



AGENDA
BREVARD CITY COUNCIL - REGULAR MEETING
Monday, June 16, 2025 - 5:30 PM
City Council Chambers

A. Welcome and Call to Order

B. Invocation

Rev. Shelly Webb, Sharing House

C. Pledge of Allegiance

D. Certification of Quorum

E. Approval of Agenda

F. Approval of Minutes

1. April 11, 2025 Budget Workshop
2. June 2, 2025 Regular Meeting

G. Public Comments

H. Certificates / Awards / Recognition

1. Recognition of Outgoing Committee/Board Citizen Members

I. Special Presentation(s)

J. Public Hearing(s)

1. Proposed Amendment to the Official Zoning Map of the City of Brevard - Pisgah Gateway District

K. Consent and Information

1. Tax Settlement Report - May, 2025
2. Ordinance Declaring Road Closures for July 4th Festival
3. Ordinance Declaring Road Closures for National Night Out
4. Resolution Adopting the South Mountains Regional Hazard Mitigation Plan
5. Approval of KCI Design Amendment No. 2
6. Finance Report at 4-30-2025

7. Budget Amendment - Powell Bill - \$28,200
8. Budget Amendment - Finance - \$30,000
9. Budget Amendment - Streets Department - \$77,500
10. Budget Amendment - Community Center - \$16,000
11. Budget Amendment - Public Works Admin - \$42,000
12. Budget Amendment - Housing Trust Fund - \$925,000
13. Project and Budget Amendment - Norton Creek Restoration Phase 2 - \$100,000

L. Unfinished Business

1. Proposed Amendment to the Official Zoning Map of the City of Brevard - Inn at Brevard Conditional Zoning District

M. New Business

N. Remarks / Future Agenda Considerations

O. Closed Session(s)

1. Potential Litigation: NCGS §143-318.11(a)(3)
2. Pending Litigation: NCGS §143-318.11(a)(3) - City of Brevard et al. v HCA et al.
3. Personnel and/or Employment: NCGS § 143-318.11. (a)(3)(5)(6)

P. Adjourn

Agenda Posted, Website, Sunshine List (June 12, 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
Budget Workshop
April 11, 2025**

The Brevard City Council met for a Budget Workshop on Friday, April 11, 2025, at 8:30 a.m. in the Council Chambers at City Hall, with Mayor Maureen Copelof presiding.

Present - Mayor Maureen Copelof, Mayor Pro Tem Gary Daniel, Council Members Mac Morrow, Aaron Baker, Pamela Holder, and Lauren Wise

Staff Present –City Manager Wilson Hooper, City Clerk Denise Hodsdon, Assistant City Manager/Finance Director Dean Luebbe, Assistant City Manager David Todd, Assistant to the City Manager Selena Coffey, Planning Director Paul Ray, Human Resources Director Kelley Craig, Police Chief Tom Jordan, Fire Engineer Michael Owens, Public Works Director Wesley Shook, Water Treatment Plant ORC Dennis Richardson, Wastewater Treatment Plant ORC Aaron Winans, and Community Center Director Tyree Griffin.

Press – David Bradley, Transylvania Times

H. Welcome and Call to Order – Mayor Copelof called the meeting to order at 8:33 a.m. and welcomed those present.

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

C. Approval of Agenda – Ms. Holder moved, seconded by Mr. Baker to approve the agenda as presented. The motion carried unanimously. A copy of all workshop materials is on file in the Clerk's Office.

D. Miscellaneous Matters

1. Revaluation Notes & Budget Data Points – Mr. Hooper reviewed key data points. As of April 9, 2025 the projected new tax base total is \$2,054,687,834, an increase of 48.6% from last year. The projected revenue neutral tax rate is \$.3282. However, assuming a 5% appeal rate and 1.5% natural growth, staff projects the revenue neutral rate to be \$.33 and has used this rate for budgetary purposes. Projected “penny on the tax rate” is approximately \$200,000.

The Heart of Brevard revenue neutral tax rate is \$.175, and the “penny on the tax rate” is \$9700.

There was discussion that the tax burden appears to have shifted from higher valued properties and commercial properties to lower valued properties. Council asked Mr. Hooper to investigate whether there is a process to appeal the revaluations or if it is possible for the County to not use the new valuations.

2. Compensation/Benefits Discussion – Mr. Hooper noted that the current CPI is 2.8%, but he is recommending a 3.5% across the board COLA for employees to increase the lowest grade to a living wage, and that all scenarios include a 3.5% COLA. There was discussion about a tiered COLA of 2.8% for all employees, but 3.5% for employees at low- and mid-grade in the pay plan.

Mr. Hooper reviewed history of the City's premiums for employee insurance. He noted that our health insurance fund is dwindling because each year our costs go up. He proposes decreasing the City's subsidy of employee/

dependent plans. That will mean that employees with dependent coverage will pay more toward those premiums, with an increase of approximately \$10 to \$15 per pay period. He said one of the changes he is recommending this year is to switch the character of our behind the scenes insurance plan. In this new approach, the city's insurance would be pooled with approximately 50 other entities. Under our traditional risk plan, this year's increase would have been \$300,000, but by pooling with other participants the increase is \$97,000. This should have the effect of stabilizing the cost of the insurance, but offer the exact same plan for employees.

Mr. Hooper and HR Director Kelley Craig reviewed a proposal to remove the Police Department from the city's current pay and classification structure and adopt a separate plan with distinct compensation ranges to more accurately reflect the competitive nature of the sector right now. The proposal would move law enforcement compensation ranges up and adjust all existing employees' compensation with equitable increases depending on their class, with the highest increases going to the lower classes. It would also create compensation incentives for educational attainment and other special qualifications. The proposal included two options for Council's consideration. Plan A, which if passed, would make us the market leader in the area and this Plan was referred by the Finance, Human Resources and Citizen Appointment Committee. Plan B is the same concept, though with slightly smaller numbers, and would increase our market competitiveness, but not make us the market leader. Plan B is offered to help offset the potential contract with the County to cover the overnight shifts, at an estimated cost of \$285,000. Following discussion, there was consensus to fund Plan A in the budget and appropriate fund balance for the contract with TCSO.

E. General Fund (w/Sanitation)

- 1. Revenue Review** – Mr. Hooper reviewed General Fund projected revenue and noted the projected overall growth is 1.1%. He said with the increased cost of providing our base services, our budget is in the red out of the gate, so we will need to find some expenses that can be reduced or some revenue that can be enhanced.

~~ Council took a 10-minute break at 10:10 a.m. ~~

- 2. GF Requests for Additional Funding/Notable Service Level Change (SLC) Requests** – Mr. Hooper reviewed requests for service level changes (SLCs) and changes to current level (CCLs), totaling 5,212,788, which is half of the whole cost of the General Fund. He said there are ways we can reduce the budgetary impact of some of these requests. New items include the Estatoe Trail boardwalk project and David Todd reviewed the options for that project. The Public Works Department has requested four additional full-time positions and the Fire Department is requesting 3 additional full-time firefighters.

3. Operating Units Line Item Detail

- a. **Governing Board (including non-profits)** – Total recommended is \$223,700, with \$111,500 for non-profit contributions.
- b. **Administration (including HR)** – Total recommended is \$1,136,300.
- c. **Finance** – Total recommended is \$964,500.
- d. **Planning** – Total recommended is \$1,039,600.
- e. **Community Centers** – Total recommended is \$193,400.
- f. **Police** – Total recommended is \$4,453,500.
- g. **Public Works – Administration** – Total recommended is \$839,550.

- h. **Public Works – Buildings and Grounds** – Total recommended is \$596,500.
 - i. **Public Works – Garage** – Total recommended is \$524,900.
 - j. **Public Works – Streets Local** – Total recommended is \$1,138,400.
 - k. **Public Works – Streets Powell Bill** – Total recommended is \$268,000.
 - l. **Public Works – Recreation** – Total recommended is \$306,500.
 - m. **Public Works – Sanitation** – Total recommended is \$1,414,350.
 - n. **Non-Departmental** – Total recommended is \$2,932,845. Mr. Hooper noted that the transfer to the Fire Dept. Fund of almost \$1.3M is the entirety of our contribution and includes the proposed three positions and our share of the new fire truck proposal. If Council chooses not to fund those positions, it would be reduced to approximately \$1M.
4. **Reserve Fund Summary** – Mr. Hooper reviewed a summary of current reserve fund balances and the amounts that will be available for each fund as of July 1st.
 5. **Scenario 1 – Fully Fund All Requests** – This scenario would require a \$.49 tax rate, a \$.16 increase over the revenue neutral rate.
 6. **Scenario 2 – Adopt Revenue Neutral Tax Rate** – This scenario only funds a small amount of the additional funding requests and would require reducing contributions to housing, downtown and trails. It would also require approximately $\frac{3}{4}$ of a penny above revenue neutral.
 7. **Scenario 3 – Fund All Changes to Current Level and Service Level Changes Designed to Enhance Organizational Capacity and Improve Core Services** – This scenario includes all the new positions, matching contributions to housing, downtown and trails, and a 3.5% COLA. It would require a tax rate of \$.41, an increase of \$.08 over revenue neutral.
 8. **Scenario 4 – Scenario 3 + High Priority Elective Expenditures** – This includes Scenario 3 plus a few high-priority elective expenses such as the Sports Complex planning, garbage truck replacement, wayfinding signage, and enhanced sidewalk maintenance. It would require a tax rate of \$.445, an \$.115 increase over revenue neutral.

Mr. Hooper noted that in all scenarios the big-ticket capital items are financed and no scenario entertains cuts to services.

During discussion, Council discussed moving the request for \$10,000 for Land of Sky grantwriting for CDBGI to the Housing Fund. Mayor Copelof noted that over the last 10 years the city has never increased the tax rate by more than \$.03. Following further discussion of the scenarios, there was consensus to not fund any of the new positions. There was also consensus to try to target a maximum increase of \$.03 over revenue neutral. Mr. Hooper suggested that by reallocating a higher portion the Assistant City Manager's salary to the Water Fund and increasing the Water Fund's contribution to the General Fund, that would equate to a half-cent savings.

~~ Council took a 30-minute break for lunch at 12:15 p.m. ~~

F. Fire Department Fund

1. **Revenue Review** – A vast majority of the Fire Department's funding is a General Fund contribution and the remainder is from the County.

2. **Requests for Additional Funding** – The Department has requested funding for three additional full-time firefighters. Mr. Hooper reported that the County said no to funding their share of the three new firefighters. If that goes forward it would be entirely underwritten by the General Fund.

3. **Operating Line-Item Detail** – Total recommended is \$2,629,600.

G. Stormwater Fund

1. **Revenue Review** – Mr. Hooper noted that revenue projections are lower this year based on current numbers.

2. **Operating Line Item Detail** – Total recommended is \$219,000.

H. Water/Sewer Fund

1. **Revenue Review** – Mr. Hooper noted that the projected revenue includes the regular 4% increase to the consumption fee.

2. **Water/Sewer Fund Requests for Additional Funding** – Mr. Hooper reviewed the additional funding requests, but noted that he is recommending paying for three of the four items as part of the FY25 Supplemental Spending Plan. However financing of the vacuum truck replacement will be included in the FY26 budget.

3. **Operating Units Line-Item Detail**

- a. **Water Treatment Plant** – Total recommended is \$1,164,100.
- b. **Wastewater Treatment Plant** – Total recommended is \$1,603,100.
- c. **Utility Maintenance** – Total recommended is \$2,071,300.
- d. **Water/Sewer Non-Departmental** – Total recommended is \$2,354,200.

4. **Water/Sewer Rate Discussion** – Mr. Hooper reviewed the cumulative impact of potential fee and tax increases on a representative sample of residential and commercial properties.

I. Proposed FY25 Supplemental Spending Plan – Mr. Hooper presented his recommended Supplemental Spending Plan:

FY25 Supplemental Spending Plan
(April 2025)

PROJECT	FUND	AMOUNT	SOURCE	STATUS	FISCAL YEAR	ACTION	NOTE
Downtown parking study	GF	\$50,000	Restricted funds from sale of city camper property	Mgr. Proposed	Current	No accounting action needed	DMPC recommendation
SCADA upgrade	W/S	\$80,000	FY25 budget surplus ¹	Mgr. Proposed	Current		Affordable by virtue of funding KCI w/state earmark
EQ tank	W/S	\$60,000	FY25 budget surplus	Mgr. Proposed	Current		Affordable by virtue of funding KCI w/state earmark
Dump truck replacement	W/S	\$220,000	FY25 budget surplus	Mgr. Proposed	Current		Affordable by virtue of funding KCI w/state earmark

J. Straw Votes

1. **Review Adds and Deletes** – Selena Coffey reviewed the proposals for add/deletes, which would reduce the tax rate to approximately \$.355:

FY26 BUDGET WORKSHOP - ADDS & DELETES WORKSHEET
(Assumes Scenario 3 as starting point)

preliminary

FUND	ADD		DELETE AND/OR REVENUE INCREASE		STRAW VOTE		TAX RATE EQUIVALENT
					Yes	No	
GF	\$8,800	Tiered COLA of 2.8% for all employees, but 3.5% for employees at low- and mid-grade in pay plan	\$8,800	Reduction in personnel line items for tiered COLA of 2.8% for all employees, but 3.5% for employees at low- and mid-grade in pay plan	6		0.044
GF	\$285,000	TCSD Contract for BPD instead of tax rate increase. (Remove from BPD contract services)	\$285,000	Appropriate fund balance for BPD contract with TCSD	6		1.425
GF	\$110,000	Fund the BPD incentive package A (offsett w/ 2 currently frozen positions)	\$110,000	Fund BPD incentive package A (offsett w/ 2 currently frozen positions)			---
GF	\$10,000	Move LOSRC CDBGi funds to Housing Fund	\$10,000	Remove LOSRC CDBGi funds from GF budget	6		0.050
GF/FF	\$274,657	Remove 3 Firefighter positions	\$274,657	Remove 3 Firefighter positions	6		1.373
GF	\$38,660	Remove Finance Analyst position	\$38,660	Remove Finance Analyst position	6		0.193
GF	\$270,848	Remove Public Works positions	\$270,848	Remove Public Works positions	6		1.354
GF	\$112,000	Available from funding the entire BPD/TC contract at 100% fund balance	\$112,000	Available from funding the entire BPD/TC contract for partial year	6		0.560
GF	\$100,000	Reallocation of portion of Asst. City Manager and allocation of other indirect costs to Water Fund	\$100,000	Reallocation of Asst. City Manager position and other indirect costs to Water Fund	6		0.500
							5.500

2. **Conduct Straw Vote** – Vote on the add/deletes plan was unanimously in favor.

K. Adjourn – There being no further business, at 2:24 p.m. Ms. Holder moved, seconded by Mr. Daniel, to adjourn the workshop. The motion carried unanimously.

Maureen Copelof
Mayor

Denise Hodsdon, CMC
City Clerk

Minutes Approved: June 16, 2025

MINUTES
BREVARD CITY COUNCIL
Regular Meeting
June 2, 2025 – 5:30 PM

The Brevard City Council met in regular session on Monday, June 2, 2025, at 5:30 p.m. in the Council Chambers of City Hall with Mayor Copelof presiding.

Present – Mayor Maureen Copelof, Mayor Pro Tem Gary Daniel, and Council Members Mac Morrow, Aaron Baker, Lauren Wise and Pamela Holder

Staff Present – City Attorney Mack McKeller, City Manager Wilson Hooper, City Clerk Denise Hodsdon, Assistant City Manager/Finance Director Dean Luebbe, Assistant City Manager David Todd, Assistant to the City Manager Selena Coffey, Human Resource Director Kelley Craig, Communications Coordinator Becky McCann, Planning Director Paul Ray, Assistant Planning Director Aaron Bland, Planner Stephanie Holland, Police Chief Tom Jordan, Interim Fire Chief Bradley Elmore, Wastewater Treatment Plant ORC Aaron Winans, Water Treatment Plan ORC Dennis Richardson, Community Center Director Tyree Griffin, and Police Captain Aaron Thompson

Press – Dave Bradley, Transylvania Times

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

B. Invocation – Pastor Kenneth Albright of Lutheran Church of the Good Shepherd offered an invocation.

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

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

E. Approval of Agenda – Mr. Hooper asked to add a Closed Session to discuss a personnel matter as Item O-2. Mr. Morrow moved, seconded by Mr. Baker to approve the agenda as amended. The motion carried unanimously.

F. Approval of Minutes

F-1. May 19, 2025 Regular Meeting – Mr. Wise moved, seconded by Ms. Holder to approve the minutes of the May 19, 2025 Regular Meeting as presented. The motion carried unanimously.

G. Public Comments

Carol Moore of 264 Resada Dr. said I moved here with my husband in 2011 after I retired as an attorney employed by the State of North Carolina to work and support the public schools in Pitt County. As an attorney I am aware of and took an oath to support the support and defend the U.S. Constitution. I am alarmed about what is happening to Rule of Law at the federal level; about the failure to accept the separation of powers; about the failure to respect the right of due process; and the right to peaceably assemble; and the right to free speech without fear of reprisals. Therefore, I am especially grateful to our Mayor, a retired naval officer, who also understands the Constitution, and also took an oath to support and defend it. I was present at the courthouse this spring at the two largest gatherings of other equally concerned citizens. I was proud that our Mayor spoke at each of those gatherings. I recently heard another public speaker tell this Council that those gatherings were composed mostly of outside agitators. This is not so. I saw members of my Brevard congregation, members of my husband's Brevard church, friends from my immediate neighborhood, people known to

me from community agencies and activities, and people familiar to me from being seen downtown, or at the grocery store or other local businesses. So I am here to thank our Mayor for making Brevard a town which supports the U.S. Constitution and our rights as citizens to gather peacefully, to speak out, to be afforded due process, and to live under the Rule of Law. Thank you to Mayor Copelof and to the Council.

Lisa Rodke of 420 Whitmire St. said I want to thank you all on the City Council on behalf of my late partner for the City of Brevard proclaiming June as Pride Month and supporting gays and lesbians. My partner and I moved here in 2007 and were very happy to find a small town that was so friendly and welcoming to lesbian couples. I also want to say a big thank you for the new configuration of downtown parking and the new kinds of disabled parking. My partner was disabled, she passed away two years ago, but she used a wheelchair for the last 20 years. We had a Prius so I folded up the wheelchair in the back and she could transfer from the passenger seat into the wheelchair, except that the old disabled parking spaces on the corners of the street—in order to get the wheelchair out and near her, we were in the way of traffic of both streets, and it was so dangerous. I am so thankful that you were visionary in putting in the new type of disabled parking. I know it takes up parking spaces and I know that a whole lot of people are complaining, but we want to be able to age in place, and Transylvania County has the highest per capita of residents over 65; they're going to need wheelchairs sometime themselves and they're going to be really thankful you all were visionaries. Thank you so much, don't worry about the complainers.

Ashley Hart of 144 Buckberry Lane said I wanted to stand before you today and talk about my experience at the White Squirrel Festival, but having such a little police force, it's really hard to maintain such a festival to the magnitude it was, especially when you're considering monitoring the social district boundaries, and the city, and the festival-goers. But, I'm going to set that aside tonight and talk about something that is urgent in this community. On Sunday, May 25th, I'm sure you guys are all aware of the violent attack that happened in the bathroom at Franklin Park. Seven boys lured in and attacked and robbed a 14-year old boy, sending him to the hospital. Five days pass and we hear nothing but crickets—no charges, no arrests. So, Brayden's mother Michelle and I, we went from agency to agency to agency to agency asking the same questions—why had there not been any charges filed and why hasn't there been any arrests? Later that same day Brevard Police Department filed charges, but this delay raises serious concerns about the speed and transparency of justice in our town. Now it's in the Department of the Juvenile Justice System's hands. Let's see how serious they take this brutal attack. Last Saturday, on May 31st, I witnessed the actual heart of Brevard at a car meet organized for Brayden and Michelle. Nearly 200 citizens were there standing in solidarity declaring that violence and bullying have no place here. Their presence was a powerful reminder of our community's strength and compassion. I had hoped to have seen some of you there, but I did not. I know you're busy people, but your absence was felt. This isn't just about Brayden, it's about every young person in our town, and silence allows injustices to grow, and inaction sends the wrong message. Our agencies must act swiftly and decisively to ensure justice is served to prevent further future attacks. I urge you to prioritize public safety and hold agencies accountable. Brayden and Michelle deserve justice and our community deserves better. Justice for Brayden.

Rodney Locks of 187 S. Rice St. said last week we had fun at the White Squirrel Weekend. Most of the people who came I call participants. They came to enjoy themselves, visit, and go back home. Monday was Memorial Day. We gathered to remember and honor those who sacrificed their lives so we can have the freedom we now enjoy. Today, I would like to remind you of those I say have standing. These are the ones who call Brevard home, who were born and raised here, raised their children here, and who want to have them come back. These are the people who have made sacrifices since the mills closed in 2000, to make Brevard the envy of Western North Carolina. These are the people who have come before you to tell you they have reached a point where they can no longer afford to live in their hometown. This appraisal highlights the inequities of a legally approved displacement, replacement, and revitalization process that puts most of the annual financial burden on the working poor, the low-income and the middle-class residents. If you don't invest in economic

development and bring in high-paying jobs, the same thing will happen again in 2029 and every year thereafter. Now is the time to change direction, not stay the course. Now is the time to focus on community and residents. Brevard City Council needs to commit to improving the quality of life for its residents in tangible, measurable ways now, not in the future. People are suffering now and should not have to sacrifice even more while you plan. This budget is an opportunity to commit to change. You and we are at a tipping point. Each year you delay or put off recognizing how your residents are impacted makes next year get worse. Tweaking the budget to reduce tax income to two cents is an affront, because we know you can do better. Think about it. You can still vote on June 16th.

Dale Nash of 1668 Probart St. said I live across from where this development is going to happen. I kind of feel like I'm saying the same thing in different ways, but I had an opportunity to go to the Planning Board's meeting since I was last here at the City Council. I was very impressed that there are citizens who really don't have a dog in the fight and don't really have anything that would diminish their ability to be objective, who give time to plan. Planning has been kind of lucid to me sometimes in my life, but I do better when I plan ahead. I think we all do and I think I really feel good about the idea that people who are willing to give of their time and serve on the Planning Committee, I trust their ability to configure our future more than I do entrepreneurs, so I'm just here to say let's really listen carefully to our Planning Committee as we move forward. We're going to have to move forward; the development is inevitable. We can't keep this place a secret; it's too wonderful, but I think development in a responsible way is what I'm hoping for.

Deborah Nash of 1656 Probart St. said I have lived here for 39 years. If the proposed building on Probart goes through, besides clear cutting, loss of animal habitat or increased traffic, the city benefits from increased revenue but has to [inaudible] on water, sewerage, trash and recyclable pickup. Because someone decided that my half of Probart Street would be in the county, rather than in the city, I pay more for water, have no city sewer, no trash or recycling pickup, cannot vote on most issues, and yet my property taxes keep going up and up. I did not move here to have trees cut down and look at seventy-plus high-income, high-value homes. I love the trees and plants, the wildlife, the peacefulness, and slower pace. If I wanted to live in the suburb with nothing but houses and cement or asphalt, I could have lived anywhere else. Please do not destroy the only land left around the Probart area of Brevard. What happened to the Unified Development Ordinance to improve the environment including trees and historic resources? If anything has to be built [inaudible] low-income and disabled housing, but not on the only natural habitat left on Probart Street. Once this planet is destroyed, where do we go? The planet is hotter than it has ever been. Those of us that recycle cannot make up for the rest that do not. Once the wildlife has died, we cannot bring them back. Once the trees have been uprooted, it will take three lifetimes to get them back to the size they are now, if there were any place to plant them. I am totally opposed to this development with all my heart. It is the wrong thing for Brevard to do. I will close with the words of the first verse of a song called "Tiny Boxes" by Pete Seeger, written in 1963 as a political satire about the development of suburbia—"little boxes on the hillside, little boxes made of ticky-tacky, little boxes, little boxes, little boxes, all the same."

Harvey Sankey of 51 Lake House Trail said the Pastor's words this evening about listening are very appropriate at this meeting. I have spoken in the past, along with others, like my friend Rodney Locks and some of the people in the Rosenwald Community, about the burden of the 8.3% property tax increase on the middle to low-income residents of Brevard. When you vote on this budget tonight, it doesn't have to be unanimous. There may be a couple people on the City Council that may think we shouldn't pass this 8.3% tax increase. Some of your middle and low-income constituents are going to pay 20% to 30% more in property taxes with the revenue neutral rate of 33 cents per \$100, and you want to add another 8.3% to that. This vote doesn't have to be unanimous—you have some constituents here that voted for you. It's your responsibility to look at these low income people who can't afford this property tax. I'm also surprised that the Mayor and City Council haven't mentioned a

property tax relief program that is offered by the State of North Carolina. This should have been brought to our attention weeks ago when you were talking about the 8.3% tax increase. North Carolina offers a property tax relief for low-income individuals, primarily through the programs for seniors and disabled homeowners. There are three of them, but I'll concentrate on one for elderly or disabled homestead exclusion. Who is eligible? – individuals 65 or older or totally and permanently disabled. Income limit – your income, including your spouse's must not exceed \$37,900 annually for the 2024 tax year. How it works – it excludes the greater of 25,000 or 50% of the home's value from taxation. Application – generally this is a one-time application, unless there are changes in residency or qualifying status. I urge the Mayor to include this information along with the tax bill when it's sent out to all the taxpayers here in Brevard. Let them know this is available to them, especially if you're going to increase their taxes by 8.3%.

James Carli of 230 Burrell Ave. thanked City Council for their service and to everyone here for turning out. He said in dark times, both Pride and Juneteenth represent lights of reason and common sense. It is reasonable to acknowledge that gay folks have always existed in every society, and that like Americans descended from the stolen Africans have experienced 400 years or more of injustice in this country. It is common sense to acknowledge their contributions to a free and creative and interesting society, and recognizing Juneteenth, the day that the last enslaved Black folks in Texas learned of their emancipation after the Civil War. By recognizing people among us, who for most of history, have dwelt in the shadows under pain of violence and murder, we give them a breath of life, freedom too long denied by hate and bigotry. Welcoming and including LGBT and Black folks in our communities, and our friends, and our families and neighbors increases freedom, opportunity and prosperity for us all. Thank you for this important and common sense declaration of June as Pride Month in the City of Brevard, and for acknowledging Juneteenth this month.

Peter Offen of 67 Willow Dr. said today I stand before you in support of the proclamations declaring June as Pride Month and recognizing Juneteenth. It's vital that we acknowledge and celebrate these communities, their contributions to our great nation, and our continued dedication to the work that still lies ahead. Since the founding of our imperfect nation, there have always been Americans who stood where I stand now—committed to moving this country forward, advancing equality for all, and striving to address the injustices woven into our nation's beginnings. These Americans sacrificed so much in hope of a brighter future for everyone. They fought, even against their own brother to secure the right of all people to live free from bondage, to pursue life, liberty and happiness. This month we honor that progress by celebrating Juneteenth, but the fight for equality did not end with emancipation. In truth, we have seen that it only just began. Since that historic day, the struggle for civil rights has continued for Black Americans, for women, for gay and trans Americans, and for many others. This fight goes beyond confronting latent prejudice; it requires us to repair the deep flaws in the very fabric of our country. Through this journey there have always been those who have stood in opposition, those who resist equality as if granting others equal rights somehow diminishes their own. They have used fear, hate and even religion as a tool to hold back progress. Yet, still we march forth. There are those who would "take Brevard back", but today we stand together and say "no", we will not go back, no matter the resistance. We will keep moving forward, we will continue to heal the wounds in the fabric of our city, our community and our country. We will continue to stand up for all Americans, all Transylvanians, and all residents of Brevard. Today with this proclamation we reaffirm our commitment, we reaffirm our shared values and our unwavering support for justice and equality. We will not go back. We will go forward together for Transylvania.

H. Certificates/Awards/Recognition

H-1. Proclamation No. 2025-19 Juneteenth – Mayor Copelof read the proclamation aloud and presented it to members of the Mary C. Jenkins Community Center Board of Directors.

PROCLAMATION NO. 2025-19
JUNETEENTH

WHEREAS, President Abraham Lincoln signed the Emancipation Proclamation on January 1, 1863, declaring the slaves in Confederate territory free, paving the way for the passing of the 13th Amendment which formally abolished slavery in the United States of America; and

WHEREAS, word about the signing of the Emancipation Proclamation was delayed some two and one-half years, to June 19, 1865, in reaching authorities and African Americans in the South and Southwestern United States; and

WHEREAS, Emancipation Day observations are held on different days in different states in the South and Southwest, and in other parts of the nation; and

WHEREAS, June 19th has a special meaning to African Americans, and is called "JUNETEENTH" combining the words June and Nineteenth, and has been celebrated by the African American community for over 150 years; and

WHEREAS, the annual Juneteenth celebration in the City of Brevard this year will include a guest speaker, Juneteenth movie clip, and play performance taking place on Thursday evening, June 19th at the Mary C. Jenkins Community & Cultural Center; an afternoon celebration on Saturday, June 21st at Silversteen Memorial Playground; and combined Church services on Sunday, June 22nd at Silversteen Memorial Playground; and

WHEREAS, Juneteenth is an official City of Brevard holiday and City offices will be closed on June 19th.

NOW, THEREFORE, I, Maureen Copelof, Mayor of the City of Brevard, North Carolina, do hereby declare June 19th, 2025, as JUNETEENTH in the City of Brevard, North Carolina, and urge all citizens to become more aware of the significance of this celebration in African American History and in the heritage of our nation and City.

Proclaimed this the 2nd day of June, 2025.

Attest: s/ Denise Hodsdon, CMC, City Clerk

s/ Maureen Copelof, Mayor

H-2. Proclamation No. 2025-20 Pride Month – Mayor Copelof read the proclamation aloud and presented it to members of the Rainbow Alliance and the NAACP LGBTQ Working Group.

PROCLAMATION NO. 2025-20
LGBTQIA+ Pride Month

WHEREAS, the City of Brevard is committed to promoting a welcoming and accepting environment for all its residents; and

WHEREAS, the LGBTQIA+ community has made significant contributions to the social, cultural, and economic fabric of the City; and

WHEREAS, June is widely recognized as LGBTQIA+ Pride Month, commemorating the Stonewall Uprising in 1969, which marked a pivotal moment in the fight for LGBTQIA+ rights and liberation; and

WHEREAS, Pride Month serves as an opportunity to honor the LGBTQIA+ community, celebrate their achievements, and raise awareness about the challenges they continue to face; and

WHEREAS, the community needs to foster an environment of understanding, acceptance, and support for all individuals, regardless of sexual orientation or gender identity; and

WHEREAS, the City of Brevard embraces and values the principles of equality, justice, and respect for all its residents.

NOW THEREFORE, I, Maureen Copelof, Mayor of the City of Brevard, do hereby proclaim the month of June as **LGBTQIA+ Pride Month**. I encourage all residents to engage in educational opportunities and events that promote understanding, respect, and acceptance of the LGBTQIA+ community, and express support for LGBTQIA+ individuals, their families, and allies, and acknowledge the ongoing work needed to achieve full equality and justice.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Brevard to be affixed on this 2nd day of June, 2025.

Attest: s/ Denise Hodsdon, CMC, City Clerk

s/ Maureen Copelof, Mayor

I. Special Presentations – None.

J. Public Hearing(s)

J-1. Proposed Amendment to the Official Zoning Map of the City of Brevard – Inn at Brevard Conditional Zoning District – Aaron Bland explained that this is an application for a conditional zoning district for the Inn at Brevard property located at 315 East Main Street. The property is currently zoned Residential Mixed Use (RMX) and the request is for a Conditional Zoning District (CZD) with RMX as its base district. The Inn at Brevard has several elements of its operation that are pre-existing, nonconforming to the current standards of the City of Brevard Unified Development Ordinance (UDO). Most especially the fact that overnight accommodations, such as inns, are not allowed in the RMX zoning district. Those site characteristics that are nonconforming, plus the fact that it is a local historic landmark, made conditional rezoning an appropriate tool to ensure it has zoning compliance for continued use of the site, while also remaining compatible with the surrounding land uses and properties. This request was sent to the Technical Review Committee and the only department with comments was the Wastewater Treatment Plant, which suggested two requirements: that the grease trap in the commercial kitchen be evaluated to ensure it is the proper size, and that the pottery studio install a clay sink trap. Both of those have been incorporated into the Conditional District. Staff believes that the continued operation of the Inn at Brevard as its historical use as a boutique inn with a restaurant, is compatible with surrounding properties and supports aspects of the Comprehensive Land Use Plan. Additionally, this property is located in the Traditional Neighborhood character area in the Future Land Use Map, for which RMX is an applicable zoning district. The Planning Board considered the request at their April meeting and unanimously recommended in favor with two recommended conditions:

1. That a clay trap and grease trap are installed in their appropriate locations, in accordance with the recommendations from the Wastewater Treatment plant.
2. That a 10-foot landscaping buffer be installed along the South property line, beginning where possible accounting for the existing driveway.

Mr. Bland reviewed the draft Use Matrix for the property and explained the differences between the proposed CZD and the typical RMX. He noted that a couple of uses that are noncompatible with the site or surrounding land uses have been removed to compensate for the request that a few be added, most particularly overnight accommodations, restaurant and special event venue will be added as permitted.

Mr. Bland pointed out two things for Council's consideration: 1) the angled parking on Franklin Street is unique in town and a notable feature that is nonconforming with current ordinance requirements; and 2) there is an unopened right-of-way between this property and the adjacent residential property and he expects that if this rezoning goes through that there will be a request to abandon that small alley as the site plan as submitted anticipates that being closed and usable space. It is not currently part of their actual property, so we cannot permit any work to be done in it.

At 6:22 p.m. Mr. Baker moved, seconded by Mr. Morrow to open the public hearing. The motion carried unanimously.

Public Participation:

Marjorie Lillard of 79 Franklin St. said I actually view the parking lot that is on Franklin, and I just have concerns about what will happen with that. It's actually a good thing for us to have because Franklin St., especially during events like White Squirrel, gets parked up and it's very difficult to navigate. We also have people that park at the end of our street and when you turn onto Franklin from French Broad, that's an issue. I am hoping that with large events that there won't be parking on Franklin as this goes forward. I want to say that we are very happy to have the building restored, returned to being an inn because it's been vacant and kind of an eyesore for the community. So, this

is a good thing. It's a historic property and we're looking forward to having it restored to its historic look. But one thing I wanted to ask about is the annex. I understand that that will be turned into housing and I'm curious as to how that works into the whole plan for things if the current purchasers decide that they don't want to do this five years down the road, what happens to that annex property?

Joy Shind of 4029 Kings Camp Pass Arrington, TN introduced herself and her husband, Brian and said we are under contract to purchase the Inn at Brevard. We just wanted to put a face to the name and to say hello to everyone and explain a little bit of what our vision is. First of all, we've been to Brevard five times now. We've been in this region quite often; we're both into outdoor activities, love the area and have really fallen in love with Brevard; it's absolutely an amazing town. And, we know that we would be coming in as outsiders, but we would look very forward to joining into the community as soon as possible. I run hospitality currently. I have Airbnb properties and I run them. We are selling them because I love it so much that I want to be onsite, so we will live in the annex onsite at the inn. We would like to hone in our skills and continue to do hospitality. The other thing that we would like to mention is how important the history of the home is. We fully intend to restore accurately. We've looked into some different construction companies and we understand how important keeping the history of the building and restoring in a respectful way that brings this landmark back to its former glory.

Warren Johnson of 22 Lakeview Ave. said I own the residence north of the inn at 22 Lakeview in Franklin Park. How many in here are natives, born and raised? Not a lot of us left; you're looking at some. I own and operate a building supply and we will finish 40 years in business this year. I'm pro-business and I have some neighborhood concerns. These hopefully won't come across as being questions, but just comments. The proposal, the way it reads to me, allows unlimited use as staff housing. First, it's 40%, 60%, 80%, 100%. I find it almost hard to believe that you can spend millions of dollars and live in the basement of a 60-year old block building and not have some other motive for what's going to happen to this piece of property. Others on the streets around us have a question allowing this to be a restaurant. If it's a restaurant today, is it a restaurant next year, 10 years, 20 years, it's a restaurant forever. Is it a Mexican restaurant? Is it a barbecue? Am I going to smell chicharos de carte] cooking? You want to go to the back porch and participate in that? Probably not. I am curious about how you pay staff a living wage. Are you going to house them in there and it will be deducted from their work, their living quarters? Or are they indentured servitude, you call them in and they're going to work it off? Are you going to match their taxes and withhold FICA and Social Security or are we going to have more people on welfare? One other concern that one of the members of Council has personal experience with and I do too, is a problem with the grass growing in the back yard of this place. I think anytime it gets over 25 feet tall, it's a nuisance. Speaking of bamboo, the UDO or an ordinance in 2016 has protected this bamboo. It's recognized it as being an invasive species, but we don't have any way of eradicating it. I move that we eradicate it when property changes from private ownership to another private ownership. This takes out the City of Brevard's property that has bamboo on it that was written into that ordinance.

At 6:30 p.m. Mr. Baker moved, seconded by Mr. Daniel to close the public hearing. The motion carried unanimously.

Following questions and comments from Council, Mayor Copelof noted that there would be no action taken at this time and this will come back to Council for action at the next regular meeting.

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

K-1. Resolution Authorizing Upset Bid Process for Surplus Property on James Street

RESOLUTION NO. 2025-40
RESOLUTION AUTHORIZING UPSET BID PROCESS FOR SURPLUS PROPERTY
LOCATED ON JAMES STREET - PIN 8586-32-3150-000

WHEREAS, the City of Brevard owns certain property located on James Street, which is more particularly described as PIN #8586-32-3150-000 (the "Property"); and

WHEREAS, North Carolina General Statute § 160A-269 permits the City to sell property by upset bid, after receipt of an offer for the property; and

WHEREAS, the City has received an offer to purchase the property described above, in the amount of \$80,000, submitted by Joseph Paul Shadel and Meredith Bonnesen Daniel; and

WHEREAS, Joseph Paul Shadel and Meredith Bonnesen Daniel have paid the required five percent (5%) deposit on their offer.

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

Section 1. The City Council authorizes sale of the property described above through the upset bid procedure of North Carolina General Statute § 160A-269.

Section 2. The city clerk shall cause a notice of the proposed sale to be published. The notice shall describe the property and the amount of the offer, and shall state the terms under which the offer may be upset.

Section 3. Persons wishing to upset the offer that has been received shall submit a sealed bid with their offer to the designated real estate agent acting on behalf of the city clerk within 10 days after the notice of sale is published. At the conclusion of the 10-day period, the bids shall be opened, if any, and the highest such bid will become the new offer. If there is more than one bid in the highest amount, the first such bid received will become the new offer.

Section 4. If a qualifying higher bid is received, the city clerk shall cause a new notice of upset bid to be published, and shall continue to do so until a 10-day period has passed without any qualifying upset bid having been received. At that time, the amount of the final high bid shall be reported to the City Council.

Section 5. A qualifying higher bid is one that raises the existing offer by not less than ten percent (10%) of the first \$1,000.00 of that offer and five percent (5%) of the remainder of that offer.

Section 6. A qualifying higher bid must also be accompanied by a deposit in the amount of five percent (5%) of the bid; the deposit may be made in cash, cashier's check, or certified check. The city will return the deposit on any bid not accepted, and will return the deposit on an offer subject to upset if a qualifying higher bid is received. The city will return the deposit of the final high bidder at closing.

Section 7. The terms of the final sale are that:

- a. The City Council must approve the final high offer before the sale is closed, and
- b. The buyer must pay with cash at the time of closing.

Section 8. The city reserves the right to withdraw the property from sale at any time before the final high bid is accepted and the right to reject at any time all bids.

Section 9. If no qualifying upset bid is received after the initial public notice, the offer set forth above is hereby accepted. The City Manager is authorized to execute the instruments necessary to convey the property to Joseph Paul Shadel and Meredith Bonnesen Daniel.

Section 10. This Resolution shall become effective upon its adoption and approval.

Approved and adopted this 2nd day of June, 2025.

Attest: s/ Denise Hodsdon, CMC, City Clerk

s/ Maureen Copelof, Mayor

K-2. Council Rosenwald Community Advisory Board Meeting Minutes - February 20, 2025

K-3. Council Rosenwald Community Advisory Board Meeting Notes - March 20, 2025

K-4. Council Parks, Trails & Recreation Committee Meeting Minutes - April 16, 2025

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

K-6. Correspondence (*No Action. Offered as information only.*)

K-6-a. ABC Board Meeting Minutes – April 24, 2025

L. Unfinished Business

L-1. Approve FY 2025-2026 Budget and Ordinance – Mr. Hooper noted that the Recommended Budget maintains all service levels; it endows Council’s priorities of housing, downtown and trail development; keeps our employees’ compensation ahead of inflation and keeps our benefits package one of the best in the region. The proposal includes a 2.75 cent increase in the revenue neutral tax rate and 4% increase in the city’s “per/1000 gallon” utility fee.

Mr. Hooper then followed up on some questions from Council at the previous meeting. He noted that the Council packet included four ordinances corresponding to alternate compensation scenarios previously discussed by Council and the corresponding tax rate as follows:

1. Budget Ordinance Manager Recommended 3.5% COLA, .3575 tax rate
2. Budget Ordinance Alternate #1, 2.8% COLA, .35 tax rate
3. Budget Ordinance Alternate #2, 3.5% COLA except for grades over 20 (2.8%), .3575 tax rate
4. Budget Ordinance Alternate #3, 2.8% COLA except for grade 10 (3.5%), .35 tax rate

He explained that the Recommended Budget keeps all employees ahead of inflation and keeps our pay ranges competitive so that future employees will also make a competitive wage.

Alternate #1 with an across the board 2.8% COLA would reduce the tax increase from 2.75 cents to 2.5 cents, however we will have some employees that still make below the living wage for our area.

Alternate #2 is a tiered option that sees savings so minimal that it has no effect on the tax rate and has consequences such as compression and pay inequality amongst our job classifications.

Alternate #3 is another tiered scheme that would also save a quarter-penny on the tax rate increase, but would cause serious salary compression issues in the lower grades.

Mr. Hooper added that at the request of Councilmember Holder, he explored a fifth scheme to reduce the across the board COLA from 3.5% to 3% and place the employees that are still not at living wage at the living wage. He said this would save \$43,000 in the General Fund, but it would cause the same compression issues as the other schemes.

Mayor Copelof had asked if there were trims we could make to get the tax increase down to 2 cents. Mr. Hooper said that was possible but would require tradeoffs. First, Council would have to choose one of the less expensive compensation packages; and second, Council would need to make some cuts from the budget, or give him and staff the responsibility to make across the board cuts, by cutting a pro-rated percentage from each department’s undesignated operating dollars, as well as professional development and memberships to professional associations, in order to meet the goal of approximately \$100,000.

As a follow up to Ms. Holder’s request for information regarding non-profit contributions and what percentage of the agency’s budget the city’s contribution equates to, Mr. Hooper provided a list of the proposed contributions and noted that all but one are less than 10%. The city’s proposed contribution to the Farmers Market is 36% of their budget.

Mr. Daniel moved, seconded by Mr. Morrow to adopt the Manager’s Recommended Budget. Following discussion, vote on the motion was four in favor and one opposed (Holder); the motion carried.

City of Brevard FY2025-2026 Budget Ordinance	
Ordinance No. 2025-27	
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BREVARD, NORTH CAROLINA:	
Section 1. It is estimated that the following revenues will be available to the General Fund for the Fiscal Year beginning July 1, 2025 and ending June 30, 2026:	
REVENUES	BUDGET
AD VALOREM TAXES	\$ 7,110,537
OTHER TAXES	2,517,923
UNRESTRICTED REVENUES	1,047,000
RESTRICTED INTERGOVERNMENTAL	315,200
SALES AND SERVICES	1,560,800
MISCELLANEOUS	1,600,595
FUND BALANCE APPROPRIATED	296,900
TOTAL	\$ 14,448,955
Section 2. The following amounts are hereby appropriated in the General Fund for the operation of the City Government and its activities for the Fiscal Year beginning July 1, 2025 and ending June 30, 2026 in accordance with the Chart of Accounts heretofore established for the City of Brevard:	
EXPENDITURES	BUDGET
GOVERNING BODY	\$ 275,600
ADMINISTRATIVE	1,145,600
FINANCE	813,200
PLANNING	1,017,100
COMMUNITY CENTER	191,200
BUILDING AND GROUNDS	532,600
POLICE	4,405,300
PUBLIC WORKS - ADMINISTRATION	719,600
PUBLIC WORKS - GARAGE	526,100
PUBLIC WORKS - STREETS - LOCAL	907,400
PUBLIC WORKS - STREETS - POWELL BILL	268,000
RECREATION	306,500
SANITATION	1,559,400
NON DEPARTMENTAL	1,781,355
TOTAL	\$ 14,448,955
Section 3. It is estimated that the following revenues will be available to the Water and Sewer Utility Fund for the Fiscal Year beginning July 1, 2025 and ending June 30, 2026:	
REVENUES	BUDGET
WATER BILLINGS	\$ 3,531,125
SEWER BILLINGS	3,341,500
METER FEES	185,000
OTHER REVENUES	381,500
DEBT PROCEEDS	540,000

TOTAL	\$ 7,979,125
Section 4. The following amounts are hereby appropriated in the Water and Sewer Utility Fund for the operation of said utilities for the Fiscal Year beginning July 1, 2025 and ending June 30, 2026:	
EXPENDITURES	BUDGET
WATER TREATMENT	\$ 1,171,600
WASTEWATER TREATMENT	1,567,500
WATER AND SEWER MAINTENANCE	2,500,400
NON DEPARTMENTAL	2,739,625
TOTAL	\$ 7,979,125
Section 5. The following revenues will be continued for the Capital Reserve Fund for the Fiscal Year beginning July 1, 2025 and ending June 30, 2026:	
REVENUES	BUDGET
FUND BALANCE APPROPRIATED	\$ -
SYSTEM DEVELOPMENT FEES	80,000
TOTAL	\$ 80,000
Section 6. The following expenditures will be continued for the Capital Reserve Fund for the Fiscal Year beginning July 1, 2025 and ending June 30, 2026:	
EXPENDITURES	BUDGET
INCREASE IN FUND BALANCE	80,000
TOTAL	\$ 80,000
Section 7. It is estimated that the following revenues will be available to the Fire District Fund for the Fiscal Year beginning July 1, 2025 and ending June 30, 2026:	
REVENUES	BUDGET
TRANSFER FROM GENERAL FUND	\$ 858,905
FIRE DISTRICT TAX	770,895
OTHER REVENUES	10,000
FUND BALANCE APPROPRIATED	850,000
LOAN PROCEEDS	-
TOTAL	\$ 2,489,800
Section 8. The following amounts are hereby appropriated in the Fire District Fund for the Fiscal Year beginning July 1, 2025 and ending June 30, 2026:	
EXPENDITURES	BUDGET
PERSONNEL, OPERATING, CAPITAL, DEBT	2,489,800
TOTAL	\$ 2,489,800
Section 9. It is estimated that the following revenues will be available to the Stormwater Fund for the Fiscal Year beginning July 1, 2025 and ending June 30, 2026:	
REVENUES	BUDGET
CHARGES FOR SERVICES	219,000
TOTAL	\$ 219,000
Section 10. The following amounts are hereby appropriated in the Stormwater Fund for the Fiscal Year beginning July 1, 2025 and ending June 30, 2026:	
EXPENDITURES	BUDGET
OPERATING	219,000
TOTAL	\$ 219,000
Section 11. It is estimated that the following revenues will be available to the Bjerg Fund for the Fiscal Year beginning July 1, 2025 and ending June 30, 2026:	

REVENUES	BUDGET
INTEREST ON INVESTMENTS	2,400
TOTAL	\$ 2,400
Section 12. The following amounts are hereby appropriated in the Bjerg Fund for the Fiscal Year beginning July 1, 2025 and ending June 30, 2026:	
EXPENDITURES	BUDGET
INCREASE IN FUND BALANCE	2,400
TOTAL	\$ 2,400
Section 13. The following revenue amounts will be available in the Health Insurance Fund for Fiscal Year beginning July 1, 2025 and ending June 30, 2026:	
REVENUES	BUDGET
FUND BALANCE APPROPRIATED	\$ 240,200
TRANSFER FROM OTHER FUNDS	1,648,000
DENTAL DEPENDENT PREMIUMS	33,000
HEALTH DEPENDENT PREMIUMS	105,000
RETIREE PREMIUMS	40,000
TOTAL	\$ 2,066,200
Section 14. The following amounts are hereby appropriated in the Health Insurance Fund for the Fiscal Year beginning July 1, 2025 and ending June 30, 2026:	
EXPENDITURES	BUDGET
HEALTH INSURANCE COSTS	2,066,200
TOTAL	\$ 2,066,200
Section 15. It is estimated that the following revenues will be available to the Heart of Brevard Municipal Service District Tax Fund for the Fiscal Year beginning July 1, 2025 and ending June 30, 2026:	
REVENUES	BUDGET
SERVICE DISTRICT TAX - CURRENT AND PRIOR YEARS	\$ 155,000
TRANSFER FROM GENERAL FUND	11,000
TOTAL	\$ 166,000
Section 16. The following amounts are hereby appropriated in the Heart of Brevard Municipal Service District Tax Fund for the Fiscal Year beginning July 1, 2025 and ending June 30, 2026:	
EXPENDITURES	BUDGET
CONTRACT SERVICES	\$ 155,000
TRANSFER TO DOWNTOWN MASTER PLAN	11,000
TOTAL	\$ 166,000
Section 17. It is estimated that the following revenues will be available to the Housing Trust Fund for the Fiscal Year beginning July 1, 2025 and ending June 30, 2026:	
REVENUES	BUDGET
TRANSFER FROM GENERAL FUND	\$ 198,000
FUND BALANCE APPROPRIATED	\$ 50,300
OTHER REVENUES	16,700
TOTAL	\$ 265,000
Section 18. The following amounts are hereby appropriated in the Housing Trust Fund for the Fiscal Year beginning July 1, 2025 and ending June 30, 2026:	
EXPENDITURES	BUDGET
OPERATING	\$ 50,000
DEBT PAYMENTS	215,000

TOTAL	\$ 265,000
Section 19. The Revenues and Expenditures set forth in Section 1 through Section 18 of this Ordinance are hereby summarized as follows:	
BUDGET APPROPRIATIONS	BUDGET
GENERAL FUND	\$ 14,448,955
STORMWATER FUND	219,000
WATER & SEWER FUND	7,979,125
FIRE DISTRICT FUND	2,489,800
CAPITAL RESERVE FUND	80,000
BJERG FUND	2,400
HEALTH INSURANCE RESERVE FUND	2,066,200
HEART OF BREVARD FUND	166,000
HOUSING TRUST FUND	265,000
TOTAL	\$ 27,716,480
Section 20. There is hereby levied a tax at the rate of thirty five and three quarter cents (\$0.3575) per one hundred dollars (\$100) valuation of property as listed for taxes as of January 1, 2025 for the purpose of raising the revenue listed as Taxes in the General Fund in Section 1 of this Ordinance. This rate is based on an estimated total valuation of property for the purposes of taxation of \$1,987,541,173 and an estimated collection rate of 99.03%.	
Section 21. There is hereby further levied a tax at the rate of seventeen and fifty four tenth cents \$0.1754 cents per one hundred dollars (\$100) valuation of property as listed for taxes as of January 1, 2025 within the boundaries of the Heart of Brevard Municipal Service District for the purpose of raising the revenue listed as Taxes in the Heart of Brevard Municipal Service District Tax Fund in Section 15 of this Ordinance. This rate is based on an estimated total valuation of property for the purposes of taxation of \$89,152,000 and an estimated collection rate of 99.03%.	
Section 22. There is hereby further attached (Exhibit A) to said Ordinance a schedule of taxes, fees, and charges for the General and Utility Funds.	
Section 23. The Budget Officer shall be authorized to reallocate departmental appropriations among the various line item expenditures of that department, as said officer believes necessary. The Budget Officer shall be authorized to effect interdepartmental transfers, in the same fund, provided that no departmental budget shall be reduced by more than ten percent without the prior approval of the City Council. Any such transfers shall be reported to the City Council at its next regular meeting and shall be entered in the minutes.	
Section 24. Copies of the Budget Ordinance shall be furnished to the Budget Officer and Finance Officer of the City to be kept on file by them for their direction in the collection and disbursement of funds. Said officials are hereby authorized to receive and expend funds as herein set forth in accordance with the Brevard City Code and the General Statutes of the State of North Carolina.	
Adopted and approved this the 2nd day of June, 2025.	

Attest: s/ Denise Hodsdon, CMC, City Clerk

s/ Maureen Copelof, Mayor

Approved as to Form: s/ Mack McKeller, City Attorney

L-2. Appointment to Rosenwald Community Advisory Board – Mr. Daniel recalled that at the last meeting it was noted that Morgan Monshaugen, one of the applicants for the Rosenwald Community Advisory Board, is not a resident of the Rosenwald Community and staff was asked to research the residency requirements for that committee. Staff’s research revealed that members should be residents of the community, however the Finance, Human Resources and Citizen Appointment Committee was authorized to review and recommend changes to the compensation of Advisory Boards at its discretion. The Finance, Human Resources and Citizen Appointment Committee discussed the application at its May 28, 2025 meeting and

found the applicant to have a vested interest in the community. As there were no additional applicants, the committee unanimously recommended that Morgan Monshaugen be appointed to the Rosenwald Community Advisory Board.

Mr. Wise moved, seconded by Mr. Daniel to appoint Morgan Monshaugen to the Rosenwald Community Advisory Board. The motion carried unanimously.

**RESOLUTION NO. 2025-41
RESOLUTION APPOINTING A MEMBER TO THE
ROSENWALD COMMUNITY ADVISORY BOARD**

WHEREAS, in Fall 2022 the Brevard City Council held a work retreat to reform its committee structure; and

WHEREAS, committees were designated into one of three categories: policy committees, statutory committees, and advisory committees; and

WHEREAS, the terms of citizen members appointed to advisory committees were set at two years with all terms expiring on May 31st; and

WHEREAS, the Finance, Human Resources and Citizen Appointment Committee was charged with reviewing applicants for the various committees/advisory groups and making appointment recommendations to the full Council; and

WHEREAS, under the direction of the Finance, Human Resources and Citizen Appointment Committee, city staff conducted an open recruitment for citizens interested in serving on the various advisory committees; and

WHEREAS, the applications received during the recruitment period were reviewed by the Finance, Human Resources and Citizen Appointment Committee at its April 28, 2025 meeting and the committee recommended appointments to the Downtown Master Plan Committee; Parks, Trails & Recreation Committee; and Rosenwald Community Advisory Board to full City Council; and

WHEREAS, City Council reviewed applications and made appointments at its meeting on May 19, 2025 as recommended by the Finance, Human Resources and Citizen Appointment Committee, except for one application for the Rosenwald Community Advisory Board submitted by a resident of Henderson County, and requested that staff investigate the residency requirements for membership on that Board; and

WHEREAS, City Council Resolution No. 2022-40 stipulates that the Rosenwald Community Advisory Board shall include six at-large members of the Rosenwald Community. Of those six at-large members, four seats are designated for members of the Mary C. Jenkins Community Center board of directors, and two are designated for unaffiliated Rosenwald residents; and

WHEREAS, City Council Resolution No. 2022-40 further stipulates that the Finance, Human Resources, and Citizen Appointment Committee may review and recommend changes to the composition of Advisory Boards at its discretion; and

WHEREAS, at its meeting on May 28, 2025 the Finance, Human Resources, and Citizen Appointment Committee discussed the application submitted by Morgan Monshaugen who resides in Henderson County, and determined the applicant to be vested, with a professional stake in the affairs of the Rosenwald Community, and to recommend to full Council that he be appointed to the Rosenwald Community Advisory Board.

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

- 1) The Brevard City Council does hereby appoint Morgan Monshaugen to the Rosenwald Community Advisory Board, effective June 2, 2025 and expiring on May 31, 2027.

Adopted and approved this 2nd day of June, 2025.

Attest: s/ Denise Hodsdon, CMC, City Clerk

s/ Maureen Copelof, Mayor

~~ At 7:04 p.m. Mayor Copelof called for a ten minute break ~~

M. New Business

M-1. Code of Conduct for City Council Appointees – Mr. Hooper explained that the Finance, Human Resources and Citizen Appointment Committee has discussed the creation of a Code of Conduct and oversight procedure for Council-appointed policy and advisory committees. Like councilmembers and employees, appointees are representatives of the City and therefore ought to be held to a high standard of ethics, and there ought to be a written mechanism for holding appointees accountable should they violate that standard. The committee reviewed this proposal over several meetings and made the following recommendations included in the proposed Code of Conduct document:

1. All committees, whether elected committees or statutory committees (except for the ABC Board, because there is additional state law governing them), and non-elected appointees to outside groups ought to be treated the same, even though the case law suggests that only appointees to statutory committees are entitled to due process.
2. The tenets listed in the document entitled “Expectations for Brevard City Council Appointees” constitute the Code of Conduct for all appointees.
3. The actions listed in “Standards of Conduct for City Council Appointees” constitute the actionable behaviors.
4. That an extra level of accountability be established for the Council itself, Planning Board and Board of Adjustment—a disclosure of property ownership and business ownership.
5. The proposal authorizes the City Manager to investigate claims of Code of Conduct violations and make a recommendation to Council for action.

Mr. Daniel moved, seconded by Mr. Wise to approve the resolution establishing the Code of Conduct and oversight procedures for City Council appointees. The motion carried unanimously.

**RESOLUTION NO. 2025-42
RESOLUTION ESTABLISHING CODE OF CONDUCT AND OVERSIGHT PROCEDURES
FOR CITY COUNCIL APPOINTEES**

WHEREAS, the Brevard City Council appoints members to four statutory committees, eight elective subcommittees, and a number of outside boards; and

WHEREAS, the Brevard City Council believes it is in the city’s interest to establish a Code of Conduct for its appointees; and

WHEREAS, a written Code of Conduct will help ensure that appointees represent the Council positively; and

WHEREAS, a presentation outlining the content of the Code of Conduct and a corresponding set of oversight procedures was delivered at the Council’s June 2, 2029 meeting; and

WHEREAS, the Council also agreed to establish property and business disclosure requirements for itself, the Brevard Planning Board, and the Brevard Board of Adjustment.

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

Section 1. The City Council hereby adopts the content of the attached documents entitled “Brevard City Council Appointee Oversight Guidelines”, “Expectations for Brevard City Council Appointees”, and “Standards of Conduct for City Council Appointees” which collectively create the Code of Conduct for City Council appointees.

Section 2. The City Council hereby adopts the attached “Brevard Disclosure Guidelines” and authorizes the City Clerk to begin collection

Adopted and approved this the 2nd day of June, 2025.

Attest: s/ Denise Hodsdon, CMC, City Clerk

s/ Maureen Copelof, Mayor

M-2. Fire Engine Replacement and Funding Strategy – Interim Fire Chief Bradley Elmore explained that the Department's 2004 American LaFrance fire engine is reaching its end of life. A replacement engine will cost, at the high end, \$1M and approximately \$550,000 will be the city's responsibility. A new engine will require three to four years of lead time and to reserve the Department's place in line and lock in the price, BFD is requesting that the City commit to purchasing the truck now. Chief Elmore discussed the need for the new truck.

Mr. Hooper noted that there will be enough money in the budget three years from now to cover approximately $\frac{3}{4}$ of the cost of this new engine. The question tonight is, is Council willing to commit the other $\frac{1}{4}$ now knowing the risk of waiting.

Mr. Wise moved, seconded by Ms. Holder to authorize staff to begin the procurement of the fire truck. The motion carried unanimously.

N. Remarks/Future Agenda Considerations.

Ms. Holder thanked those who came out tonight. She said my heart and prayers go out to the young boy who was attacked and his family. I continue to pray for them and that he will be able to heal.

Mr. Wise commented that there has been a lot to ponder about at this meeting, including the proclamations for two groups of people that have traditionally been underserved. At the same time we witnessed an assault on a teenager by other children in our community, and I want to make sure that we keep in mind that children aren't born with hate; they learn hate and that is the real problem. Where is that hate coming from? We heard a lot about the power of community coming together during Helene and how we all want to reach out and help each other. Then we have children attacking children, we have us attacking each other, and we have rhetoric about taking this from other people. I want us to think about what it means in a community to live together and to grow together, and to understand the diversity of our community and what makes our community powerful. I really want to celebrate Juneteenth and Pride Month, but at the same time we have to find a way to end this hateful rhetoric.

Mr. Baker said it's hard to wrap your mind around something so awful. The fact that everybody involved in that situation is a child makes it all the more difficult to reckon with. I want to thank the Police Department, both the officers and the investigators who worked on that. The fact that those involved are underage brings a whole other element to be reckoned with, and I thank them for the professionalism that was exemplified in handling that situation and the swiftness with which charges were brought and announced in a sensitive way. It was horrible for a lot of reasons, but one of the things that made it awful for the whole community was that we were coming off White Squirrel Weekend. By all accounts it was one of the best ones yet and there are new challenges and things we can improve upon, but anytime you can invite thousands of people to your small town and keep everybody safe and having a great time deserves to be celebrated. I want to thank Nicole and the Heart of Brevard and all the volunteers and city staff that worked so hard at that event. I also want to thank all those involved in the Memorial Day service on Monday.

Mr. Hooper also thanked employees who were involved in White Squirrel Weekend and the Police Department for their thorough and thoughtful investigation of the unfortunate assault that took place last weekend. He reported the Transylvania County Sheriff's Office midnight patrols will start at 12:01am on June 17th.

Mayor Copelof also expressed her absolute shock and heartbreak about the incident that happened with the young child and the fact that it was other children that were involved. It was wonderful to see our community come together Saturday to support that family and surround them with love and hope. The Police did an amazing job and working with the Sheriff's Office, the SRO, the DA's Office, and the Juvenile Justice system, all the agencies acted swiftly. The real question we have to ask ourselves as a community is how did this happen? How do we have children who don't

value or respect one another? We as a community have to take a hard look at that and ask how do we change that? She also thanked staff involved in White Squirrel Weekend. Two objectives when we hold a festival like White Squirrel Weekend; 1) to bring our community together; and 2) to bring in visitors to help our businesses who have been hurting. It was a wonderful time, and it was so impactful for our businesses. She said as a veteran, I thought we had a wonderful Memorial Day and it was a special patriotic community event. I was honored that Col. Chapman introduced me and I am proud to stand with my fellow veteran Col. Chapman. She announced upcoming events: Juneteenth, July 4th events, and Meet the Mayor on June 26th from 5-7pm in the Council Chambers.

O. Closed Sessions

O-1. Potential Litigation: NCGS §143-318.11.(a)(3) – At 7:56 p.m. Mr. Morrow moved, seconded by Ms. Holder to go into closed session to discuss a potential litigation matter and to clear Council Chambers. The motion carried unanimously. Authorized to remain for the closed session with Council and the Attorney were City Manager Wilson Hooper, Assistant City Manager David Todd, and City Clerk Denise Hodsdon.

Council Returned to Regular Session – at 8:31 p.m. Council resumed the meeting in regular session. No official action was taken in closed session, and the minutes of the closed session are authorized to be sealed.

O-2. Personnel and/or Employment: NCGS §143-318.11.(a)(6) – At 8:32 p.m. Mr. Baker moved, seconded by Ms. Holder to go into closed session to discuss a personnel matter. The motion carried unanimously. Authorized to remain for the closed session with Council and the Attorney were City Manager Wilson Hooper, City Clerk Denise Hodsdon, and Human Resources Director Kelley Craig.

Council Returned to Regular Session – At 9:24 p.m. Council resumed the meeting in regular session. No official action was taken in closed session, and the minutes of the closed session are authorized to be sealed.

P. Adjourn – There being no further business, at 9:24 p.m. Mr. Morrow moved, seconded by Ms. Holder, to adjourn the meeting. The motion carried unanimously.

Maureen Copelof
Mayor

Denise Hodsdon, CMC
City Clerk

Minutes Approved: June 16, 2025



CITY *of* BREVARD

Certificate of Appreciation

Presented to

Lee McMin

*In recognition of dedicated service to The City of Brevard
as a member of the Downtown Master Plan Committee
from October 18, 2021 to May 31, 2025*

Presented June 16, 2025

*Margaret Copeland
Mayor*



CITY *of* BREVARD

Certificate of Appreciation

Presented to

Nancy DePippo

*In recognition of dedicated service to The City of Brevard
as a member of the Parks, Trails & Recreation Committee
from June 17, 2019 to May 31, 2025*

Presented June 16, 2025

*Margen Copelof
Mayor*



CITY *of* BREVARD

Certificate of Appreciation

Presented to

Wyn Birkenthal

*In recognition of dedicated service to The City of Brevard
as a member of the Parks, Trails & Recreation Committee
from June 5, 2023 to May 31, 2025*

Presented June 16, 2025

*Margen Copelof
Mayor*



CITY *of* BREVARD

Certificate of Appreciation

Presented to

Rebecca Wynn

*In recognition of dedicated service to The City of Brevard
as a member of the Rosenwald Community Advisory Board
from June 5, 2023 to May 31, 2025*

Presented June 16, 2025

*Margen Copelof
Mayor*



CITY *of* BREVARD

Certificate of Appreciation

Presented to

James Carli

*In recognition of dedicated service to The City of Brevard
as a member of the Brevard Planning Board
from September 21, 2020 to May 27, 2025*

Presented June 16, 2025

*Margen Copelof
Mayor*

STAFF REPORT

City Council, Monday, June 16, 2025

Title: Proposed Amendment to the Official Zoning Map of the City of Brevard - Pisgah Gateway District

Speaker: Aaron Bland, Asst Planning Director

Prepared by: Aaron Bland, Asst Planning Director

Approved by: Wilson Hooper, City Manager

Background

In June and September of 2024 the Board discussed rezoning much of the area around the major US 64 / US 276 / NC 280 intersection at the entrance to Pisgah National Forest to a newly-created base zoning district called the Pisgah Gateway Mixed Use District, or PGX for short. The Board forwarded a favorable recommendation to City Council, who enacted the rezoning on November 18, 2024.

Following this action, the North Carolina General Assembly adopted SL 2024-57 via a veto override, a provision of which pertaining to "downzonings" retroactively invalidated the enactment of PGX. In February of 2025 Council re-adopted the text amendments of the Unified Development Ordinance that created the PGX district and all of its zoning regulations, but did not apply the new district to any parcels of land. This is a staff-initiated rezoning that would (re)apply the PGX district to the same geographic area as it was previously.

Discussion

At their April 7, 2025, meeting, City Council amended the UDO to create a definition for "residential zoning district" which was previously undefined by the UDO or by state statute. This is a critical definition for the administration of the downzoning part of SL 2024-57 as the limitations imposed by that law do not apply "in a residential zoning district." In the absence of the statutes defining this key term, the City Council created one for the purposes of Brevard's zoning enforcement and administration. The definition adopted is "any zoning district that permits residential land uses." In practice, this means that all of Brevard's base zoning districts, with the exception of General Industrial, are now considered "residential zoning districts," including PGX. This allows for the re-adoption of a zoning map amendment to apply the PGX district. Staff is proposing to rezone the same area that was previously discussed and recommended last year.

Policy Analysis

The creation of a new zoning district in this area is supported by LUH-10 of the Building Brevard 2030 Comprehensive Land Use Plan. LUH-10 recommends an overlay district but Staff believes that a new base district is a more appropriate method.

Recommendation

The Planning Board discussed this matter at their May 27th meeting and recommended

approval as presented. In accordance with state statutes, the Board also forwards the attached statement of consistency.

Action

This presentation is for public hearing purposes and Staff is not requesting action at this time. However, an enacting ordinance is included should Council wish to take action, given that this is the exact same rezoning that was previously approved.

Attachments:

1. Ord 2025-13 Amending the UDO to Codify New Definitions in Response to Session Law 2024-57
2. Proposed PGX Map
3. Consistency and Reasonableness Statement (2)
4. Enacting Ordinance

ORDINANCE NO. 2025-13

**AN ORDINANCE AMENDING CITY OF BREVARD UNIFIED DEVELOPMENT
ORDINANCE CHAPTER 19 – DEFINITIONS TO CODIFY NEW DEFINITIONS**

WHEREAS, the 2030 Comprehensive Land Use Plan emphasizes new architectural standards with focus areas that aim to preserve high quality design and improve on other areas of the built environment; and

WHEREAS, on December 11, 2024, the North Carolina General Assembly enacted Session Law 2024-57 via a veto override which included a provision that amended the definition of “down-zoning” in a manner that dramatically alters the authority for local governments to amend local zoning ordinances; and,

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

WHEREAS, in order to implement updated architectural standards, the City must establish these definitions in the Unified Development Ordinance in order to comply with SL 2024-57; and,

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

- **Goal 2:** Expand housing opportunities for all residents while preserving the character of Brevard and its neighborhoods.
 - **Goal 3:** Encourage a development pattern that respects Brevard’s sense of place and prioritizes livable communities.
 - **LUH-7:** Consider the development of a form-based code for Downtown that supports a human-scaled, pedestrian environment.
 - **LUH-10:** Establish zoning overlay districts for the Asheville Highway Corridor and Pisgah Forest area with form-based elements.
 - **EDIR-3:** Encourage building and site upgrades Downtown and in other key commercial areas;
- and,

WHEREAS, a public hearing was conducted on Monday, March 17, 2025, by the Brevard City Council.

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

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

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

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

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

Adopted and approved this the 7th day of April 2025.



Maureen Copelof
Maureen Copelof
Mayor

ATTEST:

Denise Hodsdon
Denise Hodsdon, CMC
City Clerk

APPROVED AS TO FORM:

Mack McKeller
Mack McKeller
City Attorney

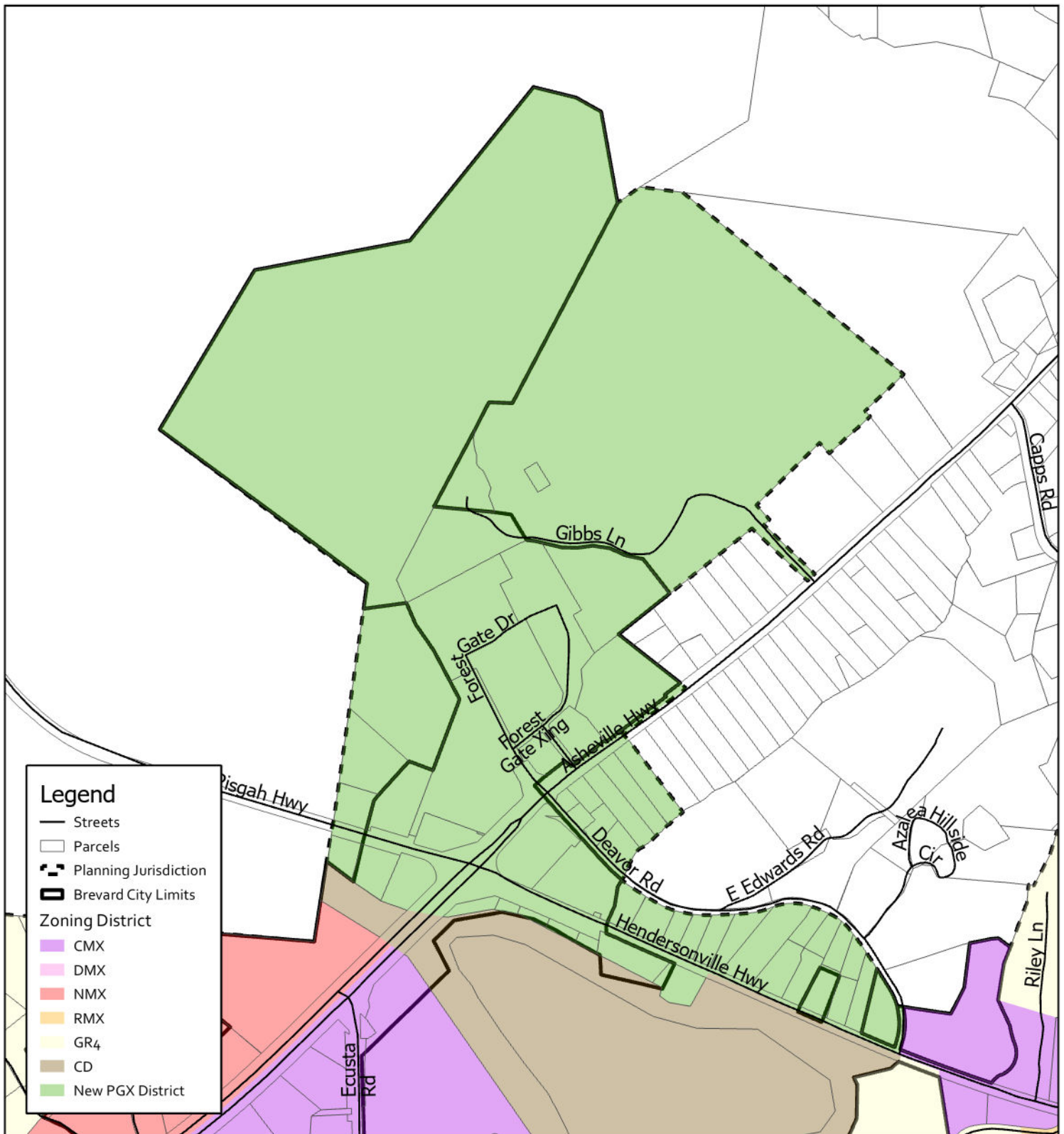
19.3. Definitions.

New Construction: Any newly constructed building or structure. This definition shall also apply to existing buildings that are altered in the following ways:

- Additions to existing structures that equal or exceed 66% of the gross floor area of the existing structure;
- Substantial improvements to existing structure that equal or exceed 66% of the value of the existing structure and require the issuance of at least two trade permits from the Transylvania County Building and Inspections Department.

Residential Zoning District: Any zoning district that permits residential land uses.

REZ-24-001 - Establishment of the Pisgah Gateway Mixed Use District (PGX)



0 350 700 Feet
1 inch = 700 feet

This map was prepared by the City of Brevard Planning Department.

Disclaimer: The information contained on this page is NOT to be construed or used as a survey or legal description. Map information is believed to be accurate, but accuracy is not guaranteed.

**STATEMENT OF CONSISTENCY AND REASONABLENESS WITH
ADOPTED PLANS AND POLICIES OF THE CITY OF BREVARD
REZ-24-001 AND TXT-24-008**

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

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

Comprehensive Land Use Plan

Recommendation Land Use & Housing – 10: Establish zoning overlay districts for the Asheville Highway Corridor and Pisgah Forest Area.

NCGS 160D-605 requires the Governing Board to approve a statement analyzing the reasonableness of a proposed rezoning. The statement of reasonableness and the statement of consistency may be approved as a single statement.

The Brevard Planning Board forwards this recommendation to City Council with a finding that the proposed zoning map amendment is in the public interest and **reasonable** due to the following factors:

- The location of the proposed zoning district is centered around the entrance to the Pisgah National Forest.
- The size of the proposed rezoning diminishes any spot zoning concerns.
- There is a strong relationship between the currently allowed uses and the allowed uses of the proposed new district.
- The new district benefits landowners by replacing an inappropriate downtown-focused district with a more context-sensitive district.
- Conditions at the US64/US276/NC280 intersection will be changing due to the NCDOT R-5799 intersection improvement project.
- It is in the public interest to create a more context-sensitive zoning district for this area as it is one of the primary gateways to our community, heavily trafficked by residents and visitors alike.
- The rezoning is consistent with the above element of the Comprehensive Land Use Plan.

ORDINANCE NO. 2025-____

**AN ORDINANCE AMENDING THE CITY OF BREVARD
OFFICIAL ZONING MAP TO CREATE THE PISGAH
GATEWAY MIXED USE ZONING DISTRICT**

WHEREAS, the area in the vicinity of the US 64 / US 276 / NC 280 intersection and the entrance to Pisgah National Forest is a unique urban location within the City of Brevard, providing an entrance into the Pisgah National Forest as well as the City of Brevard itself; and,

WHEREAS, the City of Brevard Planning Board has recommended that the Brevard City Code, Unified Development Ordinance be amended to create the Pisgah Gateway Mixed Use (PGX) zoning district in order to codify context-sensitive regulations for this important area; and,

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

***Recommendation Land Use & Housing – 10:** Establish zoning overlay districts for the Asheville Highway Corridor and Pisgah Forest Area.*

***Future Land Use Map** identifies parcels in this area as a mix of Major Activity Center, Urban Corridor, and Conservation Design.*

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 location of the proposed zoning district is centered around the entrance to the Pisgah National Forest.
- The size of the proposed rezoning diminishes any spot zoning concerns.
- There is a strong relationship between the currently allowed uses and the allowed uses of the proposed new district.
- The new district benefits landowners by replacing an inappropriate downtown-focused district with a more context-sensitive district.
- Conditions at the US64/US276/NC280 intersection will be changing due to the NCODT R-5799 intersection improvement project.
- It is in the public interest to create a more context-sensitive zoning district for this area as it is one of the primary gateways to our community, heavily trafficked by residents and visitors alike.
- 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, November 4, 2024, 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 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) below is hereby rezoned to Pisgah Gateway Mixed Use (PGX) as depicted in Exhibit A to this Ordinance, which is attached hereto and incorporated herein by reference:

8597-45-0298-000, 8597-45-1544-001, 8597-45-2252-000,
8597-45-2811-000, 8597-45-3585-000, 8597-45-4145-000,
8597-45-6400-000, 8597-45-7490-000, 8597-45-7785-000,
8597-45-8002-000, 8597-45-9061-000, 8597-46-3093-000,
8597-46-7468-000, 8597-47-3949-000, 8597-47-7210-000,

8597-54-1925-000, 8597-54-2869-000, 8597-54-3864-000,
8597-54-4908-000, 8597-54-5783-000, 8597-54-5936-000,
8597-54-6984-000, 8597-54-8650-000, 8597-54-8898-000,
8597-54-8900-000, 8597-54-9896-000, 8597-55-1410-000,
8597-55-1810-000, 8597-55-2546-000, 8597-55-2991-000,
8597-55-3136-000, 8597-55-3428-000, 8597-55-3549-000,
8597-55-4424-000, 8597-55-5313-000, 8597-55-5503-000,
8597-55-5681-000, 8597-55-6667-000, 8597-56-1525-000,
8597-56-4170-000, 8597-56-4615-000, 8597-57-0292-000,
8597-57-7985-000, 8597-64-1942-000, 8597-64-2864-000,
8597-64-3698-000, 8597-64-4657-000, 8597-64-4992-000,
8597-64-5558-000, 8597-64-5877-000, 8597-64-5877-000,
8597-64-6683-000, 8597-64-6737-000, 8597-64-7555-000,
8597-64-7714-000, and 8597-64-8466-000.

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 16th day of June 2025.

Maureen Copelof
Mayor

ATTEST:

Denise Hodsdon, CMC
City Clerk

APPROVED AS TO FORM:

Mack McKeller
City Attorney



CITY of BREVARD

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

TAX SETTLEMENT REPORT FOR MONTH ENDED MAY 31, 2025

Tina Tanner
Certified Tax Collector

CITY OF BREVARD TAX SETTLEMENT REPORT
MONTH ENDING MAY 31, 2025

UPDATED: 06.06.2025

YEAR	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	
2024		\$ 4,145,519.25	\$ 355,192.81	\$ 150,837.61	\$ 169,949.16	\$ 660,227.95	
2023-2011	\$ 3,514.80	\$ 4,462.58	\$ 2,327.19	\$ 4,626.24	\$ 2,855.63	\$ 1,778.13	
2010 - Prior	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
TOTAL:	\$ 3,514.80	\$ 4,149,981.83	\$ 357,520.00	\$ 155,463.85	\$ 172,804.79	\$ 662,006.08	
	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	TOTAL
2024	\$ 395,194.02	\$ 42,533.66	\$ 67,943.21	\$ 39,878.70	\$ 28,773.78		\$ 6,056,050.15
2023-2011	\$ 3,258.13	\$ 743.42	\$ 3,740.29	\$ 982.09	\$ 2,266.74		\$ 30,555.24
2010 - Prior	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL:	\$ 398,452.15	\$ 43,277.08	\$ 71,683.50	\$ 40,860.79	\$ 31,040.52	\$ -	\$ 6,086,605.39

HEART OF BREVARD TAX SETTLEMENT REPORT
MONTH ENDING MAY 31, 2025

UPDATED: 06.06.2025

YEAR	JULY		AUGUST		SEPTEMBER		OCTOBER		NOVEMBER		DECEMBER	
2024			\$	64,583.54	\$	12,538.17	\$	45.99	\$	8,318.48	\$	28,612.21
2023-2011	\$	28.47	\$	137.22					\$	625.39		
2010 - Prior	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-
TOTAL:	\$	28.47	\$	64,720.76	\$	12,538.17	\$	45.99	\$	8,943.87	\$	28,612.21
	JANUARY		FEBRUARY		MARCH		APRIL		MAY		JUNE	
2024	\$	18,255.99	\$	929.82	\$	1,285.50	\$	1,825.86	\$	32.82		
2023-2011	\$	737.92			\$	0.71	\$	-	\$	5.75		
2010 - Prior	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-
TOTAL:	\$	18,993.91	\$	929.82	\$	1,286.21	\$	1,825.86	\$	38.57	\$	-
												</

STAFF REPORT

City Council, Monday, June 16, 2025

Title: Ordinance Declaring Road Closures for July 4th Festival

Speaker: Aaron Bland, Asst Planning Director

Prepared by: Aaron Bland, Asst Planning Director

Approved by: Wilson Hooper, City Manager

Background

The North Carolina Department of Transportation (NCDOT) requires local approval for special events that involve the closing or repurposing of state-owned highways and roads.

Discussion

The NCDOT guidelines state the local municipality must pass an ordinance for each street closure of City-sponsored events. The State will neither approve nor deny such requests for closures. They will, however, recommend alternative routes should they have a project scheduled for the same day as a special event. The attached ordinance is for this year's Fourth of July Festival event.

Policy Analysis

The City has been sponsoring and permitting special events for several years. The passing of an ordinance only applies to City-sponsored special events on state roads. Permits sponsored by individuals or non-profits are permitted differently and do not require an ordinance. Council has passed ordinances for City-sponsored festivals since 2015.

Action

Council's options are to adopt or reject the street closure ordinance.

Attachments:

1. ORD_2025-XX July 4th Festival Street Closure Ordinances

ORDINANCE NO. 2025-XX

**AN ORDINANCE DECLARING STREET CLOSURES
FOR THE 2025 FOURTH OF JULY FESTIVAL**

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

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

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

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

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

Date:	Friday, July 4, 2025
Time:	8:00 AM – 11:00 PM
Description:	Main Street (U.S. 276) from Caldwell Street to Gaston Street Broad Street (U.S. 64) from Appletree Street to Morgan Street

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

Adopted and approved this, the 16th day of June 2025.

Maureen Copelof
Mayor

ATTEST:

Denise Hodsdon, CMC
City Clerk

APPROVED AS TO FORM:

Mack McKeller
City Attorney

STAFF REPORT

City Council, Monday, June 16, 2025

Title: Ordinance Declaring Road Closures for National Night Out

Speaker: Tom Jordan, Police Chief

Prepared by: Denise Hodsdon, City Clerk

Approved by: Wilson Hooper, City Manager

Background

The North Carolina Department of Transportation (NCDOT) requires local approval for special events that involve the closing or repurposing of state-owned highways and roads.

Discussion

The NCDOT guidelines state the local municipality must pass an ordinance for each street closure of City-sponsored events. The State will neither approve nor deny such requests for closures. They will, however, recommend alternative routes should they have a project scheduled for the same day as a special event. The attached ordinance is for this year's National Night Out event.

Policy Analysis

The City has been sponsoring and permitting special events for several years. The passing of an ordinance only applies to City-sponsored special events on state roads. Permits sponsored by individuals or non-profits are permitted differently and do not require an ordinance. Council has passed ordinances for City-sponsored festivals since 2015.

Action

Council's options are to adopt or reject the street closure ordinance.

Attachments:

1. Ordinance Declaring Road Closure for 2025 National Night Out

ORDINANCE NO. 2025-XX

**AN ORDINANCE DECLARING A ROAD CLOSURE
FOR THE 2025 NATIONAL NIGHT OUT EVENT**

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

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

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

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

SECTION 1. Pursuant to authority granted by G.S. 20-169, the City of Brevard hereby declares the following temporary road closure during the day and time set forth below on the following described portion of a State Highway System route:

Date: Tuesday, August 5, 2025

Time: 4:00 PM – 10:00 PM

Route Description: East Main Street (U.S. 276) from Broad Street to Johnson Street

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

Adopted and approved this the 16th day of June 2025.

Maureen Copelof
Mayor

ATTEST:

Denise Hodsdon, CMC
City Clerk

APPROVED AS TO FORM:

Mack McKeller
City Attorney

STAFF REPORT

City Council, Monday, June 16, 2025

Title: Resolution Adopting the South Mountains Regional Hazard Mitigation Plan

Speaker: Mark Norton, Brevard Fire Department

Prepared by: Wilson Hooper, City Manager

Approved by: Wilson Hooper, City Manager

Background and Discussion

Hazard Mitigation Plans are required by FEMA for communities to be eligible for certain federal hazard mitigation funds such as FEMA's Hazard Mitigation Assistance program. The South Mountains Regional Hazard Mitigation Plan has been in place for over 15 years, and a contractor hired by the emergency management offices of Henderson, Polk, Rutherford and Transylvania Counties recently worked with those Counties and municipalities within to complete the 5-year update of the plan as required by FEMA. The group started the update in February of 2024 and although Hurricane Helene made completing the update challenging, it was able to complete the process and the plan was approved by FEMA on 5/21/25.

The last step in the process is adoption by jurisdictions that wish to be considered participants under the plan. Brevard Fire Department has reviewed the contents of the plan and wishes to participate.

Fiscal Impact

None. However, participation is necessary to establish eligibility for certain FEMA programs.

Action

Staff requests Council adopt the attached resolution adopting the South Mountain Regional Hazard Mitigation Plan

Attachments:

1. Resolution Adopting South Mountain Hazard Mitigation Plan

RESOLUTION NO. 2025-XX

**A RESOLUTION ADOPTING THE SOUTH MOUNTAIN
REGIONAL HAZARD MITIGATION PLAN FOR THE CITY OF BREVARD**

WHEREAS, the citizens and property within the City of Brevard are subject to the effects of natural hazards that pose threats to lives and cause damage to property, and with the knowledge and experience that certain areas of the county are particularly vulnerable to drought, extreme heat, hailstorm, hurricane and tropical storm, lightning, thunderstorm wind/high wind, tornado, winter storm and freeze, flood, hazardous material incident, and wildfire; and

WHEREAS, the City of Brevard desires to seek ways to mitigate the impact of identified hazard risks; and

WHEREAS, the Legislature of the State of North Carolina has in Article 5, Section 160D-501 of Chapter 160D of the North Carolina General Statutes, delegated to local governmental units the responsibility to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, the Legislature of the State of North Carolina has enacted General Statute Section 166A-19.41 (*State emergency assistance funds*) which provides that for a state of emergency declared pursuant to G.S. 166A-19.20(a) after the deadline established by the Federal Emergency Management Agency pursuant to the Disaster Mitigation Act of 2002, P.L. 106-390, the eligible entity shall have a hazard mitigation plan approved pursuant to the Stafford Act; and.

WHEREAS, Section 322 of the Federal Disaster Mitigation Act of 2000 states that local governments must develop an All-Hazards Mitigation Plan in order to be eligible to receive future Hazard Mitigation Grant Program Funds and other disaster-related assistance funding and that said Plan must be updated and adopted within a five year cycle; and

WHEREAS, the City of Brevard and Transylvania County have performed a comprehensive review and evaluation of each section of the previously approved Hazard Mitigation Plan and has updated the said plan as required under regulations at 44 CFR Part 201 and according to guidance issued by the Federal Emergency Management Agency and the North Carolina Division of Emergency Management.

WHEREAS, it is the intent of the City Council of the City of Brevard to fulfill this obligation in order that the City of Brevard will be eligible for federal and state assistance in the event that a state of disaster is declared for a hazard event affecting the County;

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

1. Adopts the South Mountains Regional Hazard Mitigation Plan.
2. Agrees to take such other official action as may be reasonably necessary to carry out the objectives of the Hazard Mitigation Plan.

Approved and adopted this the 16th day of June, 2025

Mayor Maureen Copelof
Mayor

Attest:

Denise Hodsdon, CMC
City Clerk

STAFF REPORT

City Council, Monday, June 16, 2025

Title: Approval of KCI Design Amendment No. 2

Speaker: David Todd, Assistant City Manager

Prepared by: David Todd, Assistant City Manager

Approved by: Wilson Hooper, City Manager

Background:

Brevard's Wastewater Treatment Plant is currently made up of dated and aging technology and due to recent growth, including particular high strength dischargers like breweries, it is operating at capacity and struggles daily to meet the State approved permit.

In July of 2024 the City of Brevard contracted with engineering firm KCI to, in short, evaluate the current wastewater treatment plant capacity and technology, evaluate current flows, predict future flows, and review the need for a renovation of the current plant or construction of a new plant including any associated site analysis. KCI's review quickly determined that based on current and predicted future flow rates the current plant could be renovated within the present site to meet present and future demand. This shorter analysis resulted in KCI expending less funds than expected as there was not a need to review other sites and start from scratch with plant design including rework of the associated collection system.

The current plant is designed for 2.5 MGD but due to the aging technology and high strength dischargers the actual capacity of the plant is closer to 1.6 MGD. KCI's predictive flow analysis estimated the City's treatment plant will only need to be able to treat approximately 2.5 MGD over the next 5- 10 years. Meaning if the plant could operate at a true 2.5 MGD capacity we could easily buy 5-10 years. Following this period, KCI estimated a plant capacity of approximately 3 MGD would serve the City for an additional 10-20 years, depending on growth, at which time the plant will need to handle about 4 MGD. KCI's predictive flow analysis considered the maximum development in all of the City owned land that is developable with some contingency for the addition of a minor amount of manufacturing and other customers in the County but outside of the City.

Discussion:

Based on the predictive flow analysis, KCI has recommended a 3 phased approach to plant expansion over the period of the next 20 -30 years, depending on growth, with Phase 1 taking plant capacity to 2.5 MGPD, Phase 2 taking Plant Capacity to 3 MGPD, and Phase 3 taking plant capacity to 4 MGPD. The phased approach would look like the following:

Phase 1 Upgrades

- Rated capacity of the WWTP will remain 2.5 MGD
- Installation of new Influent Screening, Grit Removal and EQ Pump Station

- Upgrades to the existing Equalization Basin including mixing and piping modifications for better flow control
- Installation of new Primary Filters to improve treatment capacity of the plant to 2.5 MGD and to handle wet weather flows
- Primary Filtration will be included in the design and bidding of Phase 1, but can be shifted to Phase 2 if bids received exceed available funding

Phase 2 Upgrades

- The rated capacity of the WWTP will be expanded to 3.0 MGD
- Conversion of EQ Pump Station installed in Phase 1 to Influent Pump Station with new pumps
- Installation of new Biological Treatment Process
- Upgrades to the existing Solids Handling facilities and Disinfection system
- Conversion of existing Equalization Basin to a Digester
- Conversion of existing Digester to Post Equalization Basin

Phase 3 Upgrades

- The rated capacity of the WWTP will be expanded to 4.0 MGD
- Installation of new pumps in the Influent Pump Station installed in Phase 2
- Expansion of Biological Treatment Process installed in Phase 2

These phases are also shown on the attached flow diagrams, which Staff will plan to discuss in detail at the Council Meeting.

Phase 1 is estimated to cost between \$9M - \$12M and will be designed such that the Primary Filtration could be bid as an Add Alternate or included in Phase 2 if bidding reveals an inadequate budget.

Staff is recommending that we continue to work with KCI to finalize the Phase 1 design and complete the Preliminary Engineering Report for Phases 2 & 3. KCI has provided a proposal for the remaining work via Amendment No. 2. Amendment No. 2 has been reviewed and negotiated by Staff, and Staff is recommending that we award.

Amendment #2 Includes the following:

1. Final Design through Construction Phase services for Phase 1
2. Bidding for Phase 1
3. Construction Administration and Observation for a 12-month period
4. Phase 2 & 3 Preliminary Engineering Reports

5. Funding assistance for Phases 2 & 3

Upon approval by the State to use the remaining approximately \$9M appropriation we have on hand for the renovation to the wastewater treatment plant, staff recommends the City proceed with Amendment No. 2.

This phased approach to renovation of the wastewater treatment plant has been approved and is recommended by the Public Works & Utilities Committee.

Fiscal Impact:

Amendment No. 2 is in the amount of \$878,000.

Upon approval by the State of the use for the current remaining \$9M appropriation for the wastewater plant renovation there will again be no noted impact to the City's finances, and if bids are higher than expected, Phase 1 will be designed to value engineer out the primary filter, moving it to Phase 2.

Action:

Staff recommends Council approve KCI Amendment No.2.

Attachments:

1. KCI Amendment No. 2
2. Res_2025-XX Approval of KCI Amendment No. 2 Wastewater Treatment Plant Renovation

**AMENDMENT #2 TO
BREVARD WWTP PRELIMINARY ENGINEERING REPORT
STATEMENT OF WORK**

KCI Project No. 412403571

June 11, 2025

THIS AMENDMENT NO. 1 TO BREVARD WWTP PRELIMINARY ENGINEERING REPORT STATEMENT OF WORK (“**Amendment**”) is entered into as of the date of last signature between City of Brevard (“**Client**”) and KCI Associates of North Carolina, P.A. (“**KCI**”), hereinafter referred to jointly as the “**Parties**” or singularly as the “**Party**”.

1. **Amendment to the Statement of Work.** The following Section of the Statement of Work between the Client and KCI dated July 1, 2024 (“**Statement of Work**”) is hereby amended by mutual agreement of the Parties as of the Effective Date:

a) PURPOSE OF AMENDMENT

KCI to provide the following additional services:

- 7.2 Phase 1: Final Design
- 7.3 Phase 1: Bidding
- 7.4 Phase 1: Construction Administration
- 7.5 Phase 1: RPR
- 8 Phase 2 & 3 Preliminary Engineering Report
- A-1 Funding Assistance Allowance

TASK 7.2: PHASE 1: FINAL DESIGN

- Provide geotechnical investigation of the proposed construction site for use in structural design.
- Prepare detailed design drawings including civil/site, mechanical process, piping and instrumentation diagrams, electrical, structural, and other disciplines as required.
- Perform no-rise modeling study and prepare necessary documents for submission to the Brevard Floodplain Manager.
- Incorporate 30% design review comments into drawings and technical specifications.
- Coordinate with the Client staff and funding agency to prepare Contract Documents (“front-end” documents) conforming with Client and/or funding agency requirements.
- Prepare 60% OPC.
- Deliver 60% Plans, Specifications, Contract Documents, and OPC for Client review.
- Schedule and attend a 60% design review meeting with Client (on-site).
- Incorporate 60% design review comments into Plans, Specifications, and Contract Documents.
- Prepare Final OPC based on 90% Plans and Specifications.
- Update Project Schedule.
- Deliver 90% Plans, Specifications, Contract Documents, OPC, and schedule for Client

review.

- Schedule and attend a 90% design review meeting with Client (remote).
- Incorporate 90% design review comments into Final Construction Documents (Contract Documents, Plans, and Specifications).
- Deliver Final Construction Documents and application packages, as required, to appropriate review and permitting agencies for approval. KCI assumes agency review is limited to NCDEQ Division of Water Infrastructure for Plan and Specification approval to bid, NCDEQ Water Quality permitting for an Authorization to Construct and Transylvania County for a Floodplain Development Permit.
- Respond to one set of comments from each agency and update Construction Documents accordingly.

Task 7.2 Assumptions:

- Three (3) virtual progress meetings are included in this Task
- Three (3) in-person 3-4 hour workshop will be conducted to review the 60% Plans and Specifications, 90% Plans and Specifications and Final Construction Documents after agency review and approval.

Task 7.2 Deliverables (all in PDF format):

- 60% Plans and Specifications
- 60% OPC
- 90% Plans and Specifications
- 90% OPC
- 90% Contract Documents
- Final Construction Documents for Agency review

TASK 7.3: PHASE 1: BIDDING

- Prepare Contract / Bid Documents and obtain approval to advertise from the City and the funding agencies. It is anticipated that the project will consist of one prime construction contract.
- Coordinate the insertion of an advertisement or invitation to bid in a local newspaper. Notification of the advertisement or invitation to bid will also be sent to area contractors who might be interested in bidding the project.
- Host the Contract / Bid Documents on our website, Quest, for bidders to download.
- Conduct a Pre-bid conference and provide meeting minutes to all plan holders.
- During the bid advertisement / invitation period, provide necessary information to satisfactorily resolve any questions which might arise from potential bidders or equipment/material suppliers.
- Conduct bid opening, review and tabulate all bids received and review the qualifications of any bidder, if deemed appropriate.
- Provide a Recommendation of Award.
- Submit Approval to Award package to NCDEQ.

Task 7.3 Assumptions:

- One (1) in-person 1-2 hour pre-bid meeting will be conducted for potential bidders.

Task 7.3 Deliverables (all in PDF format):

- Recommendation of Award
- Approval to Award package for NCDEQ approval

TASK 7.4: PHASE 1: CONSTRUCTION ADMINISTRATION (CA)

- Upon authorization to award the construction project, prepare and coordinate the completion and execution of the contract documents. It is anticipated that the project will consist of one prime construction contract.
- Schedule and conduct a pre-construction conference.
- Shop Drawings:
 - Establish and administer a procedure for receiving all tracking all submittals made by the Contractor.
 - Review, approve, or take other appropriate action in respect to Shop Drawings, Samples, and other data in which Contractor is required to submit, but only for conformance with the requirements set for the in the Contract Documents and compatibility with the design concept of the completed project as a functioning whole as indicated by the Contract Documents. Such reviews, approvals, or other actions will not extend to means, methods, techniques, sequences, or procedures of construction or to safety precautions and programs incident thereto.
 - KCI shall meet the review schedule as required by the Contract Documents.
- Construction Site Visits
 - Make periodic site visits to the construction site to confirm that design is completed in accordance with the design documents.
 - Visits shall be appropriate to the various stages of construction and may include attendance at critical activities such as concrete pours.
 - A total of twenty (20) visits is included in the scope. Note that these site visits are exclusive of the routine construction observation included in Task 7.5 (Resident Project Representative).
- Schedule, prepare for, attend, and conduct progress meetings at the project site to include City staff and Contractor's representative(s). These meetings will normally be held on a monthly basis. Prepare and distribute meeting minutes to all attendees and key team members. A total of fifteen (15) on-site progress meetings is assumed in the scope, plus three (3) remote meetings during mobilization, demobilization, or other low activity periods.
- Recommend to the City that Contractor's Work be rejected while it is in progress if, on the basis of the KCI's observations, KCI believes that such Work will not produce a completed project that conforms generally to the Contract Documents or that it will threaten the integrity of the design concept of the completed project as a functioning whole as indicated in the Contract Documents.
- Issue necessary clarifications and interpretations of the Contract Documents as appropriate to the orderly completion of Contractor's work. Such clarifications and interpretations will

be consistent with the intent of and reasonably inferable from the Contract Documents.

- Should the Contractor submit claims related to the project and/or modifications become necessary to meet the City's needs for the project, KCI shall review the claims and/or proposed modifications and advise the City on the approach for resolution of the related issues. KCI shall review justification for all claims for modifications to the project cost and/or schedule and develop recommendations to the City for the fair and equitable resolution of such claims. This will include the review and preparation of Change Orders to the Contract.
- Receive and review certificates of inspections, tests, and approvals required by the Contract Documents. KCI's review of such certificates will be for the purpose of determining that the results certified indicate compliance with the Contract Documents and will not constitute an independent evaluation that the content or procedures of such inspections, tests, or approvals comply with the requirements of the Contract Documents. KCI shall be entitled to rely on the results of such tests.
- Pay Request Review
 - Determine the amounts that KCI recommends the Contractor be paid, based on such observations and review, that, to the best of KCI's knowledge, information, and belief, Contractor's Work has progressed to the point indicated, the quality of such Work is generally in accordance with the Contract Documents, and the conditions precedent to Contractor's being entitled to such payment appear to have been fulfilled in so far as it is KCI's responsibility to observe Contractor's Work.
 - By recommending any payment, KCI shall not thereby be deemed to have represented that observations made by KCI to check the quality or quantity of Contractor's Work as it is performed and furnished have been exhaustive, extended to every aspect of Contractor's Work in progress, or involved detailed inspections of the Work beyond the responsibilities specifically assigned to KCI in this Agreement and the Contract Documents. Neither KCI's review of Contractor's Work for the purposes of recommending payments nor KCI's recommendation of any payment including final payment will impose on KCI responsibility to supervise, direct, or control Contractor's Work in progress or for the means, methods, techniques, sequences, or procedures of construction or safety applicable to Contractor's furnishing and performing the Work. It will also not impose responsibility on KCI to make any examination to ascertain how or for what purposes Contractor has used the moneys paid on account of the Contract Price, or to determine that title to any portion of the Work in progress, materials, or equipment has passed to Owner free and clear of any liens, claims, security interests, or encumbrances, or that there may not be other matters at issue between Owner and Contractor that might affect the amount that should be paid.
- Receive, review, and transmit to the City maintenance and operating manuals, schedules, guarantees, bonds, certificates, or other evidence of insurance required by the Contract Documents, certificates of inspection, tests and approvals, Shop Drawings, Samples, and other data approved as described above.
- Promptly after notice from Contractor that Contractor considers the entire Work ready for its intended use, in company with the City and the Contractor, conduct a pre-final inspection to determine if the Work is substantially complete. If after considering any objections of the City, KCI considers substantially complete, KCI shall deliver a letter

certifying the date of the Substantial Completion to the City and Contractor.

- Prepare a punch list of items for the Contractor to address, assist in resolving punch list items with the Contractor, and perform follow-up visits to verify the satisfactory resolution of all punch list items.
- In company with the City's representative, conduct a final inspection to determine if the completed Work of Contractor is acceptable so that KCI may recommend, in writing, final payment to Contractor.
- Startup Services
 - Prior to final acceptance, observe operational testing of the new WPCP components including: influent pump station, headworks, equalization basin, mixed liquor recycle system, recycle pump station, biosolids handling system, disinfection system, effluent pump station, and effluent and site piping. A total of four (4) one-day startup site visits are included in the scope.
- Based on "as-built" drawings provided by the contractor, prepare final "Record Drawings" and provide to City both a digital PDF copy and one (1) hard copy.
- Arrange for the final inspections with appropriate representatives of the Contractor(s), City, NCDEQ, and other appropriate parties.
- Compile an O&M Manual for the upgraded facility. O&M Manual will address overall facility management; unit process descriptions, design conditions, process narratives, and setpoints; plant operations during normal and emergency conditions; equipment maintenance (including references to manufacturer's manuals and maintenance schedules); and safety.
- Provide related engineering services necessary to complete/close-out the project as required by City, funding agencies, or permitting authorities.

TASK 7.5: PHASE 1: RESIDENT PROJECT REPRESENTATIVE (RPR)

- Provide observations services by a Resident Project Representative (RPR) during construction of the work to ascertain the progress of the work and to ensure general compliance with the contract documents. Observation services shall include an average of 8 hours on-site per week (during the active construction periods, assume 12 months active construction) by a qualified project representative. Additional visits will be provided as required during concrete placement, jacking/boring activities, open cuts of NCDOT roadways, creek crossings, pump station and equipment start-ups, testing activities, and coordination of critical WWTP tie-ins.
- Completion time for all construction activities is anticipated within 365 days of the issuance of a Notice to Proceed to the successful bidder(s).
- Provide a Resident Project Representative (RPR) to be periodically present at the project site to observe and document quality and progress of construction. RPR tasks are inclusive but not limited to the following:
- Report to the City whenever Resident Project Representative (RPR) believes that any part of the Work is defective under the terms and standards set forth in the Construction Contract Documents and provide recommendations as to whether such Work should be corrected, removed and replaced, or accepted as provided in the Construction Contract Documents.

- Inspections, Tests, and System Start-ups:
 - Consult with the City staff in advance of scheduled inspections, tests, and systems start-ups.
 - Verify that tests, equipment, and systems start-ups and operating and maintenance training are conducted in the presence of appropriate Engineer's personnel, and that Contractor maintains adequate records thereof.
 - Observe, record appropriate details relative to the test procedures and systems start-ups.
- Observe whether Contractor has arranged for inspections required by Laws and Regulations, including but not limited to those to be performed by public or other agencies having jurisdiction over the Work.
- Accompany visiting inspectors representing public or other agencies having jurisdiction over the Work and record the results of these inspections.
- Records:
 - Prepare a report (for each site visit) recording Contractor's hours on the site, subcontractors present at the site, weather conditions, data relative to questions of change orders, work change directives, or changed conditions, site visitors, deliveries of equipment or materials, daily activities, decisions, observations in general, and specific observations in more detail as in the case of observing test procedures.
 - Photograph (or video when practical) work in progress or site conditions.
- Reports:
 - Furnish to the City periodic reports (monthly) of the progress of the work and of Contractor's compliance with the progress schedule.
 - Furnish to the City copies of inspection, test, and system start-up reports.
 - Review applications for payment with Contractor for compliance with the contract documents and progress of work.
- Completion:
 - Participate in visits to the site regarding Substantial Completion, assist in the determination of Substantial Completion, and prior to the issuance of a Certificate of Substantial Completion submit a punch list of observed items requiring completion or correction.
 - Participate in the visit to the site in the company of Engineer and Contractor, to determine completion of the Work, and prepare a final punch list of items to be completed or corrected by Contractor.

TASK 8 – PHASE 2 & 3 PRELIMINARY ENGINEERING REPORT

- Evaluate up to three (3) treatment technology alternatives utilizing a decision matrix for replacement of the existing 2.5 MGD WWTP capacity and expandability for future flow needs for 3.0 MGD and 4.0 MGD. The equipment decision matrix will consider such factors as:
 - Capital costs
 - Overall footprint
 - Equipment efficiency and energy usage
 - Equipment availability
 - Manufacturing and delivery lead times

- Construction sequencing
- O&M costs
- Spare parts and maintenance support from the manufacturer
- Preliminary process and hydraulic models will be created for each alternative to confirm feasibility of operation and ability to meet project parameters.
- Conduct a final in-person workshop to review the treatment technology alternatives with Client staff.
- Summarize the workshop conclusions and our final recommendation in a TM for concurrence by the Client.
- After approval of the TM, KCI will prepare a full Preliminary Engineering Report suitable for NCDEQ funding submission.

Task 8 Assumptions:

- Three (3) virtual progress meetings are included in this Task
- Two (2) in-person 3-4 hour workshops will be conducted to review treatment technologies and the engineering alternatives TM (if regionalization partner(s) are identified, intent would be for them to attend this workshop for input/comment).

Task 8 Deliverables:

- Technical Memorandum summarizing treatment technology alternatives.
- Preliminary Engineering Report with proposed treatment technology and equipment alternatives.

TASK A-1: FUNDING ASSISTANCE ALLOWANCE

KCI recommends setting aside an owner-directed allowance for funding assistance to allow KCI to assist in exploring potential funding opportunities with the Client. This task will be billed on a Lump Sum Basis based on the percentage of work completed as authorized by the Client. This could include coordination with existing Division of Water Infrastructure funds, and other potential funding sources (i.e. ARC, WIFIA, SRF, etc.)

EXCLUSIONS AND ADDITIONAL SERVICES

Specific exclusions from the Scope of Services that may be performed as Additional Services at an additional cost are as follows:

1. Preparation of application for individual wetlands permit(s).
2. Additional site visits.
3. Preparation of Environmental Assessments or Environmental Impact Statements.
4. Applicable permit fees (construction, land disturbance, stormwater, etc.).
5. Easement negotiation and preparation of easement documents.
6. New SCADA system design for future upgrades is excluded from Phase 1 scope of services. If Client desires to implement new SCADA system under Phase 1, this can be

provided for an additional fee.

7. Public road ROW encroachment permit applications.
8. Materials testing (soil compaction, concrete testing, etc.) during construction.

b) The Fee and Payment Section of the Statement of Work is modified as follows:

Task No	Task Description	Duration¹ (Months)	Fee Type Lump Sum / T&E	Estimated Fee
<i>1</i>	<i>Project Goal Definition</i>	<i>1</i>	<i>Lump Sum</i>	<i>\$ 36,900</i>
<i>2</i>	<i>Data Collection and Existing Equipment Review</i>	<i>1</i>	<i>Lump Sum</i>	<i>\$ 86,100</i>
<i>3</i>	<i>Flow Projections and Design Basis</i>	<i>2</i>	<i>Lump Sum</i>	<i>\$ 63,000</i>
<i>4</i>	<i>Engineering Alternatives Analysis – Site Selection</i>	<i>3</i>	<i>Lump Sum</i>	<i>\$ 11,700</i>
<i>5</i>	<i>Treatment Technology Evaluation</i>	<i>3</i>	<i>Lump Sum</i>	<i>\$ 38,610</i>
<i>6</i>	<i>Prepare Final Recommendations and Consolidated Report</i>	<i>2</i>	<i>Lump Sum</i>	<i>\$4,800</i>
<i>7.1</i>	<i>Phase 1: Preliminary Design</i>	<i>4</i>	<i>Lump Sum</i>	<i>\$110,890</i>
7.2	Phase 1: Final Design	5	Lump Sum	\$374,000
7.3	Phase 1: Bidding	2	Lump Sum	\$40,000
7.4	Phase 1: Construction Administration	18	Lump Sum	\$200,000
7.5	Phase 1: RPR	18	T&E	\$130,000
8	Phase 2 & 3 Preliminary Engineering Report	5	Lump Sum	\$109,000
A-1	Funding Assistance Allowance	TBD	Lump Sum	\$ 25,000

Total

\$ 1,230,000

*Tasks in *Gray Italics* were part of Amendment #1

c) Amendment Summary:

Original Contract Amount	\$ 352,000
Amount from Previous Amendments	\$0
Amount this Amendment	\$878,000
Total Revised Contract Amount	\$1,230,000

2. **Definitions.** Capitalized terms used and not defined in this Amendment have the respective meanings assigned to them in the Statement of Work.
3. **Statement of Work Remains in Effect.** Except as expressly provided in this Amendment, all of the terms and provisions of the Statement of Work are and shall remain in full force and effect and are hereby ratified and confirmed by the Parties. On and after the Effective Date, each reference in the Statement of Work to “this Statement of Work,” “the Statement of Work,” “hereunder,” “hereof,” “herein,” or words of like import will mean and be a reference to the Statement of Work as amended by this Amendment.
4. **Counterparts.** This Amendment may be executed in counterparts, each of which is deemed an original, but all of which constitute one and the same agreement. Delivery of an executed counterpart of this Amendment electronically shall be effective as delivery of an original executed counterpart of this Amendment.

KCI:

KCI Associates of North Carolina, P.A.

BY:

Signature

Name

Title

Date

City of Brevard.:

BY:

Signature

Name

Title

Date

RESOLUTION NO. 2025-XX

RESOLUTION APPROVING KCI ASSOCIATES OF NORTH CAROLINA, P.A. AMENDMENT NO. 2 FOR THE WASTEWATER TREATMENT PLANT RENOVATION PROJECT

WHEREAS, in July of 2024 the City selected KCI Associates of North Carolina P.A. (KCI) as the engineer of record for the Wastewater Treatment Plant project to develop a Preliminary Engineering Report (PER) to determine the need for renovation or replacement of the City's Wastewater Treatment Plant; and

WHEREAS, the KCI analysis, which included a predictive flow analysis of current and future flows, determined the current plant could be renovated within the present footprint versus constructing a new plant on a different location; and

WHEREAS, the KCI analysis determined that flow increase would happen slowly over time allowing for a 3 phase approach over the next 20 to 30 years, depending on growth, to implement the renovation of the plant; and

WHEREAS, the Public Works and Utilities Committee approved and recommended proceeding with the 3 phase approach to implementing the renovation of the plant; and

WHEREAS, City staff have negotiated in good faith with KCI to define the scope and cost of Amendment No. 2; and

WHEREAS, the City Manager and staff recommend proceeding with KCI to complete the design and construction of Phase 1, and PERs for Phases 2 and 3 using the remaining \$9 million portion of the previous \$12 million appropriation designated for improvements to water and sewer systems, pending State approval.

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

Section 1. The City Manager and or his designee are directed to approve the KCI Design Amendment No.2.

Section 2. This resolution shall be effective upon adoption.

Adopted and approved this 16th day of June 2025

Maureen Copelof
Mayor

ATTEST:

Denise Hodsdon, CMC
City Clerk

STAFF REPORT

City Council, Monday, June 16, 2025

Title: Finance Report at 4-30-2025

Speaker: Dean LUEbbe

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

Approved by: Wilson Hooper, City Manager

Background

Finance Summary of General, Water and Sewer, and Fire funds at 4-30-2025.

Action

No action required; for information only.

Attachments:

1. 4-30-25 finance report

City of Brevard Financial Report

FY25 4-30-2025

GENERAL FUND

REVENUES	CURRENT BUDGET	ACTUAL TO DATE (\$)	ACTUAL TO DATE (%)	LAST FY ACTUAL TO DATE (\$)	YoY GROWTH (%)
AD VALOREM TAXES	\$ 6,484,600	\$ 6,279,502	96.8%	\$ 6,293,233	▼ 0%
SALES AND UTILITY TAXES	3,086,850	1,743,763	56.5%	1,646,999	▲ 6%
POWELL BILL	255,000	283,149	111.0%	257,715	▲ 10%
ABC REVENUES	240,000	240,000	100.0%	120,000	▲ 100%
UTILITY FUND REIMB	661,000	661,000	100.0%	525,000	▲ 26%
INTEREST REVENUE	508,805	416,006	81.8%	443,676	▼ -6%
SANITATION REVENUE	1,253,800	992,415	79.2%	960,407	▲ 3%
MISC	774,500	532,966	68.8%	579,269	▼ -8%
DEBT PROCEEDS	-	-	#DIV/0!	200,276	▲ -100%
FUND BALANCE APPROP	102,000	-	0.0%	-	
TOTAL	\$ 13,366,555	\$ 11,148,801	83.4%	\$ 11,026,575	▲ 1%

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EXPENDITURES AND ENCUMBRANCES	CURRENT BUDGET	EXPENDITURES TO DATE (\$)	ENCUMBRANCES TO DATE (\$)	TOTAL COMMITTED (%)	LAST FY EXPENDITURES TO DATE (\$)
GOVERNING BOARD	\$ 194,410	\$ 135,311	\$ -	70%	\$ 201,419
ADMINISTRATION	1,049,500	841,153	12,000	81%	760,952
FINANCE	917,200	755,699	30,632	86%	698,094
PLANNING	1,005,400	796,404	42,026	83%	687,167
BUILDING AND GROUNDS	570,400	431,389	7,157	77%	436,280
POLICE	4,027,500	3,143,991	33,034	79%	2,980,869
PW ADMINISTRATION	626,000	539,350	-	86%	383,035
PW GARAGE	562,800	476,821	-	85%	394,728
PW STREETS LOCAL	824,400	750,378	15,101	93%	688,426
PW STREETS POWELL BILL	243,000	86,191	174,727	107%	28,940
SANITATION	1,228,100	918,486	47,660	79%	902,350
COMMUNITY CENTER	155,700	136,652	5,660	91%	110,828
RECREATION	287,900	181,468	35,483	75%	175,999
NON DEPARTMENTAL	1,674,245	1,644,892	-	98%	1,978,509
TOTAL	\$ 13,366,555	\$ 10,838,185	\$ 403,480	84%	\$ 10,427,596

FIRE FUND

REVENUES	CURRENT BUDGET	ACTUAL TO DATE (\$)	ACTUAL TO DATE (%)	LAST FY ACTUAL TO DATE (\$)	YoY GROWTH (%)
TRANSYLVANIA COUNTY	\$ 646,155	\$ 536,359	83.0%	\$ 606,728	▼ -12%
TRANSFER FROM GENERAL FUND	789,745	789,745	100.0%	726,000	▲ 9%
DEBT PROCEEDS	1,550,000	-	0.0%	694,588	
OTHER REVENUES	20,400	76,177	373.4%	13,778	▲ 453%
FUND BALANCE APPROP	-	-	0.0%	-	
TOTAL	\$ 3,006,300	\$ 1,402,281	46.6%	\$ 2,041,094	▲ -31%

EXPENDITURES AND ENCUMBRANCES	CURRENT BUDGET	EXPENDITURES TO DATE (\$)	ENCUMBRANCES TO DATE (\$)	TOTAL COMMITTED (%)	LAST FY EXPENDITURES TO DATE (\$)
PERSONNEL	\$ 730,500	\$ 688,792	\$ -	94%	\$ 592,815
OPERATING	376,800	352,747	10,494	96%	332,726
CAPITAL	1,550,000	764,465	845,871	104%	66,989
DEBT PAYMENTS	349,000	293,662	-	84%	105,153
TOTAL	\$ 3,006,300	\$ 2,099,666	\$ 856,365	98%	\$ 1,097,683

WATER FUND

REVENUES	CURRENT BUDGET	ACTUAL TO DATE (\$)	ACTUAL TO DATE (%)	LAST FY ACTUAL TO DATE (\$)	YoY GROWTH (%)
CHARGES FOR SERVICES	\$ 6,931,300	\$ 5,555,154	80.1%	\$ 5,381,435	▲ 3%
METER AND CONNECTION FEES	340,000	185,531	54.6%	258,489	▼ -28%
OTHER REVENUES	161,500	177,558	109.9%	110,615	▲ 61%
TRANSFER IN	-	-			
FUND BALANCE APPROP	-	-		-	
TOTAL	\$ 7,432,800	\$ 5,918,243	79.6%	\$ 5,750,539	▲ 3%

EXPENDITURES AND ENCUMBRANCES	CURRENT BUDGET	EXPENDITURES TO DATE (\$)	ENCUMBRANCES TO DATE (\$)	TOTAL COMMITTED (%)	LAST FY EXPENDITURES TO DATE (\$)
PERSONNEL	\$ 2,158,200	\$ 1,693,883	\$ -	78%	\$ 1,521,407
OPERATING	2,410,100	1,731,194	205,599	80%	1,869,075
CAPITAL	141,000	119,910	-	85%	188,792
TRANSFERS OUT	943,800	661,000	-	70%	450,000
DEBT PAYMENTS	1,779,700	1,724,169	-	97%	1,660,193
TOTAL	\$ 7,432,800	\$ 5,930,156	\$ 205,599	83%	\$ 5,689,467

- At 4-30-2025, expenses and revenues which flow evenly throughout the year, should approximate 83% of budgeted amounts. However, Sales and Utility tax revenues are on a three month lag.

- 96.8% of real property taxes have been received as of 4-30-2025. The City expects overall collection to once again exceed 99% by fiscal year end.

- General Fund revenues and expenditures are relatively stable as compared to the previous fiscal year. Since Hurricane Helene, the City has received six full months of sales tax proceeds. In that period, the City has received \$1,189,257.24, as compared to \$1,099,767.14 from the same period in the previous fiscal year, which equates to an 8% increase. (Today, June 11, 2025 the City received sales tax for March 2025 sales. The amount received (\$220,017.67) was the second highest amount ever received by the City.

- Fire Fund expenditures have nearly doubled from \$1,097,683 to \$2,099,666. All categories show increases. Personnel related expenses are higher due in part to extra hours needed during the Hurricane. The City is expecting FEMA to cover these hours. Additionally, the Rescue Truck (\$764,465) was paid for in July of 2024, and debt payments are higher because in July of 2024 the City started paying the debt on the 4 X 4 Engine (which we expect to receive and pay for in July of 2025). All of these increases were expected by the Finance Department.

- The Water and Sewer Fund revenues and expenditures are largely stable as well. In the previous fiscal year, Water and Sewer Connection fees at April 30 were \$107,500, in the current fiscal year they are \$33,000. While not a significant number when comparing to overall Water and Sewer revenues, the trend is being monitored. The High Strength Waste Charge is bringing in close to \$15,000 per month.

STAFF REPORT

City Council, Monday, June 16, 2025

Title: Budget Amendment - Powell Bill - \$28,200

Speaker: Dean Luebbe

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

Approved by: Wilson Hooper, City Manager

Background

End of fiscal year budget entry to record higher Powell Bill revenues and expenditures during FY25.

Recommendation

Council is asked to adopt the Budget Amendment as presented.

Attachments:

1. Budget Amendment Powell Bill \$28,000

ORDINANCE NO. 2025-XX
AN ORDINANCE AMENDING THE FY2024-2025 BUDGET.
BUDGET AMENDMENT NUMBER 25-10

SUBJECT: Budget Amendment to increase Powell Bill related expenditures and revenues by \$28,000.

AGENDA INFORMATION

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

BRIEF SUMMARY: Powell Bill revenues received during FY24-25 were \$28,200 higher the budgeted. The City elected to spend this unexpected overage on repaving of City streets. In total, the City expended \$248,147.25 in street repaving during FY24-25.

MOTION FOR CONSIDERATION: To approve Budget Amendment 25-10, as submitted, increasing the budget in expenditure account:

10-5700-4500 (Contracted Services)	\$28,200
TOTAL	\$28,200

And increasing the budget in the revenue account:

10-3430-0000 (Powell Bill revenues)	\$28,200
TOTAL	\$28,200

ATTACHMENTS: None.

MANAGER’S RECOMMENDATION: Adopt as presented.

Approved and adopted this 16th day of June 2025.

Maureen Copelof
Mayor

ATTEST:

Denise Hodsdon, CMC
City Clerk

APPROVED AS TO FORM:

Mack McKeller
City Attorney

STAFF REPORT

City Council, Monday, June 16, 2025

Title: Budget Amendment - Finance - \$30,000

Speaker: Dean Luebbe

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

Approved by: Wilson Hooper, City Manager

Background

The Finance Department requires a \$30,000 end of fiscal year budget amendment because of higher than anticipated monthly IT costs and the one time cost involving the email conversion. The City will use higher than expected motor vehicle tax revenue as the offsetting entry.

Recommendation

Staff request that Council adopt the Budget Amendment as presented.

Attachments:

1. Budget Amendment Finance Department \$30,000

ORDINANCE NO. 2025-XX
AN ORDINANCE AMENDING THE FY2024-2025 BUDGET.
BUDGET AMENDMENT NUMBER 25-11

SUBJECT: Budget Amendment to increase Finance Department expenditures by \$30,000.

AGENDA INFORMATION

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

BRIEF SUMMARY: Managed IT costs for the entire City have historically been budgeted through the Finance Department. These costs were higher than budgeted in FY24-25, in part because of the email upgrade. The City has elected to spread these costs over the individual funds and departments receiving these services in the FY25-26 budget.

Fortunately, motor vehicle taxes were originally budgeted at \$304,700 and are expected to end the fiscal year in excess of \$350,000, so the City will utilize a portion of this underbudgeted revenue as the offset.

MOTION FOR CONSIDERATION: To approve Budget Amendment 25-11, as submitted, increasing the budget in expenditure account:

10-4400-4500 (Contracted Services)	\$30,000
TOTAL	\$30,000

And increasing the budget in the revenue account:

10-3190-0000 (Motor vehicle taxes)	\$30,000
TOTAL	\$30,000

ATTACHMENTS: None.

MANAGER’S RECOMMENDATION: Adopt as presented.

Approved and adopted this 16th day of June 2025.

Maureen Copelof
Mayor

ATTEST:

Denise Hodsdon, CMC
City Clerk

APPROVED AS TO FORM:

Mack McKeller
City Attorney

STAFF REPORT

City Council, Monday, June 16, 2025

Title: Budget Amendment - Streets Department - \$77,500

Speaker: Dean Luebbe

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

Approved by: Wilson Hooper, City Manager

Background

The Streets Department requires an end of fiscal year budget amendment for \$77,500 as line items involving streetlight electricity charges, the speed cushions on Probart Street, and general department supplies are all expected to exceed budgeted amounts. The City is showing budget savings in the Sanitation Department, and will utilize these savings as the budget offset.

Recommendation

Council is asked to adopt the Budget Amendment as presented.

Attachments:

1. Budget Amendment Streets Dept \$77,500

ORDINANCE NO. 2025-XX
AN ORDINANCE AMENDING THE FY2024-2025 BUDGET.
BUDGET AMENDMENT NUMBER 25-12

SUBJECT: Budget Amendment to increase Streets Department expenditures by \$77,500.

AGENDA INFORMATION

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

BRIEF SUMMARY: The Streets Department needs an end of fiscal year budget amendment for a three different reasons.

Firstly, the budgeted amount for streetlights was slightly underbudgeted, but this was compounded by the fact that Duke rates greatly increased in the last 24 months. (As an example, payments made to Duke for streetlights, (Jan. 2023 \$10,560.11), (Jan. 2024 \$12,279.63), (Jan. 2025 \$13,483.26). A \$30,000 budget amendment is needed on the streetlight account.

Secondly, the speed cushions project on Probart Street took longer than anticipated and ended up being recorded as an expense in FY25. Originally, the City Manager had requested and received Council approval to include this project in the Supplemental Spending Plan from the FY24-25 budget. At that time, the City was hopeful that the project would be completed by June 30, 2024. Ultimately, it was completed in February of 2025. A \$27,500 budget amendment is needed on the contracted services account.

Lastly, the Department Supplies account is in need of a \$20,000 budget increase as the department has needed more of everything, particularly coldpatch.

The budget offset to these entries come from savings in the Sanitation Department.

MOTION FOR CONSIDERATION: To approve Budget Amendment 25-12, as submitted, increasing the budget in expenditure account:

10-5600-1300 (Streetlights)	\$30,000
10-5600-4500 (Contracted Services)	\$27,500
10-5600-3300 (Department Supplies)	\$20,000
TOTAL	\$77,500

And decreasing the budget in the expenditure account:

10-5800-7400 (Capital Outlay)	\$57,300
10-5800-4500 (Contracted Services)	\$18,200
TOTAL	\$77,500

ATTACHMENTS: None.

MANAGER’S RECOMMENDATION: Adopt as presented.

Approved and adopted this 16th day of June 2025.

Maureen Copelof
Mayor

ATTEST:

Denise Hodsdon, CMC
City Clerk

APPROVED AS TO FORM:

Mack McKeller
City Attorney

STAFF REPORT

City Council, Monday, June 16, 2025

Title: Budget Amendment - Community Center - \$16,000

Speaker: Dean Luebbe

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

Approved by: Wilson Hooper, City Manager

Discussion

In an effort to improve upon recording of costs to the proper funds and departments, the Finance Department made certain changes during the fiscal year 25, which will result the Community Center Department exceeding budget. Utility and maintenance and repair costs associated with the Railroad Depot, French Broad Community Center and the Girl Scout Hut will now be recorded under the Community Center Department. Previously, most of these expenditures were recorded under Public Buildings.

Recommendation

Adopt as presented.

Attachments:

1. Budget Amendment Community Centers and Building Grounds \$16,000

ORDINANCE NO. 2025-XX
AN ORDINANCE AMENDING THE FY2024-2025 BUDGET.
BUDGET AMENDMENT NUMBER 25-13

SUBJECT: Budget Amendment to increase Community Center expenditures by \$16,000.

AGENDA INFORMATION

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

BRIEF SUMMARY: As highlighted in the FY25-26 budget, the City is in the process of separating certain costs to the better reflect the department that utilizes the service. Previously, many utility and maintenance and repair expenditures were recorded in the Public Buildings Department, but in the FY25-26 budget, many of these charges have been budgeted under the Community Center Department. The Finance Department actually started recording these entries during FY25, so the Community Center is in need of a \$16,000 budget amendment.

The offsetting entry, reduces budgeted expenditures in the Public Building Department.

MOTION FOR CONSIDERATION: To approve Budget Amendment 25-13, as submitted, increasing the budget in expenditure accounts:

10-6150-1540 (Maint and Repair)	\$10,000
10-6150-1120 (Telephone and Internet - FBCC)	\$6,000
TOTAL	\$16,000

And decreasing the budget in the expenditure account:

10-5000-1300 (Utilities)	\$16,000
TOTAL	\$16,000

ATTACHMENTS: None.

MANAGER’S RECOMMENDATION: Adopt as presented.

Approved and adopted this 16th day of June 2025.

Maureen Copelof
Mayor

ATTEST:

Denise Hodsdon, CMC
City Clerk

APPROVED AS TO FORM:

Mack McKeller
City Attorney

STAFF REPORT

City Council, Monday, June 16, 2025

Title: Budget Amendment - Public Works Admin - \$42,000

Speaker: Dean Luebbe

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

Approved by: Wilson Hooper, City Manager

Background

The Public Works Administration Department is in need of an end of fiscal year budget amendment because higher than expected regular and overtime salaries. The offsetting entry will come from the Police Department salary savings.

Recommendation

Council is asked to adopt the Budget Amendment as presented.

Attachments:

1. Budget Amendment Public Works Admin \$42,000

ORDINANCE NO. 2025-XX
AN ORDINANCE AMENDING THE FY2024-2025 BUDGET.
BUDGET AMENDMENT NUMBER 25-14

SUBJECT: Budget Amendment to increase Public Works, Administration expenditures by \$40,000.

AGENDA INFORMATION

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

BRIEF SUMMARY: The Public Works Administration Department is in need of a \$42,000 budget. The Assistant City Manager was hired at a higher salary than anticipated and overtime wages for other employees in the department have exceeded budget.

The budget offset to this entry will come from savings in the Police Department related to vacancies.

MOTION FOR CONSIDERATION: To approve Budget Amendment 25-14, as submitted, increasing the budget in expenditure accounts:

10-5450-0200 (Salaries)	\$22,000
10-5450-0210 (Salaries - Overtime)	\$9,000
10-5450-0500 (FICA)	\$3,000
10-5450-0700 (LGERS Retirement)	\$5,000
10-5450-0710 (Empower 401K)	\$3,000

TOTAL	\$42,000
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And decreasing the budget in the expenditure account:

10-5100-0200 (Police Salaries - Regular)	\$42,000
TOTAL	\$42,000

ATTACHMENTS: None.

MANAGER’S RECOMMENDATION: Adopt as presented.

Approved and adopted this 16th day of June 2025.

Maureen Copelof
Mayor

ATTEST:

Denise Hodsdon, CMC
City Clerk

APPROVED AS TO FORM:

Mack McKeller
City Attorney

STAFF REPORT

City Council, Monday, June 16, 2025

Title: Budget Amendment - Housing Trust Fund - \$925,000

Speaker: Dean Luebbe

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

Approved by: Wilson Hooper, City Manager

Discussion

On June 10, 2025 the City closed on the three parcels at Old Hendersonville Highway and Azalea Avenue. The City received funding from United Community Bank in the amount of \$925,000 to complete the transaction. The overall purchase price was 1.1M plus \$6,282.78 of closing costs. The City has paid a total of \$175,000 to the sellers in an option to purchase contract from November of 2024 through April of 2025.

Recommendation

Council is asked to adopt the Budget Amendment as presented.

Attachments:

1. Budget Amendment Housing Trust Fund \$925,000 Azalea Ave

ORDINANCE NO. 2025-XX
AN ORDINANCE AMENDING THE FY2024-2025 BUDGET.
BUDGET AMENDMENT NUMBER 25-15

SUBJECT: Budget Amendment to increase revenues and expenditures in the Housing Trust Fund by \$925,000 for the purchase of three properties at 543 Old Hendersonville Highway and the related debt.

AGENDA INFORMATION

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

BRIEF SUMMARY: On June 10, 2025 the City closed on the purchase of three properties located at Old Hendersonville Highway and Azalea Avenue. The City and the UNC School of Government Development Finance Initiative (UNC DFI) had identified the property over two years ago as a potential site for affordable housing units. The total purchase price was 1.1M. The City obtained funding in the amount of \$925,000 from United Community Bank at a rate of 4.33%. The debt will be repaid over fifty nine months, and the monthly payment will be \$17,460.89.

The expenditure side of this budget amendment would look a bit cleaner except for the following. In October of 2024 the Finance Director proposed a budget amendment for \$115,000 for the option to purchase the property. This amendment should have been for \$175,000. Additionally, there were \$6,282.78 in closing costs associated with the transaction. The \$10,000 adjustment to the professional services line item refers to services needed on the Cashier Valley Road property. Proceeds from the sale of that property will revert to the Housing Trust Fund.

MOTION FOR CONSIDERATION: To approve Budget Amendment 25-15, as submitted, increasing (decreasing) the budget in expenditure accounts:

76-4900-0925 (Prof Services)	\$10,000
76-4900-7400 (Capital Outlay)	\$992,000
76-4900-5800 (Increase in Fund Balance)	(\$77,000)
TOTAL	\$925,000

And decreasing the budget in the expenditure account:

76-3970-0300 (Debt Proceeds)	\$925,000
TOTAL	\$925,000

ATTACHMENTS: None.

MANAGER’S RECOMMENDATION: Adopt as presented.

Approved and adopted this 16th day of June 2025.

Maureen Copelof
Mayor

ATTEST:

Denise Hodsdon, CMC
City Clerk

APPROVED AS TO FORM:

Mack McKeller
City Attorney

STAFF REPORT

City Council, Monday, June 16, 2025

Title: Project and Budget Amendment - Norton Creek Restoration Phase 2 - \$100,000

Speaker: Dean Luebbe

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

Approved by: Wilson Hooper, City Manager

Discussion

In early 2024 the City completed the walking path and streambank restoration project adjacent to the Silversteen Playground and basketball court. During final inspection, NCDEQ identified an additional area immediately north of the restoration project and required that the area be addressed before retainage could be released on the original project. The City applied for and received an additional \$72,000 grant from NCDEQ, with the General Fund contributing \$72,000 as the City match. The City has contracted with Summit Engineering in the amount of \$31,000 and will be going out to bid for construction services soon. The Assistant City Manager/Engineering and Infrastructure and Summit Engineering both feel that the construction work will likely exceed \$110,000. City staff is requesting that the General Fund transfer an additional \$100,000 to the project, to ensure that the Project is adequately funded.

The budgetary offset to this transfer will be Police salaries, as savings are expected in this area. If the entire \$100,000 is not needed on the Project, the unneeded portion could be returned to the General Fund.

Recommendation

Adopt as presented budget and project ordinance related to Norton Creek Restoration Phase 2.

Attachments:

1. Budget Amendment Norton Creek streambank \$100,000
2. CPO Amendment \$100,000 Silversteen Park

ORDINANCE NO. 2025-XX
AN ORDINANCE AMENDING THE FY2024-2025 BUDGET.
BUDGET AMENDMENT NUMBER 25-16

SUBJECT: Budget Amendment to transfer \$100,000 from the General Fund to the Silversteen Park, Norton Creek Streambank Restoration Project Phase 2.

AGENDA INFORMATION

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

BRIEF SUMMARY: City staff has contracted with Summit Engineering for additional streambank restoration work required by NCDEQ at Norton Creek. Additional funding on the project is expected to be needed as city staff estimates the sum of engineering and construction will exceed the \$144,000 currently budgeted for the project.

The budget offset for this transfer will come from Police salary accounts. If the entire \$100,000 is not needed on the project, the unneeded portion could be returned to the General Fund.

MOTION FOR CONSIDERATION: To approve Budget Amendment 25-16, as submitted, increasing the budget in expenditure accounts:

10-6600-9266 (Transfer to Fund 82)	\$100,000
TOTAL	\$100,000

And decreasing the budget in the expenditure account:

10-5100-0200 (Police salaries)	\$100,000
TOTAL	\$100,000

ATTACHMENTS: None.

MANAGER’S RECOMMENDATION: Adopt as presented.

Approved and adopted this 16th day of June 2025.

Maureen Copelof
Mayor

ATTEST:

Denise Hodsdon, CMC
City Clerk

APPROVED AS TO FORM:

Mack McKeller
City Attorney

ORDINANCE NO. 2025-XX

CAPITAL PROJECT ORDINANCE TO AMEND ORDINANCE
NO. 2024-19 SILVERSTEEN PARK IMPROVEMENT PROJECT

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

Section 1: The budgeted expenditures and revenues listed under the ordinance 2024-19 will be increased by \$100,000.

Section 2: The additional streambank restoration work required by NCDEQ on Norton Creek is expected to exceed the \$144,000 currently budgeted for the project.

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

Account Number	Account Name	Budget Amount
82-4100-2920	Silversteen Park	\$994,000
82-4100-2920	Silversteen Park	\$100,000

TOTAL PROJECT APPROPRIATION	\$1,094,000
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Section 4: The following revenues are anticipated to be available for the project:

Account Number	Account Name	Budget Amount
82-3300-0000	Donations	\$27,000
82-3300-0150	Bethel A Church Donation	\$10,200
82-3250-0000	Transfer from General Fund	\$367,800
82-3300-0250	NCDEQ Grant	\$95,000
82-3990-0000	Fund Balance Approp	\$150,000
82-3250-0200	Transfer from 31 – Main W/S	\$200,000
82-3250-0000	Transfer from General Fund	\$72,000
82-3300-0250	NCDEQ Grant	\$72,000
82-3250-0000	Transfer from General Fund	\$100,000

TOTAL PROJECT REVENUE	\$1,094,000
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Section 5: The Finance Director is hereby directed to maintain within the capital project fund sufficient specific detailed accounting records to satisfy the disclosure requirements of all the contractual agreements, if applicable.

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

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

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

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

ADOPTED by the City Council of the City of Brevard, North Carolina, on this 16th day of June, 2025.

Maureen Copelof
Mayor

ATTEST:

Denise Hodsdon
City Clerk

APPROVED AS TO FORM:

Mack McKeller
City Attorney

STAFF REPORT

City Council, Monday, June 16, 2025

Title: Proposed Amendment to the Official Zoning Map of the City of Brevard - Inn at Brevard Conditional Zoning District

Speaker: Aaron Bland, Asst Planning Director

Prepared by: Aaron Bland, Asst Planning Director

Approved by: Wilson Hooper, City Manager

Background

The Planning Department has received an application for a rezoning district for the Inn at Brevard property, located at 315 East Main Street, PIN 8586-60-6150-000. The property is currently zoned Residential Mixed Use (RMX) and the request is for a Conditional Zoning District (CZD) with a base of RMX.

Council held a public hearing on this request at their June 2nd meeting.

Discussion

The Inn at Brevard has several elements of its operation that are pre-existing, nonconforming to the current requirements of the City of Brevard Unified Development Ordinance (UDO). Because of these nonconformities, the unique and historic nature of the use/property (the main inn building is a designated local historical landmark), and the applicant's desire to add some additional uses such as a pottery studio, a conditional zoning district is an appropriate tool to ensure zoning compliance for continued use of the site as an inn done so in a way that ensures compatibility and harmony with surrounding properties.

This request was sent to the City's Technical Review Committee. The only department with comments was the Wastewater Treatment Plant, which suggested two requirements: that the grease trap in the commercial kitchen be evaluated to ensure it is the proper size, and that the pottery studio install a clay sink trap. These have both been incorporated into the attached CZD ordinance.

Policy Analysis

Staff believes that allowing the continued operation of the Inn at Brevard as a boutique inn, in a way that is compatible and not detrimental to surrounding properties, supports the following aspects of the *Building Brevard Comprehensive Land Use Plan*:

- Goal 7: Support economic vitality and grow the tax base, cultivate local businesses, and attract sustainable industry.
- LUH- 18: Collaborate with neighborhoods to explore opportunities for zoning overlays, historic preservation, adaptive reuse, infill projects, special events, and other neighborhood-specific activities.
- LUH-20: Encourage the creation of well-designed complete and cohesive neighborhoods.

This property is located in the Traditional Neighborhood character area in the Future Land Use Map, for which RMX is an applicable zoning district.

Recommendation

The Planning Board considered this request at their April 22, 2025 meeting. The Board unanimously recommended in favor, with two recommended conditions that have been incorporated into the attached CZD ordinance.

Fiscal Impact

None.

Action

Council's options concerning a petition for a conditional zoning district shall be as follows:

1. Grant the creation of the district as requested with agreed upon conditions;
2. Grant the creation of the district with a reduction in the area requested with agreed upon conditions;
3. Deny the application;
4. Send the application back to the Planning Board for further study and consideration; or
5. Call for additional legislative hearings on petitions brought before them.

Attachments:

1. Application
2. Narrative
3. Site Plan
4. Survey
5. Proposed Use Matrix
6. Consistency and Reasonableness Statement
7. Draft CZD Ordinance

The City of
Brevard
North Carolina

Preliminary Plan for Conditional Zoning District

City of Brevard, NC

Applicant Information

Property Name: The Sylvan Inn

Address: 315 East Main Street, Brevard NC 28712

Applicant: Brian and Joy Shind

Contact Information: 615 585 0303, Jshind7@Gmail.com

Requested Land Uses

Inn

The property currently operates as an inn with 16 bedrooms—10 in the Annex building and 6 in the Main Inn. The proposed modifications include:

- Conversion of 2 of the 10 bedrooms in the Annex into owner's quarters.
- Retention of 4 bedrooms in the Annex for staff accommodations.
- Use of the remaining 4 bedrooms in the Annex and 6 bedrooms in the Main Inn for overnight lodging.
- Retention of the option for long-term rentals for staff housing as needed.
- Continued operation of complimentary breakfast service for overnight guests, maintaining the inn's current zoning that permits food service for guests.

Request: Continued zoning for overnight guests, longterm staff lodging, and breakfast service.

Specialty Restaurant/Bar

The property includes six dining rooms, an indoor sun patio, a bar, and a fully equipped commercial kitchen. The proposed small scale restaurant concept includes:

- Three dining rooms dedicated to food service.
- Two dining rooms converted into a lounge and music area featuring a baby grand piano for upscale jazz and live entertainment.
- A specialty restaurant offering:
 - **Daytime menu:** High tea and brunch items.

- **Evening menu:** A fine dining experience with dinner options designed for special occasions.
- Retention of the current alcohol service licensing for food service.
- Restaurant operating hours: **8:00 AM – 9:00 PM, six days a week.**

Request: Zoning approval for food service open to the public.

Note: The viability of the inn depends on both out-of-town guests and local patrons. The seasonal nature of tourism limits the property's economic potential, making the restaurant a necessary part of a diversified business model.

Events

The downstairs layout is well-suited for small events, including:

- Baby showers, wedding showers, and corporate gatherings.
- Small weddings and private parties.
- The ability to close off dining rooms to accommodate private events.

Request: Zoning approval for hosting events within the existing footprint of the building.

Pottery Studio & Gallery

Joy Shind, a professional potter from Nashville, TN, seeks to establish a pottery studio and gallery on-site.

- The basement of the Annex building will be converted into a small pottery studio.
- The inn will display and sell handmade pottery.

Request: Continuation of the property's gallery designation to allow for the creation and sale of art.

Music Lessons

Brian Shind, a professional musician and educator from Nashville, TN, plans to offer private music lessons.

- A small rear-entrance space will be converted into a music lesson studio.
- Lessons will include bass, guitar, and beginner piano instruction.

Request: Zoning approval for a small, single-student-at-a-time music lesson studio.

Proposed Property Improvements

Parking & Accessibility

- Repair and restore 10 parking spaces in front of the Annex building.
- Reconfigure and pave the **20 parking spaces** on the right side of the building, ensuring accessibility for large utility vehicles (e.g., garbage collection).
- Final parking layout to be confirmed in collaboration with city planning and site engineers.

Structural & Historic Restoration

- **Front Porch & Balcony:** Restoration of the front porch, balcony, and columns in compliance with local and national historical preservation requirements.
- **Foundation & Structural Work:** Addressing grading, foundation, plumbing, electrical, and roof repairs to stabilize the property.

Landscaping & Aesthetic Enhancements

- Removal of overgrown trees and shrubs.
- Installation of a professionally designed landscape plan to enhance curb appeal.

Commitment to Brevard

The proposed revitalization of this historic inn aligns with the City of Brevard's commitment to preserving its cultural heritage while fostering economic growth. This project represents a significant investment in the community, bringing back a beloved landmark as a vibrant gathering place for locals and visitors alike.

We respectfully request approval of a Conditional Zoning District to ensure the success of this restoration project while maintaining historical integrity and economic viability. We look forward to working with the city to make this vision a reality.

Submitted by:

Brian and Joy Shind

02/16/2025

NOTES:

PARKING-A HAS 10 PARK SPACES ALONG FRANKLIN STREET AT 10' WIDTH.

PARKING-B HAS 14 PARKING SPACES STALBOARD
SIZE 8'-6" x 18'-0"
- 4 PARALLEL PARKING SPACES POSSIBLE ON 10' ALLEY
SIZE 9' x 22'
- ENTRANCE WIDENED TO ALLOW FOR SIMULTANEOUS
VEHICULAR TRAFFIC, 22' WIDE
- RETAINING WALL MAY BE NEEDED ALONG
BACK 3 PARKING SPACES, GRADING T.B.D.

PROPOSED LOCATION FOR BIKE PARKING
WILL REQUIRE REPAIRING AND
RELOCATION OF EXISTING LAMP

1 - ORNAMENTAL DECIDUOUS TREE

EXISTING SIGNAGE

2- EXISTING WATER
OAKS IN FRONT YARD

4- GAS LAMPS ALONG EAST MAIN
STREET ABOVE EXISTING RETAINING
WALL WITH SEASONAL COLOR BEDS
UNDER LAMPS

2- SMALL ORNAMENTAL TREES
(ON EITHER END OF PORCH)

REVISE END OF EXISTING RETAINING AND
RELOCATE EXISTING LAMP IF ENTRANCE
TO PARKING IS WIDENED

LOW BOXWOOD HEDGE

REVISE EXISTING PATIO TO IMPROVE
PEDESTRIAN FLOW,
SURFACE AREA,
WALL, STEPS, AND RAILINGS.
NATIVE PLANT DESIGN
ALONG HILLSIDE

EXISTING HARDWOOD
TREE

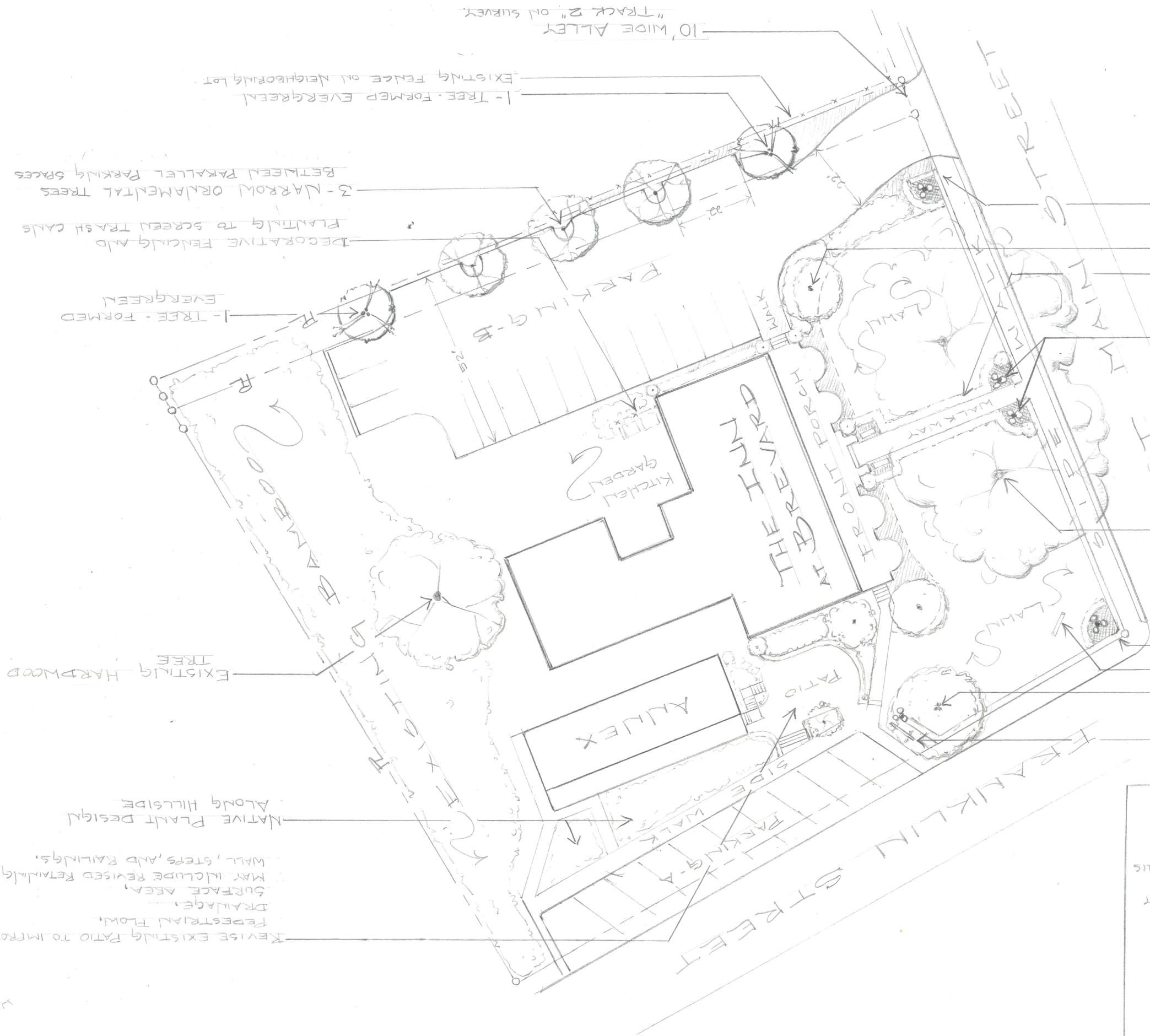
EXISTING RETAINING WALL

1- TREE - FORMED
EVERGREEN

DECORATIVE FENCING AND
PLANTING TO SCREEN TRASH CANS
3- NARROW ORNAMENTAL TREES
BETWEEN PARALLEL PARKING SPACES

1- TREE - FORMED EVERGREEN
EXISTING FENCE ON NEIGHBORING LOT

10' WIDE ALLEY
"TRACK 2" ON SURVEY

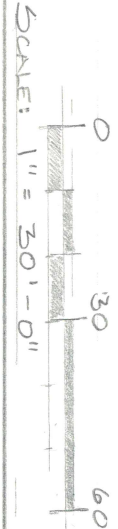


CONCEPTUAL LANDSCAPE PLAN

FOR
BRYAN AND JOY SHIND

315 E. MAIN ST. BREVARD N.C. 28712

DESIGNED BY: CRYSTAL BOKS
404-510-3931



LEGEND

	EXISTING PROPERTY MONUMENT (AS NOTED)
	PROPERTY MONUMENT SET (TYP. 5/8" REBAR W/CAP OR AS NOTED)
	POINT NOT SET (PNS)
	POWER POLE
	UTILITY PEDESTAL
	WATER METER
	SEWER MANHOLE
	SEWER CLEANOUT
	RIGHT OF WAY
	IRON PIN SET
	OPEN-TOP-PIPE
	REBAR AND CAP
	CONCRETE MONUMENT FOUND
	PLANTED STONE FOUND
	REBAR
	SUBJECT PROPERTY LINE
	ADJOINER PROPERTY LINE (LINE NOT SURVEYED)
	TIE LINE
	BUILDING SET BACK
	EXISTING R/W
	OVERHEAD ELECTRIC
	OVERHEAD TELEPHONE
	FENCE LINE
	DEED BOOK & PAGE
	PLAT BOOK & PAGE

I DAVID L. BURRELL, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY PERFORMED UNDER MY SUPERVISION (PROPERTY DESCRIPTION RECORDED IN DEED BOOK 435, PAGE 211); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION AS SHOWN; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000 OR GREATER; THAT THE GLOBAL POSITIONING SYSTEM (GPS) SURVEY AND THE FOLLOWING INFORMATION WAS USED TO PERFORM THE GNSS SURVEY:

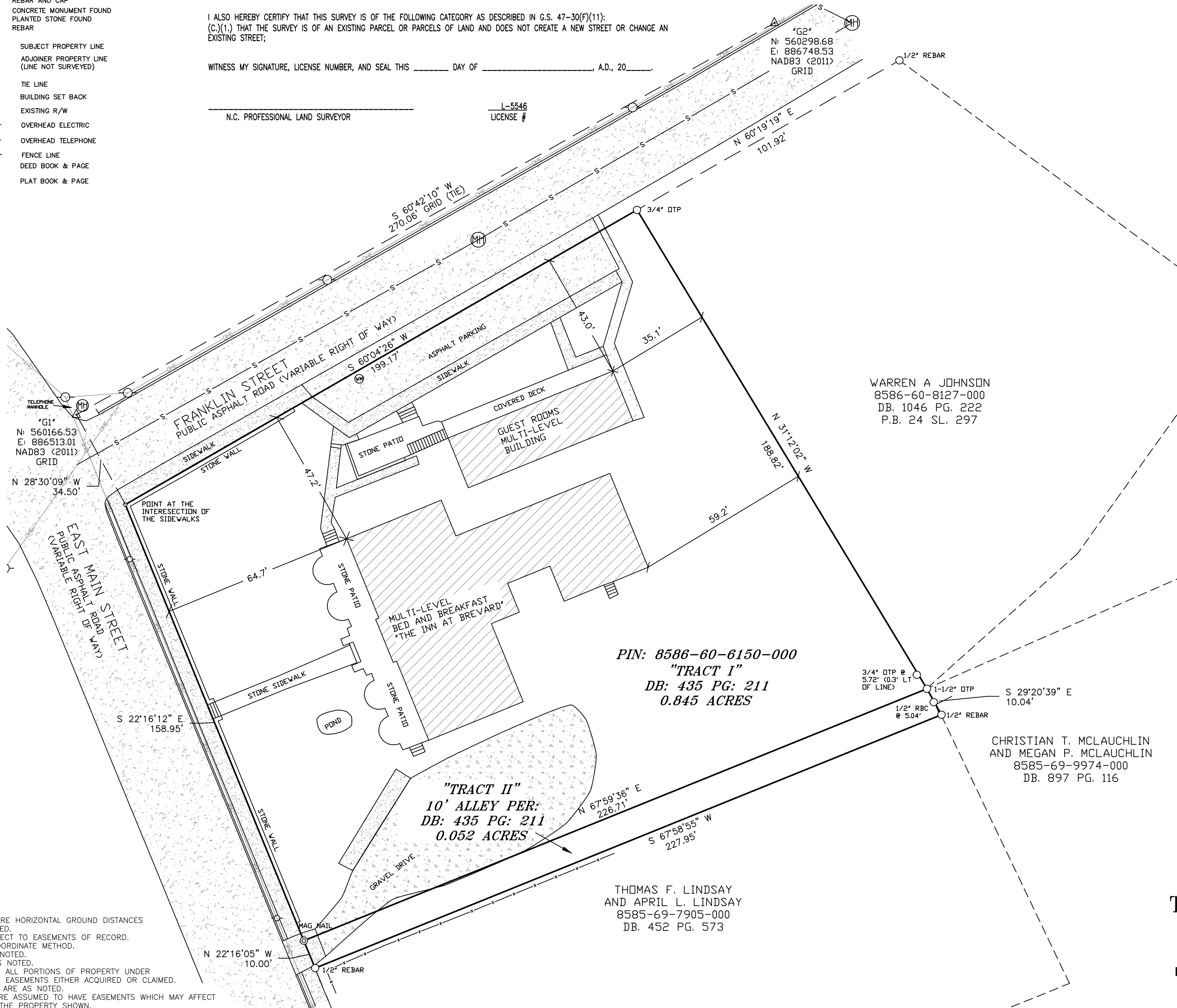
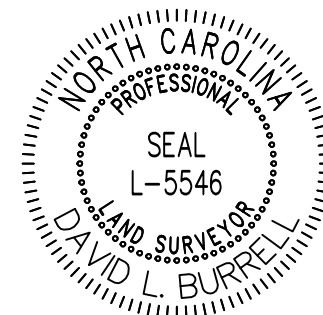
CLASS OF SURVEY: A
POSITIONAL ACCURACY: .02'
TYPE OF GPS FIELD PROCEDURE: NETWORK RTK
DATES OF SURVEY: 2-22-2025
DATUM/EPOCH: NAD83 (2011)
PUBLISHED FIXED CONTROL USE: NCVRS
HOLDING POINT: G1
GEOID MODEL: GEOID 18
COMBINED GRID FACTOR: 0.999712
UNITS: US SURVEY FEET

I ALSO HEREBY CERTIFY THAT THIS SURVEY IS OF THE FOLLOWING CATEGORY AS DESCRIBED IN G.S. 47-30(F)(11):
(C)(1.) THAT THE SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET;

WITNESS MY SIGNATURE, LICENSE NUMBER, AND SEAL THIS _____ DAY OF _____, A.D., 20_____

N.C. PROFESSIONAL LAND SURVEYOR

L-5546
LICENSE #

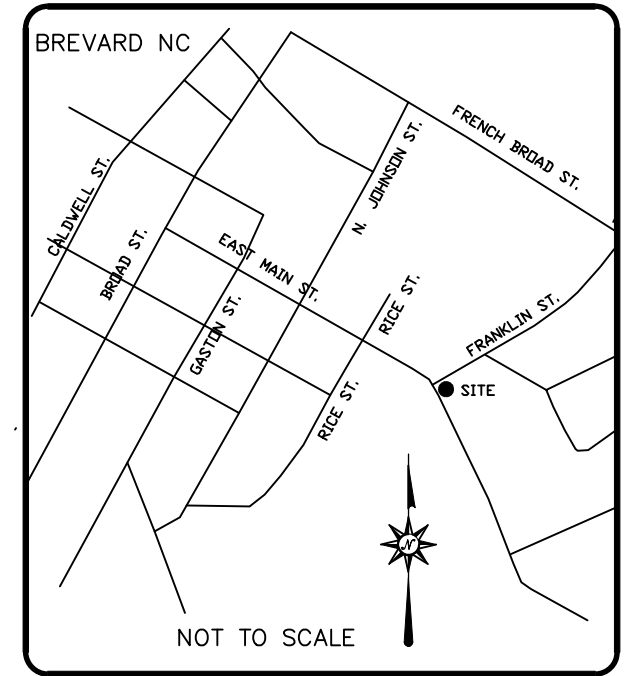


WARREN A JOHNSON
8586-60-8127-000
DB. 1046 PG. 222
P.B. 24 SL. 297

CHRISTIAN T. MCLAUCHLIN
AND MEGAN P. MCLAUCHLIN
8585-69-9974-000
DB. 897 PG. 116

THOMAS F. LINDSAY
AND APRIL L. LINDSAY
8585-69-7905-000
DB. 452 PG. 573

- NOTES:
1. ALL DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED.
 2. AREAS SHOWN ARE SUBJECT TO EASEMENTS OF RECORD.
 3. AREA DETERMINED BY COORDINATE METHOD.
 4. OWNER OF RECORD: AS NOTED.
 5. RECORD REFERENCES: AS NOTED.
 6. AREAS INCLUDE ANY AND ALL PORTIONS OF PROPERTY UNDER RIGHTS OF WAY AND OR EASEMENTS EITHER ACQUIRED OR CLAIMED.
 7. ALL PROPERTY CORNERS ARE AS NOTED.
 8. ALL EXISTING UTILITIES ARE ASSUMED TO HAVE EASEMENTS WHICH MAY AFFECT PORTIONS OR ALL OF THE PROPERTY SHOWN.
 9. ANY UNDERGROUND UTILITIES SHOWN ARE APPROXIMATE AND SHOULD BE VERIFIED.
 10. ANY NAMES LISTED ARE FOR INDEXING PURPOSES ONLY, NOT A CERTIFICATION OF TITLE.
 11. THIS LOT IS LOCATED IN FLOOD ZONE X (MINIMAL FLOOD RISK) PER F.I.R.M. OF THIS AREA.
 12. THIS PROPERTY IS ZONED RESIDENTIAL MIXED USE PER CITY OF BREVARD ZONING MAP. SEE ZONING ORDINANCE FOR MORE INFORMATION.



BURRELL & COMPANY
LAND SURVEYING AND MAPPING, PLLC

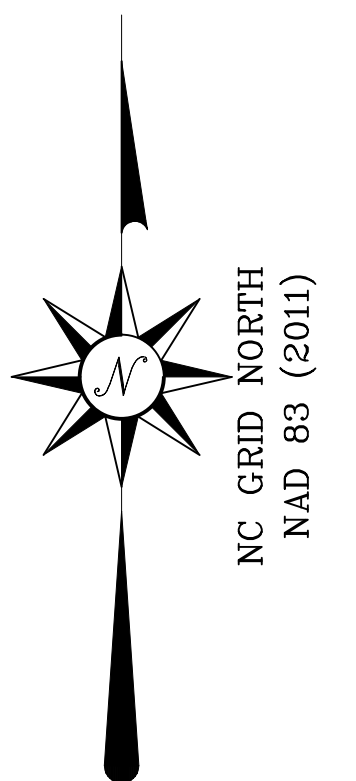
P-3032 (NC)

828-577-6568

133 COBB ST, EASLEY SC 29640

BURRELLSURVEYING@GMAIL.COM

DRAWING NO. 25-035



SCALE: 1 INCH = 30 FEET

PLAT OF A BOUNDARY SURVEY FOR:
THE DIANE A. BEAR
LIVING TRUST
CURRENT OWNER OF RECORD:
HOWARD S. YAGER
BEING THE PROPERTY DESCRIBED IN:
DEED BOOK 435 PAGE 211
PIN # 8586-60-6150-000
CITY OF BREVARD
315 E MAIN ST, BREVARD NC 28712
TRANSYLVANIA COUNTY, NORTH CAROLINA
FEBRUARY 23, 2025

TABLE 2.2A: LAND USE MATRIX										
CATEGORY	SECTION (a)	USE	ZONING DISTRICTS							
			GR	RMX CZD	NMX	PGX	DMX	CMX	IC	GI
Residential										
Household Living	3.5.1	Dwelling—Single-Family	P	P	—	—	—	—	P	—
		Dwelling—Duplex	P	P	P	P	—	—	P	—
		Dwelling—Multifamily 3—4 units/bldg.	P	P	P	P	P	P	P	—
		Dwelling—Multifamily more than 4 units/bldg.	—	P	P	P	P	P	P	—
		Dwelling—Townhome	P	P	P	P	P	P	P	—
		Manufactured Home	MHD	MHD	MHD	MHD	MHD	MHD	MHD	—
		Live-Work Units	PS	PS	PS	PS	PS	—	PS	—
		Mixed-Use Residential Unit	—	—	PS	PS	PS	PS	PS	—
Group Living	3.5.2	Family Care Home	P	P	P	P	P	P	P	—
		Housing Services for the Elderly	SUP	— P	P	P	P	P	P	—
		Rooming or Boarding House	P	P	P	—	P	P	P	—
Social Services	3.5.3	Group Care Facility	P	P	P	—	P	P	P	—
		Shelter	SUP	— P	P	—	P	P	P	—
Lodging										
Overnight Accommodations	3.6.1	All overnight accommodations, except as listed below	—	— P	—	P	P	P	P	—
		Bed and Breakfast	PS	PS	PS	PS	PS	PS	PS	—
		Short-Term Rental (STR)	—	PS	PS	PS	PS	PS	PS	—

TABLE 2.2A: LAND USE MATRIX										
CATEGORY	SECTION (a)	USE	ZONING DISTRICTS							
			GR	RMX CZD	NMX	PGX	DMX	CMX	IC	GI
Camping	3.6.2	Campground/Recreational Vehicle Park	SUP	SUP	SUP	SUP	—	—	SUP	—
		Rental Cottage/Cabins	PS	PS	PS	PS	—	—	—	—
		Seasonal Camp	PS	—	—	PS	—	—	PS	—
Commercial										
Eating and Drinking Establishments	3.7.1	All restaurants and other eating and drinking establishments except as listed below	—	— P	P	P	P	P	P	—
		Bar/Night Club	—	—	PS	PS	P	P	—	—
Personal Services	3.7.2	All personal services, except as listed below	—	P	P	P	P	P	P	—
		Day Care Center	PS	PS	PS	PS	PS	PS	PS	PS
Professional Services	3.7.3	All professional services, except as listed below	SUP	P	P	P	P	P	P	P
		Adult Establishment	—	—	—	—	—	—	—	SUP
		Banks, Credit Unions, Financial Services, and ATMs	—	—	P	P	P	P	P	P
		Funeral Homes and Services	—	—	P	—	P	P	P	—
		Human Crematories and Crematoriums	—	—	PS	—	PS	PS	PS	PS
		Indoor Animal Services	—	—	P	P	P	P	P	P
		Kennels and Outdoor Animal Services	—	—	SUP	—	—	PS	—	PS
		Landscaping and Contractor Services	SUP	— SUP	SUP	—	—	—	—	P

TABLE 2.2A: LAND USE MATRIX										
CATEGORY	SECTION (a)	USE	ZONING DISTRICTS							
			GR	RMX CZD	NMX	PGX	DMX	CMX	IC	GI
Retail	3.7.4	Vehicle Services—Major Repair/Body Work	—	—	—	—	—	PS	—	PS
		Vehicle Services—Minor Maintenance/Repair	—	—	SUP	—	SUP	PS	PS	PS
		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
Civic/Institutional	3.8.1	Gas Station	—	—	SUP	PS	SUP	PS	—	PS
		Gunsmiths and Weapon Sales	—	—	SUP	SUP	PS	PS	—	PS
		All educational uses except as listed below	SUP	P	P	P	P	P	P	—
		Colleges/Universities	—	—	SUP	SUP	P	P	P	—
		Schools—Vocational/Technical	—	— SUP	P	P	P	P	P	P
Government	3.8.2	All government uses, except as listed below	—	P	P	P	P	P	P	P
		Correctional Facilities	—	—	SUP	—	SUP	P	P	P
		Public Safety Station	SUP	— SUP	P	P	P	P	P	P
Medical	3.8.3	All medical offices and facilities except as listed below	—	P	P	P	P	P	P	—
		Hospital	—	—	—	—	—	P	P	—

TABLE 2.2A: LAND USE MATRIX										
CATEGORY	SECTION (a)	USE	ZONING DISTRICTS							
			GR	RMX CZD	NMX	PGX	DMX	CMX	IC	GI
Places of Worship	3.8.4	All religious institutions or places of worship	SUP	P	P	—	P	P	P	—
		Cemeteries	PS	PS	PS	—	PS	PS	PS	—
Entertainment/Recreation										
Indoor Recreation	3.9.1	All indoor recreation facilities, except as listed below	SUP	P	P	P	P	P	P	P
		Cultural or Community Facility	SUP	P	P	P	P	P	P	—
		Indoor Amusements	—	—	SUP	P	P	P	SUP	P
		Indoor Firing Range	—	—	—	SUP	—	SUP	SUP	SUP
		Live Performance Theater	—	SUP	SUP	P	P	P	P	—
		Movie Theater	—	—	—	P	P	P	—	—
		Special Event Venue	SUP	SUP P	PS	PS	PS	PS	PS	—
		Studios, Galleries and Workshops - High Impact	—	—	SUP	SUP	SUP	P	P	P
		Studios, Galleries and Workshops - Low Impact	—	P	P	P	P	P	P	—
Outdoor Recreation	3.9.2	All outdoor recreation facilities, except as listed below	SUP	P	P	P	P	P	P	P
		Non-Residential Swimming Pool or Pond	—	SUP	SUP	SUP	PS	PS	PS	—
		Outdoor Amusements	—	—	SUP	P	SUP	P	—	P
		Outdoor Firing Range	—	—	—	—	—	—	—	SUP
		Parks, Open Space, and Greenways	P	P	P	P	P	P	P	P

TABLE 2.2A: LAND USE MATRIX										
CATEGORY	SECTION (a)	USE	ZONING DISTRICTS							
			GR	RMX CZD	NMX	PGX	DMX	CMX	IC	GI
Agriculture										
Agriculture	3.10.1	All agricultural uses	PS	—	—	—	—	PS	PS	PS
Manufacturing/Wholesale/Storage										
Light Industrial and Manufacturing	3.11.1	All light industrial and manufacturing activities, except as listed below	—	—	—	P	—	SUP	—	P
		Brewery, Distillery, Winery, Cidery - High Impact	—	—	—	SUP	—	P	—	P
		Brewery, Distillery, Winery, Cidery - Low Impact	—	—	SUP	PS	PS	PS	—	PS
		Laboratory	—	—	—	—	—	P	P	P
		Laundry, Dry Cleaning Plant	—	—	—	—	—	SUP	P	P
		Manufacturing Research and Development	—	—	—	P	—	P	P	P
		Media Production	—	—	P	P	P	P	P	P
Heavy Manufacturing	3.11.2	All heavy manufacturing activities, except as listed below	—	—	—	—	—	—	—	SUP
		Metal Products Fabrication, Machine or Welding Shop	—	—	SUP	SUP	SUP	P	—	P
Storage and Disposal	3.11.3	All storage and disposal uses, except as listed below	—	—	—	—	—	SUP	—	P
		Chemical Storage Facility	—	—	—	—	—	—	—	P
		Solid Waste Disposal Facilities	—	—	—	—	—	—	—	PS

TABLE 2.2A: LAND USE MATRIX										
CATEGORY	SECTION (a)	USE	ZONING DISTRICTS							
			GR	RMX CZD	NMX	PGX	DMX	CMX	IC	GI
		Junkyard / Salvage Yard	—	—	—	—	—	—	—	SUP
Wholesaling and Distribution	3.11.4	All wholesaling and distribution activities, except as listed below	—	—	—	—	—	P	—	P
		Equipment Rental	—	—	—	—	—	P	—	P
		Indoor Vehicle/Heavy Equipment Sales	—	—	PS	—	PS	PS	—	PS
		Outdoor Vehicle/Heavy Equipment Sales	—	—	—	—	—	PS	—	PS
Extractive Industries	3.11.5	All extractive industries, except as listed below	—	—	—	—	—	—	—	P
		Extractive industries involving blasting	—	—	—	—	—	—	—	SUP
Infrastructure										
Utilities	3.12.1	Utilities—Class 1	P	P	P	P	P	P	P	P
		Utilities—Class 2	P	P	P	P	P	P	P	P
		Utilities—Class 3	—	—	—	—	—	—	—	P
Telecommunications	3.12.2	All wireless telecommunication facilities, except as listed below	PS	PS	PS	PS	PS	PS	PS	PS
		Wireless Telecommunication Facility—Tower	—	—	—	—	—	SUP	—	PS
Transportation	3.12.3	Parking Lot	SUP	PS	PS	PS	PS	PS	PS	PS
		Passenger Vehicle Terminals	—	—	P	P	P	P	—	P
Accessory										

TABLE 2.2A: LAND USE MATRIX										
CATEGORY	SECTION (a)	USE	ZONING DISTRICTS							
			GR	RMX CZD	NMX	PGX	DMX	CMX	IC	GI
Residential Accessory	3.13.1	All residential accessory uses, except as listed below	PS	PS	PS	PS	PS	PS	PS	PS
		Day Care Home	PS	PS	PS	PS	PS	PS	PS	—
		Dwelling—Accessory Unit (ADU)	PS	PS	PS	PS	PS	PS	PS	—
		Home Occupation	PS	PS	P	P	P	P	P	—
		Keeping Bees	PS	PS	PS	PS	PS	PS	PS	PS
		Keeping Domestic Fowl (Chickens)	PS	PS	PS	PS	PS	PS	PS	PS
		Swimming Pool or Pond	PS	PS	PS	PS	PS	PS	PS	—
Non-Residential Accessory	3.13.2	All non-residential accessory uses, except as listed below	—	PS	PS	PS	PS	PS	PS	PS
		Accessory Retail	—	— P	PS	PS	PS	PS	PS	PS
		Drive-Thrus	—	—	SUP	SUP	—	PS	—	—
		Mobile Food Vendor Site	—	SUP	PS	PS	PS	PS	PS	PS
		Recycling - Small Collection	—	—	—	—	—	SUP	SUP	P
		Rooftop Amenity Space	—	—	SUP	PS	PS	PS	PS	PS
		Taproom / Tasting Room	—	—	SUP	P	P	P	—	P
Temporary										
Events and Structures	3.14.1	All temporary events and structures, except as listed below	PS	PS	PS	PS	PS	PS	PS	PS
		Carnivals or Circus	—	—	—	—	—	PS	PS	PS

TABLE 2.2A: LAND USE MATRIX										
CATEGORY	SECTION (a)	USE	ZONING DISTRICTS							
			GR	RMX CZD	NMX	PGX	DMX	CMX	IC	GI
		Farmers Market	—	—	PS	PS	PS	PS	PS	—
Vendors	3.14.2	All temporary vendors, except as listed below	—	—	PS	PS	PS	PS	—	—
		Vending Pushcarts	—	—	—	—	PS	—	—	—
(a) This column refers to the section of this ordinance that contains the use definition and additional standards.										

**STATEMENT OF CONSISTENCY AND REASONABLENESS WITH
ADOPTED PLANS AND POLICIES OF THE CITY OF BREVARD
REZ-25-002**

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

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

Comprehensive Land Use Plan

- **Goal 7:** Support economic vitality and grow the tax base, cultivate local businesses, and attract sustainable industry.
- **LUH- 18:** Collaborate with neighborhoods to explore opportunities for zoning overlays, historic preservation, adaptive reuse, infill projects, special events, and other neighborhood-specific activities.
- **LUH-20:** Encourage the creation of well-designed complete and cohesive neighborhoods

NCGS 160D-605 requires the Governing Board to approve a statement analyzing the reasonableness of a proposed rezoning. The statement of reasonableness and the statement of consistency may be approved as a single statement.

The Brevard Planning Board forwards this recommendation to City Council with a finding that the proposed zoning map amendment is in the public interest and **reasonable** due to the following factors:

- This property is located in the Traditional Neighborhood character area in the Future Land Use Map, for which RMX is an applicable zoning district.
- The size of the proposed rezoning diminishes any spot zoning concerns.
- There is a strong relationship between the currently allowed uses and the allowed uses of the proposed new district.
- The new district benefits landowners by creating a more context-sensitive conditional zoning district.
- The rezoning is consistent with the above elements of the Comprehensive Land Use Plan.

ORDINANCE NO. 2025-XX

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF BREVARD CREATING THE INN AT BREVARD CONDITIONAL ZONING DISTRICT

WHEREAS, the City of Brevard has the authority, pursuant to Article 7 of Chapter 160D of the North Carolina General Statutes, to adopt zoning regulations, to establish zoning districts and to classify property within its jurisdiction according to zoning district, and may amend said regulations and district classifications from time to time in the interest of the public health, safety and welfare; and

WHEREAS, in response to an application for rezoning filed by Joy Shind for the property described as PIN 8586-60-6150-000 to be rezoned to a Residential Mixed Use Conditional Zoning District; and

WHEREAS, the City of Brevard Technical Review Committee has considered this application and submitted all pertinent comments to the Planning Department for incorporation into this Conditional Zoning District; and

WHEREAS, the City of Brevard Planning Board considered REZ-25-002 on April 22, 2025 and unanimously recommended approval by City Council; and

WHEREAS, the Brevard Planning Board and City Council have determined that this rezoning is both consistent with the following policies and goals of the City's Comprehensive Land Use Plan:

- **Goal 7:** Support economic vitality and grow the tax base, cultivate local businesses, and attract sustainable industry.
- **LUH- 18:** Collaborate with neighborhoods to explore opportunities for zoning overlays, historic preservation, adaptive reuse, infill projects, special events, and other neighborhood-specific activities.
- **LUH-20:** Encourage the creation of well-designed complete and cohesive neighborhoods; and

WHEREAS, the Brevard Planning Board and City Council have determined that this rezoning is reasonable and appropriate within the context of the existing zoning districts and the prevalence of uses in the vicinity of the Subject Parcel, due to the following factors

- This property is located in the Traditional Neighborhood character area in the Future Land Use Map, for which RMX is an applicable zoning district
- The size of the proposed rezoning diminishes any spot zoning concerns
- There is a strong relationship between the currently allowed uses and the allowed uses of the proposed new district
- The new district benefits landowners by creating a more context-sensitive conditional zoning district
- The rezoning is consistent with the above elements of the Comprehensive Land Use Plan; and

WHEREAS, a public hearing was conducted by Council on May 19, 2025; and

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

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

Section 1. The zoning classification of that certain real property depicted in Exhibit A to this Ordinance, which is attached hereto and incorporated herein by reference, is hereby rezoned to be the Inn at Brevard Conditional Zoning District with the Residential Mixed Use District base district, as shown on Exhibit A attached hereto.

Section 2. The District is a conditional zoning district established pursuant to the Unified Development Ordinance of the City of Brevard by means of authority granted by the North Carolina General Statutes.

Section 3. Development and use of lands within the District shall occur in accordance with the approved List of Conditions and Final Master Plan, which are attached to this ordinance as Exhibit B and Exhibit C, respectively.

Section 5. This Ordinance and its exhibits shall run with the land and shall be binding on the property owner, its heirs and assigns.

Section 6. The Planning Director is hereby authorized and directed to modify the City’s Official Zoning Map consistent with this Ordinance.

Section 7. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such a decision shall not affect the validity of the remaining portions of the ordinance.

Section 8. All ordinances or portions thereof in conflict herewith are hereby repealed to the extent of such conflict.

Section 9. This ordinance shall be in full force and effect from and after the date of adoption.

Adopted this the 2nd day of June, 2025.

Maureen Copelof
Mayor

ATTEST:

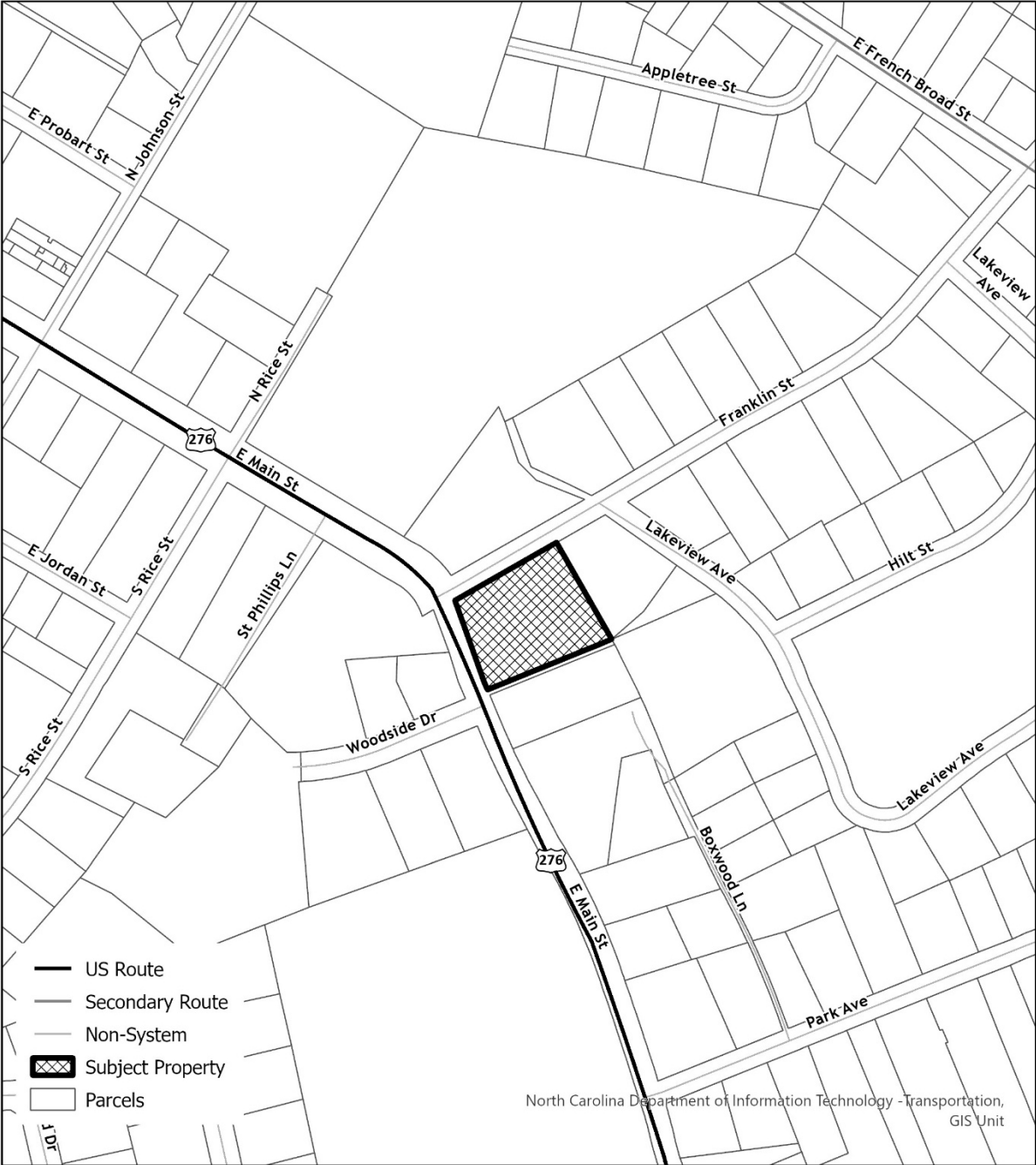
Denise Hodsdon CMC
City Clerk

APPROVED AS TO FORM:

Mack McKeller
City Attorney

EXHIBIT A
Ordinance Number 2025-XX

INN AT BREVARD CONDITIONAL ZONING DISTRICT: LOCATION MAP



This map was prepared by the City of Brevard Planning Department May 2025.

The information depicted is NOT to be construed or used as a survey or legal description. Map information is believed to be accurate, but accuracy is not guaranteed.

EXHIBIT B
Ordinance Number 2025-XX

INN AT BREVARD CONDITIONAL ZONING DISTRICT: LIST OF CONDITIONS

1. Definitions. Within this List of Conditions, the following terms shall have the meanings articulated:

- a. “District” refers to the Inn at Brevard Conditional Zoning District.
- b. “UDO” refers to the City of Brevard Unified Development Ordinance.

2. Future Development.

- a. Compliance with Final Master Plan.
 - i. Development on the subject parcel shall be in accordance with the attached Final Master Plan.
 - ii. Modifications to the Final Master Plan shall be considered in accordance with Chapter 16 of the UDO.
 - iii. In the absence of site-specific standards codified in this ordinance or the Final Master Plan, development on the site shall follow typical UDO requirements for the Residential Mixed Use district.

3. Land Use.

- a. Allowable Land Uses.
 - i. Land uses may be permitted according to the following table:

Residential			
Household Living	3.5.1	Dwelling—Single-Family	P
		Dwelling—Duplex	P
		Dwelling—Multifamily 3—4 units/bldg.	P
		Dwelling—Multifamily more than 4 units/bldg.	P
		Dwelling—Townhome	P
		Manufactured Home	MHD
		Live-Work Units	PS
		Mixed-Use Residential Unit	—
Group Living	3.5.2	Family Care Home	P
		Housing Services for the Elderly	—
		Rooming or Boarding House	P
Social Services	3.5.3	Group Care Facility	P
		Shelter	—
Lodging			
Overnight Accommodations	3.6.1	All overnight accommodations, except as listed below	P
		Bed and Breakfast	PS
		Short-Term Rental (STR)	PS
Camping	3.6.2	Campground/Recreational Vehicle Park	SUP
		Rental Cottage/Cabins	PS
		Seasonal Camp	—
Commercial			
Eating and Drinking Establishments	3.7.1	All restaurants and other eating and drinking establishments except as listed below	P
		Bar/Night Club	—
Personal Services	3.7.2	All personal services, except as listed below	P
		Day Care Center	PS
Professional Services	3.7.3	All professional services, except as listed below	P
		Adult Establishment	—
		Banks, Credit Unions, Financial Services, and ATMs	—
		Funeral Homes and Services	—

		Human Crematories and Crematoriums	—
		Indoor Animal Services	—
		Kennels and Outdoor Animal Services	—
		Landscaping and Contractor Services	—
		Vehicle Services—Major Repair/Body Work	—
		Vehicle Services—Minor Maintenance/Repair	—
Retail	3.7.4	All retail and sales establishments except as listed below	—
		Alcoholic Beverage Sales Store	—
		Auto/Mechanical Parts Sales	—
		Gas Station	—
		Gunsmiths and Weapon Sales	—
Civic/Institutional			
Educational	3.8.1	All educational uses except as listed below	P
		Colleges/Universities	—
		Schools—Vocational/Technical	—
Government	3.8.2	All government uses, except as listed below	P
		Correctional Facilities	—
		Public Safety Station	—
Medical	3.8.3	All medical offices and facilities except as listed below	P
		Hospital	—
Places of Worship	3.8.4	All religious institutions or places of worship	P
		Cemeteries	PS
Entertainment/Recreation			
Indoor Recreation	3.9.1	All indoor recreation facilities, except as listed below	P
		Cultural or Community Facility	P
		Indoor Amusements	—
		Indoor Firing Range	—
		Live Performance Theater	SUP
		Movie Theater	—
		Special Event Venue	P
		Studios, Galleries and Workshops - High Impact	—
		Studios, Galleries and Workshops - Low Impact	P
Outdoor Recreation	3.9.2	All outdoor recreation facilities, except as listed below	P
		Non-Residential Swimming Pool or Pond	SUP
		Outdoor Amusements	—
		Outdoor Firing Range	—
		Parks, Open Space, and Greenways	P
Agriculture			
Agriculture	3.10.1	All agricultural uses	—
Manufacturing/Wholesale/Storage			
Light Industrial and Manufacturing	3.11.1	All light industrial and manufacturing activities, except as listed below	—
		Brewery, Distillery, Winery, Cidery - High Impact	—
		Brewery, Distillery, Winery, Cidery - Low Impact	—
		Laboratory	—
		Laundry, Dry Cleaning Plant	—
		Manufacturing Research and Development	—
		Media Production	—
Heavy Manufacturing	3.11.2	All heavy manufacturing activities, except as listed below	—
		Metal Products Fabrication, Machine or Welding Shop	—
Storage and Disposal	3.11.3	All storage and disposal uses, except as listed below	—
		Chemical Storage Facility	—
		Solid Waste Disposal Facilities	—

		Junkyard / Salvage Yard	—
Wholesaling and Distribution	3.11.4	All wholesaling and distribution activities, except as listed below	—
		Equipment Rental	—
		Indoor Vehicle/Heavy Equipment Sales	—
		Outdoor Vehicle/Heavy Equipment Sales	—
Extractive Industries	3.11.5	All extractive industries, except as listed below	—
		Extractive industries involving blasting	—
Infrastructure			
Utilities	3.12.1	Utilities—Class 1	P
		Utilities—Class 2	P
		Utilities—Class 3	—
Telecommunications	3.12.2	All wireless telecommunication facilities, except as listed below	PS
		Wireless Telecommunication Facility—Tower	—
Transportation	3.12.3	Parking Lot	PS
		Passenger Vehicle Terminals	—
Accessory			
Residential Accessory	3.13.1	All residential accessory uses, except as listed below	PS
		Day Care Home	PS
		Dwelling—Accessory Unit (ADU)	PS
		Home Occupation	PS
		Keeping Bees	PS
		Keeping Domestic Fowl (Chickens)	PS
		Swimming Pool or Pond	PS
Non-Residential Accessory	3.13.2	All non-residential accessory uses, except as listed below	PS
		Accessory Retail	P
		Drive-Thrus	—
		Mobile Food Vendor Site	SUP
		Recycling - Small Collection	—
		Rooftop Amenity Space	—
		Taproom / Tasting Room	—
Temporary			
Events and Structures	3.14.1	All temporary events and structures, except as listed below	PS
		Carnivals or Circus	—
		Farmers Market	—
Vendors	3.14.2	All temporary vendors, except as listed below	—
		Vending Pushcarts	—

4. Dimensional Requirements.

- a. Setbacks shall comply with RMX standards of Chapters 2 of the UDO.
- b. Maximum Ground Floor Area for each principal structure shall not exceed those as depicted on the Master Plan.

5. Architectural Standards.

- a. Structures within the Project Area shall be designed and constructed in a manner that is generally consistent with structures as shown on the Master Plan with respect to location, area, height, bulk, and mass.
- b. Exterior changes to the main inn building shall be approved by the Joint Historic Preservation Commission as required.
- c. Other architectural changes to the main inn building and the annex building shall be designed and constructed with historically authentic materials and in accordance with Chapter 5 of the UDO and/or the City of

Brevard Architectural Visual Guidelines to the greatest extent possible.

6. Tree Protection and Landscaping.

- a. A 10-foot landscaping buffer shall be planted along the southern boundary of the parcel to screen from the adjacent General Residential property.

7. Parking.

- a. Parking shall comply with off-street standards of Chapter 10 of the UDO to the greatest extent possible as depicted on the Master Plan.
- b. The angled parking on Franklin Street may continue to be used but may not be expanded in any way.
- c. Off-street parking maximum for the overnight accommodation use shall be calculated at 2 spaces per room or suite.

8. Utilities

- a. The existing grease trap shall be evaluated to ensure it is properly sized for the volume of commercial kitchen usage proposed and upgraded if needed.
- b. The installation of a clay sink trap shall be required before the occupancy of any pottery or ceramics studio.

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EXHIBIT C
Ordinance Number 2025-XX

INN AT BREVARD CONDITIONAL ZONING DISTRICT: FINAL MASTER PLAN

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