and the employer's competitive pay philosophy
<u>Grade Differential</u>	The percentage increase from one pay grade to the next highest pay grade, usually 5% or more depending on the design of a salary structure
<u>Minimum</u>	The beginning salary for each salary grade. With a 50% salary range (minimum to maximum), the value would typically be 25% less than the Midpoint
<u>Midpoint</u>	The arithmetic middle of the salary range for each salary grade. This value typically represents the "Market Value" (+/- 5%) for positions assigned to a salary grade
<u>Maximum</u>	The last or ending value for each salary grade. With a 50% salary range (minimum to maximum), this would typically be 20% greater than the Midpoint
<u>Range</u>	The arithmetic value of the difference between the minimum of a salary grade to the maximum of the salary grade represented as a percent.

STAFF REPORT

City Council, Monday, May 1, 2023

Title: FY 2023-2024 Recommended Budget Presentation and Set Date for Public Hearing

Speaker: Wilson Hooper, City Manager
Dean Luebbe, Assistant City Manager/Finance Director

Prepared by: Wilson Hooper, City Manager

Approved by: Wilson Hooper, City Manager

BACKGROUND

NCGS 159-9 names city managers as his/her municipality's statutory "budget officer" and outlines his/her responsibilities regarding the preparation and submission of proposed budgets. The statute requires that a document which "contain[s] a concise explanation of the governmental goals fixed by the budget for the budget year, explain[s] important features of the activities anticipated in the budget, set[s] forth the reasons for stated changes from the previous year in program goals, programs, and appropriation levels, and explain[s] any major changes in fiscal policy" be presented to the elected board no later than June 1. Brevard Code of Ordinances Sec.2-113(5) requires the city manager to "prepare and submit the annual budget and capital program to the Council."

The proposal presented this evening is the culmination of months of work by both the Brevard staff and the city's elected officials. Staff began compiling information on the costs of providing their services prior to the start of the calendar year, and submitted requests for funding for new initiatives soon after that. The City Council held its Strategic Planning Retreat on March 1 and March 2, identifying the priorities that staff used to create the budget proposal. Council held Budget Workshops on April 3 and April 4 to review options and give preliminary approval of a spending plan.

DISCUSSION:

The proposed FY23/24 budget endows Council's named priorities and maintains or enhances service levels across the City of Brevard enterprise. The proposal:

- Sets the total budget at \$24,894,607 across all funds, a 4.8% decrease from last year. If last year's one-time ARPA dollars are removed from the calculation, the FY23/24 budget grew by 5.4%
- Dedicates \$264,000, two pennies on the property tax rate, to the creation and maintenance of affordable housing in the City of Brevard.
- Fully funds the recommendations of the recently concluded "Classification and Compensation" study, keeps employee compensation competitive, and makes sure the City of Brevard remains an attractive place to work.

- Jumpstarts work on the upgrade or replacement of the City's aging Wastewater Treatment Plant.
- Further endows capital funds that are dedicated to downtown improvements and the Estatoe Trail, though to a lesser degree than previous years.

The proposal funds these expenses via:

- Modest natural growth in the city's three main General Fund revenue sources: property tax, sales tax, and interest income.
- Modest increases in General Fund planning/zoning fees which, even at their new values, are not markedly different than similar fees in neighboring municipalities.
- A proposed \$.03 increase in Brevard's property tax rate (from \$.45 to \$.48). The new rate equates to approximately \$105 more in property taxes for a property with an assessed value of \$350,000. The tax rate itself (\$.48) is decidedly average. Canton's is \$.54, Hendersonville's is \$.52, Sylva's is \$.44, and Waynesville's is \$.439.
- A proposed 4% increase on the city's "per/1000 gallon" utility fee, and a corresponding 4% increase on the city's industrial High Strength Wastewater Collection and Treatment Surcharge rate.

ACTION:

Staff requests Council take action to set May 15, 2023 as the date for the statutorily required Public Hearing.

On the content of the recommendation, no action is requested. For information and discussion only.

Attachments:

1. FY23/24 Manager's Recommended Budget



City of Brevard

RECOMMENDED BUDGET

Fiscal Year

2023/2024



-



City of Brevard

RECOMMENDED BUDGET

financial year

2023/2024

MISSION STATEMENT

The mission of the City of Brevard is to promote a high quality of life, support economic prosperity, and cultivate community while honoring its heritage and culture.

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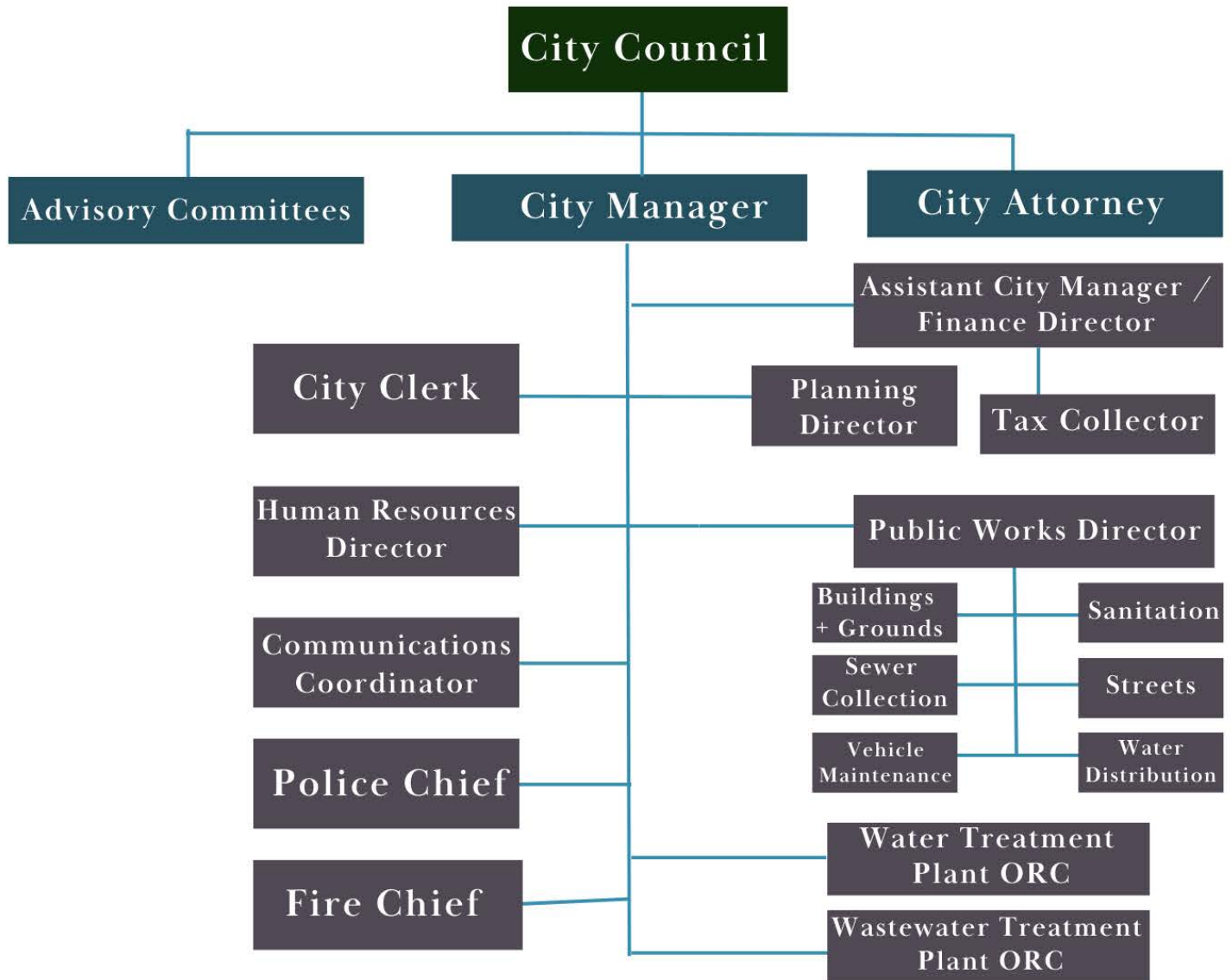
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City of Brevard

Organizational Chart





Brevard City Council



Mayor
Maureen Copelof



Mayor Pro Tempore
Gary Daniel



Aaron Baker



Geraldine Dinkins



Maurice Jones



Mac Morrow

MAYOR AND CITY COUNCIL MEMBERS

Mayor Maureen Copelof
Mayor Pro Tem Gary Daniel
City Council Member Aaron Baker
City Council Member Geraldine Dinkins
City Council Member Maurice Jones
City Council Member Mac Morrow

MANAGEMENT STAFF

City Manager Wilson B. Hooper
Assistant City Manager and Finance Director Dean Luebbe
City Clerk..... Denise Hodsdon
Communications Coordinator Becky McCann
Human Resources Director Kelley Craig
Planning Director..... Paul Ray
Police Chief Tom Jordan
Fire Chief..... Bobby Cooper
Public Works Director (Interim) Wesley Shook
Wastewater Treatment Plant O.R.C. Emory Owen
Water Treatment Plant O.R.C. Dennis Richardson
City Attorney.....Mack McKeller, Carr, Blackwell & Associates, PA

The name of the project, fund, or operating unit

Information to contextualize the budget information that follows

The CLUP or policy goals, if applicable, that the project or operating unit helps accomplish

Information about the project or operating unit's activity

PLANNING

The Planning Department manages the long-term physical development of the community. The department's funds cover the operational costs associated with planning and zoning, which include personnel costs, professional services, supplies and materials, dues and subscriptions, continuing education and training, and some City projects.

The Planning Department's 5 staff are responsible for drafting many crucial long-range planning documents—such as the CLUP and the Housing Trust Bylaws & Guidebook—that guide the City's future development. They also maintain policy documents such as the Bicycle & Pedestrian Plan, the Official Zoning Map, and the Powell Bill Map.

Planning Department staff perform code enforcement, issue zoning and subdivision permission, and oversee floodplain development for the City and its extraterritorial jurisdiction (ETJ). The department also coordinates planning efforts with local, regional, state, and federal agencies and reviews development projects to ensure they are in compliance with adopted ordinances, codes, and regulations.

The Planning Department drafted and is responsible for overseeing the CLUP. Major policy recommendation topics include

- Land Use & Housing
- Active Transportation & Community Health
- Parks, Natural Resources, & Cultural Resources
- Economic Development, Infrastructure, & Resiliency



General Fund - Planning

Total Expenditures

	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	PROJECTED 6-30-23	MANAGER RECOMMENDED FY23-24	CHANGE IN % FROM FY22-23 ORIGINAL
SALARY & BENEFITS	\$ 414,833	\$ 491,300	\$ 491,300	\$ 482,825	\$ 556,800	13.3%
OPERATING	369,263	416,500	426,500	355,600	413,400	-0.7%
CAPITAL	31,093	-	-	-	-	0.0%
TOTAL	\$ 815,189	\$ 907,800	\$ 917,800	\$ 838,425	\$ 970,200	6.9%

Notable Changes from the FY22-23 Budget

Personnel

Budgeted personnel expenses are \$65,000 higher than the previous fiscal year. \$40,000 of this is for a new part time position which is funded through planning zoning fee increases.

Operating

The operating budget is largely flat. The City budgets \$80,000 of its annual \$128,000 legal fees to the Planning Department. The Department has also budgeted \$75,000 for Comprehensive Land Use Plan implementation.

Last year's budgeted amount

Staff's end-of-year projection

Expenditure amount recommended in this document

Explanatory information on any notable changes

The various compensation elements for the department's employees



General Fund - Planning

Detailed Expenditures

Personnel

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED FY23	MANAGER RECOMMENDED FY24
10-4900-0200	SALARIES - REGULAR	\$ 284,652	\$ 336,200	\$ 336,200	\$ 238,170	\$ 334,400	\$ 336,200
	MARKET ADJUSTMENT	-	-	-	-	-	3,600
	5% COLA ADJUSTMENT	-	-	-	-	-	21,200
10-4900-0210	SALARIES - REG - OT	36	1,500	1,500	-	-	1,500
10-4900-0300	SALARIES - PART TIME	2,215	5,000	5,000	1,075	2,300	40,000
10-4900-0500	FICA	20,695	25,800	25,800	17,426	24,725	25,800
10-4900-0600	GROUP INSURANCE	72,000	75,000	75,000	56,250	75,000	75,000
10-4900-0700	RETIREMENT	32,635	41,000	41,000	28,948	41,400	43,400
10-4900-0730	401K EMPLOYER MATCH	2,600	6,800	6,800	3,771	5,000	10,100
TOTAL PERSONNEL		\$ 414,833	\$ 491,300	\$ 491,300	\$ 345,640	\$ 482,825	\$ 556,800

Costs for day-to-day needs by category



Operating

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED FY23	MANAGER RECOMMENDED FY24
10-4900-0925	PROF SERVICES	\$ 232,386	\$ 298,500	\$ 308,500	\$ 129,961	\$ 250,000	\$ 270,000
10-4900-1000	TRAINING	4,298	18,000	18,000	6,380	16,000	18,000
10-4900-1100	TELEPHONE AND INTERNET	3,748	4,500	4,500	2,733	4,500	4,500
10-4900-1600	M & R EQUIPMENT	13,635	10,000	10,000	7,827	9,000	6,700
10-4900-1700	M & R VEHICLE	406	1,500	1,500	1,636	1,500	1,500
10-4900-3100	UNLEADED & DIESEL	396	500	500	370	500	500
10-4900-3300	DEPT SUPPLIES & MATERIALS	16,638	8,000	8,000	6,917	12,000	11,000
10-4900-4500	CONTRACTED SERVICES	86,571	63,000	63,000	25,105	50,000	88,200
10-4900-5300	DUES & SUBSCRIPTIONS	2,402	3,000	3,000	1,884	3,000	3,500
10-4900-5400	INSURANCE - WC AND LIAB	8,783	9,500	9,500	8,819	9,100	9,500
TOTAL OPERATING		\$ 369,263	\$ 416,500	\$ 426,500	\$ 191,632	\$ 355,600	\$ 413,400

Costs for equipment or assets to be financed



Capital

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED FY23	MANAGER RECOMMENDED FY24
10-4900-7400	CAPITAL OUTLAY	31,093	-	-	-	-	-
TOTAL CAPITAL		\$ 31,093	\$ -	\$ -	\$ -	\$ -	\$ -

General Fund - Planning

Budget By Line Item / 10-4900-XXXX

0200 Salaries - Regular		\$ 336,200
1 Planning Director		-
1 Assistant Planning Director		-
1 Senior Planner		-
1 Planner/Assistant Zoning Admin		-
1 Admin Services Manager		-
	Market COLA	\$ 3,600
		\$ 21,200
0210 Salaries - Regular - Overtime		\$ 1,500
0300 Salaries-PT		\$ 40,000
0500 FICA		\$ 25,800
0600 Group Insurance		\$ 75,000
0700 Retirement		\$ 43,400
0730 401K Employer Match		\$ 10,100
0925 Pro Services		\$ 270,000
Legal	80,000	
Code Enforcement (possibly Police)	10,000	
Outreach and education	5,000	
Legal - Board of Adjustment	20,000	
CLUP	75,000	
Misc	80,000	
1000 Training		\$ 18,000
Planning Board training	2,000	
Staff Training	15,000	
Misc	1,000	
1100 Telephone and Internet		\$ 4,500
Stipend	2,100	
Verizon	2,400	
1600 M & R -Equipment		\$ 6,700
Ipads and IT	4,200	
Misc	2,500	

Category of expense



A green cell denotes a notable new or higher expense



Detail on the actual item or service the budgeted amount is intended for

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May 1, 2023

Honorable Mayor and Councilmembers,

Attached herein are my recommendations for the City of Brevard's FY23/24 municipal budget. Before I get into the heart of my message I want to thank each of you for the time and attention you put into this process. Building a budget is always challenging, but the challenge is multiplied without a focused and engaged board. Your work on the budget is commendable, and I thank you for it.

A budget is a financial playbook, but it's also a policy document. There is no clearer way to make known an elected board's values than by endowing the works that accomplish them with financial resources. That's why people in my profession consider the board's priority-setting retreat at the start of spring the official kick-off of budget season. Managers need to know what your priorities are before we start thinking about money.

This proposal endows your priorities, and maintains or enhances service levels across the City of Brevard enterprise. The FY23/24 budget proposal:

- Is set at \$24,894,607 across all funds, a 4.8% decrease from last year. If last year's one-time ARPA dollars are removed from the calculation, the FY23/24 budget grew by 5.4%.
- Dedicates \$264,000, two pennies on the property tax rate, to the creation and maintenance of affordable housing in the City of Brevard.
- Fully funds the recommendations of the recently concluded "Classification and Compensation" study, keeps employee compensation competitive, and makes sure the City of Brevard remains an attractive place to work.
- Jumpstarts work on the upgrade or replacement of the City's aging Wastewater Treatment Plant. This will likely be a decade-long project.
- Further endows capital funds that are dedicated to downtown improvements and the Estatoe Trail, though to a lesser degree than previous years.

Since the City's budget is several distinct budgets -general fund (GF), sanitation fund (SF), water/sewer fund (W/S), and fire fund- I'll discuss each in turn.

GENERAL FUND

I recommend you set the GF at \$11,300,507 a 7.3% increase over last year. This shall be funded via the diverse set of revenues that support the general fund, which are covered in greater detail

later in this booklet. The budget projects modest natural growth in year-over-year collections for the GF's three largest revenue sources: property tax, sales tax, and interest income.

But natural growth alone isn't enough to fund Council's priorities while simultaneously maintaining service levels. Therefore, my recommendation includes a \$.03 increase to Brevard's property tax rate. This will take the rate from \$.45 per/100 of valuation to \$.48, and yield approximately \$396,000 more dollars in revenue.

This new \$.48 tax rate is decidedly average. Canton's is \$.54, Hendersonville's is \$.52, Sylva's is \$.44, Waynesville's is \$.439.

On a home valued at \$350,000, the new rate equates to approximately \$105 more in property taxes per year.

The two main drivers of the increased rate are, as mentioned above, the "pennies for housing" and the "classification and compensation" study.

Pennies for housing

Housing was a priority of the Council in FY22/23 as well, and the work of the Council and the Housing Trust Fund Advisory Committee (now known as the Housing Committee) set the stage for what's proposed here. Over the course of the past year, the committee created a menu of practices the city could undertake to support housing. They then updated the governing document -the Housing Trust Fund bylaws- to incorporate the new options. Full Council approved the committee's updates in spring.

There's more detail on the changes later in this document. As policymaking goes, this was a significant achievement. But it's all academic without money behind it.

In simplest terms, my budget proposes two pennies of Brevard's \$.48 property tax levy -equaling \$264,000- be dedicated exclusively to providing financial resources to the city's housing strategy as expressed in the updated bylaws.

I encourage readers to click on the attached QR to read more about why investing in housing is so important. But suffice it to say, the very scarce supply of affordable housing units in Brevard has far reaching affects on the well-being of our residents, the health of our economy, and the reputation of our city.



Classification and compensation study

The services that a municipality provides are only as good as the employees providing them. Therefore, municipalities must ensure that they have competent and dedicated employees by compensating employees competitively. There is a moral and philosophical dimension to this discussion as well, as inflation and other economic pressures have made it harder for working

people to afford housing, food, medicine, and other essentials. But from a practical point-of-view competitive compensation is *essential* to the effective functioning of government.

In FY22/23 the city hired the Piedmont Triad Regional Council to conduct a “Classification and Compensation” study. This study was intended to ensure Brevard’s positions were all classified correctly based on job duties and responsibilities, and ensure that the assigned pay-ranges for each classification were competitive with the surrounding public agencies with whom Brevard competes for employees.

The study concluded that Brevard’s pay ranges needed to be adjusted upwards to keep pace with other agencies, and that some classifications needed “market adjustments” to keep them on a level playing field with their peers.

The findings applied to positions in all funds, but their largest impact was on the GF. These compensation adjustments, combined with an elective 5% cost-of-living adjustment for all employees, add approximately \$415,000 to the general fund.

Other priorities

Contributions to the Downtown Master Plan Fund and Multi-use Path Fund (informally known as the Estatoe Trail Fund) continue in this recommendation at \$132,000 apiece.

With this contribution, the Multi-use Path Fund will have an available balance of approximately \$600,000, which is enough to fund physical construction of the Tannery South (formerly know as the “Rathie” property) segment and design of the segment from Rosman Hwy to Brevard High



School. There will also be enough to meet the 20% expected match of any grant funds the city may receive for construction of the shovel-ready Tannery segment, though it will not be sufficient to fund the construction of that segment on its own.

The Downtown Master Plan Fund was exhausted in FY22/23 to pay for streetscape upgrades. The FY23/24 contribution will begin building up cash for future downtown improvements. The next project, Times Arcade Alley stormwater improvements, is estimated to cost \$1.5M, so the GF contribution will not be adequate on its own to pay for that project. The city *is* in possession of a \$575,000 stormwater grant currently programed for the Tannery site that could be reprogrammed to Times Arcade, but that is a Council decision. Staff estimate that \$132,000 can pay for debt service on approximately \$1.1M in debt.

In all other areas, the GF budget recommendation funds services at current levels with a few notable exceptions:

- Funding for a new parking enforcement system for Brevard Police Department. The new system will add teeth to BPD’s existing enforcement efforts by enabling them to better track repeat offenders and more efficiently collect fines.
- A part-time staff person for the Planning Department for permitting and zoning enforcement is funded via small increases in planning and zoning fees. The PT staff person will enable FT staff to focus on long-range efforts such as housing, transportation/trails, and other priority issues recommended in the Comprehensive Land Use Plan. The increased fees are not markedly different than similar fees in neighboring municipalities.
- Funding for a new “time and attendance” system for recording employee work hours. Will introduce additional accountability measures to timekeeping and replace a paper system.

SANITATION FUND

I recommend that the Sanitation Fund (SF) be set at \$1,331,600. Later in this book you’ll see that this is down from FY22/23 because last year’s budget included a \$330,000 capital purchase that inflated the bottom line. In a practical sense the fund’s expenses are up because of the addition of compensation adjustments (\$25,800), GF cost reimbursement (\$75,000) and debt service for the aforementioned capital purchase (\$73,500).

The fund’s revenues are derived from three main sources: a \$20 per household monthly charge for refuse collection, a \$4 per household monthly charge for recycling collection, and the proceeds from the sale of cardboard and recyclable material that the city collects which equates to about \$87,000/year.

Brevard’s waste collection function is considered a self-supporting “enterprise fund”. In other words, the fee revenue it collects should be enough to fund the entire service. This isn’t an uncommon model, but in my experience most municipalities still have waste collection as part of their general fund. To balance revenue and expenses, the SF must receive a \$156,000 contribution from the general fund in FY23/24.

This contribution will preclude the need for a fee increase, which the Council considered to be regressive and unduly burdensome on residents of modest means.

FIRE FUND

I recommend that the Brevard Fire Fund (Fire) be set at \$2,916,300. This figure is higher than normal because it includes a +\$1.5M capital purchase. Compensation adjustments increased the budget by approximately \$30,000.

Fire is the second typically-GF function that’s accounted for in a separate fund. In this case, it is because the Brevard Fire Department (BFD) is jointly funded by Brevard and Transylvania County and the terms of the city’s agreement with the county require a discrete fund.



The GF's \$726,715 contribution -which shows up in that fund's bottom line, but is specifically accounted for as a transfer in the "Non-Departmental" section- is the single biggest source of Fire's operating revenue. The contribution is 27% higher than last year because it contains the first debt service payment for the aforementioned capital purchase.

WATER/SEWER FUND

Also known as the Utility Fund, water/sewer (W/S) is the most independent of Brevard's enterprise funds. Funded exclusively with rate revenue, W/S is financially autonomous. In fact, W/S pays a cost reimbursement (\$450,000 in this proposed budget) to the GF to pay for the support services (administration, finance, HR, etc.) the latter provides to the former.

I recommend that W/S be set at \$6,945,500 a 9% increase over FY22/23. Compensation adjustments (\$195,847), and engineering expenses for WWTP replacement (\$150,000) constitute the bulk of this increase. These two matters were Council's top priority for the W/S fund. Urgent facility maintenance (\$96,000) and higher operating costs are the other significant pressures on the W/S budget.

To fund this, I recommend that Brevard continue with its planned 4% increase on rates. This increase, applicable only to the per/1000 gallon fee customers pay, will equate to approximately \$2.00 more per month for a customer who consumes 3,000 gallons. The 4% increase also applies to the existing High Strength Wastewater Collection and Treatment Surcharge rates charged to industrial customers.

Not included in my recommendation is a High Strength Waster Surcharge for commercial customers. However, the Council discussed this concept at its April budget workshop and approved it for further development. Staff and I plan to finalize our recommendation on this charge and bring it to Council for consideration during Q1 of FY23/24, with a planned implementation of January 1, 2024.

This new charge will help us build up reserve cash that will serve two purposes. First, it should help us get off the Local Government Commission's (LGC) Financial Performance Indicators of Concern (FPIC) list. Though the W/S's cash reserve is low because the money is at work funding capital projects, that does not really matter to the LGC. Its low level makes it an FPIC nonetheless. Second, the reserve will help us start saving for expenses related to upgrade/replacement of the wastewater treatment plant. Based on what the estimated cost of the new facility will be, we'll need funding support from the State of North Carolina or some other source to construct it. But to make a stronger case for that support, we'll need to pay for some of the early engineering work ourselves, thus the need for cash up front.

CONCLUSION

I believe this proposal accomplishes City Council's specific goals while simultaneously improving or maintaining existing services.

The tax and fee increases proposed in this budget are modest, and most of them will be borne by the owners of high-value properties. They will permit the city to help its employees live

comfortably, its vulnerable populations find/keep adequate housing, and all its residents have high-quality public services.

I ask that you consider this recommendation, and offer it for public consideration and public hearing at your May 15, 2023 meeting. I also ask that you consider approving this recommendation as offered or with amendments at your June 5, 2023 meeting.

Mayor and Councilmembers, as always please feel free to call or email me with any questions or comments.

Best regards,

Wilson Hooper
City Manager



Strategic Priorities

Clear strategic priorities are the foundation on which municipal budgets are built. Brevard's priorities are derived from two main sources: the City Council's March 2023 Strategic Planning Retreat and the Brevard Comprehensive Land Use Plan (CLUP), which was adopted in March 2023. Together, the retreat results and the CLUP shall guide the work of the City's policymakers and staff in the year to come.

Priorities Identified at the March 2023 Strategic Planning Retreat

Category I: Essential

- Housing Policy Action / Funding
- Personnel Compensation
- Wastewater Treatment Plant

Category II: Key Needs / High Priority

- Downtown Master Plan
- Estatoe Trail / Multi-Use Path

The Comprehensive Land Use Plan is an essential tool for guiding the City of Brevard's growth & development in a way that reflects the community it serves.



The 2030 CLUP, which was adopted in March 2023, is intended to act as a guide for the next ten to twenty years.



Strategic Priority:

HOUSING

Brevard's limited supply of available housing units, particularly those considered to be affordable, challenges new and established residents and hurts the city's economic competitiveness.



During FY22/23, the City undertook the following actions:

- Approved the Housing Trust Fund Bylaws and Guidebook
- Adopted the Comprehensive Land Use Plan, which includes zoning tools to facilitate the creation of additional affordable and workforce housing
- Expanded the scope of the Housing Committee
- Revised the City's Unified Development Ordinance to encourage infill development and codified opportunities to create "missing middle" housing
- Contracted with the Development Finance Initiative and established community partnerships to review potential housing sites
- Partnered with the Asheville Regional Housing Consortium
- Submitted proposed legislative changes to NC General Assembly
- Short-Term Rental Task Force completed community survey

City Council and the wider Brevard community have consistently labelled housing as a top priority. As a result, the City has identified the need to establish a dedicated funding stream for the Housing Trust. The revenue stream created by the "2 pennies for housing" proposal increase will allow the City to launch programs that work to maintain current affordable housing by funding critical housing repairs and renter assistance. The revenue generated via "pennies for housing" can also be set aside to subsidize housing developments that create new affordable and workforce housing units.



Number one goal identified at community input sessions:

“Expand housing opportunities for all residents while preserving the character of Brevard and its neighborhoods.”

Strategic Priority:

PERSONNEL

The daily operations and continued improvement of the city depend on highly qualified staff. In October 2022, City Council commissioned a classification and compensation study to gauge the competitiveness of the City's compensation structure. The results of that study, produced in March 2023, proposed market rate increases for select positions in addition to the 5% cost of living adjustment recommended by the City Manager.

The classification and compensation study compared the City of Brevard to other regional municipalities and municipalities of similar size. Alongside the compensation recommendations in the budget, staff are recommending updates to the personnel policy that would add the Juneteenth holiday, paid parental leave, increased vacation accrual for employees in their first two years of service, and an alternate calculation of leave accrual for public safety employees whose schedules exceed the typical 40-hour work week.

With the implementation of living-wage increases, all full-time City staff will now earn at least \$16.42/hour. The \$15.00/hour for new part-time Fire staff reflects a 3-dollar increase over last year's starting salary. Additionally, the Brevard Police department introduced a new Police Cadet Program that seeks to increase BPD's recruiting and retention efforts. In exchange for a 2-year commitment with BPD, new cadets will receive a salary and tuition while they complete their Basic Law Enforcement Training (BLET) Program at Blue Ridge Community College.

With the adoption of the Comprehensive Land Use Plan and the Housing Trust Bylaws and Guidebook, the Planning Department has requested 1 additional part-time employee to assist with day-to-day operations and make more staff time available for long-term projects.

Strategic Priority:

WASTEWATER TREATMENT PLANT

As Brevard continues to expand, the City must ensure it has the technology and infrastructure to serve all of its residential and commercial customers.

Brevard's wastewater treatment plant sits at a Class B (recreational) water source on the French Broad River upstream of two other major municipal users, Hendersonville and Asheville. The plant went online at its current Wilson Road location in 1987. The plant is permitted to treat 2.5 million gallons a day and currently receives about 1.7 gallons daily. As the WWTP draws closer to the 80% capacity mark, the NC Department of Water Quality (DWQ) advises expanding operations. If the City fails to begin planning the expansion by the time it reaches 80% capacity, the State can strip it of its ability to issue new building permits.

With increased development in city limits, the plant has struggled to remain in compliance with organic waste treatment standards. Its capacity to treat organic waste is limited by the surface area available for Rotating Biological Contractors (RBC) shafts. The original plans for the current WWTP included 10 RBC shafts, but due to budget limitations during the plant's construction, only 8 were installed. The RBC treatment method is considered outdated; thus, the market for replacement parts is limited.

Finally, a modern wastewater treatment program is an essential component of a healthy and vibrant economy. Manufacturers, institutions, and visitor-related industries—all of which are large employers—rely on municipal utilities.

This proposal contains \$150,000 dedicated to funding initial professional services related to the WWTP expansion and replacement project. This may include an initial needs assessment, preliminary design, grant-writing assistance, and other needed services that staff cannot perform on their own.

This proposal does not include any new changes or fees to help the City build up its cash reserve to fund the expansion/replacement. At their April 2023 budget workshop, however, the City Council solemnly acknowledged the need for such fees and shared their feedback on a number of new revenue concepts. City management will likely propose a new rate model in the first quarter of FY23/24 for implementation on January 1, 2024.

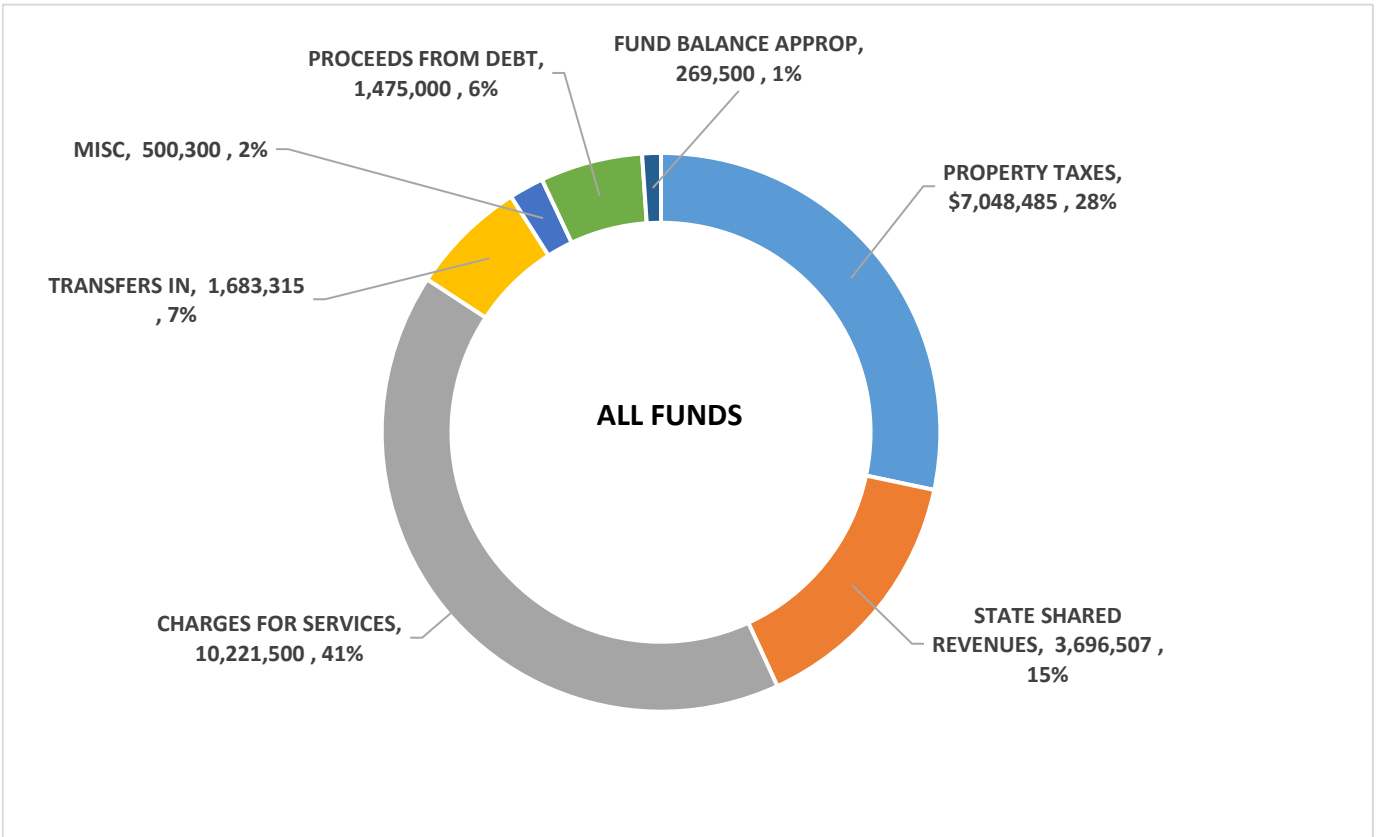
ALIGNMENT WITH CLUP GOALS

Economic Development, Infrastructure, & Resiliency-2: Pursue upgrades to the public water and sewer system. Prioritize updates to the wastewater treatment plant to accommodate growth and maintain water quality in the French Broad River.



All Funds

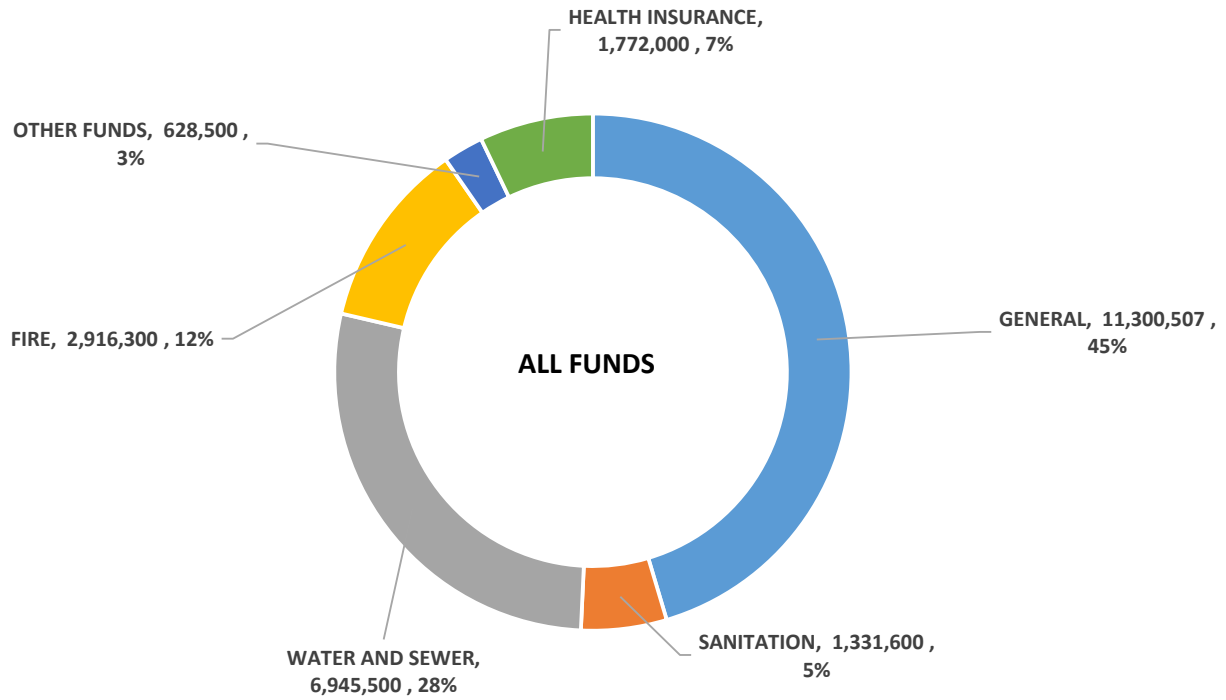
City of Brevard Total Revenue



	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	PROJECTED TO 6-30-23	MANAGER RECOMMENDED FY23-24	CHANGE IN % FROM FY22-23 ORIGINAL
PROPERTY TAXES	\$ 6,308,779	\$ 6,410,702	\$ 6,410,702	\$ 6,368,000	\$ 7,048,485	9.9%
STATE SHARED REVENUES	3,244,144	4,469,217	4,721,517	4,868,198	3,696,507	-17.3%
CHARGES FOR SERVICES	9,268,938	9,505,800	9,505,800	10,001,600	10,221,500	7.5%
TRANSFERS IN	1,512,531	1,876,156	1,876,156	1,462,700	1,683,315	-10.3%
MISC	137,555	28,000	405,400	515,000	500,300	1686.8%
PROCEEDS FROM DEBT	-	1,805,000	1,805,000	330,000	1,475,000	-18.3%
FUND BALANCE APPROP	-	2,054,600	2,920,100	-	269,500	-86.9%
TOTAL	\$ 20,471,947	\$ 26,149,475	\$ 27,644,675	\$ 23,545,498	\$ 24,894,607	-4.8%

All Funds

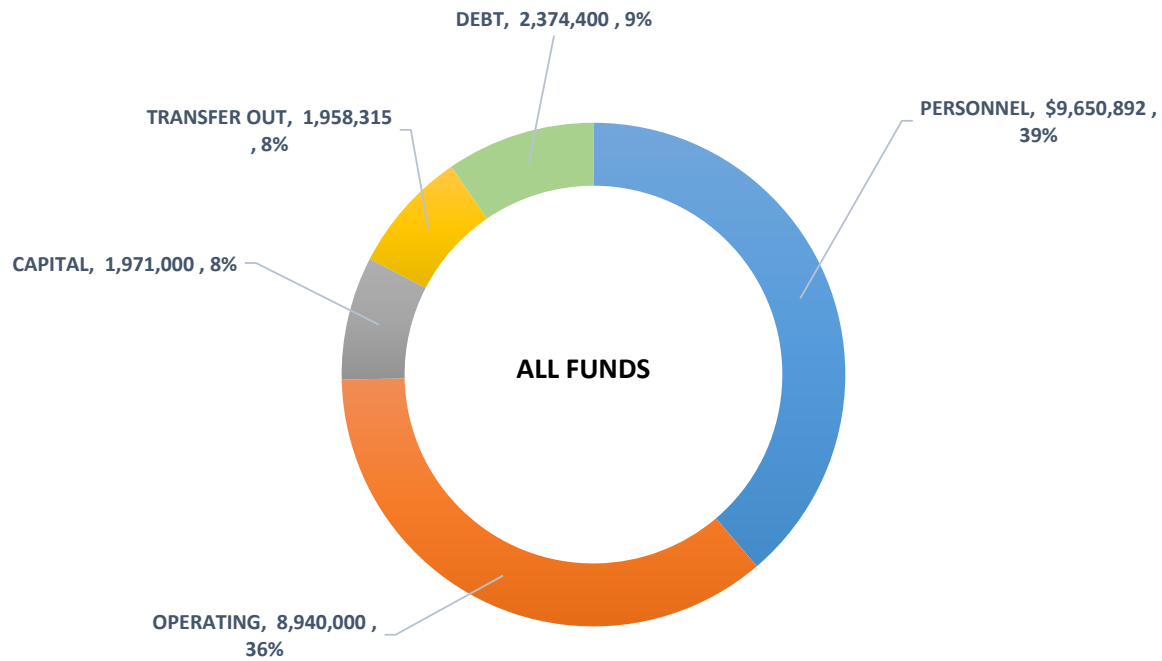
City of Brevard Total Expenditures By Fund



	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	PROJECTED TO 06-30-23	MANAGER RECOMMENDED FY23-24	CHANGE IN % FROM FY22-23 ORIGINAL
GENERAL	10,172,145	10,533,675	11,370,175	11,031,842	11,300,507	7.3%
SANITATION	1,043,778	1,513,300	1,513,300	1,476,700	1,331,600	-12.0%
WATER AND SEWER	6,082,351	6,339,942	6,537,942	6,257,600	6,945,500	9.6%
FIRE	727,637	2,658,700	2,790,200	1,088,300	2,916,300	9.7%
CAPITAL RESERVE	-	100,000	191,200	91,200	110,000	10.0%
BJERG	-	100	100	-	1,500	1400.0%
HEALTH INSURANCE	1,547,479	1,788,000	1,788,000	1,641,000	1,772,000	-0.9%
HEART OF BREVARD	152,959	154,000	154,000	161,000	161,000	4.5%
HOUSING TRUST	-	2,300	100,300	20,000	266,200	11473.9%
PARKING	558,309	533,458	673,458	146,300	90,000	-83.1%
ARPA FUND	-	2,526,000	2,526,000	2,526,000	-	-100.0%
TOTAL	20,284,658	26,149,475	27,644,675	24,439,942	24,894,607	-4.8%

All Funds

City of Brevard Total Expenditures By Function



	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	PROJECTED TO 06-30-23	MANAGER RECOMMENDED FY23-24	CHANGE IN % FROM FY22-23 ORIGINAL
PERSONNEL	\$ 7,781,513	\$ 8,951,500	\$ 8,884,200	\$ 8,625,075	\$ 9,650,892	7.8%
OPERATING	7,405,033	8,395,877	8,776,177	8,129,410	8,940,000	6.5%
CAPITAL	414,496	2,197,000	2,356,000	683,457	1,971,000	-10.3%
TRANSFER OUT	2,870,737	4,499,856	5,523,056	5,109,600	1,958,315	-56.5%
DEBT	1,812,879	2,105,242	2,105,242	1,892,400	2,374,400	12.8%
TOTAL	\$ 20,284,658	\$ 26,149,475	\$ 27,644,675	\$ 24,439,942	\$ 24,894,607	-4.8%

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GENERAL FUND

The following departments fall under the purview of the General Fund: the governing board, administration, finance, planning, police, buildings and grounds, public works administration, the garage, streets—local, streets—Powell Bill, recreation, the Mary C. Jenkins Community Center, and non-departmental. Revenues are derived primarily from ad valorem property tax, Brevard's portion of state sales taxes, utilities franchise taxes, and investment earnings.

GENERAL FUND REVENUE REFERENCE

This document contains brief descriptions of the General Fund's top eight revenue sources. These sources make up more than 97% of the GF's revenues.

Ad Valorem Tax (\$6,303,900) – Also known as “property tax” or “millage tax,” this is the General Fund's primary source of revenue. All taxable properties are subject to this tax. The tax is determined by multiplying the City's tax rate (48 cents per \$100 of valuation) by a property's assessed value divided by one hundred. See the example below:

$$\begin{aligned}\text{Tax rate X (assessed value/100)} &= \text{Tax liability} \\ .48 \text{ X } (\$350,000/100) &= \$1,680\end{aligned}$$

Brevard projects its revenues by multiplying the tax rate (\$.48) against the sum total assessed value of all taxable properties within the city limits. This figure, computed annually by Transylvania County, constitutes Brevard's “tax base” and for 2023 is set at \$1,339,000,000. This figure includes real property and automobiles. The City calculates once more with a projected collection percentage, for this year 98.5%, to produce its final revenue projection.

A small fraction of this revenue is collections of prior year Ad Valorem taxes, and interest income from the tax's holding account.

Sales Tax (\$2,423,527) – This revenue is the City's share of the 6.75% state-authorized point-of-sale taxes charged in Transylvania County. Transylvania County distributes its portion of the tax using the Ad Valorem method, which means the proceeds must be divided between the county and the municipalities in proportion to the total amount of Ad Valorem taxes levied by each. Note that these taxes are paid by all who make purchases in Transylvania County whether they are county residents or not, and Brevard receives a portion of sales made outside city limits.

Brevard projects its FY23/24 collections will be up 4% over FY22/23 collections. This is a conservative figure, as some local government groups are projecting 6.4% growth in the coming fiscal year. Sales taxes constitute most of the total in the “Other Taxes” category on the revenue pages that follow.

Utilities Franchise Taxes (\$565,000) – These revenues are fees collected from private utility providers doing business in Brevard (Duke, Dominion, Comporium) that the utilities must pay in exchange for having a statutory monopoly in their respective sectors. The particulars vary for each utility, but by and large the amounts are based on gross receipts. Changes in consumer consumption can therefore have an effect on collections. Municipalities typically base their projects on trend and publicly available industry data. Distributions of these taxes

are made quarterly. Utilities Franchise Tax constitutes a majority of the “Unrestricted Intergovernmental” category on the revenue pages that follow, so named because they can be used for any purpose.

Investment Earnings (\$470,000) – This is the revenue the City receives by virtue of holding nearly \$12M in cash in interest bearing accounts. The vast majority of these investments are in accounts managed by the North Carolina Capital Management Trust, but a much smaller portion are held in more liquid accounts at United Community Bank.

This revenue is projected significantly higher than last year, when it was only projected at \$2,000. Last year’s figure was created when interest rates were at record lows (near zero), and investment accounts were yielding paltry sums. Now the economic pendulum has swung to the other side, and interest rates have risen to levels not seen in generations. Signals from the Federal Reserve indicate that rates will stay high for the foreseeable future, making this a safe projection. These revenues are listed in the “Miscellaneous” revenue category in the pages that follow.

Payments from Enterprise Funds (\$525,000) – These revenues are derived from Enterprise Fund payments to General Fund for administration, finance, human resources, and other supportive services provided by the latter fund. These revenues are listed in the “Miscellaneous” revenue category.

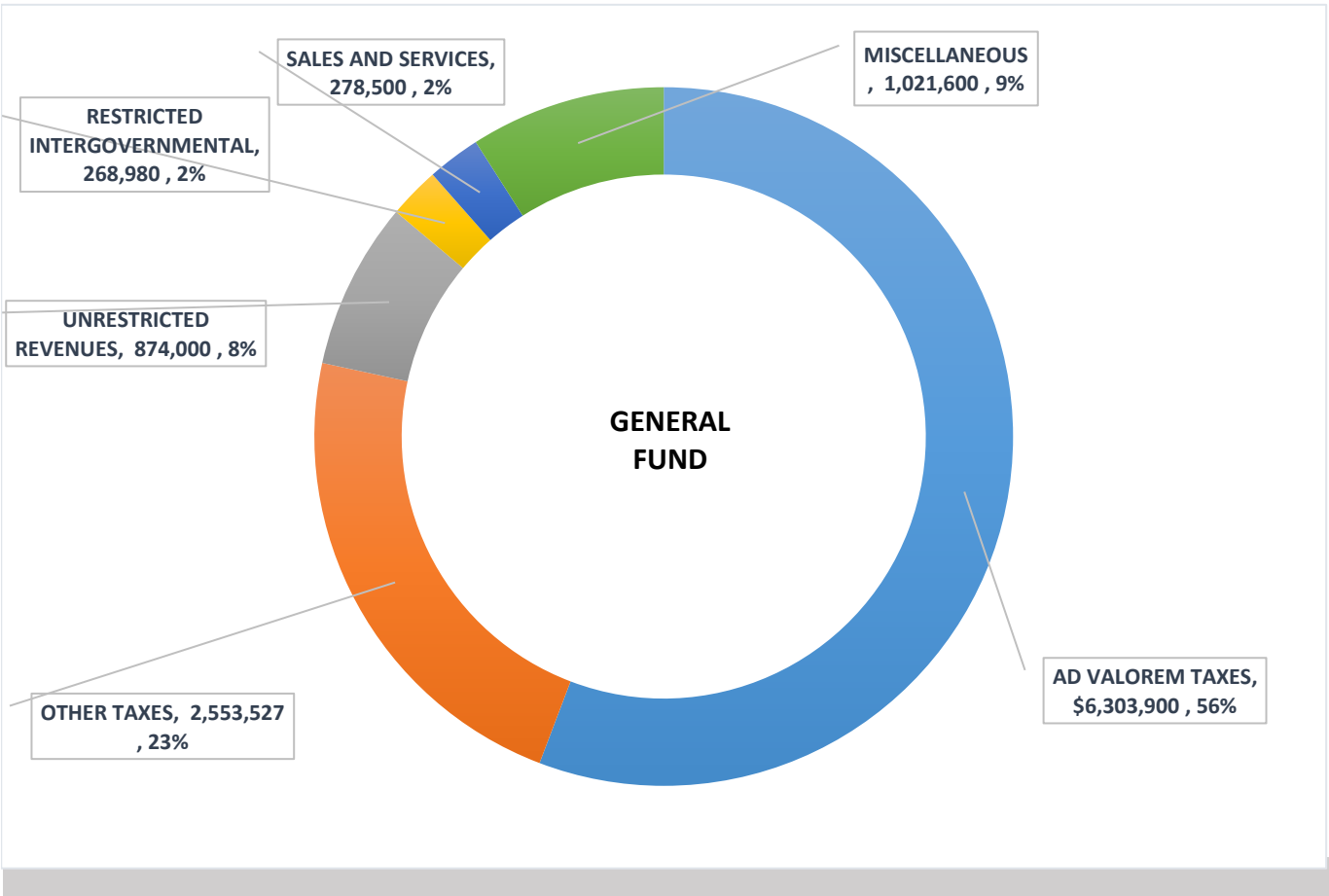
ABC Revenues (\$240,000) – Brevard ABC is the exclusive legal retailer of spiritous beverages in Transylvania County. It is legally considered a “component unit” of the City of Brevard and, therefore, must share a large portion of its profits with the city. The City’s code of ordinances also requires Brevard ABC distribute a smaller portion of its profits to Transylvania County as well. This revenue is listed in the “Unrestricted Intergovernmental” category in the pages that follow.

Powell Bill (\$238,000) – These dollars are granted directly by the state based on a formula that takes into account population and number of lane-miles within the jurisdiction. The money is meant to cover the cost of repairing and maintaining transportation infrastructure such as roads and sidewalks. This revenue is listed in the “Restricted Intergovernmental” revenue category on the pages that follow because the funds can only be used for defined purposes.

County vehicle maintenance agreement (\$215,000) – City forces maintain vehicles for Transylvania County. The revenue is made up of two sources: a \$76,000 fixed contribution to fund salaries and other set costs, and a full cost reimbursement for the cost of each repair. The fixed contribution is contractually set. This revenue is listed in the “Sales and Services” category on the pages that follow as the majority of the revenue is collected in exchange for actual services provided.

General Fund

General Fund Total Revenue



	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	PROJECTED TO 06-30-23	MANAGER RECOMMENDED FY23-24	CHANGE IN % FROM FY22-23 ORIGINAL
AD VALOREM TAXES	\$ 5,753,085	\$ 5,778,400	\$ 5,778,400	\$ 5,885,000	\$ 6,303,900	9.1%
OTHER TAXES	2,157,527	2,108,717	2,309,217	2,420,000	2,553,527	21.1%
UNRESTRICTED REVENUES	840,185	841,500	861,500	875,500	874,000	3.9%
RESTRICTED INTERGOVERNMENTAL	246,432	256,000	287,800	309,700	268,980	5.1%
SALES AND SERVICES	251,330	232,700	232,700	269,200	278,500	19.7%
MISCELLANEOUS	1,146,294	1,316,358	1,900,558	1,340,400	1,021,600	-22.4%
TOTAL	\$ 10,394,853	\$ 10,533,675	\$ 11,370,175	\$ 11,099,800	\$ 11,300,507	7.3%

General Fund

Total Revenue

Ad Valorem Taxes

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED FY23	MANAGER RECOMMENDED FY24
10-3010-0417	AD VAL PRIOR YEARS	\$ 39,632	\$ 15,000	\$ 15,000	\$ 52,780	\$ 50,000	\$ 33,000
10-3010-0421	AD VAL 2021	5,405,986	-	-			
10-3010-0422	AD VAL 2022	-	5,473,400	5,473,400	5,477,992	5,520,000	5,943,500
10-3120-0000	REFUNDS	-	-	-	6,905		-
10-3170-0000	PENALTIES	-	-	-	-		-
10-3170-0017	INTEREST	22,392	15,000	15,000	9,046	15,000	20,000
10-3190-0000	MOTOR VEHICLES	285,075	275,000	275,000	178,525	300,000	307,400
TOTAL AD VALOREM TAXES		\$ 5,753,085	\$ 5,778,400	\$ 5,778,400	\$ 5,725,248	\$ 5,885,000	\$ 6,303,900

Other Taxes

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED FY23	MANAGER RECOMMENDED FY24
10-3450-0000	ARTICLE 39	\$ 801,381	\$ 823,717	\$ 925,217	\$ 457,248	\$ 915,000	\$ 948,527
10-3450-0100	ARTICLE 40 1/2	444,513	410,000	443,000	248,667	475,000	495,000
10-3450-0150	ARTICLE 42 1/2	399,059	410,000	443,000	223,626	450,000	470,000
10-3450-0200	HOLD HARMLESS	454,023	410,000	443,000	254,500	490,000	510,000
10-3350-0200	ZONING ADMINISTRATION	58,551	55,000	55,000	71,769	90,000	130,000
TOTAL OTHER TAXES		\$ 2,157,527	\$ 2,108,717	\$ 2,309,217	\$ 1,255,810	\$ 2,420,000	\$ 2,553,527

Unrestricted Intergovernmental

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED FY23	MANAGER RECOMMENDED FY24
10-3370-0000	UTILITIES FRANCHISE TAX	\$ 569,437	\$ 540,000	\$ 540,000	\$ 281,889	\$ 565,000	\$ 565,000
10-3370-0100	CATV	38,479	40,000	40,000	17,997	37,500	35,000
10-3470-0000	ABC REVENUES	200,000	220,000	240,000	140,000	240,000	240,000
10-3410-0000	WINE AND BEER TAX	30,667	35,000	35,000	-	31,000	32,000
10-3510-0000	COURT COSTS	1,602	1,500	1,500	1,235	2,000	2,000
10-3090-0000	PMNT IN LIEU OF TAXES	-	5,000	5,000	-	-	-
TOTAL UNRESTRICTED INTERGOVERNMENT		\$ 840,185	\$ 841,500	\$ 861,500	\$ 441,121	\$ 875,500	\$ 874,000

Restricted Intergovernmental

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED FY23	MANAGER RECOMMENDED FY24
10-3360-0000	UNAUTHORIZED SUBSTANCE TAX	\$ 158	\$ -	\$ -	\$ 501	\$ 1,000	\$ 500
10-3430-0000	POWELL BILL	236,211	225,000	225,000	237,578	237,600	238,000
10-3430-0100	ABC REVENUES - POLICE	9,278	30,000	30,000	13,145	29,200	30,000
10-3530-0200	DONATIONS - MCJ MAINT ACCT	-	-	-	9,549	9,600	-
10-3910-0725	AARP GRANT	-	-	12,000	12,000	12,000	-
10-3910-0775	POLICE GRANT REVENUE	-	-	19,800	19,763	19,800	-
10-3530-0150	SCRUGGS SCHOLARSHIP	785	1,000	1,000	372	500	480
TOTAL RESTRICTED INTERGOVERNMENT		\$ 246,432	\$ 256,000	\$ 287,800	\$ 292,908	\$ 309,700	\$ 268,980

General Fund

Total Revenue

Sales and Services

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED FY23	MANAGER RECOMMENDED FY24
10-3310-0000	RENT REV - CELL TOWER	\$ 30,014	\$ 32,700	\$ 32,700	\$ 24,557	\$ 32,700	\$ 33,000
10-3320-0000	RENT REV - RR AVE DEPOT	3,275	5,000	5,000	2,650	4,500	5,000
10-3380-0000	RENT REV - COMM GARDEN	365	1,000	1,000	20	500	500
10-3320-0100	RENT REV - MARY C JENKINS	-	-	-	2,355	3,000	4,000
10-3320-0200	RENT REV - FRENCH BROAD	-	-	-	650	1,000	1,000
10-3520-0000	PARKING VIOLATIONS	4,615	4,000	4,000	4,863	7,500	20,000
10-3970-1100	COUNTY VEHICLE MAINT	213,061	190,000	190,000	106,575	220,000	215,000
TOTAL SALES AND SERVICES		\$ 251,330	\$ 232,700	\$ 232,700	\$ 141,670	\$ 269,200	\$ 278,500

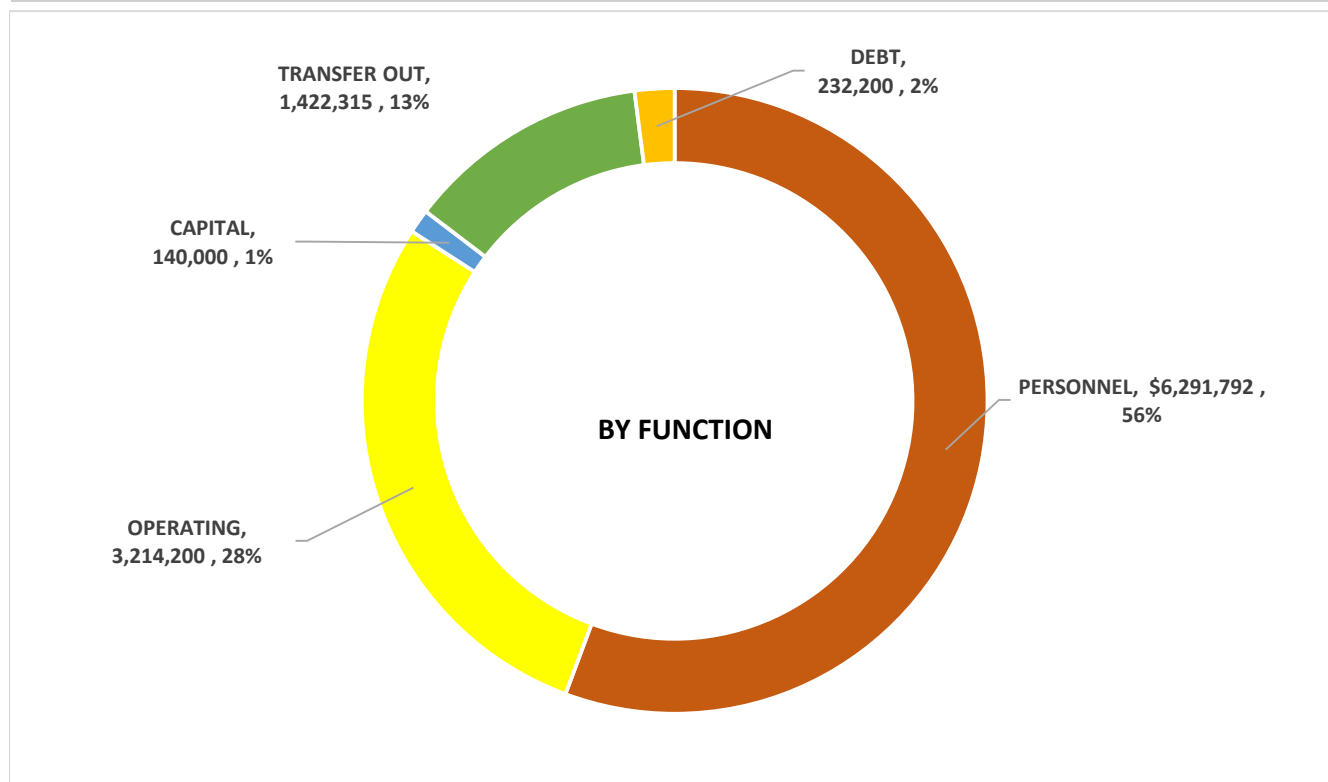
Miscellaneous

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED FY23	MANAGER RECOMMENDED FY24
10-3290-0000	INVESTMENT EARNINGS	\$ 14,911	\$ 2,000	\$ 346,200	\$ 294,914	\$ 425,000	\$ 470,000
10-3250-0000	PRIVILEGE LICENSES	1,852	600	600	105	600	600
10-3280-0000	DONATIONS - COMM GARD	8,400	1,000	1,000	120	500	500
10-3300-0000	DONATIONS - SILVERSTEEN	200	-	-	-	-	-
10-3300-0100	DONATIONS - MC JENKINS	1,100	-	-	800	2,000	1,000
10-3530-0100	DONATIONS - POLICE	2,095	2,000	2,000	-	500	1,000
10-3600-0000	INSURANCE PROCEEDS	-	-	-	12,535	15,000	-
10-3600-0100	STAND BY PAY REIMB - POLICE	-	-	-	1,110	2,500	2,500
10-3800-0000	DONATIONS - DOG PARK	3,440	-	-	625	1,000	1,000
10-3830-0000	SALE OF FIXED ASSETS	8,058	5,000	5,000	3,700	6,000	5,000
10-3910-0000	REIMB FROM WATER AND SEW	600,000	600,000	600,000	450,000	600,000	450,000
10-3910-0020	REIMB FROM SANITATION	-	-	-	-	-	75,000
10-3910-0040	REIMB FROM FIRE	-	-	-	-	-	-
10-3910-0400	LOAN REIMB FRM FUND 78	45,000	-	-	-	-	-
10-3910-0250	TRANSFER FROM ARPA	-	277,300	277,300	277,300	277,300	-
10-3980-0250	TRANSFER FROM PARKING	413,458	413,458	413,458	-	-	-
10-3920-0040	PROCEEDS FROM DEBT	-	-	-	-	-	-
10-3990-0000	FUND BALANCE APPROP	-	-	240,000	-	-	-
10-3350-0100	MISC REVENUE	47,780	15,000	15,000	2,251	10,000	15,000
TOTAL MISCELLANEOUS		\$ 1,146,294	\$ 1,316,358	\$ 1,900,558	\$ 1,043,460	\$ 1,340,400	\$ 1,021,600

TOTAL	\$ 10,394,853	\$ 10,533,675	\$ 11,370,175	\$ 8,900,217	\$ 11,099,800	\$ 11,300,507
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General Fund

General Fund Total Expenditures By Function



	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	PROJECTED TO 06-30-23	MANAGER RECOMMENDED FY23-24	CHANGE IN % FROM FY22-23 ORIGINAL
PERSONNEL	\$ 5,230,014	\$ 5,828,100	\$ 5,760,800	\$ 5,689,575	\$ 6,291,792	8.0%
OPERATING	2,859,485	3,274,077	3,315,877	3,139,810	3,214,200	-1.8%
CAPITAL	151,363	210,000	280,000	211,457	140,000	-33.3%
TRANSFER OUT	1,857,279	960,398	1,752,398	1,752,400	1,422,315	48.1%
DEBT	74,004	261,100	261,100	238,600	232,200	-11.1%
TOTAL	\$ 10,172,145	\$ 10,533,675	\$ 11,370,175	\$ 11,031,842	\$ 11,300,507	7.3%

Notable Changes from the FY22-23 Budget

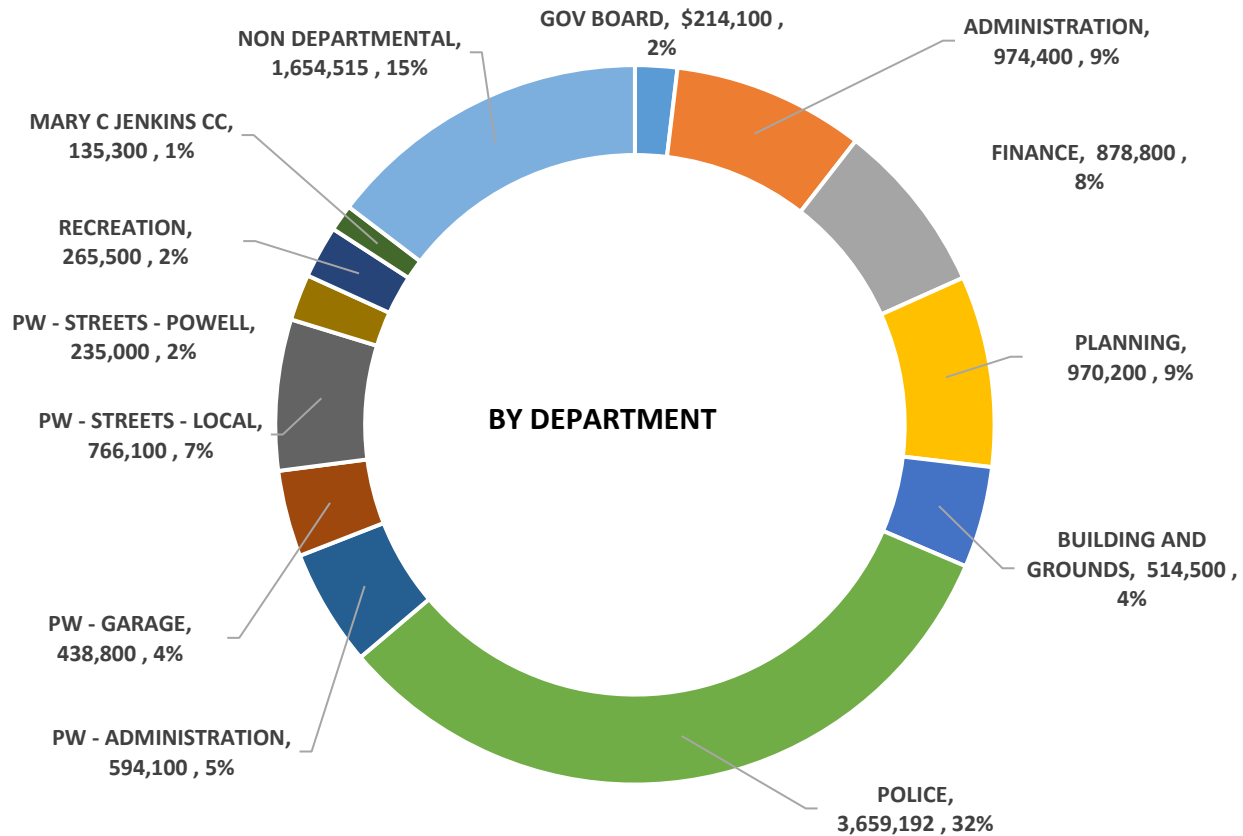
The General Fund budget is \$767,000, (or 7.33%) higher than the previous fiscal year.

Salaries and benefits are \$463,000, (or 8%) higher than the previous fiscal year. A classification and compensation study was completed in March of 2023, and the recommended budget includes the proposed market adjustment along with the cost of living increase to ensure that the City remains competitive in today's job market. Over 60% of General Fund employees received a market adjustment. All full time positions are now at a living wage, as determined for rural counties in Western North Carolina.

Transfers out have increased \$462,000 from the previous fiscal year. The annual transfer to the Fire Fund is \$152,000 higher because of debt payments on previously committed-to capital expenditures. In keeping with the Council's named priorities, the City is transferring \$264,000 to the Housing Trust Fund and \$156,600 to the Sanitation Fund. In previous fiscal years, the City has transferred two cents of tax values to other Capital Project Funds. The Manager Recommended Budget has reduced or eliminated some of these transfers.

General Fund

Fund Overview By Department



	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	PROJECTED TO 06-30-23	MANAGER RECOMMENDED FY23-24	CHANGE IN % FROM FY22-23 ORIGINAL
GOV BOARD	\$ 99,562	\$ 229,277	\$ 229,277	\$ 189,900	\$ 214,100	-6.6%
ADMINISTRATION	775,915	912,100	854,800	873,210	974,400	6.8%
FINANCE	759,081	770,500	770,500	772,000	878,800	14.1%
PLANNING	815,189	907,800	917,800	838,425	970,200	6.9%
BUILDING AND GROUNDS	386,308	476,100	476,100	551,457	514,500	8.1%
POLICE	3,209,140	3,451,900	3,471,700	3,414,300	3,659,192	6.0%
PW - ADMINISTRATION	528,325	466,100	456,100	431,550	594,100	27.5%
PW - GARAGE	410,845	415,500	415,500	410,600	438,800	5.6%
PW - STREETS - LOCAL	813,783	861,600	861,600	802,200	766,100	-11.1%
PW - STREETS - POWELL	247,909	482,300	482,300	451,000	235,000	-51.3%
RECREATION	190,271	229,200	311,200	195,500	265,500	15.8%
MARY C JENKINS CC	4,534	109,800	109,800	110,700	135,300	23.2%
NON DEPARTMENTAL	1,931,283	1,221,498	2,013,498	1,991,000	1,654,515	35.4%
TOTAL	\$ 10,172,145	\$ 10,533,675	\$ 11,370,175	\$ 11,031,842	\$ 11,300,507	7.3%

GOVERNING BOARD

The mayor and 5 members of the City Council are elected by the voters of Brevard and, together, comprise the governing body of the City of Brevard. The councilmembers appoint one member to act as mayor pro tempore and to perform duties in the mayor's absence.

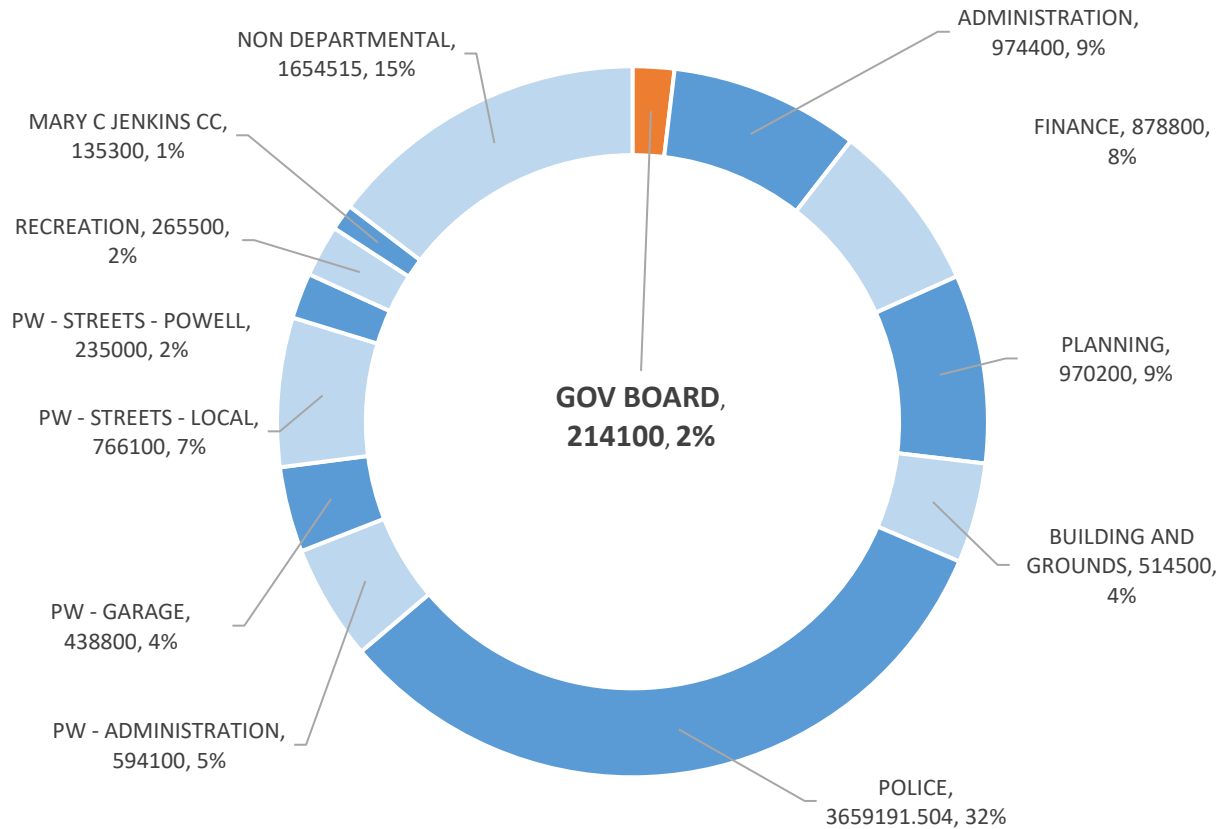
The mayor presides over all City Council meetings and votes only in cases of equal division of the council. City Council exercises the legislative powers of the City by establishing ordinances and policies. It appoints the City Manager and City Attorney and sets the strategic direction for the municipal agency.

Mayor and councilmembers also serve on various community boards and commissions. They help build and maintain partnerships with outside groups. They represent the City in Raleigh and Washington, D.C.

Contributions to nonprofit organizations are budgeted in this section.

General Fund - Governing Board

Overview



Total Expenditures

	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	PROJECTED 6-30-23	MANAGER RECOMMENDED FY23-24	CHANGE IN % FROM FY22-23 ORIGINAL
SALARY & BENEFITS	\$ 48,308	\$ 47,400	\$ 47,400	\$ 47,400	\$ 47,400	0.0%
OPERATING	51,254	181,877	181,877	142,500	166,700	143.4%
CAPITAL	-	-	-	-	-	
TOTAL	\$ 99,562	\$ 229,277	\$ 229,277	\$ 189,900	\$ 214,100	83.0%

Notable Changes from the FY22-23 Budget

Operating

The contracted services line is \$15,000 lower than the previous fiscal year. Elections are held in November of 2023, so the City is estimating an expense of \$12,500, but tap fee waivers have been reduced from \$23,700 to \$0.00, as the City will fund these via the Housing Trust Fund.

General Fund - Governing Board

Detailed Expenditures

Personnel

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED FY23	MANAGER RECOMMENDED FY24
10-4100-0300	SALARIES - PART TIME	\$ 44,875	\$ 44,000	\$ 44,000	\$ 33,000	\$ 44,000	\$ 44,000
10-4100-0500	FICA	3,433	3,400	3,400	2,525	3,400	3,400
TOTAL PERSONNEL		\$ 48,308	\$ 47,400	\$ 47,400	\$ 35,525	\$ 47,400	\$ 47,400

Operating

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED FY23	MANAGER RECOMMENDED FY24
10-4100-1100	TELEPHONE AND INTERNET	\$ 2,241	\$ 2,400	\$ 2,400	\$ 1,629	\$ 2,000	\$ 2,400
10-4100-4500	CONTRACTED SERVICES	20,358	4,000	4,000	775	2,000	16,500
10-4100-5300	DUES & SUBSCRIPTIONS	13,015	14,000	14,000	11,793	13,000	14,000
10-4100-5400	INSURANCE - WC AND LIAB	10,540	11,000	11,000	10,212	10,500	11,000
10-4100-5600	TAP FEE WAIVER	-	23,677	23,677	-	5,000	-
10-4100-5700	NON PROFIT CONTRIBUTIONS	5,100	126,800	126,800	96,575	110,000	122,800
TOTAL OPERATING		\$ 51,254	\$ 181,877	\$ 181,877	\$ 120,984	\$ 142,500	\$ 166,700

TOTAL	\$ 99,562	\$ 229,277	\$ 229,277	\$ 156,509	\$ 189,900	\$ 214,100
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General Fund - Governing Board

Budget By Line Item / 10-4100-XXXX

0300 Salaries - Part Time		\$ 44,000
1 Mayor	-	
5 Board Members	-	
0500 FICA		\$ 3,400
	-	
1100 Telephone and Internet		\$ 2,400
Data	2,400	
4500 Contracted Services		\$ 16,500
Election	12,500	
Misc	4,000	
5300 Dues & Subscriptions		\$ 14,000
League of Municipalities	9,000	
Land of Sky	4,000	
Misc	1,000	
5400 Insurance - Workers Comp and Liability		\$ 11,000
Liability	6,000	
Workers Comp	5,000	
5600 Tap Fee Waiver		\$ -
	-	
5700 Non Profit Contributions		\$ 122,800
Arts Council	10,000	
Chamber of Commerce	4,000	
Rise and Shine	5,000	
Bread of Life	5,500	
Boys/Girls Club	15,000	
El Centro	5,000	
Heart of Brevard	39,000	
Farmers Market	20,000	
Kids Camp	800	
Sharing House	10,000	
Misc reception,visits, recognition	4,000	
Mayor donation	4,500	
TOTAL		\$ 214,100

ADMINISTRATION

The Administration department provides centralized, corporate-level oversight for all the City's operating functions. In addition, the Administration department facilitates the policymaking work of the City Council and executes its decisions. Executive management, City Clerk, public information, and human resources functions are housed in this department. The City's outside legal counsel is partially funded via this department.

General Fund - Administration

Total Expenditures

	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	PROJECTED 6-30-23	MANAGER RECOMMENDED FY23-24	CHANGE IN % FROM FY22-23 ORIGINAL
SALARY & BENEFITS	\$ 535,427	\$ 680,100	\$ 622,800	\$ 636,800	\$ 720,800	6.0%
OPERATING	240,488	232,000	232,000	236,410	253,600	9.3%
CAPITAL	-	-	-	-	-	-
TOTAL	\$ 775,915	\$ 912,100	\$ 854,800	\$ 873,210	\$ 974,400	6.8%

Notable Changes from the FY22-23 Budget

Personnel

Budgeted personnel expenses are \$40,000 higher than the previous fiscal year.

Operating

Operating expenses show an increase of \$31,600 from the previous fiscal year. Advertising expenses related mainly to City meetings and Planning Department items show a \$15,000 increase. The Human Resources Department has added a Time and Attendance tracking system at a cost of \$15,000.

Certain line items appear different from the previous fiscal year. Expenses have been shifted between contracted and professional services to better reflect function, while the entire expense associated with the recording of City ordinance changes is now being recorded in the Planning Department.

General Fund - Administration

Detailed Expenditures

Personnel

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED FY23	MANAGER RECOMMENDED FY24
10-4200-0200	SALARIES - REGULAR	\$ 344,099	\$ 483,500	\$ 426,200	\$ 255,632	\$ 416,000	\$ 484,900
	MARKET ADJUSTMENT	-	-	-	-	-	6,000
	5% COLA ADJUSTMENT	-	-	-	-	-	21,800
10-4200-0210	SALARIES - REG - OT	-	1,000	1,000	1,422	2,500	1,000
10-4200-0300	SALARIES - PART TIME	45,951	-	-	33,015	33,500	-
10-4200-0500	FICA	28,804	37,000	37,000	21,645	35,000	37,100
10-4200-0600	GROUP INSURANCE	72,000	90,000	90,000	67,500	90,000	90,000
10-4200-0700	RETIREMENT	39,061	58,900	58,900	31,258	50,000	62,600
10-4200-0710	401K SUPPLEMENT	3,699	-	-	3,231	5,000	-
10-4200-0730	401K EMPLOYER MATCH	1,813	9,700	9,700	2,730	4,800	17,400
TOTAL PERSONNEL		\$ 535,427	\$ 680,100	\$ 622,800	\$ 416,433	\$ 636,800	\$ 720,800

Operating

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED FY23	MANAGER RECOMMENDED FY24
10-4200-0925	PROF SERVICES	\$ 96,535	\$ 104,000	\$ 104,000	\$ 65,148	\$ 100,000	\$ 65,000
10-4200-1000	TRAINING	5,359	4,000	4,000	5,068	6,000	13,000
10-4200-1100	TELEPHONE AND INTERNET	5,306	6,000	6,000	2,307	5,000	5,100
10-4200-1110	POSTAGE	83	-	-	-	-	-
10-4200-1200	PRINTING	162	1,000	1,000	404	1,000	1,000
10-4200-1400	TRAVEL	6,452	3,000	3,000	3,132	4,500	3,500
10-4200-1410	AUTO ALLOWANCE	6,684	6,000	6,000	3,377	5,500	6,000
10-4200-1600	M & R EQUIPMENT	11,326	12,000	12,000	11,149	14,000	2,500
10-4200-1700	M & R VEHICLES	-	-	-	306	400	-
10-4200-2600	ADVERTISING	26,884	20,000	20,000	29,055	35,000	35,000
10-4200-3100	UNLEADED & DIESEL	283	500	500	284	200	500
10-4200-3300	OFFICE SUPPLIES	17,842	14,000	14,000	6,238	12,500	14,000
10-4200-4500	CONTRACTED SERVICES	30,695	19,000	19,000	18,979	20,000	63,000
10-4200-5300	DUES & SUBSCRIPTIONS	6,294	6,500	6,500	4,398	6,000	6,500
10-4200-5400	INSURANCE - WC AND LIAB	11,012	10,000	10,000	5,462	9,500	10,000
10-4200-5410	UNEMPLOYMENT INSURANCE	-	-	-	2,210	2,210	2,500
10-4200-5411	PRE EMPL PHYS & DRUG SCREEN	1,354	3,500	3,500	722	500	3,500
10-4200-5425	EMPLOYEE TRAINING PROGRAMS	670	5,000	5,000	-	2,000	5,000
10-4200-5500	SAFETY OSHA & ADA	861	5,000	5,000	-	2,000	5,000
10-4200-5700	EMPLOYEE RECOGNITION	12,608	12,500	12,500	5,165	10,000	12,500
10-4200-5701	RECORDING FEES	78	-	-	50	100	-
TOTAL OPERATING		\$ 240,488	\$ 232,000	\$ 232,000	\$ 163,454	\$ 236,410	\$ 253,600

Capital

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED FY23	MANAGER RECOMMENDED FY24
10-4200-7400	CAPITAL OUTLAY	-	-	-	-	-	-
TOTAL CAPITAL		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

TOTAL	\$ 775,915	\$ 912,100	\$ 854,800	\$ 579,887	\$ 873,210	\$ 974,400
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General Fund - Administration

Budget By Line Item / 10-4200-XXXX

0200 Salaries - Regular		\$ 484,900
1 City Manager		
1 Executive Assistant to City Manager		
1 City Clerk		
1 Human Resource Director		
1 Human Resource Specialist		
1 Communications		
	Market	\$ 6,000
	COLA	\$ 21,800
0210 Salaries - Regular - Overtime		\$ 1,000
0300 Salaries-Part Time		\$ -
0500 FICA		\$ 37,100
0600 Group Insurance		\$ 90,000
0700 Retirement		\$ 62,600
0710 401K Supplement		\$ -
0730 401K Employer Match		\$ 17,400
0925 Professional Services		\$ 65,000
Safety Consultant	12,000	
Legal	48,000	
Retreats, misc	5,000	
1000 Training		\$ 13,000
Finance	3,500	
Munic Admin for Clerk	5,500	
Misc	4,000	
1100 Telephone and Internet		\$ 5,100
Cell stipends	1,800	
Data and cell	3,300	
1200 Printing		\$ 1,000
1400 Travel		\$ 3,500
1410 Auto Allowance		\$ 6,000
City Manager	6,000	
1600 M & R Equipment		\$ 2,500

Misc	2,500		
2600 Advertising		\$	35,000
3100 Unleaded & Diesel		\$	500
3300 Office Supplies & Materials		\$	14,000
4500 Contracted Services		\$	63,000
Copier lease	3,200		
Copier maint contract	1,800		
Civic Plus - Agenda	9,000		
Website - Civic Plus amount	15,000		
Time and Attendance System	15,000		
Applicant tracking	10,000		
Laserfiche	4,000		
Misc	5,000		
5300 Dues & Subscriptions		\$	6,500
UNC School of Government	1,200		
National League of Cities	1,000		
ICMA	1,200		
Newspaper	600		
Misc	2,500		
5400 Insurance - Workers Comp and Liability		\$	10,000
Liability	5,500		
Workers Comp	4,500		
5410 Unemployment Insurance		\$	2,500
5411 Pre-Employment Physical & Drug Screen		\$	3,500
5425 Employee Training Programs		\$	5,000
5500 Safety OSHA ADA		\$	5,000
5700 Employee Recognition		\$	12,500
Christmas, Employee picnic			
TOTAL		\$	974,400

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FINANCE

Overseen by the Assistant City manager, this department manages all financial tasks including preparation of the annual budget, accounting, accounts payable, accounts receivable/utility collections, and tax collections. Funds for the city's annual external audit are budgeted in this department.

General Fund - Finance

Total Expenditures

	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	PROJECTED 6-30-23	MANAGER RECOMMENDED FY23-24	CHANGE IN % FROM FY22-23 ORIGINAL
SALARY & BENEFITS	\$ 436,051	\$ 448,900	\$ 448,900	\$ 461,500	\$ 513,300	14.3%
OPERATING	323,030	321,600	321,600	310,500	365,500	13.7%
CAPITAL	-	-	-	-	-	0.0%
TOTAL	\$ 759,081	\$ 770,500	\$ 770,500	\$ 772,000	\$ 878,800	14.1%

Notable Changes from the FY22-23 Budget

Personnel

Budgeted personnel expenses are \$65,000 higher than the previous fiscal year.

Operating

The operating budget is \$44,000 higher than the previous fiscal year. Audit fees are \$8,000 higher due to ARPA reporting, and the City has budgeted \$15,000 to aide in tax collection.

Postage is budgeted \$13,000 higher than the previous fiscal year. A credit that the City had been receiving for the past eighteen months will be completed, so the City will be paying full postage on our water billings for the bulk of FY23-24.

The City has increased IT replacement from \$15,000 to \$25,000.

General Fund - Finance

Detailed Expenditures

Personnel

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED FY23	MANAGER RECOMMENDED FY24
10-4400-0200	SALARIES - REGULAR	\$ 295,884	\$ 300,200	\$ 300,200	\$ 225,023	\$ 312,000	\$ 316,500
	MARKET ADJUSTMENT	-	-	-	-	-	16,500
	5% COLA ADJUSTMENT	-	-	-	-	-	20,600
10-4400-0210	SALARIES - REG - OT	8,450	8,000	8,000	7,125	8,000	10,000
10-4400-0500	FICA	22,203	23,000	23,000	17,324	24,000	24,300
10-4400-0600	GROUP INSURANCE	72,000	75,000	75,000	56,250	75,000	75,000
10-4400-0700	RETIREMENT	34,850	36,600	36,600	28,226	39,000	40,900
10-4400-0730	401K EMPLOYER MATCH	2,664	6,100	6,100	3,795	3,500	9,500
TOTAL PERSONNEL		\$ 436,051	\$ 448,900	\$ 448,900	\$ 337,743	\$ 461,500	\$ 513,300

Operating

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED FY23	MANAGER RECOMMENDED FY24
10-4400-0925	PROF SERVICES	\$ 61,885	\$ 45,000	\$ 45,000	\$ 50,429	\$ 44,500	\$ 68,000
10-4400-1000	TRAINING	2,873	6,000	6,000	2,663	6,500	6,500
10-4400-1100	TELEPHONE AND INTERNET	22,312	25,500	25,500	17,854	26,000	26,000
10-4400-1110	POSTAGE	24,492	16,900	16,900	11,697	17,500	31,500
10-4400-1600	M & R EQUIPMENT	53,179	60,200	60,200	49,612	57,500	52,000
10-4400-3300	DEPT SUPPLIES & MATERIALS	6,715	5,000	5,000	2,382	4,500	5,000
10-4400-4500	CONTRACTED SERVICES	133,641	151,000	151,000	104,169	143,000	164,500
10-4400-5300	DUES & SUBSCRIPTIONS	650	2,000	2,000	665	1,500	2,000
10-4400-5400	INSURANCE - WC AND LIAB	8,283	10,000	10,000	9,550	9,500	10,000
10-4400-5800	TL SCRUGGS SCHOLARSHIPS	9,000	-	-	-	-	-
TOTAL OPERATING		\$ 323,030	\$ 321,600	\$ 321,600	\$ 249,021	\$ 310,500	\$ 365,500

Capital

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED FY23	MANAGER RECOMMENDED FY24
10-4400-7400	CAPITAL OUTLAY	-	-	-	-	-	-
TOTAL CAPITAL		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

TOTAL	\$ 759,081	\$ 770,500	\$ 770,500	\$ 586,764	\$ 772,000	\$ 878,800
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General Fund - Finance

Budget By Line Item / 10-4400-XXXX

0200	Salaries - Regular		\$ 316,500
	1 Assistant City Manager/Finance Director		-
	1 Tax Collector		-
	1 Utility Accounts Supervisor		
	1 Senior Customer Service Rep		
	1 Accountant		-
		Market	\$ 16,500
		COLA	\$ 20,600
0210	Salaries - Regular - Overtime		\$ 10,000
			-
0500	FICA		\$ 24,300
			-
0600	Group Insurance		\$ 75,000
			-
0700	Retirement		\$ 40,900
			-
0730	401K Employer Match		\$ 9,500
			-
0925	Professional Services		\$ 68,000
	Annual Audit	48,000	
	Actuary	5,000	
	Legal Fees - Tax Collection	15,000	
	Utility Billing	-	
1000	Training		\$ 6,500
			-
1100	Telephone and Internet		\$ 26,000
	Cell stipends	500	
	Comporium	25,500	
1110	Postage		\$ 31,500
	Utility Bill postage	27,500	
	AP postage	4,000	
1600	M & R Equipment		\$ 52,000
	Governmental software	48,000	
	Misc	4,000	
3300	Department Supplies & Materials		\$ 5,000
4500	Contracted Services		\$ 164,500
	Copier lease	3,200	
	Copier maint contract	1,800	
	Managed IT	108,000	
	Comporium	9,500	

	Utility Bill printing & envelope	6,000	
	Misc	5,000	
	Pitney Bowes	3,000	
	Citywide IT replacement and upgrade	25,000	
	Lexis Nexis	3,000	
5300	Dues & Subscriptions		\$ 2,000
			-
5400	Insurance - Workers Comp and Liability		\$ 10,000
	Liability	5,500	
	Workers Comp	4,500	
TOTAL			\$ 878,800

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PLANNING

The Planning Department manages the long-term physical development of the community. The department's funds cover the operational costs associated with planning and zoning, which include personnel costs, professional services, supplies and materials, dues and subscriptions, continuing education and training, and some City projects.

The Planning Department's 5 staff are responsible for drafting many crucial long-range planning documents—such as the CLUP and the Housing Trust Bylaws & Guidebook—that guide the City's future development. They also maintain policy documents such as the Bicycle & Pedestrian Plan, the Official Zoning Map, and the Powell Bill Map.

Planning Department staff perform code enforcement, issue zoning and subdivision permission, and oversee floodplain development for the City and its extraterritorial jurisdiction (ETJ). The department also coordinates planning efforts with local, regional, state, and federal agencies and reviews development projects to ensure they are in compliance with adopted ordinances, codes, and regulations.

The Planning Department drafted and is responsible for overseeing the CLUP. Major policy recommendation topics include

- Land Use & Housing
- Active Transportation & Community Health
- Parks, Natural Resources, & Cultural Resources
- Economic Development, Infrastructure, & Resiliency



General Fund - Planning

Total Expenditures

	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	PROJECTED 6-30-23	MANAGER RECOMMENDED FY23-24	CHANGE IN % FROM FY22-23 ORIGINAL
SALARY & BENEFITS	\$ 414,833	\$ 491,300	\$ 491,300	\$ 482,825	\$ 556,800	13.3%
OPERATING	369,263	416,500	426,500	355,600	413,400	-0.7%
CAPITAL	31,093	-	-	-	-	0.0%
TOTAL	\$ 815,189	\$ 907,800	\$ 917,800	\$ 838,425	\$ 970,200	6.9%

Notable Changes from the FY22-23 Budget

Personnel

Budgeted personnel expenses are \$65,000 higher than the previous fiscal year. \$40,000 of this is for a new part time position which is funded through planning zoning fee increases.

Operating

The operating budget is largely flat. The City budgets \$80,000 of its annual \$128,000 legal fees to the Planning Department. The Department has also budgeted \$75,000 for Comprehensive Land Use Plan implementation.

General Fund - Planning

Detailed Expenditures

Personnel

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED FY23	MANAGER RECOMMENDED FY24
10-4900-0200	SALARIES - REGULAR	\$ 284,652	\$ 336,200	\$ 336,200	\$ 238,170	\$ 334,400	\$ 336,200
	MARKET ADJUSTMENT	-	-	-	-	-	3,600
	5% COLA ADJUSTMENT	-	-	-	-	-	21,200
10-4900-0210	SALARIES - REG - OT	36	1,500	1,500	-	-	1,500
10-4900-0300	SALARIES - PART TIME	2,215	5,000	5,000	1,075	2,300	40,000
10-4900-0500	FICA	20,695	25,800	25,800	17,426	24,725	25,800
10-4900-0600	GROUP INSURANCE	72,000	75,000	75,000	56,250	75,000	75,000
10-4900-0700	RETIREMENT	32,635	41,000	41,000	28,948	41,400	43,400
10-4900-0730	401K EMPLOYER MATCH	2,600	6,800	6,800	3,771	5,000	10,100
TOTAL PERSONNEL		\$ 414,833	\$ 491,300	\$ 491,300	\$ 345,640	\$ 482,825	\$ 556,800

Operating

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED FY23	MANAGER RECOMMENDED FY24
10-4900-0925	PROF SERVICES	\$ 232,386	\$ 298,500	\$ 308,500	\$ 129,961	\$ 250,000	\$ 270,000
10-4900-1000	TRAINING	4,298	18,000	18,000	6,380	16,000	18,000
10-4900-1100	TELEPHONE AND INTERNET	3,748	4,500	4,500	2,733	4,500	4,500
10-4900-1600	M & R EQUIPMENT	13,635	10,000	10,000	7,827	9,000	6,700
10-4900-1700	M & R VEHICLE	406	1,500	1,500	1,636	1,500	1,500
10-4900-3100	UNLEADED & DIESEL	396	500	500	370	500	500
10-4900-3300	DEPT SUPPLIES & MATERIALS	16,638	8,000	8,000	6,917	12,000	11,000
10-4900-4500	CONTRACTED SERVICES	86,571	63,000	63,000	25,105	50,000	88,200
10-4900-5300	DUES & SUBSCRIPTIONS	2,402	3,000	3,000	1,884	3,000	3,500
10-4900-5400	INSURANCE - WC AND LIAB	8,783	9,500	9,500	8,819	9,100	9,500
TOTAL OPERATING		\$ 369,263	\$ 416,500	\$ 426,500	\$ 191,632	\$ 355,600	\$ 413,400

Capital

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED FY23	MANAGER RECOMMENDED FY24
10-4900-7400	CAPITAL OUTLAY	31,093	-	-	-	-	-
TOTAL CAPITAL		\$ 31,093	\$ -	\$ -	\$ -	\$ -	\$ -

TOTAL	\$ 815,189	\$ 907,800	\$ 917,800	\$ 537,272	\$ 838,425	\$ 970,200
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General Fund - Planning

Budget By Line Item / 10-4900-XXXX

0200	Salaries - Regular		\$	336,200
	1 Planning Director			-
	1 Assistant Planning Director			
	1 Senior Planner			
	1 Planner/Assistant Zoning Admin			-
	1 Admin Services Manager			-
		Market	\$	3,600
		COLA	\$	21,200
0210	Salaries - Regular - Overtime		\$	1,500
0300	Salaries-PT		\$	40,000
0500	FICA		\$	25,800
0600	Group Insurance		\$	75,000
0700	Retirement		\$	43,400
0730	401K Employer Match		\$	10,100
0925	Pro Services		\$	270,000
	Legal			80,000
	Code Enforcement (possibly Police)			10,000
	Outreach and education			5,000
	Legal - Board of Adjustment			20,000
	CLUP			75,000
	Misc			80,000
1000	Training		\$	18,000
	Planning Board training			2,000
	Staff Training			15,000
	Misc			1,000
1100	Telephone and Internet		\$	4,500
	Stipend			2,100
	Verizon			2,400
1600	M & R -Equipment		\$	6,700
	Ipads and IT			4,200
	Misc			2,500
1700	M & R- Vehicles		\$	1,500
3100	Unleaded and Diesel		\$	500
3300	Department Supplies and Materials		\$	11,000
4500	Contracted Services		\$	88,200
	ESRI-GIS			10,500

	Trans County GIS	1,200		
	Encode	15,000		
	Misc appraisals	10,000		
	Copier lease	3,200		
	Copier maint contract	1,800		
	Permitting software	10,500		
	Avineon, Archrive Social,Adobe, zoom	11,000		
	Misc - grant appl, appraisals	25,000		
5300	Dues and Subscriptions		\$	3,500
				-
5400	Insurance - Workers Comp and Liability		\$	9,500
	Liability	5,000		
	Workers Comp	4,500		
7400	Capital Outlay		\$	-
		-		-
TOTAL			\$	970,200

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Mary C. Jenkins Center

The Mary C. Jenkins Community & Cultural Center (MCJCC) is one of 3 community centers owned and operated by the City of Brevard. This unit accounts for the cost of operating the newest and most active facility, the MCJCC. The costs of maintaining the Depot Railroad Avenue Park and the French Broad Community Center are budgeted in the Buildings & Grounds budget. The Community Center Director is responsible for organizing and scheduling events at the community centers and for managing rental requests at each location.

Cultural programming,
inter-generational game
nights, holiday celebrations,
& special events



Afterschool
programs &
college
information
sessions



- Fitness classes
- Community health screenings
- Healthcare information sessions
- Substance abuse support groups



 Music lessons

ALIGNMENT WITH CLUP GOALS

Parks, Natural Resources, & Cultural Resources-25: Create opportunities for arts and cultural programming, public art, sculptures, and murals throughout the City.



MISSION STATEMENT

The Mary C. Jenkins Community & Cultural Center strives to promote a healthy, livable community with opportunities for educational, personal, and cultural enrichment.

General Fund - Community Center

Total Expenditures

	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	PROJECTED 6-30-23	MANAGER RECOMMENDED FY23-24	CHANGE IN % FROM FY22-23 ORIGINAL
SALARY & BENEFITS	\$ 4,234	\$ 74,800	\$ 74,800	\$ 74,200	\$ 85,000	13.6%
OPERATING	300	35,000	35,000	36,500	50,300	43.7%
CAPITAL	-	-	-	-	-	0.0%
TOTAL	\$ 4,534	\$ 109,800	\$ 109,800	\$ 110,700	\$ 135,300	23.2%

Notable Changes from the FY22-23 Budget

The Mary C. Jenkins Community Center opened in November of 2022 and the budget is gradually developing. Increases from the previous fiscal year are in part associated with the cost of high speed internet and janitorial services for the facility.

General Fund - Mary C Jenkins Community Center

Detailed Expenditures

Personnel

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED FY23	MANAGER RECOMMENDED FY24
10-6150-0200	SALARIES - REGULAR	\$ 3,539	\$ 49,000	\$ 49,000	\$ 35,348	\$ 49,000	\$ 53,700
	MARKET ADJUSTMENT	-	-	-	-	-	-
	5% COLA ADJUSTMENT	-	-	-	-	-	3,400
10-6150-0500	FICA	271	3,800	3,800	2,536	3,800	4,200
10-6150-0600	GROUP INSURANCE	-	15,000	15,000	11,250	15,000	15,000
10-6150-0700	RETIREMENT	424	6,000	6,000	4,549	6,000	7,000
10-6150-0730	401K EMPLOYER MATCH	-	1,000	1,000	82	400	1,700
TOTAL PERSONNEL		\$ 4,234	\$ 74,800	\$ 74,800	\$ 53,765	\$ 74,200	\$ 85,000

Operating

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED FY23	MANAGER RECOMMENDED FY24
10-6150-1100	TELEPHONE AND INTERNET	\$ -	\$ 5,000	\$ 5,000	\$ 8,318	\$ 10,000	\$ 7,800
10-6150-1300	UTILITIES	-	-	-	2,567	3,500	6,000
10-6150-1500	M & R BUILDINGS	300	15,000	15,000	5,709	12,000	5,000
10-6150-3200	OFFICE SUPPLIES	-	5,000	5,000	-	2,500	4,000
10-6150-3300	DEPT SUPPLIES & MATERIALS	-	10,000	10,000	4,561	5,000	5,500
10-6150-4500	CONTRACTED SERVICES	-	-	-	208	500	11,500
10-6150-5300	DUES & SUBSCRIPTIONS	-	-	-	250	500	1,000
10-6150-5400	INSURANCE - WC AND LIAB	-	-	-	1,963	2,500	9,500
TOTAL OPERATING		\$ 300	\$ 35,000	\$ 35,000	\$ 23,576	\$ 36,500	\$ 50,300

TOTAL	\$ 4,534	\$ 109,800	\$ 109,800	\$ 77,341	\$ 110,700	\$ 135,300
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General Fund - Mary C Jenkins Community Center

Budget By Line Item / 10-XXXX-XXXX

0200	Salaries - Regular		\$ 53,700
	1 Community Center Director		
		COLA	\$ 3,400
0500	FICA		\$ 4,200
0600	Group Insurance		\$ 15,000
0700	Retirement		\$ 7,000
0730	401K Employer Match		\$ 1,700
1100	Telephone and Internet		\$ 7,800
	ERC	7,200	
	Verizon	600	
1300	Utilities		\$ 6,000
	Electricity	3,500	
	Natural Gas	2,500	
1500	M-R Buildings		\$ 5,000
1600	Office Supplies		\$ 4,000
3300	Department Supplies & Materials		\$ 5,500
4500	Contracted Services		\$ 11,500
	Pest care	500	
	Janitorial	6,000	
	MCJ lawn care	5,000	
5300	Dues and Subscriptions		\$ 1,000
5400	Insurance - Workers Comp and Liability		\$ 9,500
TOTAL			\$ 135,300

POLICE

The Brevard Police Department is committed to serving the city by enforcing the law, keeping the peace, and protecting those who reside in and visit Brevard.

In FY 22/23, the Brevard Police department introduced a new Police Cadet Program that seeks to increase BPD's recruiting and retention efforts. In exchange for a 2-year commitment with BPD, new cadets will receive a salary and tuition while they complete their Basic Law Enforcement Training (BLET) Program at Blue Ridge Community College.

The department also released its new app, which increases transparency and enhances the BPD's community outreach capabilities.

In FY23/24 and beyond, the department will continue to enhance traffic and pedestrian safety by participating in the TC Vision Zero Initiative.

BPD will also continue to enforce Brevard minimum housing and non-residential building codes to ensure structures are maintained in a condition that does not endanger public health or safety.

Traffic Enforcement



Contacts **2,915**



25,330
Calls for Service

Current
Staff
28



15
Special
Events
Managed



"My vision for our community and department is to provide the highest quality of police services while adhering to the principles of ethical service and community policing. Our department is constantly evolving and seeking to keep the public safe, enforce laws impartially, and continually improve our ability to serve the community."

Chief C. Thomas Jordan

ALIGNMENT WITH CLUP GOALS

Access to Healthcare and Healthy Living-11:
Prioritize pedestrians in Downtown and Major Activity Centers.

- Increase enforcement activities to curtail speeding in key areas such as along Broad and Caldwell Street.

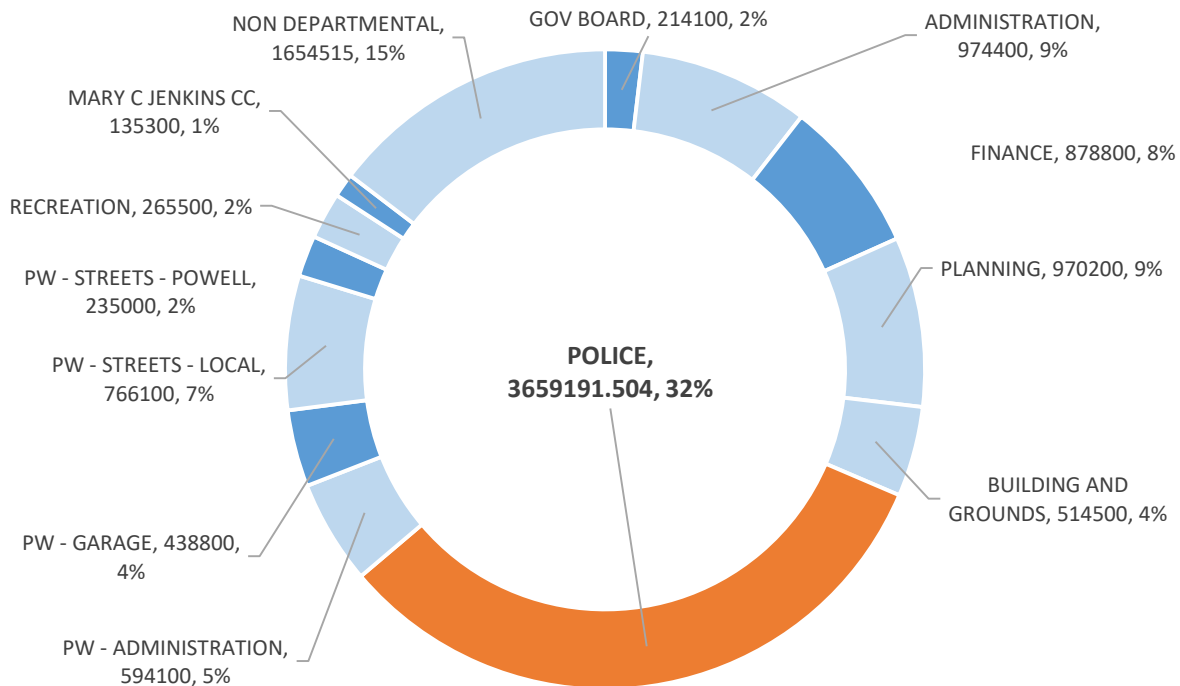
Access to Healthcare and Healthy Living-15:
Review and enhance City's approach to traffic calming.

- Policies should require a speed study and target low-volume neighborhood streets with high speeds.

Access to Healthcare and Healthy Living Resources-20: Support healthy initiatives including the Transylvania County Vision Zero initiative.

About Vision Zero: Vision Zero is a traffic safety approach focused on eliminating traffic deaths and serious injuries, while improving access to safe, sustainable, and equitable mobility for everyone.

General Fund - Police



Total Expenditures

	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	PROJECTED 6-30-23	MANAGER RECOMMENDED FY23-24	CHANGE IN % FROM FY22-23 ORIGINAL
SALARY & BENEFITS	\$ 2,498,892	\$ 2,616,700	\$ 2,616,700	\$ 2,578,400	\$ 2,823,592	7.9%
OPERATING	611,138	675,200	695,000	680,900	695,600	3.0%
CAPITAL	99,110	160,000	160,000	155,000	140,000	-12.5%
TOTAL	\$ 3,209,140	\$ 3,451,900	\$ 3,471,700	\$ 3,414,300	\$ 3,659,192	6.0%

Notable Changes from the FY22-23 Budget

Personnel

Budgeted personnel expenses are \$207,000 higher than the previous fiscal year.

Operating

Operating expenses are \$20,000 higher than FY23. The Police Department will implement a new parking enforcement program in FY24 at a cost of \$20,000. This is expected to be a revenue neutral item, as parking revenues are also expected to increase.

Capital

Two (2) police vehicles have been budgeted at \$70,000 each. This price includes the cost of complete upfitting of both vehicles.

General Fund - Police

Detailed Expenditures

Personnel

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED FY23	MANAGER RECOMMENDED FY24
10-5100-0200	SALARIES - REGULAR	\$ 1,545,186	\$ 1,628,800	\$ 1,628,800	\$ 1,126,011	\$ 1,598,000	\$ 1,606,560
	MARKET ADJUSTMENT	-	-	-	-	-	129,200
	5% COLA ADJUSTMENT	-	-	-	-	-	97,500
10-5100-0210	SALARIES - OT - HOLIDAY	61,210	65,000	65,000	81,914	100,000	65,000
10-5100-0300	SALARIES - PART TIME	42,647	45,000	45,000	24,201	39,000	45,000
10-5100-0500	FICA	126,161	127,400	127,400	93,713	120,000	122,940
10-5100-0600	GROUP INSURANCE	403,200	420,000	420,000	315,000	420,000	435,000
10-5100-0700	RETIREMENT	193,282	213,400	213,400	155,544	194,000	223,583
10-5100-0710	401K SUPPLEMENT	75,658	81,500	81,500	51,596	70,000	76,808
10-5100-0720	SEPARATION ALLOWANCE	50,527	35,600	35,600	27,953	35,600	20,000
10-5100-0730	401K EMPLOYER MATCH	1,021	-	-	1,239	1,800	2,000
TOTAL PERSONNEL		\$ 2,498,892	\$ 2,616,700	\$ 2,616,700	\$ 1,877,171	\$ 2,578,400	\$ 2,823,592

Operating

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED FY23	MANAGER RECOMMENDED FY24
10-5100-0925	PROF SERVICES	\$ 6,138	\$ 5,000	\$ 5,000	\$ 1,100	\$ 3,500	\$ 5,000
10-5100-1000	TRAINING	8,451	10,000	10,000	2,430	7,500	10,000
10-5100-1100	TELEPHONE AND INTERNET	28,647	29,400	29,400	18,218	27,000	28,000
10-5100-1110	POSTAGE	212	200	200	22	-	-
10-5100-1400	TRAVEL	-	5,000	5,000	3,007	5,000	5,000
10-5100-1500	M & R BUILDINGS	8,988	4,000	4,000	3,527	4,000	4,000
10-5100-1600	M & R EQUIPMENT	2,016	10,000	10,000	6,289	9,000	10,000
10-5100-1700	M & R AUTOS & TRUCKS	31,653	25,000	25,000	20,639	25,000	25,000
10-5100-3100	UNLEADED & DIESEL	65,734	50,000	50,000	28,936	60,000	55,000
10-5100-3200	OFFICE SUPPLIES	1,639	1,500	1,500	966	1,500	1,500
10-5100-3300	DEPT SUPPLIES & MATERIALS	9,344	15,000	15,000	4,104	12,500	15,000
10-5100-3500	CLEANING & DRY CLEAN	8,125	8,400	8,400	4,579	8,400	8,400
10-5100-3600	UNIFORMS	22,318	20,500	20,500	17,320	20,000	20,500
10-5100-4500	CONTRACTED SERVICES	270,712	314,100	314,100	242,224	310,000	337,700
10-5100-5300	DUES & SUBSCRIPTIONS	696	1,500	1,500	934	1,500	1,500
10-5100-5400	INSURANCE - WC AND LIAB	97,811	100,000	100,000	94,904	98,000	100,000
10-5100-5700	MISC SMITH ACCOUNT	656	3,000	3,000	1,342	3,000	3,000
10-5100-5720	COMMUNITY PROJECTS	-	5,000	5,000	3,694	5,000	5,000
10-5100-6000	DEPARTMENT EQUIPMENT	47,998	67,600	87,400	52,694	80,000	61,000
TOTAL OPERATING		\$ 611,138	\$ 675,200	\$ 695,000	\$ 506,929	\$ 680,900	\$ 695,600

Capital

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED FY23	MANAGER RECOMMENDED FY24
10-5100-7400	CAPITAL OUTLAY	99,110	160,000	160,000	52,961	155,000	140,000
TOTAL CAPITAL		\$ 99,110	\$ 160,000	\$ 160,000	\$ 52,961	\$ 155,000	\$ 140,000

TOTAL	\$ 3,209,140	\$ 3,451,900	\$ 3,471,700	\$ 2,437,061	\$ 3,414,300	\$ 3,659,192
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General Fund - Police

Budget By Line Item / 10-5100-XXXX

0200	Salaries - Regular		\$ 1,606,560
	1 Police Chief		
	2 Captains		
	1 Office Assistant		
	1 Parking and Support Specialist		
	1 Records Specialist		
	5 Shift Supervisors (Lieutenant)		
	6 Senior Officers (Sergeant)		
	3 Detectives (one unfunded in FY23-24)		
	9 Police Officers		
	1 Code Enforcement		
		Market	\$ 129,200
		COLA	\$ 97,500
0210	Salaries-Overtime/Holiday		\$ 65,000
0300	Salaries-PT		\$ 45,000
0500	FICA		\$ 122,940
0600	Group Insurance		\$ 435,000
0700	Retirement		\$ 223,583
0710	401K Supplement		\$ 76,808
0720	Separation Allowance		\$ 20,000
0730	401K Employer Match		\$ 2,000
0925	Professional Services		\$ 5,000
	Legal, misc		
1000	Training		\$ 10,000
1100	Telephone and Internet		\$ 28,000
	Cell stipend	9,000	
	Verizon	14,000	
	Comporium	5,000	
1400	Travel		\$ 5,000
1500	M & R Buildings		\$ 4,000
	General repairs	2,000	
	Office furniture	2,000	

1600	M & R Equipment		\$ 10,000
	General repairs and upkeep	5,000	
	Replacement costs	5,000	
1700	M & R Autos/Trucks		\$ 25,000
3100	Unleaded and Diesel		\$ 55,000
3200	Office Supplies		\$ 1,500
3300	Department Supplies and Materials		\$ 15,000
	Ammunition	10,000	
	Evidence Supplies	2,500	
	Misc	2,500	
3500	Cleaning and Dry Clean		\$ 8,400
3600	Uniforms		\$ 20,500
	Uniform purchase and repl costs	17,000	
	Clothing allowance	3,500	
4500	Contracted Services		\$ 337,700
	Transylvania County	260,000	
	SBI services	6,000	
	Parking Enforcement System	20,000	
	Investigative databases	4,000	
	Body cameras	11,000	
	Taser contract	5,600	
	Recorded line	3,200	
	Policy management system	6,500	
	Shredding	2,000	
	Police Mobile App	1,000	
	Psych services	2,500	
	Firing Range	3,500	
	Copier lease	3,600	
	Copier maint contract	1,800	
	Records Management System	7,000	
5300	Dues and Subscriptions		\$ 1,500
5400	Insurance - Workers Comp and Liability		\$ 100,000
	Liability	50,000	
	Workers Comp	50,000	
5700	Miscellaneous Smith Account		\$ 3,000
5720	Community Projects		\$ 5,000
	Promotional events	2,500	
	Community events	2,500	

6000	Department Equipment		\$ 61,000
	Equipment purchase and repl	30,000	
	Equipment for vehicles	25,000	
	Firearms	6,000	
7400	Capital Outlay		\$ 140,000
	2 Police interceptor AWD, hybrid	140,000	
TOTAL			\$ 3,659,192

PUBLIC WORKS

Administration, Buildings and Grounds,
Garage, Streets, and Recreation

The Public Works Department is responsible for maintaining and improving City-owned spaces. The department also provides on-call services and staff for emergency situations.

The duties of the Building & Grounds Division include maintenance, repair, housekeeping, and landscaping operations for City-owned facilities. Additionally, the BGD provides assistance for festivals and other City-sponsored events.

The Vehicle Maintenance Division performs regular maintenance and repair services for the City's vehicle and equipment fleet and contractual maintenance for Transylvania County vehicles.

The Streets Local Division oversees City infrastructure including streets, sidewalks, handicap ramps, storm drains, bridges, and rights-of-way. The division maintains 39.4 miles of streets, performs snow removal, and mows utility strips and rights-of-way. It is also responsible for managing traffic light systems, signage, and street lighting on City-owned streets. Some expenditures are budgeted in the Streets Powell Bill Division.

The Recreation Division encompasses the operational expenses of City-owned parks, playgrounds, sports facilities, and the seasonal contracting of Franklin Park Pool lifeguarding services.

ALIGNMENT WITH CLUP GOALS

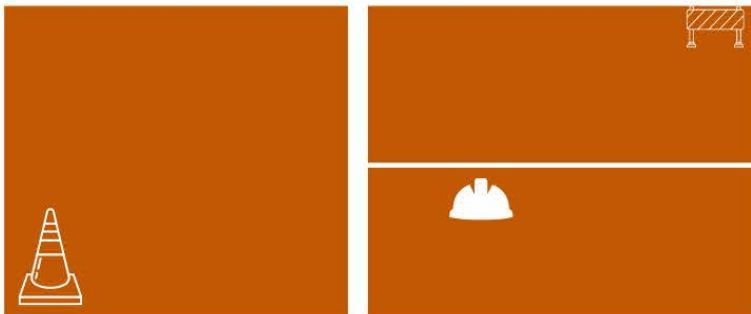
Economic Development, Infrastructure, & Resiliency-5: Prioritize street and sidewalk repairs based on recent condition assessments

Active Transportation & Community Health-2: Prioritize implementation of the Brevard Pedestrian and Bicycle Plan and improvement of neighborhood connections to existing and planned sidewalks and greenways.

- Identify sidewalks in need of repair/replacement and prioritize missing links in Downtown, Major Activity Centers and surrounding neighborhoods.

Parks, Natural Resources, & Cultural Resources-1: Maintain and improve existing parks.

Parks, Natural Resources, & Cultural Resources-15: Maintain Tree City USA designation. Continue Arbor Day Proclamation and consider expanded events to include educational activities for K-12 schools.



General Fund - Public Works - Administration

Total Expenditures

	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	PROJECTED 6-30-23	MANAGER RECOMMENDED FY23-24	CHANGE IN % FROM FY22-23 ORIGINAL
SALARY & BENEFITS	\$ 366,078	\$ 385,300	\$ 375,300	\$ 357,350	\$ 514,000	33.4%
OPERATING	162,247	80,800	80,800	74,200	80,100	-0.9%
CAPITAL	-	-	-	-	-	0.0%
TOTAL	\$ 528,325	\$ 466,100	\$ 456,100	\$ 431,550	\$ 594,100	27.5%

Notable Changes from the FY22-23 Budget

Personnel

Personnel expenses show an increase of \$129,000 from the previous fiscal year. A large portion of this can be attributed to the Finance Department now recording the Assistant Public Works Director under this division. In previous fiscal years, it was under the Streets division of Public Works.

General Fund - Public Works - Administration

Detailed Expenditures

Personnel

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED FY23	MANAGER RECOMMENDED FY24
10-5450-0200	SALARIES - REGULAR	\$ 245,818	\$ 260,700	\$ 250,700	\$ 169,161	\$ 221,500	\$ 318,200
	MARKET ADJUSTMENT	-	-	-	-	-	22,600
	5% COLA ADJUSTMENT	-	-	-	-	-	15,600
10-5450-0210	SALARIES - REG - OT	12,096	7,500	7,500	18,711	25,000	7,500
10-5450-0500	FICA	19,161	20,000	20,000	13,745	18,500	24,400
10-5450-0600	GROUP INSURANCE	57,600	60,000	60,000	45,000	60,000	75,000
10-5450-0700	RETIREMENT	29,557	31,800	31,800	22,845	29,050	41,100
10-5450-0730	401K EMPLOYER MATCH	1,846	5,300	5,300	1,662	3,300	9,600
TOTAL PERSONNEL		\$ 366,078	\$ 385,300	\$ 375,300	\$ 271,124	\$ 357,350	\$ 514,000

Operating

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED FY23	MANAGER RECOMMENDED FY24
10-5450-0925	PROF SERVICES	\$ 94,147	\$ -	\$ -	\$ -	\$ -	
10-5450-1000	TRAINING	-	1,000	1,000	-	1,000	1,000
10-5450-1100	TELEPHONE AND INTERNET	8,173	11,700	11,700	8,775	14,000	13,600
10-5450-1110	POSTAGE	250	300	300	-	-	-
10-5450-1300	UTILITIES	14,008	15,000	15,000	10,062	15,000	15,000
10-5450-1400	TRAVEL	-	300	300	-	300	300
10-5450-1500	M & R BUILDINGS	22,377	26,000	26,000	8,917	20,000	23,000
10-5450-1600	M & R EQUIPMENT	2,368	5,000	5,000	749	3,000	5,000
10-5450-1700	M & R AUTOS & TRUCKS	569	1,000	1,000	202	1,000	2,000
10-5450-3100	UNLEADED & DIESEL	1,356	2,000	2,000	477	2,000	2,000
10-5450-3200	OFFICE SUPPLIES	8,320	8,000	8,000	4,884	8,000	8,000
10-5450-3300	DEPT SUPPLIES & MATERIALS	-	-	-	56	100	-
10-5450-3600	UNIFORMS	900	1,500	1,500	578	800	1,200
10-5450-5300	DUES & SUBSCRIPTIONS	2,752	1,000	1,000	458	1,000	1,000
10-5450-5400	INSURANCE - WC AND LIAB	7,027	8,000	8,000	7,427	8,000	8,000
TOTAL OPERATING		\$ 162,247	\$ 80,800	\$ 80,800	\$ 42,585	\$ 74,200	\$ 80,100

TOTAL	\$ 528,325	\$ 466,100	\$ 456,100	\$ 313,709	\$ 431,550	\$ 594,100
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General Fund - Public Works - Administration

Budget By Line Item / 10-5450-XXXX

0200	Salaries - Regular		\$	318,200
	1 Public Works Director			
	1 Assistant Public Works Director			
	1 Admin Services Manager			
	2 Office Assistant			
		Market	\$	22,600
		COLA	\$	15,600
0210	Salaries - Regular - Overtime		\$	7,500
0500	FICA		\$	24,400
0600	Group Insurance		\$	75,000
0700	Retirement		\$	41,100
0730	401K Employer Match		\$	9,600
1000	Training		\$	1,000
1100	Telephone and Internet		\$	13,600
	Verizon	3,600		
	Comporium	10,000		
1300	Utilites		\$	15,000
	Electricity	12,000		
	Natural Gas	3,000		
1400	Travel		\$	300
1500	M & R Buildings		\$	23,000
	General repairs and supplies			
1600	M & R Equipment		\$	5,000
1700	M & R Auto/Trucks		\$	2,000
3100	Unleaded and Diesel		\$	2,000
3200	Office Supplies		\$	8,000
3600	Uniforms		\$	1,200
5300	Dues and Subscriptions		\$	1,000
				-
5400	Insurance - Workers Comp and Liability		\$	8,000
	Liability	4,000		
	Workers Comp	4,000		
TOTAL			\$	594,100

General Fund - Building and Grounds

Total Expenditures

	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	PROJECTED 6-30-23	MANAGER RECOMMENDED FY23-24	CHANGE IN % FROM FY22-23 ORIGINAL
SALARY & BENEFITS	\$ 176,466	\$ 265,400	\$ 265,400	\$ 293,000	\$ 290,400	9.4%
OPERATING	209,842	160,700	160,700	202,000	224,100	39.5%
CAPITAL	-	50,000	50,000	56,457	-	-100.0%
TOTAL	\$ 386,308	\$ 476,100	\$ 476,100	\$ 551,457	\$ 514,500	8.1%

Notable Changes from the FY22-23 Budget

Personnel

Budgeted personnel expenses are \$25,000 higher than the previous fiscal year.

Operating

Operating expenses are budgeted \$64,000 higher than FY22-23.

The Maintenance and Repair Buildings and Contracted Services line items make up this increase. Both have shown significant increases from the previous fiscal year. The repairs needed to the HVAC system at City Hall is a major contributor to these increases.

General Fund - Building and Grounds

Detailed Expenditures

Personnel

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED FY23	MANAGER RECOMMENDED FY24
10-5000-0200	SALARIES - REGULAR	\$ 106,957	\$ 165,600	\$ 165,600	\$ 122,183	\$ 181,000	\$ 163,500
	MARKET ADJUSTMENT	-	-	-	-	-	10,000
	5% COLA ADJUSTMENT	-	-	-	-	-	14,600
10-5000-0210	SALARIES - REG - OT	5,106	3,500	3,500	12,701	15,000	3,500
10-5000-0500	FICA	8,072	12,700	12,700	9,964	15,000	12,600
10-5000-0600	GROUP INSURANCE	43,200	60,000	60,000	45,000	60,000	60,000
10-5000-0700	RETIREMENT	12,864	20,200	20,200	16,399	22,000	21,200
10-5000-0730	401K EMPLOYER MATCH	267	3,400	3,400	-	-	5,000
TOTAL PERSONNEL		\$ 176,466	\$ 265,400	\$ 265,400	\$ 206,247	\$ 293,000	\$ 290,400

Operating

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED FY23	MANAGER RECOMMENDED FY24
10-5000-0925	PROF SERVICES	\$ 5,810	\$ 2,000	\$ 2,000	\$ 1,525	\$ 2,200	\$ 2,000
10-5000-1000	TRAINING	-	1,000	1,000	-	500	1,000
10-5000-1100	TELEPHONE AND INTERNET	4,640	8,900	8,900	6,139	8,900	9,900
10-5000-1300	UTILITIES	42,104	38,000	38,000	35,539	40,000	46,000
10-5000-1400	TRAVEL	-	500	500	-	500	500
10-5000-1500	M & R BUILDINGS	44,908	25,000	25,000	20,921	33,000	38,000
10-5000-1600	M & R EQUIPMENT	2,354	3,000	3,000	1,430	3,000	3,000
10-5000-1700	M & R AUTOS & TRUCKS	2,470	2,000	2,000	1,026	2,000	2,000
10-5000-2300	M & R PARKING LOTS	1,411	1,500	1,500	-	500	1,500
10-5000-3100	UNLEADED & DIESEL	3,934	4,500	4,500	2,072	4,100	5,000
10-5000-3200	OFFICE SUPPLIES	2,666	3,000	3,000	1,481	2,800	3,000
10-5000-3300	DEPARTMENT SUPPLIES	21,653	15,000	15,000	8,990	12,000	20,000
10-5000-3600	UNIFORMS	4,424	3,100	3,100	4,479	5,000	5,000
10-5000-4500	CONTRACTED SERVICES	66,617	46,200	46,200	69,156	80,000	79,200
10-5000-5300	DUES & SUBSCRIPTIONS	-	500	500	-	-	500
10-5000-5400	INSURANCE - WC AND LIAB	6,851	6,500	6,500	7,212	7,500	7,500
TOTAL OPERATING		\$ 209,842	\$ 160,700	\$ 160,700	\$ 159,970	\$ 202,000	\$ 224,100

Capital

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED FY23	MANAGER RECOMMENDED FY24
10-5000-7400	CAPITAL OUTLAY	-	50,000	50,000	56,457	56,457	-
TOTAL CAPITAL		\$ -	\$ 50,000	\$ 50,000	\$ 56,457	\$ 56,457	\$ -

TOTAL	\$ 386,308	\$ 476,100	\$ 476,100	\$ 422,674	\$ 551,457	\$ 514,500
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General Fund - Building and Grounds

Budget By Line Item / 10-5000-XXXX

0200 Salaries - Regular		\$ 163,500
1 Building and Grounds Crew Leader		
3 Building and Grounds Maintenance		
	Market	\$ 10,000
	COLA	\$ 14,600
0210 Salaries - Regular - Overtime		\$ 3,500
		-
0500 FICA		\$ 12,600
		-
0600 Group Insurance		\$ 60,000
		-
0700 Retirement		\$ 21,200
		-
0730 401K Employer Match		\$ 5,000
		-
0925 Professional Services		\$ 2,000
Survey, engineering, legal		-
1000 Training		\$ 1,000
		-
1100 Telephone and Internet		\$ 9,900
Comporium	8,400	
Stipend	1,500	
1300 Utilities		\$ 46,000
Electricity	36,000	
Natural Gas	10,000	
1400 Travel		\$ 500
1500 M & R Buildings		\$ 38,000
Repairs and Supplies - 9 Buildings,		
Janitorial supplies, breakroom supplies		
1600 M & R Equipment		\$ 3,000
1700 M & R Autos & Trucks		\$ 2,000
2300 M & R Parking Lots		\$ 1,500
3100 Unleaded and Diesel		\$ 5,000
3200 Office Supplies		\$ 3,000
3300 Department Supplies and Materials		\$ 20,000
Tools and Small Equipment	10,000	
Landscape Materials	10,000	
3600 Uniforms		\$ 5,000
Uniform Rental	3,000	

Shoes and PPE	2,000	
4500 Contracted Services		\$ 79,200
City Hall cleaning	21,000	
HVAC	25,000	
Misc	5,000	
Elevator	3,200	
Depot cleaning	3,200	
Downtown Planters	12,000	
Lease-Calwell-Main	3,000	
Silversteen Playground lawn care	4,000	
Pest Control	2,800	
5300 Dues and Subscriptions		\$ 500
5400 Insurance - Workers Comp and Liability		\$ 7,500
Liability	4,300	
Workers Comp	3,200	
7400 Capital Outlay		\$ -
	-	
	-	
TOTAL		\$ 514,500

General Fund - Public Works - Garage

Total Expenditures

	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	PROJECTED 6-30-23	MANAGER RECOMMENDED FY23-24	CHANGE IN % FROM FY22-23 ORIGINAL
SALARY & BENEFITS	\$ 202,870	\$ 228,200	\$ 228,200	\$ 222,600	\$ 240,600	5.4%
OPERATING	207,975	187,300	187,300	188,000	198,200	5.8%
CAPITAL	-	-	-	-	-	0.0%
TOTAL	\$ 410,845	\$ 415,500	\$ 415,500	\$ 410,600	\$ 438,800	5.6%

Notable Changes from the FY22-23 Budget

Personnel

Budgeted personnel expenses are \$12,400 higher than the previous fiscal year

Operating

Operating expenses are \$11,000 higher than FY23. This is almost entirely related to the expense the City anticipates incurring for County vehicle maintenance and fuel sales. This is offset by a General Fund revenue which is also budgeted at a higher level than FY23.

General Fund - Public Works - Garage

Detailed Expenditures

Personnel

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED FY23	MANAGER RECOMMENDED FY24
10-5550-0200	SALARIES - REGULAR	\$ 127,947	\$ 147,000	\$ 147,000	\$ 98,468	\$ 144,000	\$ 140,400
	MARKET ADJUSTMENT	-	-	-	-	-	8,700
	5% COLA ADJUSTMENT	-	-	-	-	-	9,200
10-5550-0210	SALARIES - REG - OT	6,478	4,000	4,000	1,451	3,500	4,000
10-5550-0500	FICA	9,855	11,300	11,300	7,474	11,000	10,800
10-5550-0600	GROUP INSURANCE	43,200	45,000	45,000	33,750	45,000	45,000
10-5550-0700	RETIREMENT	15,297	17,900	17,900	12,018	17,600	18,200
10-5550-0730	401K EMPLOYER MATCH	93	3,000	3,000	862	1,500	4,300
TOTAL PERSONNEL		\$ 202,870	\$ 228,200	\$ 228,200	\$ 154,023	\$ 222,600	\$ 240,600

Operating

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED FY23	MANAGER RECOMMENDED FY24
10-5550-1000	TRAINING	\$ -	\$ 100	\$ 100	\$ 143	\$ 300	\$ 500
10-5550-1300	TELEPHONE AND INTERNET	1,387	2,700	2,700	1,058	2,000	2,000
10-5550-1600	M & R EQUIPMENT	18,397	15,000	15,000	9,668	12,000	15,000
10-5550-1700	M & R AUTOS & TRUCKS	2,195	2,000	2,000	672	2,000	2,000
10-5550-3100	UNLEADED & DIESEL	1,755	3,000	3,000	779	2,000	2,500
10-5550-3120	M & R COUNTY	128,282	115,000	115,000	78,478	115,000	120,000
10-5550-3130	UNLEADED & DIESEL - COUNTY	14,747	15,300	15,300	10,793	16,000	20,000
10-5550-3300	DEPT SUPPLIES & MATERIALS	26,638	20,000	20,000	13,724	22,000	20,000
10-5550-3600	UNIFORMS	4,005	3,500	3,500	2,359	3,500	3,500
10-5550-4500	CONTRACTED SERVICES	1,037	1,200	1,200	551	1,200	1,200
10-5550-5400	INSURANCE - WC AND LIAB	9,532	9,500	9,500	11,214	12,000	11,500
TOTAL OPERATING		\$ 207,975	\$ 187,300	\$ 187,300	\$ 129,439	\$ 188,000	\$ 198,200

TOTAL	\$ 410,845	\$ 415,500	\$ 415,500	\$ 283,462	\$ 410,600	\$ 438,800
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General Fund - Public Works - Garage

Budget By Line Item / 10-5550-XXXX

0200	Salaries - Regular		\$ 140,400
	1 Fleet Maint Supervisor		
	2 Fleet Mechanic		
		Market	\$ 8,700
		COLA	\$ 9,200
0210	Salaries - Regular - Overtime		\$ 4,000
0300	Salaries-PT		\$ -
0500	FICA		\$ 10,800
0600	Group Insurance		\$ 45,000
0700	Retirement		\$ 18,200
0730	401K Employer Match		\$ 4,300
1000	Training		\$ 500
1100	Telephone and Internet		\$ 2,000
	Cell stipend	1,300	
	Comporium	700	
1600	M & R Equipment		\$ 15,000
1700	M & R Autos/Trucks		\$ 2,000
3100	Unleaded and Diesel		\$ 2,500
3120	M & R -County		\$ 120,000
3130	Unleaded and Diesel - County		\$ 20,000
3300	Department Supplies and Materials		\$ 20,000
3600	Uniforms		\$ 3,500
	Uniform rental	2,200	
	Shoes and PPE	1,300	
4500	Contracted Services		\$ 1,200
	Clean Green	900	
	FCC Environmental	300	
5400	Insurance - Workers Comp and Liability		\$ 11,500
	Liability	5,500	
	Workers Comp	6,000	
TOTAL			\$ 438,800

General Fund - Public Works - Streets - Local

Total Expenditures

	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	PROJECTED 6-30-23	MANAGER RECOMMENDED FY23-24	CHANGE IN % FROM FY22-23 ORIGINAL
SALARY & BENEFITS	\$ 546,855	\$ 590,000	\$ 590,000	\$ 535,500	\$ 499,900	0.0%
OPERATING	253,678	271,600	271,600	266,700	266,200	-2.0%
CAPITAL	13,250	-	-	-	-	0.0%
TOTAL	\$ 813,783	\$ 861,600	\$ 861,600	\$ 802,200	\$ 766,100	-11.1%

Notable Changes from the FY22-23 Budget

Personnel

Budgeted personnel expenses are \$90,000 lower than the previous fiscal year. The Assistant Public Works Director position is now being budgeted under the Public Works - Admin division.

General Fund - Public Works - Streets - Local

Detailed Expenditures

Personnel

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED FY23	MANAGER RECOMMENDED FY24
10-5600-0200	SALARIES - REGULAR	\$ 334,563	\$ 369,300	\$ 369,300	\$ 199,159	\$ 320,000	\$ 285,700
	MARKET ADJUSTMENT	-	-	-	-	-	3,300
	5% COLA ADJUSTMENT	-	-	-	-	-	18,500
10-5600-0210	OVERTIME - STREETS - LOCAL	28,680	20,000	20,000	16,552	25,000	20,000
10-5600-0500	FICA	26,517	28,300	28,300	16,097	26,500	21,900
10-5600-0600	GROUP INSURANCE	115,200	120,000	120,000	90,000	120,000	105,000
10-5600-0700	RETIREMENT	41,618	45,000	45,000	26,221	42,000	36,900
10-5600-0730	401K EMPLOYER MATCH	277	7,400	7,400	794	2,000	8,600
TOTAL PERSONNEL		\$ 546,855	\$ 590,000	\$ 590,000	\$ 348,823	\$ 535,500	\$ 499,900

Operating

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED FY23	MANAGER RECOMMENDED FY24
10-5600-0925	PROF SERVICES	\$ 12,625	\$ 3,500	\$ 3,500	\$ 1,400	\$ 3,500	\$ 3,500
10-5600-1100	TELEPHONE AND INTERNET	1,033	1,700	1,700	932	1,700	1,700
10-5600-1300	UTILITIES - STREET LIGHTS	117,167	125,000	125,000	82,402	125,000	125,000
10-5600-1350	LED LIGHT PROJECT	(1,500)	4,900	4,900	-	-	-
10-5600-1600	M & R EQUIPMENT	14,648	15,000	15,000	7,454	12,000	12,500
10-5600-1700	M & R AUTOS & TRUCKS	18,578	20,000	20,000	9,582	15,000	15,000
10-5600-2300	M & R PARKING LOTS	-	-	-	-	-	-
10-5600-2400	M & R STREET NAME SIGNS	9	4,000	4,000	3,390	3,500	4,000
10-5600-3100	UNLEADED & DIESEL	14,087	23,000	23,000	8,811	18,000	20,000
10-5600-3300	DEPARTMENT SUPPLIES	45,028	38,000	38,000	32,917	42,000	42,000
10-5600-3400	BRIDGE INSPECTIONS	779	2,000	2,000	-	1,000	2,000
10-5600-3600	UNIFORMS	9,630	8,500	8,500	6,250	10,500	10,500
10-5600-4500	CONTRACTED SERVICES	4,910	8,000	8,000	11,290	13,500	11,000
10-5600-5400	INSURANCE - WC AND LIAB	16,684	18,000	18,000	20,617	21,000	19,000
TOTAL OPERATING		\$ 253,678	\$ 271,600	\$ 271,600	\$ 185,045	\$ 266,700	\$ 266,200

Capital

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED FY23	MANAGER RECOMMENDED FY24
10-5600-7400	CAPITAL OUTLAY	13,250	-	-	-	-	-
TOTAL CAPITAL		\$ 13,250	\$ -	\$ -	\$ -	\$ -	\$ -

TOTAL	\$ 813,783	\$ 861,600	\$ 861,600	\$ 533,868	\$ 802,200	\$ 766,100
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General Fund - Public Works - Streets - Local

Budget By Line Item / 10-5600-XXXX

0200	Salaries - Regular		\$	285,700
	1 Streets Crew Leader			
	1 Skilled Maintenance Worker			
	5 Streets Maintenance Worker			
		Market	\$	3,300
		COLA	\$	18,500
0210	Salaries - Regular - Overtime		\$	20,000
0500	FICA		\$	21,900
0600	Group Insurance		\$	105,000
0700	Retirement		\$	36,900
0730	401K Employer Match		\$	8,600
0925	Pro Services		\$	3,500
1100	Telephone and Internet		\$	1,700
	Cell stipend	900		
	Verizon	800		
1300	Utilities- Steet Lights		\$	125,000
1600	M & R Equipment		\$	12,500
1700	M & R Autos/Trucks		\$	15,000
	17 Trucks			
2400	M & R Street Name Signs		\$	4,000
3100	Unleaded and Diesel		\$	20,000
3300	Department Supplies and Materials		\$	42,000
3400	Bridge Inspections		\$	2,000
	Railroad Ave and Cherry St.			
3600	Uniforms		\$	10,500
	Uniform rental	6,500		
	Safety Shoes and PPE	4,000		
4500	Contracted Services		\$	11,000
	Decorative Street Light Repairs	4,000		
	Tree Removal	7,000		
5400	Insurance - Workers Comp and Liability		\$	19,000
	Liability	10,000		
	Workers Comp	9,000		
7400	Capital Outlay		\$	-
TOTAL			\$	766,100

General Fund - Public Works - Streets - Powell

Total Expenditures

	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	PROJECTED 6-30-23	MANAGER RECOMMENDED FY23-24	CHANGE IN % FROM FY22-23 ORIGINAL
SALARY & BENEFITS	\$ -	\$ -	\$ -	\$ -	\$ -	0.0%
OPERATING	247,909	482,300	482,300	451,000	235,000	-51.3%
CAPITAL	-	-	-	-	-	0.0%
TOTAL	\$ 247,909	\$ 482,300	\$ 482,300	\$ 451,000	\$ 235,000	-51.3%

Notable Changes from the FY22-23 Budget

Special Note

The Powell Bill budget shows a decrease of \$247,300, but in reality it is essentially flat.

The fiscal year 23 budget included a \$200,000 General Fund transfer to supplement the Powell Bill funds used largely for street paving. Additionally, during FY23, the City mistakenly over-budgeted Powell Bill revenues by \$40,000.

The City can expect to receive \$238,000 of Powell Bill funds from the State in FY24.

General Fund - Public Works - Streets - Powell

Detailed Expenditures

Operating

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED FY23	MANAGER RECOMMENDED FY24
10-5700-0925	PROF SERVICES	\$ 30,300	\$ -	\$ -	\$ -		
10-5700-2500	M & R SIDEWALKS	7,120	10,000	10,000	10,117	8,000	10,000
10-5700-2700	M & R STREETS	8,476	15,000	15,000	7,219	14,000	15,000
10-5700-2800	M & R CURB & GUTTER	2,242	5,000	5,000	30	3,000	5,000
10-5700-2900	M & R STORM DRAIN	13,217	10,000	10,000	3,805	6,000	10,000
10-5700-4500	CONTRACTED SERVICES	186,554	442,300	442,300	336,072	420,000	195,000
TOTAL OPERATING		\$ 247,909	\$ 482,300	\$ 482,300	\$ 357,243	\$ 451,000	\$ 235,000

Capital

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED FY23	MANAGER RECOMMENDED FY24
10-5700-5400	CAPITAL OUTLAY	-	-	-	-	-	-
TOTAL CAPITAL		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

TOTAL	\$ 247,909	\$ 482,300	\$ 482,300	\$ 357,243	\$ 451,000	\$ 235,000
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General Fund - Public Works - Streets - Powell

Budget By Line Item / 10-5700-XXXX

0925	Professional Services	\$	-
2500	M & R Sidewalks	\$	10,000
2700	M & R Streets	\$	15,000
2800	M & R Curb &Gutter	\$	5,000
2900	M & R Storm Drain	\$	10,000
4500	Contracted Services	\$	195,000
	Paving, sidewalks, stamped crosswalks		
TOTAL		\$	235,000

General Fund - Recreation

Total Expenditures

	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	PROJECTED 6-30-23	MANAGER RECOMMENDED FY23-24	CHANGE IN % FROM FY22-23 ORIGINAL
SALARY & BENEFITS	\$ -	\$ -	\$ -	\$ -	\$ -	0.0%
OPERATING	182,361	229,200	241,200	195,500	265,500	15.8%
CAPITAL	7,910	-	70,000	-	-	0.0%
TOTAL	\$ 190,271	\$ 229,200	\$ 311,200	\$ 195,500	\$ 265,500	15.8%

Notable Changes from the FY22-23 Budget

The Recreation budget is \$36,300 higher than the previous fiscal year.

Costs to staff the swimming pool have increased from \$50,000 to \$70,000, as the City wishes to have the pool more accessible to the public than it had been last year.

Additionally, the Finance Director has recorded the cost of the Fourth of July fireworks under the Recreation Department, instead of under the Governing Board budget, as it had been in previous years.

General Fund - Recreation

Detailed Expenditures

Operating

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED FY23	MANAGER RECOMMENDED FY24
10-6200-1100	TELEPHONE AND INTERNET	\$ 2,846	\$ -	\$ -	\$ -	\$ -	\$ -
10-6200-1300	UTILITIES	15,342	15,000	15,000	10,277	15,000	15,000
10-6200-1500	M & R BUILDINGS	68,527	80,500	80,500	24,081	55,000	56,000
10-6200-1600	M & R EQUIPMENT	2,264	3,000	3,000	748	2,500	3,000
10-6200-1700	M & R VEHICLES	2,492	2,000	2,000	884	2,500	2,500
10-6200-1800	M & R BRACKEN PRESERVE	-	10,000	10,000	-	5,000	10,000
10-6200-1900	COMMUNITY GARDEN	-	-	12,000	12,035	12,000	5,000
10-6200-2600	M & R PEDESTRIAN PATH	18,282	21,500	21,500	2,182	10,000	20,000
10-6200-3100	UNLEADED & DIESEL	3,934	5,000	5,000	2,071	5,000	5,000
10-6200-3300	DEPT SUPPLIES & MATERIALS	14,722	30,000	30,000	33,220	38,000	30,000
10-6200-4500	CONTRACTED SERVICES	45,724	50,200	50,200	24,276	40,000	107,000
10-6200-5300	CITY EVENTS - FESTIVALS	6,449	10,000	10,000	3,764	8,500	10,000
10-6200-5400	INSURANCE - WC AND LIAB	1,779	2,000	2,000	1,857	2,000	2,000
TOTAL OPERATING		\$ 182,361	\$ 229,200	\$ 241,200	\$ 115,395	\$ 195,500	\$ 265,500

Capital

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED FY23	MANAGER RECOMMENDED FY24
10-6200-7400	CAPITAL OUTLAY	7,910	-	70,000	-	-	-
TOTAL CAPITAL		\$ 7,910	\$ -	\$ 70,000	\$ -	\$ -	\$ -

TOTAL	\$ 190,271	\$ 229,200	\$ 311,200	\$ 115,395	\$ 195,500	\$ 265,500
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General Fund - Recreation

Budget By Line Item / 10-6200-XXXX

1100	Telephone and Internet		\$	-
	Comporium			
1300	Utilities		\$	15,000
	Electricity			
1500	M & R Buildings		\$	56,000
	Maint - parks, playgrounds etc	25,000		
	Field dirt, supplies for ballfields	25,000		
	Skate Park maint	5,000		
	Community Garden	1,000		
1600	M & R Equipment		\$	3,000
1700	M & R Vehicles		\$	2,500
1800	M & Bracken Preserve		\$	10,000
1900	Community Garden		\$	5,000
2600	M & R Pedestrian/Bike/Hike Path		\$	20,000
3100	Unleaded and Diesel		\$	5,000
3300	Department Supplies and Materials		\$	30,000
	Tools & Small Equipment	15,000		
	Landscape Materials	15,000		
4500	Contracted Services		\$	107,000
	Portable toilets - four locations	13,000		
	Fireworks	24,000		
	Swim Club Pool Management (PY 50K)	70,000		
5300	City Events and Festivals		\$	10,000
5400	Insurance - Workers Comp and Liability		\$	2,000
	Liability	1,000		
	Workers Comp	1,000		
7400	Capital Outlay		\$	-
TOTAL				\$ 265,500

GENERAL FUND

Non-Departmental

Non-departmental items are General Fund expenses that, by their nature, fall outside a specific department operating budget. General Fund debt payments are recorded in this department along with transfers to other funds.

General Fund - Non Departmental

Total Expenditures

	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	PROJECTED 6-30-23	MANAGER RECOMMENDED FY23-24	CHANGE IN % FROM FY22-23 ORIGINAL
OPERATING	\$ -	\$ -	\$ -	\$ -	\$ -	0.0%
TRANSFER OUT	1,857,279	960,398	1,752,398	1,752,400	1,422,315	48.1%
DEBT	74,004	261,100	261,100	238,600	232,200	-11.1%
TOTAL	\$ 1,931,283	\$ 1,221,498	\$ 2,013,498	\$ 1,991,000	\$ 1,654,515	35.4%

Notable Changes from the FY22-23 Budget

Transfer Out

Transfers out are \$462,000 higher than FY23 budgeted amounts.

Significant factors include:

The transfer to the Fire Department has increased from \$574,398 in FY23 to \$726,715 in FY24. This increase is associated with expected debt payments on capital purchases. The City is responsible for 55% of the Fire Department and Transylvania County is responsible for 45%.

The City will transfer \$264,000 (two cents of the tax rate) to the Housing Trust Fund to address the need for affordable housing in the area.

The Sanitation Fund budget is in need of a \$156,600 transfer to balance the budget of this enterprise fund.

Historically, the City has transferred two cents of the tax rate to the Downtown Masterplan Fund, the Rosenwald Revitalization Fund, and the Multi-Use Path Fund. The current budget has not funded or reduced these amounts.

Debt

Debt service payments make up only 2% of the total General Fund budget. The majority of this amount is from the construction of the Mary C. Jenkins Community Center.

General Fund - Non Departmental

Detailed Expenditures

Operating

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED FY23	MANAGER RECOMMENDED FY24
		-	-	-	-	-	-
TOTAL OPERATING		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

Transfer Out

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED FY23	MANAGER RECOMMENDED FY24
10-6600-9220	OPEB TRANSFER	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10-6600-9240	TO FIRE DEPT	488,073	574,398	574,398	430,800	574,400	726,715
10-6600-9249	TO HEART OF BREVARD	11,000	11,000	11,000	11,000	11,000	11,000
10-6600-9251	TO FUND 83 - DOWNTOWN	208,000	250,000	812,000	749,500	812,000	132,000
10-6600-9256	TO FUND 82 - ROSENWALD	208,000	-	-	-	-	-
	TO FUND 70 - HOUSING	-	-	-	-	-	264,000
	TO FUND 20 - SANITATION	-	-	-	-	-	156,600
10-6600-9257	TO FUND 78 - MULTI	896,644	-	-	-	-	-
10-6600-9258	TO FUND 80 - COMMUNICATION	45,562	-	-	-	-	-
10-6600-9259	TO FUND 78 - ESTATOE	-	125,000	125,000	125,000	125,000	82,000
10-6600-9261	TO FUND 82 - MCJ	-	-	130,000	130,000	130,000	-
10-6600-9270	TO FUND 78 - ROUNDABOUTS	-	-	100,000	100,000	100,000	50,000
TOTAL TRANSFER OUT		\$ 1,857,279	\$ 960,398	\$ 1,752,398	\$ 1,546,300	\$ 1,752,400	\$ 1,422,315

Debt

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED FY23	MANAGER RECOMMENDED FY24
10-6600-9120	DEBT PRINC DUE - BBT004	\$ 19,229	\$ 19,600	\$ 19,600	\$ 12,992	\$ 19,500	\$ 20,000
10-6600-9121	DEBT INT DUE - BBT004	1,226	1,000	1,000	645	900	600
10-6600-9130	DEBT PRINC DUE - FC9262	14,817	15,200	15,200	11,337	15,000	15,500
10-6600-9131	DEBT INT DUE - FC9262	1,094	800	800	595	800	400
10-6600-9140	DEBT PRINC DUE - FC7705	17,226	-	-	-	-	-
10-6600-9141	DEBT INT DUE - FC7705	156	-	-	-	-	-
10-6600-9150	DEBT PRINC DUE - UNIT7431	7,153	6,800	6,800	4,894	6,800	-
10-6600-9151	DEBT INT DUE - UNIT7431	329	800	800	96	300	-
10-6600-9170	DEBT PRINC DUE - ST001	10,180	10,800	10,800	8,032	10,500	11,100
10-6600-9171	DEBT INT DUE - ST001	2,594	2,100	2,100	1,545	2,000	1,800
10-6600-9180	DEBT PRINC DUE - MCJ	-	157,000	157,000	135,988	136,000	138,700
10-6600-9181	DEBT INT DUE - MCJ	-	47,000	47,000	46,765	46,800	44,100
TOTAL DEBT		\$ 74,004	\$ 261,100	\$ 261,100	\$ 222,889	\$ 238,600	\$ 232,200

TOTAL	\$ 1,931,283	\$ 1,221,498	\$ 2,013,498	\$ 1,769,189	\$ 1,991,000	\$ 1,654,515
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General Fund - Non Departmental

Budget By Line Item / 10-6600-XXXX

9120	Debt Princ Due-FY20 Cap-BBT004	\$	20,000
			-
9121	Debt Int Due-FY20 Cap-BBT004	\$	600
			-
9130	Debt Princ Due- Duke -FC9262	\$	15,500
			-
9131	Debt Int Due-Duke-FC9262	\$	400
			-
9170	Debt Princ Due-FY19 Cap- ST001	\$	11,100
			-
9171	Debt Int Due- FY 19 Cap-ST001	\$	1,800
			-
9180	Debt Princ Due - Mary C Jenkins	\$	138,700
			-
9181	Debt Int Due - Mary C Jenkins	\$	44,100
			-
9220	O-P-E-B Transfer	\$	-
			-
9240	Transfer to Fire Dept Fund	\$	726,715
			-
9249	Transfer to Heart of Brevard	\$	11,000
			-
9251	Transfer to Fund 83 Downtown Master Plan Fund	\$	132,000
			-
9256	Transfer to Fund 82 Rosenwald Fund	\$	-
			-
9259	Transfer to Fund 78 Multi-Use Paths - Estatoe	\$	82,000
			-
9270	Transfer to Fund 78 - Roundabouts	\$	50,000
			-
92xx	Transfer to Fund 20- Sanitation	\$	156,600
			-
92xx	Transfer to Fund 76 - Housing Trust Fund	\$	264,000
			-
TOTAL		\$	1,654,515

SANITATION FUND

Brevard's Sanitation division is responsible for collecting and disposing of solid waste and recycling materials for residential and commercial customers. Solid waste collection includes the removal of brush, leaves, and bulky items (e.g., furniture, appliances, and electronics). The division also provides corrugated cardboard collection for commercial customers.

The Sanitation division is funded by monthly fees and from proceeds from the sale of cardboard and other recyclables to firms that repurpose them into raw materials.

ALIGNMENT WITH CLUP GOALS

Parks, Natural Resources, & Cultural Resources-22: Invest in public infrastructure and facilities, as well as the operations and maintenance necessary to support festivals and cultural events occurring in Downtown public spaces.

Economic Development, Infrastructure, & Resiliency-16: Promote "triple-bottom-line" sustainability with equal emphasis on economic, environmental, and social impacts. Assist businesses with managing waste, conservation of water and energy, sustainable sourcing of goods and services.

Economic Development, Infrastructure, & Resiliency-17: Reduce the City's carbon and ecological footprint.



Sanitation Fund

Total Revenue

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED TO 06-30-23	MANAGER RECOMMENDED FY23-24
20-3590-0100	REFUSE COLLECTION FEES	\$ 396,726	\$ 426,500	426,500	\$ 275,845	\$ 412,000	\$ 420,000
20-3590-0200	SPECIAL REFUSE COLL CHARGES	6,975	6,500	6,500	4,075	6,000	6,500
20-3590-0300	COUNTY DISPOSAL FEES - REFUSE	410,797	424,000	424,000	288,217	432,000	440,000
20-3590-0400	SOLID WASTE DISPOSAL TAX	4,478	4,000	4,000	4,623	7,500	6,000
20-3590-0500	SPECIAL - ELECTRONICS - MULCH	640	1,000	1,000	575	1,000	1,000
20-3590-0600	COMMERCIAL CARDBOARD MON	62,285	84,300	84,300	44,165	66,000	55,000
20-3750-0000	RECYCLING MONTHLY	171,887	237,000	207,000	145,474	220,000	225,000
	TRANSFER FROM GENERAL FUND	-	-	-	-	-	156,600
20-3750-0100	SALE OF RECYCABLES	22,857		30,000	13,293	26,400	21,500
20-3970-0300	PROCEEDS FROM DEBT	-	330,000	330,000	-	330,000	-
TOTAL PERSONNEL		\$ 1,076,645	\$ 1,513,300	\$ 1,513,300	\$ 776,267	\$ 1,500,900	\$ 1,331,600

Sanitation Fund

Total Expenditures

	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	PROJECTED TO 06-30-23	MANAGER RECOMMENDED FY23-24	CHANGE IN % FROM FY22-23 ORIGINAL
SALARY & BENEFITS	\$ 571,472	\$ 691,500	\$ 691,500	\$ 615,500	\$ 714,900	3.4%
OPERATING	369,468	421,600	421,600	461,000	398,000	-5.6%
CAPITAL	-	330,000	330,000	330,000	-	-100.0%
TRANSFER OUT	-	-	-	-	75,000	0.0%
DEBT	102,838	70,200	70,200	70,200	143,700	104.7%
TOTAL	\$ 1,043,778	\$ 1,513,300	\$ 1,513,300	\$ 1,476,700	\$ 1,331,600	-12.0%

Notable Changes from the FY22-23 Budget

Personnel

Current year budgeted amounts are \$23,400 higher than the previous fiscal year.

Operating

Operating expenses are budgeted \$23,600 lower than FY22-23. Cost increases in M & R Trucks and fuel were more than offset by decreases in amounts budgeted for disposal charges and brush grindings.

Transfer Out

Enterprise funds should "pay back" the General Fund for the cost of services provided. The City has included a \$75,000 transfer for this purpose.

Debt

Debt payments are \$73,500 higher than the previous year. In April of 2023, the City initiated a loan for \$320,000 to fund two sanitation capital items. The debt has an interest rate of 4.16% and a term of fifty nine months.

Sanitation Fund - Operations

Detailed Expenditures

Personnel

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED TO 06-30-23	MANAGER RECOMMENDED FY23-24
20-5800-0200	SALARIES - REGULAR	\$ 358,030	\$ 428,000	\$ 428,000	\$ 253,770	\$ 364,000	\$ 416,000
	MARKET ADJUSTMENT						-
	5% COLA ADJUSTMENT						25,800
20-5800-0210	SALARIES - REG - OT	13,355	5,000	5,000	8,510	13,500	10,000
20-5800-0500	FICA	27,553	32,800	32,800	19,253	27,500	31,900
20-5800-0600	GROUP INSURANCE	129,600	165,000	165,000	123,750	165,000	165,000
20-5800-0700	RETIREMENT	42,560	52,100	52,100	31,492	44,500	53,700
20-5800-0730	401K EMPLOYER MATCH	374	8,600	8,600	135	1,000	12,500
TOTAL PERSONNEL		\$ 571,472	\$ 691,500	\$ 691,500	\$ 436,910	\$ 615,500	\$ 714,900

Operating

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED TO 06-30-23	MANAGER RECOMMENDED FY23-24
20-5800-1600	M & R EQUIPMENT	\$ 5,975	\$ 6,000	\$ 6,000	\$ 4,946	\$ 5,500	\$ 6,000
20-5800-1700	M & R AUTO & TRUCKS	37,878	20,000	20,000	54,617	58,000	45,000
20-5800-3100	UNLEADED & DIESEL	49,773	45,000	45,000	27,903	55,000	54,000
20-5800-3200	RECYCLING	599	23,000	23,000	22,313	22,000	5,000
20-5800-3300	OFFICE SUPPLIES	632	3,000	3,000	1,443	3,000	3,000
20-5800-3600	UNIFORMS	13,490	9,500	9,500	10,516	13,500	15,000
20-5800-4500	CONTRACTED SERVICES	59,406	97,100	97,100	41,146	85,000	60,000
20-5800-5000	COUNTY DISPOSAL CHARGES	184,936	200,000	200,000	105,315	200,000	190,000
20-5800-5400	INSURANCE & BONDS	16,779	18,000	18,000	17,923	19,000	20,000
TOTAL OPERATING		\$ 369,468	\$ 421,600	\$ 421,600	\$ 286,122	\$ 461,000	\$ 398,000

Capital

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED TO 06-30-23	MANAGER RECOMMENDED FY23-24
20-5800-7400	CAPITAL OUTLAY	-	330,000	330,000	125,136	330,000	-
TOTAL CAPITAL		\$ -	\$ 330,000	\$ 330,000	\$ 125,136	\$ 330,000	\$ -

TOTAL	\$ 940,940	\$ 1,443,100	\$ 1,443,100	\$ 848,168	\$ 1,406,500	\$ 1,112,900
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Sanitation Fund - Operations

Budget By Line Item / 20-5800-XXXX

0200	Salaries - Regular			\$	416,000
	4 Sanitation Truck Driver				
	7 Sanitation Worker				
			Market Cola		-
				\$	25,800
0210	Salaries - Regular - Overtime			\$	10,000
0500	FICA			\$	31,900
0600	Group Insurance			\$	165,000
0700	Retirement			\$	53,700
0730	401K Employer Match			\$	12,500
1600	M & R Equipment			\$	6,000
1700	M & R Autos/Trucks			\$	45,000
3100	Unleaded and Diesel			\$	54,000
3200	Recycling			\$	5,000
	Recycle carts and bins	2,000			
	Recycling disposal fee	2,000			
	Misc	1,000			
3300	Department Supplies and Materials			\$	3,000
3600	Uniforms			\$	15,000
	Uniform rental	10,500			
	Shoes and PPE	4,500			
4500	Contracted Services			\$	60,000
	Garbage-recycling - Jordan St.	7,100			
	Brush grindings and disposal	42,900			
	Soil samplings	10,000			
5000	County Disposal Charges			\$	190,000
5400	Insurance - Workers Comp and Liability			\$	20,000
	Liability	10,000			
	Workers Comp	10,000			
7400	Capital Outlay			\$	-
TOTAL				\$	1,112,900

Sanitation Fund - Non Departmental

Detailed Expenditures

Transfer Out

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED TO 06-30-23	MANAGER RECOMMENDED FY23-24
20-6600-9100	REIMBURSE GEN FUND FOR SERV	-	-	-	-	-	75,000
TOTAL TRANSFER OUT		\$ -	\$ -	\$ -	\$ -	\$ -	\$ 75,000

Debt

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED TO 06-30-23	MANAGER RECOMMENDED FY23-24
20-6600-9210	DEBT PRINC DUE - FC7705	\$ 32,632	\$ -	\$ -	\$ -	\$ -	\$ -
20-6600-9211	DEBT INTEREST DUE - FC7705	294	-	-	-	-	-
20-6600-9220	DEBT PRINC DUE - BBT005	24,349	24,800	24,800	18,521	24,800	25,200
20-6600-9221	DEBT INTEREST DUE - BBT005	2,702	2,400	2,400	1,767	2,400	2,000
20-6600-9230	DEBT PRINC DUE - UNIT1078	17,272	17,700	17,700	13,284	17,700	18,100
20-6600-9231	DEBT INTEREST DUE - UNIT1078	3,693	3,300	3,300	2,440	3,300	2,900
20-6600-9240	DEBT PRINC DUE - UNIT7431	17,929	18,500	18,500	14,111	18,500	19,100
20-6600-9241	DEBT INTEREST DUE - UNIT7431	3,967	3,500	3,500	2,311	3,500	2,900
20-6600-9250	DEBT PRINC DUE - FY23 CAPITAL	-	-	-	-	-	61,500
20-6600-9251	DEBT INT DUE - FY23 CAPITAL	-	-	-	-	-	12,000
TOTAL DEBT		\$ 102,838	\$ 70,200	\$ 70,200	\$ 52,434	\$ 70,200	\$ 143,700

TOTAL	\$ 102,838	\$ 70,200	\$ 70,200	\$ 52,434	\$ 70,200	\$ 218,700
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Sanitation Fund - Non Departmental

Budget By Line Item / 20-6600-XXXX

9100	Reimburse General Fund	\$	75,000
9220	Debt Princ Due -FY21 Cap-BBT005	\$	25,200
			-
9221	Debt Int Due-FY21 Cap-BBT005	\$	2,000
			-
9230	Debt Princ Due-FY20 Cap-Unit 1078	\$	18,100
			-
9231	Debt Int Due-FY20 Cap-Unit 1078	\$	2,900
			-
9240	Debt Princ Due- FY18 Cap-Unit 7431	\$	19,100
			-
9241	Debt Int Due- FY18 Cap-Unit 7431	\$	2,900
			-
9250	Debt Princ Due- FY23 Cap	\$	61,500
			-
9251	Debt Int Due- FY23 Cap	\$	12,000
			-
TOTAL		\$	218,700

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WATER & SEWER FUND

Water Treatment, Water Distribution,
Wastewater Collections, & Wastewater Treatment

Brevard's water/sewer utility provides safe, affordable drinking water to approximately 5,000 meters both inside and outside the city limits. It is a full-service utility providing raw water treatment, drinking water distribution, wastewater collection, and wastewater treatment with a staff of 24.

The utility has four operating divisions: water treatment, distribution, collections, wastewater treatment. In FY23/24 the Water Treatment division, whose mission statement appears at the end of this brief, currently produces about 550 million gallons of potable water every year for the City of Brevard. The WTP has received funding in the amount of \$4,929,000 from the NC Department of Environmental Quality's (DEQ) Division of Water Infrastructure (DWI) to renovate portions of the plant, which has been in operation since 1980. These renovations, which are slated to begin in fall 2024, will ensure the plant can continue to provide residents and visitors with a vital resource while meeting all State and EPA standards.

ALIGNMENT WITH CLUP GOALS

Economic Development, Infrastructure, & Resiliency—2: Pursue upgrades to the public water and sewer system. Budget and pursue grants to address infiltration and inflow in the sewer system, serve areas with aging septic tanks, replace water tanks and key transmission infrastructure, and locate a new water intake downstream of current intake.

Water Supply Evaluation: A 2015 water supply analysis modeled nearly 100 years of stream flow data for Cathey's Creek and demand projections for population growth and new industrial users. The study found that the current water supply has low vulnerability in the near future but is projected to exceed 80% of its permitted capacity as soon as 2045. The report recommended the construction of a second intake on Cathey's Creek immediately upstream of its confluence with the French Broad River and an expansion of treatment capacity by 50% to 3.9 MGD.

550 MILLION
Gallons of Water
Treated & Delivered 


5
Employees

4.9 Million
Dollars of Grant
 Funding for
Plant Renovations

4,000 + 
Chemical, physical,
& bacteriological tests performed

WATER & SEWER FUND cont.

Water Treatment, Water Distribution, Wastewater Collections, & Wastewater Treatment

The Distribution division maintains the City's water infrastructure, which consists of 86 miles of water mains. The staff is also responsible for the installation and repairs of all water distribution system lines, fire hydrants, and water meters.

The Collections division maintains and repairs the City's sewer infrastructure, which consists of 55 miles of gravity sewer, 6 miles of force main sewer lines, and 16 lift stations. Operators are responsible for maintaining main service and transmission lines, manholes, pumps and facilities, and a proactive inflow and infiltration reduction program.

Operating details and strategic plan for the Wastewater Treatment division are on page 106.

MISSION STATEMENT

The mission of the Water Treatment Plant is to transform runoff originating in Pisgah National Forest and arriving at the facility from Cathey's Creek into a dependable, high-quality supply of potable water to sustain the quality of life expected by and owed to our citizens and visitors.



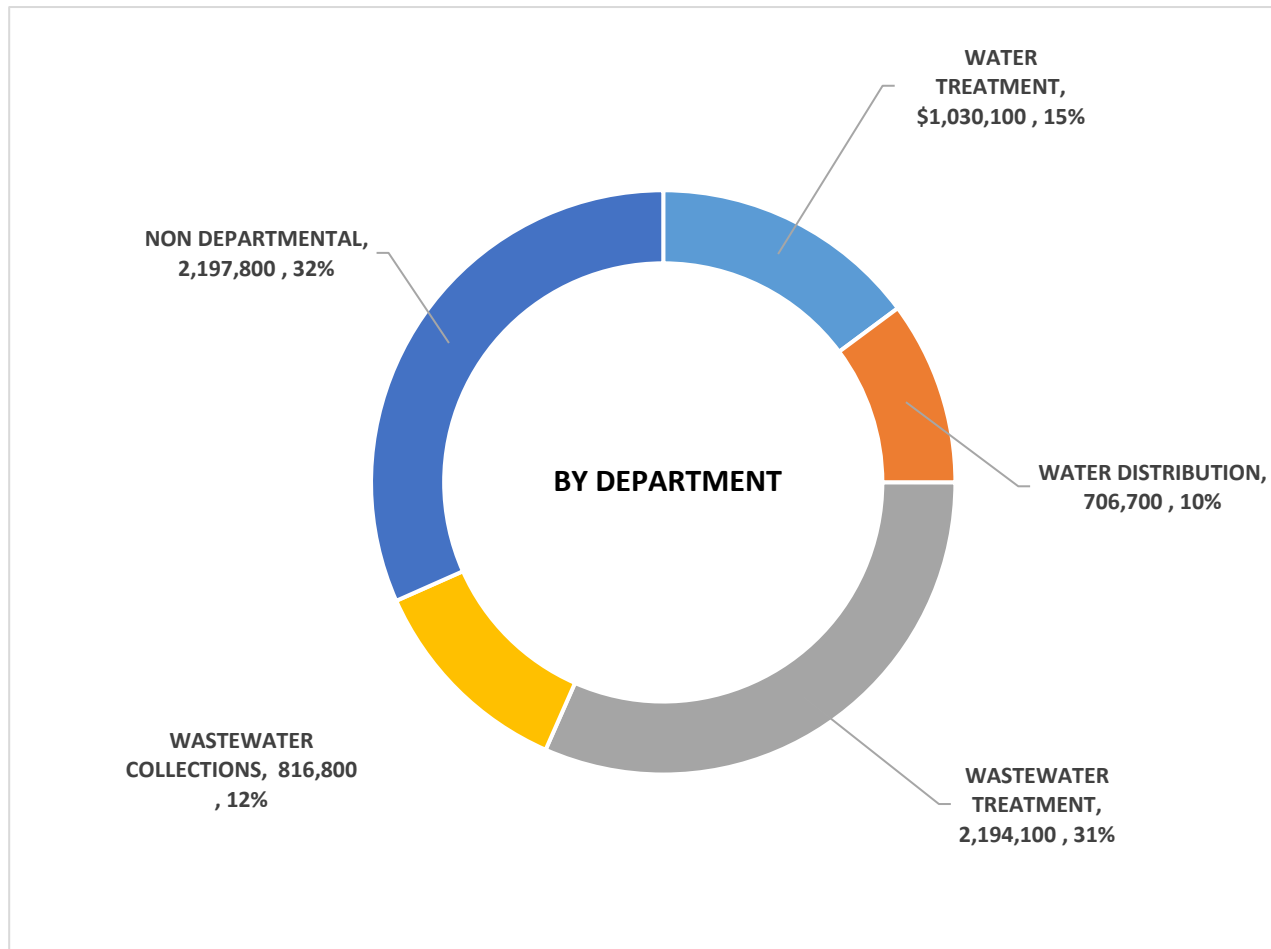
Water and Sewer Fund

Total Revenue

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED TO 06-30-23	MANAGER RECOMMENDED FY23-24
30-3350-0100	MISC UTILITY FEES	\$ 1,100	\$ 1,000	\$ 1,000	\$ 2,650	\$ 2,000	\$ 1,000
30-3710-0100	WATER CHARGES	3,043,000	3,050,000	3,050,000	2,358,135	3,200,000	3,280,000
30-3710-0200	SEWER CHARGES	2,809,302	2,728,800	2,728,800	2,227,830	3,000,000	3,060,000
30-3710-0300	METER CHARGES	177,562	180,000	180,000	134,276	180,000	185,000
30-3710-0400	METER REACTIVATION	1,380	1,000	1,000	480	500	1,000
30-3730-0100	WATER TAP & CONNECT FEE	64,171	60,000	60,000	50,058	75,000	85,000
30-3730-0200	SEWER TAP & CONNECT FEE	42,385	35,000	35,000	28,625	55,000	65,000
30-3750-0200	LATE - RECONNECT FEES	56,657	58,000	58,000	39,120	60,000	65,000
30-3760-0000	SEPTAGE PRETREATMENT	58,575	58,000	58,000	49,125	68,000	175,000
30-3990-0000	FUND BALANCE APPROP	-	168,142	366,142	-	-	28,500
TOTAL REVENUE		\$ 6,254,132	\$ 6,339,942	\$ 6,537,942	\$ 4,890,299	\$ 6,640,500	\$ 6,945,500

Water and Sewer Fund

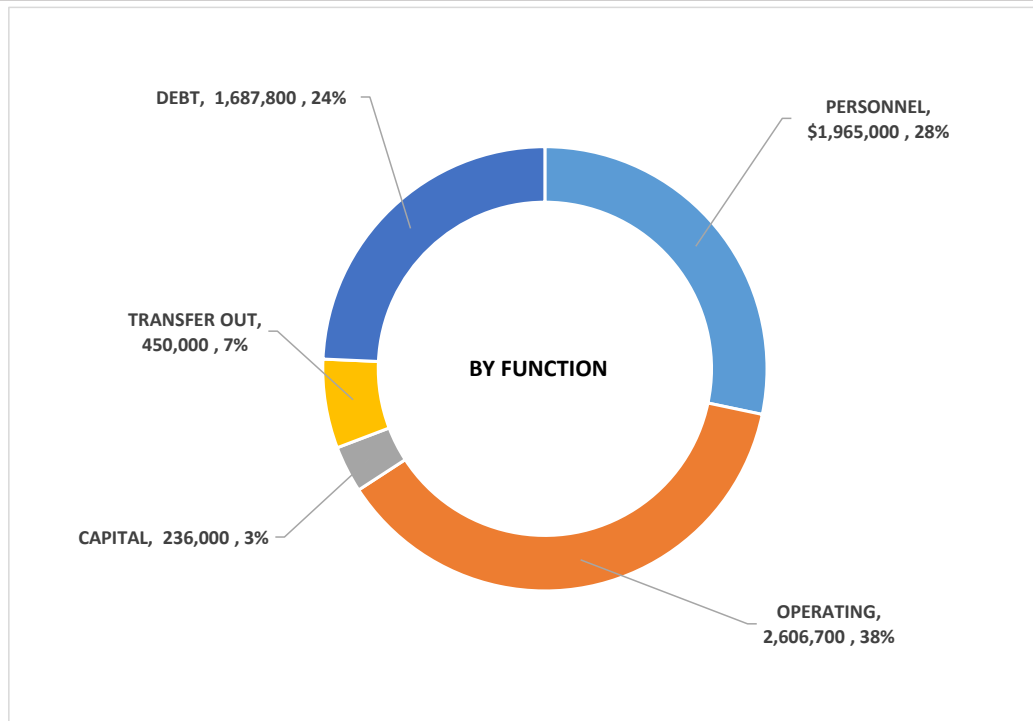
Total Expenditures By Department



	ACTUAL	FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	PROJECTED TO 06-30-23	MANAGER RECOMMENDED FY23-24	CHANGE IN % FROM FY22-23 ORIGINAL		
WATER TREATMENT	\$	895,803	\$	961,900	\$	925,600	\$	1,030,100	7.1%
WATER DISTRIBUTION		618,318		659,900		611,700		706,700	7.1%
WASTEWATER TREATM		1,667,980		1,627,500		1,605,300		2,194,100	34.8%
WASTEWATER COLLECT		643,916		737,400		691,500		816,800	10.8%
NON DEPARTMENTAL		2,256,334		2,353,242		2,423,500		2,197,800	-6.6%
TOTAL	\$	6,082,351	\$	6,339,942	\$	6,257,600	\$	6,945,500	9.6%

Water and Sewer Fund

Total Expenditures By Function



	ACTUAL	FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	PROJECTED TO 06-30-23	MANAGER RECOMMENDED FY23-24	CHANGE IN % FROM FY22-23 ORIGINAL
PERSONNEL	\$	1,601,757	\$ 1,766,300	\$ 1,766,300	\$ 1,684,300	\$ 1,965,000	11.2%
OPERATING		2,156,858	2,206,400	2,404,400	2,345,800	2,606,700	18.1%
CAPITAL		122,657	62,000	62,000	62,000	236,000	280.6%
TRANSFER OUT		600,000	600,000	600,000	600,000	450,000	-25.0%
DEBT		1,601,079	1,705,242	1,705,242	1,565,500	1,687,800	-1.0%
TOTAL	\$	6,082,351	\$ 6,339,942	\$ 6,537,942	\$ 6,257,600	\$ 6,945,500	9.6%

Notable Changes from the FY22-23 Budget

Personnel

Current year budgeted amounts are \$198,700 higher than the previous fiscal year.

Operating

Operating expenses are budgeted \$400,000 higher than FY22-23. While many expenditures show increases, the majority of this amount is related to the higher cost of chemicals needs at Wastewater Treatment, and \$150,000 the City has budgeted for preliminary engineering and other professional services needed as the City begins the process of replacing the Wastewater Treatment Plant.

Transfer Out

The Water and Sewer Fund reimbursement to the General Fund has been reduced from \$600,000 to \$450,000.

Debt

Water and Sewer debt payments are \$17,400 lower than the previous year. Certain interest expenses due to the State are on a declining balance schedule. The majority of Water and Sewer debt is not scheduled to be paid off until 2033 or later.

Water and Sewer Fund - Water Treatment

Total Expenditures

	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	PROJECTED TO 06-30-23	MANAGER RECOMMENDED FY23-24	CHANGE IN % FROM FY22-23 ORIGINAL
PERSONNEL	\$ 416,343	\$ 429,400	\$ 429,400	\$ 440,000	\$ 455,800	6.1%
OPERATING	479,460	532,500	532,500	485,600	574,300	7.8%
CAPITAL	-	-	-	-	-	0.0%
TOTAL	<u>\$ 895,803</u>	<u>\$ 961,900</u>	<u>\$ 961,900</u>	<u>\$ 925,600</u>	<u>\$ 1,030,100</u>	<u>7.1%</u>

Notable Changes from the FY22-23 Budget

Personnel

Current year budgeted amounts are \$26,400 higher than the previous fiscal year.

Operating

Operating expenses are budgeted \$41,800 higher than FY22-23. The bulk of this increase involves an upgrade to the SCADA system.

Water and Sewer Fund - Water Treatment

Detailed Expenditures

Personnel

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED TO 06-30-23	MANAGER RECOMMENDED FY23-24
30-8120-0200	SALARIES - REGULAR	\$ 279,998	\$ 286,700	\$ 286,700	\$ 206,114	\$ 291,500	\$ 266,500
	MARKET ADJUSTMENT	-	-	-	-	-	26,500
	5% COLA ADJUSTMENT	-	-	-	-	-	17,500
30-8120-0210	SALARIES - REG - OT	6,173	5,000	5,000	10,237	12,000	7,500
30-8120-0500	FICA	20,734	22,000	22,000	15,115	21,000	20,400
30-8120-0600	GROUP INSURANCE	72,000	75,000	75,000	56,250	75,000	75,000
30-8120-0700	RETIREMENT	34,649	34,900	34,900	26,308	36,000	34,400
30-8120-0730	401K EMPLOYER MATCH	2,789	5,800	5,800	2,935	4,500	8,000
TOTAL PERSONNEL		\$ 416,343	\$ 429,400	\$ 429,400	\$ 316,959	\$ 440,000	\$ 455,800

Operating

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED TO 06-30-23	MANAGER RECOMMENDED FY23-24
30-8120-0925	PRO SERVICES	\$ 110,057	\$ 96,300	\$ 96,300	\$ 55,549	\$ 93,000	\$ 141,000
30-8120-1000	TRAINING	1,496	2,500	2,500	1,863	3,000	3,000
30-8120-1100	TELEPHONE AND INTERNET	8,725	9,300	9,300	5,266	9,000	7,100
30-8120-1300	UTILITIES	76,230	78,000	78,000	63,953	76,000	80,000
30-8120-1500	M & R BUILDINGS	18,174	44,500	44,500	39,037	53,000	38,000
30-8120-1600	M & R EQUIPMENT	48,446	70,500	70,500	4,260	40,000	69,000
30-8120-1700	M & R AUTO & TRUCKS	3,488	3,000	3,000	444	2,000	3,000
30-8120-3100	UNLEADED & DIESEL	2,710	3,000	3,000	1,312	3,000	3,000
30-8120-3200	OFFICE SUPPLIES	1,209	1,500	1,500	367	1,200	1,800
30-8120-3300	DEPT SUPPLIES & MATERIALS	27,341	24,500	24,500	19,760	23,000	26,000
30-8120-3400	OTHER SUPPLIES & MATERIALS	167,415	187,000	187,000	147,565	170,000	190,000
30-8120-3600	UNIFORMS	2,306	2,400	2,400	1,501	2,400	2,400
30-8120-5300	DUES & SUBSCRIPTIONS	580	1,000	1,000	925	1,000	1,000
30-8120-5400	INSURANCE - WC AND LIAB	11,283	9,000	9,000	8,355	9,000	9,000
TOTAL OPERATING		\$ 479,460	\$ 532,500	\$ 532,500	\$ 350,157	\$ 485,600	\$ 574,300

Capital

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED TO 06-30-23	MANAGER RECOMMENDED FY23-24
30-8120-7400	CAPITAL OUTLAY	-	-	-	-	-	-
TOTAL CAPITAL		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

TOTAL	\$ 895,803	\$ 961,900	\$ 961,900	\$ 667,116	\$ 925,600	\$ 1,030,100
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Water and Sewer Fund - Water Treatment

Budget By Line Item / 30-8120-XXXX

0200	Salaries - Regular		\$ 266,500
	1 Plant Superintendent/ORC		
	2 Plant Operator 1		
	2 Plant Operator 3		
		Market	\$ 26,500
		Cola	\$ 17,500
0210	Salaries - Regular - Overtime		\$ 7,500
0500	FICA		\$ 20,400
0600	Group Insurance		\$ 75,000
0700	Retirement		\$ 34,400
0730	401K Employer Match		\$ 8,000
0925	Pro Services		\$ 141,000
	FY24 SCADA upgrade	35,000	
	SCADA Hardware, software update and maint	35,000	
	Misc engineering services	50,000	
	Compliance testing, tech calibrations	16,500	
	Certification and Permit fees	4,500	
1000	Training		\$ 3,000
1100	Telephone and Internet		\$ 7,100
	Verizon	1,200	
	Cell Stipend	500	
	Comporium	5,400	
1300	Utilities		\$ 80,000
	Electricity	74,000	
	Natural Gas/Diesel	6,000	
1500	M & R Buildings		\$ 38,000
	Basin scimmer adj	-	
	Contract labor	10,000	
	Fence repairs	7,500	
	Sand removal	6,000	
	Water process equipment	5,000	
	Tools and materials	2,000	
	Misc repairs	7,500	
1600	M & R Equipment		\$ 69,000
	Pump/motor replace/repair	45,000	
	Chemical feeds pumps and tubing	10,000	
	Contract labor	12,000	
	Tools and materials	2,000	
1700	M & R Autos/Trucks		\$ 3,000

3100	Unleaded and Diesel	\$	3,000
3200	Office Supplies	\$	1,800
3300	Department Supplies and Materials	\$	26,000
	Lab equip., reagents, gen supp		
3400	Other Supl & Matl	\$	190,000
	Water treatment chemicals		
	Sodium Bicarbonate, Poly Aluminium Chloride, Bleach, Phosphate		
3600	Uniforms	\$	2,400
5300	Dues & Subscriptions	\$	1,000
5400	Insurance - Workers Comp and Liability	\$	9,000
	Liability		4,500
	Workers Comp		4,500
7400	Capital Outlay	\$	-
			-
			-
			-
			-
TOTAL		\$	1,030,100

Water and Sewer Fund - Water Distribution

Total Expenditures

	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	PROJECTED TO 06-30-23	MANAGER RECOMMENDED FY23-24	CHANGE IN % FROM FY22-23 ORIGINAL
PERSONNEL	\$ 299,325	\$ 379,600	\$ 379,600	\$ 350,700	\$ 415,400	9.4%
OPERATING	318,993	280,300	280,300	261,000	291,300	3.9%
CAPITAL	-	-	-	-	-	0.0%
TOTAL	<u>\$ 618,318</u>	<u>\$ 659,900</u>	<u>\$ 659,900</u>	<u>\$ 611,700</u>	<u>\$ 706,700</u>	<u>7.1%</u>

Notable Changes from the FY22-23 Budget

Personnel

Current year budgeted amounts are \$36,800 higher than the previous fiscal year.

Operating

Operating expenses are budgeted \$11,000 higher than FY22-23. The M & R Trucks line item accounts for \$6,000 of this amount.

Water and Sewer Fund - Water Distribution

Detailed Expenditures

Personnel

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED TO 06-30-23	MANAGER RECOMMENDED FY23-24
30-8140-0200	SALARIES - REGULAR	\$ 186,021	\$ 241,700	\$ 241,700	\$ 152,016	\$ 219,000	\$ 239,600
	MARKET ADJUSTMENT	-	-	-	-	-	19,200
	5% COLA ADJUSTMENT	-	-	-	-	-	15,000
30-8140-0210	SALARIES - REG - OT	15,307	10,000	10,000	6,625	10,000	10,000
30-8140-0500	FICA	15,614	18,500	18,500	11,629	16,500	18,400
30-8140-0600	GROUP INSURANCE	57,600	75,000	75,000	56,250	75,000	75,000
30-8140-0700	RETIREMENT	24,305	29,500	29,500	19,291	29,500	31,000
30-8140-0730	401K EMPLOYER MATCH	478	4,900	4,900	417	700	7,200
TOTAL PERSONNEL		\$ 299,325	\$ 379,600	\$ 379,600	\$ 246,228	\$ 350,700	\$ 415,400

Operating

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED TO 06-30-23	MANAGER RECOMMENDED FY23-24
30-8140-0925	PROF SERVICES	\$ 65,554	\$ 31,000	\$ 31,000	\$ 25,785	\$ 30,000	\$ 31,000
30-8140-1100	TELEPHONE AND INTERNET	2,369	2,000	2,000	1,362	2,000	2,000
30-8140-1200	TRAINING	-	3,000	3,000	-	1,500	3,000
30-8140-1400	TRAVEL	-	3,000	3,000	-	1,500	3,000
30-8140-1500	M & R BUILDINGS	17,294	4,000	4,000	3,565	5,000	4,000
30-8140-1600	M & R EQUIPMENT	7,772	10,000	10,000	9,073	12,000	10,000
30-8140-1700	M & R AUTO & TRUCKS	5,544	4,000	4,000	15,287	20,000	10,000
30-8140-3100	UNLEADED & DIESEL	8,806	9,000	9,000	2,133	6,500	9,000
30-8140-3200	OFFICE SUPPLIES	2,534	3,000	3,000	945	2,000	3,000
30-8140-3300	DEPT SUPPLIES & MATERIALS	175,626	135,000	135,000	110,361	115,000	135,000
30-8140-3400	WATER TANK MAINT PROGRAM	14,107	14,200	14,200	-	14,200	14,200
30-8140-3600	UNIFORMS	3,768	3,100	3,100	4,085	3,300	3,100
30-8140-4500	CONTRACTED SERVICES	6,948	47,500	47,500	32,790	36,000	50,500
30-8140-5300	DUES & SUBSCRIPTIONS	1,077	3,500	3,500	566	1,500	3,500
30-8140-5400	INSURANCE - WC AND LIAB	7,594	8,000	8,000	11,057	10,500	10,000
TOTAL OPERATING		\$ 318,993	\$ 280,300	\$ 280,300	\$ 217,009	\$ 261,000	\$ 291,300

Capital

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED TO 06-30-23	MANAGER RECOMMENDED FY23-24
30-8140-7400	CAPITAL OUTLAY	-	-	-	-	-	-
TOTAL CAPITAL		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

TOTAL	\$ 618,318	\$ 659,900	\$ 659,900	\$ 463,237	\$ 611,700	\$ 706,700
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Water and Sewer Fund - Water Distribution

Budget By Line Item / 30-8140-XXXX

0200	Salaries - Regular		\$	239,600
	1 Public Works Supervisor			
	2 Meter Technician			
	1 Senior Distribution - Collection System Operator			
	1 Distribution - Collection System Operator			-
		Market	\$	19,200
		Cola	\$	15,000
0210	Salaries - Regular - Overtime		\$	10,000
0500	FICA		\$	18,400
0600	Group Insurance		\$	75,000
0700	Retirement		\$	31,000
0730	401K Employer Match		\$	7,200
0925	Pro Services		\$	31,000
	Water Meter base station fee	26,000		
	SCADA	2,000		
	Computer Support	2,000		
	Misc	1,000		
1000	Training		\$	3,000
	AWWA Utility School - 3 operators			
1100	Telephone and Internet		\$	2,000
	Verizon	2,000		
	Misc	-		
1400	Travel		\$	3,000
1500	M & R Buildings		\$	4,000
1600	M & R Equipment		\$	10,000
	Air Compressor, backhoe, etc			
1700	M & R Autos/Trucks		\$	10,000
3100	Unleaded and Diesel		\$	9,000
3200	Office Supplies		\$	3,000
3300	Department Supplies and Materials		\$	135,000
	water pipe, fittings, hydrants			
	pumps, meters etc			
3400	Water Tank Maint Program		\$	14,200
	Utility Service Group / Suez			
3600	Uniforms		\$	3,100

	Cintas Uniform Rental Contract	2,200		
	Safety Shoes & PPE	900		
4500	Contracted Services		\$	50,500
	USIC Locating Services - 1/2	30,000		
	Soil Samplings (Excavations)	10,000		
	Scrap Soils Disposal	10,000		
	NC811 License (User Fee)	500		
5300	Dues and Subscriptions		\$	3,500
				-
5400	Insurance - Workers Comp and Liability		\$	10,000
	Liability	5,000		
	Workers Comp	5,000		
7400	Capital Outlay		\$	-
	System Model Plan			
TOTAL			\$	706,700

Water and Sewer Fund - Wastewater Treatment

Total Expenditures

	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	PROJECTED TO 06-30-23	MANAGER RECOMMENDED FY23-24	CHANGE IN % FROM FY22-23 ORIGINAL
PERSONNEL	\$ 613,086	\$ 664,300	\$ 664,300	\$ 634,100	\$ 784,900	18.2%
OPERATING	932,237	901,200	901,200	909,200	1,173,200	30.2%
CAPITAL	122,657	62,000	62,000	62,000	236,000	280.6%
TOTAL	<u>\$ 1,667,980</u>	<u>\$ 1,627,500</u>	<u>\$ 1,627,500</u>	<u>\$ 1,605,300</u>	<u>\$ 2,194,100</u>	<u>34.8%</u>

Notable Changes from the FY22-23 Budget

Personnel

Current year budgeted amounts are \$120,600 higher than the previous fiscal year. The Wastewater Treatment division received a large market adjustment from the compensation study, and one position was reclassified to add additional work responsibilities.

Operating

Operating expenses are budgeted \$272,000 higher than FY22-23. The City has budgeted \$150,000 for professional services related to the Wastewater Treatment Plant project, and cost of chemicals needed to operate the plant continues to rise.

Capital

Items budgeted include a key card system, which will allow the City to more accurately charge septage haulers, a replacement pickup truck, and two urgent equipment replacements at the plant.

Water and Sewer Fund - Wastewater Treatment

Detailed Expenditures

Personnel

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED TO 06-30-23	MANAGER RECOMMENDED FY23-24
30-8220-0200	SALARIES - REGULAR	\$ 393,592	\$ 434,400	\$ 434,400	\$ 287,758	\$ 413,500	\$ 451,700
	MARKET ADJUSTMENT	-	-	-	-	-	68,600
	5% COLA ADJUSTMENT	-	-	-	-	-	27,700
30-8220-0210	SALARIES - REG - OT	20,589	15,000	15,000	13,286	16,000	15,000
30-8220-0500	FICA	32,081	33,300	33,300	22,046	30,800	33,100
30-8220-0600	GROUP INSURANCE	115,200	120,000	120,000	90,000	120,000	120,000
30-8220-0700	RETIREMENT	50,078	52,900	52,900	36,604	50,000	55,800
30-8220-0730	401K EMPLOYER MATCH	1,546	8,700	8,700	2,530	3,800	13,000
TOTAL PERSONNEL		\$ 613,086	\$ 664,300	\$ 664,300	\$ 452,224	\$ 634,100	\$ 784,900

Operating

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED TO 06-30-23	MANAGER RECOMMENDED FY23-24
30-8220-0925	PROF SERVICES	\$ 36,314	\$ 32,500	\$ 32,500	\$ 8,376	\$ 20,000	\$ 174,700
30-8220-1000	TRAINING	1,089	3,000	3,000	540	2,500	3,000
30-8220-1100	TELEPHONE AND INTERNET	8,835	9,000	9,000	5,797	9,000	8,400
30-8220-1300	UTILITIES	127,798	135,000	135,000	114,867	130,000	135,000
30-8220-1500	M & R BUILDINGS	15,974	27,500	27,500	21,390	30,000	52,000
30-8220-1600	M & R EQUIPMENT	121,993	94,000	94,000	7,868	50,000	91,200
30-8220-1700	M & R AUTO & TRUCKS	11,932	15,300	15,300	937	8,500	10,000
30-8220-3100	UNLEADED & DIESEL	13,602	12,000	12,000	7,844	17,500	18,000
30-8220-3200	OFFICE SUPPLIES	-	1,300	1,300	559	1,200	2,000
30-8220-3300	DEPT SUPPLIES & MATERIALS	15,238	19,800	19,800	16,181	20,000	19,800
30-8220-3400	OTHER SUPPLIES & MATERIALS	383,445	358,000	358,000	286,683	400,000	420,000
30-8220-3500	OTHER - TANK/SEPTIC CLEANING	-	20,000	20,000	-	-	5,000
30-8220-3600	UNIFORMS	1,673	5,800	5,800	1,545	3,500	3,500
30-8220-4500	CONTRACTED SERVICES	179,152	145,000	145,000	89,683	200,000	1,800
30-8220-5000	COUNTY DISPOSAL CHARGES	-	-	-	14,142	-	205,000
30-8220-5300	DUES & SUBSCRIPTIONS	574	7,000	7,000	460	1,000	7,800
30-8220-5400	INSURANCE - WC AND LIAB	14,618	16,000	16,000	14,854	16,000	16,000
TOTAL OPERATING		\$ 932,237	\$ 901,200	\$ 901,200	\$ 591,726	\$ 909,200	\$ 1,173,200

Capital

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED TO 06-30-23	MANAGER RECOMMENDED FY23-24
30-8220-7400	CAPITAL OUTLAY	122,657	62,000	62,000	14,700	62,000	236,000
TOTAL CAPITAL		\$ 122,657	\$ 62,000	\$ 62,000	\$ 14,700	\$ 62,000	\$ 236,000

TOTAL	\$ 1,667,980	\$ 1,627,500	\$ 1,627,500	\$ 1,058,650	\$ 1,605,300	\$ 2,194,100
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Water and Sewer Fund - Wastewater Treatment

Budget By Line Item / 30-8220-XXXX

0200	Salaries - Regular		\$	451,700
	1 Superintendent/ORC			
	1 Lab Supervisor			
	1 Plant Maintenance Supervisor			
	2 Plant Maintenance Technician			
	1 Treatment Plant Operator 1			
	2 Treatment Plant Operator 3			
		Market	\$	68,600
		Cola	\$	27,700
0210	Salaries - Regular - Overtime		\$	15,000
0500	FICA		\$	33,100
0600	Group Insurance		\$	120,000
0700	Retirement		\$	55,800
0730	401K Employer Match		\$	13,000
0925	Pro Services		\$	174,700
	Certification and permit fees	-		
	WWTP study	150,000		
	Compliance testing, calibrations	9,700		
	Misc consulting and engineering	15,000		
1000	Training		\$	3,000
	Operator schools/exam fees			
1100	Telephone and Internet		\$	8,400
	Comporium	5,400		
	Verizon	1,200		
	Cell stipend	1,800		
1300	Utilities		\$	135,000
	Electricity	125,000		
	Natural Gas	10,000		
1500	M & R Buildings		\$	52,000
	Flooring, walls, windows, concrete	25,000		
	Paint, tools, materials	5,400		
	Emulsifiers and degreasers	11,500		
	Lubrication and Hydraulic Support	2,100		
	Maint contracts	2,700		
	Door repl	5,300		
1600	M & R Equipment		\$	91,200
	Equipment, parts, supplies	36,800		
	Replacement of Digester Blower	33,000		
	RBC shaft resurfacing			
	SCADA, electronic, digital parts	13,600		

	Belts for press	4,800		
	Bush hog	3,000		
1700	M & R Autos/Trucks		\$	10,000
	Vehicle maint - dump truck	6,200		
	Vehicle maint - routine	3,800		
3100	Unleaded and Diesel		\$	18,000
3200	Office Supplies		\$	2,000
3300	Department Supplies and Materials		\$	19,800
	Lab supplies, glassware, sampling kits	10,500		
	PH probe and accessories	1,100		
	Chemical reagents, repl probes	5,200		
	New dissolved oxygen probe	3,000		
3400	Other Supplies and Materials		\$	420,000
	FY24 cost increase	60,000		
	BSP Captor	107,000		
	Poly Aluminium Chlorhydrate	91,300		
	Sodium Hypochlorite (Bleach)	96,000		
	Polymer for the Belt Press	52,100		
	Emulsifiers, degreasers etc	11,500		
	Lubrication and Hydraulic Supp	2,100		
3500	Other-Tank /Septic Cleaning		\$	5,000
3600	Uniforms		\$	3,500
	Protective clothing, boots, etc			
4500	Contracted Services		\$	1,800
	Copier maint contract	1,800		
5000	County Disposal Fees		\$	205,000
	FY24 increase	60,000		
	Landfill fees	145,000		
5300	Dues and Subscriptions		\$	7,800
	Assoc Fees and Operator Licenses			
5400	Insurance - Workers Comp and Liability		\$	16,000
	Liability	8,000		
	Workers Comp	8,000		
7400	Capital Outlay		\$	236,000
	Clarifyer bearing replacement	56,000		
	Digester replacement blower	30,000		
	Peterbilt Tandem Truck	-		
	Truck Replacement	40,000		
	Key Card System for Septage	110,000		
TOTAL			\$	2,194,100

Water and Sewer Fund - Wastewater Collections

Total Expenditures

	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	PROJECTED TO 06-30-23	MANAGER RECOMMENDED FY23-24	CHANGE IN % FROM FY22-23 ORIGINAL
PERSONNEL	\$ 273,003	\$ 293,000	\$ 293,000	\$ 259,500	\$ 308,900	5.4%
OPERATING	370,913	444,400	444,400	432,000	507,900	14.3%
CAPITAL	-	-	-	-	-	0.0%
TOTAL	\$ 643,916	\$ 737,400	\$ 737,400	\$ 691,500	\$ 816,800	10.8%

Notable Changes from the FY22-23 Budget

Personnel

Current year budgeted amounts are \$15,900 higher than the previous fiscal year.

Operating

Operating expenses are budgeted \$63,500 higher than FY22-23. The Maintenance and Repair Equipment and Supplies and Equipment line items have been increased as the cost of providing these services has trended higher in recent years.

Water and Sewer Fund - Wastewater Collections

Detailed Expenditures

Personnel

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED TO 06-30-23	MANAGER RECOMMENDED FY23-24
30-8280-0200	SALARIES - REGULAR	\$ 154,136	\$ 178,900	\$ 178,900	\$ 97,515	\$ 156,000	\$ 171,600
	MARKET ADJUSTMENT	-	-	-	-	-	10,600
	5% COLA ADJUSTMENT	-	-	-	-	-	11,100
30-8280-0210	SALARIES - REG - OT	13,553	15,000	15,000	7,322	11,500	15,000
30-8280-0500	FICA	13,060	13,700	13,700	7,710	12,000	13,200
30-8280-0600	GROUP INSURANCE	72,000	60,000	60,000	45,000	60,000	60,000
30-8280-0700	RETIREMENT	20,254	21,800	21,800	12,748	20,000	22,200
30-8280-0730	401K EMPLOYER MATCH	-	3,600	3,600	-	-	5,200
TOTAL PERSONNEL		\$ 273,003	\$ 293,000	\$ 293,000	\$ 170,295	\$ 259,500	\$ 308,900

Operating

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED TO 06-30-23	MANAGER RECOMMENDED FY23-24
30-8280-0925	PROF SERVICES	\$ 84,851	\$ 26,200	\$ 26,200	\$ 10,458	\$ 15,000	\$ 26,200
30-8280-1000	TRAINING	-	3,000	3,000	-	1,500	2,000
30-8280-1100	TELEPHONE AND INTERNET	1,342	2,000	2,000	372	1,000	2,000
30-8280-1400	TRAVEL	-	3,000	3,000	-	1,500	2,000
30-8280-1500	M & R BUILDING & GROUNDS	3,647	5,000	5,000	990	4,000	4,000
30-8280-1600	M & R EQUIPMENT	72,934	101,000	101,000	141,780	150,000	140,000
30-8280-1700	M & R AUTO & TRUCKS	33,780	10,000	10,000	12,809	15,000	15,000
30-8280-3100	UNLEADED & DIESEL	14,964	13,500	13,500	5,729	13,000	13,500
30-8280-3200	OFFICE SUPPLIES	2,934	4,000	4,000	963	3,000	3,500
30-8280-3300	DEPT SUPPLIES & MATERIALS	121,489	80,000	80,000	94,279	120,000	100,000
10-8280-3400	INFLOW & INFILTRATION	8,928	100,000	100,000	25,946	40,000	100,000
30-8280-3500	OTHER SUPPLIES & MATERIALS	-	-	-	842	1,000	-
30-8280-3600	UNIFORMS	6,950	7,200	7,200	5,054	6,500	7,200
30-8280-4500	CONTRACTED SERVICES	-	77,000	77,000	36,411	50,000	80,000
30-8280-5300	DUES & SUBSCRIPTIONS	699	2,000	2,000	1,820	1,500	2,000
30-8280-5400	INSURANCE - WC AND LIAB	18,395	10,500	10,500	5,975	9,000	10,500
TOTAL OPERATING		\$ 370,913	\$ 444,400	\$ 444,400	\$ 343,428	\$ 432,000	\$ 507,900

Capital

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED TO 06-30-23	MANAGER RECOMMENDED FY23-24
30-8280-7400	CAPITAL OUTLAY	-	-	-	-	-	-
TOTAL CAPITAL		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

TOTAL	\$ 643,916	\$ 737,400	\$ 737,400	\$ 513,723	\$ 691,500	\$ 816,800
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Water and Sewer Fund - Wastewater Collections

Budget By Line Item / 30-8280-XXXX

0200	Salaries - Regular		\$ 171,600
	1 Public Works Supervisor		
	3 Distributions/Collections System Operator		
		Market	\$ 10,600
		Cola	\$ 11,100
0210	Salaries - Regular - Overtime		\$ 15,000
			-
0500	FICA		\$ 13,200
			-
0600	Group Insurance		\$ 60,000
			-
0700	Retirement		\$ 22,200
			-
0730	401K Employer Match		\$ 5,200
			-
0925	Pro Services		\$ 26,200
	Misc	10,000	
	USDA permit	9,600	
	SCADA	2,000	
	Computer Support	2,000	
	NCDEQ permit	1,400	
	Sewer line permit	1,200	
1000	Training		\$ 2,000
1100	Telephone and Internet		\$ 2,000
	Verizon	800	
	Stipend	1,200	
1400	Travel		\$ 2,000
			-
1500	M & R Buildings		\$ 4,000
	Lift station facilities		-
1600	M & R Equipment		\$ 140,000
	FY24 increase	40,000	
	Backhoe, sewer jetter, smoke testing equipment, ORC printer, air compressor	100,000	
	lift station pump repl.,		
	Sewer camera software support		
1700	M & R Autos/Trucks		\$ 15,000
	Nine vehicles		-
3100	Unleaded and Diesel		\$ 13,500
3200	Office Supplies		\$ 3,500
3300	Department Supplies and Materials		\$ 100,000
	FY24 increase	20,000	

	Pipes, fittings, manhole lids	80,000	
	and rings, other supplies		
	Asphalt for utility cuts.		
	Stone, gravel.		
3400	Inflow & Infiltration		\$ 100,000
	Sewer line repair/remediation	90,000	
	Smoke and dye testing	10,000	
3500	Other Suppl & Matl		\$ -
3600	Uniforms		\$ 7,200
	Uniform rental	6,000	
	PPE and boots	1,200	
4500	Contracted Services		\$ 80,000
	USIC locating (1/2)	30,000	
	Emergency assist-pump/haul	25,000	
	Soil samplings	10,000	
	Soil disposal	10,000	
	Lift station generators	3,000	
	Transmitter calibrations	1,000	
	Misc	1,000	
5300	Dues and Subscriptions		\$ 2,000
5400	Insurance - Workers Comp and Liability		\$ 10,500
	Liability	5,000	
	Workers Comp	5,500	
TOTAL			\$ 816,800

Water and Sewer Fund - Non Departmental

Total Expenditures

	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	PROJECTED TO 06-30-23	MANAGER RECOMMENDED FY23-24	CHANGE IN % FROM FY22-23 ORIGINAL
OPERATING	\$ 55,255	\$ 48,000	\$ 48,000	\$ 60,000	\$ 60,000	25.0%
TRANSFER	600,000	600,000	798,000	798,000	450,000	-25.0%
DEBT	1,601,079	1,705,242	1,705,242	1,565,500	1,687,800	-1.0%
TOTAL	<u>\$ 2,256,334</u>	<u>\$ 2,353,242</u>	<u>\$ 2,551,242</u>	<u>\$ 2,423,500</u>	<u>\$ 2,197,800</u>	<u>-6.6%</u>

Notable Changes from the FY22-23 Budget

Transfer

The cost reimbursement to the General Fund has been reduced from \$600,000 to \$450,000

Water and Sewer Fund - Non Departmental

Detailed Expenditures

Operating

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED TO 06-30-23	MANAGER RECOMMENDED FY23-24
30-6600-5800	ONLINE / CREDIT CARD FEES	\$ 55,255	\$ 48,000	\$ 48,000	\$ 44,418	\$ 60,000	\$ 60,000
30-6600-9100	REIMBURSE GENERAL FUND FOR	600,000	600,000	600,000	450,000	600,000	450,000
30-6600-9406	TRANSFER TO 31 - WHITMIRE	-	-	54,000	54,000	54,000	-
30-6600-9405	TRANSFER TO 31 - ESTATOE STORMW	-	-	100,000	100,000	100,000	-
30-6600-9407	TRANSFER TO 31 - AIA	-	-	44,000	44,000	44,000	-
TOTAL OPERATING		\$ 655,255	\$ 648,000	\$ 846,000	\$ 692,418	\$ 858,000	\$ 510,000

Debt

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED TO 06-30-23	MANAGER RECOMMENDED FY23-24
30-6600-9240	DEBT PRINC DUE-FY17CAP-FC7705	\$ 23,243	\$ -	\$ -	\$ -	\$ -	\$ -
30-6600-9241	DEBT INT DUE-FY17CAP-FC 7705	209	-	-	-	-	-
30-6600-9250	DEBT PRINC DUE-FY20CAP-UNIT1078	18,711	19,200	19,200	14,390	19,200	19,600
30-6600-9251	DEBT INT DUE-FY20CAP-UNIT1078	4,001	3,600	3,600	2,644	3,600	3,200
30-6600-9260	DEBT PRINC DUE-FY18 CAP-UNIT7438	3,214	3,000	3,000	2,476	3,000	-
30-6600-9261	DEBT INT DUE-FY18 CAP-UNIT7438	148	200	200	45	100	-
30-6600-9270	DEBT PRINC DUE-FY18CAP-UNIT7431	6,631	6,900	6,900	5,112	6,800	7,100
30-6600-9271	DEBT INT DUE-FY18 CAP-UNIT 7431	1,467	1,300	1,300	962	1,300	1,100
30-6600-9310	DEBT PRINC DUE-BELT PR-DEQ476-03	71,413	71,500	71,500	-	71,500	71,500
30-6600-9311	DEBT INT DUE-BELT PR-DEQ476-03	14,025	12,300	12,300	6,136	12,300	10,600
30-6600-9320	DEBT PRINC DUE-BURRELL-11-1778	146,728	146,800	146,800	-	146,800	146,800
30-6600-9330	DEBT PRNC DUE-6-8 UPG-DEQ476-04	84,000	84,000	84,000	-	84,000	84,000
30-6600-9331	DEBT INT DUE-6-8 UPG-DEQ476-04	25,200	23,600	23,600	11,760	23,600	21,900
30-6600-9340	DEBT PRINC DUE-RADIO M-12-1787	74,828	74,900	74,900	-	74,900	74,900
30-6600-9350	DEBT PRINC DUE-KC1-DEQ476-05	37,469	37,500	37,500	-	37,500	37,500
30-6600-9351	DEBT INT DUE-KC1-DEQ476-05	8,993	8,300	8,300	4,121	8,300	7,500
30-6600-9360	DEBT PRINC DUE-KC2-DEQ476-06	71,789	71,800	71,800	-	71,800	71,800
30-6600-9370	DEBT PRINC DUE-KC3-DEQ476-07	74,198	74,200	74,200	-	74,200	74,200
30-6600-9380	DEBT PRINC DUE-SEWER-DEQ476-08	649,363	649,400	649,400	-	649,400	649,400
30-6600-9381	DEBT INT DUE-SEWER-DEQ476-08	203,121	191,200	191,200	95,586	191,200	179,300
30-6600-9410	DEBT PRINC DUE-FY19CAP-ST001	20,518	21,000	21,000	15,689	21,000	21,600
30-6600-9411	DEBT INT DUE-FY19CAP-ST001	4,424	4,000	4,000	3,018	4,000	3,500
30-6600-9420	DEBT PRINC DUE-DUKE-FC9262	29,631	30,400	30,400	22,667	30,200	31,100
30-6600-9421	DEBT INT DUE-DUKE-FC9262	2,187	1,600	1,600	1,191	1,600	800
30-6600-9430	DEBT PRINC DUE-WATMET-ST600-002	20,922	25,300	25,300	17,477	25,000	25,500
30-6600-9431	DEBT INT DUE-WATMET-ST600-002	4,646	2,700	2,700	3,442	4,200	3,200
30-6600-9440	DEBT PRINC DUE-GALLIMORE	-	86,742	86,742	-	-	87,800
30-6600-9460	DEBT PRINC DUE-KING ST	-	13,550	13,550	-	-	13,600
30-6600-9461	DEBT INT DUE-KING ST	-	4,500	4,500	-	-	4,500
30-6600-9470	DEBT PRINC DUE-BURRELL MTN	-	35,750	35,750	-	-	35,800
TOTAL DEBT		\$ 1,601,079	\$ 1,705,242	\$ 1,705,242	\$ 206,716	\$ 1,565,500	\$ 1,687,800

TOTAL	\$ 2,256,334	\$ 2,353,242	\$ 2,551,242	\$ 899,134	\$ 2,423,500	\$ 2,197,800
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Water and Sewer Fund - Non Departmental

Budget By Line Item / 30-6600-XXXX

5800	Online/Credit Card Fees	\$	60,000
			-
9100	Reimburse General Fund for Services	\$	450,000
			-
9408	Transfer to Fund 31 - Wastewater Treatment Plant Upgrade	\$	-
			-
9220	O-P-E-B Transfer	\$	-
			-
9250	Debt Princ Due-FY20Cap-Unit 1078	\$	19,600
			-
9251	Debt Inct Due- FY20Cap-Unit 1078	\$	3,200
			-
9270	Debt Prince Due-FY18 Cap -Unit 7431	\$	7,100
			-
9271	Debt Int Due- FY18 Cap- Unit 7431	\$	1,100
			-
9310	Debt Princ Due-Belt PR- DEQ476-03	\$	71,500
			-
9311	Debt Int Due- Belt PR- DEQ476-03	\$	10,600
			-
9320	Debt Princ Due- Burrell -11-1778	\$	146,800
			-
9330	Debt Prin Deu -6-8 UPG-DEQ476-04	\$	84,000
			-
9331	Debt Int Due-6-8 UPG-DEQ476-04	\$	21,900
			-
9340	Debt Princ Due-Radio M-12-1787	\$	74,900
			-
9350	Debt Princ Due-KC1-DEQ476-05	\$	37,500
			-
9351	Debt Int Due-KC1-DEQ476-05	\$	7,500
			-
9360	Debt Princ Due-KC2-DEQ476-06	\$	71,800
			-
9370	Debt Princ Due-KC3 DEQ476-07	\$	74,200
			-
9380	Debt Princ Due-Sewer- DEQ476-08	\$	649,400
			-
9381	Debt Int Due-Sewer- DEQ476-08	\$	179,300
			-
9410	Debt Princ Due- FY19 Cap- ST001	\$	21,600
			-
9411	Debt Int Due- FY19 Cap- ST001	\$	3,500
			-

9420	Debt Princ Due -Duke-FC9262	\$	31,100
			-
9421	Debt Int Due -Duke-FC9262	\$	800
			-
9430	Debt Princ Due-WATMET- ST600-002	\$	25,500
			-
9431	Debt Int Due-WATMET- ST600-002	\$	3,200
			-
9440	Debt Princ Due-Gallimore Road	\$	87,800
			-
9460	Debt Princ Due-King St	\$	13,600
			-
9461	Debt Int Due-King St	\$	4,500
			-
9470	Debt Princ Due-Burrell Mountain Tank	\$	35,800
			-
TOTAL		\$	2,197,800

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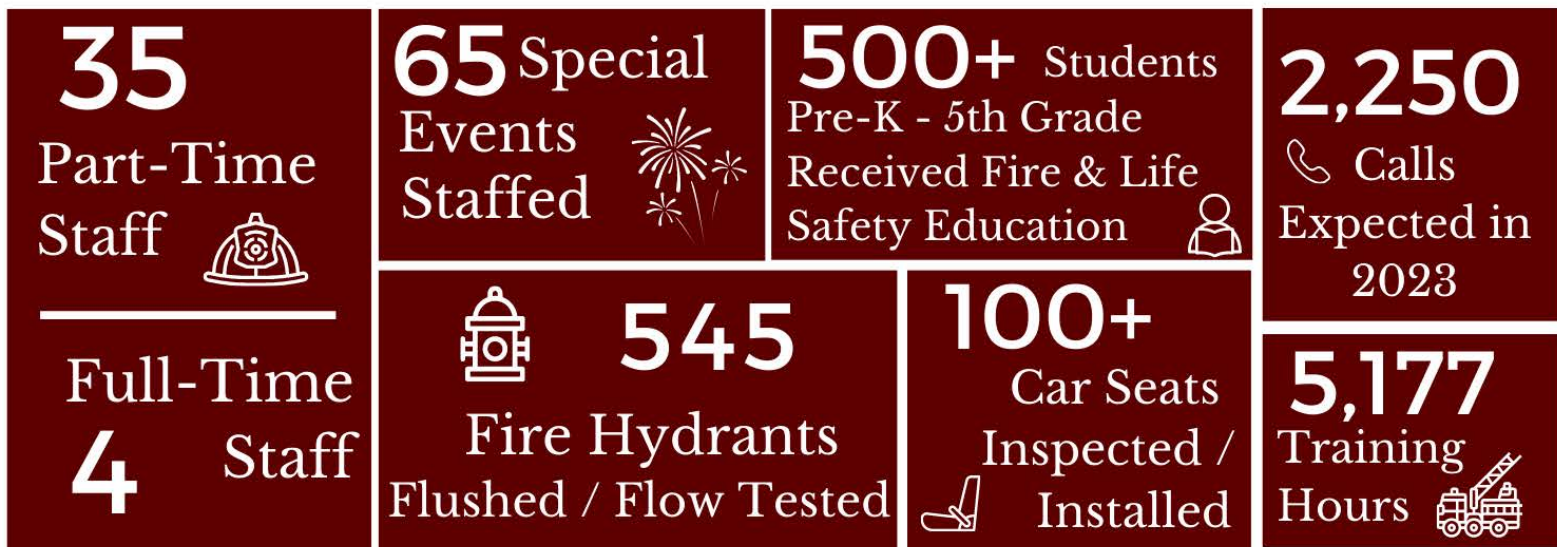


FIRE FUND

The Brevard Fire Department (BFD) provides a team of highly trained, professional emergency service personnel to the citizens of Brevard and the Sylvan Valley II rural fire district. The services provided by the department include fire suppression, motor vehicle collision response, rescue, fire cause determination, hazardous material incident mitigation, fire and life safety education, fire prevention activities, and car seat installation.

In August 2022, BFD began serving as a primary response unit for Medical First Response calls, which led to a significant increase in the department's call volume. BFD currently responds to 6 to 8 incidents a day, averaging 186 incidents a month. In the aggregate, these figures represent a 146% increase in year-over-year incident volume since initiating the First Response program in August 2022.

To ensure BFD maintains adequate resources for this level of incident response, Chief Robert Cooper has asked the City to support the department in moving toward a more full-time employment model. BFD now has 4 full-time staff, including the Chief and three Shift Engineers, in addition to the 35 part-time staff. BFD has also ordered a new rescue truck and engine to replace some of the aging vehicles. Debt payment will not begin until the apparatuses are delivered.



MISSION STATEMENT

The City of Brevard Fire Department is committed to protecting the people, property, and environment within our community.

Fire Fund

Total Revenue

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED TO 06-30-23	MANAGER RECOMMENDED FY23-24
40-3350-0000	MISC REVENUE	\$ 898	\$ -	-	\$ 1,000	\$ 2,000	\$ -
40-3530-0100	DONATIONS	1,335	-	-	270	500	-
40-3600-0000	INSURANCE PROCEEDS	-	-	13,900	13,833	13,900	-
40-3600-0100	STAND BY PAY	-	-	-	8,117	12,000	-
40-3830-0100	CONTRIBUTION FROM TRANS COUNTRY	-	-	9,300	9,287	9,300	-
40-3970-0000	FIRE DISTRICT TAX - CURRENT YEAR	413,736	489,302	489,302	505,939	483,000	594,585
40-3970-0500	LOAN PROCEEDS	-	1,475,000	1,475,000	-	-	1,475,000
40-3970-0550	GRANT - COVID 19 - FIRE MARSHALL	-	-	10,000	10,000	10,000	-
40-3970-0600	TRANSFER FROM GENERAL FUND	488,073	574,398	574,398	287,200	574,400	726,715
40-3990-0000	FUND BALANCE APPROPRIATED	-	120,000	218,300	-	-	120,000
TOTAL DEBT		\$ 904,042	\$ 2,658,700	\$ 2,790,200	\$ 835,646	\$ 1,105,100	\$ 2,916,300

Fire Fund

Total Expenditures

	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	PROJECTED TO 06-30-23	MANAGER RECOMMENDED FY23-24	CHANGE IN % FROM FY22-23 ORIGINAL
SALARY & BENEFITS	\$ 378,270	\$ 665,600	\$ 665,600	\$ 635,700	\$ 679,200	2.0%
OPERATING	314,409	329,400	371,900	354,500	331,400	0.6%
CAPITAL	-	1,595,000	1,684,000	80,000	1,595,000	0.0%
DEBT	34,958	68,700	68,700	18,100	310,700	352.3%
TOTAL	\$ 727,637	\$ 2,658,700	\$ 2,790,200	\$ 1,088,300	\$ 2,916,300	9.7%

Notable Changes from the FY22-23 Budget

Personnel

Current year budgeted amounts are \$13,600 higher than the previous fiscal year.

Capital

There is no "new" capital included in the FY23-24 budget for the Fire Department. The amount listed (\$1,595,000) represent three items approved by the City and Transylvania County in the last two budgets. Supply side delays and other reasons have seriously delayed the deliveries of Fire equipment, and thus pushed the expenses into FY23/24. The City is expecting all of these item by September of 2023.

Debt

Debt payments are considerably higher, as the City will begin payment on 1.5M of the two aforementioned capital items. The term is fifty nine months and the interest rate is 4.16%.

Fire Fund - Operations

Detailed Expenditures

Personnel

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED TO 06-30-23	MANAGER RECOMMENDED FY23-24
40-5300-0200	SALARIES - REGULAR	\$ 92,497	\$ 251,000	\$ 251,000	\$ 171,363	\$ 246,500	\$ 248,400
	MARKET ADJUSTMENT						-
	5% COLA ADJUSTMENT						15,900
40-5300-0210	SALARIES - OVERTIME	-			11,100	12,000	12,000
40-5300-0300	SALARIES - PART TIME	217,552	261,600	261,600	150,683	230,000	244,500
40-5300-0500	FICA	25,670	39,300	39,300	25,086	38,000	38,800
40-5300-0600	GROUP INSURANCE	14,400	60,000	60,000	45,000	60,000	60,000
40-5300-0700	RETIREMENT	27,205	48,600	48,600	30,977	46,000	51,700
40-5300-0730	PRUDENTIAL 401(k) NON-LE SUPP	946	5,100	5,100	1,984	3,200	7,900
TOTAL PERSONNEL		\$ 378,270	\$ 665,600	\$ 665,600	\$ 436,193	\$ 635,700	\$ 679,200

Operating

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED TO 06-30-23	MANAGER RECOMMENDED FY23-24
40-5300-0925	PRO SERVICES	\$ -	\$ 5,000	\$ 5,000	\$ -	\$ 2,500	\$ 5,000
40-5300-1000	TRAINING	8,327	12,200	12,200	1,026	10,000	12,200
40-5300-1100	TELEPHONE AND INTERNET	7,589	9,000	9,000	8,932	11,500	9,000
40-5300-1400	TRAVEL	9,298	10,500	10,500	5,295	10,000	10,500
40-5300-1500	M & R BUILDINGS	15,922	10,000	23,900	25,395	28,000	10,000
40-5300-1600	M & R EQUIPMENT	20,556	10,000	10,000	9,890	12,000	10,000
40-5300-1700	M & R AUTOS/TRUCKS	38,689	48,000	48,000	29,292	45,000	48,000
40-5300-3100	UNLEADED AND DIESEL	25,417	22,000	22,000	11,576	24,000	24,000
40-5300-3200	OFFICE SUPPLIES	5,777	5,000	5,000	2,456	2,500	5,000
40-5300-3300	DEPT SUPL & MATL	78,196	78,000	106,600	80,628	96,000	78,000
40-5300-3500	P/R + EDUCATION	2,833	1,500	1,500	2,776	3,500	1,500
40-5300-3600	UNIFORMS	15,019	9,500	9,500	4,214	8,500	9,500
40-5300-4500	CONTRACTED SERVICES	10,047	15,000	15,000	4,065	12,000	15,000
40-5300-5200	PENSION FUND DUES	2,160	3,200	3,200	-	2,500	3,200
40-5300-5300	DUES & SUBSCRIPTIONS	2,751	4,000	4,000	2,818	4,000	4,000
40-5300-5400	INSURANCE - WC AND LIAB	71,828	86,000	86,000	80,519	82,000	86,000
40-5300-5700	MISCELLANEOUS	-	500	500	-	500	500
TOTAL OPERATING		\$ 314,409	\$ 329,400	\$ 371,900	\$ 268,882	\$ 354,500	\$ 331,400

Capital

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED TO 06-30-23	MANAGER RECOMMENDED FY23-24
40-5300-7300	CAPITAL OUTLAY - FY22-23		\$ 800,000	\$ 800,000	\$ -	\$ -	\$ 1,595,000
40-5300-7400	CAPITAL OUTLAY - FY21-22		795,000	884,000	70,557	80,000	-
TOTAL CAPITAL		\$ -	\$ 1,595,000	\$ 1,684,000	\$ 70,557	\$ 80,000	\$ 1,595,000

TOTAL	\$ 692,679	\$ 2,590,000	\$ 2,721,500	\$ 775,632	\$ 1,070,200	\$ 2,605,600
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Fire Fund - Operations

Budget By Line Item / 40-5300-XXXX

0200	Salaries - Regular		\$	248,400
	1 Fire Chief			-
	3 Fire Engineer			
		Market	\$	-
		Cola	\$	15,900
0210	Salaries - Overtime		\$	12,000
				-
0300	Salaries - Part Time		\$	244,500
				-
0500	FICA		\$	38,800
				-
0600	Group Insurance		\$	60,000
				-
0700	Retirement		\$	51,700
				-
0730	401K Employer Match		\$	7,900
				-
0925	Professional Services		\$	5,000
				-
1000	Training		\$	12,200
	Fire Dept Instructors Conf	5,000		
	Other training, classes and meetings	6,000		
	Supplies for training burns	1,200		
1100	Telephone and Internet		\$	9,000
	Verizon	6,000		
	Comporium	3,000		
1400	Travel		\$	10,500
				-
1500	M & R Buildings		\$	10,000
	Bay Door Maint	2,000		
	Air Vac Filters	3,000		
	Cleaning/Maintenance Supplies and Building Improvements	5,000		
1600	M & R Equipment		\$	10,000
	Ladder and Hose Testing	5,000		
	SCBA mask testing	2,000		
	Fire Extinguisher Maintenance	1,000		
	Radio Maintenance	1,000		
	Medical Device Maintenance	1,000		
1700	M & R Autos/Trucks		\$	48,000
				-
3100	Unleaded and Diesel		\$	24,000
				-
3200	Office Supplies		\$	5,000
	IT Supplies	4,000		
	Office Supplies	1,000		

3300	Department Supplies and Materials	\$ 78,000
	Protective Gear	20,000
-	Fire Suppression Equipment	10,000
-	Fire Hose	12,000
	Rescue Tools and Equipment	5,000
	Radio and Pagers	15,000
	PPE and Medical Supplies	8,000
	Car Seats	6,000
	Operational Supplies	2,000
3500	PR and Education	\$ 1,500
		-
3600	Uniforms	\$ 9,500
	Dress uniforms/shirts	3,400
	Repl uniforms - day staff	3,400
	Boots and T-shirts	2,700
4500	Contracted Services	\$ 15,000
	Emergency Reporting System	3,800
	Annual physicals	4,700
	Emergency Services Agreement	2,800
	Copier lease and maint contract	1,800
	Active 911	800
	Code Scheduling	600
	Family Concepts	500
5200	Pension Fund Dues	\$ 3,200
		-
5300	Dues and Subscriptions	\$ 4,000
	State Fire Assoc	1,400
	NC Rescue and EMS	800
	National Fire Safety Council	400
	NC Association of Fire Chiefs	300
	Other Dues	1,100
5400	Insurance - Workers Comp and Liability	\$ 86,000
	Liability	40,000
	Workers Comp	40,000
	Supplemental	6,000
5700	Misc	\$ 500
		-
7400	Capital Outlay	\$ 1,595,000
	FY21-22 Rescue (debt funded)	675,000
	Brush Truck (Trans County has already paid)	120,000
	FY22-23, 4 wheel drive Engine (debt funded)	800,000
TOTAL		\$ 2,605,600

Fire Fund - Non Departmental

Detailed Expenditures

Operating

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED TO 06-30-23	MANAGER RECOMMENDED FY23-24
40-6600-9100	REIMBURSE GEN FUND FOR SERVICES	-	-	-	-	-	-
TOTAL OPERATING		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

Debt

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED TO 06-30-23	MANAGER RECOMMENDED FY23-24
40-6600-9210	DEBT PRINC DUE-TANKER-ST8904	\$ 30,202	\$ 18,100	\$ 18,100	\$ 17,881	\$ 17,900	\$ -
40-6600-9211	DEBT INT DUE-TANKER-ST8904	588	2,600	2,600	116	200	-
40-6600-9220	DEBT PRINC DUE-EXTRICATION-ST4785	4,159	-	-	-	-	-
40-6600-9221	DEBT INT DUE-EXTRICATION-ST4785	9	-	-	-	-	-
40-6600-9230	DEBT PRINC DUE - FY22-23	-	44,000	44,000	-	-	251,800
40-6600-9230	DEBT INTEREST DUE - FY22-23	-	4,000	4,000	-	-	58,900
TOTAL DEBT		\$ 34,958	\$ 68,700	\$ 68,700	\$ 17,997	\$ 18,100	\$ 310,700

TOTAL	\$ 34,958	\$ 68,700	\$ 68,700	\$ 17,997	\$ 18,100	\$ 310,700
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Fire Fund - Non Departmental

Budget By Line Item / 40-6600-XXXX

9100	Reimburse General Fund	\$	-
9230	Debt Princ Due - FY23 - Rescue	\$	144,800
9231	Debt Interest Due - FY23 - Rescue	\$	27,900
923x	Debt Princ Due - FY23 - Engine	\$	107,000
923x	Debt Interest Due - FY23 - Engine	\$	31,000
TOTAL		\$	310,700

OTHER FUNDS

The City maintains a number of discrete additional funds that, for accounting purposes, require complete segregation from other City funds. The following pages display the projected revenues (additions) and expenses (deductions) for each fund in FY23/24.

Bjerg Trust Fund

Detailed Revenues

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED FY23	MANAGER RECOMMENDED FY24
51-3290-0000	INTEREST ON INVESTMENTS	92	100	100	1,429	2,000	1,500
TOTAL REVENUES		\$ 92	\$ 100	\$ 100	\$ 1,429	\$ 2,000	\$ 1,500

TOTAL	\$ 92	\$ 100	\$ 100	\$ 1,429	\$ 2,000	\$ 1,500
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Bjerg Trust Fund

Detailed Expenditures

Operating

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED FY23	MANAGER RECOMMENDED FY24
51-9900-5600	INCREASE IN FUND BALANCE	-	100	100	-	-	1,500
TOTAL OPERATING		\$ -	\$ 100	\$ 100	\$ -	\$ -	\$ 1,500

TOTAL	\$ -	\$ 100	\$ 100	\$ -	\$ -	\$ 1,500
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Heart of Brevard Fund

Total Revenue

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED TO 06-30-23	MANAGER RECOMMENDED FY23-24
70-3170-0019	HOB TAX INTEREST AND PENALTY 2019	\$ 3	\$ -	\$ -	\$ -	\$ -	\$ -
70-3170-0020	HOB TAX INTEREST AND PENALTY 2020	698	-	-	3	-	-
70-3170-0021	HOB TAX INTEREST AND PENALTY 2021	757	-	-	302	-	-
70-3170-0022	HOB TAX INTEREST AND PENALTY 2022	-	143,000	143,000	159	-	-
70-3190-0000	MOTOR VEHICLE TAX	4,078	-	-	1,776	-	-
70-3970-0019	HOB AD VAL TAX 2019	20	-	-	-	-	-
70-3970-0020	HOB AD VAL TAX 2020	5,252	-	-	9	-	-
70-3970-0021	HOB AD VAL TAX 2021	131,150	-	-	3,141	-	-
70-3970-0022	HOB AD VAL TAX 2022	-	-	-	133,767	-	-
70-3970-0023	HOB AD VAL TAX 2023	-	-	-	-	-	150,000
70-3980-0000	TRANSFER FROM GENERAL FUND	11,000	11,000	11,000	11,000	11,000	11,000
TOTAL REVENUE		\$ 152,958	\$ 154,000	\$ 154,000	\$ 150,157	\$ 11,000	\$ 161,000

Heart of Brevard Fund

Detailed Expenditures

Operating

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED TO 06-30-23	MANAGER RECOMMENDED FY23-24
70-6900-4400	TRANSFER TO FUND 83	\$ 11,000	\$ 11,000	\$ 11,000	\$ -	\$ 11,000	\$ 11,000
70-6900-4500	CONTRACTED SERVICES	141,959	143,000	143,000	144,824	150,000	150,000
TOTAL OPERATING		\$ 152,959	\$ 154,000	\$ 154,000	\$ 144,824	\$ 161,000	\$ 161,000

Housing Trust Fund

Detailed Revenues

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED FY23	MANAGER RECOMMENDED FY24
76-3980-0300	DEVELOPER LOAN PAYMENT	\$ 2,394	\$ 2,300	\$ 2,300	\$ 2,176	\$ 2,200	\$ 2,200
	TRANSFER FROM GENERAL FUND	-	-	-	-	-	264,000
76-3990-0000	FUND BALANCE APPROP	-	-	98,000	-	-	-
TOTAL REVENUES		\$ 2,394	\$ 2,300	\$ 100,300	\$ 2,176	\$ 2,200	\$ 266,200

TOTAL	\$ 2,394	\$ 2,300	\$ 100,300	\$ 2,176	\$ 2,200	\$ 266,200
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Housing Trust Fund

Detailed Expenditures

Operating

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED FY23	MANAGER RECOMMENDED FY24
76-4900-0925	PROFESSIONAL SERVICES	\$ -	\$ -	\$ 98,000	\$ -	\$ 20,000	\$ 100,000
35-5000-9900	INCREASE IN FUND BALANCE	-	2,300	2,300	-	-	166,200
TOTAL OPERATING		\$ -	\$ 2,300	\$ 100,300	\$ -	\$ 20,000	\$ 266,200

Transfer Out

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED FY23	MANAGER RECOMMENDED FY24
35-5000-9930	TRANSFER TO UTILITY FUND	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
35-5000-9935	TRANSFER TO CAPITAL PROJ FUND	-	-	-	-	-	-
TOTAL TRANSFER OUT		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

The Manager Recommended budget is estimating that \$100,000 will be expended in the Housing Trust Fund in FY24, as the City begins its focus on improving the affordable housing availability in the region. Depending on the speed of the implementation, budget amendments may be needed.

TOTAL	\$ -	\$ 2,300	\$ 100,300	\$ -	\$ 20,000	\$ 266,200
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Parking Lot Fund

Total Revenue

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED TO 06-30-23	MANAGER RECOMMENDED FY24
89-3900-0000	KIOSK PARKING REVENUE	\$ 72,775	\$ 120,000	\$ 120,000	\$ 49,990	\$ 85,000	\$ 90,000
89-3310-0100	CHARGING STATION REBATE	20,000	-	-	-	-	-
89-3990-0000	FUND BALANCE APPROPRIATED	-	413,458	553,458	-	-	-
TOTAL REVENUE		\$ 92,775	\$ 533,458	\$ 673,458	\$ 49,990	\$ 85,000	\$ 90,000

The Parking Lot Fund is estimated to have a fund balance of **\$210,000** at **June 30, 2023**

Parking Lot Fund

Detailed Expenditures

Operating

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED TO 06-30-23	MANAGER RECOMMENDED FY24
89-6350-3300	DEPARTMENT SUPPLIES	\$ -	\$ -	\$ -	\$ 148	\$ 300	\$ 300
89-6350-4500	CREDIT CARD FEES	4,375	5,000	5,000	5,798	6,000	6,000
89-4900-4560	CONTINGENCY	-	115,000	115,000	-	-	83,700
TOTAL OPERATING		\$ 4,375	\$ 120,000	\$ 120,000	\$ 5,946	\$ 6,300	\$ 90,000

Transfer Out

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED TO 06-30-23	MANAGER RECOMMENDED FY24
89-5000-0630	TRANSFER TO DOWNTOWN MASTERP	\$ -	\$ -	\$ 140,000	\$ 140,000	\$ 140,000	\$ -
89-6600-9110	TRANSFER TO GENERAL FUND	413,458	413,458	413,458	-	-	-
TOTAL TRANSFER OUT		\$ 413,458	\$ 413,458	\$ 553,458	\$ 140,000	\$ 140,000	\$ -

Capital

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED TO 06-30-23	MANAGER RECOMMENDED FY24
89-4900-0100	OFF STREET PARKING	\$ 35,223	\$ -	\$ -	\$ -	\$ -	\$ -
89-4490-0200	PARKING LOT - COED THEATRE	105,253	-	-	-	-	-
TOTAL CAPITAL		\$ 140,476	\$ -	\$ -	\$ -	\$ -	\$ -

TOTAL	\$ 558,309	\$ 533,458	\$ 673,458	\$ 145,946	\$ 146,300	\$ 90,000
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American Rescue Plan Fund

Total Revenues

Transfer Out

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED TO 06-30-23	MANAGER RECOMMENDED FY24
90-3300-0000	AMERICAN RESCUE PLAN	\$ -	\$ 1,263,000	\$ 1,263,000	\$ 1,262,998	\$ 1,262,998	\$ -
90-3990-0000	FUND BALANCE APPROPRIATED	-	1,263,000	1,263,000	-	-	-
TOTAL TRANSFER OUT		\$ -	\$ 2,526,000	\$ 2,526,000	\$ 1,262,998	\$ 1,262,998	\$ -

American Rescue Plan Fund

Detailed Expenditures

Transfer Out

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED TO 06-30-23	MANAGER RECOMMENDED FY24
90-6600-9221	TO F78 - RR AVE BRIDGE	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
90-6600-9222	TO F31 - ESTATOE TRL PH 1 STORMWATER	-	420,000	420,000	420,000	420,000	-
90-6600-9223	TO 83 - TIMES ARCADE ALLEY	-	125,000	125,000	125,000	125,000	-
90-6600-9224	TO F31 - MAIN ST WATER/SEWER	-	600,000	600,000	600,000	600,000	-
90-6600-9225	TO F31 - WHITMIRE WATERLINE REPL	-	556,000	556,000	556,000	556,000	-
90-6600-9226	TRANSFER TO GF / POWELL BILL	-	277,300	277,300	277,300	277,300	-
90-6600-9227	TRANSFER TO F78 - ESTATOE TRAIL	-	315,600	315,600	315,600	315,600	-
90-6600-9228	TRANSFER TO F83 - DOWNTOWN M PLAN	-	232,100	232,100	232,100	232,100	-
90-6600-9210	TRANSFER TO UTILITY FUND	-	-	-	-	-	-
90-6600-9220	TRANSFER TO CAPITAL PROJ FUND	-	-	-	-	-	-
TOTAL TRANSFER OUT		\$ -	\$ 2,526,000	\$ 2,526,000	\$ 2,526,000	\$ 2,526,000	\$ -

Health Insurance Reserve Fund

Total Revenue

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED TO 06-30-23	MANAGER RECOMMENDED FY23-24
53-3290-0000	INTEREST	\$ 2	\$ -	\$ -	\$ -	\$ -	
53-3460-0000	HEALTH DEPENDENT PREMIUMS	76,692	100,000	100,000	59,558	85,000	90,000
53-3470-0000	RETIREE PREMIUMS	38,238	40,000	40,000	36,084	55,000	55,000
53-3480-0000	DENTAL DEPENDENT PREMIUMS	31,394	43,000	43,000	24,419	36,000	36,000
53-4200-0600	ADMIN GROUP MEDICAL	72,000	90,000	90,000	67,500	90,000	90,000
53-4400-0600	FINANCE GROUP MEDICAL	72,000	75,000	75,000	56,250	75,000	75,000
53-4900-0600	PLANNING GROUP MEDICAL	72,000	75,000	75,000	56,250	75,000	75,000
53-5000-0600	BLDG & GROUNDS GROUP MEDICAL	43,200	60,000	60,000	45,000	60,000	60,000
53-5100-0600	POLICE GROUP MEDICAL	403,200	420,000	420,000	315,000	420,000	450,000
53-5300-0600	FIRE GROUP MEDICAL	14,400	60,000	60,000	45,000	60,000	60,000
53-5450-0600	PW - ADMIN GROUP MEDICAL	57,600	60,000	60,000	45,000	60,000	-
53-5550-0600	PW - GARAGE GROUP MEDICAL	43,200	45,000	45,000	33,750	45,000	45,000
53-5600-0600	PW - STREETS GROUP MEDICAL	115,200	120,000	120,000	90,000	120,000	105,000
53-5800-0600	SANITATION GROUP MEDICAL	129,600	165,000	165,000	123,750	165,000	165,000
53-6250-0600	MARY C JENKINS CC GROUP MEDICAL	-	15,000	15,000	11,250	15,000	15,000
53-8120-0600	WTP GROUP MEDICAL	72,000	75,000	75,000	56,250	75,000	75,000
53-8140-0600	WATER DIST GROUP MEDICAL	57,600	75,000	75,000	56,250	75,000	75,000
53-8220-0600	WWTP GROUP MEDICAL	115,200	120,000	120,000	90,000	120,000	120,000
53-8280-0600	WW COLLECTIONS GROUP MEDICAL	72,000	60,000	60,000	45,000	60,000	60,000
53-3990-0000	FUND BALANCE APPROPRIATED	-	90,000	90,000	-	-	121,000
TOTAL REVENUE		\$ 1,485,526	\$ 1,788,000	\$ 1,788,000	\$ 1,256,311	\$ 1,691,000	\$ 1,772,000

The Health Insurance Reserve Fund is classified as an Internal Service Fund.

Technically, Internal Service Funds do not need to be included as a part of the Budget Ordinance. (NC GS 159-13.1)

By definition, the large majority of revenues and expenditures in Internal Service Funds support activities that originate in other operating funds of the government. The Health Insurance Reserve Funds is used to record health and other benefit revenues and expenses related to full time employees in the General, Sanitation, Water and Sewer, and Fire funds.

Health Insurance Reserve Fund

Detailed Expenditures

Operating

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED TO 06-30-23	MANAGER RECOMMENDED FY23-24
53-2250-0100	THIRD PARTY ADMIN FEES	\$ 22,630	\$ 30,000	\$ 30,000	\$ -	\$ -	
53-2250-0200	CONSULTING FEES	21,400	22,000	22,000	10,938	22,000	22,000
53-2250-0400	CIGNA NETWORK FEES	17,241	-	-	-	-	
53-2250-0500	AGGREGATE INS PREMIUM	277,414	-	-	203	1,000	
53-2250-0600	HEALTH INSURANCE COSTS	1,103,974	1,601,000	1,601,000	1,182,114	1,400,000	1,500,000
53-2250-0610	EMPLOYER HSA DEPOSITS	-	-	-	82,250	85,000	95,000
53-2250-0650	DENTAL CLAIMS PAID	-	-	-	30,487	40,000	40,000
53-2250-0700	WELLNESS PROGRAMS	70,419	95,000	95,000	34,999	55,000	75,000
53-2250-0800	EMP ASSISTANCE PROGRAM	3,409	4,000	4,000	4,000	4,000	4,000
53-2250-0900	LIFE ACCIDENTAL D&D	17,135	19,000	19,000	14,620	18,000	19,000
53-2250-0910	LIFE INS - DEPENDENT	855	1,000	1,000	668	1,000	1,000
53-2250-0920	SHORT TERM DISABILITY	13,002	16,000	16,000	11,037	15,000	16,000
TOTAL OPERATING		\$ 1,547,479	\$ 1,788,000	\$ 1,788,000	\$ 1,371,316	\$ 1,641,000	\$ 1,772,000

Health Insurance costs are expected to increase by 9.5% from fiscal year 23 actual amounts.

Capital Reserve Fund

Detailed Revenues

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED FY23	MANAGER RECOMMENDED FY24
35-3350-0500	SIDEWALKS FEES IN LIEU	\$ 7,530	\$ -	\$ -	\$ 21,143	\$ 30,000	\$ 15,000
35-3750-0100	SYSTEM DEVELOPMENT FEE - WATER	36,660	35,000	35,000	29,650	40,000	35,000
35-3750-0200	SYSTEM DEVELOPMENT FEE - SEWER	64,340	65,000	65,000	55,010	75,000	60,000
35-3990-0000	FUND BALANCE APPROP	-	-	91,200	-	-	-
TOTAL REVENUES		\$ 108,530	\$ 100,000	\$ 191,200	\$ 105,803	\$ 145,000	\$ 110,000

The Capital Reserve Fund is estimated to have a fund balance of **\$400,000** at **June 30, 2023**

TOTAL	\$ 108,530	\$ 100,000	\$ 191,200	\$ 105,803	\$ 145,000	\$ 110,000
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Capital Reserve Fund

Detailed Expenditures

Operating

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED FY23	MANAGER RECOMMENDED FY24
35-5000-9900	INCREASE IN FUND BALANCE	-	100,000	100,000	-	-	110,000
TOTAL OPERATING		\$ -	\$ 100,000	\$ 100,000	\$ -	\$ -	\$ 110,000

Transfer Out

ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY22	ORIGINAL BUDGET FY22-23	AMENDED BUDGET FY22-23	ACTUAL 3-31-23	PROJECTED FY23	MANAGER RECOMMENDED FY24
35-5000-9930	TRANSFER TO UTILITY FUND	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
35-5000-0630	TRANSFER TO DOWNTOWN MASTERP	-	-	91,200	91,200	91,200	-
TOTAL TRANSFER OUT		\$ -	\$ -	\$ 91,200	\$ 91,200	\$ 91,200	\$ -

TOTAL		\$ -	\$ 100,000	\$ 191,200	\$ 91,200	\$ 91,200	\$ 110,000
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CAPITAL PROJECTS

In an effort to limit new city debt financing while planning for major capital upgrades, the City obtained over 14 million dollars in grant funding for capital projects in FY22/23. A brief review of the status of each major capital project can be found below:

Rosenwald Revitalization Fund

- The **Mary C. Jenkins Center** opened in October 2022, and, as of May 2023, the parking area and sidewalk extension are approaching completion.
- The **Silversteen Memorial Playground** re-opened in 2021, with the addition of other features pending. Streambank restoration is needed on the streambank by the park; the project will bid out for bid in May 2023.

Downtown Master Plan Fund

- The **Main Street Streetscapes Project** began in March 2023; construction is slated to conclude in late-June 2023. The project includes enhanced traffic calming and pedestrian safety features including expanded corner bulb-outs with upgraded ADA-compliant tactile plates at crossing points. Funding has come from a mix of sources including the Downtown Master Plan Fund and a \$175,000 grant from the Transylvania Tourism Development Authority.
- Stormwater improvements along **Times Arcade Alley** are next in priority order in the Downtown Master Plan but are currently unfunded.

Multi-Use Paths Fund

- Work on the **Railroad Avenue Bridge Replacement** has been taken over by NCDOT and should be complete by the end of 2023.
- The portion of the **Estatoe Trail** from the Depot to Main Street is functional with only minor additions (e.g., crossing beacons) remaining. With the approval of this budget, the **Multi-Use Path Fund** will have just under \$600,000 available for the creation of new segments of the trail.

ALIGNMENT WITH CLUP GOALS

Active Transportation & Community Health-16: Complete priorities greenways including the Estatoe Trail and the Ecusta Trail. Pursue grants and prioritize local funding to be used for key segments and/or matching grants.

Parks, Natural Resources, & Cultural Resources-1: Maintain and improve existing parks.

- Continue improvements at Silversteen Park.

Active Transport & Community Health-11: Prioritize pedestrians in Downtown and Major Activity Centers.

Economic Development, Infrastructure, & Resiliency-2: Pursue upgrades to the public water and sewer system.

14+ Million 
Dollars in Outside Funding

CAPITAL PROJECTS cont.

Water and Sewer Capital Project Fund

- The **Gallimore Sewer Rehabilitation Project** has been completed and came in more than \$350,000 under budget. Remaining funds from that project may be used to complete line work on Caldwell Street.
- The replacement of the **Burrell Mountain Water Tank** began in April 2023 with the demolition of the old tank. The installation of the new 1-million-gallon tank should be complete by the end of 2023. The project received \$57,161 from the General Fund, and loan forgiveness comprises \$2.1 million for a total debt balance of \$714,512.
- Work on the **King Street Waterline** began in March 2023 and is 99% complete. \$800,000 of the project's revenue is loan forgiveness, and, as of March 2023, the project was slated to come in more than \$100,000 under budget.
- Funding for the **Whitmire Waterline Improvements** come from both a \$54,000 transfer from the Water Fund and a \$556,000 transfer from federal ARPA funds. The project is reaching the half-way point and should be complete in late 2023
- **Main Street Water Improvements** were completed in March 2023, prior to the initiation of construction on the Main Street Streetscape Project. The **Main Street Sewer Improvements** should be finished by fall 2023.
- The **Asset Inventory and Assessment** is conducting a manhole assessment in the Lamb Creek basin for the GIS database that should be complete in June 2024.
- While NCDOT is responsible for the construction of Brevard's new roundabouts, the City has transferred **\$100,000** from the General Fund for the creation and maintenance of **Roundabout Betterments** and will transfer another \$50,000 in FY 23/24.
- In December 2022, the State Water Infrastructure Authority approved the City's application for ARP funding in the amount of \$4,929,000 from the NCDEQ for **Water Treatment Plant Improvements**. The engineering report has been approved, and the bid and design package must be submitted by November 1, 2023. The renovations are slated to begin in fall 2024.



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ORDINANCE NO. 2022-50

CAPITAL PROJECT ORDINANCE TO AMEND ORDINANCE
NO. 2022-27, MARY C JENKINS COMMUNITY CENTER

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 (2022-27) will be increased by \$55,000. A change order was needed on the Cashiers Valley parking lot segment of the project because unexpected issues related to underground pipes. This amount will be transferred from General Fund fund balance.

Section 2: The project was authorized in November of 2019 to construct the Mary C Jenkins Community Center and improve the Cashier Valley parking lot. The current project budget is \$2,530,000 and the requested amendment will increase the budget to \$2,585,000.

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

Account Number	Account Name	Budget Amount
82-4100-2910	Mary C Jenkins Community Center	\$2,585,000
TOTAL PROJECT APPROPRIATION		\$2,585,000

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

Account Number	Account Name	Budget Amount
82-3920-0040	Proceeds from Borrowing	\$2,350,000
82-3250-0000	Transfer from General Fund	\$235,000
TOTAL PROJECT REVENUE		\$2,585,000

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.

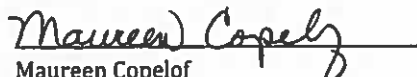
Section 6: Funds may be advanced from the General Fund or from any Enterprise Fund as necessary for the purpose of making payments as due. Reimbursement requests shall be made in an orderly and timely manner.

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 15th day of August, 2022.


Maureen Copelof
Mayor

MARY C JENKINS COMMUNITY CENTER

As of March 31, 2023		Budget	Prior Year	Current Year	Total prior plus current
Expenditures					
82-4100-2910	Mary C Jenkins	2,660,000	2,107,971	431,600	2,539,571
Revenues					
82-3920-0040	Mary C Jenkins debt	2,350,000	1,954,792	389,413	2,344,205
82-3250-0100	Transfer from GF	310,000	180,000	130,000	310,000
Total		2,660,000	2,134,792	519,413	2,654,205

Expenditure Detail	Contract Amount	Prior Year Expenses	Current Year Expenditure	Total prior plus current	Amount Remaining on Contract
Summit	58,725	62,816	11,192	74,008	15,150
Matthews	114,857	110,370	4,487	114,857	0
First Victory	1,876,934	1,852,900	24,034	1,876,934	(0)
First Victory	502,355	-	374,415	374,415	127,940
Jim Alderman	21,376	13,126	8,250	21,376	1
Other	77,981	68,759	9,222	77,981	-
	2,652,228	2,107,971	431,600	2,539,570	143,091

ORDINANCE NO. 2022-28

CAPITAL PROJECT ORDINANCE TO AMEND ORDINANCE
NO. 2020-36, SILVERSTEEN MEMORIAL PLAYGROUND

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 revenues and expenditures listed under the original ordinance (2020-36) will be cancelled and replaced with the amounts listed under sections 3 and 4 of this document.

Section 2: This project is authorized to make improvements to the Silversteen Memorial Playground and adjoining areas.

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

Account Number	Account Name	Budget Amount
82-4100-2920	Silversteen Park	\$500,000

TOTAL PROJECT APPROPRIATION	\$500,000
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Section 4: The following revenues are anticipated to be available for project expenses:

Account Number	Account Name	Budget Amount
82-3300-0000	Donations	\$27,000
82-3300-0150	Bethel Church Donation	\$10,200
82-3250-0000	Transfer from General Fund	\$367,800
78-3300-0250	NCDEQ Grant	\$95,000

TOTAL PROJECT REVENUE	\$500,000
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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.

SILVERSTEEN PARK

As of March 31, 2023		Budget	Prior Year	Current Year	Total prior plus current
Expenditures					
82-4100-2920	Silversteen Park	500,000	331,780	4,770	336,550
Revenues					
82-3300-0000	Donations	27,000	26,682	-	26,682
82-3300-0150	Bethel Church Donation	10,200	10,144	-	10,144
82-3250-0000	Transfer from GF	367,800	350,000	-	350,000
82-3300-0250	NCDEQ Grant	95,000			
	TOTAL	500,000	386,826	-	386,826

Expenditure Detail	Contract Amount	Prior Year Expenses	Current Year Expenditure	Total prior plus current	Amount Remaining on Contract
Summit	-	49,359	4,770	54,129	22,500
Landscape Structures		138,369		138,369	
Cantrell		37,502		37,502	
Carolina Park and Play		42,397		42,397	
Snapspots		11,449		11,449	
Owen Concrete		22,300		22,300	
Cole Surveying		850		850	
Other		29,554	-	29,554	
	-	331,780	4,770	336,550	22,500

ORDINANCE NO. 2023-11

CAPITAL PROJECT ORDINANCE TO AMEND ORDINANCE
NO. 2022-13 AND 2022-47, MAIN STREET STREETSCAPE 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 (2022-33, Times Arcade Alley Improvements) of \$550,000 will be eliminated and transferred to the Main Street Streetscape Project, bringing the total project to \$880,000. Additionally, \$918,200 will be added to this project from the following sources:

1. \$91,200 will be transferred from the Capital Reserve Fund.
2. \$140,000 will be transferred from the Parking Fund, fund balance.
3. The City is in the process of completing paperwork requesting \$125,000 from the Tourism Development Authority.
4. \$562,000 will be transferred from the General Fund, as certain revenue line items are projected to be over budget, and cost savings associated with the Administration Department budget.

Section 2: The Project will create 3 mid-block bump-outs, corner bump-outs at the intersection of Main St. & Broad St., new landscaping including 16 street trees, shrubs, groundcover, and flowers along with outdoor seating furniture, trash receptacles and a water bottle filling station.

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

Account Number	Account Name	Budget Amount
83-6600-4570	Main Street Streetscape Project	\$1,798,200
TOTAL PROJECT APPROPRIATION		\$1,798,200

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

Account Number	Account Name	Budget Amount
83-3020-0100	Transfer from ARPA	\$357,100
83-3990-0000	Fund Balance Approp	\$522,900
83-3010-0000	Transfer from Cap Res Fund	\$91,200
83-3020-0300	Transfer from Parking Fund	\$140,000
83-3020-0000	Transfer from General Fund	\$562,000
83-3950-0500	Contribution from TDA	\$125,000
TOTAL PROJECT REVENUE		\$1,798,200

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.

MAIN STREET STREETSCAPE

As of April 20, 2023		Budget	Prior Year	Current Year	Total prior plus current
Expenditures					
83-6600-4570	Downtown Masterplan Implemen	1,798,200	-	841,524	841,524
Revenues					
83-3020-0100	Transfer from ARPA	357,100	-	357,100	357,100
	2023 transfer from GF	250,000		187,500	
83-3990-0000	Fund Balance Approp	272,900	335,400		
83-3010-0000	Transfer from Cap Res Fund	91,200		91,200	
83-3020-0300	Transfer from Parking	140,000		140,000	
83-3020-0000	Transfer from General Fund	562,000		562,000	
83-3950-0500	Contribution from TDA	125,000			
	TOTAL	1,798,200	335,400	1,337,800	1,673,200

[illegible]

ORDINANCE NO. 2023-01

**CAPITAL PROJECT ORDINANCE TO ESTABLISH PROJECT
FOR WATER TREATMENT PLANT IMPROVEMENTS**

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: The project will upgrade the major pumps used in the treatment process, and replace a forty two year old generator. The project also provides new electrical and control equipment.

Section 2: This project is entirely funded at \$4,929,000 through the American Rescue Plan funding from the State Recovery Fund.

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

Account Number	Account Name	Budget Amount
31-8540-5100	Water Treatment Plant Improv	\$4,929,000

TOTAL PROJECT APPROPRIATION	\$4,929,000
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Section 4: The following revenues are anticipated to be available for project expenses:

Account Number	Account Name	Budget Amount
31-3760-0150	WTP Grant – ARP - 0222	\$4,929,000

TOTAL PROJECT REVENUE	\$4,929,000
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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 3rd day of January, 2023.


Maureen Copelof
Mayor

WATER TREATMENT PLANT IMPROVEMENTS

As of March 24, 2023		Budget	Prior Year Expenditures	Current Year Expenditure	Total prior plus current
Expenditures					
31-8540-5100	WTP Improvements	4,929,000	41,000	82,712	123,712
Revenues					
31-3760-0150	Loan Forgiveness	4,929,000	-	-	-

Expenditure Detail	Contract Amount	Prior Year Expenses	Current Year Expenditure	Total prior plus current	Amount Remaining on Contract
				-	
Brown	935,000	41,000	82,712	123,712	811,288
				-	
				-	
	935,000	41,000	82,712	123,712	811,288

30-8120-0925 the first 41K was paid from this account prior to fy23
29500
11500
41000

861933

ORDINANCE NO: 2021-18
AN ORDINANCE ESTABLISHING A PROJECT BUDGET
FOR GALLIMORE ROAD SEWER REHAB PROJECT

WHEREAS, in accordance with the applicable provisions of the North Carolina Local Government Budget and Control Act NCGS 159-13.2; and

WHEREAS, the City of Brevard requires certain fiscal actions to effectively provide continues and improved service to its customers; and

WHEREAS, the City of Brevard's grant/loan application has been approved in the amount of \$2,234,845 towards "The Project"; and

WHEREAS, the City of Brevard desires to accept the grant/loan under the conditions stipulated by NCDEQ and complete the project, including providing local funds required meeting the overall project cost.

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

Section 1. Projected Expenditures for this project are budgeted in the Water and Sewer Utility Capital Projects Fund as follows:

Revenue

NCDEQ Loan (no interest/20 years)	\$1,734,845
NCDEQ Grant	\$500,000
Local Cost	<u>\$34,700</u>
Total Revenue	\$2,269,545

Expenditures

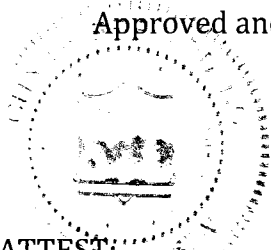
Design & Construction Expenditure	\$2,234,845
Loan Origination Fee	<u>\$34,700</u>
Total Expenditures	\$2,269,545

Section 2. The City Manager is hereby authorized to engage and enter into contractual agreements with the NCDEQ for the execution of the grant/loan.

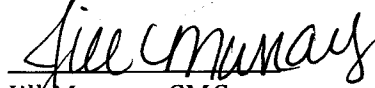
Section 3. The City Manager is hereby authorized to engage and enter into contractual agreements as necessary, and in accordance with the laws of North Carolina for the execution of the project.

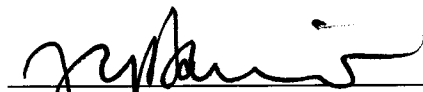
Section 4. This Project Budget Ordinance shall become effective upon its adoption and approval.

Approved and adopted this 17th day of May, 2021.



ATTEST:


Jill Murray, CMC
City Clerk


Jimmy Harris
Mayor

APPROVED AS TO FORM:


Mack McKeller
City Attorney

GALLIMORE ROAD SEWER REHABILITATION

As of April 14, 2023		Budget	Prior Year	Current Year	Total prior plus current
Expenditures					
31-8540-4400	Gallimore Road Sewer Basin	2,234,845	1,060,144	428,375	1,488,519
Revenues					
31-3760-0120	Gallimore Debt Proceeds	2,234,845	976,548	393,452	1,370,000
loan forgiveness	500,000		-	-	-
debt 20 year 0%	1,734,845		-	-	-
Total Revenues		2,234,845	976,548	393,452	1,370,000

Expenditure Detail	Contract Amount	Prior Year Expenses	Current Year Expenditure	Total prior plus current	Amount Remaining on Contract
Summit Engineering	363,000	277,482	65,649	343,131	19,869
Other		44,826	-	44,826	-
AM Liner	1,844,547	737,836	362,726	1,100,562	743,985
	2,207,547	1,060,144	428,375	1,488,519	763,854

ORDINANCE NO: 2021-37

**AN ORDINANCE ESTABLISHING A PROJECT BUDGET
FOR BURRELL MOUNTAIN FINISHED WATER TANK PROJECT**

WHEREAS, in accordance with the applicable provisions of the North Carolina Local Government Budget and Fiscal Control Act; and

WHEREAS, the City Council retained Brown Consultants, P.A. to provide design and construction services for the Burrell Mountain Finished Water Tank Project; and

WHEREAS, the City Council now desires to establish a project budget to account for the receipt and disbursement of funds for the construction of the Burrell Mountain Finished Water Tank Project; and

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

Section 1. Revenues for this project are budgeted in the Water and Sewer Capital Projects Fund as follows:

DWSRF Loan	\$2,858,050
Water and Sewer Utility Fund (Closing Fee)	\$57,161
Total Revenue	\$2,915,211

Section 3. Projected Expenditures for this project are budgeted in the Water and Sewer Capital Projects Fund as follows:

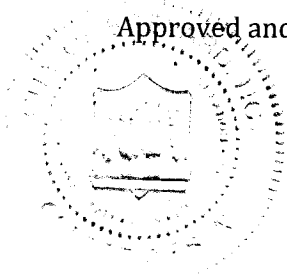
Design Engineering	\$273,200
Construction Administration	\$241,850
Construction and Contingency	\$2,343,000
Closing Fee	\$57,161
Total Expenditures	\$2,915,211

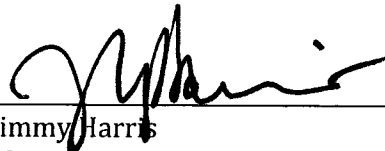
Section 4. This Ordinance shall remain in effect until the completion of the Burrell Mountain Finished Water Tank Project.

Section 5. The City Manager is hereby authorized to engage and enter into contractual agreements as necessary, and in accordance with the laws of North Carolina for the execution of the project.

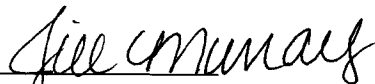
Section 6. This Ordinance shall become effective upon its adoption and approval.

Approved and adopted this 16th day of August, 2021.

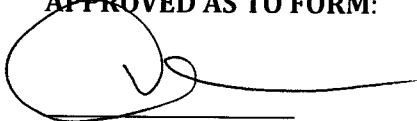



Jimmy Harris
Mayor

ATTEST:


Jill Murray, CMC
City Clerk

APPROVED AS TO FORM:


Mack McKeller
City Attorney

BURRELL MOUNTAIN WATER TANK

As of April 10, 2023		Budget	Prior Year	Current Year FY23	Total prior plus current
Expenditures					
31-8540-1000	Burrell Mountain Water Tank	2,915,211	281,925	422,937	704,862
Revenues					
??	Transfer from GF	57,161	-	-	-
31-3970-0420	Burrell Mtn debt and loan	2,858,050	-	-	-
	loan forgive	2,143,538	-	-	-
20 year	0% debt	714,512	-	-	-
Total Revenues		2,915,211	-	-	-

Expenditure Detail	Contract Amount	Prior Year Expenses	Current Year Expenditure	Total prior plus current	Amount Remaining on Contract
Brown	548,050	281,925	75,526	357,451	190,599
NCDEQ	-	-	57,161	57,161	
MB Kahn	2,372,500	-	290,250	290,250	2,082,250
	2,920,550	281,925	422,937	704,862	2,272,849

(62,500)

ORDINANCE NO: 2021-36

**AN ORDINANCE ESTABLISHING A PROJECT BUDGET
FOR THE KING STREET WATERLINE REPLACEMENT PROJECT**

WHEREAS, in accordance with the applicable provisions of the North Carolina Local Government Budget and Fiscal Control Act; and

WHEREAS, the City Council retained Brown Consultants, P.A. to provide design and construction services for the King Street Waterline Replacement Project; and

WHEREAS, the City Council now desires to establish a project budget to account for the receipt and disbursement of funds for the construction of the King Street Waterline Project; and

WHEREAS, the City of Brevard has been offered a Drinking Water State Revolving Loan in the amount of \$1,086,918; and

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

Section 1. Revenues for this project are budgeted in the Water and Sewer Capital Projects Fund as follows:

DWSRF Loan	\$1,086,918
Water & Sewer Fund	\$21,738
Total Revenue	\$1,108,656

Section 2. Projected Expenditures for this project are budgeted in the Water and Sewer Capital Projects Fund as follows:

Design Engineering	\$156,400
Construction Administration	\$121,400
Construction and Contingency	\$809,118
Loan Closing Fee	\$21,738
Total Expenditures	\$1,108,656

Section 3. This Ordinance shall remain in effect until the completion of the King Street Waterline Replacement Project

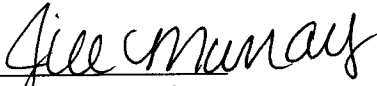
Section 4. The City Manager is hereby authorized to engage and enter into contractual agreements as necessary, and in accordance with the laws of North Carolina for the execution of the project.

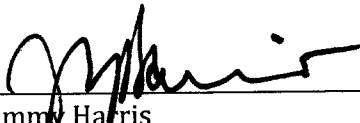
Section 5. This Ordinance shall become effective upon its adoption and approval.

Approved and adopted this 16th day of August, 2021.



ATTEST:


Jill Murray, CMC
City Clerk


Jimmy Harris
Mayor

APPROVED AS TO FORM:


Mack McKeller
City Attorney

KING STREET WATERLINE REPLACEMENT

As of April 10, 2023		Budget	Prior Year	Current Year FY23	Total prior plus current
Expenditures					
31-8540-2000	King St Waterline	1,108,656	204,268	512,868	717,136
Revenues					
	Transfer from W/S Fund	21,738	-	-	-
31-3970-0300	King St Water line loan	1,086,918	-	668,732	668,732
loan forgiveness	815,189				
debt 0%, 20 year	271,729				
Total Revenues		1,108,656	-	668,732	668,732

Expenditure Detail	Contract Amount	Prior Year Expenses	Current Year Expenditure	Total prior plus current	Amount Remaining on Contract
Brown Engineering	319,600	193,368	80,672	274,040	45,560
NCDEQ	19,081	150	18,931	19,081	-
S&ME	10,750	10,750	-	10,750	-
Ledford and Parker	597,096	-	413,265	413,265	183,831
	946,527	204,268	512,868	717,136	229,391

The project ordinance was passed on August 16th, 2021.

The project involves the replacement of 2,755 linear feet of old 4 inch waterline with new 6 inch waterline on King Street, Salem Street and Whitmire Street. This project is waterline installation only. Existing customers will be reconnected to the new waterline.

On June 20, 2022 the City Council approved the construction contract with Ledford Parker for \$597,096.

Work is expected to start in March of 2023, and is expected to be completed by September of 2023. The start date is delayed because of the availability of the 6 inch waterline. The contractor ordered it in July, and was told on October 18th, that estimated delivery date is now March

As it curenly stands, this project is currently under budget by \$162K.

ORDINANCE NO. 2022-29

CAPITAL PROJECT ORDINANCE TO ESTABLISH PROJECT
FOR WHITMIRE WATERLINE IMPROVEMENTS

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: The Whitmire Waterline Improvement Project will replace an existing waterline which currently runs under a number of homes into the public right of way. The project will also increase fire flow in the neighborhood.

Section 2: The project was initiated in July of 2021, and is expected to be completed by January of 2023. The project is funded in the FY22-23, through a \$556,000 transfer from the ARPA Fund.

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

Account Number	Account Name	Budget Amount
31-8540-5000	Whitmire St Waterline	\$556,000

TOTAL PROJECT APPROPRIATION	\$556,000
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Section 4: The following revenues are anticipated to be available for project expenses:

Account Number	Account Name	Budget Amount
31-3760-1660	Tr from ARPA - Whitmire	\$556,000

TOTAL PROJECT REVENUE	\$556,000
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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.

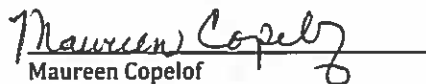
Section 6: Funds may be advanced from the General Fund or from any Enterprise Fund as necessary for the purpose of making payments as due. Reimbursement requests shall be made in an orderly and timely manner.

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 6th day of June, 2022.


Maureen Copelof
Mayor

WHITMIRE WATERLINE IMPROVEMENTS

As of March 31, 2023		Budget	Prior Year Activity	Current Year Expenditure FY23	Total prior plus current
Expenditures					
31-8540-5000	Whitmire St Waterline	610,000	44,584	289,253	333,837
Revenues					
31-3760-1660	Transfer from ARPA - Whitmire	556,000	-	556,000	556,000
31-3760-1906	Transfer from Water	54,000		54,000	54,000
Total Revenues		610,000	-	610,000	610,000

Expenditure Detail	Contract Amount	Prior Year Expenses	Current Year Expenditure	Total prior plus current	Amount Remaining on Contract
Summit Engineering	84,000	44,584	28,119	72,703	11,297
Carolina Specailties	525,718	-	261,134	261,134	264,584
	609,718	44,584	289,253	333,837	275,881

ORDINANCE NO. 2022-30

CAPITAL PROJECT ORDINANCE TO ESTABLISH PROJECT
FOR MAIN STREET WATER AND SEWER IMPROVEMENTS

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: The Main Street Water and Sewer Project will replace existing water and sewer service lines on Main Street between Oaklawn Avenue and Gaston Street.

Section 2: The project was initiated in September of 2021, and will coincide with the NCDOT repaving of Main Street. The City is expecting the project to be completed by August of 2023.

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

Account Number	Account Name	Budget Amount
31-8540-4800	Main St. Water & Sewer	\$600,000

TOTAL PROJECT APPROPRIATION **\$600,000**

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

Account Number	Account Name	Budget Amount
31-3760-1650	Tr from ARPA -Main St	\$600,000

TOTAL PROJECT REVENUE **\$600,000**

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 6th day of June, 2022.


Maureen Copelof
Mayor

MAIN STREET WATER AND SEWER

As of March 31, 2023		Budget	Prior Year Expenditures	Current Year Expenditure FY23	Total prior year plus current year
Expenditures					
31-8540-4800	Main St water and sewer	600,000	51,095	29,920	81,015
Revenues					
31-3760-1650	Transfer from ARPA Fund	600,000	-	600,000	600,000
Total Revenues		600,000	-	600,000	600,000

Expenditure Detail	Contract Amount	Prior Year Expenses	Current Year Expenditure	Total prior plus current	Amount Remaining on Contract
Summit Engineering	126,500	51,095	29,919	81,014	45,486
Carolina Spec (water)	186,295	-	-	-	186,295
Prism (sewer)	280,700	-	-	-	280,700
	593,495	51,095	29,919	81,014	512,481

ORDINANCE NO. 2022-49

CAPITAL PROJECT ORDINANCE TO AMEND ORDINANCE
NO. 2022-32, STORMWATER, ESTATOE TRAIL, DEPOT TO MAIN

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 (2022-32) will be increased by \$100,000. A change order was needed on the stormwater segment of the project because the need for waterline relocation. This amount will be transferred from Water and Sewer Fund fund balance.

Section 2: The project was authorized in June of 2022 to construct the Estatoe Trail between the Railroad Avenue Depot and Main Street and to improve stormwater infrastructure along Railroad Avenue.. The current project budget is \$420,000 and the requested amendment will increase the budget to \$520,000.

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

Account Number	Account Name	Budget Amount
31-8540-4700	Stormwater, Estatoe, Depot to Main	\$520,000
TOTAL PROJECT APPROPRIATION		\$520,000

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

Account Number	Account Name	Budget Amount
31-3760-1900	Transfer from ARPA	\$420,000
31-3760-1905	T F Water - Estatoe. Stormwater	\$100,000
TOTAL PROJECT REVENUE		\$520,000

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. The City Manager is allowed to execute any change orders that fall within the Appropriation Total of the Budget Ordinance.

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.

DEPOT TO MAIN STREET - STORMWATER PORTION

As of March 24, 2023		Budget	Prior Year Activity	Current Year Expenditure	Total prior plus current
Expenditures					
31-8540-4700	Estatoe Trial - Phase 1 - stormwater	520,000	178,313	342,768	521,081
Revenues					
31-3760-1900	Transfer from ARPA	420,000	-	420,000	420,000
31-3760-1905	Transfer from 30	100,000	-	100,000	100,000
Total Revenues		520,000	-	520,000	520,000

Expenditure Detail	Contract Amount	Prior Year Expenses	Current Year Expenditure	Total prior plus current	Amount Remaining on Contract
SME	13,200	13,200	-	13,200	-
Brown	31,200	7,959	19,315	27,274	3,926
Ledford Parker	61,468	-	58,968	58,968	2,500
Patton Construction	406,500	157,154	261,985	419,139	(12,639)
	512,368	178,313	340,268	518,581	(6,213)

ORDINANCE NO. 2022-77

**CAPITAL PROJECT ORDINANCE TO ESTABLISH PROJECT
FOR WATER AND SEWER ASSET INVENTORY AND ASSESSMENT GRANT**

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: The project will provide a detailed assessment of the City's water and sewer system which will improve the ability of staff in short and long term capital budgeting. This project will assess and document the size, material, age, and condition of the existing wastewater and drinking water infrastructure, create a database of the information, and a replacement schedule.

Section 2: This project is funded through two asset and inventory grants from the North Carolina Department of Environmental Quality totaling \$387,500, and a \$44,000 transfer from the Water and Sewer Utility Fund.

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

Account Number	Account Name	Budget Amount
31-8540-4900	W/S Asset/Invent Assessment	\$431,500
TOTAL PROJECT APPROPRIATION		\$431,500

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

Account Number	Account Name	Budget Amount
31-3760-0140	AIA Grant	\$387,500
31-3760-1907	Transfer from 30 - AIA	\$44,000
TOTAL PROJECT REVENUE		\$431,500

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.

ASSET INVENTORY AND ASSESSMENT

As of March 31, 2023		Budget	Prior Year	Current Year	Total prior plus current
Expenditures					
31-8540-4900	W/S Asset Inventory and Assessment	431,500	-	49,445	49,445
Revenues					
31-3760-0140	AIA Grant	387,500	-	-	-
31-3760-1907	Transfer from 30	44,000		44,000	
	TOTAL	431,500	-	44,000	44,000

Expenditure Detail	Contract Amount	Prior Year Expenses	Current Year Expenditure	Total prior plus current	Amount Remaining on Contract
Summit	431,500	-	49,445	49,445	382,055
				-	
				-	
				-	
				-	
				-	
				-	
	431,500	-	49,445	49,445	382,055

ORDINANCE NO. 2022-64

CAPITAL PROJECT ORDINANCE TO ESTABLISH PROJECT
FOR SEWER PUMP STATIONS REHABILITATION

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: The project will improve three existing pump stations (Fish Camp, Gallimore Road, and Wilson Road) by replacing equipment. This project does not increase capacity at these pump stations.

Section 2: This project is funded 100% through the North Carolina State Water Infrastructure Authority.

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

Account Number	Account Name	Budget Amount
31-8540-6000	Sewer Pump Stations Rehab	\$2,873,000
TOTAL PROJECT APPROPRIATION		\$2,873,000

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

Account Number	Account Name	Budget Amount
31-3970-0700	Grant - Sewer - ARP-0236	\$2,873,000
TOTAL PROJECT REVENUE		\$2,873,000

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 3rd day of October, 2022.


Maureen Copelof
Mayor

SEWER PUMP STATIONS REHAB

As of March 24, 2023		Budget	Prior Year Activity	Current Year Expenditure FY23	Total prior plus current
Expenditures					
31-8540-6000	Sewer Pump Stations Rehab	2,873,000	-	65,000	65,000
Revenues					
31-3970-0700	Sewer Grant Funding ARPA	2,873,000	-	-	-
Total Revenues		2,873,000	-	-	-

Expenditure Detail	Contract Amount	Prior Year Expenses	Current Year Expenditure	Total prior plus current	Amount Remaining on Contract
CDM Smith	77,000	-	65,000	65,000	12,000
	77,000	-	65,000	65,000	12,000

ORDINANCE NO. 2022-21

**CAPITAL PROJECT ORDINANCE TO AMEND ORDINANCE
NO. 2013-09 (REPLACEMENT OF BRIDGE #102 ALONG RAILROAD AVENUE)**

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: The budgeted revenues and expenditures listed under the original ordinance (2013-09) will be cancelled and replaced with the amounts listed under sections 3 and 4 of this document. The City intends to have this project completed by November of 2023.

Section 2: The project authorized is to replace the bridge located on Railroad Avenue near the intersection with Commerce Street. The project will provide access in the near and long term future for residents and businesses in the Railroad Avenue and King Street districts.

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

Account Number	Account Name	Budget Amount
78-6500-4500	Railroad Avenue Bridge Repl	\$1,740,000
TOTAL PROJECT APPROPRIATION		\$1,740,000

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

Account Number	Account Name	Budget Amount
78-3345-0000	NCDOT B-5550	\$832,000
78-3750-0000	Transfer from Gen Fund	\$208,000
78-3755-0000	Transfer from ARPA	\$700,000
TOTAL PROJECT REVENUE		\$1,740,000

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.

RAILROAD AVENUE BRIDGE REPLACEMENT

As of March 31, 2023		Budget	Prior Year	Current Year	Total prior plus current
Expenditures					
78-6500-4500	Railroad Ave Bridge Repl	1,810,000	595,249	-	595,249
Revenues					
78-3345-0000	NCDOT Kings Creek Bridge	832,000	383,526	-	383,526
78-3750-0000	Transf from GF	208,000	208,000	-	208,000
78-3755-0110	NCDOT Supplemental Agreement	700,000			
78-3750-0020	Transfer from GF - CDM Smith eng	70,000			
Total Revenues		1,810,000	591,526	-	591,526

Expenditure Detail	Contract Amount	Prior Year Expenses	Current Year Expenditure	Total prior plus current	Amount Remaining on Contract
CDM Smith		380,202	-	380,202	
Easements		196,251	-	196,251	
Brown Consultants		8,920		8,920	
Other		9,875	-	9,875	
CDM Smith	70,000		60,480	60,480	9,520
	70,000	595,249	60,480	655,729	9,520

ORDINANCE NO. 2022-51

CAPITAL PROJECT ORDINANCE TO AMEND ORDINANCE
NO. 2022-22, ESTATOE TRAIL

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 (2022-22) will be increased by \$315,600. ARPA funds were able to be reallocated because of NCDOT funding on the Railroad Avenue Bridge Replacement Project.

Section 2: This funding is intended to cover the City portion of the cost for the portion of the Estatoe Trail near Brevard High School.

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

Account Number	Account Name	Budget Amount
78-6300-4400	Estatoe Trail	\$1,557,600

TOTAL PROJECT APPROPRIATION	\$1,557,600
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Section 4: The following revenues are anticipated to be available for project expenses:

Account Number	Account Name	Budget Amount
78-3750-0000	Transfer from General Fund	\$125,000
78-3990-0000	Fund Balance Approp	\$290,000
78-3345-0400	PARTF Grant	\$80,300
78-3990-0200	Contribution from TC Tourism	\$46,700
78-3345-0300	OSBM Stormwater Grant	\$575,000
78-3345-0200	OSBM Capital Grant	\$125,000
78-3350-0220	T F ARPA - Estatoe -High School	\$315,600

TOTAL PROJECT REVENUE	\$1,557,600
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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. The City Manager is allowed to execute any change orders that fall within the Appropriation Total of the Budget Ordinance.

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.

ESTATOE TRAIL PROJECT

As of March 31, 2023		Budget	Prior Year	Current Year	Total prior plus current
Expenditures					
78-6300-4400	Estatoe Trail Project	1,557,600	233,452	151,647	385,099
Revenues					
		-	-	-	-
78-3750-0000	Transf from GF	125,000	-	125,000	125,000
78-3990-0000	Fund Balance Approp	290,000	521,447		521,447
78-3345-0400	PARTF	80,300	80,266	-	80,266
78-3900-0200	Contribution from Trans Co Tourism	46,700	46,666	-	46,666
78-3345-0300	OSBM stormwater grant	575,000			-
78-3345-0200	OSBM capital grant	125,000	125,000	-	125,000
78-3345-0220	Transfer from ARPA - Brevard High	315,600	-	315,600	315,600
Total Revenues		1,557,600	773,379	440,600	1,213,979

Expenditure Detail	Contract Amount	Prior Year Expenses	Current Year Expenditure	Total prior plus current	Remaining on Contract
Carolina Mtn Survey	22,000	13,425	-	13,425	8,575
Summit	44,000	19,348	33,066	52,414	(8,414)
S&ME	5,400	5,400	-	5,400	-
Carolina Spec	41,438	-	-	-	41,438
NCDOT - Country Club	320,000				320,000
NCDOT - Davidson Ped Bri	428,000	120,000		120,000	308,000
Patton Construction	144,260	16,878	118,581	135,459	8,801
Other		58,400	-	58,400	
	1,005,098	233,451	151,647	385,098	678,400

ORDINANCE NO. 2022-48

**CAPITAL PROJECT ORDINANCE TO ESTABLISH PROJECT
FOR ROUNDABOUT BETTERMENTS**

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: The project will improve the overall look of City of Brevard roundabouts for citizens and visitors as they enter and travel throughout the City and region.

Section 2: This project will include nine roundabouts, and supplemental agreements from NCDOT will be provided to the Board for approval as they are received by staff.

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

Account Number	Account Name	Budget Amount
78-6600-4550	Roundabout Betterments	\$100,000

TOTAL PROJECT APPROPRIATION	\$100,000
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Section 4: The following revenues are anticipated to be available for project expenses:

Account Number	Account Name	Budget Amount
78-3750-0220	Transfer from General Fund Roundabout Betterments	\$100,000

TOTAL PROJECT REVENUE	\$100,000
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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 1st day of August, 2022.


 Maureen Copelof
 Mayor

ROUNABOUT BETTERMENTS

As of February 28, 2023		Budget	Prior Year Expenditures	Current Year Expenditure FY23	Total prior year plus current year
Expenditures					
78-6600-4550	Roundabout Betterments	100,000	-	12,468	12,468
Revenues					
78-3750-0220	Transfer from GF - Roundabout Bett	100,000	-	100,000	100,000
Total Revenues		100,000	-	100,000	100,000

Expenditure Detail	Contract Amount	Prior Year Expenses	Current Year Expenditure	Total prior plus current	Amount Remaining on Contract
7082 Traffic Planning and design	4,640	-	778	778	3,862
7264 Traffic Planning and design	29,500	-	11,690	11,690	17,810
7265 Traffic Planning and design	2,300	-	-	-	2,300
7139 NCDOT	85,076				85,076
	121,516	-	12,468	12,468	109,048

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Proposed Fee Schedule – General Fund

FY2024 Budget

Property Tax Rates

City-Wide	0.4500 0.4800 / \$100 Valuation
Heart of Brevard MSD	0.2130 / \$100 Valuation

ABC Licensing Fees

Fees regulated by the State of North Carolina for the sale of beer and wine.

The license year for the following runs from May 1 through April 30 (NCGS 105-113.70(b). License is not to be pro-rated.

Code	NCGS	Business Activity	Rate
		Beer & Wine (Copy of ABC Permit required.)	
D-101		On premise malt	\$15.00
D-102		Off premise malt	\$15.00
D-103		Wholesale beer	\$37.50
D-104		On premise wine	\$15.00
D-105		Off premise wine	\$15.00
D-106		Wholesale wine	\$37.50
D-107		Wholesale beer & wine	\$62.50

Taxi Licensing Fees

Tax regulated by North Carolina General Statutes 20-97 and NCGS 160A-211

Code B-146 - NCGS 20-97 - **Taxicabs** *Requires Approval Rate: \$15 per vehicle

*Taxi / Vehicles for Hire. City of Brevard Code of Ordinances, Chapter 78

Solid Waste Removal Fees

Residential Garbage Collection	\$9.75 plus \$10.25 County Disposal Fee / \$20.00 per month total
Commercial Dumpster	\$8.50 plus \$8.50 County Disposal Fee times number of monthly pickups / \$20.00 per month total
Small Commercial Collection	\$9.75 plus \$10.25 County Disposal Fee times number of monthly pickups / \$20.00 per month total
Special Refuse Pick Up (Includes appliances & furniture)	\$20.00 per single item \$50.00 per load
Television / Computer Monitor Collection	ALL TV's - \$15.00

Recycling Fees

Residential Recycling Fee	\$4.00 per month
Commercial Recycling Fee	\$5.75 per month (Additional 96-gallon containers \$5.75 each)
Commercial Cardboard Recycling	\$10.00 per month per water meter for all commercial customers
Mulch Fee	Pickup truck loads, City Residents - \$0 All other loads - \$10 per yard

Proposed Fee Schedule – General Fund

FY2024 Budget

Franklin Pool Fees

Admission	\$2.00 per day per individual
Individual Season Pass	\$50 per season
Family Season Pass	\$150 per season
Family Day Pass	\$7.00 per day
Party / Event Rental	\$100

Depot Railroad Avenue Park Rental Fees

WEEKDAYS (Monday through Friday)		
Outdoor Pavilion Only	Non-Profit	Private
Morning Block	\$50	\$75
Afternoon Block	\$50	\$75
Evening Block	\$50	\$75
Meeting Room Only	Non-Profit	Private
Morning Block	\$50	\$75
Afternoon Block	\$50	\$75
Evening Block	\$50	\$75
Meeting Room and Outdoor Pavilion	Non-Profit	Private
Morning Block	\$100	\$125
Afternoon Block	\$100	\$125
Evening Block	\$100	\$125

WEEKENDS (Saturday and Sunday)		
Outdoor Pavilion Only	Non-Profit	Private
Morning Block	\$150	\$200
Evening Block	\$150	\$200
Full Day	\$250	\$300
Meeting Room Only	Non-Profit	Private
Morning Block	\$150	\$200
Evening Block	\$150	\$200
Full Day	\$250	\$300
Meeting Room and Outdoor Pavilion	Non-Profit	Private
Morning Block	\$250	\$275
Evening Block	\$250	\$275
Full Day	\$350	\$375

Mary C. Jenkins Community Center Rental Fees

Community Room	Non-Profit 501(c)3	Individual/Organization
Weekday Hourly Rate (2 Hour Minimum Block)	\$40	\$80
Weekday Daily Rate	\$180	\$320
Weekend Hourly Rate (2 Hour Minimum Block)	\$60	\$160
Weekend Daily Rate	\$220	\$400
Additional Hourly Rate (After 2 Hour Minimum Block)	\$25	\$25
Security Deposit	\$100	\$100
Meeting Rooms	Non-Profit 501(c)3	Individual/Organization
During Regular Center Hours	No Fee	No Fee
Security Deposit - Outside Regular Center Hours Only	\$100	\$100
Outside Patio (Exclusive Use)	Non-Profit 501(c)3	Private Individual/Organization
Hourly Rate (In Addition to Room Rental)	\$25	\$25
Kitchen	Non-Profit 501(c)3	Individual/Organization
If Appliances Used for Meal Preparation	\$50	\$50

Proposed Fee Schedule – General Fund

FY2024 Budget

Community Garden Fees

Garden Plot Rental	Fee
5-foot x 5-foot Plot	\$5
5-foot x 10-foot Plot	\$10
5-foot x 15-foot Plot	\$15
5-foot x 20-foot Plot	\$20
ADA Accessible Plot	\$5

Proposed Fee Schedule – General Fund

FY2024 Budget

Planning and Zoning Fees

Annexation & Dedication	Fee
Annexation – Voluntary	\$500
Dedication of Infrastructure	\$50
Performance Guarantee ¹	Actual Cost + % as set forth in UDO Ch. 16
Street, Right-of-Way, & Easement Abandonment	\$500 + Actual Cost

Development	Residential Fee	Non-Residential Fee ²
Additions & Accessory Structures	\$50	\$100
Demolition	\$50	\$50-\$100 + \$500 reimbursable bond
Development Review	N/A	\$500
Driveway, Curb Cut, & Encroachment on City Right-of-Ways	\$50	\$50
Fee in Lieu – Parking	N/A	\$14,500 \$5,000 per parking space
Fee in Lieu - Sidewalk	Actual Cost x 1.25%	Actual Cost x 1.25%
Fee in Lieu – Stormwater	Actual Cost x 1.25%	Actual Cost x 1.25%
Fence	\$10 \$20	\$10 \$50
Floodplain Development	No fee	No fee \$200
Grading and Other Land Disturbance	\$50	\$50-\$100 + \$500 reimbursable bond
Incidental Improvements to Existing Structures ³	\$50 ⁴	\$50-\$75
Interior Remodels	\$50 N/A	\$50-\$150
New Construction	\$200 per dwelling unit ⁵	\$0.06 per heated sq. ft., \$500 minimum
Parking Lots – New & Reconfiguration	N/A	\$50-\$150
Parking Lots – Resurface	N/A	No fee \$50
Permit Extension	\$50	1 st Time - \$150, 2 nd Time - \$500
Substantial Improvements or Significant Improvements to Existing Structures	No fee \$50	\$100-\$150
Tree Removal (per tree)	N/A	\$25

Development fees are now separated into residential & non-residential projects. The changes are largely concentrated on non-residential fees.

The non-residential new construction fee of \$500 minimum was incorporated above in a new Development Review fee.

¹ The Administrator, in consultation with the City Manager and City Attorney, may accept a performance guarantee or surety bond for public improvements associated with any development. Performance guarantees shall be prepared and administered in accordance with the Procedure for the Installation & Dedication of Public Improvements.

² Includes multifamily structures larger than 4 dwelling units and subdivisions with 8 or more lots.

³ Incidental improvements include installation of handicapped ramps and entryways, awning, unenclosed decks and patios, and lighting improvements and other minor, non-structural changes of an incidental nature.

⁴ When a handicapped ramp is built by a tax-exempt organization or by volunteers, without expense for either labor or materials being paid by the owners or occupants, the fee may be waived by the administrator.

⁵ Includes accessory dwelling units and manufactured home set up not within a new manufactured home park.

Proposed Fee Schedule – General Fund

FY2024 Budget

Planning and Zoning Fees

Land Use	Fee
Change of Use/Occupancy	\$50 \$100
Food Truck Site	\$100 \$150
Home Occupation	\$100 \$50
Manufactured Home Park	\$500 + \$20 per manufactured home space
Sidewalk Usage – Dining Areas	\$100 (annually)
Sidewalk Usage – Semi-permanent & Permanent Objects	\$50
Special Use Permit	\$250
Temporary Vendors	\$200 per location and permit period
Temporary Uses	\$50
Wireless Communication Facilities – Co-Location and Stealth	\$200
Wireless Communication Facilities – All Other	\$1,000

Regulations & Zoning	Fee
Appeal – Staff Determination	No fee \$100
Map Amendment – Conditional Zoning District	\$500 \$600
Map Amendment – Rezoning	\$500 \$400
Modification – Major	\$500 \$400
Modification - Minor	\$150
Reinspection Fee – Failed Zoning Inspections	\$50 per reinspection
Text Amendment	\$500
Variance	\$250
Vested Right Determination	\$500
Zoning Consistency Determination / Farm Exemption Certification	\$25
Zoning Code Enforcement Abatement Administrative Fee	\$250

Subdivision	Fee
Major Subdivision	\$500 + \$20 per lot (total)
Minor Subdivision – New Public Infrastructure Proposed	\$500 + \$20 per lot (total)
Minor Subdivision - No New Public Infrastructure Proposed (except sidewalks)	\$75 + \$20 per lot (total)
Recombination Plats & Lot Line Adjustments	\$75

Proposed Fee Schedule – General Fund

FY2024 Budget

Special Events & Closures⁶	Fee⁷
City-Sponsored Events (adopted by resolution)	No fee
Carnivals & Circuses	\$500 per location and permit period
Farmers Markets & Tailgate Markets	\$200 per location
Other Events on Private Property – No parking space, sidewalk, or street closures	No fee
Other Events on Private Property – Parking space, sidewalk, or street closures	\$200 (per day) + \$500 bond
Other Events on Public Property – Park, greenway, or similar facilities	\$200 (per day) + \$500 bond
Other Closure – City Road	\$100 (per day) + \$1,000 bond
Other Closure – Public Alley	\$50 (per day) + \$500 bond
Other Closure – Public Parking Space (per space)	\$100 (per day) + \$500 bond
Other Closure – Public Sidewalk	\$500 (per day) + \$500 bond
Other Closure – State Road	\$1,500 (per day) + \$2,000 bond

Signs	Fee
A-Frame Signs	\$50
Electronic Signs (Including Message & Reader Boards)	\$1,000
Ground Signs	\$200
Panel Replacement, Reface & Resurface	\$50
Special Event Signs	\$50
Street Banners	\$250
Temporary Signs for Which a Permit is Required	\$50
Wall & Marquee Signs	\$100
All Other Signs for Which Permit is Required	\$100

Other	Fee
Custom Mapping	\$40 per hour + cost of map
Black & White Printing – 8.5"x11" – 11"x17" (1 sheet)	No Fee
Black & White Printing – 8.5"x11" – 11"x17" (>1 sheet)	10 cents per page
Black & White Printing – Larger than 11"x17"	\$25 per page
Color Printing – 8.5"x11" – 11"x17" (1 sheet)	No Fee
Color Printing – 8.5"x11" – 11"x17" (>1 sheet)	50 cents per page
Color Printing – Larger than 11"x17"	\$25 per page

⁶ Special event and closure fees are for one-time or one-day events. A multi-day even shall pay the required fees for each day. Closures not part of a special event are subject to the "Other Closure" fees.

⁷ The administrator may assess fees for the actual cost of services provided by City forces (i.e., personnel, deployment of fire apparatus., solid waste removal, provision of barricades, State Fire Code inspections, etc.) in support of special events or temporary uses. Refer to the Departmental Cost of Services fee schedule for additional "cost of service" fees.

Proposed Fee Schedule – General Fund

FY2024 Budget

Planning and Zoning Fees

Professional Services:

The Administrator may secure the services of a qualified professional (e.g., licensed architect, attorney, engineer, landscape architect, arborist, surveyor, or planner) in the review of any application. Professional services purposes include but are not limited to: the review of floodplain development proposals, proposed public infrastructure of stormwater systems, traffic impact analysis, specialized legal services, etc. The actual cost of professional services shall be the responsibility of the applicant. The applicant shall be informed in advance of the City's intention to secure professional services. The applicant shall be provided any and all reports generated by qualified professionals, and copies of all statements and receipts. The applicant shall reimburse the City for professional services expenditure prior to the issuance of a certificate of occupancy or final zoning / project approval.

Reimbursable Bonds for Land Disturbance:

The Administrator may waive bonds for demolition, grading or other land disturbance upon determination that such bond would serve no useful purpose. Administrator may require a bond in excess of \$500 if such is deemed necessary in the interests of public health or safety. These bonds shall be prepared and administered in accordance with the improvement guarantee procedures set forth in the procedure for the installation and dedication of public improvements. The administrator may require a demolition, in association with any development activity for which such bond is relevant.

Bonds for Public Infrastructure Closures:

The Administrator may waive bonds for building maintenance, renovations, demolition, or if the bond does not serve a useful purpose, for up to 5 days. City Manager may extend this timeframe, when necessary, to incentivize development or maintenance.

Proposed Fee Schedule – General Fund

FY2024 Budget

Traffic Violation Fees

Parking Ticket	\$30 per violation
Fire Hydrant, Fire Lane Obstruction	\$75 per violation
Vehicle Towing	True cost of towing

Departmental Cost of Service Fees for Special Events and Temporary Use

The following fees are intended to recoup cost for the delivery of services in support of Special Events, Temporary Uses, and unique emergency situations (including but not limited to bomb threats, hazardous materials events, manhunts, and other unique calls for service). The specific mechanism and timing of fee recovery will be determined by the applicable department heads on a case-by-case basis.

Fire Department Inspections for City Permits	Fee
Carnivals / Fairs	\$100 per event
Explosives	\$50 per 48 hours or \$100 per 30 days
Use of Outdoor Fireworks (Does not include standby apparatus or personnel)	\$100 per event
Open Burning & Open Flame Use	\$50
Pyrotechnics Special Effects	\$50
Fireworks Tent	\$300 per 30 days
Assembly Tent	\$75 per 30 days

Proposed Fee Schedule – General Fund

FY2024 Budget

Departmental Cost of Service Fees for Special Events and Temporary Use

Fire Department, Deployment of Personnel, Apparatus & Equipment	Fee
Officer	\$40 per hour
Firefighter	\$35 per hour
Light Duty Quick Response Vehicle / Boat / Support Vehicle	\$20 per hour
Fire Engine	\$200 per hour
Rescue Truck	\$250 per hour
Ladder Truck	\$300 per hour

Public Services Department, Deployment of Personnel & Equipment	Fee
Special Dumpster Service	\$50

Police Department, Deployment of Personnel & Equipment	Fee
Officer	\$30 per hour

Alarm System Fees

The following fees are intended to recoup cost for the delivery of services in support alarm systems which may be installed, operated and maintained within the emergency communications center situated in the City Police Department.

Alarm System Connection Application Fee	\$50
Subscriber Charge for Failure to Appear Within 30 Minutes of Notification	\$10 per event
False Alarm Charge	\$30 per false alarm in excess of three per month
Alarm System Original Installation Fee	\$100 (one-time fee)

Miscellaneous Fees

Return Check Fee	\$30 per check per occurrence
Code Enforcement Abatement Administrative Fee	\$250

Proposed Fee Schedule – Utility Fund

FY2024 Budget

Water Rates

Residential, Commercial, and Institutional

Gallons	Purchase Range	In City	Outside City
All	All	\$13.65	\$20.50
All	All	\$8.77 9.12 / 1,000	\$13.19 13.72 / 1,000

Industrial*

Gallons	Purchase Range	In City	Outside City
All	All	\$13.65	\$20.50
All	All	\$7.73 8.04 / 1,000	\$11.61 12.07 / 1,000

Meter Fees

Diameter	Cost
3/4 inch	\$2.70/month
1 inch	\$2.70/month
1.5 inch	\$15.00/month
2.0 inch	\$18.00/month
3.0 inch	\$25.00/month
4.0 inch	\$44.00/month
6.0 inch	\$67.00/month

*Industrial water users are manufacturers as defined and described in the 2012 North American Industry Classification System, Sectors 31-33 (refer to the following United States Census website: <http://www.census.gov/cgi-bin/sssd/naics/naicsrch?chart=2012>).

Sewer Rates

Residential, Commercial, Institutional, and Industrial

Gallons	Purchase Range	In City	Outside City
All	All	\$13.65	\$20.50
All	All	\$8.77 9.12 / 1,000	\$13.19 13.72 / 1,000

All multi-family dwellings, including apartments and condominiums, shall pay \$27.29 per unit or the meter reading, whichever is greater.

Proposed Fee Schedule – Utility Fund

FY2024 Budget

Economic Development Utility Rates

City Council may, as a means of supporting economic development within the City of Brevard and Transylvania County, authorize a business to receive a 30% reduction in utility rates, subject to an agreement that such business achieve certain economic development performance measures.

Water Charges		
Description	In City	Outside City
Basic Charge (per month)	\$13.65	\$20.50
Water (per gallon, Residential, Commercial, and Institutional)	\$8.77 9.12/1,000 gal	\$13.19 13.72 /1,000gal
Water (per gallon, Industrial)	\$7.73 8.04/1,000 gal	\$11.61 12.07/1,000 gal
Meter Fees		
	3/4 inch \$2.70/month	
	1 inch \$2.70/month	
	1.5 inch \$15.00/month	
	2.0 inch \$18.00/month	
	3.0 inch \$25.00/month	
	4.0 inch \$44.00/month	
	6.0 inch \$67.00/month	
	All multi-family dwellings, including apartments and condominiums, shall pay \$27.29 per unit or the meter reading, whichever is greater	
Meter Reactivation Fee	\$60.00	

Sewer Charges		
Description	In City	Outside City
Basic Charge (per month)	\$13.65	\$20.50
Sewer Water (per gallon)	\$8.77 9.12/1,000 gal	\$13.19 13.72/1,000gal

Water Tap Fees	
Tap Size (inches)	Tap and Meter Setting Fee ⁸
3/4	\$1,375
1	\$1,600
2	\$4,500
Charges for taps greater than 2", 6' in depth, or require disturbance to NCDOT infrastructure or right-of-way will be calculated on a case-by-case basis by the Public Works Director. Charges for such taps shall include the city's cost of personnel time, meters, materials and equipment (including asphalt repair), plus 35 percent of the direct labor charge; however, no fee for a tap larger than two inches shall be less than \$2,440.	

Sewer Tap Fees	
Tap Size (inches)	Tap Fee
Up to 6" Tap	\$1,375
Charges for taps greater than 6", 6' in depth, or require disturbance to NCDOT infrastructure or right-of-way will be calculated on a case-by-case basis by the Public Works Director. Charges for such taps shall include the city's cost of personnel time, materials and equipment (including asphalt repair), plus 35 percent of the direct labor charge; however, no fee for a tap larger than two inches shall be less than \$955.	

⁸ The Public Works Director may impose additional fees to recover the true cost of water and/or sewer tap installation when such is warranted by site conditions. In such cases, fees shall be computed at the sum total of the cost of labor, materials, and equipment necessary for completion of the work plus 35 percent of the direct labor charge.

Proposed Fee Schedule – Utility Fund

FY2024 Budget

System Development Fees

Connection Size (in)	Max Flow (gpm)	Water	Sewer
$\frac{3}{4}$	30	\$500	\$1,000
1	50	\$830	\$1,670
1.5	100	\$1,660	\$3,340
2	160	\$2,660	\$5,340
3	320	\$5,320	\$10,680
4	500	\$8,310	\$16,690
6	1,000	\$16,620	\$33,380
8	1,600	\$25,590	\$53,410
10	2,300	\$38,220	\$76,780
12	3,100	\$51,510	\$103,490

Sewer Tap Relocation Fee	Fee
Flat Fee	\$1,375
Charges for sewer tap relocations will be calculated on a case-by-case basis by the Public Works Director. Charges for such taps shall include the city's cost of personnel time, materials, and equipment, plus 35 percent of the direct labor charge. The minimum and maximum sewer tap relocation fees are set forth above.	

Septage Pretreatment Charges

0 – 1,300 Gallons	\$75.00 Per Load
1,301 Gallons or Greater	\$150.00 Per Load
All out of County haulers will be charged double the above amounts	
Annual Hauler License Fee	\$100.00

New Utility Account Deposit Fees

Use	Fee
Deposit fee for new utility accounts	\$ 100.00

High Strength Wastewater Collection and Treatment Surcharge Rates

Parameters	Rates
BOD 5	\$0.47 0.49/lb. BOD 5
Suspended solids	\$0.44 0.46/lb. SS
Leachate	\$0.05/gallon

□

Proposed Fee Schedule – Utility Fund

FY2024 Budget

Miscellaneous Utility Fees

Late Payment Fee	\$5 applied on the 21st day of each month
Cut-Off / Cut-On Fee	\$25 applied on the 28th day of each month
Return Check Fee	\$30 per check per occurrence
Meter Location	\$30 per occurrence
Meter Location Change	\$250
Meter reactivation	\$60
Fire Hydrant Flow Test (two or more hydrants)	\$250
Well Permit ⁸	\$1,000
Tanker Truck Access Fee	\$25
Others as specified in Chapter 70 Sec. 70-38 of the Brevard City Code	

⁸ Refer to Chapter 70 of City Code

Debt Obligations

By Fund - FY22 to FY23

General Fund

ISSUE YEAR	DESCRIPTION	ORIGINAL LOAN AMOUNT	LOAN TERM	LOAN END	LOAN INTEREST RATE	TOTAL LOAN PAYMENT FOR FY24
2014	DUKE PROPERTY	\$ 141,652	10	2025	2.25%	\$ 15,911
2020	FY20 CAPITAL	97,762	5	2025	1.79%	20,455
2022	MARY C JENKINS	2,350,000	15	2037	1.99%	182,753
2019	FY19 CAPITAL	113,360	10	2029	2.58%	12,769
GENERAL FUND TOTAL						\$ 231,888

Sanitation Fund

ISSUE YEAR	DESCRIPTION	ORIGINAL LOAN AMOUNT	LOAN TERM	LOAN END	LOAN INTEREST RATE	TOTAL LOAN PAYMENT FOR FY24
2018	FY18 CAPITAL	\$ 187,753	10	2028	3.09%	\$ 21,896
2021	FY21 CAPITAL	180,988	7	2028	1.61%	27,052
2024	FY20 CAPITAL	187,378	10	2030	2.24%	20,965
2020	FY24 CAPITAL	320,000	5	2029	4.16%	73,500
SANITATION FUND TOTAL						\$ 143,413

Water and Sewer Fund

ISSUE YEAR	DESCRIPTION	ORIGINAL LOAN AMOUNT	LOAN TERM	LOAN END	LOAN INTEREST RATE	TOTAL LOAN PAYMENT FOR FY24
2014	DUKE PROPERTY	\$ 283,306	10	2025	2.25%	\$ 31,822.32
2018	FY18 CAPITAL	69,443	10	2028	3.09%	8,099
2013	BELT PRESS GRIT REMOVAL	1,142,606	15	2029	2.46%	82,100
2019	FY19 CAPITAL	221,432	10	2029	2.58%	24,493
2019	WATER METERS	245,631	10	2029	2.58%	27,891
2020	FY20 CAPITAL	202,993	10	2030	2.24%	22,712
2016	BURRELL MTN WATER TANK	2,641,100	15	2033	0.00%	146,727
2013	KINGS CREEK SEWER	749,375	20	2033	2.00%	45,000
2017	NEELY ROAD PUMP STATION	12,987,256	18	2035	1.84%	828,700
2016	GRAVITY SEWER UPGRADE	1,680,000	20	2036	2.00%	105,900
2017	RADIO READ METERS	1,496,550	20	2036	2.00%	74,827
2018	KINGS CREEK 2	1,435,784	20	2037	0.00%	71,789
2018	KINGS CREEK 3	1,483,971	20	2037	0.00%	74,198
2023	KING ST WATERLINE (ESTIMATED)	271,729	20	2043	3.50%	18,050
2023	BURRELL MTN TANK (ESTIMATED)	714,512	20	2043	0.00%	35,750
2023	GALLIMORE SEWERLINE (ESTIMATED)	1,734,845	20	2043	0.00%	86,742
WATER AND SEWER FUND TOTAL						\$ 1,684,801

Fire Fund

ISSUE YEAR	DESCRIPTION	ORIGINAL LOAN AMOUNT	LOAN TERM	LOAN END	LOAN INTEREST RATE	TOTAL LOAN PAYMENT FOR FY24
2013	TANKER	\$ -	10	0	0.00%	\$ -
2022	FY22 CAPITAL	700,000	5	2029	4.16%	310,700
FIRE FUND TOTAL						\$ 310,700

TOTAL	\$ 2,370,802
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PROPOSED PAY CLASSIFICATION SCHEDULE (TO BE EFFECTIVE JULY 1, 2023)

By Grade

Proposed Grade	CLASSIFICATION	PROPOSED RANGES		
		ANNUAL MINIMUM	ANNUAL MIDPOINT	ANNUAL MAXIMUM
10	Sanitation Worker	\$ 34,159.00	\$ 42,698.93	\$ 51,239.00
11	Building & Grounds Maintenance Worker	\$ 35,866.95	\$ 44,834.13	\$ 53,800.95
11	Customer Service Representative	\$ 35,866.95	\$ 44,834.13	\$ 53,800.95
11	Landscape Technician	\$ 35,866.95	\$ 44,834.13	\$ 53,800.95
11	Maintenance Worker	\$ 35,866.95	\$ 44,834.13	\$ 53,800.95
11	Office Assistant	\$ 35,866.95	\$ 44,834.13	\$ 53,800.95
11	Parking and Support Officer	\$ 35,866.95	\$ 44,834.13	\$ 53,800.95
11	Senior Sanitation Worker	\$ 35,866.95	\$ 44,834.13	\$ 53,800.95
11	Streets Maintenance Worker	\$ 35,866.95	\$ 44,834.13	\$ 53,800.95
12	Accounting Clerk	\$ 37,660.30	\$ 47,075.94	\$ 56,491.00
12	Administrative Specialist	\$ 37,660.30	\$ 47,075.94	\$ 56,491.00
12	Meter Technician	\$ 37,660.30	\$ 47,075.94	\$ 56,491.00
12	Records Specialist	\$ 37,660.30	\$ 47,075.94	\$ 56,491.00
12	Sanitation Truck Driver	\$ 37,660.30	\$ 47,075.94	\$ 56,491.00
12	Senior Customer Service Representative	\$ 37,660.30	\$ 47,075.94	\$ 56,491.00
12	Skilled Maintenance Worker	\$ 37,660.30	\$ 47,075.94	\$ 56,491.00
13	Distribution & Collections Systems Operator	\$ 39,543.31	\$ 49,429.53	\$ 59,315.55
14	Code Enforcement Officer	\$ 41,520.48	\$ 51,901.11	\$ 62,281.32
14	Code Enforcement Officer	\$ 41,520.48	\$ 51,901.11	\$ 62,281.32
14	Fleet Mechanic	\$ 41,520.48	\$ 51,901.11	\$ 62,281.32
14	Senior Dist/Collections System Operator	\$ 41,520.48	\$ 51,901.11	\$ 62,281.32
14	Treatment Plant Operator I	\$ 41,520.48	\$ 51,901.11	\$ 62,281.32
15	Accounting Technician	\$ 43,596.50	\$ 54,496.37	\$ 65,395.39
15	Plant Maintenance Technician	\$ 43,596.50	\$ 54,496.37	\$ 65,395.39
15	Treatment Plant Operator II	\$ 43,596.50	\$ 54,496.37	\$ 65,395.39
16	Police Officer	\$ 45,776.33	\$ 57,221.01	\$ 68,665.16
16	Public Works Supervisor I	\$ 45,776.33	\$ 57,221.01	\$ 68,665.16
16	Treatment Plant Operator III	\$ 45,776.33	\$ 57,221.01	\$ 68,665.16
16	Utility Accounts Supervisor	\$ 45,776.33	\$ 57,221.01	\$ 68,665.16
17	Administrative Services Manager	\$ 48,065.14	\$ 60,081.75	\$ 72,098.42
17	Community Center Director	\$ 48,065.14	\$ 60,081.75	\$ 72,098.42
17	Field Operations Supervisor	\$ 48,065.14	\$ 60,081.75	\$ 72,098.42
17	Human Resources Specialist	\$ 48,065.14	\$ 60,081.75	\$ 72,098.42
17	Police Detective	\$ 48,065.14	\$ 60,081.75	\$ 72,098.42

PROPOSED PAY CLASSIFICATION SCHEDULE (TO BE EFFECTIVE JULY 1, 2023)

By Grade

Proposed Grade	CLASSIFICATION	PROPOSED RANGES		
		ANNUAL MINIMUM	ANNUAL MIDPOINT	ANNUAL MAXIMUM
18	Accountant	\$ 50,468.40	\$ 63,085.84	\$ 75,703.34
18	Assistant to City Mgr	\$ 50,468.40	\$ 63,085.84	\$ 75,703.34
18	Fire Engineer	\$ 50,468.40	\$ 63,085.84	\$ 75,703.34
18	Fleet Maintenance Supervisor	\$ 50,468.40	\$ 63,085.84	\$ 75,703.34
18	Planner/Assistant Zoning Administrator	\$ 50,468.40	\$ 63,085.84	\$ 75,703.34
18	Public Works Supervisor II	\$ 50,468.40	\$ 63,085.84	\$ 75,703.34
18	Senior Police Officer (Sergeant)	\$ 50,468.40	\$ 63,085.84	\$ 75,703.34
18	Senior Police Officer (Sgt.) Investigations	\$ 50,468.40	\$ 63,085.84	\$ 75,703.34
18	Tax Collector	\$ 50,468.40	\$ 63,085.84	\$ 75,703.34
19	Plant Maintenance Supervisor	\$ 52,991.82	\$ 66,240.00	\$ 79,488.51
20	Trtmt Plant Lab Supervisor/Pretreatment Coord	\$ 55,641.41	\$ 69,552.00	\$ 83,462.93
20	Wastewater Trtmen Plant Asst ORC	\$ 55,641.41	\$ 69,552.00	\$ 83,462.93
20	Senior Planner	\$ 55,641.41	\$ 69,552.00	\$ 83,462.93
21	Assistant Planning Director	\$ 58,423.48	\$ 73,029.60	\$ 87,636.08
21	Police Shift Supervisor (Lieutenant)	\$ 58,423.48	\$ 73,029.60	\$ 87,636.08
22	City Clerk	\$ 61,344.66	\$ 76,681.60	\$ 92,017.88
22	Public Information Officer (Comm Coord)	\$ 61,344.66	\$ 76,681.60	\$ 92,017.88
23	Assistant Public Works Director	\$ 64,411.89	\$ 80,515.68	\$ 96,618.78
24	Police Captain	\$ 67,632.48	\$ 84,541.46	\$ 101,449.72
24	Wastewater Treatment Plant Supt/ORC	\$ 67,632.48	\$ 84,541.46	\$ 101,449.72
24	Water Treatment Plant Supt/ORC	\$ 67,632.48	\$ 84,541.46	\$ 101,449.72
30	Fire Chief	\$ 90,635.00	\$ 113,293.64	\$ 135,952.32
30	Human Resources Director	\$ 90,635.00	\$ 113,293.64	\$ 135,952.32
30	Planning Director	\$ 90,635.00	\$ 113,293.64	\$ 135,952.32
30	Police Chief	\$ 90,635.00	\$ 113,293.64	\$ 135,952.32
30	Public Works Director	\$ 90,635.00	\$ 113,293.64	\$ 135,952.32
31	Assistant City Manager/Finance Director	\$ 95,167.00	\$ 118,958.33	\$ 142,749.94

Staffing Summary

FY2023 - 2024 Recommended Funded Full Time Equivalents (FTEs)

DEPARTMENTS	FY19-20 ADOPTED	FY20-21 ADOPTED	FY21-22 ADOPTED	FY22-23 ADOPTED	FY23-24 RECOMMENDED
Administration	5	5	5	6	6
Finance	5	5	5	5	5
Planning	5	5	5	5	5
Building and Grounds	3	3	3	4	4
Police	32	32	28	29	29
Public Works - Administration	4	4	4	4	4
Public Works - Garage	3	3	3	3	3
Public Works - Streets	8	8	8	8	8
Mary C Jenkins Community Center	0	0	0	1	1
Sanitation	9	9	9	11	11
Water Treatment	5	5	5	5	5
Water Distribution	4	4	4	5	5
Wastewater Treatment	8	8	8	8	8
Waste Water Collections	5	5	5	4	4
Fire	1	1	1	4	4
TOTAL FUNDED FTEs	97	97	93	102	102

Glossary of Terms

Accrual Basis – Method of accounting in which transactions are recognized at the time they are incurred as opposed to when cash is received or spent.

Adopted Budget – The budget approved by City Council and enacted via a budget ordinance on or before June 30 of each year.

Ad Valorem Taxes – Commonly referred to as property taxes, ad valorem taxes are levied on the value of real, certain personal, and public utility property according to the property's valuation and the tax rate.

Appropriated Fund Balance – The amount of fund balance appropriated as a revenue for a given fiscal year to offset expenditures that exceed current revenue.

Assessed Value – The fair market value placed on personal and real property owned by taxpayers by the Transylvania Tax Assessor.

Budget – A plan of financial operation comprised of an estimate of proposed expenditures for a fiscal year and the proposed means of financing those expenditures (revenue estimates).

Budget Amendment – Formal action by City Council to change an appropriation or revenue estimate during the fiscal year.

Budget Calendar – The schedule of key dates or milestones which the City follows in the preparation and adoption of the annual budget.

Budget Document – The official written statement prepared by the City Manager which presents the proposed budget to the City Council.

Budget Message – A general discussion of the proposed budget presented to the Mayor and City Council by the City Manager as a part of the budget document. The budget message explains principal budget issues against the background of financial experience in recent years and presents recommendations made by the City Manager.

Budget Ordinance – The official enactment by City Council establishing the legal authority for City administrative staff to obligate and expend funds.

Budget Process – Activities that encompass the development, implementation, and evaluation of a plan for the provision of services and capital needs.

Glossary of Terms

Capital Outlay – Items of significant value (more than \$5,000) and having a useful life of several years, also referred to as fixed assets.

Contingency – A budgetary reserve set aside for emergencies or unforeseen expenditures not otherwise budgeted.

Debt Service – Payment of interest and principal on borrowed funds, such as bonds or installment financing.

Department – A management unit overseeing divisions and activities.

Enterprise Fund – A type of fund that accounts for governmental operations that are financed and operated in a manner similar to private business enterprises. It is financed primarily from charges to users for services provided. Included in this category is the Water & Sewer Fund.

Expenditures – The cost of goods received or services rendered whether payment for such goods and services has been made or not.

Fiscal Year – An accounting period extending from July 1 through the following June 30.

Full Time Equivalent Position (FTE) – A unit for measuring staffing levels equal to one position working 40 hours per week for an entire year. Temporary or part-time positions are not included in the FTE count.

Fund – A fiscal entity with a self-balancing set of accounts used to account for an activity(s) with common objectives.

Fund Balance – The cumulative excess of revenues over expenditures in a fund at the end of a fiscal year. With certain limitations, fund balance may be used to balance the subsequent year's budget.

General Fund – A type of governmental fund used to account for revenues and expenditures for regular day-to-day operations of the City which are not accounted for in the proprietary funds; i.e., Enterprise and Intergovernmental Service Funds. The primary sources of revenue for this fund are local taxes, state shared revenues, franchise fees, and charges for services.

Glossary of Terms

Generally Accepted Accounting Principles (GAAP) – The set of accounting rules and procedures used by governmental agencies to account for the receipt and expenditure of funds.

Interfund Transfer – The movement of monies between funds of the same governmental entity.

Line-Item Budget – A budget summarizing the detail categories of expenditure for goods and services that the City intends to purchase during the fiscal year.

Local Government Budget and Fiscal Control Act – The legal guidelines of the State of North Carolina which govern budgetary and fiscal affairs of local governments.

Modified Accrual Basis – A method for recording receipts and expenditures are recognized when the goods or services are received, and revenues are recognized when measurable and available to pay expenditures in the accounting period.

Operating Budget – The City’s financial plan which outlines proposed expenditures for the fiscal year and estimates the revenues which will be used to finance them.

Proposed Budget – The City Manager’s recommended balanced budget which is submitted to Mayor and City Council prior to June 1.

Proprietary Fund – A type of fund that accounts for governmental operations that are financed and operated in a manner similar to a private business enterprise. It is financed primarily from charges to users for services provided. Proprietary funds used by the City of Brevard include the Enterprise Funds.

Revenue – A term used to represent actual or expected income to a specific fund.

Special Revenue Fund – Funds that are established to account for “general government” financial resources that are restricted by law or by contractual agreement to specific purposes.

Tax Collection Rate – The percentage of the tax levy that can reasonably be expected to be collected during the fiscal year.

Tax Rate – The level at which taxes are levied. For example, the proposed General Fund tax rate is \$0.48 per \$100 of assessed value.

Tax Levy – The total dollar amount of tax that optimally should be collected based on tax rates and assessed values of personal and real properties.

STAFF REPORT

City Council, Monday, May 1, 2023

Title: Resolution - Governor's Crime Commission Grant

Speaker: Chief C. Thomas Jordan

Prepared by: Tom Jordan, Police Chief

Approved by: Wilson Hooper, City Manager

DISCUSSION

The purpose of the grant is to procure necessary equipment for the Brevard Police Department to adequately address civil disturbance and riot incidents that may occur. Previous year grants were used to build the capabilities for the Brevard Police to respond to incidents of civil disturbance and riots. This year's grant will complete the initial efforts to adequately equip the department with the capability to respond to civil disturbance and riot incidents to protect the officers, the citizens, property, and participants in civil disturbance and riot incidents by using minimal amounts of force and enhanced less than lethal technology. Prior to the grants, the Brevard Police had extremely limited capabilities to respond and address civil disturbance and riot events.

This year's grant covers the cost of ballistic helmets and shields (9), GLOVE conducted energy devices (2), Protective Armor Suits (5), Side handle batons (5), 17.3 mm launchers (paintball type) (5) with pepper and marking pellets, and a voice amplifier for gas masks (1) necessary to issue directions and commands during a riot situation.

The total award for the grant is \$24,382.25. This is a no-match grant, meaning no matching funds are required to be provided by the City of Brevard.

ACTION:

The Council is asked to approve a resolution accepting a Governor's Crime Commission Grant for 2023.

Attachments:

1. Grant Acceptance Resolution 2023 GCCG

RESOLUTION NO. 2023-XX

**RESOLUTION ACCEPTING GRANTS FROM THE NORTH CAROLINA
GOVERNOR’S CRIME COMMISSION**

WHEREAS it is the desire of the City of Brevard to support the Brevard Police Department in providing vital equipment that will improve the safety and response to public safety needs; and

WHEREAS the Brevard Police Department wishes to submit a grant application to the North Carolina Governor’s Crime Commission for funding to purchase the following equipment:

<u>Description</u>	<u>Qty</u>	<u>Unit Cost</u>	<u>Total</u>
Ballistic Helmets w/ Shields	9	\$ 640.00	\$ 5,760.00
GLOVE Conducted Energy	2	\$ 1,495.00	\$ 2,990.00
Protective Armor Suits	5	\$ 850.00	\$ 4,250.00
Side Handle Batons	5	\$ 133.05	\$ 665.25
Voice Amplifier for Gas Mask	1	\$ 667.00	\$ 667.00
17.3mm Launchers	5	\$ 2,010.00	\$10,050.00

WHEREAS the Brevard Police Department seeks this grant from the North Carolina Governor’s Crime Commission for \$24,382.25; and

WHEREAS it is the desire of the Brevard City Council to accept the grant from the North Carolina Governor’s Crime Commission.

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

Section 1. The City Manager and/or their designee(s) are hereby authorized to officially accept the grant from the North Carolina Governor’s Crime Commission. There are no additional costs to the City of Brevard.

Section 2. The City Manager and/or their designee(s) are hereby authorized to requisition funds to implement this grant if it is so awarded. In accordance with the regulations of the grant program, two signatures shall be required for any requisition.

Section 3. This Resolution shall become effective upon its adoption and approval.

Adopted and approved this 1st day of May 2023.

Maureen Copelof
Mayor

MINUTES

City Council Parks, Trails, & Recreation Committee

Wednesday, January 18, 2023 at 3:30 PM
City Hall Council Chambers

Members Present: Mac Morrow, Chair, Council Member
Aaron Baker, Vice-Chair, Council Member
Nancy DePippo, Citizen Member (via Zoom)
Howie Granat, Citizen Member
Ryan Olson, At-Large Member

Absent: Matt Christian, Citizen Member
Tim Robinson, Citizen Member

Staff Present: Wilson Hooper, City Manager
Aaron Bland, Assistant Planning Director
Katherine Buzby, Planner
Wesley Shook, Acting Public Works Director
Denise Hodsdon, City Clerk

Media: Jon Rich, Transylvania Times

Guests: Monica Driscoll, Resident

A. Welcome & Call to Order

Committee Chair Mac Morrow welcomed everyone and called the meeting to order at 3:30 pm.

B. Certification of Quorum

Quorum was certified by City Clerk Denise Hodsdon.

C. Approval of Agenda

Motion by Mr. Granat, seconded by Mr. Baker, to approve the agenda as presented. The motion carried unanimously.

D. Approval of Minutes from December 21, 2022 Meeting

Motion by Mr. Granat, seconded by Mr. Baker, to approve the minutes of the December 16, 2022 meeting as presented. The motion carried unanimously.

E. Adopt-a-Green Space Application

Katherine Buzby presented an application for the Adopt-a-Green Space program from the Rotary Club of Brevard requesting to adopt Clemson Plaza and the area at the Depot not maintained by the Garden Club. The Rotary Club would perform tasks including pulling weeds, litter pick up, cleaning and some pressure washing, and spreading mulch (if the City provides) at both locations. Motion by Mr. Olson, seconded by Mr. Granat to approve the application. The motion carried unanimously.

F. Year of the Trail

Mr. Hooper shared information with the committee about the “Year of the Trail” activities in the state of North Carolina. The committee viewed a video describing the initiative and discussed possible ways in which Brevard could participate, such as a Council resolution declaring support for the program and hosting events around the Estatoe Trail. Mr. Hooper suggested that Staff start convening other interested participants and see what they would be willing to do for the effort. The committee will continue discussion on this matter in the weeks and months to come.

G. Set Date for Next Meeting

The next regular meeting of the Parks, Trails & Recreation Committee was scheduled for Wednesday, February 15, 2023 at 3:30 PM.

Additional Comments:

Mr. Granat and Mr. Olson shared an update on fundraising for the Bracken Preserve extension. The funding gap is now approximately \$23,000, and they asked if the City would be willing to increase its contribution in order to close the gap. Mr. Hooper suggested taking this out of the committee forum and that he work with Mr. Granat and Mr. Olson on the particulars of this request before taking it back to Council. Mr. Granat added that now that Conserving Carolina owns the property, he is working with them on the next phase of the project. They are utilizing the donated services of trail builder Todd Branham and will start building out plans and maps to use for grant proposals and fundraising efforts for building the trails.

Mr. Hooper informed the committee that staff has assessed the double bollards on the new section of the Estatoe Trail and has settled on keeping them there for now for a couple of reasons: 1) there is vehicular traffic in that area that might mistake the trail for a driveway and they serve as a visual and physical deterrent; and 2) because they are in the ground and they are substantial, it would take quite an effort to remove them. We are going to put reflective tape on them and will reassess after we have had a period to see how they fit in with the trail environment. He noted that this is still an open project and we are working on a number of punch list items.

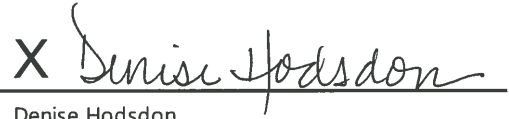
H. Adjourn

There being no further business, the meeting was adjourned at 4:21 pm.

X 

Mac Morrow,
Chair, Council Member

Minutes Approved: April 19, 2023

X 

Denise Hodsdon
City Clerk

MINUTES
City Council Public Safety Committee

Monday, February 27, 2023 – 3:30 PM
City Hall Council Chambers

Members Present: Mac Morrow, Chair, Council Member
Maurice Jones, Vice-Chair, Council Member
Mayor Maureen Copelof, Ex-Officio Member

Staff Present Wilson Hooper, City Manager
Tom Jordan, Police Chief
Bobby Cooper, Fire Chief
Denise Hodsdon, City Clerk
Becky McCann, Communications Coordinator
Captain Danny Godman, Police Dept.
Sergeant Aaron Thompson, Police Dept.

Guests: Emily Lowery, Executive Director of The Haven
Kevin and Linda Gallo, Morris Jenkins, Terina Plyler, Philip Baker,
Doug Denton, and Nora Jane Montgomery, Residents

Media: Jon Rich, Transylvania Times

A. Welcome & Call to Order

Committee Chair Mac Morrow welcomed everyone and called the meeting to order at 3:30 PM.

B. Certification of Quorum

City Clerk Denise Hodsdon certified that a quorum was present.

C. Approval of Agenda

Motion by Mr. Jones, seconded by Mr. Morrow to approve the agenda as presented. The motion passed unanimously.

D. Minutes from January 23, 2023 Meeting

Motion by Mr. Jones, seconded by Mr. Morrow to approve the minutes of the January 23, 2023 meeting as presented. The motion carried unanimously.

E. Traffic Calming Request – Probart Street

Mr. Hooper noted that this traffic calming request for Probart Street is coming per the first step of our process which gives folks the opportunity to present their request to the committee. Mr. Hooper reiterated that he does intend to tweak the Traffic Calming Policy, but the first steps will remain the same. He added that we also have an outstanding request to review Mills Avenue, but that is on hold for two reasons: 1) we are waiting until the realignment is completed before we study the traffic on that street so we know what the traffic behavior is like once that is in place; and 2) staff is in consultation with a number of outside firms to get an idea of how much it would cost the city to have a traffic engineer on retainer. We would like to have an expert consult with us when we do traffic-related things. Once we choose someone and the road is realigned, we will start doing traffic assessment on Mills Avenue and perhaps on Probart Street.

Kevin Gallo spoke on behalf of the residents of Probart Street to request additional traffic calming measures. A copy of his presentation is attached. He emphasized the increased heavy vehicle and bicycle traffic on Probart as well as the pedestrian flow to and from Mountain Sun Community School and the Brevard Music Center. While Mr. Gallo appreciated recent traffic calming/safety measures, including the speed monitoring device at the intersection of Probart and Galloway, he noted that the device signals the speed of the vehicle to the driver and they start to slow down, and vehicles already reduce speed at the curve on Probart to turn on to Galloway. He proposed additional solutions such as a reduction of the posted speed limit of 25 mph (which he said is rarely observed), raised crosswalks, speed tables, or similar traffic calming measures.

Mr. Hooper acknowledged that the speed monitoring device as is posted doesn't give a totally accurate picture of vehicle speeds because they see it and slow down. However the information we have pulled from the sign indicates that 89% of vehicles were at or below the posted speed limit when within range of the device. He asked the committee to avail itself of the option in the policy to instruct staff to go back and gather more information. He said we will move the speed monitoring sign to a more representative stretch of the road and we will turn the display off so it just captures the speed but does not show it. We will bring that information back to the committee at a later date for a more substantive discussion.

F. Camping Ordinance

Mr. Hooper reviewed the updated draft encampment policy, both the portion that will be codified in the Code and the corresponding administrative policy (copy attached). This was drafted incorporating feedback from the November Council meeting and the January meeting with members of the continuing care community, and is modeled after Hendersonville's policy, which is working well there. Highlights of the draft code amendment are as follows:

- Post hours of operation on all city-owned property
- City Manager will appoint city employees who may enact the policy
- Codifies within the Code that campers on city properties must be connected with service providers before the Code can be enforced upon them. That includes a 2-week notification period, during which there must be an attempt to connect them with services
- Only after those service connections are made and the notification period has expired, would City Staff be able to remove campers from the property

Mr. Hooper noted that the corresponding administrative policy will not be codified except by reference because we want to be able to update this policy quickly if there are changes in continuum of care providers or another compelling reason why we should follow a slightly different procedure. Highlights of the draft policy are as follows:

- When an encampment is discovered, a city employee who has undergone appropriate training will make first contact with the campers and provide them notice that they are trespassing on City property and that they will be referred to services, but they have two weeks to vacate the property from that date. The clock starts when the city employee makes that first contact.
- Within one business day that city employee will collect information on the encampment and make contact with The Haven and Blue Ridge Health.
- They in turn, within one business day, will send a field representative out to make contact with the campers and try to connect them with the appropriate services. Additionally, they will introduce the campers into the statewide Homeless Management Information System. They will also reiterate to the campers that they have two weeks from the initial notice to vacate the site.
- Once the two weeks expires, the Police Chief in collaboration with the Public Works Director, will establish a time to perform the removal. This includes both the individuals and their personal property. If bio-hazard materials are present, Public Works may engage a specialized waste removal firm.

Mr. Hooper noted some necessary additional steps before we can implement this policy and procedure, including making and posting “hours of operation” signs on all City-owned property and providing employees with necessary specialized training. Mr. Morrow asked that some information about the additional training be added to the policy draft before sending it to full Council.

G. Cadet Proposal

Chief Jordan presented a new police cadet program that seeks to recruit top candidates for open positions in the Brevard Police Department (BPD). Chief Jordan clarified that this program does not create new positions as trainees, referred to as “cadets,” will be assigned to existing open positions. (There are currently four open positions.) The program vets and sponsors promising candidates before they go

through Basic Law Enforcement Training (BLET). In return for a two-year commitment, cadets in BLET will receive wages and benefits while they complete their training, BPD would pay tuition and fees associated with the BLET Program, and supply uniforms and gear to cadets. Applications will open in March for the BLET class at Blue Ridge Community College from July to December, 2023.

H. Set Date for Next Meeting – Monday, March 27, 2023

The next meeting of the Public Safety Committee will be on March 27, 2023 at 3:30 pm at City Hall.

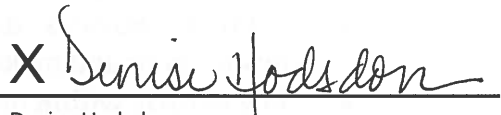
I. Adjourn

There being no further business, the meeting was adjourned at 4:34 PM.

Minutes Approved: April 24, 2023

X 

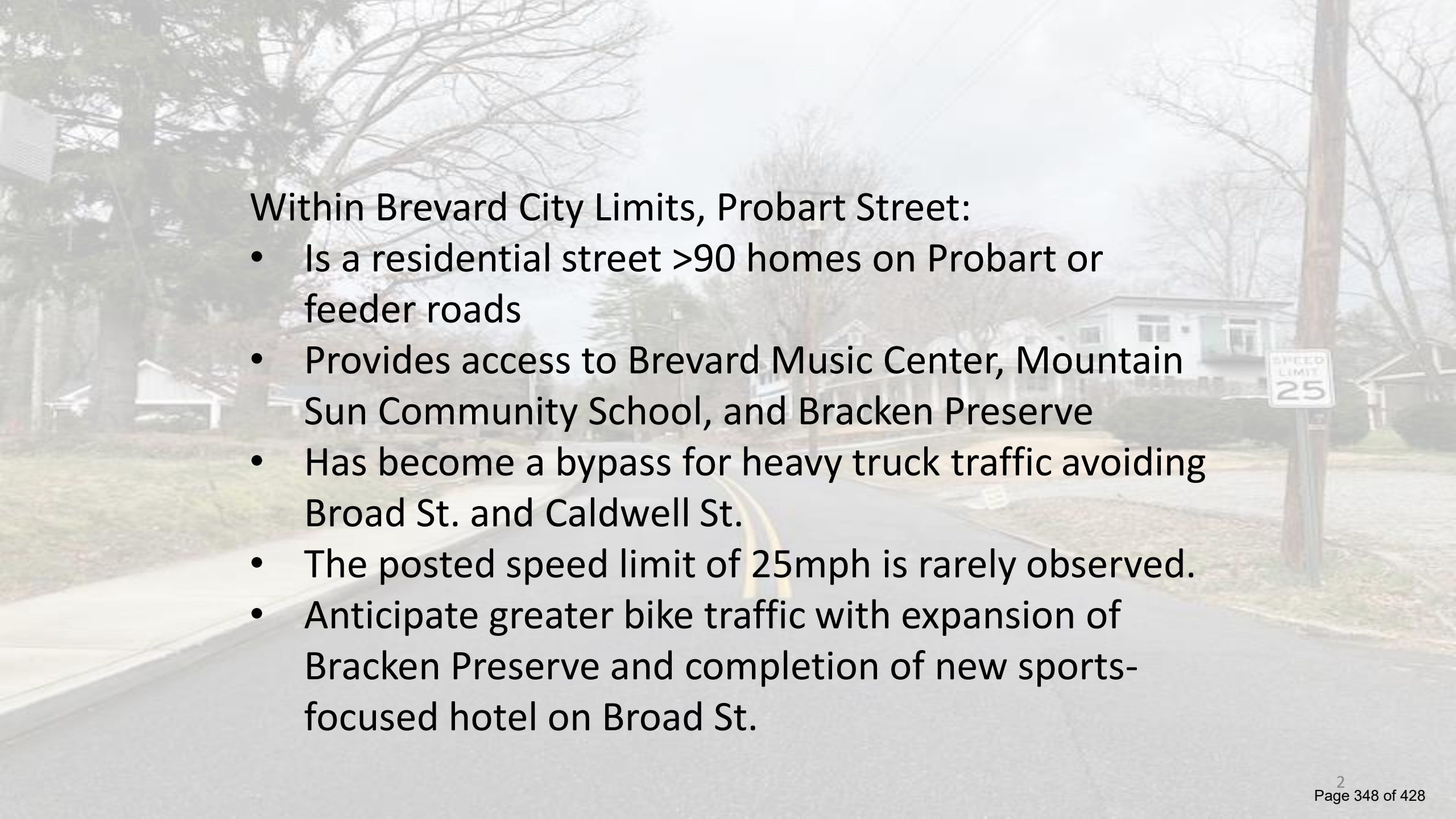
Mac Morrow,
Chair, Council Member

X 

Denise Hodsdon,
City Clerk



Request for Traffic Calming/Safety Measures on Probart St.

A background image of a residential street. On the right side, there is a speed limit sign that reads "SPEED LIMIT 25". The street is lined with trees and houses, and the overall scene is somewhat hazy or overcast.

Within Brevard City Limits, Probart Street:

- Is a residential street >90 homes on Probart or feeder roads
- Provides access to Brevard Music Center, Mountain Sun Community School, and Bracken Preserve
- Has become a bypass for heavy truck traffic avoiding Broad St. and Caldwell St.
- The posted speed limit of 25mph is rarely observed.
- Anticipate greater bike traffic with expansion of Bracken Preserve and completion of new sports-focused hotel on Broad St.

Probart Street Traffic Calming/Safety History

Probart Street Sidewalk Project Underway - Brevard NC

Aug 17, 2016

“The city will move forward with a plan that will reduce Probart Street from two 12-foot lanes to two 10-foot lanes and install a 6-foot wide sidewalk on one side of the street for pedestrian foot traffic.”

“Freeman said making the roads more narrow would also decrease the speed of traffic on Probart Street, which has been a concern in the past.

"It provides traffic calming," Freeman said. "It sends a psychological cue to the driver.”

Josh Freeman, Brevard Community
Development/Special Projects Director



Probart Street and sidewalk are well used, with increased use of sidewalk by bikers. Previous Traffic Calming/Safety measures require another look.



Recent Traffic Calming/Safety measures on Probart St. appreciated as enforcement of speed limit difficult due to narrow road with no shoulder.

However, signs largely ignored.



Speed monitoring device at intersection of Probart and Galloway not representative of speeds on Probart. Vehicles reduce speed for curve on Probart or to turn on Galloway.

Alternative Traffic Calming/Safety measures within Brevard



Reduced speed limit and Stop Sign on Mills Ave.



Speed table/hump at entrance to TRH Emergency Unit

Examples of potential Traffic Calming/Safety measures for Probart St.



Raised Crosswalk



Figure 3.14.2. Typical Raised Crosswalk Application

Produces sufficient discomfort to a motorist driving above the raised crosswalk design speed to discourage speeding

Speed Table



Figure 3.12.1. Typical Speed Table Application

Produces sufficient discomfort to a motorist driving above the speed table design speed to discourage speeding

Speed Cushion



Figure 3.11.1. Speed Cushion with Passage that Straddles Centerline

Produces sufficient discomfort to a motorist driving above the speed cushion design speed to discourage speeding

Your consideration of this Traffic Calming and Safety request is appreciated.

Draft Encampment Policy (2/27/2023)

EXISTING LEGAL AUTHORITY – Brevard City Code Sec. 42.5(a), 62.143(7), 77-45 & 46.

NEEDED LEGAL AUTHORITY –

- Add to Chapter 42 – Section 17: “HOURS OF OPERATION: (a) All city-owned property shall be open only from [dawn to dusk? 6 AM to 10 PM?] unless otherwise posted.” Section 18 “ENFORCEMENT AND ADMINISTRATION: (a) The city manager may appoint agents who may enact such administrative rules and procedures, and issues such orders as are necessary to effectuate the purpose of this article and to protect the general health, safety, and welfare of the public. (b) Designated agents and sworn law enforcement may enforce this article. (c) An administrative encampment policy which aims to connect residents of encampments who may be experiencing homelessness with housing and other resources shall govern City interaction with such campers. At the expiration of the notification period as defined in the encampment policy, campers shall be subject to the remaining provisions of this ordinance (d) Failure to vacate the property at the expiration of the notice period defined in subsection (c) may be enforced as a misdemeanor per G.S. 14-4.”

ADMINISTRATIVE “ENCAMPMENT POLICY” ACCOMPANYING NEW CODE LANGUAGE –

- Update trespassing/hours of operation notices shall be posted on all city-owned properties
- City field employees follow camp protocol
 - Initial contact
 - A City employee who has undergone appropriate training provides notice to camper(s). *Two-week clock starts.*
 - City employee collects information on the number of campers and the location, size, and hazards (if any) of the encampment.
 - City employee refers camper to emergency shelter (The Cove, The Haven, etc.)
 - Within one business day, employee shall initiate email with information on the campers/encampment and date notice was provided, copying Chief of Police, Public Works Director and contacts from The Haven* and Blue Ridge Health*. Email shall be sent even if campers voluntarily relocate to emergency shelter.
 - Introduction to continuum of care (CoC)
 - City employee’s email will trigger contact from Blue Ridge Health or The Haven field outreach workers.
 - BRH/The Haven outreach workers shall stop by site within one business day and offer services to campers. This shall include referral/rides to emergency housing, assistance relocating personal property, and as assessment of vulnerabilities and referrals to the appropriate services. If not already registered in HMIS, BRH/The Haven staff will do so. They will clarify with campers that campers have two weeks from the date they received notice from the city employee to vacate the site. After two weeks the site will be cleared, personal items will be discarded, and officers will be permitted to use their police authority to physically remove individuals from the site.

- Process for removal (CoC)
 - At first contact, city staff shall post a sign/notification (laminated card) in Spanish and English that states all items will be removed in two weeks from date of initial city contact. Police Chief and Public Works Director will establish a time to perform the removal. At the expiration of the two weeks and the commencement of the removal, police shall accompany public works for the entirety of the removal process.
 - If bio-hazard material are present, Public Works may engage a specialized waste removal firm. He will provide to the CoC agencies, Police Chief, and City Manager a copy of the invoice for the work

DRAFT

MINUTES

City Council Parks, Trails, & Recreation Committee

Wednesday, March 15, 2023 at 3:30 PM
City Hall Council Chambers

Members Present: Mac Morrow, Chair, Council Member
Aaron Baker, Vice-Chair, Council Member
Nancy DePippo, Citizen Member (via Zoom)
Howie Granat, Citizen Member

Absent: Matt Christian, Citizen Member
Tim Robinson, Citizen Member
Ryan Olson, At-Large Member

Staff Present: Paul Ray, Planning Director
Katherine Buzby, Planner
Wesley Shook, Acting Public Works Director
Becky McCann, Communications Coordinator
Denise Hodsdon, City Clerk

Guests: Nora Jane Montgomery, Resident

A. Welcome & Call to Order

Committee Chair Mac Morrow welcomed everyone and called the meeting to order at 3:30 pm.

B. Certification of Quorum

Quorum was certified by City Clerk Denise Hodsdon.

C. Approval of Agenda

Motion by Mr. Granat, seconded by Mr. Baker, to approve the agenda as presented. The motion carried unanimously.

D. Adopt-a-Green Space Applications

- 1. Wilson Road River Boat Access**
- 2. Hap Simpson Park**

Katherine Buzby presented applications for the Adopt-a-Green Space program from Jack Henderson of MountainTrue – French Broad Paddle Trail for the Pisgah Forest

River Access (Wilson Road) area and for Hap Simpson Park. MountainTrue will perform the following tasks at both locations: picking up litter on a regular basis, cleaning signs, and removing silt from the boat ramps. Ms. Buzby added that MountainTrue has developed a Master Strategic Plan that includes future improvements like replacing the ramps, adding updated signage, etc. Some of their future goals for these parks include installation of floating ADA docks, restroom facilities and large covered pavilions, boat and bike racks, additional picnic tables and trash receptacles, and stabilizing eroding stream banks as needed. They will also help the City when NCDOT relocates the bridge on Wilson Road. These developments will be presented to the committee at a future meeting. Motion by Ms. DePippo, seconded by Mr. Granat to approve the applications. The motion carried unanimously.

E. Pedestrian & Bicycle Plan Implementation Recommendations

Paul Ray noted that the next step in the recently adopted Pedestrian and Bicycle Plan is to identify a Bicycle and Pedestrian Advisory Committee to steer the plan's implementation. It was brought to the Public Works Committee last week and the Committee felt it would be best for the Parks, Trails and Recreation Committee to be the steering committee, with cross-pollination of other committees such as the Public Works Committee when it comes to public infrastructure and the Public Safety Committee. Mr. Morrow added that the action steps include a lot of outreach and building collaboration with other organizations, and members of this committee are actively engaged with these other organizations and we need that to implement the plan. Mr. Ray noted that this committee would be the first stop for any implementation of this plan. Aaron Bland has been designated as the staff lead for implementation of the plan.

Mr. Baker pointed out that a lot of the steps in the plan are not recreation in nature, but are transit infrastructure, and suggested that we may need to form a separate committee or task force. He added that Aaron Bland, as the staff lead, should let us know what kind of structure would be most helpful for him, and if he and staff feel we need a separate committee we can go from there. Following discussion, Mr. Baker moved, seconded by Mr. Granat that the Parks, Trails and Recreation Committee serve as the Bicycle and Pedestrian Advisory Committee temporarily in cross-pollination with other committees, and adjust as staff sees fit. The motion carried unanimously.

F. Committee Member Applications

City Clerk Denise Hodsdon informed the committee that the terms of all citizen members expire in May. Anyone wishing to be reappointed needs to submit an application. The application deadline has been extended until the end of March. Ms. DePippo has already submitted her application and Mr. Granat planned to submit his application later in the day. Committee members were asked to reach out to others who may be interested in serving. Under the new committee appointment process, advisory committees are given the opportunity to review applications and make recommenda-

tion to the Finance, Human Resources and Citizen Appointment Committee, which will then make recommendation to City Council. Mr. Baker moved, seconded by Mr. Morrow to recommend that Nancy DePippo and Howie Granat be reappointed to the Parks, Trails & Recreation Committee. The motion carried unanimously.

G. Set Date for Next Meeting

The next regular meeting of the Parks, Trails & Recreation Committee was scheduled for Wednesday, April 19, 2023 at 3:30 PM.

Additional Comments

Mr. Granat gave an update on the Bracken Preserve extension. Todd Branham is working on mapping out the trail, but the exact boundary of the property needs to be clarified. Mr. Granat plans to meet with Brevard Music Center to ask if they would be willing to shift the easement to add the climbing trail at the beginning. Conserving Carolina is working on trying to get grants for building the trail. Mr. Granat said the question has been raised if it is better to have Conserving Carolina keep the property, build the trails and then convey it to the City, or to convey to the City once it is paid for and then have the City responsible for building the trails. He said that is still an open question, but the initial thought is that Conserving Carolina would have more leverage for fundraising and getting grants to build the trails.

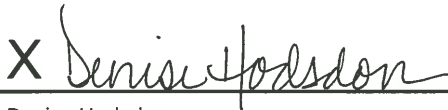
H. Adjourn

There being no further business, the meeting was adjourned at 4:27 pm.

X 

Mac Morrow
Chair, Council Member

Minutes Approved: April 19, 2023

X 

Denise Hodsdon
City Clerk

STAFF REPORT

City Council, Monday, May 1, 2023

Title: Proposed Amendments to City of Brevard Code of Ordinances Chapter 42 (re: Encampments)

Speaker:

Prepared by: Wilson Hooper, City Manager

Approved by: Wilson Hooper, City Manager

BACKGROUND:

At its February 27, 2023 meeting, Council's Public Safety Committee heard an updated version of the proposed "camping ordinance". Their meeting followed a public meeting held earlier in January where representatives from the homeless services community -The Cove, The Haven, Sharing House, Blue Ridge Community Health, THRIVE, and NC Coalition to End Homelessness- offered suggestions on how the City could sensitively yet effectively manage the presence of homeless encampments on publicly-owned property. The January meeting was the result of Council feedback on staff's original proposal in November 2022.

The Committee recommended some enhancements, which have been incorporated here, and directed staff to send the new proposal to the full Council for consideration. The full Council was briefed on the proposal at its March 20, 2023 meeting. A public hearing was held at the April 17, 2023 meeting.

DISCUSSION:

The new proposal includes adding new language to the Code of Ordinances establishing hours of operation for all city properties, with existing trespassing provisions as the enforcement mechanism. However, the proposed code language requires that enforcement be governed by an administrative policy that "connect(s) residents of encampments who may be experiencing homelessness with housing and other resources."

The administrative policy contains the following provisions that protect the rights of persons experiencing homelessness:

- Hours of operation shall be publicly posted on all city-owned properties.
- Campers must be given a two-week notification before enforcement action may be taken.
- City staff who issue notifications must be trained on appropriate ways to interact with persons experiencing homelessness.
- Within one business day of issuing the two-week notification to campers, city staff must notify Continuum of Care (CoC) service providers of the presence of the encampment

- Within one business day, CoC service providers must make contact with residents of encampments to try and connect them with appropriate services.

If approved, the new ordinance will take effect on the effective date of the administrative policy which is anticipated to be July 1, 2023.

ACTION:

Staff requests that Council take one of the following actions:

1. Adopt the ordinance as written;
2. Revise and adopt the ordinance as revised;
3. Reject the ordinance; or
4. Table the ordinance for further public hearings and/or consideration.

Attachments:

1. Ordinance Amending Chapter 42 - Encampment
2. Encampment Policy Attach 2 (Admin Policy)

ORDINANCE NO. 2023-XX

**AN ORDINANCE AMENDING CHAPTER 42
OF THE CITY OF BREVARD CODE OF ORDINANCE**

WHEREAS, the City of Brevard wishes to update its Code of Ordinances to set hours of operating for all city-owned properties to discourage encampments; and

WHEREAS, the updated Code shall require that, prior to any trespassing provisions being enforced on residents of encampments, they be connected with supportive services according to the practices outlined in an Administrative Policy; and

WHEREAS, a public hearing was conducted on April 17, 2023, by Brevard City Council, and after review and consideration of the proposed amendments, it is the desire of the City Council of the City of Brevard that Section 42 – Offenses and Miscellaneous Provisions, of the Brevard City Code of Ordinance be amended as outlined below; and

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

SECTION 01. Chapter 42 of the City of Brevard Code of Ordinance is hereby amended by adding the following Sections:

Section 42-17 – Hours of Operation

(a) All city-owned property shall be open only from 6 AM to 10 PM unless otherwise posted.

Section 42-18 – Enforcement and Administration

(a) The city manager may appoint agents who may enact such administrative rules and procedures, and issue such orders as are necessary to effectuate the purpose of this article and to protect the general health, safety, and welfare of the public.

(b) Designated agents and sworn law enforcement may enforce this article.

(c) An administrative encampment policy which aims to connect residents of encampments who may be experiencing homelessness with housing and other resources shall govern City interaction with such campers. At the expiration of the notification period as defined in the encampment policy, campers shall be subject to the remaining provisions of this ordinance

(d) Failure to vacate city-owned property at the expiration of the notice period defined in subsection (c) may be enforced as a misdemeanor per G.S. 14-4.

SECTION 02. 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 03. This Ordinance shall be in full force and in effect on the effective date of the referenced Administrative Policy.

Adopted and approved on the 1st day of May, 2023.

Maureen Copelof
Mayor

ATTEST:

Denise Hodsdon, CMC
City Clerk

APPROVED AS TO FORM:

Charles W. McKeller, Attorney at Law
City Attorney

ATTACHMENT 2

Proposed Administrative “Encampment Policy” Accompanying Chapter 42 – Offenses and Miscellaneous Provisions Section 17 – Hours of Operation Section 18 – Enforcement and Administration

- Update trespassing/hours of operation notices shall be posted on all city-owned properties
- City field employees follow camp protocol
 - Initial contact
 - A City employee who has undergone appropriate training provides notice to camper(s). *Two-week clock starts.*
 - Brevard Police Department officers with Crisis Intervention Training (CIT) are considered appropriately trained
 - Other front line city employees who have received training such as “Motivational Interviewing” or “Mental Health First Aide” from a professional facilitator are considered appropriately trained.
 - City employee collects information on the number of campers and the location, size, and hazards (if any) of the encampment.
 - City employee refers camper to emergency shelter (The Cove, The Haven, etc.)
 - Within one business day, employee shall initiate email with information on the campers/encampment and date notice was provided, copying Chief of Police, Public Works Director and contacts from The Haven* and Blue Ridge Health*. Email shall be sent even if campers voluntarily relocate to emergency shelter.
 - Introduction to continuum of care (CoC)
 - City employee’s email will trigger contact from Blue Ridge Health or The Haven field outreach workers.
 - BRH/The Haven outreach workers shall stop by site within one business day and offer services to campers. This shall include referral/rides to emergency housing, assistance relocating personal property, and as assessment of vulnerabilities and referrals to the appropriate services. If not already registered in HMIS, BRH/The Haven staff will do so. They will clarify with campers that campers have two weeks from the date they received notice from the city employee to vacate the site. After two weeks the site will be cleared, personal items will be discarded, and officers will be permitted to use their police authority to physically remove individuals from the site.
 - Process for removal (CoC)
 - At first contact, city staff shall post a sign/notification (laminated card) in Spanish and English that states all items will be removed in two weeks from date of initial city contact. Police Chief and Public Works Director will establish a time to perform the removal. At the expiration of the two weeks

and the commencement of the removal, police shall accompany public works for the entirety of the removal process.

- If bio-hazard material are present, Public Works may engage a specialized waste removal firm. He will provide to the CoC agencies, Police Chief, and City Manager a copy of the invoice for the work

STAFF REPORT

City Council, Monday, May 1, 2023

Title: Proposed Text Amendment to the Brevard Unified Development Ordinance, Chapters 2, 3, and 19 - Land Use Matrix Revisions

Speaker: Emily Brewer, AICP, Senior Planner

Prepared by: Emily Brewer, Senior Planner

Approved by: Paul Ray, Planning Director, Wilson Hooper, City Manager

Background

On December 5, 2022, City Council adopted Ordinance 2022-76 amending the land use matrix, standards and definitions. This amendment clarified, consolidated, and added new use definitions and standards in logical groupings to improve the usability and efficiency of the UDO. Since then, Staff has been using the ordinance and found some items that can be refined. City ordinances are not meant to be static, but living documents that change as the City does. These revisions, included in Attachment 1, will continue clarifying the land uses and regulations.

Planning Board considered the text amendment at their March 28, 2023, meeting and unanimously recommended approval. In accordance with North Carolina General Statutes, the Planning Board also submits a statement analyzing the consistency and reasonableness of this proposal with regards to existing policies or plans of the City of Brevard. City Council held a public hearing on this item at their April 17, 2023, meeting.

Discussion

The proposed text amendments along with Staff's reasoning for the changes is as follows:

- Shelters: Despite being considered a residential use in our ordinance, shelters are not permitted in residential districts. However, there are existing shelters that are in residential settings, such as the Haven located in the Residential Mixed-Use (RMX) zoning district, that are compatible with the surrounding areas. This amendment makes shelters allowed with a Special Use Permit in General Residential (GR) and permitted with standards in RMX.
- Live-Work Units and Mixed-Use Residential Unit: The definition of live-work units was refined in last year's text amendment to say: "*a residential building type that consists of both a residential use and a non-residential use...*" Since then, Staff has determined that another land use is required to account for non-residential building types (e.g., mixed-use buildings). Staff has added a definition and standards for "Mixed-Use Residential Unit" that mirrors that of the live-work unit. The permissions for this new household living type aligns with the zoning districts

where “Mixed-Use Buildings” under Section 5.6 of the UDO. Planning Board's recommendation includes the stipulation that the residential unit must be located above the non-residential use. Since then, Staff prepared two new alternatives for City Council's consideration. The options are as follows:

- Option 1 states that the residential unit must be located above the non-residential use.
 - Option 2 states that the ground floor shall be primarily non-residential with residential units encouraged to be above or behind the non-residential use.
 - The new option, Option 3, is a hybrid that addresses some of Council's concerns from the public hearing. It states that the ground floor shall be primarily non-residential with residential units encouraged to be above or behind the non-residential use, except within the Downtown Development Overlay District. In the Downtown Development Overlay District, residential units must be located above the non-residential use. A map of the Downtown Development Overlay District is included as Attachment 2.
-
- ***Mobile Food Vendor Site:*** Mobile food vendors (or food trucks) are currently in our UDO as a temporary use that would only be permitted for 90 days at a time, after which they would be required to vacate and not be established for a period of 45 days. However, the City does not regulate food trucks (they have to secure permits from the Transylvania County Health Department), but it does regulate the food truck *site*. The site has requirements for setbacks and separation distances. The site is permanently established, but according to our use standards the vendor would need to vacate. The solution proposed by Staff is to remove “Mobile Food Vendors” from the temporary uses section and incorporate the standards as a new non-residential accessory use: *Mobile Food Vendor Site*.

Policy Analysis

Effective land use is an essential function of city planning and zoning. The proposed text amendment is consistent with the following elements of *Building Brevard 2030 Comprehensive Land Use Plan*:

Goals

GOAL 1: Expand housing opportunities for all residents while preserving the character of Brevard and its neighborhoods.

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

GOAL 7: Support economic vitality and grow the tax base, cultivate local businesses, and attract sustainable industry.

Recommendations

Land Use & Housing-4: Identify areas across the City that are best positioned to accommodate future growth.

Land Use & Housing-9: Evaluate and amend development ordinances to facilitate infill development on vacant and underdeveloped parcels, as well as revitalization of developed parcels.

Economic Development, Infrastructure & Resilience-3: Encourage building and site upgrades Downtown and in other key commercial areas.

Action

Staff requests that Council take one of the following actions:

1. Adopt the amendments as written;
2. Revise and adopt the amendments as revised;
3. Reject the amendments; or
4. Table the amendments for further public hearings and/or consideration.

Attachments:

1. Proposed Text Amendment
2. Downtown Development Overlay District
3. Consistency Statement
4. Draft Ordinance

2.2. Use categories and tables of permitted uses.

C. *Use matrix.* The following matrix sets forth the manner by which certain uses may be permitted within the various districts set forth above.

1. "P" denotes those uses that are permitted "by right."
2. "—" denotes those uses that are not permitted within the given district.
3. "SUP" denotes those uses that are permitted upon issuance of a special use permit in accordance with the provisions set forth in Chapter 16. Additional standards for certain uses requiring a special use permit are set forth in Chapters 3 and 5 of this ordinance.
4. "PS" denotes those uses that are permitted with additional standards, which are set forth in Chapter 3.
5. "MHD" denotes those uses that are permitted within a Manufactured Housing Overlay District.

CATEGORY	SECTION (a)	USE	ZONING DISTRICTS						
<i>Residential</i>			GR	RMX	NMX	DMX	CMX	IC	GI
Household Living	3.5.1	Dwelling—Single-Family	P	P	—	—	—	P	—
		Dwelling—Duplex	P	P	P	—	—	P	—
		Dwelling—Multifamily 3—4 units/bldg.	P	P	P	P	P	P	—
		Dwelling—Multifamily more than 4 units/bldg.	—	P	P	P	P	P	—
		Dwelling—Townhome	P	P	P	P	P	P	—
		Manufactured Home (single unit)	MHD	MHD	MHD	MHD	MHD	MHD	—
		Manufactured Home Park	MHD	MHD	MHD	MHD	MHD	MHD	—
		Live-Work Units	<u>PS</u>	<u>PS</u>	<u>PS</u>	<u>PS</u>	—	<u>PS</u>	—
		<u>Mixed-Use Residential Unit</u>	<u>=</u>	<u>=</u>	<u>PS</u>	<u>PS</u>	<u>PS</u>	<u>PS</u>	<u>=</u>
Group Living	3.5.2	Family Care Home (Less than 6 residents)	P	P	P	P	P	P	—
		Housing Services for the Elderly	SUP	P	P	P	P	P	—
		Rooming or Boarding House	P	P	P	P	P	P	—
Social Services	3.5.3	Group Care Facility (6 or more residents)	P	P	P	P	P	P	—
		Shelter	<u>—</u> <u>SUP</u>	<u>—</u> <u>P</u>	P	P	P	P	—
<i>Lodging</i>			GR	RMX	NMX	DMX	CMX	IC	GI
Overnight Accommodations	3.6.1	All overnight accommodations, except as listed below	—	—	—	P	P	P	—
		Bed and Breakfast	PS	PS	PS	PS	PS	PS	—
		Short-Term Rental	PS	PS	PS	PS	—	—	—

Camping	3.6.2	Campground/Recreational Vehicle Park	SUP	SUP	SUP	—	—	SUP	—
		Rental Cottage/Cabins	PS	PS	PS	—	—	—	—
		Seasonal Camp	PS	—	—	—	—	PS	—
Commercial			GR	RMX	NMX	DMX	CMX	IC	GI
Eating and Drinking Establishments	3.7.1	All restaurants and other eating and drinking establishments except as listed below	—	—	P	P	P	P	—
		Bar/Night Club	—	—	PS	P	P	—	—
Personal Services	3.7.2	All personal services, except as listed below	—	P	P	P	P	P	—
		Day Care Center	PS	PS	PS	PS	PS	PS	PS
Professional Services	3.7.3	All professional services, except as listed below	SUP	P	P	P	P	P	P
		Adult Establishment	—	—	—	—	—	—	SUP
		Banks, Credit Unions, Financial Services, and ATMs	—	—	P	P	P	P	P
		Funeral Homes and Services	—	—	P	P	P	P	—
		Human Crematories and Crematoriums	—	—	PS	PS	PS	PS	PS
		Indoor Animal Services	—	—	P	P	P	P	P
		Kennels and Outdoor Animal Services	—	—	SUP	—	PS	—	PS
		Landscaping and Contractor Services	SUP	SUP	SUP	—	—	—	P
		Vehicle Services—Major Repair/Body Work	—	—	—	—	PS	—	PS
		Vehicle Services—Minor Maintenance/Repair	—	—	SUP	SUP	PS	PS	PS
Retail	3.7.4	All retail and sales establishments except as listed below	—	—	P	P	P	P	—
		Alcoholic Beverage Sales Store	—	—	SUP	P	P	—	—
		Auto/Mechanical Parts Sales	—	—	—	P	P	—	P
		Gas Station	—	—	SUP	SUP	PS	—	PS
		Gunsmiths and Weapon Sales	—	—	SUP	PS	PS	—	PS
Shopping Centers	3.7.5	All shopping centers	—	—	PS	PS	PS	—	—
Civic/Institutional			GR	RMX	NMX	DMX	CMX	IC	GI

Educational	3.8.1	All educational uses except as listed below	SUP	P	P	P	P	P	—
		Colleges/Universities	—	—	SUP	P	P	P	—
		Schools—Vocational/Technical	—	SUP	P	P	P	P	P
Government	3.8.2	All government uses, except as listed below	—	P	P	P	P	P	P
		Correctional Facilities	—	—	SUP	SUP	P	P	P
		Public Safety Station	SUP	SUP	P	P	P	P	P
Medical	3.8.3	All medical offices and facilities except as listed below	—	P	P	P	P	P	—
		Hospital	—	—	—	—	P	P	—
Places of Worship	3.8.4	All religious institutions or places of worship	SUP	P	P	P	P	P	—
		Cemeteries	PS	PS	PS	PS	PS	PS	—
Entertainment/Recreation			GR	RMX	NMX	DMX	CMX	IC	GI
Indoor Recreation	3.9.1	All indoor recreation facilities, except as listed below	SUP	P	P	P	P	P	P
		Cultural or Community Facility	SUP	P	P	P	P	P	—
		Indoor Amusements	—	—	SUP	P	P	SUP	P
		Indoor Firing Range	—	—	—	—	SUP	SUP	SUP
		Live Performance Theater	—	SUP	SUP	P	P	P	—
		Movie Theater	—	—	—	P	P	—	—
		Special Event Venue	SUP	SUP	PS	PS	PS	PS	—
		Studios, Galleries and Workshops - High Impact	—		SUP	SUP	P	P	P
		Studios, Galleries and Workshops - Low Impact	—	P	P	P	P	P	—
Outdoor Recreation	3.9.2	All outdoor recreation facilities, except as listed below	SUP	P	P	P	P	P	P
		Non-Residential Swimming Pool or Pond	—	SUP	SUP	PS	PS	PS	—
		Outdoor Amusements	—	—	SUP	SUP	P	—	P
		Outdoor Firing Range	—	—	—	—	—	—	SUP
		Parks, Open Space, and Greenways	P	P	P	P	P	P	P
Agriculture			GR	RMX	NMX	DMX	CMX	IC	GI
Agriculture	3.10.1	All agricultural uses	PS	—	—	—	PS	PS	PS
Manufacturing/Wholesale/Storage			GR	RMX	NMX	DMX	CMX	IC	GI

Light Industrial and Manufacturing	3.11.1	All light industrial and manufacturing activities, except as listed below	—	—	—	—	SUP	—	P
		Brewery, Distillery, Winery, Cidery - High Impact	—	—	—	—	P	—	P
		Brewery, Distillery, Winery, Cidery - Low Impact	—	—	SUP	PS	PS	—	PS
		Laboratory	—	—	—	—	P	P	P
		Laundry, Dry Cleaning Plant	—	—	—	—	SUP	P	P
		Manufacturing Research and Development	—	—	—	—	P	P	P
		Media Production	—	—	P	P	P	P	P
Heavy Manufacturing	3.11.2	All heavy manufacturing activities, except as listed below	—	—	—	—	—	—	SUP
		Metal Products Fabrication, Machine or Welding Shop	—	—	SUP	SUP	P	—	P
Storage and Disposal	3.11.3	All storage and disposal uses, except as listed below	—	—	—	—	SUP	—	P
		Chemical Storage Facility	—	—	—	—	—	—	P
		Solid Waste Storage or Disposal Facilities	—	—	—	—	—	—	PS
		Junkyard / Salvage Yard	—	—	—	—	—	—	SUP
Wholesaling and Distribution	3.11.4	All wholesaling and distribution activities, except as listed below	—	—	—	—	P	—	P
		Equipment Rental	—	—	—	—	P	—	P
		Indoor Vehicle/Heavy Equipment Sales	—	—	PS	PS	PS	—	PS
		Outdoor Vehicle/Heavy Equipment Sales	—	—	—	—	PS	—	PS
Infrastructure			GR	RMX	NMX	DMX	CMX	IC	GI
Utilities	3.12.1	Utilities—Class 1	P	P	P	P	P	P	P
		Utilities—Class 2	P	P	P	P	P	P	P
		Utilities—Class 3	—	—	—	—	—	—	P
Telecommunications	3.12.2	All wireless telecommunication facilities, except as listed below	PS	PS	PS	PS	PS	PS	PS
		Wireless Telecommunication Facility—Tower	—	—	—	—	SUP	—	PS
Transportation	3.12.3	Parking Lot	PS	PS	PS	PS	PS	PS	PS
		Passenger Vehicle Terminals	—	—	P	P	P	—	P
Accessory			GR	RMX	NMX	DMX	CMX	IC	GI

Residential Accessory	3.13.1	All residential accessory uses, except as listed below	PS	PS	PS	PS	PS	PS	PS
		Day Care Home	PS	PS	PS	PS	PS	PS	—
		Dwelling—Accessory Unit (ADU)	PS	PS	PS	PS	PS	PS	—
		Home Occupation	PS	PS	P	P	P	P	—
		Keeping Bees	PS	PS	PS	PS	PS	PS	PS
		Keeping Domestic Fowl (Chickens)	PS	PS	PS	PS	PS	PS	PS
		Swimming Pool or Pond	PS	PS	PS	PS	PS	PS	—
Non-Residential Accessory	3.13.2	All non-residential accessory uses, except as listed below	—	PS	PS	PS	PS	PS	PS
		Accessory Retail	—	—	PS	PS	PS	PS	PS
		Drive-Thrus	—	—	SUP	—	PS	—	—
		Mobile Food Vendor Site	=	SUP	PS	PS	PS	PS	PS
		Recycling - Small Collection	—	—	—	—	SUP	SUP	P
		Rooftop Amenity Space	—	—	SUP	PS	PS	PS	PS
		Taproom / Tasting Room	—	—	SUP	P	P	—	P
Temporary			GR	RMX	NMX	DMX	CMX	IC	GI
Events and Structures	3.14.1	All temporary events and structures, except as listed below	PS	PS	PS	PS	PS	PS	PS
		Carnivals or Circus	—	—	—	—	PS	PS	PS
		Farmers Market	—	—	PS	PS	PS	PS	—
Vendors	3.14.2	All temporary vendors, except as listed below	—	—	PS	PS	PS	—	—
		Mobile Food Vendors	—	—	PS	PS	PS	PS	PS
		Vending Pushcarts	—	—	—	PS	—	—	—

^(a) This column refers to the section of this ordinance that contains the use definition and additional standards.

3.5 Residential Uses

1. Household Living Use Category

A. Household Living

1. Definition: Residential occupancy of a dwelling unit by a household. Household living includes the following uses:

- i. Dwelling – Single-family;
- ii. Dwelling – Duplex;
- iii. Dwelling – Multifamily 3-4 units/building;

- iv. Dwelling – Multifamily more than 4 units/building;
- v. Dwelling – Townhome;
- vi. Manufactured Home (single unit);
- vii. Manufactured Home Park; and
- viii. Live-Work Units

~~2. —Additional Standards:~~

- ~~i. —Within NMX, DMX, and CMX districts, residential uses are permitted only on the second or higher floor of any structure where the ground floor is used for non-residential purposes; or as part of a group development, or conditional district, in which event they shall not be subject to the foregoing limitation.~~

B. *Dwelling—Single-family*

1. Definition: A free-standing building designed for and/or occupied by one household. These residences may be individually owned as residences or owned by rental or management companies. Single-family dwellings are typically site-built structures that comply with the North Carolina Residential Building Code, current edition, but also include factory-built, modular home units.

C. *Dwelling—Duplex:*

1. Definition: A building containing two residential dwelling units that is typically divided horizontally, each unit having a separate entrance from the outside or through a common vestibule.

D. *Dwelling—Multi-family (three or four units/building)*

1. Also known as a Triplex or Quadraplex
2. Definition: A building containing three or four residential dwelling units. Each unit has a separate entrance from the outside or through a common vestibule. Multi-family dwellings may include triplexes or fourplexes (buildings under one ownership with three or four dwelling units in the same structure),

E. *Dwelling—Multi-family (more than four units/building):*

1. Definition: A building containing more than four residential dwelling units. Each unit has a separate entrance from the outside or through a common vestibule. These structures may include apartments (five or more units under one ownership in a single building)

F. *Dwelling – Townhome*

1. Definition: A building that contains three or more separate dwellings divided vertically and connected by shared walls. Each unit has a separate entrance to a front and/or rear yard. This definition includes subdivisions where townhomes are located on zero-lot line properties where common walls are situated on one or more lot lines.

G. *Manufactured home*

1. Definition: A dwelling unit fabricated in an off-site manufacturing facility for installation or assembly on the building site which also meets the following requirements:
 - i. It is at least eight feet in width and 32 feet in length;
 - ii. It is placed upon a permanent foundation which meets the installation and foundation requirements adopted by the N.C. Commissioner of Insurance;
 - iii. It is not constructed or equipped with a permanent hitch or other device allowing it to be moved other than for the purpose of moving to a permanent site; and

iv. It does not have any wheels or axles permanently attached to its body or frame.

2. Additional Standards:

i. This definition does not include recreational vehicles.

ii. Manufactured homes are permitted with standards in the Manufactured Home Overlay District.

iii. Dwelling units built to, or utilizing any of, the following as primary construction standards are NOT considered manufactured homes suitable for use as permanent dwelling units: National Electrical Code Article 551; National Fire Protection Association No. 1192; and American National Standards Institute No. 119.5.

H. *Manufactured home park:*

1. Definition: The location of two or more manufactured homes or manufactured home spaces on a single parcel of land, or a grouping of two or more manufactured homes on at least two contiguous parcels when such parcels are under common ownership and/or management as a park for the rental of manufactured homes or manufactured home spaces.

2. Additional Standards:

i. Manufactured home parks are permitted with standards in the Manufactured Home Overlay District.

ii. Preexisting manufactured home parks.

1. Any manufactured home park, as defined by this chapter, existing on the effective date of this chapter or any subsequent amendment thereto may continue to operate without being subject to the requirements of this chapter except where explicitly set forth below.

2. Expansions to a pre-existing manufactured home park shall occur in a manner that fully conforms to the requirements of this ordinance. Expansions shall not occur in districts within which manufactured home parks are not permitted.

iii. A manufactured home park space shall be considered preexisting if, on the effective date of this chapter, the space:

1. Is defined on the ground by the presence of all of the following:

a. A water supply system service connection;

b. A connection to a septic system or sanitary sewer; and

c. Electric service equipment.

2. Or, contains an occupied manufactured home connected to each of the preceding utilities.

iv. Permitting.

1. Each application for a manufactured home park shall be accompanied by development plans as required by Chapter 17, including contoured site plans (five-foot intervals) using true elevations. Development plans shall show the circulation pattern, manufactured home spaces, permanent structures and other site design requirements. Development plans shall also show that all improvements would meet the following standards.

2. Prior to the placement, replacement, modification, or setup of a manufactured home within any manufactured home park or on an individual lot of record within the regulatory jurisdiction of the City of Brevard, the manufactured home or agent thereof shall procure a land development permit from the City of Brevard and a manufactured home setup permit from the Transylvania County Building Inspections Department.

v. Dimensional specifications.

1. *Lot standards:*

Minimum Development Size	3 acres
Maximum Development Size	40 acres
Maximum Development Density	6 units/acre
Lot Width at Right-of-Way	50 ft.
Minimum Lot Depth	150 ft.

2. *Principal structure standards:*

Development setback on all boundaries	50 ft.
Unit setback from internal street centerline	25 ft.
Distance between homes-short side to short side	20 ft.
Distance between homes-long side to short side	20 ft.
Distance between homes-long side to long side	30 ft.
Setback from public right-of-way	50 ft.
Maximum Height	35 ft.

vi. General requirements (new and pre-existing).

1. All manufactured home park roads, spaces, and the manufactured homes therein shall fully comply with the road naming and property addressing ordinances of the City of Brevard or Transylvania County, as applicable.
2. The owner and/or operator of a manufactured home or manufactured home park shall not sell manufactured homes on or within a manufactured home park unless the manufactured home unit for sale is placed individually and separately upon an existing manufactured home space where all design standards and utilities have been completed as specified by this ordinance. This does not prohibit the manufactured home park owner and/or operator from owning or operating a retail sales business on adjoining property if such use is permitted within the underlying district.
3. All manufactured homes placed upon an individual lot of record or within a manufactured home park shall be built according to Housing and Urban Development standards, and shall bear a label or seal indicating compliance with this requirement. Any manufactured home unit that does not bear a label or seal of compliance of a recognized testing laboratory, such as Underwriters Laboratories or similar testing service, shall be subject to inspection by the building inspector.
4. Recreational vehicles (RV), park model RV's, and other structures that are not constructed to the United States Department of Housing and Urban Development Standards or to North Carolina Building Code shall not be permitted with any manufactured home park, nor shall such structures become occupied within any other property within the

- 147 jurisdiction of the City of Brevard, except as otherwise provided for in
148 this ordinance.
- 149 5. At least ten percent of the total area of any manufactured home park
150 containing 35 or more spaces and situated one-quarter of a mile or
151 more from a public recreational facility shall be set aside for
152 recreational purposes, except that open space as required in Chapters 6
153 and 7 of this ordinance may be applied to no more than 75 percent of
154 such recreation space.
- 155 vii. Manufactured home park streets.
- 156 1. Convenient access to each manufactured home space shall be provided
157 by streets or drives that are properly graded, drained, and paved with a
158 durable dustless surface, for automobile circulation.
- 159 2. Manufactured home parks containing ten or more units shall be
160 serviced by a central drive that is constructed in accordance with the
161 requirements for a new neighborhood street as set forth in Chapter 13.
162 Streets entering branching from the central drive shall also be built
163 according to neighborhood street dimensions. However, a sidewalk and
164 curb/gutter shall not be required.
- 165 3. Any tract of land to be developed as a manufactured home park must
166 either have frontage on a public (state or city-maintained) road or have
167 a private right-of-way corridor to the property. The minimum required
168 length of the public road frontage or width of the private right-of-way
169 corridor (at its narrowest point) shall be 50 feet.
- 170 4. Off-site access shall have a minimum 20-foot cleared, unobstructed
171 corridor, with a vertical clearance of at least 14 feet to allow passage of
172 emergency vehicles.
- 173 5. The grade of any road, existing or proposed, within an off-site private
174 right-of-way corridor used to access a manufactured home park shall
175 not exceed 15 percent.
- 176 6. Publicly dedicated rights of way shall not be required, and maintenance
177 of such streets shall be provided for by the owner and/or operator of
178 the manufactured home park.
- 179 7. Culs-de-sac shall not exceed 250 feet in length and shall be provided
180 with a turnaround of at least 60 feet in diameter. Streets or drives
181 within the manufactured home park shall intersect as nearly as
182 possible at right angles, and no street shall intersect at less than 60
183 degrees. Where a street intersects a public street or road, the design
184 standards of the North Carolina Department of Transportation shall
185 apply.
- 186 8. Proposed streets shall be named, and addresses for manufactured
187 home spaces along such streets assigned, by the Transylvania County
188 Property Addressing Coordinator in accordance with the provisions set
189 forth in the City of Brevard Property Addressing Ordinance or the
190 Transylvania County Property Addressing Ordinance, as applicable.
- 191 9. A minimum of two automobile parking spaces (paved with a durable,
192 dustless surface) shall be provided adjacent to each manufactured
193 home space, but shall not be located within any public right-of-way or
194 within any street in the park.

- 195 10. All spaces within a manufactured home park shall be serially numbered
196 for mailing address purposes. These numbers shall be displayed on
197 each manufactured home space.
- 198 viii. Manufactured home space.
- 199 1. Each manufactured home space shall be clearly defined by means of
200 concrete or iron pipe markers placed at all corners.
- 201 2. Each manufactured home space shall be located on ground not
202 susceptible to flooding and graded so as to prevent any water from
203 ponding or accumulating on the premises.
- 204 3. The manufactured home space shall be provided with anchors and tie-
205 downs such as cast-in-place concrete "dead men" eyelets embedded in
206 concrete foundations or runways, screen augers, arrowhead anchors,
207 or other devices securing the stability of the manufactured home. Each
208 manufactured home unit shall comply with the above standards or
209 similar standards whichever are higher. Each manufactured home
210 owner shall be responsible for securing his individual manufactured
211 home to anchors provided by the manufactured home park operator.
- 212 ix. Utility requirements.
- 213 1. An accessible, adequate, and potable supply of water shall be provided
214 in each manufactured home park. All manufactured home parks within
215 300 feet of city water or sewer shall connect thereto. When a municipal
216 or public water supply is not available, a community water supply shall
217 be developed, and its supply used exclusively in accordance with the
218 standards of the Sanitary Engineering Division of the North Carolina
219 Division of Health Services and the Transylvania County Health
220 Department. Evidence of the issuance of necessary county or state
221 permits shall be a condition of approval of any ~~special-use~~
222 ~~permit~~ permit for a manufactured home park.
- 223 2. Adequate and safe sewage disposal facilities shall be provided in all
224 manufactured home parks. Where a public sewage collection system is
225 available, connection shall be made thereto, and the system and sewage
226 treatment plants complying with the requirements of the North
227 Carolina Department of Environmental Quality shall be provided. Plans
228 for sewage collection systems and treatment facilities shall be
229 submitted to the North Carolina Department of Environmental Quality.
230 Individual septic tank systems can be considered, if soil, topography,
231 and groundwater conditions are favorable. If septic tanks are used, they
232 will be subject to approval by the Transylvania County Health
233 Department.
- 234 3. All utilities within the proposed manufactured home park shall be
235 located underground.
- 236 4. Failure to maintain an operational sewage disposal system shall
237 constitute grounds for the revocation of a category III land
238 development permit and the application of all applicable penalties as
239 set forth in this ordinance.
- 240 x. Solid waste.
- 241 1. The storage, collection, and disposal of solid waste in the manufactured
242 home park shall be so conducted as to create no health hazards, rodent
243 harborage, insect breeding areas, accident or fire hazards or pollution.

- 244 2. All solid waste containing garbage shall be stored in standard fly-tight,
245 watertight, rodent-proof containers, with a capacity of not more than
246 32 gallons, which shall be located not more than 150 feet from any
247 manufactured home space. Containers shall be provided in sufficient
248 number and capacity to properly store all solid waste containing
249 garbage. The manufactured home park owner and/or operator shall be
250 responsible for the proper storage, collection, and disposal of solid
251 waste as specified by the Transylvania County Health Department.
- 252 3. Containers shall be installed in the ground or provided with stands.
253 Such container stands shall be so designed as to prevent containers
254 from being tipped, to minimize spillage and container deterioration,
255 and to facilitate cleaning around them.
- 256 4. All solid waste garbage shall be collected at least once weekly. Where
257 suitable collection service is not available from municipal or private
258 agencies, the manufactured home park owner and/or operator shall
259 dispose of the solid waste by collecting and transporting it in
260 conformance with requirements and guidelines set forth by the North
261 Carolina State Board of Health and the Transylvania County Health
262 Department.
- 263 xi. Grounds, buildings, and structures.
- 264 1. Grounds, buildings, and structures shall be maintained free of insect
265 and rodent harborage and infestation. Extermination and control
266 methods shall conform to the requirements of the County Health
267 Department and/or North Carolina Department of Agriculture.
- 268 2. Parks shall be maintained free of accumulation of garbage, litter, or
269 other debris which may provide rodent harborage or breeding places
270 for flies, mosquitoes, and other pests, or which may pose other health
271 or sanitation hazards, or which may contribute to an otherwise
272 unsightly or unpleasant environment.
- 273 3. Storage areas shall be so maintained as to prevent rodent harborage
274 and shall not pose a safety hazard to manufactured home park
275 residents or guests. Lumber, pipe, and other building material shall be
276 stored at least one foot above ground.
- 277 4. All manufactured homes shall be properly skirted with non-opaque
278 wood, aluminum, vinyl, or other appropriate material. Plastic, plywood,
279 particle board, carpet, or other atypical skirting material shall not be
280 used.
- 281 5. Where the potential for insect and rodent infestation exists, all exterior
282 openings in or beneath any structure shall be screened with wire mesh
283 or other suitable materials.
- 284 6. Landscaping and vegetation in and around the manufactured home
285 park shall at all times be maintained, and landscaping provisions of the
286 park plan shall at all times be adhered to. The growth of bushes, weeds,
287 and grass shall be controlled so as to prevent the harborage of ticks,
288 chiggers, and other noxious insects. Parks shall be so maintained as to
289 prevent the growth of ragweed, poison ivy, poison oak, poison sumac,
290 and other noxious weeds considered detrimental to health. Open
291 spaces and recreation areas shall be maintained free of heavy
292 undergrowth of any description.

- 293 7. No inoperable vehicle shall remain in a manufactured home park for a
294 period longer than 60 days unless the vehicle is stored under a carport
295 or within a garage.
- 296 8. Manufactured and mobile homes shall not be abandoned or stored
297 within the regulatory jurisdiction of the City of Brevard. Manufactured
298 homes that have been disconnected from active electricity, water, and
299 sewage for a period exceeding 90 days shall be removed and properly
300 disposed of. Manufactured homes located outside of a manufactured
301 home space for a period to exceed 45 days shall be removed and
302 properly disposed of.
- 303 9. Manufactured homes shall not be utilized for storage or other non-
304 residential uses of any type.
- 305 xii. Registration of occupant.
- 306 1. Every manufactured home park owner or operator shall maintain an
307 accurate register. The register shall be available for inspection at all
308 times by authorized city representatives. The register shall contain the
309 following information on forms provided by the planning department:
310 (1) Name of owner and/or occupant; (2) manufactured home space
311 number; (3) make, model, registration number of manufactured home;
312 and (4) date of arrival and departure of the occupants. Records shall be
313 maintained for a period of three years.
- 314 xiii. Inspection and enforcement.
- 315 1. The park owner and/or operator shall notify park occupants of all
316 applicable provisions of the ordinance and inform them of their duties
317 and responsibilities under this ordinance.
- 318 2. The owner and/or operator shall operate the park in compliance with
319 this ordinance, Brevard City Code, Transylvania County Code (as
320 applicable), and state and federal law, and shall provide adequate
321 supervision to maintain the park, its facilities and equipment in good
322 repair and in a clean and sanitary condition.
- 323 3. The City of Brevard Planning Department, the Transylvania County
324 Health Department and the Transylvania County Building and
325 Inspections Department are hereby authorized and directed to make
326 such inspections as are necessary to determine satisfactory compliance
327 with this ordinance. It shall be the duty of the owners and/or operators
328 or occupants of manufactured home parks to give these agencies free
329 access to such premises at reasonable times for the purpose of
330 inspection.
- 331 4. So long as a violation exists the administrator shall not issue permits
332 that would authorize the placement, replacement, setup, or
333 modification of a new or existing manufactured home within the
334 subject park.
- 335 I. *Live-work unit:*
- 336 1. Definition: A residential building type that consists of both a residential use and a non-
337 residential use that is allowed in the applicable zoning district. ~~Typically, the enterprise~~
338 ~~or non-residential use is located on the ground floor and the residential unit is above or~~
339 ~~behind.~~
- 340 2. Additional Standards:

i. Typically, the enterprise or non-residential use is located on the ground floor and the residential unit is above or behind.

ii. Non-residential uses within a live-work unit must be listed within Section 2.2.C as a permissible use within the district in which the live-work unit is proposed and such non-residential use must be approved by means of the appropriate permitting process.

iii. In districts where residential building types are not permitted live-work units may be permitted within pre-existing non-conforming residential structures.

J. Mixed-use residential unit:

1. Definition: A non-residential building type that consists of both a residential use and a non-residential use that is allowed in the applicable zoning district.

2. Additional Standards:

i. OPTION 1: The enterprise or non-residential use shall be located on the ground floor and the residential unit is above.

ii. OPTION 2: The ground floor shall be primarily non-residential. The residential unit or units are encouraged to be above or behind the non-residential use.

iii. OPTION 3: Location of residential unit:

a. In the Downtown Development Overlay District, the non-residential use shall be located on the ground floor with the residential unit or units above.

b. In all other districts, the ground floor shall be primarily non-residential with the residential unit or units encouraged to be above or behind the non-residential space.

iv. Non-residential uses within a mixed-use residential unit must be listed within Section 2.2.C as a permissible use within the district in which the mixed-use residential unit is proposed and such non-residential use must be approved by means of the appropriate permitting process.

3.7 Commercial Uses

1. Eating and Drinking Establishments Use Category

A. Restaurants and Other Eating and Drinking Establishments

a. Definition: A retail business selling ready-to-eat food and/or beverages for on or off-premise consumption. Customers may be served from an ordering counter (i.e., cafeteria or limited-service restaurant), at their tables (full-service restaurant), and at exclusively pedestrian-oriented facilities that serve from a walk-up ordering counter (snack and/or nonalcoholic bars). This definition shall not include any mobile food vendors or other operations serving food and/or beverages from a vehicle. Eating and drink establishments include, without limitation, the following uses:

i. Bars and nightclubs; and

ii. Restaurants.

3.13 Accessory

2. Non-Residential Accessory Uses

A. Non-Residential Accessory Use:

a. Definition: A use of land or of a building or structure or portion thereof, which is incidental and subordinate to a non-residential principal use on the same lot.

b. Additional Standards:

i. Accessory uses shall adhere to the standards outlined in Section 4.8 and all other applicable sections.

B. Accessory retail:

a. Definition: The on-premises, retail sale of products directly to customers, where the retail use is incidental to a primary use conducted upon the same premises. Examples include but are not limited to the following: a furniture manufacturer who operates a show floor for the display and sales of furniture produced by the manufacturer or a bicycle manufacturer who operates a floor for the display and sales of bicycles produced by the manufacturer.

b. Additional Standards:

i. Accessory retail uses shall be directly related to and accessory to a conforming, principal use.

ii. Products offered for sale within accessory retail uses shall be products which are produced or processed by the associated principal use, or which are directly related to, and offered in support of, products which are produced or processed by the associated principal use. For example, a manufacturer of bicycles may operate an accessory retail use wherein bicycles, which were manufactured within the principal use, are offered for direct, on-premises retail sale. Bicycle accessories (such as tires, helmets), which were not produced by the manufacturer but which clearly relate to and support products which are produced or processed by the principal use, may also be offered for sale. However, products that do not clearly relate to and support products which are produced or processed by the principal use (such as backpacking or rock-climbing gear in the case of the bicycle manufacturer) cannot be offered for retail sale.

iii. Accessory retail uses shall comply with all applicable standards of federal, state or local law that would otherwise apply to retail oriented principal uses. For example, parking areas serving accessory retail uses within a General Industrial zoning district shall comply with the surfacing requirements of the City of Brevard Unified Development Ordinance, Chapter 10, Parking Standards, Subsection 10.6.A.1.

iv. Accessory retail uses are limited to an area that is equivalent to 20 percent of the gross floor area of the structure(s) containing the principal use.

v. Accessory retail uses shall be indoors, and shall not include the outdoor display of products or merchandise.

C. Drive-thru:

a. Definition: A facility where food and other products or services may be purchased or obtained by motorists without leaving their vehicles. Examples include drive-through fast-food restaurants, coffee, photo stores, pharmacies, bank teller windows, convenience stores, and dry-cleaning pick-up stores without dry cleaning equipment. This term does not include gas stations or other vehicle services, which are separately defined.

b. Additional Standards:

i. Drive-through stacking lanes, windows, and associated equipment shall not be permitted within 50 feet of a residential district or residential use.

ii. Drive-through windows and services shall be located and accessed only at the rear or side of the building and shall not be located between the principal structure and

- a public street. Service lanes shall not be located between the building and the street.
- iii. When situated at the side of the building, windows and services shall be located at least 20 feet back from the front facade of the building.
 - iv. Vehicle storage for drive-through uses shall be located outside of, and physically separated from, the right-of-way of any street. This area shall not interfere with the efficient internal circulation of the site, adjacent property, or adjacent street right-of-way.
 - v. Service lanes shall be a minimum of 80 feet long for a single stacking lane or 80 feet per lane when there is more than one service lane. A service lane is measured from the curb cut to the service area or the order area if an outdoor order area precedes the service area. Service lanes do not have to be linear. Stand-alone automatic teller machines shall provide stacking distance for four vehicles outside of any right-of-way, parking area, or travel lane.
 - vi. Drive-through service lanes shall provide a minimum of ten stacking spaces on site for restaurant and food sale uses with drive-through facilities and a minimum of six stacking spaces on site for banking, pharmacies and similar non-food-related uses with drive-through facilities. Each stacking space shall be a minimum of nine feet by 18 feet.
 - vii. A service lane is not required for accessory facilities where vehicles do not routinely stack up while waiting for the service. Examples are window washing, air compressor, and vacuum cleaning stations. A service lane is required for full-service drive-through automobile cleaning establishments.
 - viii. Service lanes shall be designed so that they do not interfere with parking, parking access and vehicle circulation. Crossings shall be situated so as to minimize conflicts between pedestrians and vehicles. Where service lanes are traversed by pedestrian crossing areas, such crossings shall be clearly marked. Warning signage may be required at the discretion of the administrator in the interest of pedestrian safety.
 - ix. All service lanes shall be clearly identified by means of striping, landscaping, curbing, and the like.
 - x. Site access and egress shall be shared by the drive-through and inside customer service functions.
 - xi. The drive-through service lane shall first exit into other circulation lanes within the same project, and then onto a public street via the same exit curb cut as the other circulation lanes within the same project.
 - xii. Service lanes shall be designed for a one-way traffic pattern only.
 - xiii. The drive-through shall be limited to a maximum of two service lanes and one additional lane for an automated teller machine (ATM).
 - xiv. Drive-through facilities shall be screened from off-site view from adjacent properties by a Type A buffer with a minimum width of ten feet.
 - xv. Speaker box sounds from the drive-through lane shall not unreasonably disturb the peace and quiet of abutting residential property.
 - xvi. A traffic impact study may be required by the approving authority.

D. Mobile Food Vendor Site

- a. Definition: A permanent location for licensed mobile food vendors or food trucks to offer food and beverages for sale and consumption.

477 b. Additional Standards:

478 i. Mobile food vendors shall only vend at permanent locations permitted under this
479 section.

480 ii. The owner, or authorized agent thereof, of any property upon which a mobile food
481 vendor(s) proposes to operate, shall secure a permit for the establishment of a mobile
482 food vendor site.

483 iii. Mobile food vendors using the designated site shall secure all necessary permits
484 required by the Transylvania County Health Department.

485 1. Mobile food vendors must follow all applicable rules and requirements of the
486 Transylvania County Health Department and any other relevant agencies of
487 Transylvania County or the State of North Carolina.

488 2. In the issuance of permits for mobile food vendor sites and mobile food
489 vendors, the administrator shall have broad discretion to assign such conditions
490 as may be necessary to protect the health, safety, and welfare of the public.

491 iv. Number of mobile food vendor sites:

492 1. In NMX and DMX zoning districts, only 1 mobile food vendor site shall be
493 permitted per parcel.

494 2. In CMX, IC, and GI zoning districts, each parcel is permitted up to 3 mobile food
495 vendor sites, so long as all other separation and site requirements as set forth in
496 this section are met.

497 3. Additional mobile food vendor sites may be permitted with the issuance of a
498 special use permit in accordance with Chapter 16.

499 v. Separation requirements:

500 1. Mobile food vendors shall be situated at least 10 feet from all property lines and
501 any road right-of-way, shall not encroach onto any street, sidewalk, or travel
502 way, and shall not obstruct any loading zone or handicapped parking space.

503 a. This requirement shall not apply to special events approved by the city
504 for placement upon public streets.

505 2. Mobile food vendors shall be situated at least 20 feet from one another.

506 3. Mobile food vendors shall be situated at least 25 feet from any permanent
507 structures.

508 a. The administrator may, upon recommendation of the fire marshal,
509 approve the placement of mobile food vendors within 25 feet or less of
510 a permanent structure. Such approval shall be based upon building
511 type, building materials, existing fire breaks, and other pertinent
512 information. Such reductions shall be reviewed on a case-by-case basis,
513 at the discretion of the administrator.

514 b. There shall be no reduction in separation between mobile food vendors
515 and permanent structures within the downtown fire district.

516 4. Mobile food vendors shall be situated at least 200 feet from any residential
517 structure that is located within GR zoning district.

518 5. Mobile food vendors must be set back a minimum of ten feet in all directions
519 from fire hydrants.

520 vi. Power.

1. Outside of the Heart of Brevard district, generators may be used to power the vending unit. Within the Heart of Brevard only dedicated power supplies shall be used.
2. For dedicated power supplies the applicant must present documentation that power load supplied to the vehicle is sufficient to meet the vehicles needs while in operation.
- vii. Hours of operation for mobile food vendors shall be limited to 7:00 a.m. to 10:00 p.m., except during an approved special event, when other operating hours may be established as part of the event.
- viii. Mobile food vendor operators or their designee must be present at all times during operation, except in the event of an emergency.
- ix. Each food truck shall supply at least one waste receptacle which must be removed at the end of each day. All waste receptacles must be emptied at the end of each day and as necessary during the day. City trash receptacles shall not be used for the food truck operator's waste.
- x. Mobile food vendor signage shall be limited to the following:
 1. Mobile food vendors shall be allowed signage only as described in Chapter 12 of this Ordinance.
 2. Nothing in this Ordinance shall be construed to mean that mobile food vendor vehicles cannot be painted or decorated, or display menus affixed to the side(s) of the vendor vehicle.

~~D~~. E. Recycling—Small collection:

- a. Definition: A location where the public may donate, redeem or sell recyclable materials, which occupies an area of 350 square feet or less. Such facility may include the following: a mobile unit; bulk reverse vending machines or a grouping of reverse vending machines occupying more than 50 square feet; and kiosk-type units that may include permanent structures.

~~E~~. F. Rooftop amenity space:

- a. Definition: A covered or uncovered space on a building rooftop that is intended to be an accessory use for residents of a building or mixed-use building type or for the patrons of a commercial building.
- b. Additional Standards:
 - i. Any structure on a rooftop amenity space shall not exceed 12 feet in height.
 - ii. The rooftop amenity space shall not be enclosed.
 - iii. No sign affixed to any structure in a rooftop amenity space shall be visible from the street.

~~F~~. G. Taproom or Tasting Room:

- a. Definition: An area that is ancillary to the production of beer or other types of alcohol at a brewery, distillery, winery, cidery, etc. where the public can purchase and/or consume the alcoholic beverage produced on site.

3.14 Temporary

1. Temporary Events and Structures Category

1. Temporary events and structures:

- a. Definition: An activity or use of land which, having met certain requirements and conditions, may be permitted for a period of limited duration, and which may utilize "temporary structures" for the duration of the event. Examples of these activities include, without limitation, the following:
- i. carnivals or circuses;
 - ii. contractor's office and equipment sheds
 - iii. farmers markets;
 - iv. outdoor meetings;
 - v. satellite real estate sales office;
 - vi. seasonal structures; and
 - vii. special events
- b. Additional Standards:
- i. In the consideration of any temporary use, structure or special event, the administrator shall have broad discretion to impose such conditions as may be necessary to protect the health, safety and welfare of the public.
 - ii. The use shall clearly be of a temporary nature.
 - iii. The use shall be limited to a period not to exceed 90 days except as otherwise provided.
 - iv. The use shall not obstruct any public travel way except by specific approval by the city and will cause no traffic congestion;
 - v. The use shall not create a nuisance to surrounding uses.
 - vi. The use shall not create hazards or adverse impacts related to parking, drainage, fire protection, or other adverse impacts.
 - vii. The operator shall provide a plan for the management of waste generated by the use, and sanitary facilities if the administrator or health department deems it is necessary.
 - viii. The operator shall satisfy all other requirements of the director of public health, the building inspector or the fire marshal.
 - ix. The operator shall secure a business license, street closure permit, sidewalk closure permit, or parade permit if required.
 - x. The applicant and/or operator shall promote the temporary use or special event as tobacco and nicotine free (including, but not limited to smoking, vaping, dipping, and chewing).
 - xi. A minimum of five parking spaces shall be designated for use by patrons of the temporary use, structure or special event. In all cases, the applicant shall demonstrate that there will be adequate parking for the existing uses as well as the temporary use, structure or special event.
 - xii. Temporary use, structures, and special event may be permitted within developed parking lots that serve a principal structure(s), the hours of operation of which are the same as the use, structure or event, only when the number of existing parking spaces exceeds the minimum number of spaces that are required for the principal structure(s) by a minimum of five parking spaces, plus the number of parking spaces to be rendered unusable within the area of the use, structure, or event.

xiii. The total area of a temporary use or special event, including tents, display areas, and other appurtenances of the use, shall not exceed 2,000 square feet. This requirement shall not apply to the following categories of temporary uses or special events:

1. Special events, upon approval by the administrator.
2. Farmers markets.
3. Carnivals and circuses.

~~4. Temporary vendors on undeveloped, vacant lots.~~

~~5. Temporary vendors on developed properties containing principal structures, where the hours of operation of the principal structure does not conflict or overlap with the hours of operation of the temporary use, and when the property is wholly owned or leased by the operator of the temporary use.~~

xiv. Tents and structures:

1. Applicants shall provide flame retardancy certifications for all tents.
2. Temporary structures shall not exceed 120 square feet. Tents, shipping containers, satellite offices and classrooms, and equipment sheds shall not be subject to this requirement.
3. Seasonal greenhouses, tents, and other temporary structures may be permitted for a period not to exceed 90 days. These structures must be removed on the expiration date of the permit.
4. A satellite office and equipment shed may be permitted in any district for a period covering the construction phase of a project, not to exceed one year, provided that such office be placed on the property on which the project is situated.
5. The administrator may approve the temporary set-up and occupancy of recreational vehicles (or other temporary dwellings in consultation with the building inspector) when the principal residence of the occupant has been destroyed by wind, fire, movement of earth, or other manmade or natural disaster, and subsequent to such event having been declared a disaster by the Mayor of the City of Brevard, the County Manager of the County of Transylvania, the Governor of the State of North Carolina, or the President of the United States. In no case shall such a vehicle or temporary dwelling be set up or occupied for a period exceeding 180 days. The setup or occupancy of a recreational vehicle shall not be permitted within the City of Brevard for any other reason whatsoever, except as otherwise provided for in this ordinance.
6. Shipping containers shall only be permitted to be used for [temporary](#) storage and must be in conjunction with a non-residential use.

xv. Site layout:

1. Temporary uses, structures and special events shall be arranged so as to maximize public safety, to minimize conflicts among vehicles and pedestrians, to minimize conflicts with existing, permanent uses.
2. Temporary uses, structures and special events shall be situated at least ten feet from all property lines and any road right-of-way, shall not encroach onto any street, sidewalk, or travel way, and shall not obstruct any loading zone or handicapped parking space. This requirement shall not apply to special events approved by the city for placement upon public streets.

- 654 3. Temporary uses, structures and events may obstruct travel ways within
655 parking lots only upon determination by the administrator that such
656 obstruction will not impede commerce, hinder the flow of traffic or
657 endanger the safety of motorists or pedestrians. Uses, structures or events
658 shall be clearly delineated and separated from areas of active vehicle
659 operation by means of traffic safety cones, signage, flagging, or other
660 approved means.
- 661 4. Temporary uses, structures and special events shall be situated at least ten
662 feet from points of ingress and egress, and shall not obstruct the sight
663 triangle at any intersection. Ingresses and egresses to the temporary uses,
664 structures and special events shall be designated.
- 665 xvi. The administrator shall require an operations and site plan for each temporary use,
666 structure, or special event, and shall require written permission for the operation of
667 the temporary use, structure or special event by the owner(s) of the subject
668 property.
- 669 xvii. The administrator may require that the operator provide a performance bond in the
670 amount of 125 percent of the cost of removal of the use and restoration of the site,
671 as authorized by G.S. 160D-702.
- 672 xviii. The temporary use, structure or special event shall comply with all other applicable
673 provisions of City Code.
- 674 2. *Carnival or Circus*
- 675 a. Definition: A business providing temporary outdoor commercial entertainment, which may
676 consist of sideshows, concessions, rides, games of chance, and other amusements.
- 677 b. Additional Standards:
- 678 i. Carnivals and circuses may be permitted for a period not to exceed 21 days.
- 679 ii. Carnivals and circuses shall only be permitted within undeveloped, vacant lots, or
680 within developed parking lots that serve a principal structure, which structure is
681 unoccupied for the duration of the carnival or circus.
- 682 iii. Carnivals and circuses shall not employ registered sex offenders.
- 683 3. *Farmers markets*:
- 684 a. Definition: Venues wherein multiple vendors sell or offer for sale, seasonal products directly
685 to consumers on a non-wholesale basis. Farmers markets shall be accessible to the general
686 public and managed by public or non-profit entities. Farmers markets are a form of
687 temporary use.
- 688 b. Additional Standards:
- 689 i. Vendors may offer seasonal horticultural, agricultural, aquacultural or forest
690 products, including but not limited to raw fruits, vegetables, perennials, annuals
691 bulbs, dried flowers, Christmas trees, and similar products.
- 692 ii. Vendors may offer value-added horticultural, agricultural, aquacultural or forest
693 products which were produced by the vendor, including but not limited to baked
694 goods, meat, dairy, honey, cider, preserves, relishes, jams, jellies and similar
695 products.
- 696 iii. Vendors may offer hand-made crafts and works of art which were produced by the
697 vendor; provided, however, that such products shall not exceed 25 percent of all
698 products sold within the venue on any given day of operation.

- iv. Vendors may offer food items prepared by the vendor; provided, however, that such products shall not exceed 25 percent of all products sold within the venue on any given day of operation, and provided that the vendor shall comply with all applicable requirements of the director of public health and the North Carolina Department of Agriculture.
- v. The sale of live animals is prohibited.
- vi. All vendors, including vendors utilizing vending push carts, shall situate products for sale, as well as associated vehicles, push carts, tents, tables or other materials within a designated vending space as delineated upon a site plan provided to the administrator in accordance with paragraph C.3., below.
- vii. The operator shall provide the administrator an operations plan, operating rules, and a list of the names of the vendors (persons, firms or corporations) who shall provide merchandise for sale as part of the market. The list shall generally describe the type of item to be sold by each said vendor.

2. **Temporary Vendors Use Category**

A. **Temporary Vendors:**

a. Definition: Any vendor who sets up a temporary location to sell food, goods, or services. Vendors may be permitted individually or as part of a temporary event (Section 3.14.1).

Temporary vendors include, but are not limited to:

i. Agricultural and non-agricultural roadside vendors and

iii. vending pushcarts.

b. Additional Standards:

- i. Temporary vendors, excluding those listed below, may be permitted one tent, which shall not exceed 1,500 square feet in area. Temporary vendors shall employ no other temporary structure.
- ii. Temporary vendors shall be allowed signage only as described in Chapter 12 of this Ordinance.
- iii. No temporary vendor shall:
1. Sell, barter, exchange or attempt to sell any goods, wares or merchandise from any city street or from any passenger vehicle or trailer. This prohibition shall not apply to vending carts ~~or mobile food vendors~~ as set forth below. This prohibition may be waived by the administrator for special events recognized by the city, provided that the applicant satisfies all permit requirements of section 66-7 and complies with article I of chapter 66 and other applicable provisions of Brevard City Code.
 2. Vend on any street or sidewalk where vending is otherwise prohibited.
 3. Vend between 9:00 p.m. and 7:00 a.m. of the following day, except during city-approved festivals and events.
 4. Sell food or beverages for immediate consumption unless the operator has available for public use his own or a public litter receptacle which is available for ~~his~~ patrons' use and no more than ten feet distant from ~~his the pushcart or mobile food unit~~ vending location.
 5. Leave the designated location without first picking up, removing and disposing of all trash or refuse remaining from sales made.
 6. Solicit or conduct business with persons in motor vehicles.

- 744 7. Sell anything other than that which the operator is licensed to vend.
- 745 8. Sound or permit the sounding of any device which produces noise, or use
- 746 or operate any sound system, radio, sound amplifier or speaker to attract
- 747 the attention of the public.
- 748 9. Vend within 50 feet of any driveway entrance to a police or fire station, or
- 749 within ten feet of any other driveway or of any alley.
- 750 10. Vend within ten feet of the crosswalk at any intersection.
- 751 11. Vend within ten feet of any fire hydrant or fire escape.
- 752 12. Allow any item relating to the operation of the vending business to lean
- 753 against or hang from any building or other structure lawfully placed on
- 754 public property, without the owner's permission.
- 755 13. Vend within ten feet of any building.
- 756 iv. The application for a temporary vending permit shall include:
- 757 1. The name and address of the applicant, and the name and address of the
- 758 owner of the vending business or of the cart to be used in the operation of
- 759 the vending business.
- 760 2. A description of the type of food, beverage or merchandise to be sold.
- 761 3. A description (including the size) and a photograph of any pushcart to be
- 762 used in the operation of the business, including the license and
- 763 registration number of any motor vehicle used in the operation of the
- 764 business.
- 765 4. A copy of any approval required by the county health department,
- 766 building inspector, or fire marshal.
- 767 5. Proof of an insurance policy, issued by an insurance company licensed to
- 768 do business in the state, protecting the permittee and the property owner
- 769 (including the city in the case of pushcart operators) from all claims for
- 770 damages to property and bodily injury, including death, which may arise
- 771 from operations under or in connection with the permit. Such insurance
- 772 shall name the property owner as additional insured and shall provide
- 773 that the policy shall not terminate or be canceled prior to the expiration
- 774 date without 30 days' advance written notice to the city. Policies covering
- 775 pushcart operators shall conform to the minimum coverage requirements
- 776 as set forth by the city manager.
- 777 6. The federal and state tax identification numbers of the owner of the
- 778 business, and copies of the owner's pre-printed North Carolina sales and
- 779 use tax forms for the months of proposed operation.
- 780 v. All permits issued under this section shall be displayed in a prominent location at
- 781 all times during the operation of the vending business.
- 782 vi. Any temporary vendor's permit may be denied, suspended or revoked by the
- 783 administrator for fraud or misrepresentation in the application for the permit or in
- 784 the conduct of the business, for conduct of the business in such a manner as to
- 785 create a public nuisance or constitute a danger to the public health, safety, welfare
- 786 or morals, or for conduct which is contrary to the provisions of this chapter or any
- 787 condition of permit approval.
- 788 vii. Non-agricultural roadside vendors:

- 789 1. Non-agricultural vendors may be permitted to operate for a period not to
790 exceed 90 days, after which such vendors shall vacate the premises and
791 shall not be reestablished for a period of 45 days.

792 viii. Agricultural roadside vendors:

- 793 1. Agricultural vendors may be permitted to operate for a period not to
794 exceed 180 days, after which such vendors shall vacate the premises and
795 shall not be reestablished for a period of 45 days.
- 796 2. Agricultural vendors shall only offer seasonal horticultural, agricultural,
797 aquacultural or forest products, including but not limited to raw fruits,
798 vegetable, perennials, annuals bulbs, dried flowers, Christmas trees, and
799 similar products.

800 ~~B. Mobile Food Vendors~~

801 ~~a. Definition: Mobile food vendors (or "food trucks") are licensed motor vehicles or mobile~~
802 ~~food units which offer for sale and consumption food and beverages (excluding alcohol).~~

803 ~~b. Additional Standards:~~

804 ~~i. Permits required.~~

- 805 ~~1. The owner, or authorized agent thereof, of any property upon which a~~
806 ~~mobile food vendor(s) proposes to operate, shall secure a permit for the~~
807 ~~establishment of a mobile food vendor site. Applicants shall provide such~~
808 ~~information as is deemed necessary by the administrator to demonstrate~~
809 ~~compliance with this ordinance; such information shall include, but shall~~
810 ~~not be limited to, a listing of the mobile food vendors authorized to~~
811 ~~operate upon the subject property.~~
- 812 ~~2. Mobile food vendors shall secure all necessary permits required by the~~
813 ~~Transylvania County Health Department. Mobile food vendors must follow~~
814 ~~all applicable rules and requirements of the Transylvania County Health~~
815 ~~Department and any other relevant agencies of Transylvania County or~~
816 ~~the State of North Carolina.~~
- 817 ~~3. In the issuance of permits for mobile food vendor sites and mobile food~~
818 ~~vendors, the administrator shall have broad discretion to assign such~~
819 ~~conditions as may be necessary to protect the health, safety, and welfare of~~
820 ~~the public.~~

821 ~~ii. There shall be no limit to the number of mobile food vendors per parcel so long as~~
822 ~~all other separation and site requirements as set forth in this section are met.~~

823 ~~iii. Mobile food vendors shall be situated at least ten feet from all property lines and~~
824 ~~any road right of way, shall not encroach onto any street, sidewalk, or travel way,~~
825 ~~and shall not obstruct any loading zone or handicapped parking space. This~~
826 ~~requirement shall not apply to special events approved by the city for placement~~
827 ~~upon public streets.~~

828 ~~iv. Mobile food vendors shall be situated at least 20 feet from one another.~~

829 ~~v. Separation between mobile food vendors and permanent structures.~~

- 830 ~~1. Mobile food vendors shall be situated at least 25 feet from any permanent~~
831 ~~structures.~~
- 832 ~~2. The administrator may, upon recommendation of the fire marshal,~~
833 ~~approve the placement of mobile food vendors within 25 feet or less of a~~
834 ~~permanent structure. Such approval shall be based upon building type,~~
835 ~~building materials, existing fire breaks, and other pertinent information.~~

Such reductions shall be reviewed on a case-by-case basis, at the discretion of the administrator.

3. There shall be no reduction in separation between mobile food vendors and permanent structures within the downtown fire district.

4. Mobile food vendors shall be situated at least 200 feet from any residential structure that is located within a general residential (GR) zoning district.

5. Mobile food vendors must be set back a minimum of ten feet in all directions from fire hydrants.

vi. The application for a mobile food vendor site shall include a site plan detailing all of the above separation and setbacks requirements. If seeking approval for multiple mobile food vendors, spaces for each desired vendor shall be denoted on the site plan with appropriate setbacks shown from each vendor space.

vii. Power.

1. Outside of the Heart of Brevard district, generators may be used to power the vending unit. Within the Heart of Brevard only dedicated power supplies shall be used.

2. For dedicated power supplies the applicant must present documentation that power load supplied to the vehicle is sufficient to meet the vehicles needs while in operation.

viii. Vendors are subject to the requirements of the City of Brevard Noise Ordinance, North Carolina Health Code, and North Carolina Building Code.

ix. Hours of operation for mobile food vendors shall be limited to 7:00 a.m. to 10:00 p.m., except during an approved special event, when other operating hours may be established as part of the event.

x. Mobile food vendor operators or their designee must be present at all times during operation, except in the event of an emergency.

xi. Each food truck shall supply at least one waste receptacle which must be removed and emptied at the end of each day, city trash receptacles shall not be used for food truck waste.

xii. Mobile food vendor signage shall be limited to the following:

1. Mobile food vendors shall be allowed signage only as described in Chapter 12 of this Ordinance.

2. Nothing in this Ordinance shall be construed to mean that mobile food vendor vehicles cannot be painted or decorated, or display menus affixed to the side(s) of the vendor vehicle.

C.B. Vending pushcart:

a. Definition: Any self-contained, wheeled vehicle used for displaying, keeping or storing any article by a vendor or peddler (other than a motor vehicle, bicycle or trailer) which may be moved without the assistance of a motor and does not require registration by the state department of motor vehicles.

b. Additional Standards:

i. To relieve any potential for traffic hazard or pedestrian congestion, or any safety hazard resulting therefrom, the number of vending carts with active permits within the central business district at any given time shall not exceed four.

ii. No vendor selling from a pushcart on the sidewalk shall:

- 881 1. Leave any pushcart unattended.
- 882 2. Store, park or leave any pushcart overnight on any street or sidewalk.
- 883 3. Vend within 75 feet of any other vending cart.
- 884 4. Set up, maintain or permit the use of any table, crate, carton, rack or other
- 885 device to increase the selling or display capacity of his pushcart or where
- 886 such items have not been described in his application.
- 887 5. Allow any items relating to the operation of the vending business to be
- 888 placed anywhere other than in, on or under the pushcart.
- 889 6. Maintain any pushcart upon any street or sidewalk which impedes,
- 890 endangers or interferes with the travel upon or use of the street or
- 891 sidewalk.
- 892 7. Set up a pushcart so as to block or impede ingress and egress to any
- 893 structure.
- 894 iii. If it becomes necessary for the regulation of traffic or the safety or convenience of
- 895 pedestrians, any law officer of the city may direct vendors to move to another
- 896 location. No person may refuse to comply with a law enforcement officer when the
- 897 order is given under the authority of this section.
- 898 iv. Size of pushcarts:
- 899 1. No pushcart shall exceed 48 inches in width or 72 inches in length.
- 900 2. No pushcart shall exceed 60 inches in height, nor shall any canopy be less
- 901 than 78 inches in height at its lowest point.
- 902 3. The administrator shall have the right to require smaller dimensions
- 903 based upon such factors as, but not limited to, pedestrian and vehicular
- 904 safety and adequate sight distances.
- 905 v. The pushcart shall be set up so that a minimum of five feet of pedestrian passage is
- 906 maintained along the sidewalk at all times.
- 907 vi. Vendor permits will be invalid during special festivals and events within the
- 908 central business district. However, vendors may apply for permits from the
- 909 sponsoring organization or committee to operate within the area of the special
- 910 event.
- 911

912 **19.3. Definitions.**

913 *Eating and drinking establishment uses:* A retail business selling ready-to-eat food and/or beverages for

914 on or off-premise consumption. Customers may be served from an ordering counter (i.e. cafeteria or limited

915 service restaurant), at their tables (full-service restaurant), and at exclusively pedestrian-oriented facilities

916 that serve from a walk-up ordering counter (snack and/or nonalcoholic bars). This definition shall not

917 include any mobile food vendors or other operations serving food and/or beverages from a vehicle. Eating

918 and drinking establishments include, without limitation, the following uses: bars/nightclubs and restaurants.

919 Mixed-use residential unit: A non-residential building type that consists of both a residential use and a

920 non-residential use that is allowed in the applicable zoning district.

921 *Mobile food vendors (or food trucks):* Licensed motor vehicles or mobile food units which offer for sale

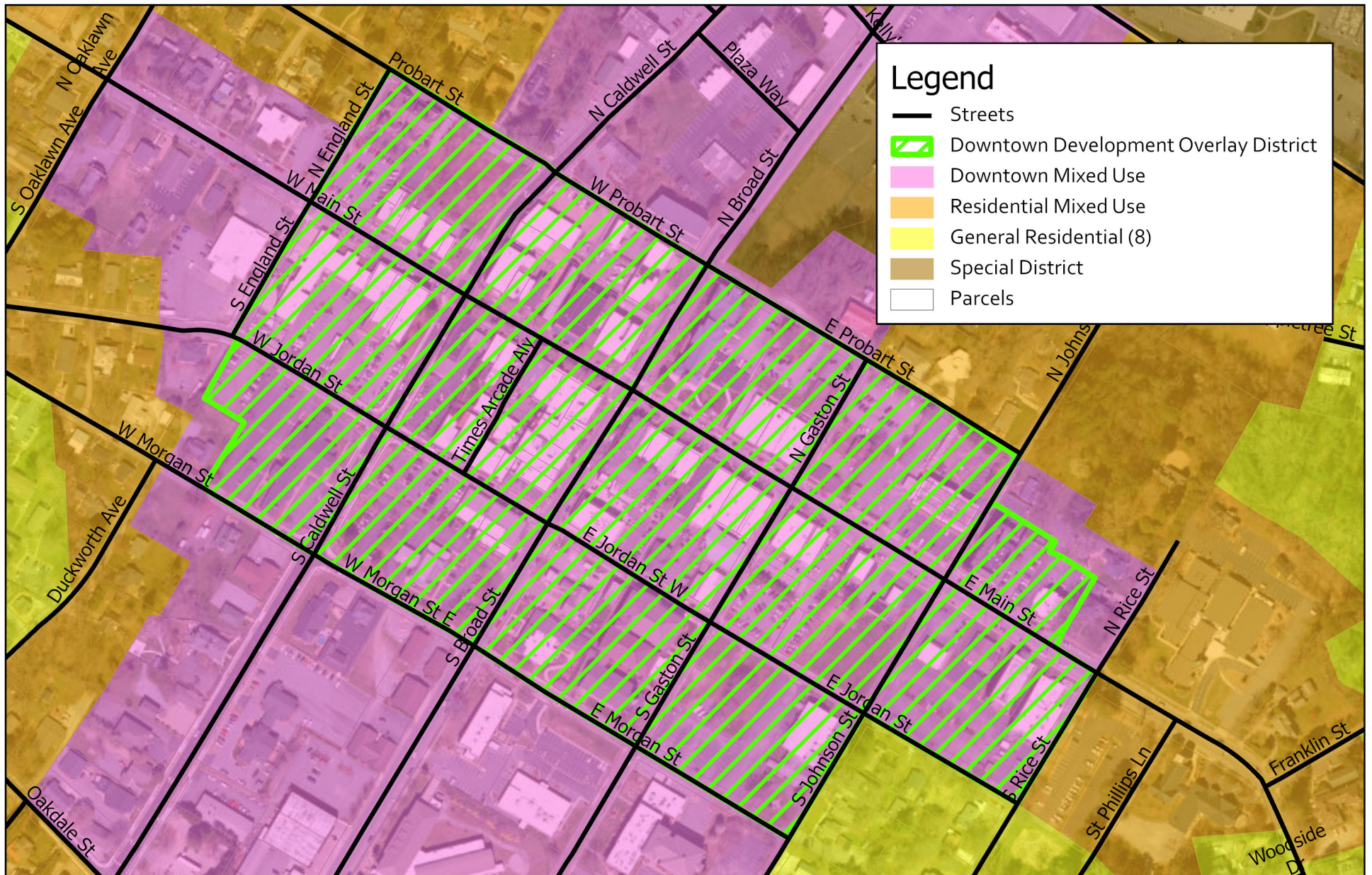
922 and consumption food and beverages (excluding alcohol).

923 Mobile food vendor site: A permanent location for licensed mobile food vendors or food trucks to offer

924 food and beverages for sale and consumption.

925 *Temporary vendors:* Any vendor who sets up a temporary location to sell food, goods, or services.
926 Vendors may be permitted individually or as part of a temporary event (Section 3.14.1). [Temporary vendors](#)
927 [include, but are not limited to agricultural and non-agricultural roadside vendors and vending pushcarts.](#)

Downtown Development Overlay District



0 70 140 280 420 560 Feet
1 inch = 284 feet

This map was prepared by the City of Brevard Planning Department, April 2023.

Disclaimer: The information contained on this page is NOT to be construed or used as a survey or legal description. Map information is believed to be accurate, but accuracy is not guaranteed.

COMMENT OF CONSISTENCY WITH COMPREHENSIVE PLAN AND ANY OTHER OFFICIALLY ADOPTED APPLICABLE PLANS

NCGS 160D-604 requires that the Planning Board shall advise and comment on whether the proposed amendment is consistent with any comprehensive plan prior to consideration by the Governing Board. The Planning Board shall provide a written recommendation to the Governing Board that addresses plan consistency and other matters as deemed appropriate by the Planning Board, but a comment by the Planning Board that a proposed amendment is inconsistent with the Comprehensive Plan shall not preclude consideration or approval of the proposed amendment by the Governing Board.

The Brevard Planning Board forwards this recommendation to City Council with a finding that the proposed zoning text amendment is **consistent** with the following elements of the City's adopted plans and policies:

Building Brevard 2030 Comprehensive Land Use Plan Goals

GOAL 1: *Expand housing opportunities for all residents while preserving the character of Brevard and its neighborhoods.*

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

GOAL 7: *Support economic vitality and grow the tax base, cultivate local businesses, and attract sustainable industry.*

Building Brevard 2030 Comprehensive Land Use Plan Actions

LUH-4: *Identify areas across the City that are best positioned to accommodate future growth.*

LUH-9: *Evaluate and amend development ordinances to facilitate infill development on vacant and underdeveloped parcels, as well as revitalization of developed parcels.*

EDIR-3: *Encourage building and site upgrades Downtown and in other key commercial areas.*

ORDINANCE NO. 2023-____

**AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE
CHAPTER 2 – DISTRICT REVISIONS, CHAPTER 3 – USE DEFINITIONS AND STANDARDS,
AND CHAPTER 19 – DEFINITIONS**

WHEREAS, the City of Brevard Planning Board has recommended that Brevard City Code, Unified Development Ordinance, Chapter 2 – District Revisions, Chapter 3 – Use Definitions and Standards, and Chapter 19 – Definitions; 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 Plans:

Building Brevard 2030 Goals

GOAL 1: *Expand housing opportunities for all residents while preserving the character of Brevard and its neighborhoods.*

GOAL 2: *Encourage a development pattern that respects Brevard’s sense of place and prioritizes livable communities.*

GOAL 7: *Support economic vitality and grow the tax base, cultivate local businesses, and attract sustainable industry.*

Building Brevard 2030 Recommendations

LUH-4: *Identify areas across the City that are best positioned to accommodate future growth.*

LUH-9: *Evaluate and amend development ordinances to facilitate infill development on vacant and underdeveloped parcels, as well as revitalization of developed parcels.*

EDIR-3: *Encourage building and site upgrades Downtown and in other key commercial areas.*

and,

WHEREAS, a public hearing was conducted on Monday, April 17, 2023, by the Brevard City Council, and, after hearing all persons wishing to comment, and upon review and consideration of the proposed amendments, it is the desire of the City Council of the City of Brevard that Brevard City Code, Unified Development Ordinance be amended as outlined below.

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

SECTION 01. Brevard City Code, Unified Development Ordinance Chapter 2, Chapter 3, and Chapter 19 are hereby amended as depicted in Exhibit A, which is attached hereto and incorporated herein by reference.

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

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

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

Adopted and approved upon first reading this the 1st day of May 2023.

Maureen Copelof
Mayor

ATTEST:

Denise Hodsdon
City Clerk

APPROVED AS TO FORM:

Mack McKeller
City Attorney

EXHIBIT A

2.2. Use categories and tables of permitted uses.

C. *Use matrix.* The following matrix sets forth the manner by which certain uses may be permitted within the various districts set forth above.

1. "P" denotes those uses that are permitted "by right."
2. "—" denotes those uses that are not permitted within the given district.
3. "SUP" denotes those uses that are permitted upon issuance of a special use permit in accordance with the provisions set forth in Chapter 16. Additional standards for certain uses requiring a special use permit are set forth in Chapters 3 and 5 of this ordinance.
4. "PS" denotes those uses that are permitted with additional standards, which are set forth in Chapter 3.
5. "MHD" denotes those uses that are permitted within a Manufactured Housing Overlay District.

CATEGORY	SECTION (a)	USE	ZONING DISTRICTS						
<i>Residential</i>			GR	RMX	NMX	DMX	CMX	IC	GI
Household Living	3.5.1	Dwelling—Single-Family	P	P	—	—	—	P	—
		Dwelling—Duplex	P	P	P	—	—	P	—
		Dwelling—Multifamily 3—4 units/bldg.	P	P	P	P	P	P	—
		Dwelling—Multifamily more than 4 units/bldg.	—	P	P	P	P	P	—
		Dwelling—Townhome	P	P	P	P	P	P	—
		Manufactured Home (single unit)	MHD	MHD	MHD	MHD	MHD	MHD	—
		Manufactured Home Park	MHD	MHD	MHD	MHD	MHD	MHD	—
		Live-Work Units	PS	PS	PS	PS	—	PS	—
		Mixed-Use Residential Unit	—	—	PS	PS	PS	PS	—
Group Living	3.5.2	Family Care Home	P	P	P	P	P	P	—
		Housing Services for the Elderly	SUP	P	P	P	P	P	—
		Rooming or Boarding House	P	P	P	P	P	P	—
Social Services	3.5.3	Group Care Facility	P	P	P	P	P	P	—
		Shelter	SUP	P	P	P	P	P	—
<i>Lodging</i>			GR	RMX	NMX	DMX	CMX	IC	GI
Overnight Accommodations	3.6.1	All overnight accommodations, except as listed below	—	—	—	P	P	P	—
		Bed and Breakfast	PS	PS	PS	PS	PS	PS	—
		Short-Term Rental	PS	PS	PS	PS	—	—	—
Camping	3.6.2	Campground/Recreational Vehicle Park	SUP	SUP	SUP	—	—	SUP	—
		Rental Cottage/Cabins	PS	PS	PS	—	—	—	—
		Seasonal Camp	PS	—	—	—	—	PS	—
<i>Commercial</i>			GR	RMX	NMX	DMX	CMX	IC	GI

Eating and Drinking Establishments	3.7.1	All restaurants and other eating and drinking establishments except as listed below	—	—	P	P	P	P	—
		Bar/Night Club	—	—	PS	P	P	—	—
Personal Services	3.7.2	All personal services, except as listed below	—	P	P	P	P	P	—
		Day Care Center	PS	PS	PS	PS	PS	PS	PS
Professional Services	3.7.3	All professional services, except as listed below	SUP	P	P	P	P	P	P
		Adult Establishment	—	—	—	—	—	—	SUP
		Banks, Credit Unions, Financial Services, and ATMs	—	—	P	P	P	P	P
		Funeral Homes and Services	—	—	P	P	P	P	—
		Human Crematories and Crematoriums	—	—	PS	PS	PS	PS	PS
		Indoor Animal Services	—	—	P	P	P	P	P
		Kennels and Outdoor Animal Services	—	—	SUP	—	PS	—	PS
		Landscaping and Contractor Services	SUP	SUP	SUP	—	—	—	P
		Vehicle Services—Major Repair/Body Work	—	—	—	—	PS	—	PS
		Vehicle Services—Minor Maintenance/Repair	—	—	SUP	SUP	PS	PS	PS
Retail	3.7.4	All retail and sales establishments except as listed below	—	—	P	P	P	P	—
		Alcoholic Beverage Sales Store	—	—	SUP	P	P	—	—
		Auto/Mechanical Parts Sales	—	—	—	P	P	—	P
		Gas Station	—	—	SUP	SUP	PS	—	PS
		Gunsmiths and Weapon Sales	—	—	SUP	PS	PS	—	PS
Shopping Centers	3.7.5	All shopping centers	—	—	PS	PS	PS	—	—
Civic/Institutional			GR	RMX	NMX	DMX	CMX	IC	GI
Educational	3.8.1	All educational uses except as listed below	SUP	P	P	P	P	P	—
		Colleges/Universities	—	—	SUP	P	P	P	—
		Schools—Vocational/Technical	—	SUP	P	P	P	P	P
Government	3.8.2	All government uses, except as listed below	—	P	P	P	P	P	P
		Correctional Facilities	—	—	SUP	SUP	P	P	P
		Public Safety Station	SUP	SUP	P	P	P	P	P
Medical	3.8.3	All medical offices and facilities except as listed below	—	P	P	P	P	P	—
		Hospital	—	—	—	—	P	P	—
Places of Worship	3.8.4	All religious institutions or places of worship	SUP	P	P	P	P	P	—
		Cemeteries	PS	PS	PS	PS	PS	PS	—
Entertainment/Recreation			GR	RMX	NMX	DMX	CMX	IC	GI
Indoor Recreation	3.9.1	All indoor recreation facilities, except as listed below	SUP	P	P	P	P	P	P

		Cultural or Community Facility	SUP	P	P	P	P	P	—
		Indoor Amusements	—	—	SUP	P	P	SUP	P
		Indoor Firing Range	—	—	—	—	SUP	SUP	SUP
		Live Performance Theater	—	SUP	SUP	P	P	P	—
		Movie Theater	—	—	—	P	P	—	—
		Special Event Venue	SUP	SUP	PS	PS	PS	PS	—
		Studios, Galleries and Workshops - High Impact	—		SUP	SUP	P	P	P
		Studios, Galleries and Workshops - Low Impact	—	P	P	P	P	P	—
Outdoor Recreation	3.9.2	All outdoor recreation facilities, except as listed below	SUP	P	P	P	P	P	P
		Non-Residential Swimming Pool or Pond	—	SUP	SUP	PS	PS	PS	—
		Outdoor Amusements	—	—	SUP	SUP	P	—	P
		Outdoor Firing Range	—	—	—	—	—	—	SUP
		Parks, Open Space, and Greenways	P	P	P	P	P	P	P
Agriculture			GR	RMX	NMX	DMX	CMX	IC	GI
Agriculture	3.10.1	All agricultural uses	PS	—	—	—	PS	PS	PS
Manufacturing/Wholesale/Storage			GR	RMX	NMX	DMX	CMX	IC	GI
Light Industrial and Manufacturing	3.11.1	All light industrial and manufacturing activities, except as listed below	—	—	—	—	SUP	—	P
		Brewery, Distillery, Winery, Cidery - High Impact	—	—	—	—	P	—	P
		Brewery, Distillery, Winery, Cidery - Low Impact	—	—	SUP	PS	PS	—	PS
		Laboratory	—	—	—	—	P	P	P
		Laundry, Dry Cleaning Plant	—	—	—	—	SUP	P	P
		Manufacturing Research and Development	—	—	—	—	P	P	P
		Media Production	—	—	P	P	P	P	P
Heavy Manufacturing	3.11.2	All heavy manufacturing activities, except as listed below	—	—	—	—	—	—	SUP
		Metal Products Fabrication, Machine or Welding Shop	—	—	SUP	SUP	P	—	P
Storage and Disposal	3.11.3	All storage and disposal uses, except as listed below	—	—	—	—	SUP	—	P
		Chemical Storage Facility	—	—	—	—	—	—	P
		Solid Waste Storage or Disposal Facilities	—	—	—	—	—	—	PS
		Junkyard / Salvage Yard	—	—	—	—	—	—	SUP
Wholesaling and Distribution	3.11.4	All wholesaling and distribution activities, except as listed below	—	—	—	—	P	—	P
		Equipment Rental	—	—	—	—	P	—	P
		Indoor Vehicle/Heavy Equipment Sales	—	—	PS	PS	PS	—	PS
		Outdoor Vehicle/Heavy Equipment Sales	—	—	—	—	PS	—	PS

Infrastructure			GR	RMX	NMX	DMX	CMX	IC	GI
Utilities	3.12.1	Utilities—Class 1	P	P	P	P	P	P	P
		Utilities—Class 2	P	P	P	P	P	P	P
		Utilities—Class 3	—	—	—	—	—	—	P
Telecommunications	3.12.2	All wireless telecommunication facilities, except as listed below	PS	PS	PS	PS	PS	PS	PS
		Wireless Telecommunication Facility—Tower	—	—	—	—	SUP	—	PS
Transportation	3.12.3	Parking Lot	PS	PS	PS	PS	PS	PS	PS
		Passenger Vehicle Terminals	—	—	P	P	P	—	P
Accessory			GR	RMX	NMX	DMX	CMX	IC	GI
Residential Accessory	3.13.1	All residential accessory uses, except as listed below	PS	PS	PS	PS	PS	PS	PS
		Day Care Home	PS	PS	PS	PS	PS	PS	—
		Dwelling—Accessory Unit (ADU)	PS	PS	PS	PS	PS	PS	—
		Home Occupation	PS	PS	P	P	P	P	—
		Keeping Bees	PS	PS	PS	PS	PS	PS	PS
		Keeping Domestic Fowl (Chickens)	PS	PS	PS	PS	PS	PS	PS
		Swimming Pool or Pond	PS	PS	PS	PS	PS	PS	—
Non-Residential Accessory	3.13.2	All non-residential accessory uses, except as listed below	—	PS	PS	PS	PS	PS	PS
		Accessory Retail	—	—	PS	PS	PS	PS	PS
		Drive-Thrus	—	—	SUP	—	PS	—	—
		Mobile Food Vendor Site	—	SUP	PS	PS	PS	PS	PS
		Recycling - Small Collection	—	—	—	—	SUP	SUP	P
		Rooftop Amenity Space	—	—	SUP	PS	PS	PS	PS
		Taproom / Tasting Room	—	—	SUP	P	P	—	P
Temporary			GR	RMX	NMX	DMX	CMX	IC	GI
Events and Structures	3.14.1	All temporary events and structures, except as listed below	PS	PS	PS	PS	PS	PS	PS
		Carnivals or Circus	—	—	—	—	PS	PS	PS
		Farmers Market	—	—	PS	PS	PS	PS	—
Vendors	3.14.2	All temporary vendors, except as listed below	—	—	PS	PS	PS	—	—
		Vending Pushcarts	—	—	—	PS	—	—	—

^(a) This column refers to the section of this ordinance that contains the use definition and additional standards.

3.5. Residential Uses.

1. Household Living Use Category

A. Household Living

1. **Definition:** Residential occupancy of a dwelling unit by a household. Household living includes the following uses:

- i. Dwelling – Single-family;
- ii. Dwelling – Duplex;
- iii. Dwelling – Multifamily 3-4 units/building;
- iv. Dwelling – Multifamily more than 4 units/building;
- v. Dwelling – Townhome;
- vi. Manufactured Home (single unit);
- vii. Manufactured Home Park; and
- viii. Live-Work Units

B. *Dwelling—Single-family*

1. Definition: A free-standing building designed for and/or occupied by one household. These residences may be individually owned as residences or owned by rental or management companies. Single-family dwellings are typically site-built structures that comply with the North Carolina Residential Building Code, current edition, but also include factory-built, modular home units.

C. *Dwelling—Duplex:*

1. Definition: A building containing two residential dwelling units that is typically divided horizontally, each unit having a separate entrance from the outside or through a common vestibule.

D. *Dwelling—Multi-family (three or four units/building)*

1. Also known as a Triplex or Quadraplex
2. Definition: A building containing three or four residential dwelling units. Each unit has a separate entrance from the outside or through a common vestibule. Multi-family dwellings may include triplexes or fourplexes (buildings under one ownership with three or four dwelling units in the same structure),

E. *Dwelling—Multi-family (more than four units/building):*

1. Definition: A building containing more than four residential dwelling units. Each unit has a separate entrance from the outside or through a common vestibule. These structures may include apartments (five or more units under one ownership in a single building)

F. *Dwelling – Townhome*

1. Definition: A building that contains three or more separate dwellings divided vertically and connected by shared walls. Each unit has a separate entrance to a front and/or rear yard. This definition includes subdivisions where townhomes are located on zero-lot line properties where common walls are situated on one or more lot lines.

G. *Manufactured home*

1. Definition: A dwelling unit fabricated in an off-site manufacturing facility for installation or assembly on the building site which also meets the following requirements:
 - i. It is at least eight feet in width and 32 feet in length;
 - ii. It is placed upon a permanent foundation which meets the installation and foundation requirements adopted by the N.C. Commissioner of Insurance;
 - iii. It is not constructed or equipped with a permanent hitch or other device allowing it to be moved other than for the purpose of moving to a permanent site; and

- iv. It does not have any wheels or axles permanently attached to its body or frame.

2. Additional Standards:

- i. This definition does not include recreational vehicles.
- ii. Manufactured homes are permitted with standards in the Manufactured Home Overlay District.
- iii. Dwelling units built to, or utilizing any of, the following as primary construction standards are NOT considered manufactured homes suitable for use as permanent dwelling units: National Electrical Code Article 551; National Fire Protection Association No. 1192; and American National Standards Institute No. 119.5.

H. *Manufactured home park:*

1. Definition: The location of two or more manufactured homes or manufactured home spaces on a single parcel of land, or a grouping of two or more manufactured homes on at least two contiguous parcels when such parcels are under common ownership and/or management as a park for the rental of manufactured homes or manufactured home spaces.

2. Additional Standards:

- i. Manufactured home parks are permitted with standards in the Manufactured Home Overlay District.
- ii. Preexisting manufactured home parks.
 - i. Any manufactured home park, as defined by this chapter, existing on the effective date of this chapter or any subsequent amendment thereto may continue to operate without being subject to the requirements of this chapter except where explicitly set forth below.
 - ii. Expansions to a pre-existing manufactured home park shall occur in a manner that fully conforms to the requirements of this ordinance. Expansions shall not occur in districts within which manufactured home parks are not permitted.
- iii. A manufactured home park space shall be considered preexisting if, on the effective date of this chapter, the space:
 - i. Is defined on the ground by the presence of all of the following:
 - a. A water supply system service connection;
 - b. A connection to a septic system or sanitary sewer; and
 - c. Electric service equipment.
 - ii. Or, contains an occupied manufactured home connected to each of the preceding utilities.

iv. Permitting.

- i. Each application for a manufactured home park shall be accompanied by development plans as required by Chapter 17, including contoured site plans (five-foot intervals) using true elevations. Development plans shall show the circulation pattern, manufactured home spaces, permanent structures and other site design requirements. Development plans shall also show that all improvements would meet the following standards.

- ii. Prior to the placement, replacement, modification, or setup of a manufactured home within any manufactured home park or on an individual lot of record within the regulatory jurisdiction of the City of Brevard, the manufactured home or agent thereof shall procure a land development permit from the City of Brevard and a manufactured home setup permit from the Transylvania County Building Inspections Department.

v. Dimensional specifications.

i. *Lot standards:*

Minimum Development Size	3 acres
Maximum Development Size	40 acres
Maximum Development Density	6 units/acre
Lot Width at Right-of-Way	50 ft.
Minimum Lot Depth	150 ft.

ii. *Principal structure standards:*

Development setback on all boundaries	50 ft.
Unit setback from internal street centerline	25 ft.
Distance between homes-short side to short side	20 ft.
Distance between homes-long side to short side	20 ft.
Distance between homes-long side to long side	30 ft.
Setback from public right-of-way	50 ft.
Maximum Height	35 ft.

vi. General requirements (new and pre-existing).

- i. All manufactured home park roads, spaces, and the manufactured homes therein shall fully comply with the road naming and property addressing ordinances of the City of Brevard or Transylvania County, as applicable.
- ii. The owner and/or operator of a manufactured home or manufactured home park shall not sell manufactured homes on or within a manufactured home park unless the manufactured home unit for sale is placed individually and separately upon an existing manufactured home space where all design standards and utilities have been completed as specified by this ordinance. This does not prohibit the manufactured home park owner and/or operator from owning or operating a retail sales business on adjoining property if such use is permitted within the underlying district.
- iii. All manufactured homes placed upon an individual lot of record or within a manufactured home park shall be built according to Housing and Urban Development standards, and shall bear a label or seal indicating compliance with this requirement. Any manufactured home unit that does not bear a label or seal of compliance of a recognized testing laboratory, such as Underwriters Laboratories or similar testing service, shall be subject to inspection by the building inspector.
- iv. Recreational vehicles (RV), park model RV's, and other structures that are not constructed to the United States Department of Housing and Urban Development Standards or to North Carolina Building Code shall not be permitted with any manufactured home park, nor shall such

- 141 structures become occupied within any other property within the
142 jurisdiction of the City of Brevard, except as otherwise provided for in
143 this ordinance.
- 144 v. At least ten percent of the total area of any manufactured home park
145 containing 35 or more spaces and situated one-quarter of a mile or
146 more from a public recreational facility shall be set aside for
147 recreational purposes, except that open space as required in Chapters 6
148 and 7 of this ordinance may be applied to no more than 75 percent of
149 such recreation space.
- 150 vii. Manufactured home park streets.
- 151 i. Convenient access to each manufactured home space shall be provided
152 by streets or drives that are properly graded, drained, and paved with a
153 durable dustless surface, for automobile circulation.
- 154 ii. Manufactured home parks containing ten or more units shall be
155 serviced by a central drive that is constructed in accordance with the
156 requirements for a new neighborhood street as set forth in Chapter 13.
157 Streets entering branching from the central drive shall also be built
158 according to neighborhood street dimensions. However, a sidewalk and
159 curb/gutter shall not be required.
- 160 iii. Any tract of land to be developed as a manufactured home park must
161 either have frontage on a public (state or city-maintained) road or have
162 a private right-of-way corridor to the property. The minimum required
163 length of the public road frontage or width of the private right-of-way
164 corridor (at its narrowest point) shall be 50 feet.
- 165 iv. Off-site access shall have a minimum 20-foot cleared, unobstructed
166 corridor, with a vertical clearance of at least 14 feet to allow passage of
167 emergency vehicles.
- 168 v. The grade of any road, existing or proposed, within an off-site private
169 right-of-way corridor used to access a manufactured home park shall
170 not exceed 15 percent.
- 171 vi. Publicly dedicated rights of way shall not be required, and maintenance
172 of such streets shall be provided for by the owner and/or operator of
173 the manufactured home park.
- 174 vii. Culs-de-sac shall not exceed 250 feet in length and shall be provided
175 with a turnaround of at least 60 feet in diameter. Streets or drives
176 within the manufactured home park shall intersect as nearly as
177 possible at right angles, and no street shall intersect at less than 60
178 degrees. Where a street intersects a public street or road, the design
179 standards of the North Carolina Department of Transportation shall
180 apply.
- 181 viii. Proposed streets shall be named, and addresses for manufactured
182 home spaces along such streets assigned, by the Transylvania County
183 Property Addressing Coordinator in accordance with the provisions set
184 forth in the City of Brevard Property Addressing Ordinance or the
185 Transylvania County Property Addressing Ordinance, as applicable.
- 186 ix. A minimum of two automobile parking spaces (paved with a durable,
187 dustless surface) shall be provided adjacent to each manufactured

- 188 home space, but shall not be located within any public right-of-way or
189 within any street in the park.
- 190 x. All spaces within a manufactured home park shall be serially numbered
191 for mailing address purposes. These numbers shall be displayed on
192 each manufactured home space.
- 193 viii. Manufactured home space.
- 194 i. Each manufactured home space shall be clearly defined by means of
195 concrete or iron pipe markers placed at all corners.
- 196 ii. Each manufactured home space shall be located on ground not
197 susceptible to flooding and graded so as to prevent any water from
198 ponding or accumulating on the premises.
- 199 iii. The manufactured home space shall be provided with anchors and tie-
200 downs such as cast-in-place concrete "dead men" eyelets embedded in
201 concrete foundations or runways, screen augers, arrowhead anchors,
202 or other devices securing the stability of the manufactured home. Each
203 manufactured home unit shall comply with the above standards or
204 similar standards whichever are higher. Each manufactured home
205 owner shall be responsible for securing his individual manufactured
206 home to anchors provided by the manufactured home park operator.
- 207 ix. Utility requirements.
- 208 i. An accessible, adequate, and potable supply of water shall be provided
209 in each manufactured home park. All manufactured home parks within
210 300 feet of city water or sewer shall connect thereto. When a municipal
211 or public water supply is not available, a community water supply shall
212 be developed, and its supply used exclusively in accordance with the
213 standards of the Sanitary Engineering Division of the North Carolina
214 Division of Health Services and the Transylvania County Health
215 Department. Evidence of the issuance of necessary county or state
216 permits shall be a condition of approval of any permit for a
217 manufactured home park.
- 218 ii. Adequate and safe sewage disposal facilities shall be provided in all
219 manufactured home parks. Where a public sewage collection system is
220 available, connection shall be made thereto, and the system and sewage
221 treatment plants complying with the requirements of the North
222 Carolina Department of Environmental Quality shall be provided. Plans
223 for sewage collection systems and treatment facilities shall be
224 submitted to the North Carolina Department of Environmental Quality.
225 Individual septic tank systems can be considered, if soil, topography,
226 and groundwater conditions are favorable. If septic tanks are used, they
227 will be subject to approval by the Transylvania County Health
228 Department.
- 229 iii. All utilities within the proposed manufactured home park shall be
230 located underground.
- 231 iv. Failure to maintain an operational sewage disposal system shall
232 constitute grounds for the revocation of a category III land
233 development permit and the application of all applicable penalties as
234 set forth in this ordinance.
- 235 x. Solid waste.

- 236 i. The storage, collection, and disposal of solid waste in the manufactured
237 home park shall be so conducted as to create no health hazards, rodent
238 harborage, insect breeding areas, accident or fire hazards or pollution.
- 239 ii. All solid waste containing garbage shall be stored in standard fly-tight,
240 watertight, rodent-proof containers, with a capacity of not more than
241 32 gallons, which shall be located not more than 150 feet from any
242 manufactured home space. Containers shall be provided in sufficient
243 number and capacity to properly store all solid waste containing
244 garbage. The manufactured home park owner and/or operator shall be
245 responsible for the proper storage, collection, and disposal of solid
246 waste as specified by the Transylvania County Health Department.
- 247 iii. Containers shall be installed in the ground or provided with stands.
248 Such container stands shall be so designed as to prevent containers
249 from being tipped, to minimize spillage and container deterioration,
250 and to facilitate cleaning around them.
- 251 iv. All solid waste garbage shall be collected at least once weekly. Where
252 suitable collection service is not available from municipal or private
253 agencies, the manufactured home park owner and/or operator shall
254 dispose of the solid waste by collecting and transporting it in
255 conformance with requirements and guidelines set forth by the North
256 Carolina State Board of Health and the Transylvania County Health
257 Department.
- 258 xi. Grounds, buildings, and structures.
- 259 i. Grounds, buildings, and structures shall be maintained free of insect
260 and rodent harborage and infestation. Extermination and control
261 methods shall conform to the requirements of the County Health
262 Department and/or North Carolina Department of Agriculture.
- 263 ii. Parks shall be maintained free of accumulation of garbage, litter, or
264 other debris which may provide rodent harborage or breeding places
265 for flies, mosquitoes, and other pests, or which may pose other health
266 or sanitation hazards, or which may contribute to an otherwise
267 unsightly or unpleasant environment.
- 268 iii. Storage areas shall be so maintained as to prevent rodent harborage
269 and shall not pose a safety hazard to manufactured home park
270 residents or guests. Lumber, pipe, and other building material shall be
271 stored at least one foot above ground.
- 272 iv. All manufactured homes shall be properly skirted with non-opaque
273 wood, aluminum, vinyl, or other appropriate material. Plastic, plywood,
274 particle board, carpet, or other atypical skirting material shall not be
275 used.
- 276 v. Where the potential for insect and rodent infestation exists, all exterior
277 openings in or beneath any structure shall be screened with wire mesh
278 or other suitable materials.
- 279 vi. Landscaping and vegetation in and around the manufactured home
280 park shall at all times be maintained, and landscaping provisions of the
281 park plan shall at all times be adhered to. The growth of bushes, weeds,
282 and grass shall be controlled so as to prevent the harborage of ticks,
283 chiggers, and other noxious insects. Parks shall be so maintained as to
284 prevent the growth of ragweed, poison ivy, poison oak, poison sumac,

- 285 and other noxious weeds considered detrimental to health. Open
286 spaces and recreation areas shall be maintained free of heavy
287 undergrowth of any description.
- 288 vii. No inoperable vehicle shall remain in a manufactured home park for a
289 period longer than 60 days unless the vehicle is stored under a carport
290 or within a garage.
- 291 viii. Manufactured and mobile homes shall not be abandoned or stored
292 within the regulatory jurisdiction of the City of Brevard. Manufactured
293 homes that have been disconnected from active electricity, water, and
294 sewage for a period exceeding 90 days shall be removed and properly
295 disposed of. Manufactured homes located outside of a manufactured
296 home space for a period to exceed 45 days shall be removed and
297 properly disposed of.
- 298 ix. Manufactured homes shall not be utilized for storage or other non-
299 residential uses of any type.
- 300 xii. Registration of occupant.
- 301 i. Every manufactured home park owner or operator shall maintain an
302 accurate register. The register shall be available for inspection at all
303 times by authorized city representatives. The register shall contain the
304 following information on forms provided by the planning department:
305 (1) Name of owner and/or occupant; (2) manufactured home space
306 number; (3) make, model, registration number of manufactured home;
307 and (4) date of arrival and departure of the occupants. Records shall be
308 maintained for a period of three years.
- 309 xiii. Inspection and enforcement.
- 310 i. The park owner and/or operator shall notify park occupants of all
311 applicable provisions of the ordinance and inform them of their duties
312 and responsibilities under this ordinance.
- 313 ii. The owner and/or operator shall operate the park in compliance with
314 this ordinance, Brevard City Code, Transylvania County Code (as
315 applicable), and state and federal law, and shall provide adequate
316 supervision to maintain the park, its facilities and equipment in good
317 repair and in a clean and sanitary condition.
- 318 iii. The City of Brevard Planning Department, the Transylvania County
319 Health Department and the Transylvania County Building and
320 Inspections Department are hereby authorized and directed to make
321 such inspections as are necessary to determine satisfactory compliance
322 with this ordinance. It shall be the duty of the owners and/or operators
323 or occupants of manufactured home parks to give these agencies free
324 access to such premises at reasonable times for the purpose of
325 inspection.
- 326 iv. So long as a violation exists the administrator shall not issue permits
327 that would authorize the placement, replacement, setup, or
328 modification of a new or existing manufactured home within the
329 subject park.

I. *Live-work unit:*

1. Definition: A residential building type that consists of both a residential use and a non-residential use that is allowed in the applicable zoning district.
2. Additional Standards:
 - i. Typically, the enterprise or non-residential use is located on the ground floor and the residential unit is above or behind.
 - ii. Non-residential uses within a live-work unit must be listed within Section 2.2.C as a permissible use within the district in which the live-work unit is proposed and such non-residential use must be approved by means of the appropriate permitting process.
 - iii. In districts where residential building types are not permitted live-work units may be permitted within pre-existing non-conforming residential structures.

J. *Mixed-use residential unit:*

1. Definition: A non-residential building type that consists of both a residential use and a non-residential use that is allowed in the applicable zoning district.
2. Additional Standards:
 - i. Location of residential unit:
 - a. In the Downtown Development Overlay District, the non-residential use shall be located on the ground floor with the residential unit or units above.
 - b. In all other districts, the ground floor shall be primarily non-residential, with the residential unit or units encouraged to be above or behind the non-residential space.
 - ii. Non-residential uses within a mixed-use residential unit must be listed within Section 2.2.C as a permissible use within the district in which the live-work unit is proposed and such non-residential use must be approved by means of the appropriate permitting process.

3.7. Commercial Uses.

1. *Eating and Drinking Establishments Use Category*

A. *Restaurants and Other Eating and Drinking Establishments*

- a. Definition: A retail business selling ready-to-eat food and/or beverages for on or off-premise consumption. Customers may be served from an ordering counter (i.e., cafeteria or limited-service restaurant), at their tables (full-service restaurant), and at exclusively pedestrian-oriented facilities that serve from a walk-up ordering counter (snack and/or nonalcoholic bars). This definition shall not include any mobile food vendors or other operations serving food and/or beverages from a vehicle. Eating and drink establishments include, without limitation, the following uses:
 - i. Bars and nightclubs; and
 - ii. Restaurants.

3.13. Accessory Uses.

2. *Non-Residential Accessory Uses*

A. *Mobile Food Vendor Site*

- a. Definition: A permanent location for licensed mobile food vendors or food trucks to offer food and beverages for sale and consumption.
- b. Additional Standards:
 - i. Mobile food vendors shall only vend at permanent locations permitted under this section.
 - ii. The owner, or authorized agent thereof, of any property upon which a mobile food vendor(s) proposes to operate, shall secure a permit for the establishment of a mobile food vendor site.
 - iii. Mobile food vendors using the designated site shall secure all necessary permits required by the Transylvania County Health Department.

1. Mobile food vendors must follow all applicable rules and requirements of the Transylvania County Health Department and any other relevant agencies of Transylvania County or the State of North Carolina.
2. In the issuance of permits for mobile food vendor sites and mobile food vendors, the administrator shall have broad discretion to assign such conditions as may be necessary to protect the health, safety, and welfare of the public.
- iv. *Number of mobile food vendor sites:*
 1. In NMX and DMX zoning districts, only 1 mobile food vendor site shall be permitted per parcel.
 2. In CMX, IC, and GI zoning districts, each parcel is permitted up to 3 mobile food vendor sites, so long as all other separation and site requirements as set forth in this section are met.
 3. Additional mobile food vendor sites may be permitted with the issuance of a special use permit in accordance with Chapter 16.
- v. *Separation requirements:*
 1. Mobile food vendors shall be situated at least 10 feet from all property lines and any road right-of-way, shall not encroach onto any street, sidewalk, or travel way, and shall not obstruct any loading zone or handicapped parking space.
 - a. This requirement shall not apply to special events approved by the city for placement upon public streets.
 2. Mobile food vendors shall be situated at least 20 feet from one another.
 3. Mobile food vendors shall be situated at least 25 feet from any permanent structures.
 - a. The administrator may, upon recommendation of the fire marshal, approve the placement of mobile food vendors within 25 feet or less of a permanent structure. Such approval shall be based upon building type, building materials, existing fire breaks, and other pertinent information. Such reductions shall be reviewed on a case-by-case basis, at the discretion of the administrator.
 - b. There shall be no reduction in separation between mobile food vendors and permanent structures within the downtown fire district.
 4. Mobile food vendors shall be situated at least 200 feet from any residential structure that is located within GR zoning district.
 5. Mobile food vendors must be set back a minimum of ten feet in all directions from fire hydrants.
- vi. *Power.*
 1. Outside of the Heart of Brevard district, generators may be used to power the vending unit. Within the Heart of Brevard only dedicated power supplies shall be used.
 2. For dedicated power supplies the applicant must present documentation that power load supplied to the vehicle is sufficient to meet the vehicles needs while in operation.
- vii. Hours of operation for mobile food vendors shall be limited to 7:00 a.m. to 10:00 p.m., except during an approved special event, when other operating hours may be established as part of the event.
- viii. Mobile food vendor operators or their designee must be present at all times during operation, except in the event of an emergency.
- ix. Each food truck shall supply at least one waste receptacle which must be removed at the end of each day. All waste receptacles must be emptied at the end of each day and as necessary during the day. City trash receptacles shall not be used for the food truck operator's waste.
- x. Mobile food vendor signage shall be limited to the following:
 1. Mobile food vendors shall be allowed signage only as described in Chapter 12 of this Ordinance.
 2. Nothing in this Ordinance shall be construed to mean that mobile food vendor vehicles cannot be painted or decorated, or display menus affixed to the side(s) of the vendor vehicle.

3.14. Accessory Uses.

1. *Temporary Events and Structures Category*

A. *Temporary events and structures:*

- a. Definition: An activity or use of land which, having met certain requirements and conditions, may be permitted for a period of limited duration, and which may utilize "temporary structures" for the duration of the event. Examples of these activities include, without limitation, the following:
 - i. carnivals or circuses;
 - ii. contractor's office and equipment sheds
 - iii. farmers markets;
 - iv. outdoor meetings;
 - v. satellite real estate sales office;
 - vi. seasonal structures; and
 - vii. special events
- b. Additional Standards:
 - i. In the consideration of any temporary use, structure or special event, the administrator shall have broad discretion to impose such conditions as may be necessary to protect the health, safety and welfare of the public.
 - ii. The use shall clearly be of a temporary nature.
 - iii. The use shall be limited to a period not to exceed 90 days except as otherwise provided.
 - iv. The use shall not obstruct any public travel way except by specific approval by the city and will cause no traffic congestion;
 - v. The use shall not create a nuisance to surrounding uses.
 - vi. The use shall not create hazards or adverse impacts related to parking, drainage, fire protection, or other adverse impacts.
 - vii. The operator shall provide a plan for the management of waste generated by the use, and sanitary facilities if the administrator or health department deems it is necessary.
 - viii. The operator shall satisfy all other requirements of the director of public health, the building inspector or the fire marshal.
 - ix. The operator shall secure a business license, street closure permit, sidewalk closure permit, or parade permit if required.
 - x. The applicant and/or operator shall promote the temporary use or special event as tobacco and nicotine free (including, but not limited to smoking, vaping, dipping, and chewing).
 - xi. A minimum of five parking spaces shall be designated for use by patrons of the temporary use, structure or special event. In all cases, the applicant shall demonstrate that there will be adequate parking for the existing uses as well as the temporary use, structure or special event.
 - xii. Temporary use, structures, and special event may be permitted within developed parking lots that serve a principal structure(s), the hours of operation of which are the same as the use, structure or event, only when the number of existing parking spaces exceeds the minimum number of spaces that are required for the principal structure(s) by a minimum of five parking spaces, plus the number of parking spaces to be rendered unusable within the area of the use, structure, or event.
 - xiii. The total area of a temporary use or special event, including tents, display areas, and other appurtenances of the use, shall not exceed 2,000 square feet. This requirement shall not apply to the following categories of temporary uses or special events:
 1. Special events, upon approval by the administrator.
 2. Farmers markets.
 3. Carnivals and circuses.
 - xiv. Tents and structures:
 1. Applicants shall provide flame retardancy certifications for all tents.

2. Temporary structures shall not exceed 120 square feet. Tents, shipping containers, satellite offices and classrooms, and equipment sheds shall not be subject to this requirement.
3. Seasonal greenhouses, tents, and other temporary structures may be permitted for a period not to exceed 90 days. These structures must be removed on the expiration date of the permit.
4. A satellite office and equipment shed may be permitted in any district for a period covering the construction phase of a project, not to exceed one year, provided that such office be placed on the property on which the project is situated.
5. The administrator may approve the temporary set-up and occupancy of recreational vehicles (or other temporary dwellings in consultation with the building inspector) when the principal residence of the occupant has been destroyed by wind, fire, movement of earth, or other manmade or natural disaster, and subsequent to such event having been declared a disaster by the Mayor of the City of Brevard, the County Manager of the County of Transylvania, the Governor of the State of North Carolina, or the President of the United States. In no case shall such a vehicle or temporary dwelling be set up or occupied for a period exceeding 180 days. The setup or occupancy of a recreational vehicle shall not be permitted within the City of Brevard for any other reason whatsoever, except as otherwise provided for in this ordinance.
6. Shipping containers shall only be permitted to be used for temporary storage and must be in conjunction with a non-residential use.

xv. Site layout:

1. Temporary uses, structures and special events shall be arranged so as to maximize public safety, to minimize conflicts among vehicles and pedestrians, to minimize conflicts with existing, permanent uses.
2. Temporary uses, structures and special events shall be situated at least ten feet from all property lines and any road right-of-way, shall not encroach onto any street, sidewalk, or travel way, and shall not obstruct any loading zone or handicapped parking space. This requirement shall not apply to special events approved by the city for placement upon public streets.
3. Temporary uses, structures and events may obstruct travel ways within parking lots only upon determination by the administrator that such obstruction will not impede commerce, hinder the flow of traffic or endanger the safety of motorists or pedestrians. Uses, structures or events shall be clearly delineated and separated from areas of active vehicle operation by means of traffic safety cones, signage, flagging, or other approved means.
4. Temporary uses, structures and special events shall be situated at least ten feet from points of ingress and egress, and shall not obstruct the sight triangle at any intersection. Ingresses and egresses to the temporary uses, structures and special events shall be designated.

xvi. The administrator shall require an operations and site plan for each temporary use, structure, or special event, and shall require written permission for the operation of the temporary use, structure or special event by the owner(s) of the subject property.

xvii. The administrator may require that the operator provide a performance bond in the amount of 125 percent of the cost of removal of the use and restoration of the site, as authorized by G.S. 160D-702.

xviii. The temporary use, structure or special event shall comply with all other applicable provisions of City Code.

B. Carnival or Circus

a. Definition: A business providing temporary outdoor commercial entertainment, which may consist of sideshows, concessions, rides, games of chance, and other amusements.

b. Additional Standards:

i. Carnivals and circuses may be permitted for a period not to exceed 21 days.

ii. Carnivals and circuses shall only be permitted within undeveloped, vacant lots, or within developed parking lots that serve a principal structure, which structure is unoccupied for the duration of the carnival or circus.

iii. Carnivals and circuses shall not employ registered sex offenders.

C. *Farmers markets:*

- a. Definition: Venues wherein multiple vendors sell or offer for sale, seasonal products directly to consumers on a non-wholesale basis. Farmers markets shall be accessible to the general public and managed by public or non-profit entities. Farmers markets are a form of temporary use.
- b. Additional Standards:
 - i. Vendors may offer seasonal horticultural, agricultural, aquacultural or forest products, including but not limited to raw fruits, vegetables, perennials, annuals bulbs, dried flowers, Christmas trees, and similar products.
 - ii. Vendors may offer value-added horticultural, agricultural, aquacultural or forest products which were produced by the vendor, including but not limited to baked goods, meat, dairy, honey, cider, preserves, relishes, jams, jellies and similar products.
 - iii. Vendors may offer hand-made crafts and works of art which were produced by the vendor; provided, however, that such products shall not exceed 25 percent of all products sold within the venue on any given day of operation.
 - iv. Vendors may offer food items prepared by the vendor; provided, however, that such products shall not exceed 25 percent of all products sold within the venue on any given day of operation, and provided that the vendor shall comply with all applicable requirements of the director of public health and the North Carolina Department of Agriculture.
 - v. The sale of live animals is prohibited.
 - vi. All vendors, including vendors utilizing vending push carts, shall situate products for sale, as well as associated vehicles, push carts, tents, tables or other materials within a designated vending space as delineated upon a site plan provided to the administrator in accordance with paragraph C.3., below.
 - vii. The operator shall provide the administrator an operations plan, operating rules, and a list of the names of the vendors (persons, firms or corporations) who shall provide merchandise for sale as part of the market. The list shall generally describe the type of item to be sold by each said vendor.

2. ***Temporary Vendors Use Category***

A. *Temporary Vendors:*

- a. Definition: Any vendor who sets up a temporary location to sell food, goods, or services. Vendors may be permitted individually or as part of a temporary event (Section 3.14.1). Temporary vendors include, but are not limited to:
 - i. Agricultural and non-agricultural roadside vendors and
 - ii. vending pushcarts.
- b. Additional Standards:
 - i. Temporary vendors, excluding those listed below, may be permitted one tent, which shall not exceed 1,500 square feet in area. Temporary vendors shall employ no other temporary structure.
 - ii. Temporary vendors shall be allowed signage only as described in Chapter 12 of this Ordinance.
 - iii. No temporary vendor shall:
 1. Sell, barter, exchange or attempt to sell any goods, wares or merchandise from any city street or from any passenger vehicle or trailer. This prohibition shall not apply to vending carts as set forth below. This prohibition may be waived by the administrator for special events recognized by the city, provided that the applicant satisfies all permit requirements of section 66-7 and complies with article I of chapter 66 and other applicable provisions of Brevard City Code.
 2. Vend on any street or sidewalk where vending is otherwise prohibited.
 3. Vend between 9:00 p.m. and 7:00 a.m. of the following day, except during city-approved festivals and events.
 4. Sell food or beverages for immediate consumption unless the operator has available for public use his own or a public litter receptacle which is available for patrons' use and no more than ten feet distant from the vending location.
 5. Leave the designated location without first picking up, removing and disposing of all trash or refuse remaining from sales made.

- 618 6. Solicit or conduct business with persons in motor vehicles.
- 619 7. Sell anything other than that which the operator is licensed to vend.
- 620 8. Sound or permit the sounding of any device which produces noise, or use
- 621 or operate any sound system, radio, sound amplifier or speaker to attract
- 622 the attention of the public.
- 623 9. Vend within 50 feet of any driveway entrance to a police or fire station, or
- 624 within ten feet of any other driveway or of any alley.
- 625 10. Vend within ten feet of the crosswalk at any intersection.
- 626 11. Vend within ten feet of any fire hydrant or fire escape.
- 627 12. Allow any item relating to the operation of the vending business to lean
- 628 against or hang from any building or other structure lawfully placed on
- 629 public property, without the owner's permission.
- 630 13. Vend within ten feet of any building.
- 631 iv. The application for a temporary vending permit shall include:
 - 632 1. The name and address of the applicant, and the name and address of the
 - 633 owner of the vending business or of the cart to be used in the operation of
 - 634 the vending business.
 - 635 2. A description of the type of food, beverage or merchandise to be sold.
 - 636 3. A description (including the size) and a photograph of any pushcart to be
 - 637 used in the operation of the business, including the license and
 - 638 registration number of any motor vehicle used in the operation of the
 - 639 business.
 - 640 4. A copy of any approval required by the county health department,
 - 641 building inspector, or fire marshal.
 - 642 5. Proof of an insurance policy, issued by an insurance company licensed to
 - 643 do business in the state, protecting the permittee and the property owner
 - 644 (including the city in the case of pushcart operators) from all claims for
 - 645 damages to property and bodily injury, including death, which may arise
 - 646 from operations under or in connection with the permit. Such insurance
 - 647 shall name the property owner as additional insured and shall provide
 - 648 that the policy shall not terminate or be canceled prior to the expiration
 - 649 date without 30 days' advance written notice to the city. Policies covering
 - 650 pushcart operators shall conform to the minimum coverage requirements
 - 651 as set forth by the city manager.
 - 652 6. The federal and state tax identification numbers of the owner of the
 - 653 business, and copies of the owner's pre-printed North Carolina sales and
 - 654 use tax forms for the months of proposed operation.
- 655 v. All permits issued under this section shall be displayed in a prominent location at
- 656 all times during the operation of the vending business.
- 657 vi. Any temporary vendor's permit may be denied, suspended or revoked by the
- 658 administrator for fraud or misrepresentation in the application for the permit or in
- 659 the conduct of the business, for conduct of the business in such a manner as to
- 660 create a public nuisance or constitute a danger to the public health, safety, welfare
- 661 or morals, or for conduct which is contrary to the provisions of this chapter or any
- 662 condition of permit approval.
- 663 vii. Non-agricultural roadside vendors:
 - 664 1. Non-agricultural vendors may be permitted to operate for a period not to
 - 665 exceed 90 days, after which such vendors shall vacate the premises and
 - 666 shall not be reestablished for a period of 45 days.
- 667 viii. Agricultural roadside vendors:
 - 668 1. Agricultural vendors may be permitted to operate for a period not to
 - 669 exceed 180 days, after which such vendors shall vacate the premises and
 - 670 shall not be reestablished for a period of 45 days.
 - 671 2. Agricultural vendors shall only offer seasonal horticultural, agricultural,
 - 672 aquacultural or forest products, including but not limited to raw fruits,
 - 673 vegetable, perennials, annuals bulbs, dried flowers, Christmas trees, and
 - 674 similar products.

675 B. *Vending pushcart:*

- 676 a. Definition: Any self-contained, wheeled vehicle used for displaying, keeping or storing any
- 677 article by a vendor or peddler (other than a motor vehicle, bicycle or trailer) which may be

moved without the assistance of a motor and does not require registration by the state department of motor vehicles.

b. Additional Standards:

- i. To relieve any potential for traffic hazard or pedestrian congestion, or any safety hazard resulting therefrom, the number of vending carts with active permits within the central business district at any given time shall not exceed four.
- ii. No vendor selling from a pushcart on the sidewalk shall:
 - 1. Leave any pushcart unattended.
 - 2. Store, park or leave any pushcart overnight on any street or sidewalk.
 - 3. Vend within 75 feet of any other vending cart.
 - 4. Set up, maintain or permit the use of any table, crate, carton, rack or other device to increase the selling or display capacity of his pushcart or where such items have not been described in his application.
 - 5. Allow any items relating to the operation of the vending business to be placed anywhere other than in, on or under the pushcart.
 - 6. Maintain any pushcart upon any street or sidewalk which impedes, endangers or interferes with the travel upon or use of the street or sidewalk.
 - 7. Set up a pushcart so as to block or impede ingress and egress to any structure.
- iii. If it becomes necessary for the regulation of traffic or the safety or convenience of pedestrians, any law officer of the city may direct vendors to move to another location. No person may refuse to comply with a law enforcement officer when the order is given under the authority of this section.
- iv. Size of pushcarts:
 - 1. No pushcart shall exceed 48 inches in width or 72 inches in length.
 - 2. No pushcart shall exceed 60 inches in height, nor shall any canopy be less than 78 inches in height at its lowest point.
 - 3. The administrator shall have the right to require smaller dimensions based upon such factors as, but not limited to, pedestrian and vehicular safety and adequate sight distances.
- v. The pushcart shall be set up so that a minimum of five feet of pedestrian passage is maintained along the sidewalk at all times.
- vi. Vendor permits will be invalid during special festivals and events within the central business district. However, vendors may apply for permits from the sponsoring organization or committee to operate within the area of the special event.

19.3. Definitions.

Eating and drinking establishment uses: A retail business selling ready-to-eat food and/or beverages for on or off-premise consumption. Customers may be served from an ordering counter (i.e. cafeteria or limited service restaurant), at their tables (full-service restaurant), and at exclusively pedestrian-oriented facilities that serve from a walk-up ordering counter (snack and/or nonalcoholic bars). This definition shall not include any mobile food vendors or other operations serving food and/or beverages from a vehicle. Eating and drinking establishments include, without limitation, the following uses: bars/nightclubs and restaurants.

Mixed-use residential unit: A non-residential building type that consists of both a residential use and a non-residential use that is allowed in the applicable zoning district.

Mobile food vendors (or food trucks): Licensed motor vehicles or mobile food units which offer for sale and consumption food and beverages (excluding alcohol).

Mobile food vendor site: A permanent location for licensed mobile food vendors or food trucks to offer food and beverages for sale and consumption.

Temporary vendors: Any vendor who sets up a temporary location to sell food, goods, or services. Vendors may be permitted individually or as part of a temporary event (Section 3.14.1). Temporary vendors include, but are not limited to agricultural and non-agricultural roadside vendors and vending pushcarts.

STAFF REPORT

City Council, Monday, May 1, 2023

Title: REZ-21-004 Osborne Road Rezoning

Speaker: Aaron Bland, Asst Planning Director

Prepared by: Aaron Bland, Asst Planning Director

Approved by:

Background

On August 20, 2021, an application was submitted by Tore Borhaug of Tore's Properties LLC ("Applicant") requesting a map amendment (rezoning) for a property at the corner of Old Hendersonville Highway and Osborne Road, PIN 8596-26-6331-000. This parcel is currently zoned General Residential 8 (GR8), and the Applicant is requesting to rezone the parcel to Residential Mixed Use (RMX). The parcel is approximately 4 acres in size and currently undeveloped; the parcel was annexed in 2018. See Attachment A for the application materials, Attachment B for a comparison of uses, Attachment C for a map of the current zoning, and Attachment D for a map of the proposed rezoning as submitted by the Applicant.

The Planning Board discussed this request at their October 2021 meeting. During the discussion, the Board came to the recommendation of greatly expanding the area to be rezoned to RMX; a map of this area is attached. Planning Board made their recommendation to expand the RMX area based on the fact that RMX is a transitional zoning district meant to buffer GR districts from more commercial districts such as CMX and DMX. There was also discussion that the Azalea Avenue neighborhood is ripe for development if the City is successful in extending sewer service and that it could be good for housing supply to provide greater possible density in that area. The Board's recommendation was unanimous.

Due to the substantial increase in scope proposed by the Planning Board, Staff held a Neighborhood Compatibility Meeting to which all impacted property owners were invited. Approximately 20 citizens showed up to the meeting on November 9, 2021 to ask questions about the Board's recommendation and the process moving forward. The concerns raised by the attendees focused on the long-term impacts on infrastructure, such as roads and the water/sewer systems, of such a large area being built out to a density of 15 units per acre as opposed to 8 units per acre.

City Council held a public hearing on the matter at their November 15, 2021 meeting, during which several members of the public voiced their concerns about such a large-scale rezoning. Council ultimately decided to table the matter until after the new Comprehensive Land Use Plan and its Future Land Use Map were completed and adopted. This adoption happened on March 20, 2023, therefore this rezoning is being reintroduced to City Council.

Discussion

As submitted, the proposed rezoning would only rezone the Applicant's 4-acre parcel. The current GR8 zoning is shared by adjoining parcels on the same side of Old Hendersonville Highway. Across the street there are parcels zoned GR4 and a conditional use district made up of two parcels. Approximately 850 feet southwest of the subject parcel is a small area of Residential Mixed-Use zoning, spread across 3 parcels. When a local government rezones a relatively small area of land, special care must be taken to protect the rights of the landowner, the neighbors, and the community at large.

The prospect of rezoning this one parcel of relatively small size to a different district than those surrounding it brings up questions of what is known as "spot zoning." Spot zoning is the act of treating one parcel differently from the surrounding properties through the application of zoning. The concern is that the zoning change may unfairly benefit that particular landowner more than the public at large. Zoning is an exercise of governmental power for the overall public good, and if this zoning power is applied to a small area differently than the way it is applied to the surrounding area, the overall public good may not be served, particularly if the small area is owned by a single entity.

Because of this, spot zoning is highly scrutinized by the courts in North Carolina. If such a rezoning is challenged in court, the court will not presume the zoning to be valid but will review the zoning application carefully to ensure that it is reasonable and in the public interest. Spot zoning is permitted in North Carolina only if the local government can establish that it is "reasonable." If a rezoning is challenged as spot zoning, North Carolina courts analyze the following factors to determine if it is reasonable:

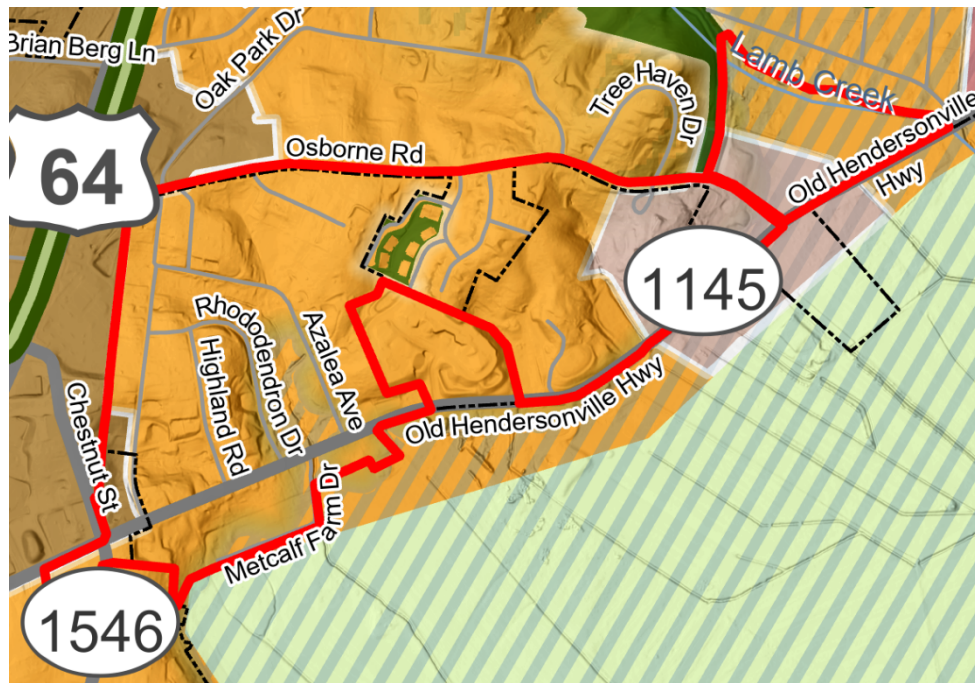
1. *The size and nature of the tract:* The larger the area, the more likely it is to be considered reasonable. Singling out an individual lot for special zoning treatment is more suspect than creating a zoning district that involves multiple parcels and owners, in the eyes of the courts. What is considered a "small" area in regard to spot zoning depends on the context.
2. *Compatibility with existing plans:* if a clear public policy rationale for the different zoning treatment is set out in an adopted plan, that evidences a public purpose. In contrast, an inconsistent zoning action may indicate special treatment.
3. *Impact on the landowner, the immediate neighbors, and the surrounding community:* the relationship of the benefit to the owner versus the harm to the neighbors
4. *The relationship between the newly allowed and previously allowed uses:* the greater the difference in allowed uses, the more likely the rezoning is to be found unreasonable.

The key question in a court's view of an alleged illegal spot zoning will always be whether the zoning power is being exercised in the *public* interest or for the benefit of one or just a few individual landowners.

Policy Analysis

Recommendation LUH-2 of the Comprehensive Land Use Plan states "Evaluate rezoning requests based on the Future Land Use Map and character area descriptions." The Future

Land Use Map identifies the area proposed by the Planning Board as mostly within the *Traditional Neighborhood* character area, with some of the area around the Osborne Road/Old 64 intersection as within the *Activity Center - Minor* character area, and a few parcels as the *Urban Corridor* character area. The RMX zoning district is an applicable zoning district for all three of these character areas as outlined in the Future Land Use Character Area Table. Therefore, this proposal is consistent with the Future Land Use Map and LUH-2.



Character Areas

- Downtown & City Center
- Activity Center - Major
- Activity Center - Minor
- Urban Corridor
- Office, Institutional, Special District
- Traditional Neighborhood

Action

Staff is not requesting any action at this time, but reintroducing this matter to reacquaint Council with the original request and Planning Board's expanded recommendation. Moving forward, Council has several options. A properly-advertised public hearing has already been held. However, given the amount of time that has elapsed, it may not be prudent to vote on the matter. In regards to a rezoning, Council always has the option to rezone a smaller geographic area than recommended by the Planning Board, so long as it is not such a small area that spot zoning

becomes a concern. Council could send the matter back to the Planning Board for their consideration in light of the new Comprehensive Land Use Plan and/or hold another public hearing.

Attachments:

1. Application Materials
2. Current Zoning
3. Applicant Proposed Zoning
4. BPB Area Map
5. Use Matrix



The City of Brevard

North Carolina

REQUEST FOR ZONING MAP AMENDMENT (REZONING)

Applicant Information:

Name: TRE'S PROPERTIES LLC
 Address: P.O. Box 362, BREVARD, NC 28712
 Phone: 828-553-2533

Property Owner Information (if different than applicant):

Name: _____
 Address: _____
 Phone: _____

Location of Property:

HWY 64 & OSBORNE RD

Property Identification Number (PIN): 8596-26-6331

Present Zoning District: GRB

Request District to be Changed to: RMX (attach additional explanation if necessary)

Existing Use of Adjacent Properties:

North FARM LAND
 West SINGLE FAMILY

South SINGLE FAMILY/PASTURE
 East OLD HEWENSONVILLE HWY, FLOOD
8-20-22 AREA/COMMERCIAL

Signature of Applicant

Date

* * * * *

Planning Department must receive the following prior to placement on BPB agenda:

____ Completed Application Form
 ____ Survey of Property
 ____ Application Fee - Date Paid _____, Receipt # _____

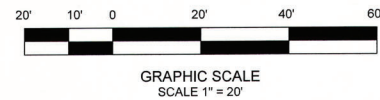
Heard by Planning Board on: _____

Planning Board's Recommendation: ____ Approval ____ Denial

Heard by City Council on: _____

City Council Action: ____ Approval - Ord. Number ____ Effective Date ____
 ____ Denial

BPB : October 26, 2021



LOT NO. 2
CAROLYN OSBORNE HOWIE D.B. 169,
PAGE 531
P.F. 10, SLIDE 166-167

PRIVATE ASPHALT DRIVEWAY

S 72°08'21" E
331.02'

30' ROW MEASURED
FROM CENTERLINE
OF ROAD

18" CONCRETE CULVERT
INVERT: 2103.6'

INVERT:
2103.2'

EX. 10" WATERLINE

S 25°27'33" W
440.94' (TOTAL)

OLD HENDERSONVILLE HIGHWAY
SR 1504
(±20' ASPHALT)

N 43°37'49" E
326.76'

INVERT:
2102.2'

N 45°43'34" E
91.24'

OSBORNE ROAD
SR 1566
(±25.5' ASPHALT)

N 56°51'39" W
154.47'

EX. MH
TOP ELEV.: 2105.1'
INV. ELEV.: 2101.3'

18" CMP

INVERT: 2101.8'

DI
TOP ELEV.: 2108.23'
INV. ELEV.: 2105.6'

DI
TOP ELEV.: 2108.5'
INV. ELEV.: 2105.8'

N 57°25'29" W
113.43'

EX. MH
TOP ELEV.: 2,110.3'
INV. ELEV.: 2,104.2'

EX. 30" CURB & GUTTER

EX. 8" WATERLINE

DI
TOP ELEV.: 2115.7'
INV. ELEV.: 2112.5'

DI
TOP ELEV.: 2115.85'
INV. ELEV.: 2113.3'

EX. POWER POLE

30' ROW MEASURED
FROM CENTERLINE
OF ROAD

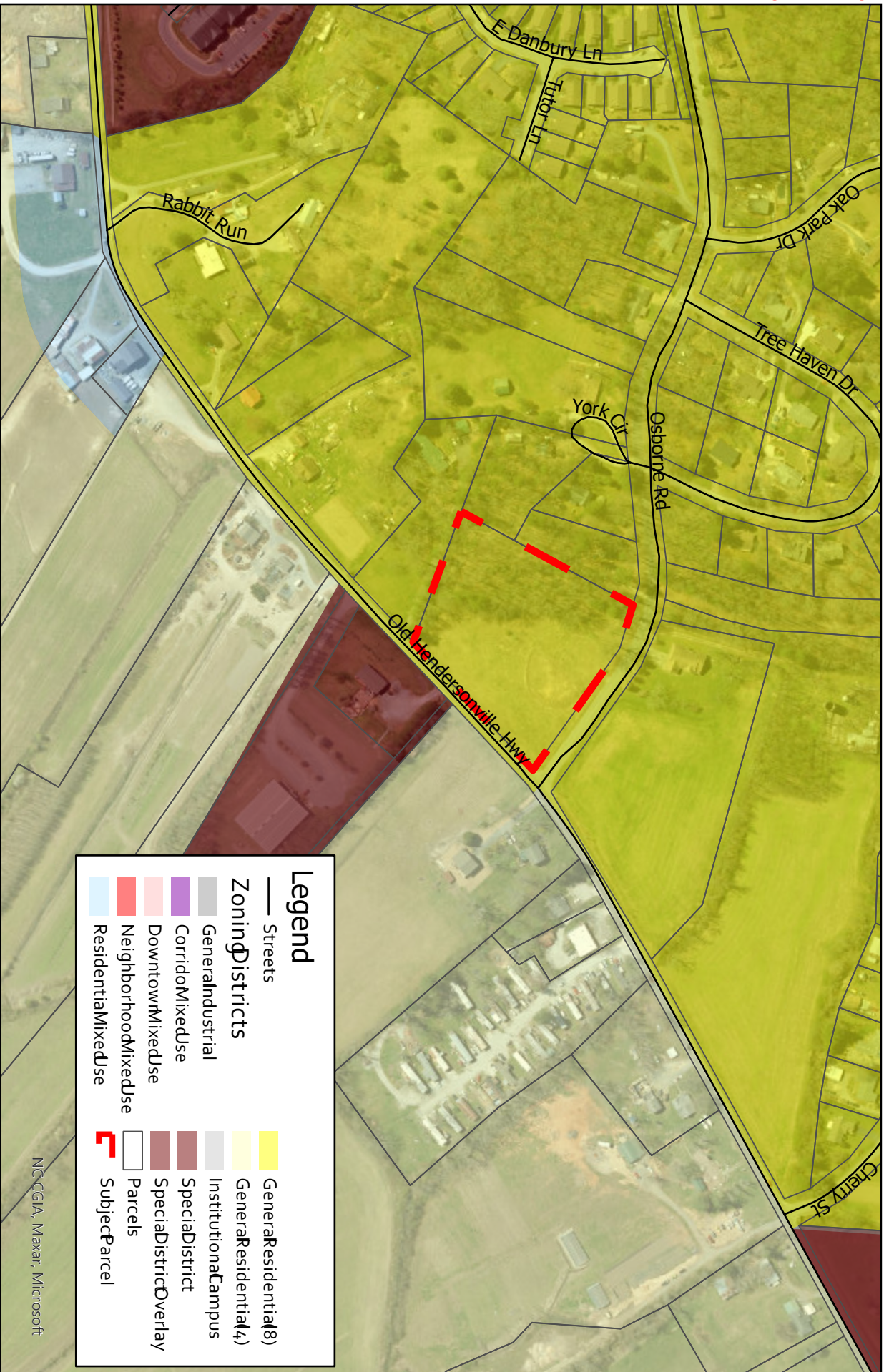
N 62°12'27" W
47.63'

N 67°00'21" W
34.62'

N 72°38'00" W
34.84'

EX. MH
TOP ELEV.: 2124.8'
INV. ELEV.: 2121.0'

Rezoning Request REZ-21-004: Tore's Properties LLC

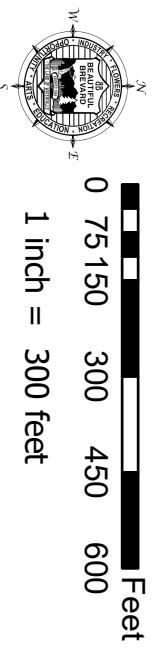
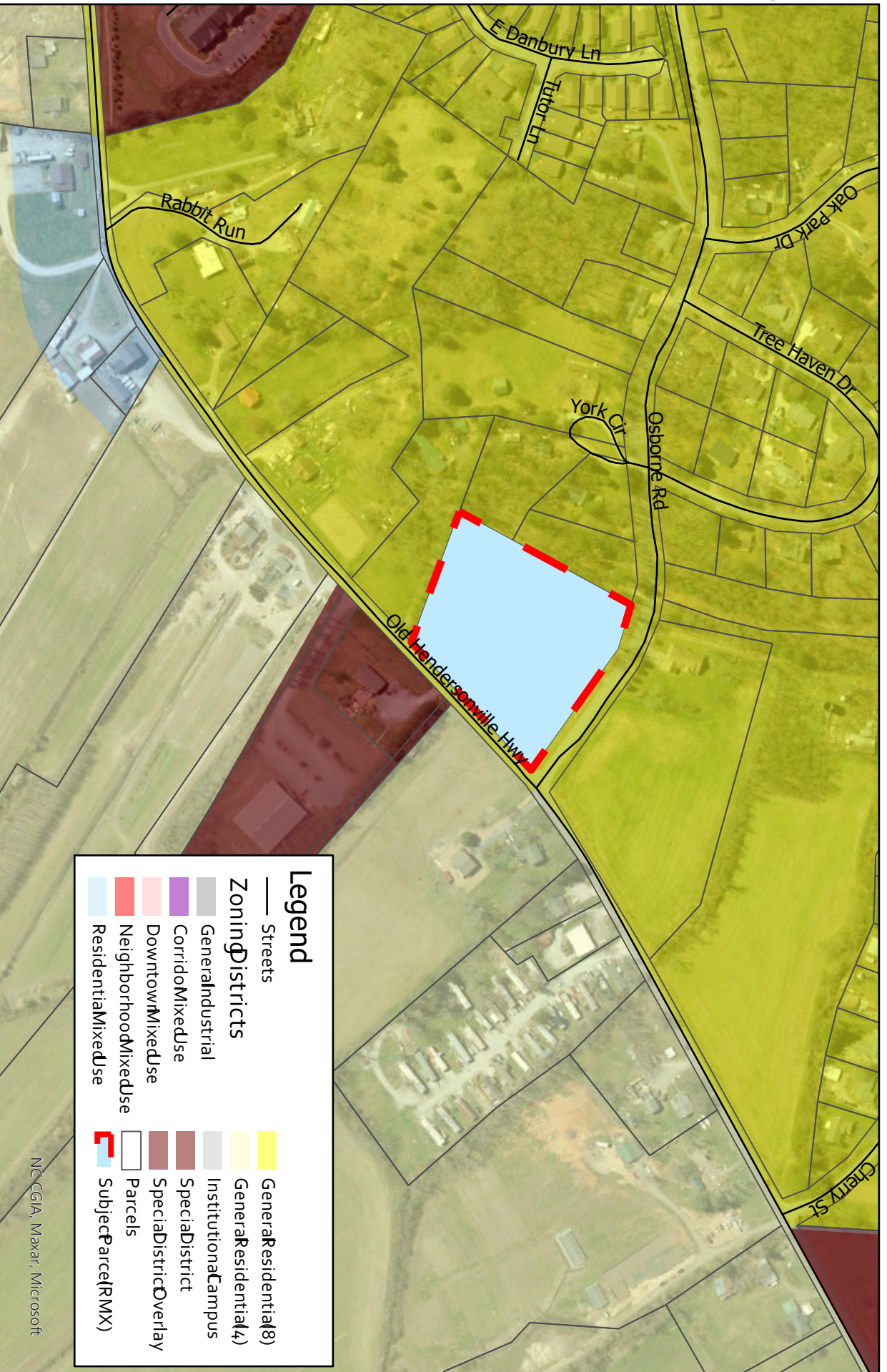


0 75 150 300 450 600 Feet
1 inch = 300 feet

This map was prepared by the City of Brevard Planning Department, October 2021.

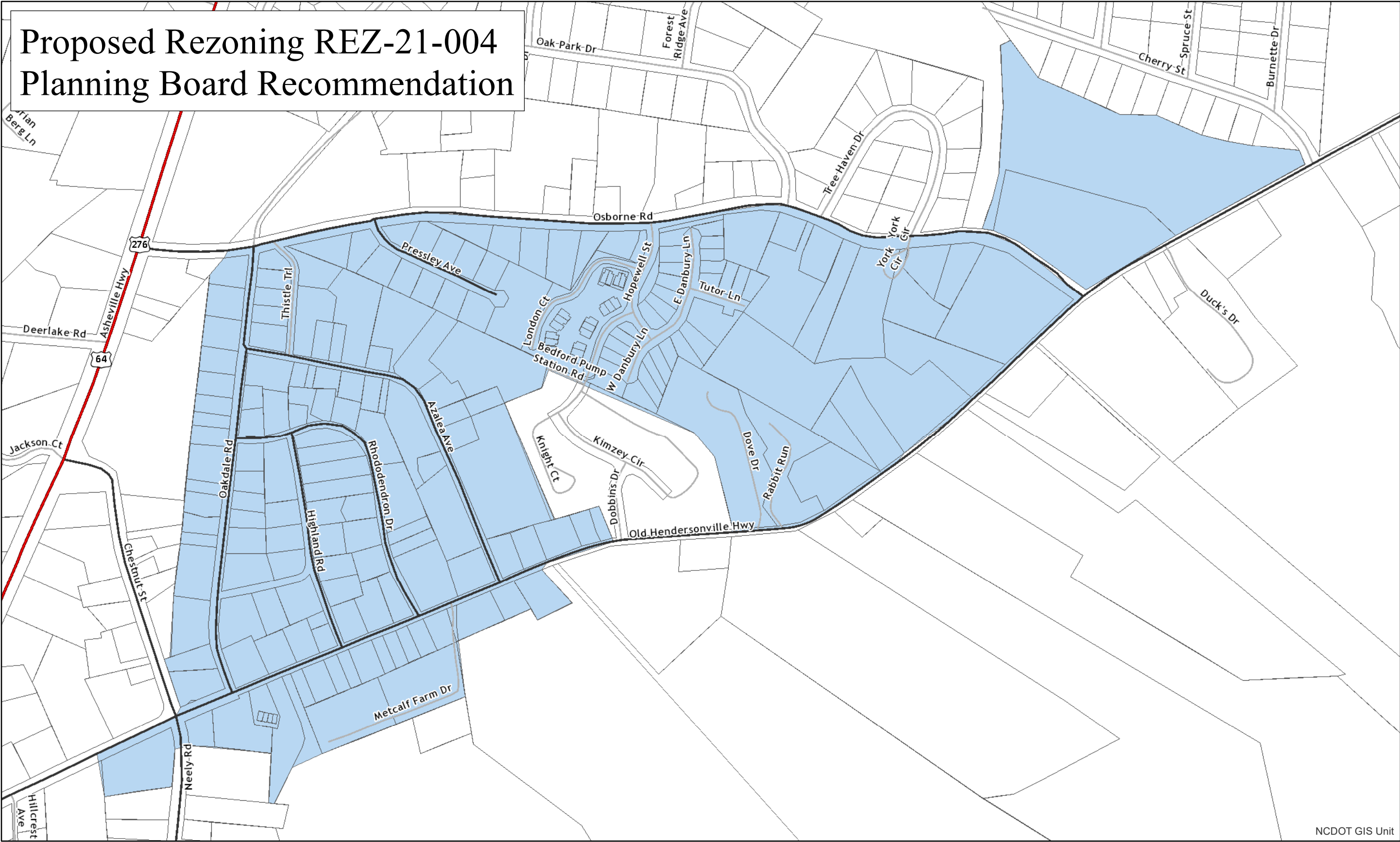
Disclaimer: The information contained on this page is NOT to be construed or used as a survey or legal description. Map information is believed to be accurate, but accuracy is not guaranteed.

Rezoning Request REZ-21-004: Tore's Properties LLC



This map was prepared by the City of Brevard Planning Department, October 2021.

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Land Use Matrix (as of December 5, 2022)

Brevard's City Council adopted Ordinance 2022-76 amending multiple chapters of the Unified Development Ordinance related to land use regulations. These changes include restructuring and amending the matrix of permitted uses in various zoning districts. An excerpt of the revised UDO Section 2.2, including the Use Matrix, can be found below. For the full matrix, relevant definitions, and use-specific standards, please refer to Ordinance 2022-76, which can be accessed at cityofbrevard.com/ordinances.

Unified Development Ordinance Section 2.2.C | Use Matrix

The following matrix sets forth the matter by which certain uses may be permitted within the various districts.

1. "P" denotes those uses that are permitted "by right."
2. "—" denotes those uses that are not permitted within the given district.
3. "SUP" denotes those uses that are permitted upon issuance of a special use permit.
4. "PS" denotes those uses that are permitted with additional standards, which are set forth in Chapter 3.
5. "MHD" denotes those uses that are permitted within a Manufactured Housing Overlay District.

CATEGORY		LAND USE		ZONING DISTRICTS				
Residential		GR	RMX	NMX	DMX	CMX	IC	GI
Household Living	Dwelling—Single-Family	P	P	—	—	—	P	—
	Dwelling—Duplex	P	P	P	—	—	P	—
	Dwelling—Multifamily 3—4 units/bldg.	P	P	P	P	P	P	—
	Dwelling—Multifamily more than 4 units/bldg.	—	P	P	P	P	P	—
	Dwelling—Townhome	P	P	P	P	P	P	—
	Manufactured Home (single unit)	MHD	MHD	MHD	MHD	MHD	MHD	—
	Manufactured Home Park	MHD	MHD	MHD	MHD	MHD	MHD	—
	Live-Work Units	P	P	P	P	—	P	—
Group Living	Family Care Home (Less than 6 residents)	P	P	P	P	P	P	—
	Housing Services for the Elderly	SUP	P	P	P	P	P	—
	Rooming or Boarding House	P	P	P	P	P	P	—
Social Services	Group Care Facility (6 or more residents)	P	P	P	P	P	P	—
	Shelter	—	—	P	P	P	P	—
Lodging		GR	RMX	NMX	DMX	CMX	IC	GI
Overnight Accommodations	All overnight accommodations, except as listed below	—	—	—	P	P	P	—
	Bed and Breakfast	PS	PS	PS	PS	PS	PS	—
	Short-Term Rental	PS	PS	PS	PS	—	—	—
Camping	Campground/Recreational Vehicle Park	SUP	SUP	SUP	—	—	SUP	—
	Rental Cottage/Cabins	PS	PS	PS	—	—	—	—
	Seasonal Camp	PS	—	—	—	—	PS	—



Land Use Matrix (as of December 5, 2022)

CATEGORY	LAND USE	ZONING DISTRICTS						
<i>Commercial</i>		GR	RMX	NMX	DMX	CMX	IC	GI
Eating & Drinking	All restaurants and other eating and drinking establishments except as listed below	—	—	P	P	P	P	—
	Bar/Night Club	—	—	PS	P	P	—	—
Personal Services	All personal services, except as listed below	—	P	P	P	P	P	—
	Day Care Center	PS	PS	PS	PS	PS	PS	PS
Professional Services	All professional services, except as listed below	SUP	P	P	P	P	P	P
	Adult Establishment	—	—	—	—	—	—	SUP
	Banks, Credit Unions, Financial Services, and ATMs	—	—	P	P	P	P	P
	Funeral Homes and Services	—	—	P	P	P	P	—
	Human Crematories and Crematoriums	—	—	PS	PS	PS	PS	PS
	Indoor Animal Services	—	—	P	P	P	P	P
	Kennels and Outdoor Animal Services	—	—	SUP	—	PS	—	PS
	Landscaping and Contractor Services	SUP	SUP	SUP	—	—	—	P
	Vehicle Services - Major Repair/Body Work	—	—	—	—	PS	—	PS
	Vehicle Services - Minor Maintenance/Repair	—	—	SUP	SUP	PS	PS	PS
Retail	All retail and sales establishments except as listed below	—	—	P	P	P	P	—
	Alcoholic Beverage Sales Store	—	—	SUP	P	P	—	—
	Auto/Mechanical Parts Sales	—	—	—	P	P	—	P
	Gas Station	—	—	SUP	SUP	PS	—	PS
	Gunsmiths and Weapon Sales	—	—	SUP	PS	PS	—	PS
Shopping Centers	All shopping centers	—	—	PS	PS	PS	—	—
<i>Civic/Institutional</i>		GR	RMX	NMX	DMX	CMX	IC	GI
Educational	All educational uses except as listed below	SUP	P	P	P	P	P	—
	Colleges/Universities	—	—	SUP	P	P	P	—
	Schools—Vocational/Technical	—	SUP	P	P	P	P	P
Government	All government uses, except as listed below	—	P	P	P	P	P	P
	Correctional Facilities	—	—	SUP	SUP	P	P	P
	Public Safety Station	SUP	SUP	P	P	P	P	P
Medical	All medical offices and facilities except as listed below	—	P	P	P	P	P	—
	Hospital	—	—	—	—	P	P	—
Places of Worship	All religious institutions or places of worship	SUP	P	P	P	P	P	—
	Cemeteries	PS	PS	PS	PS	PS	PS	—



Land Use Matrix (as of December 5, 2022)

CATEGORY		LAND USE		ZONING DISTRICTS				
Entertainment/Recreation		GR	RMX	NMX	DMX	CMX	IC	GI
Indoor Recreation	All indoor recreation, except as listed below	SUP	P	P	P	P	P	P
	Cultural or Community Facility	SUP	P	P	P	P	P	—
	Indoor Amusements	—	—	SUP	P	P	SUP	P
	Indoor Firing Range	—	—	—	—	SUP	SUP	SUP
	Live Performance Theater	—	SUP	SUP	P	P	P	—
	Movie Theater	—	—	—	P	P	—	—
	Special Event Venue	SUP	SUP	PS	PS	PS	PS	—
	Studios, Galleries & Workshops - High Impact	—		SUP	SUP	P	P	P
	Studios, Galleries & Workshops - Low Impact	—	P	P	P	P	P	—
Outdoor Recreation	All outdoor recreation, except as listed below	SUP	P	P	P	P	P	P
	Non-Residential Swimming Pool or Pond	—	SUP	SUP	PS	PS	PS	—
	Outdoor Amusements	—	—	SUP	SUP	P	—	P
	Outdoor Firing Range	—	—	—	—	—	—	SUP
	Parks, Open Space, and Greenways	P	P	P	P	P	P	P
Agriculture		GR	RMX	NMX	DMX	CMX	IC	GI
Agriculture	All agricultural uses	PS	—	—	—	PS	PS	PS
Manufacturing/Wholesale/Storage		GR	RMX	NMX	DMX	CMX	IC	GI
Light Industrial & Manufacturing	All light industrial and manufacturing activities, except as listed below	—	—	—	—	SUP	—	P
	Brewery, Distillery, Winery, Cidery - High Impact	—	—	—	—	P	—	P
	Brewery, Distillery, Winery, Cidery - Low Impact	—	—	SUP	PS	PS	—	PS
	Laboratory	—	—	—	—	P	P	P
	Laundry, Dry Cleaning Plant	—	—	—	—	SUP	P	P
	Manufacturing Research and Development	—	—	—	—	P	P	P
	Media Production	—	—	P	P	P	P	P
Heavy Manu- facturing	All heavy manufacturing activities, except as listed below	—	—	—	—	—	—	SUP
	Metal Products Fabrication, Machine or Welding Shop	—	—	SUP	SUP	P	—	P
Storage and Disposal	All storage/disposal uses, except as listed below	—	—	—	—	SUP	—	P
	Chemical Storage Facility	—	—	—	—	—	—	P
	Solid Waste Storage or Disposal Facilities	—	—	—	—	—	—	PS
	Junkyard / Salvage Yard	—	—	—	—	—	—	SUP
Wholesaling & Distribution	All wholesaling/distribution activities, except as listed below	—	—	—	—	P	—	P
	Equipment Rental	—	—	—	—	P	—	P
	Indoor Vehicle/Heavy Equipment Sales	—	—	PS	PS	PS	—	PS
	Outdoor Vehicle/Heavy Equipment Sales	—	—	—	—	PS	—	PS



Land Use Matrix (as of December 5, 2022)

CATEGORY		LAND USE		ZONING DISTRICTS				
Infrastructure		GR	RMX	NMX	DMX	CMX	IC	GI
Utilities	Utilities—Class 1	P	P	P	P	P	P	P
	Utilities—Class 2	P	P	P	P	P	P	P
	Utilities—Class 3	—	—	—	—	—	—	P
Telecommuni- cations	All wireless telecommunication facilities, except as listed below	PS	PS	PS	PS	PS	PS	PS
	Wireless Telecommunication Facility—Tower	—	—	—	—	SUP	—	PS
Transporta- tion	Parking Lot	PS	PS	PS	PS	PS	PS	PS
	Passenger Vehicle Terminals	—	—	P	P	P	—	P
Accessory		GR	RMX	NMX	DMX	CMX	IC	GI
Residential Accessory	All residential accessory uses, except as listed below	PS	PS	PS	PS	PS	PS	PS
	Day Care Home	PS	PS	PS	PS	PS	PS	—
	Dwelling—Accessory Unit (ADU)	PS	PS	PS	PS	PS	PS	—
	Home Occupation	PS	PS	P	P	P	P	—
	Keeping Bees	PS	PS	PS	PS	PS	PS	PS
	Keeping Domestic Fowl (Chickens)	PS	PS	PS	PS	PS	PS	PS
	Swimming Pool or Pond	PS	PS	PS	PS	PS	PS	—
Non- Residential Accessory	All non-residential accessory uses, except as listed below	—	PS	PS	PS	PS	PS	PS
	Accessory Retail	—	—	PS	PS	PS	PS	PS
	Drive-Thrus	—	—	SUP	—	PS	—	—
	Recycling - Small Collection	—	—	—	—	SUP	SUP	P
	Rooftop Amenity Space	—	—	SUP	PS	PS	PS	PS
	Taproom / Tasting Room	—	—	SUP	P	P	—	P
Temporary		GR	RMX	NMX	DMX	CMX	IC	GI
Events and Structures	All temporary events and structures, except as listed below	PS	PS	PS	PS	PS	PS	PS
	Carnivals or Circus	—	—	—	—	PS	PS	PS
	Farmers Market	—	—	PS	PS	PS	PS	—
Vendors	All temporary vendors, except as listed below	—	—	PS	PS	PS	—	—
	Mobile Food Vendors	—	—	PS	PS	PS	PS	PS
	Vending Pushcarts	—	—	—	PS	—	—	—