



AGENDA
BREVARD CITY COUNCIL - ORGANIZATIONAL MEETING
Monday, December 4, 2023 - 5:30 PM
City Council Chambers

A. Welcome and Call to Order

B. Invocation

Maurice Jones

C. Pledge of Allegiance

D. Certification of Quorum

E. Approval of Agenda

F. Approval of Minutes

1. November 6, 2023 Regular Meeting
2. November 20, 2023 Regular Meeting

G. Recognition of Departing Council Members

1. Council Member Geraldine Dinkins
2. Council Member Maurice Jones

H. Acknowledge Receipt of the Transylvania County Board of Election Abstract of Votes for the Municipal Election November 7, 2023

1. November 7, 2023 Municipal Election Abstract of Votes for Transylvania County

I. Induction of Council Members: Oath of Office to be administered by City Clerk

1. Gary Daniel
2. Pamela C. Holder
3. Lauren Wise

J. New Business

1. Board and Committee Appointments

2. Nomination and Appointment of Mayor Pro Tempore
3. Approval of City Council 2024 Meeting Schedule

K. Remarks / Future Agenda Considerations

L. Adjourn

- There will be a reception immediately following to extend appreciation to departing*
1. *Council Members Maurice Jones and Geraldine Dinkins and to welcome incoming Council Members Pamela Holder and Lauren Wise.*

Agenda Posted, Website, Sunshine List (November 30, 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 Packets" tab. Agenda packet materials are posted on Thursday afternoon prior to Council's Monday meeting.

**MINUTES
BREVARD CITY COUNCIL
Regular Meeting
November 6, 2023 – 5:30 PM**

The Brevard City Council met in regular session on Monday, November 6, 2023, at 5:30 p.m. in the Council Chambers of City Hall with Mayor Copelof presiding.

Present – Mayor Maureen Copelof, Mayor Pro Tem Gary Daniel, and Council Members Mac Morrow, Maurice Jones, Geraldine Dinkins, and Aaron Baker

Staff Present – City Attorney Mack McKeller, City Manager Wilson Hooper, Assistant to the City Manager Alex Shepherd, Assistant City Manager/Finance Director Dean Luebbe, Planning Director Paul Ray, Senior Planner Emily Brewer, Human Resources Director Kelley Craig, Communications Coordinator Becky McCann, Police Chief Tom Jordan, Fire Chief Bobby Cooper, Community Center Director Tyree Griffin, Acting Public Works Director Wesley Shook, and ORC Water Treatment Plant Dennis Richardson

Press – Jon Rich, Transylvania Times

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

B. Invocation – Pastor Brian Land of Grace Brevard Church offered an invocation.

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

D. Certification of Quorum – Assistant to the City Manager Alex Shepherd certified a quorum present.

E. Approval of Agenda – Ms. Dinkins requested that Item K-1 Replacing Double Bollards with Single Bollards Along Multi-Use Path in Railroad District be pulled from the Consent Agenda and added to New Business as Item M-1. Mr. Jones moved, seconded by Ms. Dinkins to approve the agenda as amended. The motion carried unanimously.

F. Approval of Minutes

F-1. October 2, 2023, 2023 Regular Meeting – Mr. Baker moved, seconded by Ms. Dinkins, to approve the minutes of the October 2, 2023 Regular Meeting as presented. The motion carried unanimously.

F-2. October 16, 2023, 2023 Regular Meeting – Mr. Morrow moved, seconded by Mr. Daniel, to approve the minutes of the October 16, 2023 Regular Meeting as presented. The motion carried unanimously.

G. Public Comments – None.

H. Certificates/Awards/Recognition – None.

I. Special Presentations – None.

J. Public Hearing(s)

J-1. Proposed Text Amendment to the City of Brevard Code of Ordinances, Chapter 34 – Floodplain Development Revisions – Emily Brewer explained that the purpose of the Flood Damage Prevention chapter is to promote public health, safety and

general welfare and to minimize public and private losses due to flood conditions within flood prone areas by enforcing the provisions designed to accomplish these goals. The Planning Director, or his designee, is the Floodplain Manager for the City responsible for enforcing these provisions and maintaining the City's participation in the National Flood Insurance Program (NFIP). The City of Brevard has higher standards that exceed the minimum requirements of NFIP. The Community Rating System (CRS) is a voluntary program that incentivizes communities to have higher standards by reducing insurance premiums for residents. The City of Brevard is classified as a Level 8 Community where citizens who need flood insurance are eligible to purchase it for a 10% discount on their premium. The goals of this staff-initiated text amendment are to:

- Better align our ordinance with the model provided by NCEM and reflect best practices in floodplain management: NCEM retains a model ordinance that meets the NFIP requirements within North Carolina General Statutes. The majority of the changes presented are to align our ordinance with the updated requirements;
- Improve the usability of the floodplain management regulations, including providing detailed requirements for notices of violations; consolidating enforcement and variance procedures; and removing standards for special flood hazard areas that are not within our jurisdiction;
- Consolidate all floodplain enforcement and variance procedures to the Code of Ordinances (instead of the Unified Development Ordinance); and
- Ensure we retain our CRS rating and achieve additional points where possible: Staff does not anticipate that these changes will elevate the City to a higher rating at this time. It improves our score for future review and reflects higher standards that can reduce/prevent future flood damage. These changes are:
 1. Increasing the time period used to calculate "significant damage" and "significant improvement".
 2. Including a requirement that non-conversion agreements be recorded when necessary to ensure the unfinished lower floors are not improved or converted to habitable space.

Staff consulted with NCEM to verify the compliance with NFIP and CRS. The comments received are reflected in the proposed changes. Under North Carolina General Statutes, a local government is authorized to enact and enforce floodplain regulations and a flood damage prevention ordinance in pursuit of public health, safety and welfare. The proposed amendments align with NCGS and the City's *Building Brevard 2030* Comprehensive Land Use Plan, including requiring conservation design in areas with sensitive natural resources and limiting the scale and footprint of new development in Conservation/Low Density areas within the Future Land Use Map.

Mayor Copelof opened the public hearing at 5:44 PM.

Public Hearing Public Participation – Alan Mercaldo gave kudos to the Planning Department and said they do a great job in drafting these amendments. I get to work with them in different capacities and I always look forward to reviewing everything that they prepare. He said in looking through the proposed amendment, many of them do look to be administrative. But as I read further, I saw some new language which concerned me. It has to do with Section 26 Variances. It appears that, despite all the guardrails that were established elsewhere in the ordinance, this section is kind of a big exception that lists a broad set of opportunities for allowing variances so that even more development can occur. And then I got to paragraph H Special Facilities and I was surprised to see that we want to allow items such as solid waste disposal facilities, hazardous waste management facilities, salvage yards, and chemical storage facilities to be built on the floodplains. It seems like the bar set for the reasons to allow such variances are pretty low. It only needs to serve a critical need for the city and no feasible locations exist outside the flood zone area. My biggest question rhetorically, is why is this being added? It just feels like the city is looking to expand its current constraints instead of living within them. The floodplains are both examples of the beauty of this earth that's been endowed to us by God and are critical to both nature

and the ecosystem. Disruption of those areas through attempts to bypass natural constraints, like floods, or because they are inconvenient, has effects on our environment and therefore, our ultimate quality of life. Please let's not consume these areas, especially for these least-desirable of purposes. I am asking this Council to add language which specifically denies any variances for special facilities before this comes up for a vote and then maybe we can get to Level 9 compliance with that.

Public Hearing Closed – Mayor Copelof closed the hearing at 5:47.

K. Consent and Information - Consent Agenda items are considered routine and are enacted by one motion. Mayor Copelof read aloud the items listed and asked for a motion to approve the consent agenda. Mr. Morrow moved, seconded by Ms. Dinkins to approve the consent agenda. The motion carried unanimously.

K-2. Property Tax Releases – October, 2023

**RESOLUTION 2023-51
A RESOLUTION APPROVING PROPERTY TAX RELEASES**

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

BE IT NOW, THEREFORE, RESOLVED THAT:

The Tax Collector is hereby authorized to remove October 2023 property values from the tax scroll in the amount of:

2023: \$ 117.60

Adopted this the 6th day of November, 2023.

K-3. Whitmire Street Waterline Project Closeout

**ORDINANCE NO. 2023-52
CAPITAL PROJECT ORDINANCE TO CLOSE ORDINANCE
NO. 2022-29 and 2022-71, WHITMIRE STREET WATERLINE 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 closed:

Section 1: On June 6, 2022, project amendment 2022-29, was approved by the City Council in the amount of \$556,000, to relocate approximately 2,500 linear feet of water main from private property to public right of way. The water mains previously existed under private property under where difficult to maintain, and potentially dangerous. Work was performed by Summit Engineering and Carolina Specialties Construction, LLC. The City received funding of \$556,000 in federal ARPA funds, and \$54,000 was transferred from the Water and Sewer Utility Fund. The project was \$12,590 under the project budget.

Section 2: The project will be closed with actual revenues and expenditures of \$597,410. Actual and budgeted revenues and expenditures will be reversed on the City financial software, and no further expenditures will be required on the project.

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

Account Number	Account Name	Budget Amount
31-8540-5000	Whitmire Street Waterline	\$610,000
TOTAL PROJECT APPROPRIATION		\$610,000

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

Account Number	Account Name	Budget Amount
31-3760-1660	Transfer from ARPA – Whitmire	\$556,000

31-3760-1906	Transfer from Utility Fund	\$54,000
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TOTAL PROJECT REVENUE	\$610,000
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Section 5: The Finance Director will 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: The Finance Director will maintain a detailed analysis of all revenues and expenses associated with the project since its inception.

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

ADOPTED by the City Council of the City of Brevard, North Carolina, on this 6th day of November, 2023.

K-4. Rosenwald Community Advisory Board Minutes – August 17, 2023

K-5. Council Finance, Human Resources and Citizen Appointment Committee Minutes – August 28, 2023

K-6. Council Parks, Trails & Recreation Committee Minutes – September 20, 2023

K-7. Council Downtown Master Plan Committee Minutes – September 21, 2023

K-8. Council Public Safety Committee Minutes – September 25, 2023

L. Unfinished Business

L-1. Proposed Expansion of the Downtown Development Overlay District – Paul Ray explained that the proposed text amendment is to expand the Downtown Overlay District (DDOD). It would impose a build-to line on these properties and the requirement that Mixed-use buildings have their non-residential use located on the ground floor with the residential units above. The Planning Board heard this at their August meeting and recommended a larger area than what Staff proposed. The recommendation was carried forward to Council and a public hearing was held on October 16, 2023. Following the public hearing Staff became aware of a limitation in the way the Planning Board can offer a recommendation to Council for zoning map amendments. Section 16.7.D.2 states the only possible recommendations that the Planning Board can forward to City Council for zoning map amendments are:

- Grant the zoning map amendment as requested;
- Grant the zoning map amendment with a reduction of the area requested;
- Grant the zoning map amendment to a more restrictive general zoning district;
- or
- Deny the application

A recommendation to increase the area is not one of Planning Board’s options, so Council did not receive a valid recommendation at the public hearing last month. Staff is requesting that Council deny the zoning map amendment and instruct Staff to restart the process.

Mr. Baker moved, seconded by Ms. Dinkins to accept the original area as recommended by Staff for the expansion of the Downtown Development Overlay District.

Discussion: Mr. Baker said I have had several discussions about this and have talked with the City Attorney about how we should proceed here. I feel pretty strongly that the Planning Board’s recommendation of the area included in the motion is implied in their motion of an expanded area as well, so I feel like we are on solid ground moving that forward. There are some areas within that expansion that I think are pretty ripe

for redevelopment and right on the edge of our downtown area so I feel a sense of urgency to do this, especially if it does line up with our Comprehensive Land Use Plan. I would like to have further discussion, after we deal with this motion, about how we proceed from here. I think this area has been publicly announced and noticed. It did go through the Planning Board process and their motion, although there was an issue of it being larger than what was recommended by Staff, also included this area, so I believe Council can go ahead and move on this and expand the overlay district.

Mr. Daniel agreed and said I think we need to move forward with this as well. I do have some concerns, and I would like to consider sending the Planning Board recommendation back to them with the caveat that any corridor roads that are included should include both sides of the road. That would be my recommendation for moving forward.

Mr. Morrow said I think what we heard from Mr. Harris at the public hearing was some good suggestions on this whole process. He also asked for consideration for additional time for additional comments from stakeholders as well.

Ms. Dinkins noted that Staff said we wanted to be more methodical in how we approached the overlay and that was the reasoning for Staff's recommendation being smaller than what Planning Board envisioned. She said I go by the Comprehensive Plan and that very clearly aligns more closely with what the Planning Board envisioned versus what Staff envisioned. She asked what is methodical about going one way but not the other way?

Mr. Ray said it was a matter of timing. Staff wanted to have the DDOD be small and well-thought-out in the beginning and then maybe expand later as the city grows.

Ms. Dinkins said in my mind the overlay does exactly that; it only changes things if development happens, but we can put it in place way before development happens. I believe the Comprehensive Plan is a good plan and we should stand for it and we should follow it. The other procedural question I have is our Planning Board can do nothing but approve what Staff brings them, make it smaller or make it less restrictive in zoning?

Attorney McKeller explained that that language comes from the State statute but we can draft our UDO how we want to. Right now the UDO states that in a zoning map amendment context, it can either be approved, denied or reduced in size or density. Part of that is the State statute which pretty explicitly forbids down-zoning. That is part of the reason that it reads the way it does. This would not be a down-zone circumstance, but if the Council's desire is to modify that and give the Planning Board more authority, that can be done with a modification to the UDO. Planning Board is an advisory board, it has no authority to do anything to create policy, but that doesn't mean that we can't give them all the authority we want to. If that is one of the options, I think the Planning Department could make that amendment, though I have some concerns about the notice requirement because people need to be told if their property is being considered.

Ms. Dinkins agreed that the Planning Board's function is advisory, but asked how can a board be advisory if it only gets to green-light what Staff has selected? If we go by the procedural language in the UDO, in effect, they denied Staff's proposal. If Staff and the Planning Board can't agree, then ultimately it comes to us and we decide what it will be. Not to sound impervious, but we can go bigger than what Staff recommends.

Attorney McKeller explained that under the state law you have to give firm notice to anyone who would be affected by that. Tonight a motion could not be made to expand the DDOD to include anything without there being appropriate proper notice given to all the landowners who are going to be affected and everybody on the perimeter of that. The issue here is that it's very clear as to what the Planning Board is allowed to do in the context of a map amendment and that is different from a text amendment, where their recommendation could be much broader because it would be something that

affects the entire UDO. Because this map amendment only affects certain properties, it's more restrictive. If the Council wishes to, it would be fairly straightforward for the Planning Department to modify the language to allow an increase in size to comport with the City of Brevard Comprehensive Land Use Plan. In assisting them to draft an amendment, my recommendation would be some enhanced notice procedures along the lines that if the Planning Board increases the size, that would require a new notice to all of the surrounding landowners for another Planning Board hearing. And if they maintain that, then it comes up for a hearing in front of Council. In a notice of what is going to be changing zoning of land, it is very important to make sure it is clear what is happening.

Ms. Dinkins said my issue goes back to Staff drives the bus when it picks the circumference of an overlay and the Planning Board, which should be our first stop to suss out such Staff recommendations, gets to do very little, other than make it smaller. When it comes to zoning we try to be as fair and equal as we can be, so my question would be how do we justify going one way with an overlay and not the other way in terms of property owners looking at this. Why is the timing something that matters and if it doesn't matter, why don't we go both ways at this time?

Mr. Ray said the Comprehensive Land Use Plan looks 20 to 30 years in the future and we don't rezone everything at once. We just look gradually at what is more likely to be redeveloped in the shorter time and that is why we picked a smaller area.

Mr. Jones said I agree with Mr. Daniel.

Mr. Baker said after we vote on this motion, I think we should consider providing Staff with further direction about how we would like the planning procedure to be undertaken in the future. It seems to me we have to solve for this issue in the process so that when it happens next time we actually have an option. As it is currently written if Planning Board were to want to recommend an expanded area, I'm not sure we have a process for how they should do that or where we should proceed from there. I think we need to cover that after we deal with the motion that has been made.

Vote on the motion to approve the overlay district as recommended by Staff was 4 in favor, 1 opposed (Morrow); the motion carried.

**ORDINANCE NO. 2023-55
AN ORDINANCE AMENDING THE OFFICIAL ZONING
MAP OF THE CITY OF BREVARD TO EXPAND THE
DOWNTOWN DEVELOPMENT OVERLAY DISTRICT**

WHEREAS, the Downtown Development Overlay District was created on February 17, 2020 by Ordinance 2020-04; and,

WHEREAS, the City of Brevard Planning Board considered this proposed map amendment on August 22, 2023; and,

WHEREAS, a public hearing was conducted October 16, 2023, in consideration of this proposed map amendment; and,

WHEREAS, in accordance with North Carolina General Statute 160D-605, Brevard City Council finds the following:

- 1) The proposed zoning map amendment is **consistent** with the following elements of the City's adopted plans and policies:

Building Brevard 2030 Recommendations

Recommendation Land Use & Housing – 7: Consider the development of a form-based code for Downtown that supports a human-scaled, pedestrian-friendly environment.

- 2) The proposed zoning map amendment is in the public interest and reasonable due to the following factors:

- The expansion of the Downtown Development Overlay District will help to ensure that as downtown is redeveloped and expands the design of the built environment will maintain a pedestrian-oriented character.
- The Plan is consistent with the above element of the Comprehensive Land

and,

WHEREAS, the City of Brevard, after hearing all persons wishing to comment on this request, desires to approve said proposal.

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

Section 1. The Official Zoning Map of the City of Brevard is hereby amended as depicted herein on Exhibit A which is attached hereto and incorporated by reference.

Section 2. The Planning Director is hereby authorized and directed to modify the City's Official Zoning Map and the Future Land Use Map consistent with this Ordinance.

Section 3. This Ordinance shall become effective upon its adoption and approval.

Adopted and approved this the 6th day of November 2023.

Mr. Baker moved, seconded by Ms. Dinkins to direct Staff to draft language to Section 16.7.2.A to clarify the procedure for how the Planning Board would recommend an expansion of a staff-recommended zoning change.

Discussion: Mr. Daniel said I understand the intent, but I also understand what Mr. McKeller is saying that it has to have some sort of hearing if they change it. If Planning Board has a better idea than what has been presented to them, I would like to hear that. It seems like that would be within their purview, but with the understanding that it will slow things down; it will have to go back and start over. As long as that's understood, that is probably okay.

Mr. Jones said I agree and think a hearing would be necessary. I don't think it would be fair for a citizen to have their property included without the opportunity to first research and voice their opinion. Mr. Ray clarified that it would not be a hearing at the Planning Board level. There would be notification to every one of the affected property owners inviting them to attend the Planning Board meeting and they would also get a letter inviting them to attend the public hearing in front of City Council as well.

Mr. Morrow said what I heard was the Planning Director asked us tonight to send it back and start over and get it right. What we need to do at this point is to do that.

Mr. Baker said I think it's clear from what the Planning Board recommended that they agreed with Staff's original recommendation and they have further ideas. So we dealt with the part where they agreed with Staff's recommendation. I think the "and we have other ideas" part we don't really have a process for that now. I think they would maybe provide staff with some casual conversational feedback and maybe Staff would hear that and bring them something down the line, but I would rather have a set process for that in the UDO.

Mr. Daniel said I would like to clarify that I agree that it seems like they basically agreed, but I agree with Mr. Morrow that we have approved Staff's plan, but I think this needs to go back to the Planning Board with the understanding that it necessitates that it comes back to them with the consideration of getting it on both sides of the street and all the thing we've talked about. I'm not sure if that even needs a motion or whether that needs to be consensus.

Mr. Hooper requested that the Board go ahead and approve the second motion directing Staff to amend the Code giving the Planning Board more authority to expand and that just be a general direction and that apply to all cases, and then come back and give your thoughts on the merits of this particular case. I think we need to dispose of the second motion and then hear comments from the Board after that.

Vote on the motion to direct Staff to draft language to Section 16.7.2.A to clarify the procedure for how the Planning Board would recommend an expansion of a staff-recommended zoning change was unanimously in favor; the motion carried.

Mayor Copelof asked for any additional comments on directing the Planning Board to relook at the overlay district.

Mr. Morrow said I thought that some of the comments that Mr. Harris made were right on target.

Ms. Dinkins said I think this is the place where I would strongly suggest that Staff look at the Comprehensive Land Use Plan and follow it. Twenty or thirty years out the overlay will not do anything until people develop and I'm not sure if I would trust the crystal ball that somebody seems to have that I don't know about. I would very much like for this to return in a more expanded version.

Mr. Baker said personally I would certainly recommend that Planning Board look at the expansion of the DDOD further with the Comprehensive Land Use Plan in mind. I'll echo what I said at the last meeting which is that we have development/redevelopment going on right now in the city that you can go and visit, which I think shows the importance of expanding the overlay district in order to meet the goals that we have all set.

Mr. Hooper asked which do you want to see first? Do you want the amendments to the Code expanding the Planning Board's charge first, or do you want to see the discussion of the expansion of the zone first? There was consensus to start with the expansion of the overlay district.

L-2. Proposed Amendment to the City of Brevard Unified Development Ordinance, Chapters 2, 3, 5, 8, 9, 10, and 19 – Parking Standards – Emily Brewer recalled that the proposed text amendment is for parking regulations for private development. It does not amend any ongoing city projects or affect any public parking areas. It is just regulations as it relates to new development and redevelopment in our jurisdiction. Parking regulations in the UDO are meant to ensure the provision of off-street parking is proportionate to the land use by establishing minimum and/or maximum amounts of parking. These regulations can also be used to incentivize and encourage development that prioritizes multimodal transit options and other adopted goals from the City's comprehensive plan. This is a staff-initiated text amendment that consolidates parking standards and reorganizes the Parking Chapter, implements a tiered parking model for minimum and maximum number of parking spaces that vary by zoning districts, adding some exceptions to that tiered parking matrix that allow developers to either reduce their minimum parking requirement or increase their maximum parking requirement in exchange for other things. It adds and amends regulations for other types of off-street parking, and revamps the parking area design and construction standards to better reflect best practices in urban design. Staff worked with the Planning Board over the past few months to develop the text amendment and they ultimately recommended unanimously in favor at their August meeting and Council held a public hearing on October 16th. Mr. Morrow moved, seconded by Ms. Dinkins to adopt the proposed amendments as written. Following discussion, the motion carried unanimously.

**ORDINANCE NO. 2023-53
AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE
CHAPTERS 2, 3, 5, 8, 9, 10 AND 19 REGARDING
PARKING DEVELOPMENT REGULATIONS**

WHEREAS, the City of Brevard Planning Board has recommended that Brevard City Code, Unified Development Ordinance Chapter 2 – District Provisions, Chapter 3 – Use Definitions and Standards, Chapter 5 – Building Types and Architectural Standards, Chapter 8 – Tree Protection and Landscaping, Chapter 9 – Circulation and Connectivity, Chapter 10 – Parking 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 Comprehensive Land Use Plan Goals

- **GOAL 2:** Encourage a **development pattern** that respects Brevard's sense of place and prioritizes **livable communities**.
- **GOAL 4:** Create a built environment that prioritizes a **safe, active, multi-modal transportation system** and community health and wellness.
- **GOAL 7:** Support economic vitality and **grow the tax base**, cultivate local businesses, and attract sustainable industry.
- **GOAL 8:** Plan **for efficient, equitable, and resilient infrastructure** and services that maintain and improve quality of life throughout the city.

Building Brevard 2030 Comprehensive Land Use Plan Actions

- **Active Transportation and Community Health - 9:** Right-size parking requirements and develop incentives for multimodal access and alternative approaches to meeting parking demand.

and,

WHEREAS, a public hearing was conducted on Monday, October 16, 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 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 6th day of November 2023.

L-3. Proposed Amendment to City of Brevard Traffic Schedule – Paul Ray explained that Staff noticed several inaccuracies and discrepancies in the Traffic Schedule establishing speed limits for streets within the City. This is a Staff-initiated amendment to clean up these discrepancies for better usability and clarity. The only new addition is establishing a speed limit and no-parking for the new Maple Grove Lane, which was recently constructed and dedicated to the City as part of the Ecusta View Commons project. The speed limit is proposed at 15 MPH with no parking on the shoulders and a requirement to stop before entering onto Asheville Highway. Council held a public hearing on the proposed amendments at its October 16th meeting. Mr. Morrow moved, seconded by Mr. Baker to adopt the amendments as presented. The motion carried unanimously.

**ORDINANCE NO. 2023-54
AN ORDINANCE AMENDING
THE CITY OF BREVARD TRAFFIC SCHEDULE**

WHEREAS, a public meeting was conducted on Monday, October 16, 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 66-5 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. The City Clerk of the City of Brevard is hereby authorized and directed to revise

and amend the official records and the Brevard Traffic Schedule to reflect the change as set forth in Exhibit A which is attached and incorporated herein.

SECTION 02. The City Manager of the City of Brevard is hereby authorized and directed to cause the appropriate signs to be installed on Maple Grove Lane and enforcement of the foregoing provisions to be implemented.

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 on the 6th day of November 2023.

M. New Business.

M-1. (K-1). Replacing Double Bollards with Single Bollards Along Multi-Use Path in Railroad District – Ms. Dinkins said she doesn't like to see things that cost money in the Consent Agenda unless they have been budgeted or are really nominal. This is \$12,000, which I feel needs to be noticed on the record and not in the Consent Agenda. We say this was in the plans that were approved in 2018, but I went back and looked and I cannot see any plan for expansion of the multi-use path that we have approved where the bollards are specifically addressed. When I look at what I consider bollards, there is an evolution when you come out of the forest. We have those metal ones that can be laid down and there is one, then suddenly we have two. The worst part for me is that we put up doubles in front of Keir and then those got corrected immediately because people had trouble with them, especially where you have to turn on the other side by Raybow. Then we went on with the bike path and we did the same thing again. I would just really like to make sure, as we're talking about branding our bike path, that we institute consistency with these kinds of features, that they look all the same and that we approve them and vet them through different user groups – not just people on bikes, but people in wheelchairs, people with double or triple strollers, people on handicap bicycles. I understand that we're trying to keep motorists from turning into our multi-use path, but I think that is accomplished with the smaller ones in the middle. I wonder why this needs to come out of the Public Works budget. Is that the budget where the mistake was made? Mr. Hooper said I can't tell you where the mistake was made, but I can tell you that the Board has remedied it because you now review all plans. In this case I can't identify where the double bollards were approved. I think it was by the previous manager after Council endowed him with the ability to approve the plans, but I can't show that and your comments seem to dispute that. The reason why I think it was legitimate, at least in an engineer's eyes or someone drawing up plans, is because over in that area there are trucks coming out of TVS and the industrial properties there, Comporium and Henderson Oil trucks going in and out every day, so the type of traffic that exists in that space might suggest that you want some additional protections. But, we have seen that that hasn't been necessary and as a matter of fact, the double bollards have been more heartache than they have been protection. We have had a couple of bonafide incidents and those were brought to the Chair of the Public Safety Committee and he asked that we put this on the agenda and consider what it would take to replace the double bollards with single, so we put together an analysis. Approximately half of the \$12,000 cost is staff hours. I think that for efficiency sake, matters that are recommended by a policy board will move through the process quicker if they are put on Consent and full Council will have the opportunity to pull items to talk about more thoroughly, but I will ask that question of the new board. That was my logic for putting it on Consent, since it had the recommendation of the Public Safety Committee. Mr. Morrow moved, seconded by Mr. Baker to replace the double bollards with single bollards. Following discussion, the motion carried unanimously.

N. Remarks/Future Agenda Considerations.

Mr. Baker had a question for Attorney McKeller regarding the public hearing procedure where we hear it once and vote on it at the second meeting. He said I agree that is the correct procedure, but I am wondering if there is a way Council can have comments or have an opportunity to ask questions when it is first read without a motion. I know that can be tricky, but is there a way we can legally do that? Attorney McKeller said the Council adopts its own procedures and I can't see where that would be contrary to any of Council's procedures and it might even actually clarify things, but I will look into it and make sure when the new Council adopts its procedure, that's something that is considered. Mr. Baker added that he would like to have that option. I think it can be a little awkward for the public to speak and then Council sits there quietly and doesn't respond. I also sometimes have questions about the presentation that I would like to ask the staff ahead of when we have waited two more weeks before voting on it.

Mr. Hooper said this week I started reading Chapter 70, Article IV of our Code of Ordinances, the Water Shortage Response Plan, and depending on how the weather goes in the next few weeks, we may have to implement it. Unless it rains, at our next meeting I am going to bring Council a full briefing on the steps that we take in response to a water shortage. We are already one of fourteen Western North Carolina counties that are listed as in a severe drought by the North Carolina Drought Management Advisory Council. Fortunately we are close enough to the source of our raw water that we are usually one of the last to feel the impacts of the drought, but many of our neighbors, including Hendersonville have already started implementing their conservation measures and depending on how the weather goes, we may have to soon. I am mentioning this today as sort of a soft introduction so that you won't be shocked in two weeks when I bring you the full briefing. I also mention it as a way to ask all our folks in attendance and all our viewers to start being thoughtful about your water use. If we all collectively make elective changes in the weeks to come, we might be able to delay compulsory measures. I have asked Dennis Richardson to talk about the triggers for the various stages of conservation that the ordinance contains. On a separate but related topic, the US Forest Service and the Transylvania County Fire Marshall have both issued burn bans. The dry conditions in the area, due to lack of rain, have significantly increased the risk of forest fires. There are already two burning in Western North Carolina. The County Fire Marshall is the primary enforcer of this ban, but the Brevard Fire Department will be assisting with enforcement and violations are subject to civil penalties so don't have a campfire in your backyard over the next few weeks. I will conclude by saying that when it does rain, the conditions are ripe for flooding as dry ground cannot absorb water as efficiently and instead runs it off into our storm system, which at this time of year has leaves and other debris in it, so it might not be able to operate as efficiently as it normally could, which means a high risk of flooding. So I ask everybody in attendance and watching to be water wise when you see standing water and drive around and practice good judgment when you are around standing water.

Dennis Richardson said for right now we are okay. We are treating water at 2.6M gallon flowrate, which is about 1806 gallons per minute. Our number one trigger is if the creek gets to where we cannot treat at least 1700 gallons per minute and that is when our ordinance tells us we should go to voluntary conservation. We would ask people to try to cut back the best they could. Then it goes to 1500 gallons and then to 1300 gallons. If we get to where we are only taking water in at 1300 gallons per minute, we could still produce all the water we need, but we would be running around the clock. For right now there is still plenty of water going down the creek. Once it passes the plant, we are taking what we need and there is still water going. But if it doesn't rain in another few weeks, I don't have that crystal ball when it comes to the creek, but I have lived here for a long time and what's probably going to happen is it's going to be dry for a few more weeks and when it does rain, we're going to wonder if it's ever going to stop. This problem could correct itself majorly in just a few days. I'm not really fretting about it too bad yet, and nobody from the State has contacted me about the condition of the creek or worried about the creek below the plant yet, but a little rain would go a long way.

Mayor Copelof said I want to thank Staff for being so proactive. I know we have been watching the water levels for the last few weeks and looking at what other cities have done in the region and I want to thank everybody for the heads up and the fact that we have a plan that we can execute if we have to. I am also very impressed with a lot of the safety improvements that we have been making recently - the elimination of the double bollards that have caused various injuries; we have a new 3-way stop at French Broad and Park Avenue; and if you head down by the Methodist Church by the college, you will see additional safety improvements that make that crosswalk so much safer for people. A lot of this is all feedback from the public and I hope the public realizes that when you come and speak to us and you make these comments, we really are listening and we put it into our process; we analyze it and come up with the best solutions overall. I am happy to say that quite a number of these are now at the solution point. Anything that we can do that makes our town safer is a great step forward. I also want to mention, we talked a lot about trails today, that we had a really large milestone in that we joined with Henderson County for the opening of the Ecusta Trail. We had the groundbreaking ceremony and we got the gold railway spike that they passed out. The Ecusta Trail is real and they are actually starting construction. It was a great ceremony with a couple hundred people there and we joined our brothers and sisters across the county line in a project that is going to be something for the entire region. We had a very safe Halloween and a big thank you to the Fire Department. I understand that we had no incidents and there were thousands of children out on the streets that night enjoying themselves and it all went very smoothly. We also had a wonderful Halloweenfest. A big thank you to our Heart of Brevard partner. That is an incredible amount of work. When you realize that little organization has only three people that work for it and they pulled this off. I think we probably had 10,000 people out on the street that day and it happened flawlessly with no incidents. I do want to remind people that tomorrow is Election Day if you have not voted yet. I understand that early voting has gone extremely well with about 1200 people who have already voted, but if you haven't voted, you've got all day tomorrow so please do vote. Who you elect for your City Council in your local government has a really big impact on your day-to-day life so please have your voice heard by using your vote. We will be welcoming our new City Council members on December 4th. The Marine Corps birthday is coming up on Friday. A big Happy Birthday to my Marine Corps brothers and sisters on their 248th birthday. There will be a Marine Corps Birthday celebration at Ecusta Brewery where Marines, veterans and all friends of the Marine Corps are invited. The Veterans Day ceremony will be at 11:00 on Saturday morning in front of the courthouse and I encourage everybody, on that day in particular, to please acknowledge, talk to the veterans and thank them for the sacrifice that they and their families have made to our country and our freedom.

N. Closed Session

Closed Session #1 – At 7:01 p.m. Mr. Baker moved, seconded by Ms. Dinkins to enter into closed session to discuss a personnel matter and to clear Council Chambers. The motion carried unanimously. Authorized to remain for the closed session with Council and the Attorney was City Manager Wilson Hooper.

Council Returned to Regular Session – at 7:55 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, the meeting was adjourned at 7:55 p.m.

Maureen Copelof
Mayor

Denise Hodsdon, CMC
City Clerk

Minutes Approved: November 6, 2023

MINUTES
BREVARD CITY COUNCIL
Regular Meeting
November 20, 2023 – 5:30 PM

The Brevard City Council met in regular session on Monday, November 20, 2023, at 5:30 p.m. in the Council Chambers of City Hall with Mayor Copelof presiding.

Present – Mayor Maureen Copelof, Mayor Pro Tem Gary Daniel, and Council Members Mac Morrow, Maurice Jones, Geraldine Dinkins, and Aaron Baker

Staff Present – City Attorney Mack McKeller, City Manager Wilson Hooper, City Clerk Denise Hodsdon, Assistant City Manager/Finance Director Dean Luebbe, Assistant to the City Manager Alex Shepherd, Planning Director Paul Ray, Assistant Planning Director Aaron Bland, Senior Planner Emily Brewer, Human Resources Director Kelley Craig, Communications Coordinator Becky McCann, Police Chief Tom Jordan, Fire Chief Bobby Cooper, Community Center Director Tyree Griffin, Acting Public Works Director Wesley Shook, and ORC Water Treatment Plant Dennis Richardson

Press – Jon Rich, Transylvania Times

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

B. Invocation – Pastor Andrew White of Calvary Baptist Church offered an invocation.

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

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

E. Approval of Agenda – Mayor Copelof recommended moving Item H Certificates/Awards/Recognition before Item G Public Comments. Mr. Jones moved, seconded by Ms. Dinkins to approve the agenda as amended. The motion carried unanimously.

F. Approval of Minutes – None.

H. Certificates/Awards/Recognition

H-1. Proclamation 2023-21 Brevard High School Girls Volleyball Team State Championship – Mayor Copelof read the proclamation aloud and presented it to Coaches and members of the Girls Volleyball Team.

Proclamation No. 2023-21
In Recognition of Brevard High School Girls Volleyball Team
Winning 2023 State Championship

WHEREAS, on November 4, 2023, Brevard High School Girls Volleyball Team captured the 2023 North Carolina High School Athletic Association (NCHSAA) 2A Volleyball State Championship; and

WHEREAS, under the guidance of Head Coach Cori Bryson and Assistant Coaches Nell McMurtry, Caleb Hill and Rachel Tritt, the Brevard Lady Devils Volleyball Team earned it first NCHSAA state title in school history, completing the season with an overall record of 32-2; and

WHEREAS, Coach Cori Bryson was named the 2023 Coach of the Year; and

WHEREAS, Meleah Foster was named 2023 Player of the Year; and

WHEREAS, Clair Wilson was named 2023 Defensive Player of the Year; and

WHEREAS, through hard work, dedication, teamwork, and commitment, the Lady Blue Devils brought honor upon themselves, Brevard High School, and Transylvania County.

NOW, THEREFORE, be it proclaimed that the Brevard City Council expresses its congratulations and appreciation to the athletes, coaches, staff and parents of the Brevard High School Girls Volleyball Team. Let it be remembered that each and every one of these individuals are a valuable asset to the City of Brevard and Transylvania County and will shape our future as they continue on the path towards adulthood.

Further, I, Mayor Maureen Copelof and Brevard City Council, do hereby proclaim Tuesday, **November 21, 2023**, as “**LADY BLUE DEVILS VOLLEYBALL TEAM DAY**” in the City of Brevard, North Carolina, and call upon all citizens to join us in recognizing the Brevard High School Girls Volleyball Team and coaching staff for their achievements.

Proclaimed this the 20th day of November 2023.

H-2. Proclamation 2023-22 Brevard High School Boys Cross Country Team State Championship – Mayor Copelof read the proclamation aloud and presented it to Coaches and members of the Boys Cross Country Team.

**Proclamation No. 2023-22
In Recognition of Brevard High Boys Cross Country Team
Winning 2023 State Championship**

WHEREAS, on November 4, 2023, Brevard High School Boys Cross Country Team captured the 2023 North Carolina High School Athletic Association (NCHSAA) 2A Cross Country State Championship; and

WHEREAS, under the guidance of Coach Ben Morgan and Coach Jackie Witherspoon, the Brevard Blue Devils Cross Country Team had a perfect championship season, winning Conference, Regionals and the State Championship, the second State Championship in school history; and

WHEREAS, this year the Boys Cross Country Team won the historical Freedom Invitational and the prestigious Wendy’s Invitational; and

WHEREAS, Leo Murray, Avan Hinkle and Keaton Campbell gained All-State Honors; and

WHEREAS, through hard work, dedication, teamwork, and commitment, the Boys Cross Country Team brought honor upon themselves, Brevard High School, and Transylvania County.

NOW, THEREFORE, be it proclaimed that the Brevard City Council expresses its congratulations and appreciation to the athletes, coaches, staff and parents of the Brevard High School Boys Cross Country Team. Let it be remembered that each and every one of these individuals are a valuable asset to the City of Brevard and Transylvania County and will shape our future as they continue on the path towards adulthood.

Further, I, Mayor Maureen Copelof and Brevard City Council, do hereby proclaim Wednesday, **November 22, 2023**, as “**BLUE DEVILS BOYS CROSS COUNTRY TEAM DAY**” in the City of Brevard, North Carolina, and call upon all citizens to join us in recognizing the Brevard High School Boys Cross Country Team and coaching staff for their achievements.

Proclaimed this the 20th day of November 2023.

G. Public Comments – None.

I. Special Presentations

I-1. Water Shortage Response Plan Briefing – Mr. Hooper presented a PowerPoint presentation (copy attached) reviewing current drought conditions and the City’s water shortage response plan. Dennis Richardson reported that the creek is low but the plant is currently pumping at 1800 gallons per minute and there is still plenty of water going down the creek to sustain fish and aquatic life. Our first trigger is when we get to where we can’t sustain 1700 gallons per minute. Mr. Hooper explained that our water shortage plan is not triggered by a drought classification as it is in some places. Ours is triggered by the amount of water our pumps can pump. He reviewed the three types of water uses, the levels of response and measures based on those triggers, requirements for outreach to users, and enforcement mechanisms. Mr. Hooper noted that the rain forecasted for tonight and tomorrow should help with the current drought

conditions, but he thought it was important to review the City’s response plan in the event of a drought in the future.

J. Public Hearing(s)

J-1. Proposed Text Amendment to the City of Brevard Unified Development Ordinance Chapters 2, 3, 10 & 19 – Extraction Uses – Aaron Bland explained that in fielding inquiries during day-to-day administration of the Unified Development Ordinance (UDO) Planning Staff realized that there is no land use in the use matrix for things like mines, quarries, or other uses that remove rock, stone, ore, soil, gravel, sand, minerals and other similar materials from the surface or subsurface, which are commonly referred to as “Extractive Industries”. Because these uses are capable of generating large amounts of traffic, noise and dust, and much of the activity of these uses occurs outdoors, Staff has initiated this text amendment to specifically add these uses to the UDO so if they were to ever come up we would have an ability to regulate them appropriately. This amendment adds extractive uses to the UDO in several places:

- Chapter 2-Use Matrix under the “Manufacturing/Wholesale/Storage” category. Staff is proposing two different uses: one would be extractive uses in general and one would be extractive uses that require blasting. The general uses would be permitted by right in the General Industrial zoning district and the blasting version would be allowed only with a special use permit in General Industrial.
- Chapter 3-Use Standards – Added use standards, including limiting hours of operation from 7:00 AM to 7:00 PM and blasting would not be allowed between 5:00 PM and 9:00 AM, nor on Sundays or federal holidays.
- Chapter 10-Parking Standards – Staff is proposing that this use be one of the uses that does not have specific parking ratios listed in the off-street minimum and maximum vehicle parking ratios table.
- Chapter 19-Definitions – Definitions for the two different uses will be added to this chapter.

Ensuring the use matrix is robust and does not have missing land uses is a general best practice for zoning ordinances. Additionally, the Building Brevard Comprehensive Land Use Plan action item LUH-19 speaks to maintaining clear and understandable planning documents, including the UDO. The Planning Board discussed this at their October meeting and unanimously recommended approval after some minor changes.

Mayor Copelof opened the public hearing at 6:10 PM.

Public Hearing Public Participation – None.

Public Hearing Closed – Mayor Copelof closed the hearing at 6:10 PM.

J-2. Proposed Text Amendment to the City of Brevard Unified Development Ordinance Chapters 2, 4, 5, 17 and 19 – Building Line Revisions – Emily Brewer explained that Building lines and yards are used as the measurement for multiple different standards in the Unified Development Ordinance, including fence height and accessory structure placement. This is a Staff-initiated text amendment that clarifies the definitions for these and other related items. Some of the major elements are:

- *Building line*: A line measured parallel to the right-of-way line or property line touching that part of the building closest to the right-of-way line or property line.
- *Yard*: A space that lies between the principal building(s) and the nearest lot line or right-of-way line. The front yard and rear yard are defined by the respective building line, with the side yard(s) consisting of the remainder of the property not occupied by principal building(s).
- *Frontage Line*: A line measured across the façade of the portion of the building

Staff also used this as an opportunity to improve the quality of the graphics and add additional graphics to illustrate key concepts that we use on a daily basis when administering the zoning code. Under North Carolina law, land use and development regulations should be objective standards that zoning administrators can apply in implementation, administration and enforcement actions. This text amendment continues to clarify the City's zoning regulations and improve the usability of planning documents. It is consistent with a number of the elements of the Comprehensive Land Use Plan. The Planning Board heard this at their October meeting and unanimously recommended in favor.

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

K-2. Resolution Designating Police Chief Tom Jordan as City's Official to Make Recommendations to NC ABC Commission

K-3. City Manager Employment Agreement Amendments

ORDINANCE NO. 2023-56

AN ORDINANCE FIXING COMPENSATION AND THE OTHER TERMS FOR EMPLOYMENT FOR CITY MANAGER WILSON HOOPER

WHEREAS, in accord with Chapter 2, Article III of the Brevard City Code, the compensation of the City Manager and other terms of his employment are to be fixed by Ordinance; and,

WHEREAS, Council now desires to set forth the terms of such employment in this Ordinance;

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

SECTION 1. RATIFICATION AND CONTINUATION OF EMPLOYMENT. The compensation and other terms for employment for City Manager Wilson Hooper are hereby amended as set forth in the Employment Agreement made and entered into by the City of Brevard, North Carolina and Wilson Hooper, which is attached hereto and incorporated herein by reference.

SECTION 2. EFFECTIVE DATE. This Ordinance shall be effective as of November 20, 2023.

Adopted and approved this the 20th day of November, 2023.

K-4. Council Housing Committee Minutes – October 10, 2023

K-5. Council Downtown Master Plan Committee Minutes – October 11, 2023

K-8. Council Public Safety Committee Minutes – September 25, 2023

L. Unfinished Business

L-1. Proposed Text Amendment to the City of Brevard Code of Ordinances, Chapter 34 – Floodplain Development Revision – Emily Brewer recalled that Council held a public hearing on this proposed amendment at its November 6th meeting. The purpose of Chapter 34 is to promote public health, safety and general welfare and to minimize public and private losses due to flood conditions within flood prone areas by enforcing the provisions designed to accomplish these goals. The City Planning Department is responsible for enforcing these provisions and maintaining the City's participation in the National Flood Insurance Program (NFIP). The City of Brevard has higher standards that exceed the minimum requirements of NFIP. The Community Rating System (CRS) is a voluntary program that incentivizes communities to have higher standards in exchange for a reduction of insurance premiums for residents. The City of Brevard is classified as a Level 8 Community where citizens who need flood insurance are eligible to purchase it for a 10% discount. The goals of this text amendment are to better align our ordinance with the model provided by North Carolina Emergency Management and reflect best practices in floodplain management; improve the usability of the floodplain management regulations; consolidate all floodplain enforcement and variance procedures into the Code of Ordinances; and to ensure we retain our CRS rating and achieve additional points where possible. A basic civic function is protecting the public health, safety, and welfare of its constituents. Under NCGS §160D-923, a local government is authorized to enact and enforce floodplain regulations and flood damage prevention regulations in pursuit of that goal. The proposed amendments align with NCGS and the City's *Building Brevard 2030* Comprehensive Land Use Plan.

Mr. Morrow moved, seconded by Mr. Daniel to approve the amendments as presented. Following questions from Council, vote on the motion was 4 in favor; 1 opposed (Dinkins). The motion carried.

ORDINANCE NO. 2023-57
AN ORDINANCE AMENDING CHAPTER 34 FLOOD DAMAGE PREVENTION
OF THE CITY OF BREVARD CODE OF ORDINANCE

WHEREAS, the City of Brevard wishes to update Chapter 34 Flood Damage Prevention of the Code of Ordinances.

WHEREAS, a public hearing was conducted on November 6, 2023, by 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 the City Code of 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. The City of Brevard Code of Ordinance is hereby amended as depicted in Exhibit A, which is attached hereto and incorporated herein by reference.

SECTION 02. The City Clerk of the City of Brevard is hereby authorized and directed to revise and amend the official records and the Code of Ordinance to reflect the change as set forth in the aforementioned Exhibit A.

SECTION 03. The City Manager of the City of Brevard is hereby authorized and directed to prepare a policy document to accompany these code changes to inform requests for connection without annexation.

SECTION 04. 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 05. This Ordinance shall be in full force and in effect from and after the date of its adoption and approval.

Adopted and approved on the 20th day of November 2023.

M. New Business.

M-1. Times Arcade Alley – Authorize City Manager to Award Contract – Mr. Hooper explained that the budget for the Times Arcade Alley project was \$1,082,000 to include construction and professional engineering work by Arbor Engineering. The low bidder was Tennoca Construction out of Candler, NC. Their base bid was \$1,011,670. The bid documents also contained a number of alternatives that can be included if Council so wishes, but we would have to pay for any alternatives out of another source, most likely the General Fund. The alternatives for Council’s consideration are as follows:

Combo 1	Combo 2	Combo 3	Combo 4	
Brick column and sign (\$22k)	Brick column, sign and archway (\$30k)	No Main St. column or archway	No Main St. column or archway	No Main St. column or archway
Archway @ Jordan St. (\$9,200)	Archway @ Jordan St. (\$9,200)	Archway @ Jordan St. (\$9,200)	No Jordan St. archway	No Jordan St. archway
Food Truck power receptacle (\$2,400)	Food Truck power receptacle (\$2,400)	Food Truck power receptacle (\$2,400)	Food Truck power receptacle (\$2,400)	No Food Truck power receptacle
Holiday lights receptacle pedestals (\$18,000)	Holiday lights receptacle pedestals (\$18,000)	Holiday lights receptacle pedestals (\$18,000)	Holiday lights receptacle pedestals (\$18,000)	Holiday lights receptacle pedestals (\$18,000)
Total \$51,600	\$59,600	\$29,600	\$20,400	\$18,000

Mr. Hooper asked Council to decide which, if any of the alternatives to include in the contract price. He noted that the features that the Downtown constituents have requested are the holiday lights receptacle pedestals and the food truck power receptacle.

Ms. Dinkins moved, seconded by Mr. Daniel to approve Combo 2. During discussion Mr. Daniel noted that the Downtown Master Plan Committee has recommended not putting the archways up as it would be spending a lot of money for a feature that we will not be able to reproduce anywhere else in the City. Following further discussion, Ms. Dinkins amended her motion, seconded by Mr. Daniel to approve Combo 4 to add the power receptacles for food trucks and holiday lights. Vote on the amended motion was unanimously in favor; the motion carried.

RESOLUTION NO. 2023-53
RESOLUTION AWARDING CONTRACT TO TENNOCA CONSTRUCTION FOR TIMES ARCADE ALLEY
STORMWATER AND STREETScape PROJECT

WHEREAS, the City of Brevard Downtown Master Plan calls for stormwater improvements and streetscape improvements in and around Times Arcade Alley;

WHEREAS, the City has secured several outside funding sources to fund the project;

WHEREAS, the City's consulting engineering firm, Arbor Land Design, conducted a competitive bidding process for the Times Arcade Alley Stormwater and Streetscape Project and Tennoca Construction submitted the lowest responsive bid;

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

A contract for \$1,071,070 for Times Arcade Alley Stormwater and Streetscape Project is hereby awarded to Tennoca Construction, which the City Manager (or his designee) is hereby authorized to execute.

Approved and adopted this 20th day of November, 2023.

N. Remarks/Future Agenda Considerations.

Mr. Baker offered congratulations to incoming councilmembers for their victory in the election. He said I look forward to working with them. I also want to thank the other people that ran in the election. We had a habit for a while in this city of having some uncontested races and I think we are all better off when we can have conversation throughout an election season about the issues that matter to the people of Brevard. I think this election did just that. I look forward to welcoming those folks up here next time.

Mr. Daniel said it is nice to have a healthy election. That's what it felt like to me. Folks in our city are engaged and concerned. Thanks to everyone for that.

Mr. Jones offered congratulations to those who will be sitting up here. He said I do believe this election was a very spirited one and we had a lot of people who stood up and say I want to represent our citizens, and I think that's great and we need more of that. I want to thank all of those who ran for office this time. I also want to quickly make mention of the Motown Christmas 2023 fundraiser for Rise and Shine which is going to take place on December 9th. He encouraged everyone to take part in that.

Ms. Dinkins said I echo the excitement of what I consider a real election, especially for a post that in the past it felt like people got an invitation to sit at the popular table and they ran unopposed often. It did seem to result in spirited conversation and people talking to each other about who they're voting for. I was pretty pleased with myself because I had the three winners' yard signs in my front yard. I have one more housekeeping item. I have a really hard time with our City Camper construction site and the question I have at this point is what can be done? To me, the silt fencing is a temporary sign that has long-outlived its temporary use. It is very central to town and we used to call it a marquis site when we were contemplating

selling it and it looks awful at this point. I would like for this Council going forward, for me to be able to hand over the baton for someone to worry about this. I just cannot believe that this is in the center of our town right next to the courthouse. Mr. Hooper said he shared with us that he is going to do his cleanup and so forth by the end of this month so we are going to at least give him until then before we take any regulatory action.

Mr. Morrow said I want to thank the leadership of the City for inviting all the smiling faces tonight. To have a high school class with two state championships is absolutely amazing and I want to say it was really nice seeing them all sit out there and to share with them in their pride.

Attorney McKeller said I want to add my congratulations to the new members of Council. I also want to underline something that went in the consent agenda. I am pleased that this Council has chosen to extend the contract for Wilson Hooper. I think he has done a fabulous job as the City Manager and I want to congratulate this Council for that. One of the most important things you can do is select the manager for the City and I think this Council has done an excellent job at that. I look forward to continuing to see how this city progresses.

Ms. Hodsdon wished everyone a Happy and Blessed Thanksgiving.

Mr. Hooper thanked Attorney McKeller and Council for the vote of confidence and wished everyone a Happy Thanksgiving.

Mayor Copelof said tonight definitely was a joyful meeting. It was wonderful to have so many of our young people here who showed that kind of dedication, teamwork and perseverance. They came as state champions and it was wonderful to be able to share in the joy of that wonderful accomplishment with our community. I too welcome our new councilmembers. I look forward to their being sworn in on December 4th. I hope our community comes to welcome them as they get sworn in and as we constitute our new City Council team. I look forward to another year of working with our City Manager. A couple of reminders as we move into our holiday season – we have our tree lighting ceremony on Friday, December 1st at dusk, about 5:15. This is different than usual as it is on Friday night with Light Up the Night. Please join all of your elected officials who will be there. Then on Saturday at 11:00 on December 2nd we have our holiday parade, which is again a change in time. This week we head into Thanksgiving and this is one of those special holidays where we take time to express gratitude, to think about our blessings, to reflect on how much we have in terms of being Americans, in terms of our community and our family. We have so much to be grateful and thankful for and I am so thankful for this community, for some of our incredible organizations. I know Bread of Life will be serving Thanksgiving meals to many who don't have as much as many of us. I know Sharing House has been giving out Thanksgiving supplies. We worked a "pack the pantry" session on Saturday for Sharing House and brought in over 6000 pounds of donated food. We have a community with a tremendous heart and that to me is one of the biggest blessings of being part of Brevard and I feel extremely blessed to be your mayor.

N. Closed Session – None.

O. Adjourn – There being no further business, at 7:03 p.m. Mr. Baker moved, seconded by Ms. Dinkins, to adjourn the meeting. The motion carried unanimously.

Maureen Copelof
Mayor

Denise Hodsdon, CMC
City Clerk

Minutes Approved: December 4, 2023



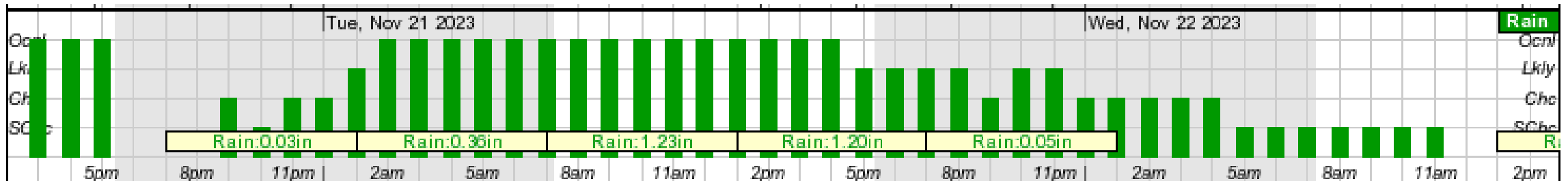
Water Shortage Response Plan
Presenter: Wilson Hooper, City Manager
November 20, 2023

Background

- Intended to preserve water availability for human consumption, sanitation, health, and fire protection.
- Established in October 2010
- Required by NCGS 143-355
- Statute requires the plan's restrictions be tiered according to drought severity
- Local plan can be superseded by the state-established NC Drought Management Advisory Council

Current Conditions

- NC drought conditions last updated November 16
- Southern part of Transylvania County in “extreme drought”, northern part in “Severe Drought”
- Water plant currently pumping 1,800 gallons per minute; wet well at normal level
- 80% chance of rain tonight. 100% chance tomorrow, with possibility of heavy fall (source National Weather Service)



Classification of water uses

- Type I – Essential uses of potable water

- Water to sustain human and domestic pet life, maintain hygiene and sanitation standards
- Patient care and rehabilitation, including swimming pools used for patient care and rehabilitation as prescribed by medical personnel
- Firefighting and approved flushing of hydrants and sewer mains to ensure public health and safety

- Type II – Socially or economically essential uses

- Minimal use for kitchen, bathroom and laundry, minimal water of gardens needed to sustain them between the hours of one hour before sunset and one hour after sunrise
- Patient care as described above
- Commercial car washed, laundromats, restaurants, hotels/motels, minimal water usage for commercial nurseries required to sustain stock, minimal amounts to sustain essential cooling operations
- Minimal amounts to sustain crops, livestock and associated activities
- Minimal use necessary to operate industrial production facilities and sustain jobs.
- Efficient use of water by schools, churches, and government facilities.

- Type III – Non-essential uses of potable water

- Ornamental uses (fountains, etc.), residential and commercial lawn irrigation, non-commercial washing of motor vehicles, washing of impervious surfaces, filling swimming pools
- Gardens, lawns, parks, city/county playing fields and recreation areas.

Levels of response

Stage	Trigger	Conservation measures	Conservation goal	Enforcement
1	WTP can pump <1,700 GPM	Voluntary measures. City seeks to induce voluntary conservation through public education across media platforms.	10% below normal consumption	None
2	WTP can pump <1,500 GPM	Mandatory restrictions. Only uses classified as Type I and II uses allowed.	20% below normal consumption	Surcharge of 1.5x normal rate for consumption over 2,000 gals/mo. Notice of violation for first offense; 24-hour disconnection for second offense; \$250 fine and 48-hour disconnection for third and subsequent offenses
3	WTP can pump <1,300 GPM	Mandatory restrictions. All non-essential uses prohibited. Only uses classified as Type I allowed. Firefighting is the only allowable outdoor water use	30% below normal consumption	Surcharge of 2x normal rate for consumption over 2,000 gals/mo. 24-hour disconnection for first offense; \$500 fine and 48-hour disconnection for second offense; \$500 fine and 72-hour disconnection for third and subsequent offenses

Stage 1 public education

- Ordinance requires us to do outreach through Transylvania Times, local radio and TV, and city's website.
- We'll also use our social media platforms and our new CivicAlert tool.
- Some examples from HVL's Facebook on the following slides



Hendersonville, NC City Government

October 13 · 🌐

...

Hey Hendersonville Water Customers!

Even though we got a little bit of rain last night, our area has been stuck in drought conditions with very little rain this season. We remind everyone to continue to reduce non-essential water use and take conservation measures during this time of low rain.

🚗 No car washing except by commercial facilities equipped to recycle water

👉 Don't wash down outside areas such as sidewalks, patios, parking lots, service bays, aprons, etc.

🌱 Limit lawn and garden watering to only that which is necessary for plants to survive, reusing household water or reclaimed water when possible

Learn more at www.hvlnc.gov/watershortage and thanks for your cooperation! Hopefully Mother Nature will give us some help soon! ☁️

North Carolina

Home

Map released: Thurs. October 12, 2023

Data valid: October 10, 2023 at 8 a.m. EDT

Intensity

- None
- D0 (Abnormally Dry)
- D1 (Moderate Drought)
- D2 (Severe Drought)
- D3 (Extreme Drought)
- D4 (Exceptional Drought)
- No Data



Authors

United States and Puerto Rico Author(s):

[Brad Pugh](#), NOAA/CPC

Pacific Islands and Virgin Islands Author(s):



Hendersonville, NC City Government

October 20 · 🌐



👉 We're immensely grateful to our utility customers for actively conserving water!

💧 Remember, we're still under a Stage 2A Water Shortage Alert, due to the continuing moderate drought conditions and lower-than-normal flow levels on the Mills River.

Take these steps to help:

🚫 No car washing (unless by facilities with water recycling)

🧽 Avoid washing outside areas

🌱 Limit lawn and garden watering

💧 Don't let faucets run unnecessarily

🚽 Limit toilet flushing

🧺 Use washers and dishwashers fully loaded

🚿 Opt for showers rather than baths

♻️ Use disposable and biodegradable dishes

🔧 Embrace flow-restrictive and water-saving devices

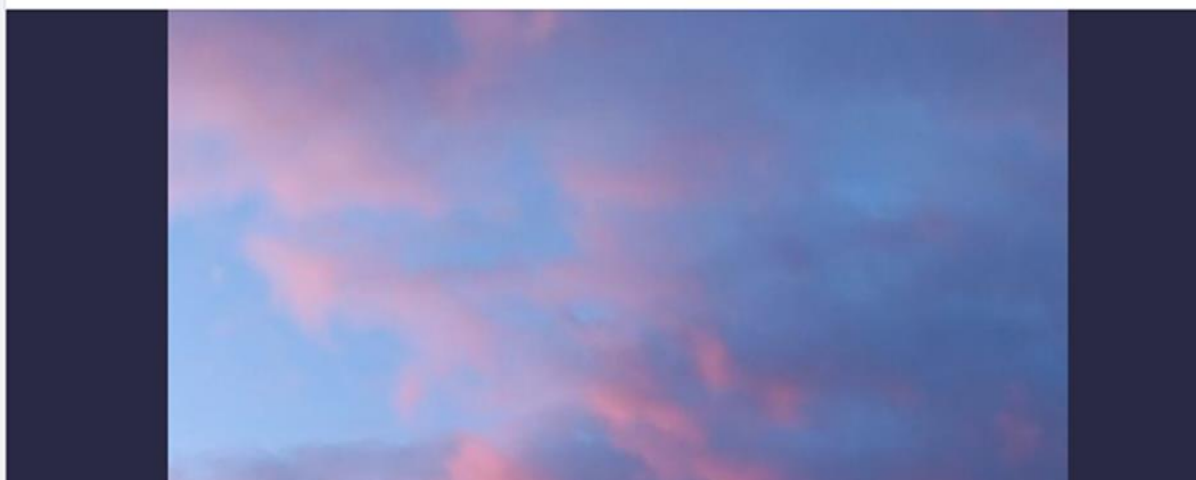
❄️ Cut back on air conditioner use

🌳 Temporarily delay new landscape work

Our Water Treatment Plant employees work around the clock to provide clean drinking water for the City. Thanks for your dedication, and for snapping this gorgeous photo overlooking the treatment facility! 💙📸

For more information, please visit www.hvlnc.gov/watershortage.

#WaterConservation #HendersonvilleNC





☀️ Even more areas of our region are being impacted by drought conditions. We appreciate our utility customers and water users for continuing to conserve water during this season of very little rain.

💧 Remember, we're still under a Stage 2A Water Shortage Alert, due to the continuing moderate drought conditions and lower-than-normal flow levels on the Mills River.

📖 We've got some frequently asked questions and more info posted at www.hvlnc.gov/watershortage.

Take these steps to help:

- 🚫 No car washing (unless by facilities with water recycling)
- 🧹 Avoid washing outside areas
- 🌱 Limit lawn and garden watering
- 💧 Don't let faucets run unnecessarily
- 🚽 Limit toilet flushing
- 🧺 Use washers and dishwashers fully loaded
- 🚿 Opt for showers rather than baths
- ♻️ Use disposable and biodegradable dishes
- 🔧 Embrace flow-restrictive and water-saving devices
- ❄️ Cut back on air conditioner use
- ✂️ Temporarily delay new landscape work

#WaterConservation #HendersonvilleNC

North Carolina

[Home](#) / North Carolina



Map released: Thurs. October 26, 2023

Data valid: October 24, 2023 at 8 a.m. EDT

Intensity

- None
- D0 (Abnormally Dry)
- D1 (Moderate Drought)
- D2 (Severe Drought)
- D3 (Extreme Drought)
- D4 (Exceptional Drought)
- No Data

Authors

United States and Puerto Rico Author(s):

[Rocky Bilotta](#), NOAA/NCEI

Pacific Islands and Virgin Islands Author(s):

[Ahira Sanchez-Lugo](#), NOAA/NCEI

Stage 2 and 3 enforcement

- For stages 2 and 3, the increased rate is the primary conservation driver.
- Brevard Police Department is authorized to enforce the plan
 - For stage 2, likely to utilize citizen reporting
 - Proactive enforcement likely only utilized in stage 3

Stage 2 and 3 enforcement

JOHN DOE
123 MAIN ST
BREVARD, NC 28712

CITY OF BREVARD

BILL DETAILS

ACCOUNT NUMBER		ACCOUNT NAME		SERVICE ADDRESS		
12345		JOHN DOE		123 MAIN ST		
SERVICE FROM		SERVICE TO	DAYS OF SERVICE		BILL DATE	DUE DATE
9/1/2023		10/1/2023	30		10/31/2023	11/20/2023
DATE	TRANSACTION DESCRIPTION	METER SERIAL NO	PREVIOUS	CURRENT	USAGE	AMOUNT
10/31/2023	METER CHARGES	12345678				\$ 2.70
10/31/2023	WA INSIDE CITY	12345678	3815	3840	2000	\$ 31.89
10/31/2023	WA CONSERVATION RATE	12345678			500	\$ 6.84
10/31/2023	SW INSIDE CITY	12345678	3815	3840	2500	\$ 36.45
10/31/2023	GARBAGE RESIDENTIAL PICKUP					\$ 9.75
10/31/2023	STY DSPSL RESIDENTIAL					\$ 10.25
10/31/2023	RECYCLE					\$ 4.00
CURRENT CHARGES						\$ 101.88

A base rate of \$13.65 is built into both the monthly water and sewer rates. Customers in the City limits will be billed \$9.12 for the first 2,000 gallons and \$13.68 (1.5 of the original rate) per 1,000 gallon, for any water used in excess of 2,000 gallons.



2023 MUNICIPAL ELECTION
11/07/2023
ABSTRACT OF VOTES
FOR
TRANSYLVANIA COUNTY, NORTH CAROLINA

INSTRUCTIONS

The county board shall prepare abstracts of all the ballot items in triplicate originals. The county board shall retain one of the triplicate originals, and shall distribute one each to the city or town clerk for the municipality and the State Board of Elections. The State Board of Elections shall forward the original abstract it receives to the Secretary of State. (GS § 163-182.6)

STATE OF NORTH CAROLINA
COUNTY OF TRANSYLVANIA

The County Board of Elections for said county, having opened, canvassed, and judicially determined the original returns of the election in the precincts in this county, held as above stated, do hereby certify that the attached is a true abstract thereof, and contains the number of legal ballots cast in each precinct for each office or referendum named, the name of each person or choice voted for, their party affiliation (where applicable), and the number of votes cast for each person or choice for the item named.

This is the 17th day of November, 2023.

Sara Champion
Board Chair

Joshua Went
Board Secretary

Mindy Wymark
Board Member

Trina Webb
Board Member

Sandra Watson
Board Member

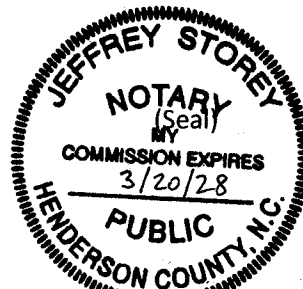
This day personally appeared before me, SARA CHAMPION, Chairman of the County Board of Elections, who being duly sworn, says the abstract of votes herein contained is true and correct, according to the returns made to said Board.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my notarial seal this the 17th day of November, 2023.

Jeffrey Storey
Official Signature of Notary Public

JEFFREY STOREY
Printed/Typed Name of Notary Public

My Commission Expires: 3/20/28



November 07, 2023 Municipal Election Results by Contest

Friday, November 17, 2023

Page 1 of 1

Contest	Choice	Party	Total Votes	Election Day	One Stop	Abs Mail	Provisional
CITY OF BREVARD CITY COUNCIL	Pamela C. Holder		1,186	403	760	21	2
	Lauren Wise		1,177	396	762	18	1
	Gary Daniel		1,001	323	664	13	1
	Ray Brewster		527	250	271	4	2
	Wes Dickson		484	188	288	8	0
	Madeline Hanley		390	161	221	8	0
	Brian Shelton		145	50	85	0	10
TOWN OF ROSMAN MAYOR	Rick Traylor		68	44	21	0	3
TOWN OF ROSMAN BOARD OF ALDERMEN	Larry Bullock		171	69	91	0	11
	Troy Morgan		148	61	78	0	9

November 07, 2023 Municipal Election Results by Precinct

Friday, November 17, 2023

Page 1 of 2

Precinct	Contest	Choice	Party	Total Votes	Election Day	One Stop	Abs Mail	Provisional
TOTAL	CITY OF BREVARD CITY COUNCIL	Ray Brewster		527	250	271	4	2
		Gary Daniel		1,001	323	664	13	1
		Wes Dickson		484	188	288	8	0
		Madeline Hanley		390	161	221	8	0
		Pamela C. Holder		1,186	403	760	21	2
		Lauren Wise		1,177	396	762	18	1
	TOWN OF ROSMAN MAYOR	Brian Shelton		145	50	85	0	10
		Rick Traylor		68	44	21	0	3
	TOWN OF ROSMAN BOARD OF ALDERMEN	Larry Bullock		171	69	91	0	11
		Troy Morgan		148	61	78	0	9
		Ray Brewster		111	54	56	1	0
B1	CITY OF BREVARD CITY COUNCIL	Gary Daniel		214	70	141	3	0
		Wes Dickson		143	59	84	0	0
		Madeline Hanley		86	28	56	2	0
		Pamela C. Holder		244	90	148	6	0
		Lauren Wise		275	99	172	4	0
		Ray Brewster		51	24	26	1	0
		Gary Daniel		159	65	93	1	0
B2	CITY OF BREVARD CITY COUNCIL	Wes Dickson		55	19	36	0	0
		Madeline Hanley		48	22	26	0	0
		Pamela C. Holder		184	81	103	0	0
		Lauren Wise		160	71	88	1	0
		Ray Brewster		181	74	105	1	1
		Gary Daniel		315	80	231	4	0
		Wes Dickson		128	39	84	5	0
B3	CITY OF BREVARD CITY COUNCIL	Madeline Hanley		133	54	76	3	0
		Pamela C. Holder		370	105	259	6	0
		Lauren Wise		363	97	258	8	0
		Ray Brewster		148	81	66	1	0
		Gary Daniel		281	87	188	5	1
		Wes Dickson		123	54	66	3	0
		Madeline Hanley		101	50	49	2	0
B4	CITY OF BREVARD CITY COUNCIL	Pamela C. Holder		348	113	225	8	2
		Lauren Wise		336	114	217	4	1

TRANSYLVANIA COUNTY

November 07, 2023 Municipal Election Results by Precinct

Friday, November 17, 2023

Page 2 of 2

Precinct	Contest	Choice	Party	Total Votes	Election Day	One Stop	Abs Mail	Provisional
CC	TOWN OF ROSMAN MAYOR	Brian Shelton		2	0	2	0	0
		Rick Traylor		4	0	2	0	2
	TOWN OF ROSMAN BOARD OF ALDERMEN	Larry Bullock		4	0	4	0	0
		Troy Morgan		3	0	3	0	0
PF	CITY OF BREVARD CITY COUNCIL	Ray Brewster		36	17	18	0	1
		Gary Daniel		32	21	11	0	0
		Wes Dickson		35	17	18	0	0
		Madeline Hanley		22	7	14	1	0
		Pamela C. Holder		40	14	25	1	0
		Lauren Wise		43	15	27	1	0
		Brian Shelton		143	50	83	0	10
RE	TOWN OF ROSMAN MAYOR	Rick Traylor		64	44	19	0	1
		Larry Bullock		167	69	87	0	11
	TOWN OF ROSMAN BOARD OF ALDERMEN	Larry Bullock		167	69	87	0	11
		Troy Morgan		145	61	75	0	9

	0001_BREVARD COUNCIL BREVARD								0002_ROSMAN MAYOR ROSMAN				0003_ROSMAN ALDERMEN ROSMAN			
	R a y B r e w s t e r	G a r y D a n i e l	W e s D i c k s o n	M a d e l i n e H a n n l e y	C . P a m e l l e a r	L a u r e n W i s e	O V E R V O T E S	U N D E R V O T E S	B r i a n S h e l t o n	R i c k T r a y l o r	O V E R V O T E S	U N D E R V O T E S	L a r r y B u l l o c k	T r o y M o r g a n	O V E R V O T E S	U N D E R V O T E S
B1 BREVARD 1	111	214	143	86	244	275	0	163								
B2 BREVARD 2	51	159	55	48	184	160	0	66								
B3 BREVARD 3	181	315	128	133	370	363	0	230								
B4 BREVARD 4	148	281	123	101	348	336	0	200								
CC CATHEYS CREEK									2	4	0	0	4	3	0	3
PF PISGAH FOREST	36	32	35	22	40	43	0	47								
RE ROSMAN EASTATOE									143	64	0	2	167	145	0	87
TOTALS	527	1001	484	390	1186	1177	0	706	145	68	0	2	171	148	0	90

TRANSYLVANIA COUNTY

BOARD OF ELECTIONS

CERTIFICATE OF ELECTION FOR

Gary Daniel

TO THE OFFICE OF

CITY COUNCIL

11/07/2023 MUNICIPAL ELECTION

Issued this 22nd of November, 2023


Chair, Board of Elections


Director of Elections

TRANSYLVANIA COUNTY

BOARD OF ELECTIONS

CERTIFICATE OF ELECTION FOR

Pamela C. Holder

TO THE OFFICE OF

CITY COUNCIL

11/07/2023 MUNICIPAL ELECTION

Issued this 22nd of November, 2023

The seal of the State of North Carolina is visible in the background, featuring a woman holding a staff and a plow, with the text "THE GREAT SEAL OF THE STATE OF NORTH CAROLINA" and "APRIL 12, 1776".
Sara Champion

Chair, Board of Elections

Jeff Storey

Director of Elections

TRANSYLVANIA COUNTY

BOARD OF ELECTIONS

CERTIFICATE OF ELECTION FOR

Lauren Wise

TO THE OFFICE OF

CITY COUNCIL

11/07/2023 MUNICIPAL ELECTION

Issued this 22nd of November, 2023

The seal of the State of North Carolina is visible in the background, featuring a woman holding a staff and a plow, with the text "THE GREAT SEAL OF THE STATE OF NORTH CAROLINA" and "APRIL 12, 1776".
Sara Chapman

Chair, Board of Elections

Jeff Stoney

Director of Elections



City of Brevard, North Carolina

Oath of Office

State of North Carolina
County of Transylvania
City of Brevard

I, Gary Daniel, do solemnly and sincerely swear that I will support the Constitution and laws of the United States; that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; that I will endeavor to support, maintain and defend the Constitution and laws of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; and that I will faithfully discharge the duties of my office as a Brevard City Council Member, so help me God.

Gary Daniel

Oath Administered by:

Denise Hodsdon, CMC
City Clerk

December 4, 2023
Date



City of Brevard, North Carolina

Oath of Office

State of North Carolina
County of Transylvania
City of Brevard

I, Pamela C. Holder, do solemnly and sincerely swear that I will support the Constitution and laws of the United States; that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; that I will endeavor to support, maintain and defend the Constitution and laws of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; and that I will faithfully discharge the duties of my office as a Brevard City Council Member, so help me God.

Pamela C. Holder

Oath Administered by:

Denise Hodsdon, CMC
City Clerk

December 4, 2023
Date



City of Brevard, North Carolina *Oath of Office*

State of North Carolina
County of Transylvania
City of Brevard

I, Lauren Wise, do solemnly and sincerely swear that I will support the Constitution and laws of the United States; that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; that I will endeavor to support, maintain and defend the Constitution and laws of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; and that I will faithfully discharge the duties of my office as a Brevard City Council Member, so help me God.

Lauren Wise

Oath Administered by:

Denise Hodsdon, CMC
City Clerk

December 4, 2023
Date

STAFF REPORT

City Council, Monday, December 4, 2023

Title: Board and Committee Appointments

Speaker: Maureen Copeloff, Mayor

Prepared by: Denise Hodsdon

Approved by: Wilson Hooper, City Manager

Background

City Council appoints members to a series of internal policy subcommittees, internal advisory committees, and as city representatives to outside groups. Previously a mixture of mayor and council appointments, the procedure was changed last fall to have Council make all appointments.

Discussion

The mayor is charged with putting together a slate of appointments for Council consideration. After individual discussions with all sitting and newly-elected Council members, Mayor Copelof offers the attached slate for Council consideration.

Action

Council is asked to take one of the following actions:

- 1.) Approve the mayor's recommendation as expressed in the attached resolution.
- 2.) Amend the recommendation and approve an amended resolution.
- 3.) Defer action for further discussion.

Attachments:

1. Board and Committees - Mayor Nominations
2. Resolution 2023-56 Appointing Council Members to Committees and Boards

From: Mayor Maureen Copelof

To: Brevard City Council Members

Subject: Proposed Board and Committee Assignments

Policy Committees:

1. Housing Committee: Chair: Pamela Holder; Vice Chair: Aaron Baker
2. Public Works and Utilities Committee: Chair: Mac Morrow; Vice Chair: Lauren Wise
3. Public Safety Committee: Chair: Aaron Baker; Vice Chair: Mac Morrow
4. Finance, Human Resources and Citizen Appointment Committee: Chair: Lauren Wise; Vice Chair: Gary Daniel

Advisory Boards:

1. Downtown Master Plan Committee: Chair: Gary Daniel; Vice Chair: Pamela Holder
2. Rosenwald Advisory Committee: Co-chair: Pamela Holder; member Gary Daniel
3. Parks, Trails and Recreation Committee: Chair: Aaron Baker**; Vice Chair Lauren Wise

Outside Boards:

1. Land of Sky Regional Council: Primary: Maureen Copelof; Alternate: Gary Daniel
2. RPO Transportation Committee: Primary: Mac Morrow; Alternate: Lauren Wise
3. Transylvania Economic Alliance: Aaron Baker
4. Heart of Brevard: Maureen Copelof
5. TC Tourism Development Authority: Lauren Wise
6. Chamber of Commerce: Maureen Copelof
7. Community Relations Board: Pamela Holder

RESOLUTION NO. 2023-56

**RESOLUTION APPOINTING COUNCIL MEMBERS TO
COMMITTEES AND BOARDS**

WHEREAS, on October 16, 2023 the City of Brevard City Council adopted Ordinance No. 2023-51 amending the process for appointing council members to serve committees and boards; and

WHEREAS, it is the duty of the mayor to recommend appointment of council members to serve on committees and boards, subject to approval by vote of City Council; and

WHEREAS, Mayor Maureen Copelof has presented a recommended slate of council member appointments for City Council's consideration.

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

Section 1. The Brevard City Council does hereby appoint City Council Members to various committees and boards for a term to be effective immediately and expiring in December 2025 as follows:

Policy Committees:

1. Housing Committee – Chair: Pamela Holder; Vice Chair: Aaron Baker
2. Public Works and Utilities Committee – Chair: Mac Morrow; Vice Chair: Lauren Wise
3. Public Safety Committee – Chair: Aaron Baker; Vice Chair: Mac Morrow
4. Finance, Human Resources and Citizen Appointment Committee – Chair: Lauren Wise; Vice Chair: Gary Daniel

Advisory Committees:

1. Downtown Master Plan Committee: Chair: Gary Daniel; Vice Chair: Pamela Holder
2. Rosenwald Community Advisory Board: Co-chair: Pamela Holder; member Gary Daniel
3. Parks, Trails and Recreation Committee: Chair: Aaron Baker**; Vice Chair Lauren Wise

Outside Boards:

1. Land of Sky Regional Council: Primary: Maureen Copelof; Alternate: Gary Daniel
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3. Transylvania Economic Alliance: Aaron Baker
4. Heart of Brevard: Maureen Copelof
5. TC Tourism Development Authority: Lauren Wise
6. Chamber of Commerce: Maureen Copelof
7. Community Relations Board: Pamela Holder

Adopted and approved this the 4th day of December, 2023.

Maureen Copelof
Mayor

ATTEST:

Denise Hodsdon, CMC
City Clerk

STAFF REPORT

City Council, Monday, December 4, 2023

Title: Approval of City Council 2024 Meeting Schedule

Speaker: Denise Hodsdon

Prepared by: Denise Hodsdon

Approved by: Wilson Hooper, City Manager

Background/Discussion:

In keeping with City Council Rules of Procedure, Council is to adopt their coming year meeting schedule at the Organizational Meeting.

The proposed 2024 Meeting Schedule includes an all-day Strategic Planning Session on Thursday, February 29, 2024. Therefore, Staff recommends that Council not hold a regular meeting on Monday, March 4th.

The proposed Meeting Schedule also includes an all-day Budget Workshop on Friday, April 12, 2024. Therefore, Staff recommends that Council not hold a regular meeting on Monday, April 15th.

Council may subsequently amend its regular meeting schedule at any time to add or delete meetings or to change the date, time, or location of one or more meetings on the schedule at least 7 calendar days before the first meeting held pursuant to the revised schedule.

Recommendation:

Staff recommends that Council adopt the attached 2024 Meeting Schedule.

Attachments:

1. Proposed 2024 Council Meeting Schedule

Brevard City Council 2024 Meeting Schedule

Day / Date	Time	Type	Location
Tuesday, January 2, 2024	5:30 PM	Regular Meeting	Council Chambers
Tuesday, January 16, 2024	5:30 PM	Regular Meeting	Council Chambers
Monday, February 5, 2024	5:30 PM	Regular Meeting	Council Chambers
Monday, February 19, 2024	5:30 PM	Regular Meeting	Council Chambers
Thursday, February 29, 2024	8:30 AM	Strategic Planning Session	TBD
Monday, March 18, 2024	5:30 PM	Regular Meeting	Council Chambers
Monday, April 1, 2024	5:30 PM	Regular Meeting	Council Chambers
Friday, April 12, 2024	8:30 AM	Budget Workshop	TBD
Monday, May 6, 2024	5:30 PM	Regular Meeting	Council Chambers
Monday, May 20, 2024	5:30 PM	Regular Meeting	Council Chambers
Monday, June 3, 2024	5:30 PM	Regular Meeting	Council Chambers
Monday, June 17, 2024	5:30 PM	Regular Meeting	Council Chambers
Monday, July 15, 2024 (If Needed)	5:30 PM	Regular Meeting	Council Chambers
Monday, August 5, 2024	5:30 PM	Regular Meeting	Council Chambers
Monday, August 19, 2024	5:30 PM	Regular Meeting	Council Chambers
Tuesday, September 3, 2024	5:30 PM	Regular Meeting	Council Chambers
Monday, September 16, 2024	5:30 PM	Regular Meeting	Council Chambers
Monday, October 7, 2024	5:30 PM	Regular Meeting	Council Chambers
Monday, October 21, 2024	5:30PM	Regular Meeting	Council Chambers
Monday, November 4, 2024	5:30 PM	Regular Meeting	Council Chambers
Monday, November 18, 2024	5:30 PM	Regular Meeting	Council Chambers
Monday, December 2, 2024	5:30 PM	Regular Meeting	Council Chambers
Monday, December 16, 2024 (If Needed)	5:30 PM	Regular Meeting	Council Chambers

Adopted: _____, 2023
Distribution: _____, 2023
D Hodsdon, City Clerk