



AGENDA
BREVARD CITY COUNCIL - REGULAR MEETING
Monday, May 5, 2025 - 5:30 PM
City Council Chambers

A. Welcome and Call to Order

B. Invocation

Reverend Elizabeth Roles, St. Philips Episcopal Church

C. Pledge of Allegiance

D. Certification of Quorum

E. Approval of Agenda

F. Approval of Minutes

1. March 7, 2025 Priority Setting Retreat

G. Public Comments

H. Certificates / Awards / Recognition

1. Proclamation No, 2025-12 Historic Preservation Month, May 2025
2. Proclamation No. 2025-16 National Bike Month, May 2025
3. Proclamation No. 2025-13 National Police Week & Peace Officer's Memorial Day 2025
4. Proclamation No. 2025-14 Professional Municipal Clerks Week

I. Special Presentation(s)

1. Transylvania County Tax Collector's Office re 2025 Revaluation
2. FY2026 Recommended Budget Presentation and Set Date for Public Hearing

J. Public Hearing(s)

1. Ordinance - Voluntary Non-Contiguous Annexation - John Valenti and MTS Properties, 4 Parcels on Reservoir Rd. and Hampton Rd.
2. Request to Rezone 4 Parcels on Reservoir Road and Hampton Road from GR4 to GR8 - John Valenti and MTS Properties

3. Proposed Installment Financing Contract with United Community Bank to purchase Azalea Avenue Property

K. Consent and Information

1. Proclamation No. 2025-15 Public Service Recognition Week
2. Resolution Adopting Rotary Club Peace Poles as Official Government Speech
3. Council Housing Committee Meeting Minutes - January 14, 2025
4. Council Parks, Trails, & Recreation Committee Meeting Minutes - February 19, 2025
5. Council Finance, Human Resources, & Citizen Appointment Committee Meeting Minutes - February 24, 2025
6. Council Public Safety Committee Meeting Minutes - February 24, 2025
7. Council Downtown Masterplan Committee Meeting Minutes - March 18, 2025
8. Council Parks, Trails, & Recreation Committee Meeting Notes - March 19, 2025
9. Correspondence *(No Action. Offered as information only.)*
 - a. ABC Board Meeting Minutes - March 27, 2025

L. Unfinished Business

1. Proposed Text Amendment to City of Brevard Unified Development Ordinance Chapters 3 and 19 - New Flea Market Retail Land Use

M. New Business

N. Remarks / Future Agenda Considerations

O. Closed Session(s)

1. NCGS 143-318.11(3) Pending Litigation - NCDOT v Cottages at Brevard, LLC Et Al.
2. NCGS 143-318.11(3) Pending Litigation - City of Brevard v Brevard Board of Adjustment
3. NCGS 143-318.11(3) Pending Litigation - Bunn/SSPBA v. Brevard/Jordan/Hooper

P. Adjourn

Agenda Posted, Website, Sunshine List (May 1, 2025)
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
Priority Setting Retreat
Mary C. Jenkins Community & Cultural Center
March 7, 2025 – 8:30 A.M.

The Brevard City Council met for a Priority Setting Retreat on Friday, March 7, 2025, at 8:30 a.m. at the Mary C. Jenkins Community & Cultural Center, with Mayor Maureen Copelof presiding.

Present - Mayor Maureen Copelof, Mayor Pro Tem Gary Daniel, Council Members Mac Morrow, Aaron Baker, and Lauren Wise. Council Member Pamela Holder joined via Zoom from 8:30 to 10:30 a.m.

Staff Present – City Manager Wilson Hooper, Assistant City Manager/Finance Director Dean Luebbe, Assistant City Manager David Todd, City Clerk Denise Hodsdon, Assistant to the City Manager Selena Coffey, HR Director Kelley Craig, Communications Coordinator Becky McCann, Planning Director Paul Ray, Interim Fire Chief Bradley Elmore, Police Chief Tom Jordan, Public Works Director Wesley Shook, Community Center Director Tyree Griffin, Water Treatment Plant ORC Dennis Richardson, Wastewater Treatment Plant ORC Emory Owen, and Wastewater Treatment Plant Assistant ORC Aaron Winans.

Facilitators – Lydian Altman and Kimalee Dickerson, UNC Chapel Hill School of Government

Press – David Bradley, Transylvania Times

A. Welcome and Call to Order – Mayor Copelof called the meeting to order at 8:30 a.m. and welcomed those present.

B. Certification of Quorum – City Clerk Denise Hodsdon certified that a quorum was present.

C. Oath of Office – Bradley Elmore, Interim Fire Chief – Bradley Elmore was sworn in as Interim Fire Chief by City Clerk Denise Hodsdon.

D. Retreat Agenda

8:30 - 9:30	GETTING STARTED
9:30 - 10:20	UNDERSTANDING CONTEXT
10:15 - 10:30	BREAK
10:30 - 10:50	THREE WISHES
10:50 - 11:10	REPORT OUT WISHES
11:10 - 12:15	CURRENT PROJECT/INVESTMENTS
12:15 - 1:00	LUNCH on site
1:00 - 2:15	CHOOSING PRIORITY INITIATIVES
2:15 - 2:30	BREAK
2:30 - 3:00	FINALIZING PRIORITY INITIATIVES
3:00 - 3:45	OPERATIONALIZING PRIORITY INITIATIVES
3:45	NEXT STEPS EVALUATION OF THE RETREAT
4:00	ADJOURN

Retreat Materials – A complete copy of the retreat materials and information provided to Council is on file in the City Clerk’s office.

Facilitators Lydian Altman and Kimalee Dickerson introduced themselves and went over the objectives, group expectations and ground rules for the retreat.

The objectives for the Retreat were as follows:

- To review and celebrate previous accomplishments.
- To consider information about the City’s internal and external environment impacting the City’s current and future success.
- To affirm criteria and prioritize projects for FY 25-26 consideration and other Strategic Pursuits (beyond FY 25-26).
- To identify markers of success to know when priorities have been successfully implemented.
- To review organizational profile and various policies and processes and affirm direction.

Council participated in a series of exercises intended to identify priorities for the FY 2025-2026 Budget deliberations. As part of their facilitation agreement, Ms. Altman and Ms. Dickerson provided the attached “**Brevard City Council Retreat Notes**” summarizing the results of the retreat’s exercises. Council reviewed the draft report at its April 7, 2025 meeting and accepted the report with the following minor edits and additions:

- Priority regarding Sports Complex – correct to say “link with funding for Ecusta Trail” in the comment section
- “Stay the Course” item regarding Additional Traffic Calming Measures – add “Need to review process” to the comment section

Next steps – Mr. Hooper noted that Staff will build the FY2025-2026 Budget proposal around the prioritized action items.

Adjourn – There being no further business, Council adjourned the Retreat at 4:04 p.m.

Maureen Copelof
Mayor

Denise Hodsdon, CMC
City Clerk

Minutes Approved: May 5, 2025

BREVARD CITY COUNCIL RETREAT NOTES
PREPARED BY SOG FACILITATORS LYDIAN ALTMAN AND KIMALEE DICKERSON
 Friday, March 7, 2025

GETTING STARTED

Introductions: Council & Key Staff	
What do you have to give to the success of today?	What do you hope to gain from today?
• Perspective, insights of community concerns; public context; Understanding/share perspective (4) • Help to the council; support (2) • Support for fulfilling the priorities (2) • Information (2) • Encouragement to stick to the priorities • Maintain focus • Open Listener • Employee perspective • Guidance • Knowledge/direction during departmental transition to new director • Experience and perspective from outside the organization • Knowledge/expertise	• Clear priorities/objectives for the year ahead; Guiding aims (4) • Direction (3) • Consensus for next year's efforts • Focus • Solid plan moving forward • Clear path in uncertain times • Areas to serve community • Insight into Council's priorities • Continued Council support • Understand both long and short-term goals • More about the city (I'm new) and how I can contribute • Great leadership and people • Understanding of retreat and budget prep process • Confidence

As you listen to the Mayor's Report and Review, think about two questions:
What may have enabled that success? What other successes, personal or professional, can you add or build on? • Staff flexibility and adaptability; creativity; ability to respond and make changes (4) • Make hard decisions and explain them to the public (2) • Ongoing communication with the public • Transparency in how we do business • Utilizing outside grants (move towards self-sufficiency) • Dedicated partners and expanding partnerships • Intentional focus on housing—we've shifted what we're doing and realigned the organization to support that focus, e.g., establishment of the Housing Committee • Monthly Meet the Mayor and Manager offers opportunity to actively listen to residents and the structure to create a response/take action • Use of technology

UNDERSTANDING CONTEXT

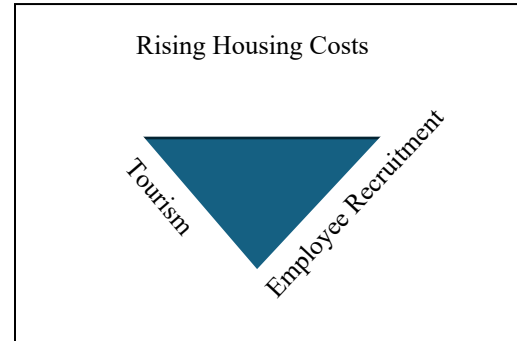
Issues with Potential Impact on City's Work		
From Council's 2024 retreat		Updates or Additions for 2025
Trends- Internal:	• Staffing needs • Cross training • Professionalizing • Lagging technology in our organization • Outgrowing out space • Equipment needs • Expanding scope of large projects impacting operations	• Increasing professionalism is Key! • Retention of staff • Staffing in Brevard Police and Fire Departments • Staff skilled at recruitment and retention • Increasing costs of fringe benefits • Cost of employee training and development • Hiring challenges to get staff on the streets • Lack of (affordable) workforce housing in general • Re-investment in city-owned infrastructure
Trends- External:	• Inflation/ Construction costs/ Cost of Living increasing • Grant funding available • Employee/workforce shortages • Infill and growth • Technology enhancements: changing, social media • Remote work increasing	• Inflation/ Construction costs/ Cost of Living increasing (still!) • Great uncertainty about grant funding in the future • Leveling off of 'Work from Home' practices • Wide proliferation of mis/disinformation (generated by AI?) generating mistrust in general • Increase in # visitors—increases in traffic, impact on infrastructure and services • Lack of appropriate housing (quantity and affordability) for our own City's workforce
Technology Factors	• Mismatched technology (City levels) • Teleworking opportunities are trending up • IT security issues / security threats	• City Council chambers enhanced AV set up • Emergency communications (2) • Planning ahead for infrastructure upgrades • Open vision for developing technology • City phone system • Backup communications for power disasters\Redundancy and resiliency of communications and critical infrastructure • Misinformation management • Enhanced IT structure citywide internal/external

Trend	2024	2025
Political Factors: Local, State and Federal policy	• Intergovernmental agencies: contracts and agreements • Changes in policy makers (federal and State) • Federal / State funding for directed projects	• These remain and are more pronounced: County conflicts, State limitations, Conflicting visions. Communication and compromise are needed. • Partisan v. nonpartisan boards • Funding uncertainties (fed and state) trickle down to local level • State urban-rural divide • Land use autonomy • Municipal elections (2) • Increased polarization of the community • Rapid changes in federal policies
Economic Climate: What's the financial picture?	• Pharm investments • Outdoor equipment manufacturing • Breweries • Architecture/arts • Retiree destination • Level off and visitor spending • Covid was a boom for the City financially • Baby boomers and new people transition impacting property availability • Short Term Rentals	• Pharm investments (continue) • Outdoor equipment manufacturing (continue) • Impact of Helene less than expected here in Brevard • State and Federal funding is questionable • Economic impact of Ecusta Trail already being felt • Tourism increasing • Small business growth • Reliance on tourism comes increasing costs and potential recession • FEMA reimbursements? • Cost of living increases

Trend	2024	2025
Uncertainties	• Funding • City/County relationships • National economic events and trends • Upcoming recessions • Reliance on tourism economy	• Funding • National <i>and international</i> economic events and trends • Increasing costs of running a city • Reliance on tourism – this is legit resource. Brevard is special • Staffing • Grants • Impact of possible federal workforce reductions locally • Weather uncertainties and impact on workload
Customer Needs: Changing Demographics? Changing requirements?	• Constituents’ expectations are rising • Increased expectations of citizens overall • Affordable housing • Safety • Roads • Stormwater infrastructure • Water/Sewer • Generational families vs. transplants mismatch • Population demographics change • Communication and feeling heard • Intentional engagement • Volunteer engagements • Connect with residents and leverage partnerships • Provide more information for citizens	• Safety enforcement on roads • Learning need v. want • Constituents’ expectations are rising, which continues to be a pressing need. Contributes to staffing issues. • Affordable housing (lack) is exacerbated and more pressing this year. • Loss of younger residents and career opportunities • More interactions with volunteers • Affordable housing plan needed • Aging demographics • Social net services in jeopardy

Most Critical Issues or Trends for 2025:

- Funding uncertainties and macro-economic pressures (3)
- Recruitment and retention difficulties, especially “boots on the ground” positions (3)
- Workforce housing (2)
- Big ticket infrastructure needs (2)
- Tourism is part of our economy (+/-)
- Changing demographics, especially loss of younger people
- Staffing and organizational ability to deliver on multiple fronts
- Managing misinformation (and fear) takes time
- Uncertainty regarding international events
- State of city-county relationships
- Inter-relatedness of trends



THREE WISHES

Taking the Long View--What needs to be in place to adequately respond to external or internal influences happening now or in the future?

1. Regardless of *how* it happens, what three wishes do you have to build a better Brevard?

Priority Area	Wishes
AFFORDABLE HOUSING	• Housing to support a diverse community • Brevard is a livable community with diverse, reasonably priced housing for everyone with an innovative, accessible transportation system.
HEALTHY AND DIVERSE ECONOMY <i>Facilitator's Note: Is this a new/emerging priority area? Otherwise, the wish is related to High-Quality Organization.</i>	• Support a healthy workforce: ○ Creation of housing units ○ Initiatives that support commerce ○ Development engines • Workforce, commerce, and small business opportunities abound.
ECONOMIC INCENTIVES	• Achieve balance between economic development and preserving our natural environment
INFRASTRUCTURE INVESTMENTS	• Wastewater Treatment Plan renovation underway • Investment to sustain Infrastructure: ○ Finish what we're currently working on ○ Be better about keeping up with maintenance (even the 'unsexy' stuff) • Balance action with maintenance
COMMUNITY PARTNERSHIPS & ENGAGEMENT	• This is 'how we do our business.' It is foundational to our accomplishments

HIGH-QUALITY ORGANIZATION	• Realistic, adequate staffing ○ What is 'ideal' staffing level? ○ Inform Council even if it isn't attainable now • Five star efficient, effective, and sustainable government as it relates to staffing, infrastructure and services. • Efficient core services ○ Effectively staffed departments. (Our behaviors reflect our capabilities.) ○ Folks have positive opinions of us. Pride in hometown. (Community has confidence in us. We explain how issues are interconnected and not simple to solve. We offer why we're focused in these particular issues.)
COMMUNITY PARTNERSHIPS & ENGAGEMENT	This is 'how we do our business.' It is foundational to our accomplishments
CONNECTED TRANSPORTATION NETWORK	<i>Facilitator's Note: There were no wishes related to this Goal Area.</i>

STRATEGIC FILTER (designed in collaboration with the Council during 2024 Retreat)

The filter included the following criteria and was amended in 2025 (in red):

- ☒ Essential Services ~~(What keeps the lights on and is mandatory by law)~~
- ☐ What creates efficiencies
- ☐ Connected services
- ☐ Ongoing projects that are critical and priorities – what needs to happen for successful completion?
- ☐ What has been “hanging on the wall” and really needs to get done?
- ☐ “Big vs Small Impact” What has a big impact on the community and meets citizens’ needs?
- ☐ Presents a safety issue or threat

Council was encouraged to keep this filter in mind during their current (and future) prioritization exercise.

PRIORITIES FOR FY 2025-26 BUDGET DELIBERATIONS

An initial list of priorities was compiled from outstanding items from last year, new potential items mentioned by internal committee(s) or community groups, and by council members on-site. After discussing each item, some items were moved to a new “Stay the Course” list until there was consensus on the final list for Council to prioritize.

Action	# Votes	Issue/Initiative	Comments
Include in FY 25-26 Budget Plans	4	Jordan St. bumpout reconfiguration (DMPC, cost approx. \$50,000)	Safety concern.
	4	Explore how to increase funds for sidewalks to meet our expectations and address safety concerns on an ongoing [rather than piecemeal] basis	
	3	Complete Estatoe Trail easements	
	3	Create a city-wide parking and wayfinding sign plan	
	3	Encourages diverse housing options. Open to a variety of approaches, e.g., make template plans available, incentives, allowing different types and designs of housing, like cluster, duplex/triplex, etc.	
	3	Sports Complex site planning (PTR, cost TBD)	Immediate need. Add bathroom. Pave parking lot. Link with funding for Eastatoe Ecusta Trail (edited by Council 4/7/25).
	2	Seek funding for Downtown Master Plan	
	2	Add funds to accelerate street repaving	In addition to Powell Bill \$\$
	2	Complete space needs analysis and changes for all department	
	2	Engineering and design of picnic area and bathrooms for Silversteen Park.	Positions us for outside \$\$
	2	Solicit and select bond advisors and begin pre-planning activities for possible issuance (4/24/2025 - Added by City Clerk according to meeting notes)	

Action	# Votes	Issue/Initiative	Comments
Continue to seek grants, band-aid as needed, keep on list for upcoming years	0	Create economic development policy	Use most recent project as basis for policy
	0	Support for contract with an architectural firm to study space needs and begin planning for new/extensively renovated city hall (and BPD and BFD facilities).	Follow up with the county to see what about housing TOB offices in their new building.
	0	Repair wooden bridges	When safety concerns are identified
	0	Create an Emergency Action Plan that addresses vulnerabilities, builds redundancy where needed, and creates resiliency.	
	0	Become a funding partner with the County on transit system	
	0	Review of Fire Service agreement with County	Talk with the county for update
Moved to "Stay the Course"	X	Addl. traffic calming measures (PSC, cost TBD)	Speeding is safety concern and there is never enough dollars to fix all voiced concerns. Need to review process (edited by Council 4/7/25)
	X	Complete Tannery North section of trail	
	X	Implement the findings of the Berry Dunn BPD organizational health assessment and change management strategy.	
	X	Downtown parking study (DMPC, cost approx. \$50,000)	Funds available already to do this.
	X	Staff focus on "trail-related" zoning actions (with corresponding Council workshop that was postponed because of Helene)	
Removed	X	Bicycle lanes, etc. on West Main (DMPC, cost TBD)	Delay beyond upcoming budget; HOB to seek funding partner.

	STAY THE COURSE: Continue the following projects, initiatives¹
A.	Complete Estatoe Trail Easements
B.	Maintain staff focus on “trail related” zoning actions
C.	Implement findings/continue support of Berry Dunn BPD organizational health assessment and change management strategy. Action: Manager to evaluate and distinguish (1) administrative changes from (2) policy or (3) budgetary implications. Numbers 2 and 3 come to council and maybe Public Safety Committee.
D.	Contract with architectural firm (from Professional Services funds) to study space needs for City Hall, BPD, BFD
E.	Undertake Downtown Parking Study (from currently budgeted funds)
F.	After action evaluation/debrief of recent downtown efforts. Use this to inform and revisit the Downtown Master Plan. ○ What went well? What would we do differently? What have we learned?
G.	Staff to create a policy that identifies conditions necessary for installing traffic calming measures. Council to revisit this issue once policy is ready and decide how to allocate funds and issue guidance to residents.
H.	Complete Tannery North section of trail
I.	Consider options, including Municipal Services District, when contract with Heart of Brevard expires (summer 2025). The whole council will review options for how to conduct this work going forward, including potential organizational changes/reforms.
J.	Housing Trust Fund
K.	WTP

¹ Involves no additional funding but is an investment of staff time and effort. And/or this continues as a Council-identified priority (sacrosanct).

EXTERNAL REQUESTS FOR INVOLVEMENT (Manager's Report)

Request	Comments
Staff involvement in Age-Friendly Community work.	Not a council priority for spending staff time.
Energy efficiency/carbon reduction work and advisory committee.	If this work overlaps with existing job responsibilities and work plans and Council priorities, fine to be involved.
Enhanced public outreach, particularly on matters related to downtown.	Undertake the after-action review (see "F" above). Consider those results in how we communicate about our downtown work.
Staff involvement in community "Long-Term Recovery Group" work.	The manager is likely to continue being involved with this going forward.

POTENTIAL STRATEGIC PURSUITS

Question	Comments
Under what circumstances should we begin transition to FT fire dept?	Express TOB needs to County. Get information about the County' decision in this regard. (May 2025) Revisit with council.
MSD approach at expiration of Heart of Brevard contract?	See "I" under "Continue the following projects, initiatives"
Revisit Downtown Master Plan?	Revisit Plan to understand what's changed since it was first adopted and what remains relevant to today. Consider other relevant reports, including after-action review on Downtown work , Parking, and Wayfinding. Guage the support of the community and downtown businesses. Prioritize pieces and strategies considering today's context.
Tap the brakes on housing until all players can get on same page?	Do not stop. Continue to engage Transylvania County and offer them the opportunity to be part of the success of willing partners. Offer them advance notices of meetings. Provide lots of information.

Question	Comments
TIF district at Broad/French Broad to induce development?	Project the rise in property value and use that amount to fund infrastructure improvements (which are usually the responsibility of the developer). This is common practice but not necessarily in smaller towns like Brevard. Relates to Downtown Plan
Offer our levers to efforts re: DRV/old Ecusta site?	Are we set up to respond when we get an ask? ○ Develop economic development policy ○ Limited ability to use closed sessions to consider requests Current ability includes: ○ Zoning changes to support ○ Offering economic development incentives to the 'right' development ○ Extend infrastructure ○ Underwrite studies, like environmental assessment, to lower the risk to potential developers Limited ability (until 2027) to do much at all without property owner's permission.
Get in the game regarding healthcare?	Not discussed. May resurface again in closed session.

NEXT STEPS

1. SOG facilitators offer retreat notes to the Manager no later than March 28 (by March 17, if possible).
2. Manager will develop a proposed budget reflecting Council's priorities; budget to include a listing of FEMA reimbursements.
3. Federal Grants: BPD and DOJ (equipment)

EVALUATION

What Worked Well	What to Do Differently
Enjoyed having more time to discuss (2) decisions and make meaning of the prioritization exercise.	Consider bringing in more input from the department directors
Kept on schedule	Room configuration limited department director's ability to hear discussions.
Balanced long term vision with practical decisions for upcoming year	Need bigger screens to read slides
Appreciate concerns being considered and documented.	
We got through the entire agenda.	
We were civil to each other throughout.	



PROCLAMATION NO. 2025-12

HISTORIC PRESERVATION MONTH

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

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

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

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

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

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

NOW, THEREFORE, I, Mayor Maureen Copelof and the Brevard City Council do hereby proclaim and recognize the month of May 2025 as Historic Preservation Month.

Adopted and approved this the 5th day of May, 2025.


Maureen Copelof
Mayor

Attest:


Denise Hodsdon, CMC
City Clerk





**PROCLAMATION NO. 2025-16
NATIONAL BIKE MONTH**

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

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

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

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

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

WHEREAS, May has been declared National Bike Month since 1956 and is so again in 2025; and

WHEREAS, the League of American Bicyclists, bicycle clubs, schools, parks and recreation departments, police departments, hospitals, companies, and civic groups throughout North Carolina will be promoting bicycling as a leisure activity as well as an environmentally-friendly alternative to the automobile during the month of May 2025; and

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

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

NOW, THEREFORE, I, Mayor Maureen Copelof and the Brevard City Council do hereby proclaim and recognize the month of May 2025 as National Bike Month and Bicycle Safety Month.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Brevard to be affixed this 5th day of May, 2025.



Maureen Copelof
Mayor

Attest:



Denise Hodsdon, CMC
City Clerk





**Proclamation No. 2025-13
National Police Week and
Peace Officer's Memorial Day 2025
Brevard, North Carolina**

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

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

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

WHEREAS, the service and sacrifice of all officers killed in the line of duty will be honored during the National Law Enforcement Officers Memorial Fund's 37th Annual Candlelight Vigil, on the evening of Tuesday, May 13, 2025; and

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

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

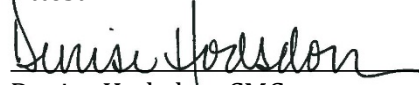
NOW, THEREFORE, I, Mayor Maureen Copelof and the Brevard City Council, call upon all citizens to observe Thursday, **May 15, 2025**, as "**PEACE OFFICER'S MEMORIAL DAY**" and **May 11-17, 2025** as "**NATIONAL POLICE WEEK**" in Brevard, North Carolina, and that all of our people join in commemorating law enforcement officers, past and present, who by their faithful and loyal devotion to their responsibilities have rendered a dedicated service to their communities. In so doing, they have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Brevard to be affixed this 5th day of May, 2025.



Maureen Copelof
Mayor

Attest:



Denise Hodsdon, CMC
City Clerk





PROCLAMATION NO. 2025-14
55th ANNUAL PROFESSIONAL MUNICIPAL CLERKS WEEK
May 4 - May 10, 2025

Whereas, the Office of the Professional Municipal Clerk, a time honored and vital part of local government exists throughout the world; and

Whereas, the Office of the Professional Municipal Clerk is the oldest among public servants; and

Whereas, the Office of the Professional Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels: and

Whereas, Professional Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all; and

Whereas, the Professional Municipal Clerk serves as the information center on functions of local government and community; and

Whereas, Professional Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Professional Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, provincial, county and international professional organizations; and

Whereas, it is most appropriate that we recognize the accomplishments of the Office of the Professional Municipal Clerk.

Now, Therefore, I, Maureen Copelof, Mayor of the City of Brevard, do recognize the week of May 4 through May 10, 2025, as the 56th Annual Professional Municipal Clerks Week, and further extend appreciation to our Professional Municipal Clerk, Denise Hodsdon, and to all Professional Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Brevard to be affixed on this 5th day of May, 2025.



Maureen Copelof
Mayor

Attest:



Denise Hodsdon, CMC
City Clerk



STAFF REPORT

City Council, Monday, May 5, 2025

Title: Transylvania County Tax Collector's Office re 2025 Revaluation

Speaker: Chris Owen, Transylvania County Tax Office

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

Approved by: Wilson Hooper, City Manager

Background

In 2025 Transylvania County performed a revaluation of real property in the county. The result of the project was new tax values for all properties, which took effect January 1. The new total tax value for the City of Brevard was just less than \$2B, about 50% higher than the total value in 2024.

The Council discussed the new values at its April Budget Workshop, focusing in particular on the large increases for (many) residential properties and the comparatively smaller increases for certain commercial properties Council wished to learn more about the methodology that was used to calculate the values, and asked the City Manager to reach out to Transylvania County tax staff and ask them to make a presentation on the revaluation process. Chris Owen, Transylvania County's reappraisal manager, will be presenting.

Discussion

The revaluation process is governed by NCGS 105-283, which requires the property "be appraised or valued at its true value in money" (e.g. Fair Market Value). The statute further defines true value as:

"[M]arket value, that is, the price estimated in terms of money at which the property would change hands between a willing and financially able buy and a willing seller, neither under any compulsion to buy or sell and both having reasonable knowledge of all the uses to which the property is adapted and for which it is capable of being used."

NCGS Chapter 105 -which contains around 550 sections- contains most of the other relevant law regarding property taxation and revaluation, including the appraisal schedule, notice requirements, appeals process, and so forth.

Mr. Owen will share information on the creation and approval of the Schedule of Values (aka "Appraisal Manual", which is linked below), his office's practices for collecting data on each property, his office's practices for collecting neighborhood sales data and using it to inform values, how the assessor accounts for factors like age and condition of properties, and other information relevant to Council's concerns. He will share preliminary information on the recently started Board of Equalization and Review work, including the

projected number of appeals and any relevant trends. He will also share how his office assigned values to property damaged by Helene.

[Schedule of Values link](#)

Action

No action requested; for information and discussion only.

Attachments:

STAFF REPORT

City Council, Monday, May 5, 2025

Title: FY2026 Recommended Budget Presentation and Set Date for Public Hearing

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

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

Approved by: Wilson Hooper, City Manager

Background

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

The proposal presented this evening is the culmination of months of work by both the Brevard staff and the city's elected officials. Staff began compiling information on the costs of providing services prior to the start of the calendar year, and submitted requests for funding for new initiatives soon after that. The City Council held its strategic planning retreat in early March, identifying priorities that staff used to create the budget proposal. Council held a Budget Workshop April 11 to review options and give preliminary approval of a spending plan.

Discussion

The proposed FY26 budget endows each of the city's budgetary units with resources needed to provide services, and spells out a funding strategy for each of Council's priorities. It maintains service levels across the City of Brevard enterprise.

The proposal funds these expenses via:

- A proposed 2.75-cent increase in Brevard's property tax rate. The new rate equates to approximately \$96.25 more for a property with an assessed value of \$350,000.
- A continuation of the city's regular 4% increases to the city's "per/1000 gallon" utility fee, and a new High Strength Waste Surcharge for produces of high strength wastewater.

To relieve pressure on the FY26 budget, staff recommend that some projects/Council priorities be funded from existing resources. Therefore the budget comes accompanied by a Supplemental Spending Plan which uses operational savings, reserve funds, and unobligated fund balance to pay for proposed items.

The City Manager will give an extensive overview of the budget proposal at this evening's meeting.

Action

Staff requests Council take action to set May 19, 2025 as the date of the statutorily required Public Hearing

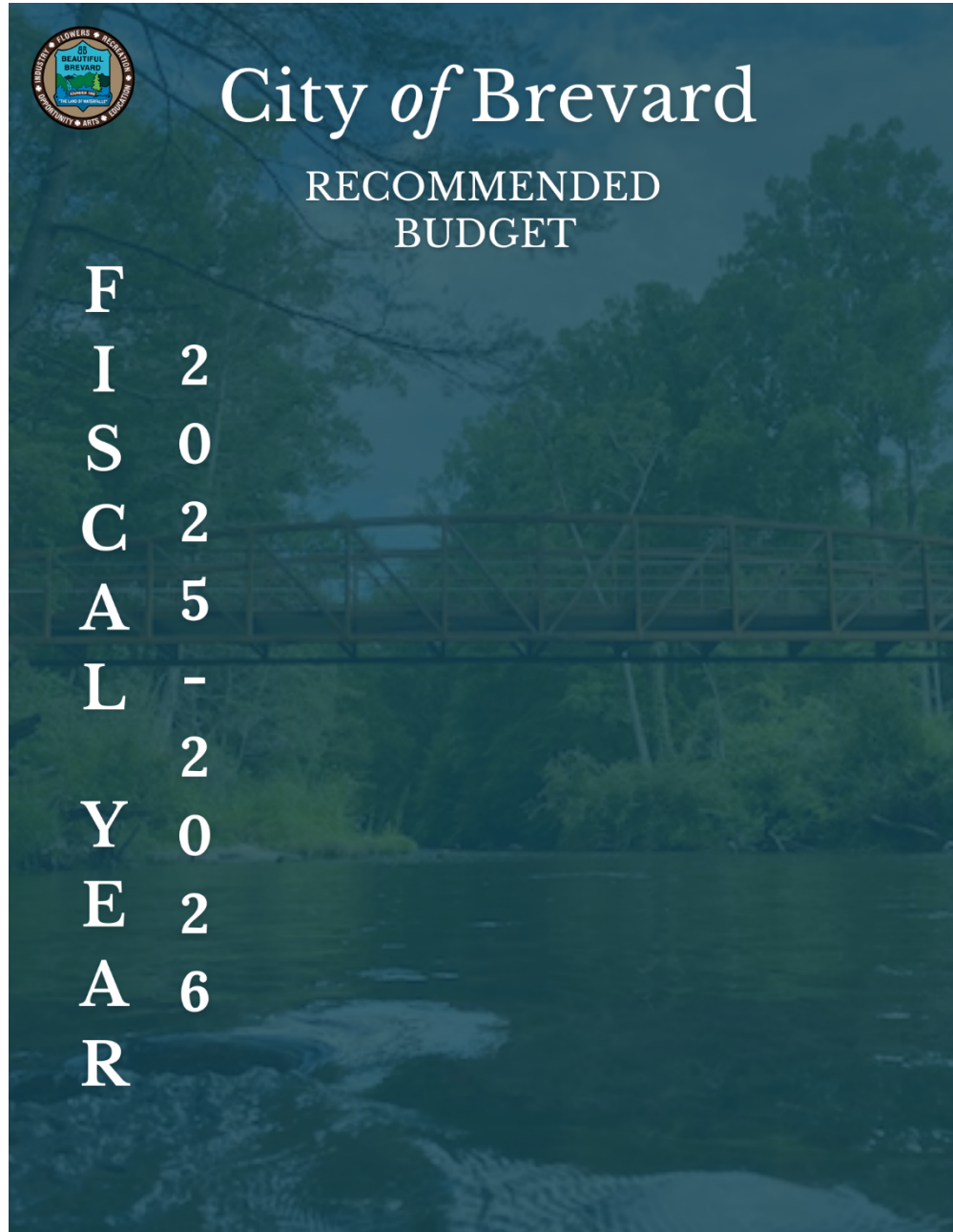
On the content of the recommendation, no action is requested. For information and discussion only.

Attachments:

1. Budget Placeholder

The City of Brevard FY26 Manager’s Recommended Budget will be published at the following link by Saturday, May 3, 2025:

[FY26 Manager’s Recommended Budget page](#)



STAFF REPORT

City Council, Monday, May 5, 2025

Title: Ordinance - Voluntary Non-Contiguous Annexation - John Valenti and MTS Properties, 4 Parcels on Reservoir Rd. and Hampton Rd.

Speaker: Aaron Bland, Asst Planning Director

Prepared by: Aaron Bland, Asst Planning Director

Approved by: Wilson Hooper, City Manager

Background

On February 24, 2025, an application was submitted by John Valenti requesting a voluntary non-contiguous annexation for four of his properties. The properties are located between Reservoir Road and Hampton Road within the City's Extra-Territorial Jurisdiction, identified by PINs 8586-24-2193-000, 8586-24-3036-000, 8586-24-3061-000, and 8586-24-3984-000. The parcels are currently zoned General Residential-4 (GR-4), but the applicant has also submitted a request to rezone these parcels to General Residential-8 (GR-8). . See Attachment 1 for the application materials.

Discussion

The subject properties are located within the City's Extra-Territorial Jurisdiction (ETJ) in close proximity to the corporate limits. The properties currently contain three single-family structures and two garages. Upon annexation, the single-family structures are assumed to be connected to City utilities. The cost of connecting to the City's system will be borne by the property owner.

Policy Analysis

Voluntary annexations are governed by NCGS 160A Article 4A. Upon receipt of a valid petition signed by all the owners of real property in the area described, cities may annex an area that is not contiguous to its primary corporate limits with the following additional standards:

1. The nearest point of the proposed satellite corporate limits must not be more than three miles from the primary corporate limits of the annexing city;
2. No point of the proposed satellite corporate limits may be closer to the primary corporate limits of another city than to the primary corporate limits of the annexing city;
3. The area must be so situated that the annexing city will be able to provide the same services within the proposed satellite corporate limits that it provides within its primary corporate limits;
4. If the area proposed for annexation is subject to subdivision regulations as described in G.S. 160D-802, all of the subdivision must be included.

5. The area within the proposed satellite corporate limits, when added to the area within all other satellite corporate limits, may not exceed ten percent (10%) of the area within the primary corporate limits of the annexing city.

City staff have confirmed the eligibility of the properties for voluntary non-contiguous or "satellite" annexation under the provisions of NCGS.

Fiscal Impact

Given the proximity of the parcels to the main city limits, the financial and service delivery impacts are estimated to be minimal.

Recommendation

The Planning Board discussed this matter at their March 25, 2025 meeting and unanimously recommended approval.

Action

This presentation is for public hearing purposes and no action is requested at this time.

Attachments:

1. Petition for Non-contiguous Annexation
2. Valenti & MTS Properties Preliminary Annexation Plat
3. Ord 2025-XX Extending Corporate Limits_Valenti

RECEIVED
2/24/2025
dh

STATE OF NORTH CAROLINA
COUNTY OF TRANSYLVANIA
CITY OF BREVARD



**PETITION REQUESTING A NON-CONTIGUOUS
ANNEXATION**

G.S. 160A-58.1 (As Amended)

Date: _____

To the City Council of the City of Brevard:

1. We the undersigned owners of real property respectfully request that the area described in paragraph 2 below be annexed to the City of Brevard.
2. The area to be annexed is non-contiguous to the City of Brevard and the boundaries of such territory are as follows:

Transylvania County Property Identification Number(s): 8586-24-2193;
8586-24-3036; 8586-24-3041; 8586-23-3984

Street Address: 1054 117 Reservoir Rd; 82 & 84 Hampton Road

**(ATTACH A METES AND BOUNDS PROPERTY
DESCRIPTION AS "ATTACHMENT A")**

3. A map is attached showing the area proposed for annexation in relation to the primary corporate limits of the City of Brevard. (ATTACH MAP AS "ATTACHMENT B", including the Tax Map PIN)
4. We acknowledge that any zoning vested rights acquired pursuant to G.S. 160A-385.1 or G.S. 153A-344.1 must be declared and identified on this petition. We further acknowledge that failure to declare such rights on this petition shall result in a termination of vested rights previously acquired for the property. (If zoning vested rights are claimed, indicate below and attach proof.)

Property Owner(s) Do you declare **vested rights**? Yes ___ No ✓
(Vested rights are rights belonging completely and unconditionally to a person which cannot be impaired or taken away by another party.)

Property Owners Contact Information (If there are more than three property owners, provide their names, contact information and signatures upon a separate and attached sheet.)

- a. Name John A. Valenti
Address 84 Hampton Rd
Brevard, NC 28712
Telephone 828 342 0204 Email jademvalenti@gmail.com
Signature [Signature]
- b. Name _____
Address _____
Telephone _____ Email _____
Signature _____
- c. Name _____
Address _____
Telephone _____ Email _____
Signature _____

Property Ownership by Corporation or LLC: (If there are more than three principals or managing members then provide their names, contact information and signatures upon a separate and attached sheet.)

- a. Name John A. Valenti
Address 84 Hampton Rd
Brevard, NC 28712
Telephone 828 342 0204 Email jademvalenti@gmail.com
By: [Signature] Managing Member
Type or Print Name and Title (President / Managing Member)
Signature [Signature]

MTS Properties, LLC

b. Name John Valenti
Address 84 Hampton Rd
Brevard NC 28712
Telephone 828 342 0204 Email jadamvalenti@gmail.com
By: John A. Valenti Managing Member
Type or Print Name and Title (President / Managing Member)
Signature [Signature]

c. Name _____
Address _____
Telephone _____ Email _____
By: _____
Type or Print Name and Title (President / Managing Member)
Signature _____

AGENT:

Name: _____
Address: _____
Telephone: _____ Email: _____

Petition along with a copy of the property Deed, Metes and Bounds description (Attachment A), Map / Survey (Attachment B) and cash/credit or check in the amount of \$500 made payable to the City of Brevard is to be returned to:

Denise Hodsdon, City Clerk
City of Brevard
95 West Main St., Brevard, NC 28712

CITY ANNEXATION LEGAL DESCRIPTION
FOR PIN#'S 8586-24-2193; 8586-24-3036; 8586-24-3061 AND 8586-23-3984

Beginning at a found rebar with a plastic ID cap 0.1' below grade and having North Carolina NAD 83/2011 grid coordinates of North: 563933.72 East: 882529.34; said rebar standing N 88°15'59" W a distance of 287.74' from NCGS BURL AZ MK which has North Carolina NAD 83/2011 grid coordinates of North: 563925.02 East: 882816.94;

thence S 53°56'47" W a distance of 82.25' to a ½" iron pipe;

thence S 53°45'51" W a distance of 74.75' to a ½" iron pipe;

thence N 41°40'29" W a distance of 103.15' to a 1/2" rebar;

thence N 28°27'17" W a distance of 49.43' to a 3/4" iron pipe;

thence N 28°17'47" W a distance of 48.93' to a 1 ½" leaning iron pipe;

thence N 22°23'09" W a distance of 98.94' to a axle;

thence N 67°29'48" E a distance of 157.61' to a 1 ½" leaning iron pipe;

thence S 33°41'55" E a distance of 98.10' to a ¾" iron pipe;

thence S 29°17'29" E a distance of 44.39' to a ½" iron pipe;

thence S 30°55'47" E a distance of 39.32' to a rebar with a plastic cap;

thence S 28°49'39" E a distance of 78.46' to a rebar with a plastic cap;

which is the place and point of beginning.



2024001279
TRANSYLVANIA COUNTY NC FEE \$26.00
STATE OF NC REAL ESTATE EXT
\$20.00
PRESENTED & RECORDED
03/22/2024 01:16:34 PM
BETH C LANDRETH
REGISTER OF DEEDS
BY: DELIA MCCALL
DEPUTY REGISTER OF DEEDS
BK: DOC 1109
PG: 111 - 113

Please do not place anything in the 3" margin above – (for recording information only)
NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax \$ 20.00
Parcel Identifier No.: 8586-24-2193-000
Mail after recording to: The Van Winkle Law Firm
422 S. Main St., Hendersonville, NC 28792
This instrument was prepared by: Van Winkle, Buck, Wall, Starnes & Davis, P.A. (Michael M. Thompson)
Brief description for the Index:
THIS DEED made this 22 day of March 2024, by and between:

<u>GRANTOR</u>	<u>GRANTEE</u>
Alan Kyle Young, individually and as Executor of the Estate of Wesley Hughes Young aka Wesley H. Young and wife, Teresa Young and Marilyn Elaine Cook nka Marilyn Young Cook, single and Wanda Faye Ackroyd nka Wanda Young Robinson, single	MTS Properties, LLC, A North Carolina limited liability company 84 Hampton Road, Brevard, NC 28712

Enter in appropriate block for each Grantor and Grantee: name, mailing address, and, if appropriate, character of entity, e. g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

This instrument was prepared by Michael M. Thompson, a licensed North Carolina attorney. Delinquent taxes, if any, to be paid by the closing attorney to the county tax collector upon disbursement of closing proceeds.

WITNESSETH, that Grantor, for a valuable consideration paid by Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto Grantee in fee simple, all that certain lot or parcel of land situated in the County of Transylvania, North Carolina, and more particularly described as follows:

SEE EXHIBIT A ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE
submitted electronically by "Van Winkle Law Firm"
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Transylvania County Register of Deeds.

The property hereinabove described was acquired by Grantor by instrument recorded in Deed Book 268 Page 86, Transylvania County Registry and re-recorded February 22, 1985 in Book 274 Page 108, Transylvania County Registry.

All or a portion of the property herein conveyed _____ includes or _____ does not include the primary residence of a Grantor.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to Grantee in fee simple.

And Grantor covenants with Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated.

Title to the property hereinabove described is subject to the following exceptions:

Easements, covenants, conditions, and restrictions of record; 2024 ad valorem taxes; and utilities physically located on the property.

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

Alan Kyle Young (Seal)
 Alan Kyle Young, individually and as Executor of the Estate of Wesley Hughes Young aka Wesley H. Young

Teresa Young (Seal)
 Teresa Young

Marilyn Elaine Cook (Seal)
 Marilyn Elaine Cook nka Marilyn Young Cook

Wanda Young Robinson (Seal)
 Wanda Faye Ackroyd nka Wanda Young Robinson

STATE OF NORTH CAROLINA
 COUNTY OF HENDERSON

I, MORGAN E. GORDON, a Notary Public of the County and State aforesaid, certify that Alan Kyle Young, individually and as Executor of the Estate of Wesley Hughes Young aka Wesley H. Young and wife, Teresa Young and Marilyn Elaine Cook nka Marilyn Young Cook, single and Wanda Faye Ackroyd nka Wanda Young Robinson, single, personally appeared before me this day and acknowledged the execution of the foregoing instrument for the purposes therein expressed. Sworn and subscribed to before me. Witness my hand and official stamp or seal, this 22 day of March 2024.

SEAL / STAMP

Morgan E. Gordon
 Notary Public
 My Commission Expires: 10-19-2024

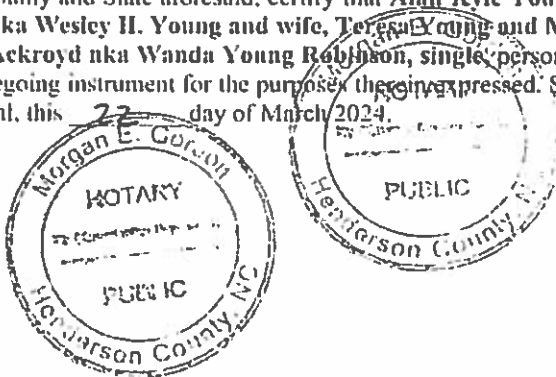


EXHIBIT A

WHEREAS, the subject property was conveyed to Wesley Hughes Young and wife, Mary Joyce Young by deed recorded June 25, 1984 in Deed Book 268 Page 86, Transylvania County Registry and re-recorded February 22, 1985 in Book 274 Page 108, Transylvania County Registry; and

WHEREAS, Mary Joyce Young died June 20, 2021 and title to the subject property passed to her surviving spouse Wesley H. Young, by right of survivorship; and,

WHEREAS, Wesley H. Young aka Wesley Hughes Young died testate in Transylvania County, NC on June 1, 2023, and pursuant to the terms of his Last Will and Testament duly admitted to probate in Transylvania County Clerk of Superior Court File 23-E- 209, the subject property was devised to his devisees, his children, namely Alan Kyle Young, Marilyn Elaine Cook now known as Marilyn Young Cook, Wanda Faye Ackroyd now known as Wanda Young Robinson; and,

WHEREAS, Alan Kyle Young was qualified and duly appointed as Executor of said estate; and,

WHEREAS, the spouses, if any, join in this instrument to convey their marital interests in and to the subject property.

NOW THEREFORE THIS CONVEYANCE:

BEGINNING on an iron stake standing on the east side of Hampton Road, the same being Clarence Holden's corner, and runs with Clarence Holden's line, North 66 deg. 30 min. East 176 feet to an iron stake at the Reservoir Road; thence with said Reservoir Road, South 30 deg. 30 min. East 42½ feet to an iron stake; thence South 63 deg. 30 min. West 182 feet to a stake at the Hampton Road; thence with the Hampton Road, North 23 deg. West 50 feet to the BEGINNING.

As surveyed and platted by T. N. Davis, RLS, on May 24, 1947.

BEING all of that same real property as deed recorded June 25, 1984 in Deed Book 268 Page 86, Transylvania County Registry and re-recorded February 22, 1985 in Book 274 Page 108, Transylvania County Registry

This property is conveyed together with and subject to the terms and conditions of that right of way agreement recorded in Book 316 Page 296, Transylvania County Registry, reference to which is hereby made and incorporated herein for greater certainty of description.

2024001294

TRANSYLVANIA COUNTY NC FEE \$26.00
STATE OF NC REAL ESTATE EXTX

\$300.00

PRESENTED & RECORDED

03/25/2024 10:49:06 AM

BETH C LANDRETH

REGISTER OF DEEDS

BY: KARIN SMITH

ASSISTANT

BK: DOC 1109

PG: 160 - 162

Please do not place anything in the 3" margin above - for recording information only

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax \$ 300.00

Parcel Identifier No.: 8586-24-2193-000

Mail after recording to: The Van Winkle Law Firm
422 S. Main St., Hendersonville, NC 28792

This instrument was prepared by: Van Winkle, Buck, Wall, Starnes & Davis, P.A. (Michael M. Thompson)

Brief description for the Index:

THIS DEED made this 22 day of March 2024, by and between:

<u>GRANTOR</u>	<u>GRANTEE</u>
Alan Kyle Young, individually and as Executor of the Estate of Wesley Hughes Young aka Wesley H. Young and wife, Teresa Young and Marilyn Elaine Cook nka Marilyn Young Cook, single and Wanda Faye Ackroyd nka Wanda Young Robinson, single	MTS Properties, LLC, a North Carolina limited liability company 84 Hampton Road, Brevard, NC 28712

Enter in appropriate block for each Grantor and Grantee: name, mailing address, and, if appropriate, character of entity, e. g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

This instrument was prepared by Michael M. Thompson, a licensed North Carolina attorney. Delinquent taxes, if any, to be paid by the closing attorney to the county tax collector upon disbursement of closing proceeds.

WITNESSETH, that Grantor, for a valuable consideration paid by Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto Grantee in fee simple, all that certain lot or parcel of land situated in the County of Transylvania, North Carolina, and more particularly described as follows:

SEE EXHIBIT A ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE

submitted electronically by "Van Winkle Law Firm"
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Transylvania County Register of Deeds.

The property hereinabove described was acquired by Grantor by instrument recorded in Deed Book 185 Page 505, Transylvania County Registry.

All or a portion of the property herein conveyed ____ includes or ____ does not include the primary residence of a Grantor.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to Grantee in fee simple.

And Grantor covenants with Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated.

Title to the property hereinabove described is subject to the following exceptions:

Easements, covenants, conditions, and restrictions of record; 2024 ad valorem taxes; and utilities physically located on the property.

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

Alan Kyle Young {Seal}
Alan Kyle Young, individually and as Executor of the Estate of Wesley Hughes Young aka Wesley H. Young

Teresa Young {Seal}
Teresa Young

Marilyn Elaine Cook {Seal}
Marilyn Elaine Cook aka Marilyn Young Cook

Wanda Young Robinson {Seal}
Wanda Faye Ackroyd aka Wanda Young Robinson

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

I, MORGAN E. GORDON, a Notary Public of the County and State aforesaid, certify that Alan Kyle Young, individually and as Executor of the Estate of Wesley Hughes Young aka Wesley H. Young and wife, Teresa Young and Marilyn Elaine Cook aka Marilyn Young Cook, single and Wanda Faye Ackroyd aka Wanda Young Robinson, single, personally appeared before me this day and acknowledged the execution of the foregoing instrument for the purposes therein expressed. Sworn and subscribed to before me. Witness my hand and official stamp or seal, this 15th day of March 2024.

SEAL / STAMP

Morgan E. Gordon
Notary Public
My Commission Expires: 10-19-2024

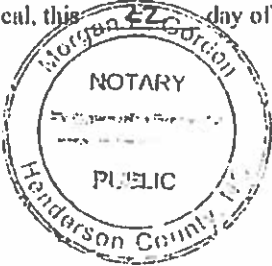


EXHIBIT A

WHEREAS, the subject property was conveyed to Wesley H. Young and wife, Mary Joyce Young by deed recorded July 17, 1970 in Deed Book 185 Page 505, Transylvania County Registry; and

WHEREAS, Mary Joyce Young died June 20, 2021 and title to the subject property passed to her surviving spouse Wesley H. Young, by right of survivorship; and,

WHEREAS, Wesley H. Young aka Wesley Hughes Young died testate in Transylvania County, NC on June 1, 2023, and pursuant to the terms of his Last Will and Testament duly admitted to probate in Transylvania County Clerk of Superior Court File 23-E- 209, the subject property was devised to his devisees, his children, namely Alan Kyle Young, Marilyn Elaine Cook now known as Marilyn Young Cook, Wanda Faye Ackroyd now known as Wanda Young Robinson; and,

WHEREAS, Alan Kyle Young was qualified and duly appointed as Executor of said estate; and,

WHEREAS, the spouses, if any, join in this instrument to convey their marital interests in and to the subject property.

NOW THEREFORE THIS CONVEYANCE:

BEGINNING on an iron pin in the Eastern margin of Hampton Road, formerly known as Subdivision Drive and runs thence with the Eastern margin of said road North 25 degrees 40 minutes West 98.30 feet to an iron pin; thence North 64 degrees East (passing an iron pin at 151.74 feet) 158.63 feet to a stake in the Western margin of Reservoir Road; thence with the Western margin of said road South 35 degrees 29 minutes East 100 feet to a stake; thence leaving said road South 64 degrees West 176 feet to the point of **BEGINNING** as surveyed and platted by P.R. Paxter, R.L.S., July 8, 1970.

It is intended to convey by this Deed all of the property included in the conveyance from Hilliard Pressley and wife, Mariska Pressley to Clarence Holden and wife, Marv Holden dated November 13th, 1940 and recorded in Deed Book 90, Page 284 of the Deed records of Transylvania County.

BEING all of that same real property as recorded in Book 185 Page 505, Transylvania County Registry.

This property is conveyed together with and subject to the terms and conditions of that right of way agreement recorded in Book 316 Page 296, Transylvania County Registry, reference to which is hereby made and incorporated herein for greater certainty of description.



2013005335

TRANSYLVANIA CO, NC FEE \$26.00

NO TAXABLE CONSIDERATION

PRESENTED & RECORDED

09-25-2013 02:56:52 PM

CINDY M OWNBEY

REGISTER OF DEEDS

BY: KARIN SMITH

DEPUTY REGISTER OF DEEDS

BK: DOC 671

PG: 244-246

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: \$0.00

Parcel Identifier No. 8586-23-3984-000 & 8586-24-3061-000 Verified by _____ County on the 25 day of Sept, 2013
By: [Signature]

Mail/Box to: H. Paul Averette, Attorney, P.C., P. O. Box 348, Brevard, NC 28712

This instrument was prepared by: H. Paul Averette, Attorney at Law (NO TITLE SEARCH PERFORMED)

Brief description for the Index: 2 Tracts -- Brevard Township

THIS DEED made this 24th day of September, 2013, by and between

GRANTOR

GRANTEE

**ALAN VALENTI and wife,
MARY VALENTI**

**37 Huntcliff Drive
Taylors, SC 29687**

JOHN VALENTI

**84 Hampton Road
Brevard, NC 28712**

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the City of _____, _____ Brevard _____ Township, Transylvania _____ County, North Carolina and more particularly described as follows:

Being all of that property as described in Exhibit "A" attached hereto and incorporated herein by reference.

All or a portion of the property herein conveyed _____ includes or X does not include the primary residence of the Grantor.

NC Bar Association Form No. 3 © 1976, Revised © 1977, 2002

Printed by Agreement with the NC Bar Association – 1981 - Chicago Title Insurance Company

The property hereinabove described was acquired by Grantor by instrument recorded in Book _____, page _____.

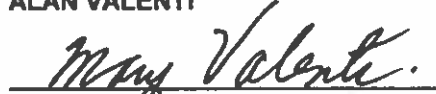
A map showing the above described property is recorded in Plat Book _____ page _____.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions:

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

 (SEAL)
ALAN VALENTI

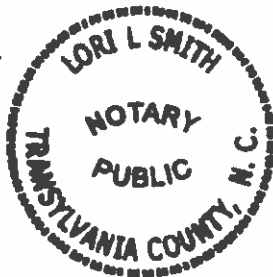
 (SEAL)
MARY VALENTI

State of North Carolina - County of Transylvania

I certify the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: ALAN VALENTI and MARY VALENTI.

Date: September 24, 2013

My Commission Expires:
09/10/2016




Lori L. Smith, Notary Public

EXHIBIT "A"

All of our undivided one-half (1/2) interest in and to the following described parcels:

TRACT I:

Being all of that property as described in a deed from Carolyn J. Gillespie and husband, Alvin B. Gillespie to John Valenti and Alan Valenti, recorded on October 4, 2002 in Document Book 123 at Page 547 of the Transylvania County Registry.

TRACT II:

Being all of that property as described in a deed from Carolyn J. Gillespie, acting Individually and as Administrator of the Estates of Vessie Stamey and Clara Louise Stamey and husband, Alvin B. Gillespie; Dawn D. Sentelle and husband, Kerry Sentelle; and Forrest Duane Stamey, (a divorced and unremarried man) to John Valenti and Alan Valenti, recorded on October 4, 2002 in Document Book 123 at Page 550 of the Transylvania County Registry.

TOGETHER WITH and subject to all rights of way, easements and restrictions appurtenant to the Grantors.

CITY OF BREVARD
CASH RECEIPT
DUPLICATE

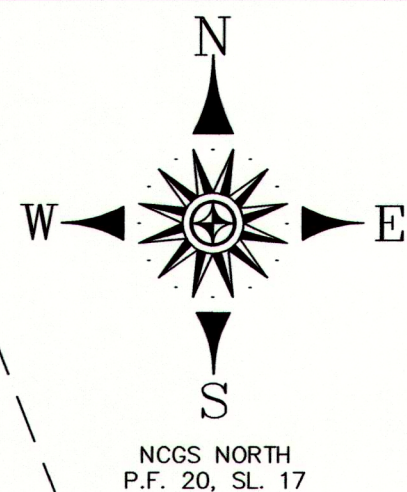
Receipt No: 700074
Date: 2/24/2025
Time: 1:58:12PM

Received From:
JOHN VALENTI

Received: 500.00

For
ZONING ADMIN 500.00
105 RESERVOIR RD-S

Credit 500.00
V 0517
RECEIVED BY WINDOW



OWNER CERTIFICATION-ANNEXATION

I (WE) HEREBY CERTIFY THAT I AM (WE ARE) THE OWNER(S) OF THE PROPERTY SHOWN AND DESCRIBED HEREON, AND THAT I (WE) HEREBY ADOPT THIS PLAT OF ANNEXATION WITH MY (OUR) FREE CONSENT

DATE

OWNER(S)

STATE OF NORTH CAROLINA COUNTY OF TRANSYLVANIA

I, _____, REVIEW OFFICER
OF TRANSYLVANIA COUNTY, CITY OF BREVARD, CERTIFY THAT
THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED
MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

REVIEW OFFICER

DATE

CITY OF BREVARD-ANNEXATION

I HEREBY CERTIFY THAT THIS PLAT FOR ANNEXATION HAS FOLLOWED ALL
REQUIREMENTS AND PROCEDURES AND A PUBLIC HEARING WAS HELD
BY THE CITY OF BREVARD TO ANNEX THE PROPERTY HEREIN DESCRIBED.
THE CITY OF BREVARD ADOPTED ORDINANCE NUMBER _____ TO ANNEX
THE PROPERTY DESCRIBED HEREIN ON _____ WITH THE EFFECTIVE
DATE OF ANNEXATION ON _____

CITY CLERK

STATE OF NORTH CAROLINA COUNTY OF TRANSYLVANIA

I, _____, A NOTARY PUBLIC
OF SAID STATE AND COUNTY, DO HEREBY CERTIFY THAT

PERSONALLY APPEARED
BEFORE ME THIS DAY AND ACKNOWLEDGED THE DUE
EXECUTION OF THE FOREGOING INSTRUMENT.

WITNESS MY HAND AND NOTARIAL SEAL, THIS THE _____ DAY
OF _____, 20_____.

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

LEGEND

PIN	TAX PARCEL IDENTIFICATION NUMBER
NTS	NOT TO SCALE
SR	5/8" SET REBAR WITH IDENTIFICATION CAP
FIP	FOUND IRON PIPE
FR	FOUND REBAR
FIR	FOUND IRON ROD
CP	CALCULATED POINT
C.F.	COMBINED SCALE FACTOR
P.F. SL.	PLAT FILE, SLIDE
DOC. BK., PG.	DOCUMENT BOOK, PAGE
D.B., PG.	DEED BOOK, PAGE
O/A	OVERALL
LEAN	LEANING OVER, LOCATED AT BASE
ABG	ABOVE GRADE
@G	AT GRADE
BG	BELOW GRADE

P	UTILITY POLE
S	SANITARY SEWER MANHOLE
C	SEWER CLEAN OUT
G	GAS METER
H	HVAC PUMP
M	H2O METER

	CONCRETE
	ASPHALT
	GRAVEL
	ANNEX AREA

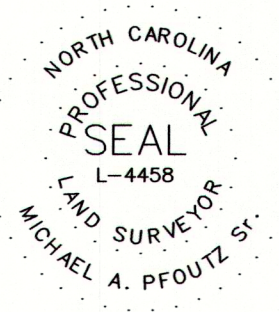
	BUILDING WALL
	OVER HEAD WIRE
	PRIVACY FENCE
	WIRE FENCE
	ADJOINING LINE NOT SURVEYED
	TIE LINE
	INTERNAL LINES

THIS PLAT WAS PREPARED FOR MTS PROPERTIES LLC AND JOHN VALENTI AND IS PROVIDED AS PART OF THE WORK PRODUCT TO OUR CLIENTS. THIS PLAT IN PART OR IN WHOLE IS NOT TRANSFERABLE AND SHALL NOT BE ALTERED IN ANY WAY OR REUSED IN ANY FORM BY ANY INDIVIDUAL OR ENTITY WITHOUT WRITTEN AUTHORIZATION BY MICHAEL A. PFOUTZ SR. AND IS INTENDED SOLELY FOR THE USE OF THE ORIGINAL CLIENT.
THIS DRAWING IS NOT VALID UNLESS THE ORIGINAL SIGNATURE AND STAMP OF THE SURVEYOR ARE ATTACHED. ANY REPRODUCTION OR VARIANCE TO THIS SURVEY BY ELECTRONIC OR ANY OTHER MEANS ARE NOT TO BE CONSIDERED ISSUED BY THE LICENSED SURVEYOR.

G.S. 47-30 f(11) d.
I, MICHAEL A. PFOUTZ Sr., PROFESSIONAL LAND SURVEYOR, CERTIFY THAT THIS SURVEY IS OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT-ORDERED SURVEY, OR OTHER EXCEPTION TO THE DEFINITION OF SUBDIVISION
I, MICHAEL A. PFOUTZ Sr., PROFESSIONAL LAND SURVEYOR, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL FIELD SURVEY PERFORMED UNDER MY DIRECTION FROM INFORMATION REFERENCED HEREON; AND THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION REFERENCED HEREON; THAT THE RATIO OF PRECISION AS CALCULATED BY LATITUDES AND DEPARTURES BEFORE ADJUSTMENT IS NOT LESS THAN 1:10,000; AND THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.

WITNESS MY ORIGINAL SIGNATURE, LICENSE
NUMBER, AND SEAL THIS THE 12th DAY OF
NOVEMBER, 2024, A.D.

MICHAEL A. PFOUTZ Sr.
PROFESSIONAL LAND SURVEYOR
LICENSE NUMBER L-4458



ORDINANCE No.

105,117 RESERVOIR RD & 82,84 HAMPTON RD
and
PIN's 8586-24-3036 & 8586-24-3061
PROPERTY SITUATE IN
BREVARD TOWNSHIP
TRANSYLVANIA COUNTY, NORTH CAROLINA
OWNERS OF RECORD: MTS PROPERTIES LLC
and JOHN VALENTI

CITY ANNEXATION PLAT

PREPARED FOR

MTS PROPERTIES LLC and
JOHN VALENTI

DATE

NOVEMBER 12, 2024

FIELD RECORDS

DATA COLLECTOR

DRAWING

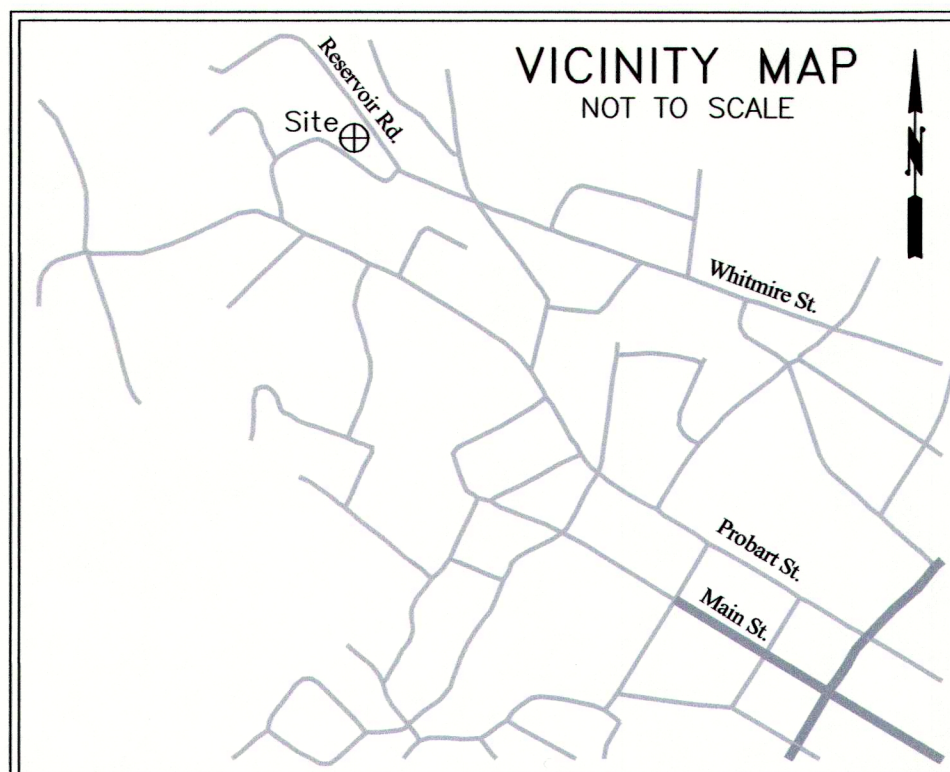
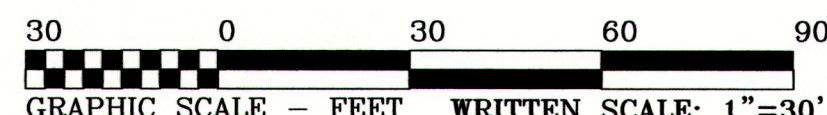
CMS24017-ANNEX

COORD. FILE

CMS24017.CRD

PROJECT NUMBER

CMS24017



NOTES:

- 1) ORIGINALLY SURVEYED IN MARCH AND APRIL 2024. DISTANCES SHOWN HEREON ARE HORIZONTAL GROUND UNLESS NOTED OTHERWISE.
- 2) THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE SEARCH. THIS PROPERTY IS SUBJECT TO ALL RIGHT-OF-WAYS, COVENANTS, EASEMENTS, AND RESTRICTIONS OF RECORD BOTH SHOWN AND NOT SHOWN HEREON.
- 3) DEED REFERENCE: PIN: 3984; DOC. BK. 671, PG. 244. PIN: 3061; DOC. BK. 671, PG. 244. PIN: 3036; DOC. BK. 1109, PG. 111. PIN: 2193 DOC. BK. 1109, PG. 160
- 4) PLAT REFERENCE: P.F. 9, SL. 832
- 5) AREAS: PIN 2193 = 0.375 OF AN ACRE (SURVEY)
PIN 3036 = 0.189 OF AN ACRE (SURVEY)
PIN 3061 = 0.181 OF AN ACRE (SURVEY)
PIN 3984 = 0.346 OF AN ACRE (SURVEY)
TOTAL PLAT AREA = 1.091 ACRES
AREA DERIVED AT BY COORDINATE COMPUTATION
- 6) TAX PARCEL IDENTIFICATION NUMBERS: 8586-24-2193; 8586-24-3036; 8586-24-3061; 8586-23-3984.
- 7) NO UNDERGROUND UTILITIES WERE MARKED OR LOCATED FOR THIS SURVEY.
- 8) BUILDING TIES WHERE SHOWN ARE TO THE STRUCTURAL WALLS AND ARE PERPENDICULAR TO PROPERTY LINE
- 9) THIS PROPERTY IS NOT WITHIN THE BREVARD CITY LIMITS, IT IS WITHIN THE ETJ, AND IS CURRENTLY ZONED GR4.
- 10) RESEARCH DID NOT REVEAL A DOCUMENT DELINEATING A DEFINED WIDTH OF A R/W FOR EITHER HAMPTON ROAD OR RESERVOIR ROAD. THE ROAD R/W WIDTH VARIES BETWEEN PROPERTY LINES AND CORNERS ON BOTH SIDES OF THE ROADS.

ORDINANCE NO. 2025-XX

**AN ORDINANCE TO EXTEND THE CORPORATE
LIMITS OF THE CITY OF BREVARD, NORTH CAROLINA**

WHEREAS, the Brevard City Council has been petitioned under G.S. 160A-31, as amended, to annex the contiguous area described herein, and,

WHEREAS, the City Council has by Resolution No. 2025-18 directed the City Clerk to investigate the sufficiency of said petition; and,

WHEREAS, the Brevard Planning Board reviewed the Petition at their meeting held on March 25, 2025 and recommended approval of the voluntary contiguous annexation; and,

WHEREAS, the City Clerk has certified the sufficiency of said petition (relying on the opinion of the City Attorney) and the City Council adopted Resolution No. 2025-25 fixing a date of public hearing. By authority granted by G.S. 160A-31, a public hearing on the question of this annexation was held at the City Council Chambers at 5:30 P.M. on the 5th day of May, 2025, after due notice by publication on the 21st day of April, 2025; and

WHEREAS, the City Council does hereby find as a fact that the petition meets the requirements of G.S. 160A-31, as amended.

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

Section 1. By virtue of the authority granted by G.S. 160A-31, as amended, all of that property lying in Transylvania County, owned by John Valenti and MTS Properties LLC, as shown and being that property described in the deed recorded in Document Book 671, Pages 244-246; Book 1109, Page 111-113; and Book 1109, Pages 160-162, in the Transylvania County Register of Deeds and that certain plat provided by the Petitioners to be duly recorded upon annexation is hereby annexed and made a part of the City of Brevard as of the 19th day of May, 2025.

Said property is more fully described as follows:

Location:

Between Reservoir Road and Hampton Road, Brevard, NC 28712. Transylvania County Tax Property Identification Numbers: 8586-24-3036-000; 8586-24-3061-000; 8586-23-3984-000; and 8586-24-2193-000

Property Description:

Beginning at a found rebar with a plastic ID cap 0.1' below grade and having North Carolina NAO 83/2011 grid coordinates of North: 563933.72 East: 882529.34; said rebar standing N 88°15'59" W a distance of 287.74' from NCGS BURL AZ MK which has North Carolina NAO 83/2011 grid coordinates of North: 563925.02 East: 882816.94;

thence S 53°56'47" W a distance of 82.25' to a ½" iron pipe;

thence S 53°45'51" W a distance of 74.75' to a ½" iron pipe;

thence N 41°40'29" W a distance of 103.15' to a 1/2" rebar;

thence N 28°27'17" W a distance of 49.43' to a 3/4" iron pipe;

thence N 28°17'47" W a distance of 48.93' to a 1 ½" leaning iron pipe;

thence N 22°23'09" W a distance of 98.94' to a axle;

thence N 67°29'48" E a distance of 157.61' to a 1 ½" leaning iron pipe;
thence S 33°41'55" E a distance of 98.10' to a ¾" iron pipe;
thence S 29°17'29" E a distance of 44.39' to a ½" iron pipe;
thence S 30°55'47" E a distance of 39.32' to a rebar with a plastic cap;
thence S 28°49'39" E a distance of 78.46' to a rebar with a plastic cap;
which is the place and point of beginning.

Section 2. Upon and after the 6th day of January, 2025 the above-described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Brevard and shall be entitled to the same privileges and benefits as other parts of the City of Brevard. Said territory shall be subject to the municipal taxes according to G.S. 160A-31.

Also being all of that property described in a plat prepared by Michael A. Pfoutz Sr., PLS for John Valenti/MTS Properties LLC, dated November 12, 2024 and recorded in Plat File ____, Slide ____ of the Transylvania County Registry.

Section 3. Pursuant to 160A-29 it shall be the duty of the Mayor of the City of Brevard to cause an accurate map of the annexed territory as described in Section 1 hereof. together with a duly certified copy of this Ordinance, to be recorded in the office of the Register of Deeds of Transylvania County, North Carolina, and in the office of the Secretary of State at Raleigh, North Carolina. Such a map shall also be delivered to the Transylvania County Board of Elections as required by G.S. 163.288.1.

Section 4. Notice of adoption of this Ordinance shall be published once, following the effective date of annexation, in a newspaper having general circulation in the City of Brevard.

Adopted and approved this the 19th day of May, 2025.

Maureen Copelof
Mayor

ATTEST:

Denise Hodsdon, CMC
City Clerk

APPROVED AS TO FORM:

Mack McKeller
City Attorney

STAFF REPORT

City Council, Monday, May 5, 2025

Title: Request to Rezone 4 Parcels on Reservoir Road and Hampton Road from GR4 to GR8 - John Valenti and MTS Properties

Speaker: Aaron Bland, Asst Planning Director

Prepared by: Aaron Bland, Asst Planning Director

Approved by: Wilson Hooper, City Manager

Background

On February 24, 2025, an application was submitted by John Valenti requesting a map amendment (rezoning) for four properties located between Reservoir Road and Hampton Road outside the City's corporate limits (note the applicant has also applied for a non-contiguous annexation), identified by PINs 8586-24-2193-000, 8586-24-3036-000, 8586-24-3061-000, and 8586-24-3984-000. The parcels are currently zoned General Residential-4 (GR-4). The request is to rezone these parcels to General Residential-8 (GR-8). The properties abut GR-4 on all sides but are in close proximity to GR-8 within the corporate limits. See Attachment 1 for the application materials and Attachment 2 for the map of the current zoning.

Discussion

The General Residential zoning district is described by the Unified Development Ordinance as follows:

General Residential (GR-4 and GR-8). The General Residential District is intended for the city's existing predominately-residential neighborhoods as well as provide for new primarily-residential development in accordance with this pattern. These districts are differentiated only by the density of the overall development relative to the planning goals of the city as set forth in the Comprehensive Land Use Plan.

The requested rezoning only changes maximum dwelling unit density and the maximum ground floor area for principal structures. All other standards, including setbacks, maximum height, and allowable uses, are not affected by this rezoning. Typically, properties located within the corporate limits of the City of Brevard are zoned GR-8 instead of GR-4.

Requirement	GR-4	GR-8
Maximum dwelling unit density	4/acre	8/acre
Maximum ground floor area for principal structures	10,000 SF	8,000 SF
Minimum setbacks for principal structures (front/side/rear)	15/6/25	15/6/25
Minimum setbacks for accessory structures < 120 square feet (side/rear)	3/3	3/3
Minimum setbacks for accessory structures ≥ 120 square feet (side/rear)	6/10	6/10

Maximum height by right	35 feet	35 feet
Minimum lot width	30 feet	30 feet

Policy Analysis

The Building Brevard 2030 Comprehensive Land Use Plan designates the properties as "Traditional Neighborhood." The Traditional Neighborhood character area is designed to maintain the character of established neighborhoods while allowing some flexibility in housing types. According to the Future Land Use Character Area Table, GR-8 is an applicable zoning district for Traditional Neighborhood but GR-4 is not. With this in mind, the proposed rezoning **is** consistent in regard to the City's long-range plans.

Recommendation

The Planning Board discussed this matter at their March 25, 2025 meeting and unanimously recommended approval. In accordance with North Carolina General Statutes, the Planning Board also submits the attached statement analyzing the consistency and reasonableness of this proposal with regards to existing policies or plans of the City of Brevard.

Action

This presentation is for public hearing purposes and no action is requested at this time.

Attachments:

1. Application
2. Current Zoning Map
3. Consistency and Reasonableness Statement
4. Enacting Ordinance



The City of
Brevard
North Carolina

REQUEST FOR ZONING MAP AMENDMENT (REZONING)

Applicant Information:

Name: John A. Valent
Address: 84 Hampton Rd Brevard, NC 28712
Phone: 828 342-0204

Property Owner Information (if different than applicant):

Name: _____
Address: _____
Phone: _____

Location of Property: 105 + 117 Reservoir Rd., 82, 84 Hampton Rd

Property Identification Number (PIN): 8586-24-2193; 8586-24-3036
8586-24-3061; 8586-24-3984

Present Zoning District: GR4

Request District to be Changed to: GR8 (attach additional explanation if necessary)

Existing Use of Adjacent Properties:

North RESIDENTIAL
West RESIDENTIAL

South RESIDENTIAL
East RESIDENTIAL

M. KA.
Signature of Applicant

6/26/24
Date

* * * * *

Planning Department must receive the following prior to placement on BPB agenda:

☒ Completed Application Form
☒ Survey of Property
☒ Application Fee (\$500.00) - Date Paid 2/24/25 Receipt # 700073

Heard by Planning Board on: _____

Planning Board's Recommendation: Approval Denial

Heard by City Council on: _____

City Council Action: Approval - Ord. Number _____ Effective Date _____
Denial



**STATEMENT OF CONSISTENCY AND REASONABLENESS WITH
ADOPTED PLANS AND POLICIES OF THE CITY OF BREVARD
REZ-25-001**

NCGS 160D-604 and NCGS 160D-605 requires that the Planning Board shall advise and comment on whether the proposed amendment is reasonable and consistent with any comprehensive plan prior to consideration by the Governing Board. The Planning Board shall provide a written recommendation to the Governing Board that addresses plan consistency and other matters as deemed appropriate by the Planning Board, but a comment by the Planning Board that a proposed amendment is inconsistent with the Comprehensive Plan shall not preclude consideration or approval of the proposed amendment by the Governing Board.

The Brevard Planning Board forwards this recommendation to City Council with a finding that the proposed zoning map amendment is **reasonable and consistent** with the following elements of the City's adopted plans and policies:

Comprehensive Land Use Plan

The *Building Brevard 2030 Comprehensive Land Use Plan* designates the properties as "Traditional Neighborhood." The Traditional Neighborhood character area is designed to maintain the character of established neighborhoods while allowing some flexibility in housing types. According to the Future Land Use Character Area Table, GR-8 is an applicable zoning district for Traditional Neighborhood but GR-4 is not. With this in mind, the proposed rezoning is consistent in regard to the City's long-range plans.

ORDINANCE NO. 2025-____

**AN ORDINANCE AMENDING THE CITY OF
BREVARD OFFICIAL ZONING MAP TO REZONE
FOUR PARCELS ON RESERVOIR ROAD**

WHEREAS, John Valenti request that the Official Zoning Map of the City of Brevard be amended by rezoning four parcels of land, identified by the PINs 8586-24-2193-000, 8586-24-3036-000, 8586-24-3061-000, and 8586-24-3984-000, and hereafter referred to as the “Subject Properties,” from the General Residential – 4 district to the General Residential – 8 district; and,

WHEREAS, the City of Brevard Planning Board considered this proposed map amendment on March 25, 2025 and has recommended approval; and,

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

***Future Land Use Map:** designates the properties as "Traditional Neighborhood." The Traditional Neighborhood character area is designed to maintain the character of established neighborhoods while allowing some flexibility in housing types. According to the Future Land Use Character Area Table, GR-8 is an applicable zoning district for Traditional Neighborhood but GR-4 is not.*

and,

WHEREAS, in accordance with North Carolina General Statute 160D-605, the Brevard City Council finds that this proposed zoning map amendment is reasonable due to the following factors:

- The size of the proposed rezoning area.
- There is a strong relationship between the currently allowed uses and the allowed uses of the proposed new district.
- The Plan is consistent with the above elements of the Comprehensive Land Use Plan and the Future Land Use Map.

WHEREAS, a public hearing was conducted on Monday, May 5, 2025, by the Brevard City Council, and, after hearing all persons wishing to comment, and upon review and consideration of the proposed amendment, it is the desire of the City Council of the City of Brevard Official Zoning Map be amended as outlined below.

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

SECTION 1. The zoning classification of the parcels identified by the Parcel Identification Numbers (PINs) 8586-24-2193-000, 8586-24-3036-000, 8586-24-3061-000, and 8586-24-3984-000 is hereby rezoned to General Residential – 8 (GR8) as depicted in Exhibit A to this Ordinance, which is attached hereto and incorporated herein by reference.

SECTION 2. The Planning Director is hereby authorized and directed to modify the City’s Official Zoning Map, Comprehensive Land Use Plan, and Future Land Use Map consistent with this Ordinance.

SECTION 3. As to any conflict between this Ordinance and any parts of existing ordinances, the provisions of this Ordinance shall control.

SECTION 4. 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 this the 19th day of May 2025.

ATTEST:

Maureen Copelof
Mayor

Denise Hodsdon, CMC
City Clerk

APPROVED AS TO FORM:

Mack McKeller
City Attorney

STAFF REPORT

City Council, Monday, May 5, 2025

Title: Proposed Installment Financing Contract with United Community Bank to purchase Azalea Avenue Property

Speaker: Dean Luebbe, Assistant City Manager/Finance Director

Prepared by: Dean Luebbe, Assistant City Manager/Finance Director

Approved by: Wilson Hooper, City Manager

Background

At the April 21, 2025 City Council meeting, the Council agreed to accept the terms of a \$925,000 loan offer made by United Community Bank to purchase three adjacent parcels off Azalea Ave. for a future low-to-moderate income housing complex. At the time, staff notified Council that a Public Hearing is a required procedural step needed to legally accept this type of loan.

Discussion

Per LGC instructions, the city competitively solicited loan proposals from seven different financial institutions. Three institutions submitted proposals. Staff recommended accepting the United Community Bank proposal because of its interest rate (4.33%) and accommodating terms. The staff report from the April 21 meeting is attached below.

Fiscal Impact

The total purchase price for the three properties was negotiated at \$1.1M. The city has held a purchase option on the property for the past 8 months wherein it paid \$175,000 in option payments. Those payments will be deducted from the purchase price, leaving a remain price of \$925,000. The annual debt service on the \$925,000 loan will equal \$17,459/mo. for 59 months, or \$209,505/year for just under five years. It will be funded via the Housing Trust Fund.

Action

Council is asked to pass the attached resolution reaffirming its April 21, 2025 acceptance of the loan, and instructing staff to execute the purchase of the Azalea Ave. properties.

Attachments:

1. Res_2025-XX_Accept Loan and Purchase Azalea Ave.
2. Updated Staff Report re Loan for Azalea Ave Property_handed out at 4/21/25 meeting

RESOLUTION NO. 2025-XX

RESOLUTION ACCEPTING LOAN OFFER FROM UNITED COMMUNITY BANK INC. FOR THE PURCHASE OF REAL PROPERTY OFF AZALEA AVENUE FOR LOW-TO-MODERATE INCOME HOUSING, AND INSTRUCTING STAFF TO EXECUTE PURCHASE OF SAID PROPERTY

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

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

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

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

WHEREAS, this information was shared with City Council at its April 7, 2025 meeting, and the Council agreed to accept a loan offer from United Community Bank and proceed with the purchase pending the completion of a required Public Hearing; and

WHEREAS, a Public Hearing was held on May 5, 2025.

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

Section 1. The City Council reaffirms its acceptance of the terms and conditions of the \$925,000 loan offered by United Community Bank, Inc.

Section 2. The City Manager or his designee is authorized to take necessary steps to finalize the loan and purchase parcels 8596-05-5538-000, 8596-05-6391-000, and 8596-05-8315-000 according to the terms memorialized in the October 2024 Purchase Option.

Adopted and approved this the 5th day of May, 2025.

Maureen Copelof
Mayor

ATTEST:

Denise Hodsdon, CMC
City Clerk

STAFF REPORT

City Council, Monday, April 21, 2025

Title: Loan Information for Azalea Avenue Property

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

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

Approved by: Wilson Hooper, City Manager

Background

At the April 7, 2025 meeting, City Council received a briefing on the possibility of building a low-to-moderate income housing development on three contiguous parcels off Azalea Ave. For the project to proceed, the city would need to purchase the three parcels for a total price of \$1.1M. The city already holds an option to purchase the parcels; the option began in October and expires in June. The option required monthly payments that will, at expiration, total \$175,000; thus the remaining purchase price for the property is \$925,000. Discussion at the time, and later at the April 11 Budget Workshop, concluded that the city cannot afford to buy the property outright and, instead, must borrow money to complete the purchase.

Per Local Government Commission guidance, staff solicited loan proposals from banking institutions. The deadline for proposals expired at close of business Friday, April 18, 2025. Three proposals were received.

Discussion

Staff received proposals from United Community Bank, First Bank, and Civic Federal Credit Union.

Staff recommend moving forward with the proposal from United Community Bank, Inc.

It proposes a rate of 4.33% with no upfront fees, no prepayment fees, and closing costs not to exceed \$5,000. It would require monthly payments of \$17,459 for 59 months starting July 1, 2025.

Though this proposal contained the lowest rate and most generous terms, it was not the proposal with the lowest monthly payment. A competing proposal offered monthly payments of \$17,443. Staff's interpretation is that the difference is because the other lending institution uses a slightly different method for calculating amortization.

Staff maintain, however, that the difference in monthly payments is nominal (\$185/yr.) and, therefore, the United Community Bank proposal represents the best value because of the overall rate and generosity of the terms.

Fiscal Impact

The fiscal impact of this action was discussed at the April 7 meeting.

The Purchase Option was funded via the city's Housing Trust Fund (HTF), as was \$525,000 of the city's \$1.169M loan to the Fairhaven Meadows LIHTC-funded multifamily project. The remaining available balance of that fund sits at less than \$20,000. At the Council's recent priority setting retreat and budget workshop, a strong message was sent to continue on with funding housing related projects, so staff anticipates that the FY26 budget will include a contribution of at least \$200,000 (the FY25 contribution) to the fund.

Even with an infusion in July, the fund's cash balance is insufficient to purchase the property outright. And the decision whether to purchase the property will need to be made in the current fiscal year. However, the fund's current balance and the anticipated yearly contributions are enough to pay debt service if the purchase was financed. Hence, staff is recommending that if Council wishes to proceed, the city borrow the money to purchase the property.

This approach comes with several conditions, however:

1. A loan term of 60 months (five years) or more must be approved by the Local Government Commission. Staff have consulted with the LGC staff and know the steps forward. To have LGC approval by the time the purchase option expires, staff must apply soon. No LGC approval is required for loans of 59 months or less, but a shorter term means larger annual debt service payments, which has implications for the city's budget. If Council wishes to move forward with financing, staff recommend the full 59 month loan, meaning the debt service payment will be around \$210k for the next five years.
2. Since the presence of the house was factored into the appraised value of the property, lenders are likely to make their loan contingent on its continued presence as collateral. If this is the case, the house would need to remain standing until the debt is retired. This aligns reasonably well with the expected timeline of the LMI housing project, and in the interim the city can rent the existing house at a monthly rate anticipated to bring in \$19k-\$25k/year.

Action

Council is asked to take one of the following actions:

1. Approve the attached resolution authorizing the City Manager to accept the loan terms offered by United Community Bank, Inc., take necessary legal steps to finalize the loan, and execute the purchase of the three parcels.
2. Reject the loan proposals and direct staff to re-solicit.
3. Direct staff to allow the purchase option to expire and do not proceed with the purchase of the properties.

Attachments:

1. Res_2025-XX_Accept Loan and Purchase Azalea Ave.
- 2 United Community "Summary of Indicative Terms"

RESOLUTION NO. 2025-XX

RESOLUTION APPROVING THE SUMMARY OF INDICATIVE TERMS OF A LOAN OFFER FROM UNITED COMMUNITY BANK INC. FOR THE PURCHASE OF REAL PROPERTY OFF AZALEA AVENUE FOR LOW-TO-MODERATE INCOME HOUSING.

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

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

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

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

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

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

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

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

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

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

Maureen Copelof
Mayor

ATTEST:

Denise Hodsdon, CMC
City Clerk



The City of Brevard, NC

Summary of Indicative Terms

4/18/2025

United Community Bank ("Bank"), on behalf of itself and any designated affiliate (individually and collectively, "Lender") is pleased to provide this Summary of Indicative Terms ("Term Sheet") for discussion. This Term Sheet is a basic outline of the potential terms on which Lender would consider providing or arranging the loan described below. This is not an offer, agreement, or commitment by Lender to lend. Lender will not be bound to any agreement unless or until Lender's authorized representative signs definitive loan documentation stating that it constitutes the entire understanding and agreement of the parties as to the matters set forth therein. If the terms of a financing transaction are ultimately approved and agreed by Lender, the definitive loan documentation will contain other customary provisions, including, without limitation, representations and warranties, covenants, conditions, specified events of default and other provisions, all of which must be satisfactory to Lender in all respects.

Borrower:	The City of Brevard, NC
Lender:	United Community Bank, Inc. or a designated affiliate (United Community Public Finance, Inc.)
Loan:	Installment Financing Agreement in an amount up to \$925,000.
Use of Proceeds:	Proceeds of the Loan may be used to finance the cost real property located in Transylvania County, NC and paying related financing costs.
Security:	The City's obligation under the Agreement will be secured by a security interest in the properties being financed (as outlined in the RFP). PIN 8596-05-6391 (543 Old Hendersonville Hwy, Brevard, NC. PIN 8596-05-5538 PIN 8596-05-8315
Guarantor(s):	None.
Maturity:	59 months from closing, as outlined in the RFP.

Repayment:	Fully funded at closing in an account at United Community Bank with monthly principal and interest payments beginning on July 1, 2025 (as outlined in the RFP).
Interest Rate:	Tax-Exempt Rate of 4.33%. Accrual Basis: Actual 360 (based on the same accrual method as the last financing) No prepayment penalty.
Expenses and Fees:	All expenses incurred by or on behalf of Lender in connection with its analysis, structuring, negotiation, documentation and closing of the Loan will be paid or reimbursed by Borrower at closing. Upfront Fees: None.
Financial and Other Covenants:	Covenants to mirror current covenants on the City's existing loans with UCB.
Conditions Precedent and Other Terms:	1. Borrower's Counsel Opinion: An opinion of Borrower's counsel covering matters customary to transactions such as this and in all respects acceptable to the Bank, Lender and its counsel. 2. Bond Counsel Opinion: An approving opinion of bond counsel related to the loan in form and substance satisfactory to the Lender and for Tax-Exempt options, shall include, without limitation, an opinion delivered at the time of conversion that the interest rate on the loan is excludable from gross income for Federal income tax purposes. 3. Other Items: Lender shall have received such other documents, instruments, approvals or opinions as may be reasonably requested. 4. Loan proceeds, whether fully funded or draw down will be deposited into an account at United Community Bank.
Lender's Legal Counsel:	Estimated fees for the closing of the loan will not exceed \$5,000. All legal fees shall be paid by the Borrower whether or not the Loan described herein is closed.

Governing Law & Jurisdiction:	State of North Carolina
Municipal Advisor Disclosure:	Please note: (i) the transaction contemplated herein is an arm's length commercial transaction between Borrower and the Lender, (ii) in connection with such transaction, the Lender is acting solely as a principal and not as an advisor including, without limitation, a "Municipal Advisor" as such term is defined in Section 15B of the Securities and Exchange Act of 1934, as amended, and the related final rules (the "Municipal Advisor Rules"), agent, or a fiduciary of Borrower, (iii) to the extent applicable, Bank is relying on the bank exemption in the Municipal Advisor Rules (or such other applicable exemptions, including as it relates to general information), (iv) Lender has not provided any advice or assumed any advisory or fiduciary responsibility in favor of Borrower with respect to the transaction contemplated hereby and the discussions, undertakings and procedures leading thereto, (v) Lender has financial and other interests that differ from those of Borrower, and (vi) Borrower has consulted with its own financial, legal, accounting, tax and other advisors, as applicable, to the extent it deemed appropriate (including any Municipal Advisors). Nothing herein is intended to serve as legal, tax or accounting advice. Borrower may be required to certify to the foregoing in a closing certificate. Before acting on the information or material contained herein, the Borrower should seek the advice of an IRMA and any other professional advisors which it deems appropriate for the Loan described herein, especially with respect to any legal, regulatory, tax or accounting treatment.
Patriot Act:	Pursuant to the requirements of the Patriot Act, the Lender and its affiliates are required to obtain, verify and record information that identifies loan obligors, which information includes name, address, tax identification number and other information regarding obligors that will allow the Lender to identify obligors in accordance with the Patriot Act, and the Lender is hereby so authorized. This notice is given in accordance with the requirements of the Patriot Act and is effective for the Lender and its affiliates.
Expiration Date:	This Term Sheet shall expire on 5/16/2025 unless a formal commitment letter has been issued prior to such date.

[Remainder of page intentionally blank.]

Amortization Schedule

Date	Description	Total Payment	P&I Payment	Principal Payment	Interest Payment	Principal Balance
Jun 02, 2025	Beginning Balance					925,000.00
⊕ Jul 01, 2025	Regular Payment	17,458.80	17,458.80	14,232.35	3,226.45	910,767.65
⊕ Aug 01, 2025	Regular Payment	17,458.80	17,458.80	14,062.91	3,395.89	896,704.74
⊕ Sep 01, 2025	Regular Payment	17,458.80	17,458.80	14,115.34	3,343.46	882,589.40
⊕ Oct 01, 2025	Regular Payment	17,458.80	17,458.80	14,274.13	3,184.67	868,315.27
⊕ Nov 01, 2025	Regular Payment	17,458.80	17,458.80	14,221.20	3,237.60	854,094.07
⊕ Dec 01, 2025	Regular Payment	17,458.80	17,458.80	14,376.95	3,081.85	839,717.12
⊕ 2025 Totals		104,752.80	104,752.80	85,282.88	19,469.92	
⊕ Jan 01, 2026	Regular Payment	17,458.80	17,458.80	14,327.83	3,130.97	825,389.29
⊕ Feb 01, 2026	Regular Payment	17,458.80	17,458.80	14,381.25	3,077.55	811,008.04
⊕ Mar 01, 2026	Regular Payment	17,458.80	17,458.80	14,727.51	2,731.29	796,280.53
⊕ Apr 01, 2026	Regular Payment	17,458.80	17,458.80	14,489.78	2,969.02	781,790.75
⊕ May 01, 2026	Regular Payment	17,458.80	17,458.80	14,637.84	2,820.96	767,152.91
⊕ Jun 01, 2026	Regular Payment	17,458.80	17,458.80	14,598.39	2,860.41	752,554.52
⊕ Jul 01, 2026	Regular Payment	17,458.80	17,458.80	14,743.34	2,715.46	737,811.18
⊕ Aug 01, 2026	Regular Payment	17,458.80	17,458.80	14,707.79	2,751.01	723,103.39
⊕ Sep 01, 2026	Regular Payment	17,458.80	17,458.80	14,762.63	2,696.17	708,340.76
⊕ Oct 01, 2026	Regular Payment	17,458.80	17,458.80	14,902.88	2,555.92	693,437.88
⊕ Nov 01, 2026	Regular Payment	17,458.80	17,458.80	14,873.24	2,585.56	678,564.64
⊕ Dec 01, 2026	Regular Payment	17,458.80	17,458.80	15,010.32	2,448.48	663,554.32
⊕ 2026 Totals		209,505.60	209,505.60	176,162.80	33,342.80	
⊕ Jan 01, 2027	Regular Payment	17,458.80	17,458.80	14,984.67	2,474.13	648,569.65
⊕ Feb 01, 2027	Regular Payment	17,458.80	17,458.80	15,040.54	2,418.26	633,529.11
⊕ Mar 01, 2027	Regular Payment	17,458.80	17,458.80	15,325.22	2,133.58	618,203.89
⊕ Apr 01, 2027	Regular Payment	17,458.80	17,458.80	15,153.76	2,305.04	603,050.13
⊕ May 01, 2027	Regular Payment	17,458.80	17,458.80	15,282.80	2,176.00	587,767.33
⊕ Jun 01, 2027	Regular Payment	17,458.80	17,458.80	15,267.25	2,191.55	572,500.08
⊕ Jul 01, 2027	Regular Payment	17,458.80	17,458.80	15,393.03	2,065.77	557,107.05
⊕ Aug 01, 2027	Regular Payment	17,458.80	17,458.80	15,381.57	2,077.23	541,725.48
⊕ Sep 01, 2027	Regular Payment	17,458.80	17,458.80	15,438.92	2,019.88	526,286.56
⊕ Oct 01, 2027	Regular Payment	17,458.80	17,458.80	15,559.79	1,899.01	510,726.77
⊕ Nov 01, 2027	Regular Payment	17,458.80	17,458.80	15,554.50	1,904.30	495,172.27
⊕ Dec 01, 2027	Regular Payment	17,458.80	17,458.80	15,672.06	1,786.74	479,500.21
⊕ 2027 Totals		209,505.60	209,505.60	184,054.11	25,451.49	
⊕ Jan 01, 2028	Regular Payment	17,458.80	17,458.80	15,670.94	1,787.86	463,829.27
⊕ Feb 01, 2028	Regular Payment	17,458.80	17,458.80	15,729.37	1,729.43	448,099.90
⊕ Mar 01, 2028	Regular Payment	17,458.80	17,458.80	15,895.81	1,562.99	432,204.09
⊕ Apr 01, 2028	Regular Payment	17,458.80	17,458.80	15,847.28	1,611.52	416,356.81
⊕ May 01, 2028	Regular Payment	17,458.80	17,458.80	15,956.45	1,502.35	400,400.36
⊕ Jun 01, 2028	Regular Payment	17,458.80	17,458.80	15,965.87	1,492.93	384,434.49
⊕ Jul 01, 2028	Regular Payment	17,458.80	17,458.80	16,071.64	1,387.16	368,362.85
⊕ Aug 01, 2028	Regular Payment	17,458.80	17,458.80	16,085.32	1,373.48	352,277.53
⊕ Sep 01, 2028	Regular Payment	17,458.80	17,458.80	16,145.30	1,313.50	336,132.23
⊕ Oct 01, 2028	Regular Payment	17,458.80	17,458.80	16,245.93	1,212.87	319,886.30

⊕ Nov 01, 2028	Regular Payment	17,458.80	17,458.80	16,266.07	1,192.73	303,620.23
⊕ Dec 01, 2028	Regular Payment	17,458.80	17,458.80	16,363.24	1,095.56	287,256.99
⊕ 2028 Totals		209,505.60	209,505.60	192,243.22	17,262.38	
⊕ Jan 01, 2029	Regular Payment	17,458.80	17,458.80	16,387.74	1,071.06	270,869.25
⊕ Feb 01, 2029	Regular Payment	17,458.80	17,458.80	16,448.84	1,009.96	254,420.41
⊕ Mar 01, 2029	Regular Payment	17,458.80	17,458.80	16,601.97	856.83	237,818.44
⊕ Apr 01, 2029	Regular Payment	17,458.80	17,458.80	16,572.07	886.73	221,246.37
⊕ May 01, 2029	Regular Payment	17,458.80	17,458.80	16,660.47	798.33	204,585.90
⊕ Jun 01, 2029	Regular Payment	17,458.80	17,458.80	16,695.98	762.82	187,889.92
⊕ Jul 01, 2029	Regular Payment	17,458.80	17,458.80	16,780.84	677.96	171,109.08
⊕ Aug 01, 2029	Regular Payment	17,458.80	17,458.80	16,820.81	637.99	154,288.27
⊕ Sep 01, 2029	Regular Payment	17,458.80	17,458.80	16,883.52	575.28	137,404.75
⊕ Oct 01, 2029	Regular Payment	17,458.80	17,458.80	16,963.00	495.80	120,441.75
⊕ Nov 01, 2029	Regular Payment	17,458.80	17,458.80	17,009.72	449.08	103,432.03
⊕ Dec 01, 2029	Regular Payment	17,458.80	17,458.80	17,085.59	373.21	86,346.44
⊕ 2029 Totals		209,505.60	209,505.60	200,910.55	8,595.05	
⊕ Jan 01, 2030	Regular Payment	17,458.80	17,458.80	17,136.85	321.95	69,209.59
⊕ Feb 01, 2030	Regular Payment	17,458.80	17,458.80	17,200.75	258.05	52,008.84
⊕ Mar 01, 2030	Regular Payment	17,458.80	17,458.80	17,283.65	175.15	34,725.19
⊕ Apr 01, 2030	Regular Payment	17,458.80	17,458.80	17,329.33	129.47	17,395.86
⊕ May 01, 2030	Regular Payment	17,458.63	17,458.63	17,395.86	62.77	
⊕ 2030 Totals		87,293.83	87,293.83	86,346.44	947.39	
⊕ Grand Total		1,030,069.03	1,030,069.03	925,000.00	105,069.03	



PROCLAMATION NO. 2025-15
PUBLIC SERVICE RECOGNITION WEEK
May 4-10, 2025

WHEREAS, Americans are served every single day by public servants at the federal, state, county and municipal levels. These unsung heroes do the work that keeps our nation working; and

WHEREAS, public employees take not only jobs, but oaths; and

WHEREAS, many public servants, including military personnel, police officers, firefighters, border patrol officers, embassy employees, health care professionals and others, risk their lives each day in service to the people of the United States and around the world; and

WHEREAS, public servants include teachers, doctors and nurses, scientists, social workers, train conductors and astronauts, safety inspectors, laborers, computer technicians, and countless other occupations. Day in and day out they provide the diverse services demanded by the American people of their government with efficiency and integrity; and

WHEREAS, without these public servants at every level, continuity would be impossible in a democracy that regularly changes its leaders and elected officials.

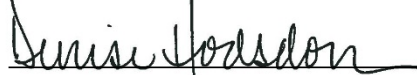
NOW THEREFORE, I, Maureen Copelof, Mayor of the City of Brevard, do hereby announce and proclaim to all citizens, that May 4-10, 2025 is Public Service Recognition Week in Brevard, North Carolina. All citizens are encouraged to recognize the accomplishments and contributions of government employees at all levels – federal, state, county and municipal.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Brevard to be affixed on this 5th day of May, 2025.



Maureen Copelof
Mayor

Attest:



Denise Hodsdon, CMC
City Clerk



STAFF REPORT

City Council, Monday, May 5, 2025

Title: Resolution Adopting Rotary Club Peace Poles as Official Government Speech

Speaker: Wilson Hooper, City Manager

Prepared by: Wilson Hooper, City Manager

Approved by: Wilson Hooper, City Manager

Background

At the April 16 Parks, Trails, and Recreation Committee meeting, the committee endorsed a proposal by the Pisgah Forest Rotary Club to install "Peace Poles" on two city-owned recreation properties: Estatoe Trail near its junction with the Cherry St. Connector and the pollinator garden near the dog park. The up-to 8-foot poles, which would be installed and maintained by the Rotary Club, would bear the message "May Peace Prevail on Earth"

Discussion

The First Amendment compels public agencies to remain content neutral on speech conducted in spaces considered to be "public forums". This is why local governments cannot censor or remove comments posted on their social media sites, for example, or deny an otherwise lawful parade permit to a group with an offensive message. Without the action described below, the installation of the Peace Poles would have the effect of making the trail a public forum and limiting the city's ability to control the messages that are posted there.

A legal doctrine known as the "Government Speech Doctrine" posits that when a government speaks for itself, content neutrality does not apply and the government is allowed to communicate one message and not another. The Supreme Court has upheld this doctrine, though in a 2022 case they established a number of legal tests that must be met to ensure speech is truly government speech.

The Court's most notable test is whether the government exercises actual control over the message. In Brevard's case, it is staff's belief that a formal act by the organization's governing body -as opposed to a symbolic proclamation by the Mayor alone- is needed to clearly designate the speech as government speech.

Action

Council is asked to consider the attached resolution adopting the message of the proposed Rotary Peace Poles as government speech and approving their installation at the identified locations.

Attachments:

1. Res_2025-XX_Rotary Peace Poles

RESOLUTION NO. 2025-XX

**RESOLUTION ADOPTING ROTARY CLUB OF PISGAH FOREST'S PEACE POLES AS
GOVERNMENT SPEECH AND APPROVING THEIR INSTALLATION**

WHEREAS, at the March 2025 meeting of Brevard's Parks, Trails, and Recreation Committee, the group heard a proposal from the Rotary Club of Pisgah Forest to promote peace and unity by installing "Peace Poles" at visible locations through the city; and

WHEREAS, two of the proposed locations were on city-owned property, specifically the right-of-way for the Estatoe Trail at its junction with the Cherry St. connector and near the dog park/pollinator garden; and

WHEREAS, the poles would be between four and eight feet tall and bear the message "May Peace Prevail on Earth"; and

WHEREAS, the poles would be installed and maintained by the Rotary Club of Pisgah Forest under the supervision of the City; and

WHEREAS, the Parks, Trails, and Recreation Committee endorsed the installation at their April 16, 2025 meeting.

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

Section 1. The Brevard City Council adopts the "May Peace Prevail on Earth" slogan displayed on Peace Poles as described above as official government speech.

Section 2. The Brevard City Council approves the installation of poles bearing this message at the above-mentioned locations.

Adopted and approved this the 5th day of May, 2025.

Maureen Copelof
Mayor

ATTEST:

Denise Hodsdon, CMC
City Clerk

MINUTES

CITY COUNCIL HOUSING COMMITTEE

Tuesday, January 14, 2025 – 3:45 PM

City Hall Council Chambers

Members Present: Pamela Holder, Chair, City Council Member
Aaron Baker, Vice Chair, City Council Member
Victor Foster, Citizen Member
Mayor Maureen Copelof, Ex-Officio

Members Absent: None

Staff Present: Wilson Hooper, City Manager
Dean Luebbe, Finance Director
Paul Ray, Planning Director
Emily Brewer, Planner
Becky McCann, Communications Coordinator

Guests: Monica Driscoll, Travis Fowler, Sara VanLear (via Zoom), Sarah Odio (via Zoom), Catherine Sexton, Terin Marlow, Harvey Sankey, David Bradley (representing *Transylvania Times*)

A. Welcome and Call to Order

Chairwoman Pamela Holder welcomed everyone and called the meeting to order at 3:45pm.

B. Certification of Quorum

Quorum was certified.

C. Approval of Agenda

Mr. Baker made the motion to approve the agenda, seconded by Mr. Foster. The motion carried unanimously.

D. Approval of Minutes

Mr. Foster made the motion to approve the December 10, 2024 meeting minutes, seconded by Mr. Baker. The motion carried unanimously.

E. Update on Fairhaven Meadows Funding Request

Mr. Hooper introduced this agenda item, giving background on Fairhaven Meadows, a 42-unit LIHTC (Low-income Housing Tax Credit) funded, multi-family housing development on Asheville Highway. The development is being constructed by Commonwealth Company, a firm from Wisconsin. He stated that, due to flux in the economy, the LIHTC award has proven to be insufficient to fund the project as originally planned and there remains a \$1.7 million gap in funding. The City has been assisting Commonwealth to try to find additional funding. Commonwealth received some funding by Self-Help Credit Union through a loan, which will close the gap by \$900,000. They have also returned to the Asheville Housing Consortium asking for more funding and although it has not yet been approved, an additional \$400,000 is likely to be approved. This brings the gap to a \$500,000-\$600,000 range. Mr. Hooper noted that he had spoken with Transylvania County, who is considering a contribution as well.

Mr. Hooper noted that Summit Engineering has been working on detailed assessments of the City's water and sewer infrastructure and those assessments will include recommendations for capital improvements to the utility system. The County is interested in ensuring that the necessary water and sewer improvements are achieved, and they want to make sure that funding this request will not exhaust their ability to do the utility work that is described in these plans to be provided by Summit Engineering. The County wants to see these plans before they commit to participating in funding the Fairhaven Meadows project.

Mr. Hooper noted that he has not yet made a recommendation on funding the project because he feels that the City should fill the final gap and that amount is still yet to be seen. Mayor Copelof raised the question of when the County might consider providing funding. Mr. Hooper agreed to continue pressing the County for a decision asking that a decision be made by March 2025. Mr. Baker noted that he hopes the County will be able to use some of their housing funds in a spirit of collaboration to complete this project. The Committee continued their discussions and Mr. Hooper noted that he will continue to update the Committee as he learns more.

F. DFI – Draft Public Interest Statements for Azalea Avenue Project

Sara VanLear and Sarah Odio, both with Development Finance Initiative (DFI), were in attendance via Zoom to present information regarding public interest in the Azalea Avenue site. Project Manager Ms. VanLear noted that the public interests are used to set the goals for the project and final recommendations.

Ms. VanLear summarized the following excerpt of the report, which focused on public interests and feedback:

Proposed Guiding Public Interests (Excerpted from report)

Based on the community input received, the following are refined guiding public interests for the Azalea Avenue site.

Affordable housing development on the Azalea Avenue site should:

1. optimize the number of new, quality rental units affordable to Brevard's low-to-moderate income households and the local workforce.
2. include access to green space and community amenities for residents.
3. attract as much private investment as possible to maximize the impact of public investment in affordable housing.
4. accommodate the City's sewer infrastructure extension into in the Azalea/Rhododendron neighborhood.

Ms. VanLear then further expanded on each of the guiding public interests as extracted from the report and included below:

<i>Excerpt:</i>	<i>Draft public interest statement presented to engagement session participants and via the online survey.</i>	<i>Refined public interest statement based on engagement session and survey feedback.</i>
Public Interest #1	Affordable housing development on the Azalea Avenue site should maximize the number of new affordable rental units for Brevard's low-to-moderate income households and support the local workforce.	Affordable housing on the Azalea Avenue site should optimize the number of new, quality rental units affordable to Brevard's low-to-moderate income households and the local workforce.

Feedback:

The majority of participants agreed regarding the need for additional affordable housing and were in favor of new affordable housing units on the Azalea Avenue site. Many participants noted increases in housing cost and housing shortages, and shared a desire for the local workforce and LMI households to access quality, affordable places to live in Brevard.

Most participants, however, did not agree with the word "maximize" in the public interest statement. Many participants worried that "maximizing" the site could detract from building quality homes for low-to-moderate income households. A few participants asked questions about the density of the future development, and one participant summarized this discussion point by saying that the site should prioritize "quality built homes with elbow room." Another participant added that the site should be used to "increase the number of units, but increase with a goal."

As a result, strong participant support existed for replacing "maximize" with a word that better communicates the need for quality units and a site plan that avoids overcrowding. As noted above, public interest #1 was refined by replacing the word "maximize" with "optimize," and adding the word "quality" to describe the new rental units.

Lastly, a few participants also noted a desire for the future development to serve a mix of residents including the local workforce, and people who are not in the workforce such as disabled individuals and senior residents. There were several questions about who would be eligible to live in the future development, and how tenants would be chosen.

Excerpt:

Draft public interest statement presented to engagement session participants and via the online survey.

Refined public interest statement based on engagement session and survey feedback.

Public Interest #2

No public interest related to green space or amenities was presented to participants.

Affordable housing on the Azalea Avenue site should include access to green space and community amenities for residents.

Feedback:

Many participants and survey respondents highlighted the desire for site design elements that would support future residents' quality of life such as green space and shared community amenities. Several questions were asked about a gathering space for residents and outdoor recreation areas, including a playground for families to use. One participant noted that the site should "include quality green space and preserve as many trees on the property as possible." As a result of this input, a public interest was added to ensure that green space and community amenities are an explicit goal for a future development on this site.

Excerpt:

Draft public interest statement presented to engagement session participants and via the online survey.

Refined public interest statement based on engagement session and survey feedback.

Public Interest #3

Affordable housing development on the Azalea Avenue site should attract as much private investment as possible to effectively leverage the City's support of affordable housing development.

Affordable housing on the Azalea Avenue site should attract as much private investment as possible to maximize the impact of public investment in affordable housing.

Feedback:

Most participants agreed that private investment should align with the City's affordable housing goals. Additionally, several participants noted the appropriateness of the City leveraging private investment to reach those goals.

Several participants also expressed distrust in private developers' commitment to quality affordable housing and stated a desire to ensure that private investment would not compromise the development of quality places to live and the long-term affordability for Brevard residents. Many participants questioned how a private investor would be held accountable and expressed concern about both the construction and the property management and ongoing operations: "too many

private companies cut corners.” A few participants also discussed their confusion about the type of private investment and noted that public and charitable resources may be better suited to pursue affordable housing goals. Another participant reiterated an overall agreement with utilizing private investment “as long as it doesn’t compromise the ultimate goal of quality new homes” for low-to-moderate income households.

As a result of this input, the DFI team clarified the definition of “private investment” as all funds not provided by a public entity such as a local or state government. The next phase of this process will detail tools to hold private development partner(s) accountable.

<i>Excerpt:</i>	<i>Draft public interest statement presented to engagement session participants and via the online survey.</i>	<i>Refined public interest statement based on engagement session and survey feedback.</i>
Public Interest #4	Affordable housing development on the Azalea Avenue site should catalyze additional infrastructure investment to support housing quality and affordability in the Azalea/Rhododendron neighborhood.	Affordable housing on the Azalea Avenue site should accommodate the City’s sewer infrastructure extension into the Azalea/Rhododendron neighborhood.

Feedback:
Most participants agreed that private investment should align with the City’s affordable housing goals. Additionally, several participants noted the appropriateness of the City leveraging private investment to reach those goals.

Several participants also expressed distrust in private developers’ commitment to quality affordable housing and stated a desire to ensure that private investment would not compromise the development of quality places to live and the long-term affordability for Brevard residents. Many participants questioned how a private investor would be held accountable and expressed concern about both the construction and the property management and ongoing operations: “too many private companies cut corners.” A few participants also discussed their confusion about the type of private investment and noted that public and charitable resources may be better suited to pursue affordable housing goals. Another participant reiterated an overall agreement with utilizing private investment “as long as it doesn’t compromise the ultimate goal of quality new homes” for low-to-moderate income households.

As a result of this input, the DFI team clarified the definition of “private investment” as all funds not provided by a public entity such as a local or state government. The next phase of this process will detail tools to hold private development partner(s) accountable.

Committee members shared their questions and points of discussion throughout the presentation by Ms. VanLear. Some of the conversation centered around how the subject property will need to be zoned upon its development, noting the potential need for conditional zoning.

Ms. VanLear concluded that the public engagement revealed that the potential traffic for the development and the limited transportation options in this neighborhood caused concerns. Mr. Baker commented that it is worth tracking the traffic issues and transportation needs given that the public had shared their concerns in this regard.

Ms. VanLear requested that the Committee endorse the report and ask that City Council move forward with project by having the priorities incorporated into the designs developed by the architects. Mr. Foster made the motion that the Committee move forward by sending the project to City Council recommending the project. This motion was seconded by Mr. Baker. All voted in favor.

G. Public Comment

Harvey Sankey asked for clarification on the makeup of the local housing coalition and where the money would come from for the Fairhaven Meadows project. He also asked if the City has a fair housing plan. Mr. Hooper responded that the City does not have a plan per se, but does have a housing playbook for helping to determine funding options for housing. Mr. Sankey referenced the City of Asheville's Fair Housing Plan.

Monica Driscoll noted her appreciation for the DFI presentation and overview of the public engagement process. She encouraged the Committee and City to develop housing that has ample space for getting acquainted with their neighbors. She also encouraged the City and the County to work together collaboratively on various projects, including housing.

Travis Fowler commended the Committee and City for making positive steps towards providing affordable housing in the area.

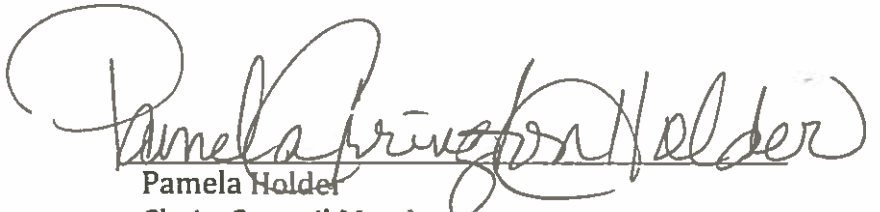
H. Set Date for Next Meeting

The next meeting of the Committee is scheduled for February 11, 2025 at 3:45pm.

I. Adjourn

Ms. Holder asked for a motion to adjourn. Mr. Foster moved to adjourn, seconded by Mr. Baker. Meeting adjourned at 4:58pm.

Minutes Approved: April 8, 2025



Pamela Holder
Chair, Council Member



Selena D. Coffey
Assistant to the City Manager



MINUTES

City Council Parks, Trails, & Recreation Committee

Wednesday, February 19, 2025 - 3:30 PM
City Council Chambers

Members Present: Aaron Baker, Chair, Council Member
Lauren Wise, Vice Chair, Council Member
Reba Osborne, Citizen Member
Nancy DePippo, Citizen Member
Wyn Birkenthal, Citizen Member
Mayor Maureen Copelof, Ex-Officio

Absent: Howie Granat, Citizen Member
JD Powers, Citizen Member

Staff Present: Wilson Hooper, City Manager
David Todd, Assistant City Manager
Wesley Shook, Public Works Director
Paul Ray, Planning Director
Aaron Bland, Assistant Planning Director
Becky McCann, Communications Coordinator
Selena Coffey, Assistant to the City Manager

A. Welcome & Call to Order

Committee Chair Aaron Baker welcomed everyone and called the meeting to order at 3:30pm.

B. Certification of Quorum

The quorum was certified by Assistant to the City Manager Selena Coffey.

C. Approval of Agenda

Chairman Baker added the Wilson Road Boat Ramp to the agenda as item F. Mr. Wise made the motion, seconded by Ms. DePippo, to approve the agenda as amended. The motion carried unanimously.

D. Approval of Minutes

Ms. Osborne made a motion to approve the minutes of the January 15, 2025 meeting, which was seconded by Ms. DePippo. The motion carried unanimously.

E. Review of County's Recreation Master Plan

Mr. Hooper introduced this agenda item and directed his comments to the distributed Overview of the Transylvania and Brevard Master Plan Synopsis. It was noted that this master plan was completed in 2015-2016 and although it had been presented to the City of Brevard, the city had not approved or adopted the plan. The committee had significant discussion about the plan.

Mr. Hooper asked the committee to provide clarification as to what it would like to see regarding a planning process for the city's recreation complex and amenities. Discussion continued among committee members with support focusing on the immediate needs at the city's Sports Complex, including parking and restrooms, and asked that staff begin working towards completing a comprehensive master planning process at the same time. Mr. Hooper noted that it would be important to include a public engagement process in preparation for the potential to apply for a PARTF or other grants in the future. The committee continued its discussion about some positive aspects of the county's master plan document but acknowledged disparities between the plan and its implementation. Ms. Copelof noted that the city did not adopt the county's master plan but went on record acknowledging its receipt.

The committee requested that staff ask the county whether they have an active recreation plan so the city can better understand what their plans are for their facilities, including their recreation center, restrooms, etc. Mr. Hooper agreed that he would have this conversation with the county manager and ask that a county representative attend a future meeting of the committee to share the county's goals and determine if there are ways for the county and city to work together collaboratively on recreation programming and facilities.

Ms. Osborne asked about the lease with Little League. Mr. Hooper noted that the Little League pays a nominal fee for the lease, and he anticipates renewing the lease in the upcoming year. Mr. Hooper agreed to reach out and ask the Little League about their plans and needs for the space(s) for their programs.

F. Wilson Road Boat Ramp

Mr. Todd introduced a proposal and request from Mountain True, a local nonprofit, to build an improved boat ramp at the existing Wilson Road site. He noted that the city had a previous memorandum of understanding with the group for cost-sharing in the design and construction of the ramp but stated that Mountain True has most recently returned to the city stating that they have the funding to complete the construction with their own funds and cost-sharing will not be necessary. He explained that the ramp will be a combination of cast-in-place concrete and pre-poured concrete. He noted that Mountain True wants to remove the existing ramp rubble, prep the site, and then pour small sections of ramp up away from the river, to then push those sections into the river when they are complete. The pre-poured section will be approximately 150 feet, and the remaining 50 feet will be poured in place. The proposal also adds a sidewalk, a

handicapped parking space and signage noting Mountain True's responsibility for the project.

The committee discussed the benefits of the new ramp, the environmental requirements, and the benefits to the community who may use the new ramp. Mr. Wise noted that he likes the proposal and feels that the new ramp will be a significant improvement over the old ramp.

After considerable discussion, Ms. Osborne made a motion to endorse the proposal from Mountain True for the new boat ramp, which received a second by Mr. Wise. All voted in favor of sending the positive recommendation to the city council.

G. Public Comment

Gary Lowden, representative of Pisgah SORBA, noted that the organization had hired two new staff, one being a trail specialist and second, a development director. He shared that SORBA will be holding their first public workday on March 29 at Bracken Preserve. He then noted that SORBA will be hosting their regional summit and Western North Carolina Mountain Bike Festival in tandem with the summit from May 7 – 11, 2025. He noted that the summit will be held at the Brevard Music Center and the festival will be held at Ecusta Brewing on May 10, 2025.

Nora Jane Montgomery, representative of Brevard Bike Alliance, was present to remind the committee that the Bicycle Pedestrian Plan designated a bike ped advisory group and reminded the committee that it had agreed to take on the role as the advisory group. The committee was amenable to revisiting the plan, asking that staff address this.

Daniel Jesse, a member of SORBA and cyclist, spoke up and thanked Mr. Todd and Ms. Copeloff for their roles in ensuring that safety issues were addressed after he had raised issues involving safety concerns. He encouraged the city to continue to consider the connectivity of bike lanes and sidewalks, along with stop signs at crosswalks.

Mr. Birkenthal asked that next month's agenda include a report on the playground equipment at Franklin Park. Ms. Copeloff asked for the status on the recently approved sunshade for the skate park. Mr. Todd responded that the purchase order had been issued or would be issued in the near term. Mr. Baker noted that he was sorry to have missed the ribbon cutting on the new pedestrian bridge and there was brief conversation about the continuation of a path extension beyond the bridge.

H. Set Date for Next Meeting

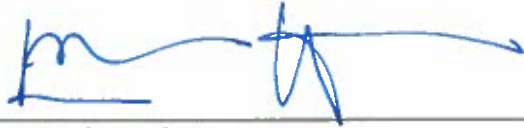
The next regular meeting of the Parks, Trails & Recreation Committee was scheduled for Wednesday, March 19, 2025 at 3:30pm.

I. Adjourn

There being no further business, the meeting was adjourned at 4:40pm with a motion by Mr. Wise, second by Ms. Osborne, and all in favor.

Minutes Approved:

APRIL 16, 2025



Aaron Baker, Chair or
Lauren Wise, Vice Chair



Selena D. Coffey
Assistant to the City Manager

MINUTES

COUNCIL FINANCE, HUMAN RESOURCES and CITIZEN APPOINTMENT COMMITTEE

Monday, February 24, 2025 – 11:00 AM

City Hall Council Chambers

Members Present: Lauren Wise, Chair, Council Member
Gary Daniel, Vice-Chair, Council Member
Susan Miller, Citizen Member

Staff Present: Dean Luebbe, Finance Director
Kelley Craig, Human Resources Director
Becky McCann, Communications Coordinator
Selena Coffey, Assistant to the City Manager

Guests: Harvey Sankey

A. Welcome & Call to Order

Committee Chair Lauren Wise welcomed everyone and called the meeting to order at 11:00am.

B. Certification of Quorum

Quorum was certified by Assistant to the City Manager

C. Approval of Agenda

Motion by Mr. Daniel, seconded by Ms. Miller, to approve the agenda as presented. The motion carried unanimously.

D. Approval of Minutes

Motion by Ms. Miller and second by Mr. Daniel to approve the minutes of the January 22, 2025 meeting as presented. The motion carried unanimously.

E. Review of Non-Profit Application Submissions

Mr. Wise opened the discussion of non-profit applications as distributed earlier by staff, focusing primarily on a spreadsheet listing all non-profit requests. Ms. Coffey recommended that the committee start at the top and go line by line reviewing the requests from each organization and indicate what, if any, level of funding they would recommend funding in the upcoming budget. Mr. Luebbe reminded the committee that

the goal for charitable contributions had been set at 1% of the General Fund budget, which avails \$120,000 for this use. The committee agreed with this approach and had a conversation about the various non-profits' goals, needs, and service contributions to the city and its residents. Mr. Wise recommending noting each recommendation with the following:

Red shading = No recommended funding
 Green shading = Funding
 Yellow shading = Possible funding at lower level

	FY25 Requested	FY25 Council Approved	FY26 Requested	FY26 Committee Recommended
Augustine Literacy Project	\$4,500	\$0	\$0	\$0
Blue Ridge Community Health	\$0	\$0	\$0	\$0
Bound for Glory	\$3,000	\$0	\$0	\$0
Boys and Girls Club	\$15,000	\$0	\$5,000	\$0
Bread of Life	\$0	\$0	\$7,500	\$7,500
Brevard Academy	\$31,140	\$0	\$0	\$0
Brevard Music Center	\$0	\$0	\$10,000	\$0
Chamber of Commerce	\$4,000	\$4,000	\$4,000	\$4,000
Children's Center	\$10,000	\$0	\$20,000	\$5,000
Cove (The)	\$0	\$0	\$25,000	\$5,000
El Centro	\$7,000	\$7,000	\$0	\$0
Family Place	\$10,000	\$0	\$0	\$0
Haven (The)	\$0	\$0	\$24,132	\$5,000
Heart of Brevard	\$58,000	\$39,000	\$31,000	\$31,000
Housing Assistance Corporation	\$0	\$0	\$15,000	\$15,000
Hunger Coalition	\$5,000	\$0	\$7,500	\$2,000
Kids In Camp	\$1,000	\$0	\$1,000	\$0
Mary C Jenkins (suppl janitorial. Staff referred)	\$0	\$0	\$15,000	TBD
Meals On Wheels	\$0	\$0	\$20,000	\$5,000
Pisgah Area SORBA	\$8,100	\$5,600	\$0	\$0
Pisgah Conservancy	\$8,210	\$5,710	\$7,500	\$0
Rise and Shine	\$5,000	\$5,000	\$7,500	\$5,000
Sharing House	\$10,000	\$10,000	\$10,000	\$10,000
Smart Start	\$0	\$0	\$65,000	\$0
Sparkpoint	\$10,000	\$0	\$4,000	\$0
TC Arts	\$15,000	\$0	\$15,000	\$0
TC Strong	\$10,000	\$0	\$0	\$0
Transylvania County Historical Society	\$4,000	\$0	\$15,000	\$0
Transylvania Habitat for Humanity	\$0	\$0	\$10,000	\$10,000
Transylvania Heritage Museum	\$0	\$0	\$1,500	\$0
Transylvania Economic Alliance	\$5,000	\$5,000	\$5,000	\$5,000
Transylvania Farmers Market	\$20,000	\$20,000	\$18,000	\$18,000
Veteran Museum	\$0	\$0	\$0	\$0
TOTAL	\$243,950	\$101,310	\$343,632	\$127,500

The following issues were also noted:

- Funding for the Chamber of Commerce is eligible to be moved to an operating line in the Mayor and Council budget as a membership.
- The Heart of Brevard presented a \$50,000 request, but only \$31,000 is voluntary. The remaining \$19,000 is contractually obligated.
- The funding recommended for the Mary C. Jenkins Community Center (MJCCC) board may be used to pay for extra kitchen janitorial and exterior landscaping. This is yet to be determined, as staff awaits input from the MCJCCC Board.
- Funding for Rise and Shine and Sharing House is eligible to be moved to an operating line item within the General Fund budget.
- Funding for the Transylvania County Farmers Market is eligible to be placed in the Community Center operating budget.

There was significant discussion of the need for further discussion and negotiation with the Heart of Brevard and the Mary C. Jenkins Cultural and Community Center Board regarding funding to these agencies before decisions are finalized for them.

F. Public Comment

Mr. Sankey commended the committee on their thorough discussion. He questioned whether the committee knows what percentage of the funding goes towards administrative costs.

G. Set Date for Next Meeting

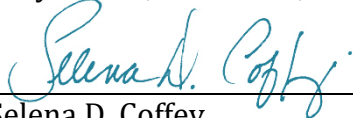
The next meeting of the Committee was scheduled for March 24, 2025 at 11:00am.

H. Adjourn

There being no further business, Ms. Miller made a motion to adjourn, seconded by Mr. Daniel, and all in favor. Meeting adjourned at 12:22pm.

Minutes Approved: _____

X _____
Lauren Wise, Chair, Council Member or
Gary Daniel, Vice Chair, Council Member

X  _____
Selena D. Coffey
Assistant to the City Manager

MINUTES
City Council Public Safety Committee

Monday, February 24, 2025 – 3:30 PM
City Hall Council Chambers

Members Present: Aaron Baker, Chair, Council Member
Mac Morrow, Vice-Chair, Council Member
Kevin Gallo, Citizen Member
Mayor Maureen Copelof, Ex-Officio Member

Staff Present David Todd, Assistant City Manager
Aaron Thompson, Police Department
Bobby Cooper, Fire Chief
Kelley Craig, Human Resources Director
Becky McCann, Communications Coordinator
Selena Coffey, Assistant to the City Manager

A. Welcome & Call to Order

Committee Chair Aaron Baker welcomed everyone and called the meeting to order at 3:31pm.

B. Certification of Quorum

Assistant to the City Manager Selena Coffey certified that a quorum was present.

C. Approval of Agenda

Motion by Mr. Gallo, seconded by Mr. Morrow to approve the agenda as presented. The motion carried unanimously.

D. Approval of Minutes

Mr. Morrow made a motion to approve the minutes, and this was seconded by Mr. Gallo. The motion passed unanimously.

E. Police Department Workplace Culture Study Update

Ms. Craig updated the committee about the selection of Berry Dunn, the firm who will be completing the Brevard Police Department workplace culture study. She noted that Manager Hooper will be bringing the proposal before the city council for their final approval. Ms. Craig noted that staff hopes to begin the project within the

next 2-4 weeks and indicated that the study will include multiple on-site engagements, interviews, culture and climate surveys, etc.

Mr. Baker asked if the firm had provided a copy of reports they had completed in other jurisdictions. Ms. Craig responded in the affirmative. Mr. Baker noted that he felt that employee engagement and input would be key for the success of this study. Ms. Craig noted that Berry Dunn will encourage employee participation in a variety of ways to ensure that employees feel comfortable participating in the study. Ms. Craig also noted that the total process may take 6-8 months for completion.

F. Update on Traffic Calming Measures

Mr. Todd provided an update on the various traffic calming measures on streets and intersections previously discussed by the committee.

Probart Street

Mr. Todd noted that staff continues its work installing speed bumps and speed humps and this work is largely dependent on days with good weather.

Railroad and Probart Intersection

Mr. Todd noted that staff met with a group that included NCDOT representatives, the city's traffic consultants, and community members and decided to slightly modify this intersection. He noted that the stop bar would be moved further forward into the intersection and the stop sign will need to be moved as well. He also noted that the respective corner would be modified to better accommodate vehicles turning westbound onto Probart from Railroad Avenue as the current curb is frequently overrun by vehicles. Mr. Todd added that the city will update the signage as well.

Railroad and McLean Intersection

Mr. Todd noted that there are many challenges at this intersection, as it doesn't currently meet ADA standards and therefore the city will need to add truncated cones, ADA-accessible buttons, and two-faced signage. The committee discussed challenges with this intersection that will likely be fixed with the improvements. The committee discussed challenges with this intersection that will likely be fixed with the recommended improvements.

Carver, Oaklawn, and Hampton Intersection

Mr. Todd explained that this intersection is difficult to address due to difficult sight lines coming up Carver. Currently there is no stop sign in this location and the staff group feels that adding a stop bar and making this a three-way stop may be ideal, along with adding a pedestrian crosswalk on the east side of Oaklawn. The city's traffic consultants are continuing to review this intersection to find the best possible solution. The committee shared their thoughts and concerns regarding this intersection. The idea of a mini traffic circle had been considered for this

intersection, but the traffic calming group, including the traffic consultants and NCDOT, didn't feel that this would be the best solution to address the concerns for this specific intersection.

Carolina and Shipman Intersection

Mr. Todd reminded that part of this intersection belongs to the state, while part of it belongs to the city. The recent placement of speed monitoring devices revealed that the max speed was 45 mph and this was very infrequent, and the average speed was 25 mph. The city's traffic consultants did not feel that these speeds would be enough to encourage NCDOT to address the intersection more aggressively. Mr. Todd noted that the Police Chief had ordered new signage and speed monitoring devices that could be deployed in better locations and that the installation of speed bumps could be beneficial to slow traffic in this area. The committee received some comments and questions from a citizen regarding speed monitoring device placement by resident Kellyn Haight, which were addressed by Mr. Todd and Mr. Thompson.

Fisher Road

Mr. Todd noted that the speed monitoring device that had been placed on Fisher had not been working correctly, therefore staff didn't have additional data to share in that regard.

G. Fire Department Transition Update

Fire Chief Bobby Cooper publicly shared that he will be retiring effective Friday, February 28, 2025 and that Mr. Hooper had identified Bradley Elmore as the Interim Chief upon his retirement. Mr. Cooper noted that Management Solutions for Emergency Services will take the lead on recruiting for the Fire Chief position. Ms. Craig noted that the position would likely be advertised for 2-4 weeks and therefore the entire process may take 3-4 months. She also added that the city will be holding a retirement reception for Chief Cooper tentatively scheduled for the afternoon of March 14.

Committee members offered their appreciation to Chief Cooper and thanked him for his service to the City of Brevard.

H. Public Comment

Morris Jenkins shared that he likes the benches at Times Arcade but is concerned about a trip hazard in that area. He suggested a reflective tape.

Nora Jane Montgomery spoke on behalf of the Brevard Bike Alliance, advocating for safety for bicyclists and pedestrians. She encouraged the committee to review the Bike Ped Plan and support improvements addressed within the plan. Some of the improvements that she recommended included reducing the speed on French Broad

Street to 25 mph, creating shared lane markings on French Broad Street, and creating a bicycle boulevard on Morgan Street.

Monica Driscoll spoke and commended Fire Chief Bobby Cooper for his service and visibility to the citizens and community.

Kellyn Haight spoke about a small piece of land owned by the city on Carolina Avenue and suggested placement of the mobile speed sign to that area. She asked for clarification about plans for speed cushions on Carolina since the three-way stop was likely not feasible. Mr. Todd agreed to work with the Police Department to re-orient the sign for better data collection.

Aaron Nicoletti asked about adjusting the light sequence for better pedestrian crossing at Park View and Main on Greenville Highway. Mr. Baker noted that this is a NCDOT light and the city will need to pose that question to them.

I. Set Date for Next Meeting

The next meeting was scheduled for Monday, March 24, 2025, at 3:30pm.

J. Adjourn

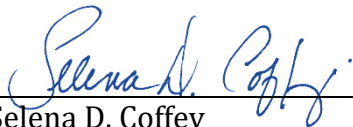
There being no further business, Mr. Morrow made the motion to adjourn, which was seconded by Mr. Gallo. The meeting was adjourned at 4:29pm.

Minutes Approved: _____

X

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

X



Selena D. Coffey
Assistant to the City Manager

MINUTES

COUNCIL DOWNTOWN MASTER PLAN COMMITTEE

Wednesday, March 18, 2025 – 4:00pm

City Hall Council Chambers

Members Present: Gary Daniel, Chair, Council Member
Billy Parrish, Heart of Brevard Representative
Nicole Bentley, Executive Director, Heart of Brevard
Parker Platt, At-Large Member
Mayor Maureen Copelof, Ex-Officio

Members Absent: Pamela Holder, Council Member
Lee McMinn, Citizen Member

Staff Present: Mack McKeller, City Attorney
Paul Ray, Planning Director
Emily Brewer, Senior Planner
Selena Coffey, Assistant to the City Manager

Media: Dave Bradley, Transylvania Times

A. Welcome & Call to Order

Committee Chair Gary Daniel welcomed everyone and called the meeting to order at 4:00pm.

B. Certification of Quorum

A quorum was certified by Assistant to the City Manager Selena Coffey.

C. Approval of Agenda

Ms. Bentley made a motion to approve the agenda with the addition of a discussion of a mural to the agenda, and the motion was seconded by Mr. Parrish. The motion was approved unanimously.

D. Approval of Minutes

Ms. Bentley motioned, seconded by Mr. Platt to approve the minutes of the February 12, 2025 meeting. The motion carried unanimously.

E. Downtown Business Sidewalk Discussion – Follow-up with City Attorney

Mr. Ray introduced the topic, stating that at the last meeting the committee asked the city attorney to attend to answer questions about sidewalk usage downtown, including the unpermitted newspaper advertising boxes and special legislation on how the city should address these. Mr. McKeller stated that these unpermitted boxes are viewed as obstructions and restrictions may be placed on them. Further, he noted that these boxes are constitutionally permitted to be removed from the sidewalk and that he would recommend that they be removed. Ms. Bentley shared that she had spoken with other municipalities that had a designated space for these boxes as opposed to distributed on sidewalks throughout downtown. Mr. McKeller stated that this could be authorized.

After extensive discussion, committee members reached consensus that they preferred allowing these permitted advertising/newspaper boxes in one designated location as opposed to distributed along the city's sidewalks. They agreed that an alley would be an appropriate area for this location for permitted boxes. Mr. Daniel asked that staff determine the designated location where these permitted boxes may be co-located.

Mr. Ray raised another issue that Mr. McKeller may address, regarding including the existing butterfly bench and white squirrel structure on sidewalks downtown. Ms. Brewer presented a hard copy list of structures on downtown sidewalks denoting whether the structures are allowed and permitted.

Sidewalk Usage Permit Tracker (as of March 4, 2025)

Business	Business Address	Type of Usage	Notes
Blind Mule	14 S Gaston	Sidewalk Usage	Signed updated encroachment agreement to comply with new regulations
Sully's Steamers	33 E Main St	Sidewalk Dining w/ Alcohol	Need to ask if they want to amend insurance requirements
Falls Landing Restaurant	18 E Main St	Sidewalk Dining w/ Alcohol	Need to ask if they want to amend insurance requirements Also must remove green chairs from bricked area
Smokey Sunrise	30 W Main St	Sidewalk Dining	Need to ask if they want to amend insurance requirements Also need to follow up with them about the rooster - not allowed in bricked area
El Jarocho	55 E Main St	Sidewalk Dining w/ Alcohol	Need to ask if they want to amend insurance requirements
OP Taylor's	17 W Main St	Sidewalk Usage	
Lucy Clark Gallery & Studio	51 W Main St	Sidewalk Usage	
Rocky's Grill	48 S Broad St	Sidewalk Dining	
White Squirrel Shoppe	6 W Main St	Sidewalk Usage	Permit for merchandise next to building only. White Squirrel in bricked area not allowed
ACE Hardware	87 W Main St	Needs Permit	Merchandise outside 3/4
Blue Ridge Bakery	86 W Main St	Needs Permit	Planters outside 3/4
Mantiques	68 W Main St	Needs Permit	Benches outside 3/4
Sandra Purcell & Associates	96 W Main St	Needs Permit	Chairs and planters outside 3/4
Kilwin's	52 W Main St	Needs Permit	Bench outside 3/4
Hunters & Gatherers	40 W Main St	Needs Permit	Merchandise outside 3/4
Lilly T's	14 W Main St	Needs Permit	Planters outside 3/4
Earth Mountain Bicycle	66 E Main St	Needs Permit	Planters outside 3/4
DD Bulwinkle's	60 E Main St	Needs Permit	Merchandise outside 3/4; also unpermitted signage on sidewalk
Red Wolf Gallery	8 E Main St	Needs Permit	Planters outside 3/4
Beverly Hanks	6 E Main St	Needs Permit	Planters outside 3/4
Quixote	43 S Broad St	Needs Permit	Planters outside 3/4 - unclear if they are Quixote's or property owners
Penny Lane Exchange	32 S Broad St	Needs Permit	Planters outside 3/4
H. Scott & Associates	29 W Jordan St	Needs Permit	Planters outside 3/4; also unpermitted A-frame sign
Mommy & Me Resale	30 N Caldwell St	NOT ALLOWED	Tiny chairs outside 3/4 - not enough clearance
RE/MAX	77 E Main St	NOT ALLOWED	Are cordo boxes theirs? Cannot place anything on sidewalk - not enough clearance
Rocky's Corner Market	48 S Broad St	NOT ALLOWED	Telephone booth 3/4 - not allowed in brick area
Local Color	36 S Broad St	NOT ALLOWED	Objects placed in bricked area and in tree stump 3/4 - not allowed
Gravy	17 W Main St	NOT ALLOWED	Butterfly bench 3/4 - in the bricked area not allowed
Jordan Street Café	48 W Jordan St	NOT ALLOWED	Bench and planters outside 3/4 - not enough clearance
Ginger M Salon & Spa	32 W Jordan St	NOT ALLOWED	Planters outside 3/4 - not enough clearance

Ms. Brewer noted that staff would like input from the committee to determine which structures from the above list may be permitted. Mr. McKeller recommended against

permitting this due to these obstructions, increasing the likelihood of the city being liable for potential injuries caused by the obstructions. Ms. Copelof noted that some of these structures, such as the large white squirrel, the butterfly bench, the phone booth at Rocky's, etc., could be permitted in the city's brick areas as opposed to the sidewalk. There were also discussions about potentially securing these types of structures to improve safety. The committee continued with extensive discussion of structures on sidewalks that some consider iconic to the city. Mr. Ray stated that he felt that the committee had provided helpful consensus and input for staff to present potential code changes to the city council. Mr. McKeller stated that the city could use an encroachment agreement whereby downtown shops could get an agreement to leave structures in the city's bricked paver areas downtown, but his recommendation would be to require the structure owners to provide insurance for the structures and the agreements would need to be approved by the city. After much discussion, the committee reached a consensus to table this discussion regarding the brick paver areas for later follow-up. 9

F. Times Arcade Alley Follow-up

Mr. Ray introduced the topic to provide an update on the work completed at Times Arcade Alley, stating that the work was almost complete. He shared that landscaping had been completed recently, using large trees and flowers. Mr. Ray noted that work still needs to be completed on the Jordan Street side after receiving a recommendation on the stop bar placement, pricing a 6-foot guardrail, moving signs and poles. He also shared that parking brackets on Jordan Street need to be painted and a determination made as to potentially shrinking the size of the loading zone on Jordan Street, thus giving more spaces for car parking. Mr. Ray is planning on bringing a striping plan to the next committee to make the determination in this regard. There was brief discussion of the handicapped spaces, as well as additional paving and it was agreed that City Manager Hooper will be able to answer the committee's questions about additional paving.

Mr. Platt stated that he had heard that the alley repairs were paid with Downtown Master Plan funds and was curious if that was true and why the professionals who completed these repairs were not responsible for incurring these costs. Mr. McKeller advised that he is currently reviewing the external designer's contract and change orders to determine if the city should have some of its expenditures refunded. Mr. Paul noted that the concrete contractors had made repairs to their work at no additional cost to the city. The committee continued discussion on this topic and staff will continue to update the committee monthly until the project is complete.

Committee member representatives from Heart of Brevard requested that the city manager make sure that the committee is kept up to date on how the funds designated for the Downtown Master Plan are used in the future.

G. Update on Status of NCDOT Relinquishing Main Street to the City

Mr. Ray shared with the committee that NCDOT has received the city's request regarding the relinquishing of Main Street to the city and will be in contact with the city

after review of the request. Staff will continue to keep the committee up to date on this topic.

H. Discussion of Window Mural at 123 Water Oak Suites

Ms. Bentley inquired as to whether a mural at 123 Water Oak Suites had been approved through the city's public art policy. She stated that several of the businesses in this building expressed their dissatisfaction of the mural due to its size and appearance. The committee discussed other murals downtown. Mr. Ray noted that the city exempts window graphics from the city sign ordinances, which includes murals. Mr. McKeller read the specific ordinance references for the committee. Mr. Ray noted that city regulations would need to be revised if city council decided to begin regulating window murals. Ms. Bentley stated that she would speak with those who had complained about the mural and share with them the city's regulations.

I. Public Comment

Doug Miller, business owner on Jordan Street, provided input on the striping of the street as discussed earlier in the meeting and asked that the committee address vehicular traffic going the wrong way on Jordan Street. He urged the committee and the city to not give special permission to private businesses advertising on city property (referencing the advertising boxes on sidewalks discussed by the committee earlier in the meeting). He shared that the parking pay machine off Jordan Street isn't operable currently.

Mr. Parrish asked about the status of the downtown parking study. Mr. Daniel responded that it will likely be included in the next fiscal year budget, which will be implemented July 1, 2025. It was noted that some of the previously budgeted funds had been used for parking infrastructure at the Fairhaven Meadows project. Mr. McKeller reminded the committee that there was no restriction on the use of the funds.

Mr. Daniel thanked Mr. Parrish for his service on the committee. Ms. Bentley noted that the Heart of Brevard will be selecting a new representative to replace Mr. Parrish on the Downtown Master Plan Committee at its next meeting.

J. Set Date for Next Meeting

The next meeting of the Downtown Master Plan Committee was scheduled for Wednesday, April 9, 2025 at 4:00pm.

K. Adjourn

Ms. Bentley made a motion to adjourn, which was seconded by Mr. Platt. All voted in favor. The meeting adjourned at 5:08pm.

Minutes Approved:

April 9, 2025

X 
Gary Daniel, Committee Chair or
Pamela Holder, Committee Vice Chair

X 
Selena D. Coffey
Assistant to the City Manager



MEETING NOTES

City Council Parks, Trails, & Recreation Committee

Wednesday, March 19, 2025 - 3:30 PM

City Council Chambers

Members Present: Aaron Baker, Chair, Council Member
Lauren Wise, Vice Chair, Council Member
Reba Osborne, Citizen Member

Absent: Howie Granat, Citizen Member
JD Powers, Citizen Member
Nancy DePippo, Citizen Member
Wyn Birkenthal, Citizen Member
Mayor Maureen Copelof, Ex-Officio

Staff Present: Wilson Hooper, City Manager
David Todd, Assistant City Manager
Paul Ray, Planning Director
Becky McCann, Communications Coordinator
Selena Coffey, Assistant to the City Manager

A. Welcome & Call to Order

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

B. Certification of Quorum

A quorum could not be certified due to only three members present.

C. Approval of Agenda

No approval of the agenda due to lack of a quorum.

D. Approval of Minutes

No approval of minutes due to lack of a quorum.

E. Updates on Projects:

1. Sports Complex Restrooms and Parking

Mr. Ray shared with the committee that he and Aaron Bland met with a McAdams representative, Nick Lowe, recently, and he has agreed to develop a scope of work for this project for staff to review. He noted that the scope will consist of a robust

site plan with recommendations and commentary regarding paved parking lots and new restrooms among other recommendations. Mr. Ray indicated that staff will work with Mr. Lowe to further refine the scope and bring it back to the committee for the April committee meeting. Mr. Ray suggested that this scope may provide the city the opportunity to choose McAdams or bid the project out to another firm depending on the final cost estimate. Mr. Baker added that the committee and city should consider using this project as an opportunity to add a crosswalk between the park and EMS station to add pedestrian connectivity in the area.

Ms. Osborne asked if staff has spoken to county representatives regarding their plans. Ms. Coffey shared that she had spoken with the county's recreation director and county manager, and they were hoping to be able to come to a future committee meeting, potentially in April, to share more on their recreation plans.

2. Estatoe Boardwalk Assessment

Mr. Todd shared that the designer had been on site and completed their field evaluation, took sections of the boardwalk apart to visual its condition, while looking for the original drawings. Mr. Todd anticipated receiving a report in a few weeks. He also reported that there is great potential that the overall condition of the boardwalk may require full replacement as opposed to repairs. There was extensive discussion regarding the potential benefits of re-routing the boardwalk if it needs to be replaced as opposed to repaired.

3. 30% Design for the Remaining Sections of the Estatoe Trail

Mr. Ray stated that there are two sections of the Trail to complete, not including the Rosman Highway crossing. He shared that surveyors are wrapping up the topo work on the section from the high school to Rosman Highway and will move to the Main Street to Mary C. Jenkins Center section the following week. He noted that 30% design is anticipated to be completed by May 1, 2025. Staff hopes to receive the Great Trails State grant but doesn't know the results of this grant yet. Mr. Ray reminded the committee that city council has approved construction of the sidewalk along Rosman Highway to the gas station and once that is complete, NCDOT will build the crossing. Public Works anticipates that they will start building the related sidewalk in April.

F. Rotary Club Proposal for Peace Poles Installation along Estatoe Trail

Ms. Tamika Hunter, President of Pisgah Forest Rotary Club, was present to discuss a proposal to install two peace poles along the Estatoe Trail at the following locations: 1) At the pollinator garden near the dog park, and 2) At the T-intersection leading to Oscar Blues. These poles will be constructed from upcycled white vinyl PVC and are planned to serve as "symbols of hope, unity, and goodwill, encouraging residents and visitors to reflect on the importance of peace in our daily lives." These poles will read, "May peace

prevail on earth.” The poles would be installed and maintained by the Pisgah Forest Rotary Club. The pole sizes can vary from four feet to six, seven, or eight feet. The committee expressed general support for the installations and Mr. Hooper noted that staff would need to present the proposal to city council and have them adopt the wording as government speech before they could be installed on government properties. Mr. Baker stated that the T-intersection may be problematic because of the pedestrian interactions in that area. Ms. Hunter stated that they are open to moving this pole to another location if necessary. Members of the committee present asked that staff bring back a more detailed report and recommendation to the next committee meeting for a formal vote to recommend the peace poles for approval by city council.

Mr. Hooper asked to update the committee regarding the survey with the Taylor’s. He noted that this agreement has been reached.

Mr. Baker asked that committee member, Mr. Granat, be asked to provide an update on the Bracken Trail project at next meeting.

G. Public Comment

Bob McDonough asked questions about the boardwalk replacement or repairs and about the Estatoe Trail going through the Allison Hawthorne neighborhood. He was concerned about bike traffic cutting through the neighborhood and asked the committee to consider ways to limit traffic through the neighborhood.

Ms. McCann reminded the committee that there is an upcoming volunteer workday with Pisgah Area SORBA and Bracken, next Saturday, March 29, 2025.

H. Set Date for Next Meeting

Mr. Baker noted that the next regular meeting of the Parks, Trails & Recreation Committee was scheduled for Wednesday, April 19, 2025, but with this date falling in the middle of area students’ spring break, the committee may consider rescheduling the meeting. Ms. Coffey stated that she would reach out to committee members to ensure that a quorum could be available on that date and the committee could pick a new date if a lack of quorum was anticipated.

I. Adjourn

Mr. Baker adjourned the meeting was adjourned at 4:20pm.

Approved:

April 16, 2025



Aaron Baker, Chair or
Lauren Wise, Vice Chair



Selena D. Coffey
Assistant to the City Manager

Minutes
Brevard ABC Board
March 27, 2025 10:00 AM

The Brevard ABC Board met for their regular monthly meeting at 10:00 AM on March 27, 2025. The meeting was held in the conference room of Store #1, 350 North Broad Street. The following were in attendance:

Members Present: Lisa Conner, Chair
 Ron Brewer
 Frank Pearsall
 Paula McKeller
 Susan Miller

Staff: Jackie Jarvis, General Manager
 Paxton McAbee, Assistant Manager
 Glenda Sansosti, Acting Secretary

Welcome and Call to Order

Board Chair Lisa Conner called the meeting to order and welcomed those present.

Certification of Quorum

Acting Secretary Glenda Sansosti noted the presence of all Board Members and further certified a quorum present.

Approval of Agenda

A motion was made by Ms. Miller, seconded by Mr. Pearsall and unanimously passed approving the agenda as presented.

Approval Minutes

Upon motion by Mr. Brewer, seconded by Mr. Pearsall and unanimously passed, Minutes of the March 6, 2025 meeting were approved as presented

Previous Auditor

Ms. Miller stated the process the current auditor followed was not correct and recommended the Board proceed with obtaining a new auditor. Motion by Mr. Pearsall, seconded by Mr. Brewer and unanimously passed authorizing Ms. Jarvis to proceed with the search for a new auditor. Ms. Jarvis was further instructed to give notice to the current auditor that the Board would be seeking a new auditor and their services would no longer be required. . Ms. Jarvis stated she was in the process of obtaining three proposals for auditor. It was the consensus of the Board to review proposals and select a new auditor for FY ending June 30, 2025.

Managers' Report

Ms. Jarvis reported that sales were down \$21,000 in February. A Bourbon Lottery was held in February last year. Another Bourbon Lottery will be held outside the store in May 2025 and this should provide for an increase in revenues.

Board Member Susan Miller asked if the \$60,000 expenditure was moved within the budget. Ms. Jarvis stated the \$60,000 expenditure was a quarterly payment to the City of Brevard. The expenditure was incorrectly entered on the January P&L Statement and has been corrected.

Budget Amendment

The Board received and discussed a proposed amendment to the budget. The amendment would provide funds for an employee pay increase, effective March 4, 2025. Further review employees' salaries will be discussed when the new budget is adopted. Ms. Miller stated she had worked with Ms. Jarvis on the proposed amendment and was comfortable in transferring these funds. With no further discussion a motion was made by Susan Miller, seconded by Mr. Pearsall and unanimously passed, the budget amendment was approved. The Budget Amendment is made a part of these Minutes by reference and on file in the Office of the General Manager and the ABC Commission.

Closed Session

Motion by Mr. Brewer, seconded by Mr. Pearsall and unanimously passed the regular meeting recessed to closed session at 10:30 AM for the purpose of discussing the salary of General Manager Jackie Jarvis. Jackie Jarvis and Paxton McAbee were excused from the closed session. No action was taken in closed session.

Return to Regular Session

All Board Members and staff were present after the Board returned to regular session. Upon motion by Mr. Pearsall, seconded by Ms. McKellar and unanimously passed the salary of General Manager Jackie Jarvis was increased by \$5,000 per year, (\$75,000 to \$80,000) effective March 4, 2025. The Board will discuss an additional salary increase in May in an effort to bring the General Managers salary in line with other General Managers that are responsible for operation of two stores. Ms. Jarvis expressed appreciation to the Board for their support and the increase in salary.

Adjourn

Upon motion by Mr. Pearsall, seconded by Mr. Brewer and unanimously passed the meeting adjourned at 11:00 AM.

Minutes approved: _____

Lisa Conner, Board Chair

Jackie Jarvis, General Manager

Glenda Sansosti, Acting Secretary

General Account of Closed Session

While in closed session, the Board reviewed salaries of other General Managers in cities similar in size to Brevard and managing two stores. They discussed the salary of General Manager Jackie Jarvis. The Board has been pleased with Ms. Jarvis performance as General Manager of the two stores. Her salary is much less that Genera Managers in cities of similar size managing two stores. No action was taken in closed season.

STAFF REPORT

City Council, Monday, May 5, 2025

Title: Proposed Text Amendment to City of Brevard Unified Development Ordinance Chapters 3 and 19 - New Flea Market Retail Land Use

Speaker: Aaron Bland, Asst Planning Director

Prepared by: Aaron Bland, Asst Planning Director

Approved by: Wilson Hooper, City Manager

Background

This is a staff-initiated text amendment intended to clarify the Unified Development Ordinance (UDO) to help property owners, business owners, and city staff understand the intent and interpretation of the City's zoning regulations. This amendment focuses on several key definitions that pertain to: 1) the abandonment of a land use, and 2) retail land uses.

Council held a public hearing on these amendments at their April 14th meeting. In response to Council's discussion, Staff has amended the proposed flea market definition by removing the word "occasional" to clarify the types of operations that would fall into this new category.

Discussion

Abandonment

This is a critical definition that is currently not included in the definitions chapter of the UDO. The importance of defining the word "abandoned" is due to its use as a trigger for compliance with nonconforming land uses. Because the continuance of a nonconforming land use hinges on whether it was "abandoned for 180 consecutive calendar days," the definition of what it means to "abandon" a use is important.

Retail Land Uses

Currently, the UDO groups most retail land uses into one "catchall" use and definition. This definition is open to including temporary outdoor-based retail uses that are markedly different from typical brick-and-mortar retail uses. In fielding questions about potential retail uses, the need to add a definition for outdoor or "pop-up" retail uses became clear. To this end, the "Flea Market" land use has been added to the use matrix.

Policy Analysis

How an ordinance deals with nonconformities poses an important policy choice for local governments. The ordinance has to balance several legitimate interests. One interest is that of the landowner or business owner who did something legal at the time but now is a nonconformity due to no action of their own. The interest of the neighbors expecting the protections offered by the ordinance's current restrictions. The community as a whole in having everyone abide by the same rules. A zoning ordinance should give careful thought

to how to balance these interests; the benefits to the neighbors and community from uniform compliance with current regulations have to be considered in conjunction with the burden on the owner of the nonconformity.

While these specific amendments are not contemplated by the Comprehensive Land Use Plan, it is always a best practice to ensure that the zoning regulations are as clear and unambiguous as possible. This is another in a long line of staff-initiated text amendments aimed at doing just that.

Recommendation

The Planning Board discussed these amendments at their March 25th meeting, unanimously recommending the retail use amendments as presented and a slightly modified abandon definition.

Council did not discuss in what zoning districts the new flea market use is an appropriate land use. As written, this use would only be allowed in the Corridor Mixed Use district upon the issuance of a Special Use Permit by the Board of Adjustment. Staff recommends that Council carefully consider this aspect of the proposed amendments and discuss if any changes wish to be made.

Fiscal Impact

None.

Action

Council's options are as follows:

- Adoption of the amendment as presented;
- Adoption of the amendment as revised by the Planning Board;
- Adoption of the amendment as further revised by City Council;
- Rejection of the amendment;
- Send the application back to the BPB for further study and consideration; or
- Call for additional public hearings on petitions brought before them.

Attachments:

1. Draft Amendments - Abandoned
2. Draft Amendments - Retail Uses
3. Consistency Statement
4. Enacting Ordinance

CHAPTER 14. NONCONFORMITIES

14.2. Nonconforming uses.

- A. Nonconforming uses of land or structures, and nonconforming structures that contain nonconforming uses may continue only in accordance with the provisions of this section, but this section shall only apply to the extent these or such nonconformities fully and clearly meet the definition of "non-conforming use" in CHAPTER 19 of this ordinance.
- B. A nonconforming *non-residential* use shall not be expanded, changed to another nonconforming use, or enlarged, nor shall such a nonconforming use be enlarged by additions to the structure in which the nonconforming use is located (either attached or detached). However, if a nonconforming non-residential use can expand within the existing structure, it may do so as long as the administrator determines that the interior expansion will not have a negative impact upon surrounding conforming uses. Any occupation of additional lands beyond the boundaries of the lot on which the nonconforming use is located is prohibited.
- C. An existing nonconforming residential use may be enlarged or altered. Any such enlargement or alteration shall be in compliance with all yard requirements and other regulations of such structures as required in the specific district.
- D. Once a nonconforming use has been changed to a conforming use, it shall not revert or be used for any nonconforming use.
- E. If a nonconforming use is abandoned for 180 consecutive calendar days or more, the use shall not be allowed to be re-established. All new uses subsequently established shall be conforming.

CHAPTER 19. DEFINITIONS

19.3. Definitions.

The following words, terms and phrases, when used in this UDO, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Abandon: To intentionally discontinue from actively using land, structures, or any premises for the intended or previous use for a specified period of time, but excluding temporary periods of inactivity due to remodeling, maintaining, restoring, or otherwise improving a facility.

2.2. Use categories and tables of permitted uses.

TABLE 2.2.A: LAND USE MATRIX											
Commercial											
			GR	RMX	NMX	PGX	DMX	CMX	IC	GI	
Retail	3.7.4	All retail and sales establishments except as listed below	—	—	P	P	P	P	P	—	
		Alcoholic Beverage Sales Store	—	—	SUP	P	P	P	—	—	
		Auto/Mechanical Parts Sales	—	—	—	P	P	P	—	P	
		Gas Station	—	—	SUP	PS	SUP	PS	—	PS	
		Gunsmiths and Weapon Sales	—	—	SUP	SUP	PS	PS	—	PS	
		Flea market	—	—	—	—	—	SUP	—	—	

3.7. Commercial uses.

3.7.4. Retail use category.

A. Retail.

1. Definition: Facilities involved in the sale, lease, or rental of new or used products, merchandise and prepared foods to the general public. Retail uses are conducted primarily indoors within an enclosed building. Retail sales include, but are not limited to, the following:
 - a. alcoholic beverages for off-premises consumption;
 - b. auto/mechanical parts;
 - c. art supplies, crafts and fabric;
 - d. bicycles and recreational goods;
 - e. clothing and secondhand goods;
 - f. computers, electronic equipment;
 - g. convenience and pharmaceuticals;
 - h. flowers, plants, and garden supplies;
 - i. gifts and novelties;
 - j. groceries, produce, dry goods; and baked goods;
 - k. home improvement items, hardware, and appliances;
 - l. household products;
 - m. medical supplies;
 - n. music and musical instruments; and
 - o. office supplies and package shipping.

F. Flea market.

1. Definition: A periodic sales activity held in an open area, semi-open facility, or temporary structure, where individual merchants offer goods, new and used, for sale to the general public. This definition shall not include private yard sales or garage sales that are conducted on a residentially developed lot by members of the household.

DRAFT

**COMMENT OF CONSISTENCY WITH COMPREHENSIVE PLAN
AND ANY OTHER OFFICIALLY ADOPTED APPLICABLE PLANS
TXT-25-004**

NCGS 160D-605 requires that the Planning Board shall advise and comment on whether the proposed amendment is consistent with any comprehensive plan prior to consideration by the Governing Board. The Planning Board shall provide a written recommendation to the Governing Board that addresses plan consistency and other matters as deemed appropriate by the Planning Board, but a comment by the Planning Board that a proposed amendment is inconsistent with the Comprehensive Plan shall not preclude consideration or approval of the proposed amendment by the Governing Board.

The Brevard Planning Board forwards this recommendation to City Council with a finding that the proposed zoning map amendment is **neither consistent nor inconsistent** with the City's adopted plans and policies.

ORDINANCE NO. 2025-____

**AN ORDINANCE AMENDING CITY OF BREVARD UNIFIED DEVELOPMENT
ORDINANCE CHAPTER 2 – DISTRICTS AND GENERAL PROVISIONS, CHAPTER 3 – USE
DEFINITIONS AND STANDARDS, AND CHAPTER 19 – DEFINITIONS TO CODIFY NEW
DEFINITIONS AND A NEW LAND USE**

WHEREAS, the City of Brevard Planning Board has recommended that the Brevard City Code, Unified Development Ordinance be amended; and,

WHEREAS, the City Council of the City of Brevard finds that the proposed amendment is neither consistent nor inconsistent with adopted plans and policies of the City of Brevard; and,

WHEREAS, a public hearing was conducted on Monday, April 21, 2025, 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 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 1. Brevard City Code, Unified Development Ordinance is hereby amended as depicted in Exhibit A and Exhibit B, which are attached hereto and incorporated herein by reference.

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

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

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

Adopted and approved this the 5th day of May 2025.

Maureen Copelof
Mayor

ATTEST:

Denise Hodsdon, CMC
City Clerk

APPROVED AS TO FORM:

Mack McKeller
City Attorney