



AGENDA
BREVARD CITY COUNCIL - REGULAR MEETING
Monday, August 18, 2025 - 5:30 PM
City Council Chambers

A. Welcome and Call to Order

B. Invocation

Pastor Ollie Dongell, Brevard Wesleyan Church

C. Pledge of Allegiance

D. Certification of Quorum

E. Approval of Agenda

F. Approval of Minutes

1. August 4, 2025 Regular Meeting

G. Certificates / Awards / Recognition

H. Public Comments

I. Special Presentation(s)

J. Public Hearing(s)

K. Consent and Information

1. City of Brevard Annual Tax Collection Settlement Report
2. Tax Settlement Report - July 2025
3. Ordinance Declaring Multiple Street Closures - Annual Brevard Plein Air Festival and Assault on the Carolinas, September 13, 2025
4. Award of Bank Financing for the Purchase of Three Vehicles
5. Approval of Downtown Mural Application - Earth Mountain Bicycle
6. HCA Settlement Agreement

L. Unfinished Business

1. Proposed Amendment to City of Brevard Traffic Schedule - No Parking on Railroad Avenue and Galloway Street

M. New Business

1. Resolution Declaring Intent to Permanently Close an Unopened Public Right-of-Way - Hendersonville Pediatrics
2. Proposed Amendments to the City of Brevard Fee Schedule - Planning and Zoning Fees
3. Resolution Directing Clerk to Investigate Sufficiency of Petition for Contiguous Annexation - City-owned Property on Cashiers Valley Road
4. Proposed Amendments to Housing Trust Fund Bylaws

N. Remarks / Future Agenda Considerations

O. Closed Session(s)

P. Adjourn

Agenda Posted, Website, Sunshine List (August 14, 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
Regular Meeting
August 4, 2025 – 5:30 PM**

The Brevard City Council met in regular session on Monday, August 4, 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 to the City Manager Selena Coffey, Planning Director Paul Ray, Assistant Planning Director Aaron Bland, Police Chief Tom Jordan, Interim Fire Chief Bradley Elmore, Public Works Director Wesley Shook, Wastewater Treatment Plant ORC Aaron Winans, Water Treatment Plant ORC Dennis Richardson, and Community Center Director Tyree Griffin, Police Officers Hannah Owen and Jesse Wallin, Police Captain Aaron Thompson, Police Detective Ronnie Bickford, Police Department Evidence Specialist Eden Hinds, Police Department Administrative Specialist Carrie Hart

Presenters/Guests – Retired Wastewater Treatment Plant ORC Emory Owen and family members, Director of Governor Stein’s Western Office Holly Jones, and Artists Ann DerGara and Charles Calvin

Press – Nick Haseloff, Transylvania Times

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

B. Invocation – Associate Pastor Victor Foster of Glade Creek Baptist Church offered an invocation.

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

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

E. Approval of Agenda – Mr. Daniel asked to remove Item K-6 City Council Public Safety Committee Meeting Minutes – April 28, 2025 from the Consent Agenda and add it to New Business as Item M-4. Mr. Daniel also asked to move Public Comments to Item H. and move Certificates/Awards/Recognition to Item G. Mr. Wise moved, seconded by Mr. Morrow to approve the agenda as amended. The motion carried unanimously.

F. Approval of Minutes

F-1. June 16, 2025 Regular Meeting – Ms. Holder moved, seconded by Mr. Baker to approve the minutes of the June 16, 2025 Regular Meeting as presented. The motion carried unanimously.

G. Certificates / Awards / Recognition

G-1. Presentation of the Order of the Long Leaf Pine Award to Emory Owen – Holly Jones, Director of Governor Stein’s Western Office presented the Order of the Long Leaf Pine Award to Retired Wastewater Treatment Plant ORC Emory Owen, honoring his 45 years of service to the City of Brevard. Mr. Owen was accompanied by his wife, his mother, his daughter and grandsons.

G-2. Police Officers Swearing-in

G-2-a. Hannah Langford Owen – Hannah Owen was sworn in as a Law Enforcement Officer by City Clerk Denise Hodsdon. Officer Owen was accompanied by her husband.

G-2-b. Jesse Vincent Wallin – Jesse Wallin was sworn in as a Law Enforcement Officer by City Clerk Denise Hodsdon. Officer Wallin was accompanied by his wife and daughter.

H. Public Comments

Joellen Risacher of 25 Chipmunk Ct. said I represent the Brevard Sustainability Council and I'm here with a few colleagues. We are a new group that arose out of a mutual concern over climate change. We hope to be honored tonight with a sponsorship by the City. We're very excited about that. We are deeply concerned about climate change, but I must state that we are also very positive. We see opportunities through sustainable activities for our community to thrive while we preserve the surrounding forests and the waterways that we all love so very much. We look forward to working with our beloved city and staff, and City Council administration; and we'll explore this new relationship we hope this evening.

Drew Deane of 116 W. Main St. said I have a business right on W. Main St. and my fellow block business owners are also here tonight to support me. I am here to express concern for the street camping that has most recently happened downtown, but also is a general concern in the entire community. Most of you have seen photos attached along with an email I sent to the Heart of Brevard Director. Although Law Enforcement has helped to lessen the frequency of this issue downtown, it still remains a huge specific problem in the Clemson Plaza. It is within the statutes of North Carolina law that the ordinances, along with signage can be implemented to include specific directives against street camping and loitering in public spaces. There are no clear rules in Clemson Park and the camping and loitering in that space is deterring business on our block. It is a threat to public safety and public health. I have witnessed both camping and loitering in the plaza to exceed five or more hours at one time where the same people do not move. People are intimidated just entering the space or using the covered bench. It is pretty much impossible as it is constantly monopolized. Last Monday I attended a Safety Committee meeting and was disheartened that this subject, including other areas in the community where it affects, was nowhere on the agenda. Two of my biggest takeaways from this meeting were: 1) law enforcement doesn't have much support to handle this type of issue. It is clear they need some support from social workers or substance abuse specialists. One such model that could be studied is the Community Care Program in Sylva. They have clear partnerships and community support. 2) the City doesn't seem to have a clear set of goals and objectives to deal properly with this issue. A perfect model for success is the one Pitt County has implemented. They created a 10-year plan beginning in 2008 with clear goals, objectives and strategies and have seen an 88% success rate in reducing chronic homelessness. Both counties I have mentioned have developed solid outreach support to achieve positive results and I am sure our community could learn from their systems and connect with their support. All of the information is out on the internet and easy to find regarding those plans.

Jesse Draper of 83 Kaden Lane said I am here to speak about the Brevard 2030 Comprehensive Land Use Plan (CLUP) and the Unified Development Ordinance (UDO). Reviewing the proposed Burl Haven development, which is going to be 65 homes on 11½ wooded acres off of Probart, we can easily see that the development does not meet the 2030 CLUP requirements, although it does meet the UDO. So, that means that the CLUP has no teeth; it doesn't reflect anything in the UDO. So, the UDO needs to be updated per the CLUP. The plan says it will serve as a strategic guide for land use infrastructure and programming decisions for the city and the extraterritorial jurisdiction. The Future Land Use Map and accompanying Character Area descriptions should be referenced by decision-makers, including city staff, Planning Board and the

City Council in rezoning cases and in development proposals. This plan should also serve as a guide to investors in the general public when making land acquisition and development decisions. So, the Burl Haven development plan is designated a conservation design subdivision with 40% land preservation per the CLUP, but per the UDO, it doesn't matter—nothing is reflected in the UDO regarding the land use...so the development can go ahead because the CLUP has no teeth. It means nothing. We spent so much money and time – 14 months on the plan, and a lot of money, and it's nothing; it's just out there. Also the 2030 plan is coming to an end. We're going to have to develop the 2050 plan, I think it is, and again we're going to spend more money for this pie in the sky, this is how we want to develop the City of Brevard and preserving land, but if the Burl Haven is approved as a traditional neighborhood, where the CLUP says it's supposed to conservation, so the plan means nothing and that's a real conflict.

Hannah Bowers said I am here on behalf of the Transylvania NAACP to read you a letter: Dear Members of City Council, we are writing to express our concerns regarding the variance granted for the property located at 85 North Lane in Brevard, NC in 2022. As you are aware, a request was made and granted for a variance from the side yard setback requirement of 6 feet in the GR-8 zoning district, reducing it to just 2 feet. This decision harmed neighboring property owner Charles Gardin, and we are calling on the City Council to adopt new policies to prevent the Board of Adjustment from making similar harmful decisions in the future. The lot at 85 North Lane was purchased for \$7,400 at a tax auction. A variance was applied for, and it was determined that the unnecessary hardship requirement had been met. Six months later, the lot was sold to a builder for \$70,000 - a tenfold increase in value. During the 2025 tax reassessment that sale was used as a comp for other lots in Rosenwald, raising land values and increasing the tax burden on long-time property owners. It must be recognized how such decisions can facilitate gentrification and impact residents in the broader social and economic context. Further, decisions like this call into question the very purpose of property line setbacks, if not to protect adjacent property owners and maintain good relationships between neighbors. Moving forward, the City Council should amend the requirements and conditions of variances granted for property line setbacks. The applicant should be required to prove that construction can take place without harm to neighboring properties, and agreement to mitigate any incidental harm should be a condition of the variance. During the hearings, Mr. Gardin demonstrated that a smaller home could be built on the site within existing regulations and articulated the potential negative impact on his property value and quality of life if the variance was approved. His fears materialized. He experienced trespassing, and is still coping with ongoing code violations and debris that was left on his property as a result of construction. After several promises to clean it up, the builder ultimately chose to leave the debris and sell the home, relieving himself of responsibility for the building site. The Board of Adjustment prioritized the concerns of the developer rather than a long-time property owner. As indicated by the builders' attempt to buy a one-foot strip of Mr. Gardin's property after development, even the developer knew a 2' lot line was inadequate. This decision has caused a great deal of grief and hardship for those affected, and this Council is ultimately responsible for the metrics the Board of Adjustment must use in their decision making. A strong community can only be built when ALL its residents are considered, not just those who raise the tax values. In closing, this Council should affirm the purpose of setbacks as safeguards for all property owners, not obstacles to be waived for financial betterment, and implement additional "findings" regarding adjacent properties that must be met before a variance is granted in the future. That is from the Racial Justice Committee of the Transylvania NAACP.

Dr. Paula Hartman-Stein, volunteer Task Force Coordinator for Brevard's Age Friendly initiatives updated Council on a Community Challenge grant received from AARP for Community Resilience. The grant is about disaster preparedness and emotional recovery from the hurricane. Dr. Hartman-Stein has conducted two of four community disaster preparedness discussions and trainings. The next two events will take place on September 27th, the commemoration of surviving Hurricane Helene, and the final one will be in October for Parkinson's Disease caregivers. She is also co-producing a video entitled "Ready and Resilient – A Community Model for Preparedness and Emotional Recovery", which she hopes to have finished by October.

Chris Wiener of 503 S. Broad St. said for the past few years, citizens, business owners and service providers in Brevard have sounded the alarm about our growing homelessness crisis. We have asked for action, we have offered ideas, and yet the urgency and harm to our community, safety, health and dignity; the city has failed to implement a coherent and measurable plan. Today, I am here to challenge that. I have prepared a two-year structured homelessness response plan rigored in compassion, driven by data, and designed for measurable success. It is tailored specifically for Brevard and Transylvania County and works within the limits of North Carolina state law. The plan sets forth the clear North Star, reducing unsheltered homelessness by 40-60% within two years; cuts first time homelessness by 25% and increases exits to permanent housing by 50%. It includes a homelessness response steering committee with city, county, non-profits, law enforcement, and lived-experience voices at the table; a [inaudible] named list and coordinated entry system so that every individual is known and actively case-conferenced; mobile outreach teams, street medicine, and a low-barrier bridge shelter with recuperative care; rapid rehousing, landlord incentives and a targeted eviction prevention; a day-service hub; transitional employment crews and apprenticeship pipelines to help people rejoin the workforce; and a humane encampment protocol that offers a real alternative before any enforcement. The truth is simple—the city has had years to develop a plan like this; instead we have been watching a patchwork of temporary measures, inconsistent enforcement, and no clear metrics for success. The result is that we all see downtown, in our parks, and in our neighborhoods, conditions that are neither compassionate nor effective. Our citizens have been patient; they have advocated; they have asked for meaningful change; they have received delay and inaction—that is not leadership. I am not here to criticize; I am here to hand you a ready to implement roadmap. The plan is practical, lawful, fundable through a mix of state, federal, and private resources. If we act with urgency, we can not only move to restore order and public safety, but we can also give our most vulnerable neighbors a real path forward. At this point I am submitting to you a printed copy and a digital copy will be emailed to you as well. I urge you to adopt it, or at the very least commit to a public transparent process to evaluate and implement its key elements within the next 90 days. Our community deserves better than the status quo. The plan is the first step toward a safer, healthier and more compassionate Brevard. I look forward to working with you all next year after the election.

Paige Dinsdale of 63 Poplar St. said I am a student at Brevard High School and I am here to present an idea that will prevent pollution in some of our public spaces and parks after seeing lots of trash at Franklin Park cleanup with one of my clubs. We spent a majority of our time picking up plastic-based confetti around picnic tables, which led us to want to produce either a city ordinance or a letter of suggestion that would aim to eliminate that form of confetti pollution. After this I spent some more time thinking about how this would actually work and found out through producing my own paper confetti, I am able to do this with recycled, unused or used shredded paper, forming it into sheets and cutting it into confetti. This can be packaged into boxes and bags and be available at park shelters for groups to use at events and parties. Having confetti in these little packages would be cheap, accessible and convenient for groups and encourage them to follow the ordinance or suggestion since they won't have to go out of their way for it. This form of confetti would also be easier to pick up and even if people decide not to pick it up, the impact on the surrounding environment and animals will be far less than that of plastics, which will never decompose. So, overall my suggestion is the creation of either an ordinance or letter which would aim to eliminate plastic confetti use in public spaces in the city, such as Franklin Park, and allow the ability of homemade or store-bought confetti if the demand for that would increase people to use the honor system in order to reduce the environmental impact. I handed you a confetti proposal which is a little bit more detailed version of the plan.

Dean Lytle of 45 Carver St. said I recently filed to run for City Council and I am here tonight to simply observe and listen as I begin a new chapter of public service. For me, this isn't about politics; it's about legacy. My grandmother Selena Robinson dedicated her life to this community, from helping the efforts to integrating our schools to advocating for affordable housing, to serving on boards to shape Brevard's health,

history and opportunity. Her tempo taught me that real change starts right here with showing up and working together. I am running because I believe we can do more for working families, for young people searching for purpose, and for neighborhoods that have too often been overlooked. I appreciate the chance to be here and I look forward to learning from all of you in the coming weeks.

James Veal of 627 Bay Shore Dr. in Pensacola, FL said I have a house up at 187 Pinnacle Road. I appeared before you last August 5th to let you know that I would like to meet with each one of you and talk about a problem of the bottom 200 feet of Bracken Trail blocking access to six parcels of land up there. Thank you Mr. Morrow and Ms. Holder for meeting with me. In the coming weeks I will reach out to the rest of you guys to see if you might want to squeeze a few minutes to talk about it. On August 19th I had the honor to appear before the Council at the Mary C. Jenkins Community Center and I shared with you that blocking access to these peoples' property up there is the same as stealing the value of the property. So, I wonder did anybody do anything? Has anybody asked anybody to check into it? I also expressed an interest in solving this at the Council level, or I might have to go through some other avenues, and I don't want to do that. I met with Mr. McKeller a year ago last November and expressed an interest in being a good neighbor, but I also let him know that it's easier to be a good neighbor when you have good neighbors. I ended up appearing before the Parks and Rec Committee; it got a little exciting. Mr. Hooper took me under his wing and was going to send me to Public Works and Utilities; that was never scheduled. So, that being said, I look forward to maybe having an in-person dialogue with you guys and hopefully we can come up with a solution that restores the value of these peoples' property, including mine.

Connie Chase of 149 Old NC 280 said I am here as a representative and member of the Brevard Sustainability Council and I am excited that you all are considering joining with us and partnering with us. I think it would be a great thing for our city in that we will work to help with the sustainability issues, wastewater issues, and with education. We're a whole group of people that are willing to volunteer and work for the city to help with climate change and pollution and all the things that threaten the livability of this beautiful area. I just want to say thanks for considering that.

Rodney Locks of 187 S. Rice St. said yesterday I watched a story on ABC called "Highballed: How disproportionate property taxes are forcing some Americans out of their homes". The story featured one Baltimore homeowner who has highballed on their property assessment. Since Baltimore is my hometown I've been just paying the taxes, but I didn't realize that the assessments in the Black community were three times what they have been in the white community; and there are 44,000 people in Brevard [sic], most of whom are Black, who are disadvantaged because of property tax assessments. They have shown that it wasn't just in Baltimore, it was in New York and Philadelphia, Pennsylvania, and it didn't talk about what happened here in Brevard, because we went through a similar thing. The essence of the whole story was as long as you make property taxes your primary place for revenue, as the federal government and state government takes away their revenue from you, you're going to have to depend on property taxes. And the same thing that's happening in other places will happen here. You're saying hey, this can't happen and you weren't interested. Don't forget the people who live here are the people who made Brevard what it is and having the improper property tax assessments are going to force them out. I hope you do something.

Harvey Sankey of 51 Lake House Trail said the resolution endorsing the Brevard Sustainability Council by the Mayor should be rejected by the City Council. That is one of the four actions that the Mayor has asked for. The City Council at this time does not have enough information to get all of the facts, such as who are these individuals, and why are they needed to tell the city how to improve our quality of life. Are they part of an NGO and will they get paid by an outside source? What policies are they going to follow? Is it from UN Agenda 21 or UN Agenda 30? This will lead to more regulations and involve city strategic planning and investments—tax dollars. They will ask for the city to commit to creating a climate action plan and to perform an energy audit of its

operations. This will involve spending our tax dollars. What's more important to the city – infrastructure, safety, affordable housing, or homelessness? Sustainability development was not our top priority during the budget negotiations. Red flag – some city support to the work of the BSC, but without supplying significant city resources, money or staff time to the pursuit. Sorry, it's going to cost you money. However, any significant commitment of city resources would need to be approved by the Council on a case-by-case basis. Once again, they're going to come up and ask for money. No city financial resources will be applied to BSC activities without additional Council approval. Minimal staff time -for example, the city's Communications Coordinator posting a BCS message online- will be applied. There's going to be more than that folks. This is nothing but getting the camel's head under the tent. The camel will eventually be under out tent and we will be paying our tax dollars for a new person to implement the plans in the future. It's going to cost us money folks. If any type of improving our quality of life is needed, the Planning Department, Downtown Planning Committee and Public Works can do the job.

I. Special Presentations – None.

J. Public Hearing(s)

J-1. Proposed Amendment to City of Brevard Traffic Schedule – No Parking on Railroad Avenue and Galloway Street – Chief Tom Jordan explained that this proposal came about due to complaints received at the time of the White Squirrel Festival where people were parked on both sides of Galloway St, creating a traffic hazard for our emergency vehicles that can't get by. The proposal is to add all of Galloway Street to the "Schedule I: No Parking Areas" of the Traffic Schedule. Likewise, we have received a number of complaints about people parking on the side of Railroad Avenue past the Depot closer to Whitmire St. and clogging the street, where emergency vehicles were having difficulty getting down the road on certain days. The proposal is to add all of Railroad Ave. from Whitmire to McLean St. to the "Schedule I: No Parking Areas" of the Traffic Schedule. It would not include the designated on-street parking recently added to the section between French Broad and Whitmire.

At 6:33 p.m. Ms. Holder moved, seconded by Mr. Morrow to open the public hearing. The motion carried unanimously.

Public Participation:

Lisa Radke of 420 Whitmire St. said please don't take away parking on Railroad Avenue. I was thrilled when the new owners of the property on Railroad and Whitmire opened an espresso coffee and ice cream stand in an Airstream silver bullet trailer. They added children's playground equipment and picnic tables, and it is a super popular place for young families to enjoy a coffee while relaxing watching their kids have great fun. I have never seen so many young families have a place that they can relax and enjoy. Then the owners had a lovely Christmas market with live music, enabling local entrepreneurs and encouraging first-time entrepreneurs to sell unique gifts. In April they started a trailside market on Thursday afternoons that includes many local farmers, organic eggs at a reasonable price, and not early on Saturday morning. It's Thursday afternoon; it's easy for part-time farmers or after-work people to come and wonderful food vendors, just entrepreneurs, low budget, tamales, a cheap wonderful dinner. A lot of the farmers, Gaia Herbs, and some local businesses have little stands there. Most Thursdays it is so popular that the Railroad Depot parking is absolutely full. I do understand that the current parallel parking is a bit chaotic. Now, the owners have boulders set up to delineate the border of where the parking is, and actually I am sure they would be willing to move the boulders farther away from Railroad and put in gravel for diagonal parking and that would avoid the in-and-out and back-and-forth and trying to avoid hitting the boulders when they're parking. And that would provide more space and have the parking stop before it's close to the bend in the road to get over the creek. So, I'm sure that these wonderful owners that have provided an opportunity to raise sales taxes and new business starters... I want to thank you and please do not...Galloway I totally understand...but Railroad please do not. Plus, the

music venue at King St. is such a wonderful money-maker community center and everything and that would be definitely paralyzed if parking on Railroad were taken away. Please do not take away parking on Railroad; make it a little bit less chaotic, but please we need that. People used to park on the other side also where the multi-use trail is; that has been taken away, but the other side has been painted. We do need more crosswalks there, but please do not take away Railroad parking.

Chris Wiener of 503 S. Broad St. said one of the things that I would remind the City Council more broadly is that we actually need more parking, not less parking. I think that is a well-understood issue. Anybody that operates any reasonable-sized agricultural vehicle like I do, even a little 1500 Ram barely fits into any of the parking spaces in town, and God forbid I try to bring my dually in town, there's two parking spaces that are actually large enough for me to park in. But, that being said, what you all may not know is that once upon a time I used to work for the United States Army Corps of Engineers and one of the things that we did was build roads, bridges, dams, and all kinds of port facilities. Now, parking is a relatively simple problem to solve, if you take example of Europe, which implements one-way systems. What I would propose is that Galloway, Oaklawn and England St. be made one-way streets with parking designated on one side of the road and potentially even made as diagonal parking. Further, if you go down the road on avenue there is about 300 feet at the top of the road that would amply create diagonal parking on the left side between the road and the pathway. The same studies should be conducted within the rest of the city of Brevard. The two roads that are in town – Jordan and I can't remember the name of it right now – need to be reversed. The reason for that is the idea behind one-way streets integrating with two-way streets or other one-way streets, is that when you get to the junction, you don't have to cross traffic to turn. Both of those streets require you to cross traffic to turn off of that street. You cannot turn right, which is a natural turn right on red, from either of those streets and maneuver in a loop. I would ask the City to decide not to take this action forward and instead take on a relatively easy traffic survey analysis, which I am happy to provide free consulting service to the city, to outline methods to improve both the traffic flow within the city, and how to regain some of the parking spaces that we lost. I will submit my plan for Galloway, Oaklawn and England St.

At 6:41 p.m. Mr. Morrow moved, seconded by Ms. Holder to close the public hearing. The motion carried unanimously.

This item will be placed on the agenda for Council action at its August 18th meeting.

J-2. Proposed Amendments to the City of Brevard Unified Development Ordinance, Multiple Chapters – Specificity on General Residential and Residential Mixed Use Districts – Aaron Bland recalled that in April City Council adopted two new definitions into the Unified Development Ordinance in response to NC Session Law 2024-57. The two new definitions codified were “new construction” and “residential zoning district”. This is a staff-initiated text amendment to clarify various requirements throughout the UDO that relied on a former interpretation of the term “residential zoning district”. When this term did not have a codified definition, it was standard practice to interpret residential zoning districts as General Residential and Residential Mixed Use. However, the new codified definition changes this. The new definition now reads “any zoning district that permits residential land uses” which includes several districts besides just GR and RMX. This amendment replaces any instance of vague language such as “residential districts” or “non-residential districts” peppered throughout the ordinance with an explicit list of applicable zoning districts. Because the amendments make no changes to the actual UDO regulations and only seek to codify the interpretations that have always been made, Staff is requesting the Council take action at this time to avoid any complications or conflicts with applicants. The Planning Board discussed the amendments at its July 22nd meeting and unanimously recommended in favor as written.

At 6:52 p.m. Mr. Morrow moved, seconded by Mr. Daniel to open the public hearing. The motion carried unanimously.

Public Participation: None.

At 6:52 p.m. Mr. Morrow moved, seconded by Ms. Holder to close the public hearing. The motion carried unanimously.

Mr. Morrow moved, seconded by Mr. Daniel to approve the ordinance as written. The motion carried unanimously.

ORDINANCE NO. 2025-39
AN ORDINANCE AMENDING CITY OF BREVARD UNIFIED DEVELOPMENT
ORDINANCE CHAPTER 19 – DEFINITIONS TO CODIFY NEW DEFINITIONS

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”; 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 April of this year, the City Council adopted Ordinance 2025-13 to establish these definitions in the Unified Development Ordinance in order to comply with SL 2024-57; and,

WHEREAS, with these new definitions in place, it is the desire of the City Council to further clarify the standards contained within the Unified Development Ordinance that have relied on these previously undefined terms; and,

WHEREAS, the Brevard Planning Board considered these amendments on July 22, 2025, and unanimously recommended in favor; 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-19:** Enhance communication of land use planning efforts, policy development, approvals and processes.
- and,

WHEREAS, a public hearing was conducted on Monday, August 4, 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 4th day of August 2025.

Attest: s/ Denise Hodsdon, CMC, City Clerk
Approved as to Form: s/ Mack McKeller, City Attorney

s/ Maureen Copelof, Mayor

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. Baker moved, seconded by Mr. Wise to approve the consent agenda. The motion carried unanimously.

K-1. Tax Settlement Report – June, 2025

K-2. Capital Project Amendment – WWTP – KCI - \$878,000

ORDINANCE NO. 2025-40
CAPITAL PROJECT ORDINANCE TO AMEND ORDINANCE
NO. 2024-40 WASTEWATER TREATMENT PLANT UPGRADE 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 2024-40 will be increased by \$878,000.

Section 2: Assistant City Manager David Todd has worked closely with KCI in developing the supplemental agreement which has been approved by NCDEQ and is intended to finish the design of Phase 1 and complete preliminary engineering reports for Phases 2 and 3 of the Wastewater Treatment Plant Upgrade.

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

Account Number	Account Name	Budget Amount
31-8220-0925	Professional Services	\$ 352,000
31-8220-0925	Professional Services	\$ 878,000
TOTAL PROJECT APPROPRIATION		\$1,230,000

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

Account Number	Account Name	Budget Amount
31-3970-0800	NCDEQ SRP-W-134-0175	\$ 352,000
31-3970-0800	NCDEQ SRP-W-134-0175	\$ 878,000
TOTAL PROJECT REVENUE		\$1,230,000

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

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

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

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

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

ADOPTED by the City Council of the City of Brevard, North Carolina, on this 4th day of August, 2025.

Attest: s/ Denise Hodsdon, CMC, City Clerk
Approved as to Form: s/ Mack McKeller, City Attorney

s/ Maureen Copelof, Mayor

K-3. Budget Amendment – Bucket Truck - \$150,000 – Debt Financed

**ORDINANCE NO. 2025-41
AN ORDINANCE AMENDING THE FY2025-2026 BUDGET.
BUDGET AMENDMENT NUMBER 26-01**

SUBJECT: Budget Amendment to increase General Fund budget by \$150,000 for the purchase of a new Ford F550 Bucket Truck.

AGENDA INFORMATION

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

BRIEF SUMMARY: The one bucket truck that the City owns was purchased in 1998 and has recently required extensive repairs that make it inoperable. City staff has contacted repair facilities that have previously worked on the vehicle, and they have communicated they cannot work on the vehicle, because of its age and potential liability issues. The City desires to purchase a new Ford F550 Bucket Truck (or an equivalent vehicle) at an estimated cost of \$150,000 and include this in the debt offering being sent out for the Vacuum Truck and Sanitation Truck, which were approved by City Council in the FY25-26 budget.

MOTION FOR CONSIDERATION: To approve Budget Amendment 26-01, as submitted, increasing the budget in expenditure account:

10-5600-7400 (Capital Outlay)	\$150,000
TOTAL	\$150,000

And increasing the budget in the revenue account:

10-3950-0100 (Debt Proceeds)	\$150,000
TOTAL	\$150,000

ATTACHMENTS: None.

MANAGER'S RECOMMENDATION: Adopt as presented.

Approved and adopted this 4th day of August 2025.

Attest: s/ Denise Hodsdon, CMC, City Clerk	s/ Maureen Copelof, Mayor
Approved as to Form: s/ Mack McKeller, City Attorney	

**K-4. Establishing Norton Creek Streambank Restoration Capital Project
(Cashiers Valley Road to Rosman Highway)**

**ORDINANCE NO. 2025-42
CAPITAL PROJECT ORDINANCE TO ESTABLISH NORTON CREEK STREAMBANK RESTORATION
CAPITAL PROJECT (CASHIERS VALLEY ROAD TO ROSMAN HWY)**

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

- Section 1:** In February of 2025, the City and the Land of Sky Regional Council finalized a grant contract with the North Carolina Land and Water Fund in the amount of \$75,000 for the purpose of developing a stream restoration alternative on Norton Creek between Cashiers Valley Road and Rosman Highway. For some time, the City has been aware that the area in question has needed attention, and we are hopeful this is just the beginning of what will ultimately be a wide ranging plan to improve the physical environment of the City in this area, and reduce the impacts of erosion and overflow.
- Section 2:** This Project will be recorded in the newly established Stormwater Capital Projects Fund. The City is expecting that the initial project budget of \$75,000 will be increased as the specifics of the Project become known, and the Project will likely be ongoing for a number of years, and will likely require additional grant funding.

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

Account Number	Account Name	Budget Amount
36-4900-0925	Prof Serv – Norton Creek	\$75,000
TOTAL PROJECT APPROPRIATION		\$75,000

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

Account Number	Account Name	Budget Amount
36-3910-0300	NC Land & Water Fund Grant	\$75,000
TOTAL PROJECT REVENUE		\$75,000

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

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

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

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

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

ADOPTED by the City Council of the City of Brevard, North Carolina, on this 4th day of August, 2025.

Attest: s/ Denise Hodsdon, CMC, City Clerk
Approved as to Form: s/ Mack McKeller, City Attorney

s/ Maureen Copelof, Mayor

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

K-7. City Council Public Works & Utilities Committee Meeting Minutes – May 7, 2025

K-8. City Council Housing Committee Meeting Minutes – May 13, 2025

K-9. City Council Parks, Trails & Recreation Committee Meeting Minutes – May 21, 2025

K-10. City Council Public Safety Committee Meeting Minutes – May 27, 2025

K-11. City Council Finance, Human Resources & Citizen Appointment Committee Meeting Minutes – May 28, 2025

K-12. Correspondence *(No action. Offered as information only.)*

K-12-a. ABC Board Meeting Minutes – May 22, 2025

K-12-b. ABC Board Meeting Minutes – June 26, 2025

~~ At 6:55 p.m. Mayor Copelof called for a five minute break ~~

L. Unfinished Business

L-1. Proposed Amendment to the Official Zoning Map of the City of Brevard – Pisgah Gateway District (Request to Table) – Aaron Bland recalled that Council held a public hearing on June 16th to consider reinstating the Pisgah Gateway Mixed Use District (PGX) which would rezone much of the area around the US 64 / US 276 / NC 280 intersection at the entrance to Pisgah National Forest. Council’s original enactment of this district in 2024 was nullified by Session Law 2024-57. Staff initiated a rezoning to reapply the PGX district this year in the same geographic area it was previously applied to. A change in SL 2024-57 also removed an exception to the limits on downzoning if the rezoning was initiated by the local government. However, there is a new bill working its way through the General Assembly, Senate Bill 587, which would add that exception back. SB 587 would also make some major changes to regulation of nonconformities and vested rights. Due to the uncertainty of this pending legislation, Staff is requesting that Council table the PGX matter to wait for the results SB 587. The passage of the bill would also necessitate text amendments to the UDO as it relates to vested rights and nonconformities.

Mr. Daniel moved, seconded by Ms. Holder to table this item. The motion carried unanimously.

M. New Business

M-1. Resolution re Brevard Sustainability Council – Mr. Hooper explained that over the past year the Brevard Sustainability Council (BSC), a citizen-led advocacy group has asked for the city to commit to creating a Climate Action Plan and to perform an energy audit of its operations. During priority-setting and budget season, Council did not identify sustainability or environmental initiatives as a priority. He said the BSC has approached the Mayor and I with a compromise approach—a way to advance these interests, which a number of Council members have expressed support for—that gives some city support to the work of the BSC, but without applying significant city resources of money or staff time. Mayor Copelof added that we looked at what we could do without funding or staff time from the City. She noted that the BSC are active, engaged community members who are willing to donate their time and expertise and we thought that they could look at ways that our community could become more sustainable and work with the community in terms of education. They would look for grants that might be available and research what other communities are doing. BSC is looking for a resolution endorsing the creation of and operation of the BSC and that we are willing to help promote things as government speech by sharing them on our government-controlled forums. The minimal amount of staff effort would be asking our Communications Director to post things. She said we are not looking to develop a plan, but asking to endorse this idea, utilize this community effort, and I volunteered to be the liaison between the group and the elected body. When there are projects that the City would be promoting, we would take them to the appropriate committee for evaluation.

Mr. Morrow moved, seconded by Mr. Wise to approve the resolution as written. During discussion, Mr. Daniel said he was in favor of sustainability, but expressed concern with the process, which he said would create a committee that we have no oversight of and would allow someone to speak for Council without knowing who that someone is or what they would say. Vote on the motion was 4 in favor; 1 opposed (Daniel). The motion carried.

RESOLUTION NO. 2025-46

RESOLUTION ENDORSING THE BREVARD SUSTAINABILITY COUNCIL

WHEREAS, increased frequency and intensity of extreme weather events, including flash floods, severe storms, and prolonged droughts, threaten the safety and economic stability of our community; and

WHEREAS, extreme weather events increasingly damage aging infrastructure including roads, bridges, water systems, and electrical grids that are expensive to repair and often lack redundant systems; and

WHEREAS, the City of Brevard desires to support sustainability efforts that cut down on greenhouse gas (GHG) emissions, reduce waste, protect the natural environment and enhance infrastructure resilience; and

WHEREAS, Brevard’s Comprehensive Land Use Plan (CLUP) lists as goals “Celebrating Brevard’s natural resources through conservation of environmentally sensitive areas, improving access to recreation, and restoration of native ecosystems” and “Plan for efficient, equitable and resilient infrastructure and services that maintain and improve the quality of life throughout the city” with the specific task of incorporating climate resiliency into City strategic planning and investments; and

WHEREAS, Brevard’s other policy documents are imbued with sustainability themes such as multi-modal transportation, infill development, and replacement of inefficient infrastructure; and

WHEREAS, the Brevard Sustainability Council (BSC) is a volunteer-led group that promotes sustainability through awareness, advocacy, and action; and

WHEREAS, the BSC has offered to undertake efforts to support local sustainability that align with city goals.

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

Section 1. The City of Brevard endorses the creation and operation of the Brevard Sustainability Council.

Section 2. The City of Brevard supports BSC’s efforts to decrease greenhouse gas emissions, increase the prevalence of alternative sources of energy, reduce waste, protect trees and waterways, promote sustainable practices, and increase awareness of the impacts of global warming thereby improving the community’s overall resilience.

Section 3. The City of Brevard may adopt, at the discretion of its agents, some of BSC’s statements as government speech and share them across government-controlled forums.

Section 4. This resolution becomes effective upon adoption.

Adopted and approved this the 4th day of August, 2025.

Attest: s/ Denise Hodsdon, CMC, City Clerk

s/ Maureen Copelof, Mayor

M-2. Potential Amendment to Roundabout Design Contract / Bear Statue Proposal – Mr. Hooper explained that in 2020 Council approved a landscaping and art plan for NCDOT’s R5799 roundabout project. With construction of R5799 currently underway, it is time to move forward with hiring McAdams to secure permits from NCDOT and oversee the installation of the landscaping enhancements. A group of local artists have put forward an idea for a statue at the R-5799 roundabout at the entrance to Brevard and Pisgah National Forest. This new idea is being shared with Council tonight to ascertain if there is interest in possibly amending the plan and asking McAdams to evaluate what it would take to accommodate this new proposal. The contract with McAdams for the originally-envisioned betterments was anticipated, and funds were reserved in Fund 75 for that purpose. The additional funds needed to pay for the extra work for the proposed statue would be about \$2,200 and would require are unbudgeted allocation from that same fund.

Mayor Copelof added that a group of local artists, led by Ann DerGara has proposed the installation of a bear statue at the R-5799 Pisgah Forest roundabout. Ms. DerGara has submitted a concept rendering, with the idea that the sculpture would be created by artist Charles Calvin. To support this effort, the group has already secured \$20,000 in pledged donations toward the cost of producing the piece. Ms. DerGara and Mr. Calvin displayed a life-sized drawing of the bear.

Mr. Morrow moved, seconded by Mr. Daniel to instruct staff to amend the scope of the McAdams contract to include a preliminary exploration of the bear statue proposal and find the \$2,200. The motion carried unanimously.

M-3. ABC Board Appointments – Board Member and Designation of Board Chair – Ms. Hodsdon explained that there is one vacancy on the ABC Board. The

Finance, Human Resources and Citizen Appointment Committee reviewed all applications at its July 28th meeting and recommended the appointment of Thomas Carpenter to the ABC Board. Additionally, City Council annually appoints one member of the ABC Board to serve as chairman. At its meeting on June 26th the ABC Board nominated Lisa Conner to serve another year as Chair. Mr. Baker moved, seconded by Mr. Wise to approve the resolution appointing an ABC Board member and designating ABC Board Chair. The motion carried unanimously.

RESOLUTION NO. 2025-47
RESOLUTION APPOINTING A MEMBER TO THE BREVARD ABC BOARD
AND DESIGNATING ABC BOARD CHAIR

WHEREAS, pursuant to NC G.S. § 18B-700(a) Local ABC Board members are appointed by the City Council as the appointing authority; and

WHEREAS, Brevard ABC Board members serve staggered three-year terms and the term of one member expired in July, 2025; and

WHEREAS, city staff, with the oversight of the Finance, Human Resources and Citizen Appointment Committee, conducted an open recruitment for citizens interested in serving on the ABC Board; and

WHEREAS, the Finance, Human Resources and Citizen Appointment Committee considered applications at their July 28, 2025 meeting and recommended appointment of Thomas Carpenter to the Brevard ABC Board; and

WHEREAS, NC G.S. § 18B-700(a) also states “the appointing authority shall designate one member of the local board as chairman”; and

WHEREAS, pursuant to Section 6.3 of the City of Brevard Charter, the Mayor and City Council shall annually appoint one member of the ABC Board to serve as chairman; and

WHEREAS, the Brevard ABC Board Chair has historically served a one-year term from July 1 to June 30 to coincide with the fiscal year; and

WHEREAS, at its meeting on June 26, 2025 the Brevard ABC Board nominated Lisa Conner to serve another term as ABC Board Chair until July 2026.

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 Thomas Carpenter to the Brevard ABC Board effective August 2025 and expiring in July, 2028.
- 2) The Brevard City Council does hereby designate Brevard ABC Board Member Lisa Conner to serve as Chair effective immediately until June 30, 2025.

Adopted and approved this 4th day of August, 2025.

Attest: s/ Denise Hodsdon, CMC, City Clerk

s/ Maureen Copelof, Mayor

M-4. (K-6.) City Council Public Safety Committee Meeting Minutes – April 28, 2025 – Mr. Daniel noted that the minutes included a Fire Department incident report for the first quarter of 2025 and remarked that there were four incidents in one day (March 18, 2025). He asked if we know of any reason that these all happened in one day. Interim Fire Chief Elmore provided a written report of all incidents over the past 17 months and explained that the incidents on that day were not related. Mr. Daniel moved, seconded by Mr. Morrow to accept the Public Safety Committee meeting minutes of April 28, 2025. The motion carried unanimously.

N. Remarks/Future Agenda Considerations.

Mr. Morrow noted that we now have security lights at the Dog Park and gave a shout out to Assistant City Managers Dean Luebbe and David Todd.

Mr. Wise expressed appreciation to everyone who came to speak to Council today. He congratulated Emory Owen and mentioned that the groundbreaking for the Fairhaven Meadows affordable housing project will take place tomorrow morning.

Mr. Daniel read part of reading from the Fourth of July about King George and shared a story about a spectator who scoffed at the reading and walked off. Mr. Daniel said this is the foundation of this nation, the Bill of Rights, the Declaration of Independence. If our citizenry thinks that that is something to be scoffed at and walked away from, I think we have problems in this country and someone saying that in public in a crowd, disrespecting this country is abhorrent.

Mr. Baker remarked that while Council hasn't had a meeting since June, the committees have still been working and gave a shout out to all the volunteer members who attended those meetings. He thanked our Police Officers who are often asked to be the first point of contact with folks who are unhoused. He said I am really proud of the City over the last few years that we have gotten much better connected with many of the non-profits in our community who are working on this issue. He added that you cannot disconnect issues of homelessness from issues of affordable housing, and our goal should be to provide a safe housing situation for every resident. He thanked the School Board for approving studying land they own across from Brevard High School for a potential affordable teacher housing project.

Mr. Hooper reported that last week the City submitted a grant application to Dogwood Foundation for seed money for a tax relief program. If funded, it will refund folks with the lowest incomes and the highest increases in their property values. He noted that Chief Jordan has announced his retirement and he thanked him for his service. The City has hired the firm Developmental Associates to help us find his replacement. He expressed appreciation to Holly Jones from Governor Stein's Office for being here to honor Emory Owen and reading the first verse of the State Toast. He then read the third verse.

Mayor Copelof noted that we have all been in agreement about the importance of housing and trying to get where everyone in our community is housed, but we do have unhoused folks in our community. We are very fortunate that we have a process where we work with all sorts of partners that provide the services people need. We continue to make progress, and we are striving to make sure we have all the options for that continuum of housing. She mentioned that we saw tonight how our community gets involved in a number of initiatives, which augment our priorities. She said the opening of today's meeting, where Emory Owen was recognized for 45 years of service and two new Police Officers were sworn in, was all about people and our staff. She expressed pride and thanks to all of the City's staff.

O. Closed Sessions

O-1. Pending Litigation: NCGS §143-318.11.(a)(3) – *In re Mission Health Antitrust Litigation* – At 8:25 p.m. Mr. Morrow moved, seconded by Ms. Holder to go into closed session to discuss the pending 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 and City Clerk Denise Hodsdon.

Council Returned to Regular Session – at 8:52 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 8:52 p.m. Mr. Wise moved, seconded by Ms. Holder, to adjourn the meeting. The motion carried unanimously.

Maureen Copelof
Mayor

Denise Hodsdon, CMC
City Clerk

Minutes Approved: August 18, 2025



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

2024 TAX COLLECTION SETTLEMENT REPORT

August 18, 2025

Tina Tanner
Certified Tax Collector



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

Memorandum

To: Brevard City Council

From: Tina Tanner, Certified Tax Collector

Subject: 2024 Tax Collection Settlement Report

In compliance with NC General Statute 105-373, I am presenting for your approval, my accounting and settlement of all taxes charged to the Tax Collector by the City of Brevard City Council.


Tina Tanner, Tax Collector

2024 Collection Rates
All Districts
Thru June 30, 2025

<u>District</u>	<u>Collection Rate</u>
City of Brevard	98.41 %
Heart of Brevard	92.49 %

CITY OF BREVARD COLLECTION TOTALS								
as of 06/30/2025								
Year	Original Levy	Penalties	Discoveries	Releases	Total Levy	Total Collected	Uncollected	% Rate
2024	\$ 6,145,331.96	\$ 765.10	\$ 114,378.92	\$ (89,457.85)	\$ 6,171,018.13	\$ 6,072,660.11	\$ 98,358.02	98.41%

Monies Collected Other than Taxes			
	Advertising Fee	Interest	Misc. Fee
2024		\$ 10,785.82	
Total	\$ -	\$ 10,785.82	\$ -

Total Tax Collected	\$ 6,077,626.35
Total Pen Collected	\$ 717.10
	\$ 6,078,343.45
Ret Check	\$ (5,683.34)
	\$ 6,072,660.11

CITY OF BREVARD PRIOR YEARS COLLECTION TOTALS								
07/01/2024-06/30/2025								
Year	Levy-07/01/2024	Penalties	Discoveries	Releases	Total Levy	Total Collected	Uncollected	% Rate
2023	\$ 65,583.30	\$ 13.16	\$ 163.87	\$ (8.05)	\$ 65,752.28	\$ 21,937.01	\$ 43,815.27	33.36%
2022	\$ 26,063.31	\$ 11.19	\$ 41.74		\$ 26,116.24	\$ 7,005.91	\$ 19,110.33	26.83%
2021	\$ 12,817.29				\$ 12,817.29	\$ 1,721.00	\$ 11,096.29	13.43%
2020	\$ 11,371.39				\$ 11,371.39	\$ 1,066.44	\$ 10,304.95	9.38%
2019	\$ 2,310.43				\$ 2,310.43	\$ 330.92	\$ 1,979.51	14.32%
2018	\$ 1,154.47				\$ 1,154.47	\$ 82.03	\$ 1,072.44	7.11%
2017	\$ 420.64				\$ 420.64	\$ 0.28	\$ 420.36	0.07%
2016	\$ 2,082.22			\$ (317.76)	\$ 1,764.46	\$ 572.60	\$ 1,191.86	32.45%
2015	\$ 757.19				\$ 757.19		\$ 757.19	0.00%
2014	\$ 687.43				\$ 687.43		\$ 687.43	0.00%
TOTAL	\$ 123,247.67	\$ 24.35	\$ 205.61	\$ (325.81)	\$ 123,151.82	\$ 32,716.19	\$ 90,435.63	

Monies Collected Other than Taxes			
	Advertising Fee	Interest	Misc. Fee
2023	\$ 285.00	\$ 2,278.64	
2022	\$ 71.82	\$ 1,206.37	
2021	\$ 21.40	\$ 666.92	
2020	\$ 11.97	\$ 413.56	
2019	\$ 9.98	\$ 111.50	
2018	\$ -	\$ 42.16	
2017			
2016			
2015			
2014			
Total	\$ 400.17	\$ 4,719.15	\$ -

YTD % COLLECTED AS OF 6/30/2025

2023	99.32%
2022	99.72%
2021	99.83%
2020	99.86%
2019	99.97%
2018	99.98%
2017	99.99%

HEART OF BREVARD COLLECTION TOTALS								
as of 06/30/2025								
Year	Original Levy	Penalties	Discoveries	Releases	Total Levy	Total Collected	Uncollected	% Rate
2024	\$ 146,529.58	\$ 15.00	\$ 3,059.93	\$ (1,575.45)	\$ 148,029.06	\$ 136,906.86	\$ 11,122.20	92.49%

Monies Collected Other than Taxes			
	Advertising Fee	Interest	Misc. Fee
2024		\$ 322.85	
Total	\$ -	\$ 322.85	\$ -

Total Tax Collected	\$ 136,902.86
Total Pen Collected	\$ 4.00
	\$ 136,906.86

HEART OF BREVARD PRIOR YEARS COLLECTION TOTALS								
07/01/2024-06/30/2025								
Year	Levy 7/01/2024-	Penalties	Discoveries	Releases	Total Levy	Total Collected	Uncollected	% Rate
2023	\$ 9,570.07				\$ 9,570.07	\$ 1,399.36	\$ 8,170.71	14.62%
2022	\$ 2,073.38				\$ 2,073.38	\$ 137.22	\$ 1,936.16	6.62%
2021	\$ 1,113.82				\$ 1,113.82	\$ -	\$ 1,113.82	0.00%
2020	\$ 1,587.70				\$ 1,587.70	\$ -	\$ 1,587.70	0.00%
2019	\$ 953.01				\$ 953.01	\$ -	\$ 953.01	0.00%
2018	\$ -				\$ -			
2017								
TOTAL	\$ 15,297.98				\$ 15,297.98	\$ 1,536.58	\$ 13,761.40	

Monies Collected Other than Taxes			
	Advertising Fee	Interest	Misc. Fee
2023		\$ 108.83	
2022		\$ 15.82	
2021		\$ -	
2020		\$ -	
2019		\$ -	
Total	\$ -	\$ 124.65	\$ -

YTD % COLLECTED AS OF 6/30/2025

2023	94.46%
2022	98.69%
2021	98.08%
2020	97.82%
2019	99.32%

DELINQUENT TAXPAYERS

AS OF JUNE 30, 2025

CITY OF BREVARD REAL PROPERTY

Name	Bill Number	Map Number	Tax Levy
60 WOODSIDE LLC	3933	8585691730000	6,994.27
ALLEN MATTHEW J HEIRS	831	8586223397000	86.40
ASHEVILLE ADVENTURES LLC	4371	8597541925000	787.20
ASHLEY TERRY F	3213	8586970927202	1,853.38
BARTON DONALD H REVOCABLE TRUST OF 2010	2417	8585484135424	648.91
BARTON PATRICIA	3966	8596074799000	1,485.36
BLSH LLC	2065	8587908566000	144.00
BLSH LLC	2066	8587906339000	144.00
BLSH LLC	2064	8587907414000	144.00
BLSH LLC	2067	8587907499000	144.00
BOWLIN ENTERPRISES INC	2053	8597002617000	144.00
BOYNTON GORDON F III ETAL %JANET POE	3091	8585894781000	930.02
BUCHANAN JANICE R	1073	8597304024000	381.24
CADINHA MARIAN	3482	8586772543000	1,263.84
CAFARO SHERRI	883	8596030443000	748.18
CAMP ROBERTA N HEIRS TRUSTEE	4486	8585599421000	1,289.66
CANTRELL THOMAS D	3930	8596571086000	766.80
CARR MICHAEL W TRUSTEE HEIRS	3094	8585983378000	1,747.78
CHANDLER LEWIS LLC	1207	8586424334000	1,868.50
CISON MICHAEL KEITH	8	8597114602000	740.98
CLEVELAND SAMUEL PEYRE	3886	8585376373000	697.49
CLOBUGS LLC C/O BRITTANI R SUMMEY	2784	8586526378000	2,065.92
COLWELL DRIVE COMMONS LLC	3453	8585386448000	288.00
CURTO AUSTIN RYLEY	4212	8586642971000	549.70
DOUGLAS MAXINE D HEIRS % SUZZETTE DOUGLAS	71	8586542860000	637.54
ECUSTA VIEW COMMONS LLC	3877	8597239049000	10,469.90
ELDRIDGE SHIRLEY P HEIRS % ELDRIDGE CARL EDWARD III	1008	8585972853000	952.27
ELLIS HOWARD THOMAS % CHRISTOPHER ELLIS	92	8586239424000	115.20
FLOOD JENNIFER K	2058	8597228946000	256.08
GALLOWAY WHITNEY DEAN	151	8585979646000	618.48
GARDNER MATTHEW S	156	8586401546000	891.50
GARRETT BARBARA B	160	8585287985000	505.08
GOING GREEN BUILDERS LLC	2250	8586224289000	192.00
GOING GREEN BUILDERS LLC	2251	8586224344000	599.23
GOING GREEN BUILDERS LLC	3995	8586437666000	600.00
GRAHAM JOEL V	1188	8585198080000	437.42
HALL TIMOTHY M & HALL NANCY R	203	8586428771000	2,813.62
HALL TIMOTHY M & HALL NANCY R	201	8586520726000	600.00
HARTELL MATTHEW & HARTELL KERRIANNE	2693	8586332174000	259.20
HARTELL MATTHEW & HARTELL KERRIANNE	2694	8586333120000	259.20
HAWKINS LINDA H	232	8585596184000	1,366.27
HENDRIX INVESTMENTS REALTY LLC	2719	8586749159000	2,232.53
HJH LLC	2180	8586437799107	970.85
HOGSED SIDNEY B HEIRS	265	8597300688000	195.74
HOGSED TAMMY TYANN	266	8597300710000	744.24
IVEY FANNIE B ETAL %NORTON MYRA	308	8586304666000	134.40
JACOBY THOMA PETER & JACOBY CHRISTY LYNNE	1646	8586326483000	624.00
JAMERSON ROBERT K %DANIEL JAMERSON	898	8586934118000	998.74
JENKINS VERA WILKES	4441	8586303275000	288.00
JETER MALFORD D HEIRS	319	8585298479000	736.99
KILLIAN ANNIE B HEIRS %DAVID HEFNER	362	8586301926000	28.80
KNOX SHERRI NICOLE	375	8586312438000	463.34
MARTINEZ JOSE LUIS GONZALEZ ETAL	4069	8586303537000	158.30
MARTINEZ JOSE LUIS GONZALEZ ETAL	4068	8586303598000	235.20
MARTINEZ JOSE LUIS GONZALEZ ETAL	4070	8586302596000	410.78
MCCALL ANTHONY F & MCCALL DONNA J	426	8597322673000	871.49
MCCRARY FLORENCE G	432	8596577400000	291.65
MCCRARY FLORENCE G	433	8596577547000	174.19

MCCRARY FLORENCE G	434	8596575485000	282.14
MH TRANSYLVANIA REGIONAL HOSPITAL LLLP HCA	3019	8596296099001	1,332.00
MINERAL SPRINGS LLC	3855	8586739812000	2,871.55
MURR JOY TINSLEY	4286	8585554606000	834.77
NC PACE RE LLC % RHA HEALTH SERVICES LLC	2467	8585554826000	2,417.66
NELSON RONALD D & NELSON LUCY J	487	8597324798000	859.01
NOBLE ZACHARY R	1441	8585287012000	5.04
OCONELL NICOLE M	2136	8597105940002	274.51
OGEECHEE DAVIDSON LLC	3776	8597463093000	2,431.92
ONDERDONK JINI MEDINA	4287	8586306883000	617.90
OWEN PEGGY JEAN HEIRS	189	8596573677000	455.38
P H GLATFELTER CO ATTN JAY OKEEFE	526	8587904161000	360.00
P H GLATFELTER CO ATTN JAY OKEEFE	524	8587905127000	360.00
P H GLATFELTER CO ATTN JAY OKEEFE	527	8587905275000	360.00
P H GLATFELTER CO ATTN JAY OKEEFE	525	8587906312000	360.00
PARRISH TIALISA L	2707	8586400064000	1,258.08
PEETRIS CHARLES V ET AL	1752	8586942914000	1,281.36
PRICE NINA CAROL HEIRS %DONNA MCINTYRE	3964	8586941000000	846.19
PRICE NINA CAROL HEIRS %DONNA MCINTYRE	3965	8586941019000	336.00
ROBINSON LEONARD BRADFORD	599	8585285552000	687.94
ROBINSON MONIKA S	1557	8586549533000	1,499.71
ROSENJACK KEVIN	3440	8586306016000	951.31
ROSENJACK KEVIN	3439	8586306181000	115.20
RUSSELL SHELBY K	4009	8586613567000	1,014.58
SHOTWELL JAMES M & SHOTWELL DENISE C	639	8586747368000	701.52
SMITH DANE G ET AL %JANET F GIBSON	1785	8585686651000	602.84
SMITH VALERIA TRUSTEE ETAL	2498	8586201854000	1,384.27
SOUTHEASTERN REAL E & D CO	664	8585198075000	419.18
STATE LINE PARTNERS LLC	1480	8586319586000	2,727.12
SUMMERVILLE JAMES DARREN	3798	8587814880000	4,847.09
SUMMERVILLE JAMES DARREN	3799	8587817648000	792.00
TORES PROPERTIES LLC	1484	8585678032000	172.80
UBUNTU PARTNERS LLC ATTN CHRISTOPHER SHAY	3135	8597551410000	13,307.52
VALENTI VENTURES LLC	2969	8586236742000	192.00
VALENTI VENTURES LLC	2970	8586236714000	120.00
VIDRINE WILLIAM EDMOND	4405	8586510647000	2,369.52
WEST JAMES E HEIRS	1686	8586218817000	428.26
WHEATLEY CONARD B HEIRS	1932	8596296678000	300.53
WHITMIRE MARTHA ANN HEIRS % SONYA HOLMES	1297	8586322220000	587.62
WYNN ETHEL H HEIRS	815	8585297836000	681.41
WYNN STEVEN %TONY DALTON OFFICE	1964	8585285732000	551.95

CITY OF BREVARD PERSONAL PROPERTY

Name	Bill	Map Number	Tax Levy
7 FINGER MEDIA LLC	2998	000070488770	136.77
ACS JANITORIAL SERVICE	4468	000000075650	64.32
ALLIANCE CBS INC	1733	000070261920	7.37
ALLSTAEDT ARIE PAUL	4561	202410002800	60.19
ALTEMOSE JASON MERRICK	1456	000070137160	5.67
ANDREWS CHRISTINA G DBA MOMMY AND ME	3181	000070505610	9.12
ARBOGAST KEITH L III & CHARISMA J H	1239	000070048490	1.08
BINGHAM GAVIN HUNTER	4549	202410013900	39.36
BORONG ANAKO & LUDWIG BENJAMIN	4563	202410002100	10.68
BREVARD ANTIQUE MALL INC	1115	000069980840	74.23
BREVARD ROCK GYM	4517	000070578370	56.55
BREWIN HAZEL JANA	4545	202410022400	161.92
BROWN BARBARA	2573	000070444480	24.29
CALLIS ADAM SCOTT	4543	202410024500	92.64
CAMERON CARLTON M & CAMERON SHARON L	4484	000008514000	3.02
CARPENTER FRED H JR TRUSTEE	4325	70591170	1.14
COCA COLA COMPANY THE	23	000010701050	141.62
COMPTON CHARLES EDWARD	1022	000069919300	2.40
COOPER JOSEPH DAYTON	32	000011521200	3.46
COSTILOW MICHAEL RYAN	4552	202410010100	41.76
DAVIS GLENN EARL	1571	000070195110	12.53
DAWN KASSANDRA SCARLET	4574	202410038000	43.06
DICKENS CONSTANCE LANELL & MITCHELL DEWAYNE JR	4572	202410039300	29.26
DILLS LAURA LOU	1969	000070342360	8.54
DOUGLAS PETER V & DOUGLAS ROSA L	72	000014427000	1.30
ELLIS ELIZABETH GRACE	4551	202410010900	44.81
ENTERKIN DANI SHANESE	4569	202410044300	35.22
FITNESS FACTORY THE	1249	000070054630	565.81
FLANAGAN KATHERINE W	2806	000070471010	53.76
FLAT ROCK OPTICIANS LLC DBA PISGAH VISION	3030	000070490480	21.82
FLYLADY AND COMPANY INC	1202	000070028070	116.48
FOUNDATION HOLDINGS LLC % SCOTT MOSER	1567	000070193140	60.97
GARETH TATE RENTALS	4173	000070580910	103.79
GARETH TATE RENTALS	2997	000070488740	89.48
GODWIN TERESA HUBBARD	4575	202410037700	37.14
HAEN GALLERY AT LUMBERYARD ART	2199	000070407990	17.14
HAMMERING NAILS CONST LLC	2277	000070414310	12.00
HOGSED DEBRA GUNTER	1543	000070181570	13.82
HOOPER TRAVIS J & HOOPER KELLY R	1942	000070331360	4.80
HOOPER TRAVIS J & HOOPER KELLY R	1944	000070331360	19.68
HOOPER TRAVIS J & HOOPER KELLY R	1946	000070331360	11.90
HUGHEY HOLLY DBA BLISS SALON	1793	000070283620	34.83
JENKINS MISTY DAWN & BOBBY LEE	4554	202410006000	16.26
JONES DAVID SELWYN & MICHELLE SLAWEK	4547	202410016100	131.75
KTCHN LLC	3056	000070493170	74.98
L & M GREEN CLEANING SERVICE LLC	2059	000070372210	59.47
LANCE WALTER J & LANCE LOIS ANN	379	000029705000	3.36
LAWS PHYLLIS WOODARD HEIRS	1407	000070118330	8.16
LEWIS DIANE CARSON	4559	202410003600	32.44
LIVELONG ACUPUNCTURE LLC	2590	000070446840	8.66
LYNCH JANIE A HEIRS % MCCANTS LINDA M	403	000031612000	4.80
MCCALL SHIRLEY	428	000034010000	8.74
MCFARLAND JOSHUA D ETAL	3960	000070564880	80.64
MERRILL ZACHARY DEVAN LINDSAY	4564	202410001700	23.29
MICKELSON HANS & MICKELSON SARAH	3958	000070563850	107.58
MIDGARD SELF STORAGE BREVARD NC TWO LLC ETAL	3685	000070548720	4.50
MILETI ALBERT VINCENT JR HEIRS	2914	000070480170	8.83
MILLER ROBIN DENISE	4557	202410005700	11.44

MOORE FUNERAL HOME INC	1303	000070080570	78.48
NIELSEN CATHERINE ALEXANDER & NIELSEN DAVID C	3624	70542710	1.51
NORMA CLAYTON REALTY LLC CLAYTON NORMA REALTY	1843	000070299960	17.52
OWEN LINDA FISHER & GARDIN HAYLEY OWEN	4566	202410045400	14.21
PADGETT CONSTRUCTION COMPANY INC	1770	000070275070	351.99
PEAVY EMMA LEE	4577	202410036200	11.52
PERSEK JOHN DOUGLAS & PERSEK CAROL ANN	539	000043717000	4.80
PHO NOODLE COMPANY	3774	000070553090	157.97
PISGAH MARKETING ASSOCIATES INC	554	000044293150	540.75
PRICE NINA CAROL HEIRS %DONNA MCINTYRE	3963	000070565030	5.20
QUALITY ACCOUNTING PAYROLL & TAX SVC INC	2200	000070408130	6.11
QUIRE JEFFREY & QUIRE DRUE	3825	000070555030	3.36
REDBOX AUTOMATED RETAIL LLC	1743	000070266650	60.31
REED SHIRLEY SMALL	4578	202410036100	5.92
REYNOLDS ASHLEY NICOLE	4558	202410004000	100.78
RICE FURNITURE INC	590	000047015050	224.87
RICE LLOYD O	4210	000070582900	2.63
ROE DAVID CHARLES & BENNETT DAISY TRACY	3917	000070561030	1.73
ROSE JOHN EDWARD	4555	202410009100	278.21
ROWE DAVID L & AMANDA R	2041	000070364680	1.03
SCHRADER ANDREW BATES	3947	000070563240	6.05
SHARP ZARKEOUS QUEON & SULLINGER CRASANRA PATRICIA	4560	202410003300	5.78
SIERRA KENNETH R & SIERRA LINDA D	2632	000070452340	2.82
SITTON ROBERT LOUIS & SARAH PRETLOW	4544	202410022800	29.53
SMITH DAVID L & HARRIS PATRICIA	3971	000070566260	93.70
SNYDER KELSIE JO	4568	202410044800	60.96
STATE LINE PARTNERS LLC	3972	000070566270	145.21
STEWART BRUCE CRAIG	682	000052886000	8.64
STRAUS CABIN LLC	2028	000070363070	1.07
SYCAMORE CYCLES	970	000069894580	151.81
TATE MICHAEL GARETH	4399	70596670	51.36
TAULBEE CHRISTOPHER & TAULBEE TIFFANY	3271	70511250	3.19
TINSLEY FRANK EUGENE %RHONDA ROGERS	709	000055080000	15.44
TINSLEY ROBERT E & TINSLEY LINDA P	712	000055190000	3.89
TOPPER ALEX C & TOPPER KAITLIN R	2660	70455450	2.16
UHC OF KNOXVILLE #774-010624 U-HAUL CO-PROPERTY TAX	1516	000070171250	44.31
UPCOUNTRY BREWING DBA UPCOUNTRY TAPROOM	3402	000070524840	439.19
VALENTINE JERRY LEE	730	000056025000	4.32
VIDE COR MEAM INC DBA BESPOKE & CO	3599	000070539630	11.64
VOLTZ DONALD A & VOLTZ LINDA G	1213	000070035630	2.40
WADDELL J HALL ETAL	738	000056381000	181.69
WALLACH ANDREW I	4266	70587030	3.84
WATTS ROGER & TYLEE PATRICIA S	4306	70589910	4.32
WILLIS DIANE A	2828	000070472640	1.44
WREN SONG EQUESTRIAN LLC	3636	000070544090	20.97
YOUNG SHARON T	4576	202410036300	72.82
ZAJAC MICHAEL A & ZAJAC MARY	825	000061147400	4.32
ZIEGLER BRIAN CHRISTOPHER	4386	00070595230	12.96

HEART OF BREVARD REAL PROPERTY

Name	Bill	Map Number	Tax Levy
AETHELWOLD DEVELOPMENT LLC	2245	8586501850302	2,903.95
AETHELWOLD DEVELOPMENT LLC	2246	8586501850303	1,742.90
BARTON DONALD H REVOCABLE TRUST OF 2010	2418	8586508490000	3,697.67
EARTH MOUNTAIN PROPERTIES LLC	3592	8586504730000	3,283.76
HALL TIM & HALL NANCY	2673	8586501850101	2,400.83
HL INVESTMENTS OF NC LLC	2337	8586501740201	3,518.78
HL INVESTMENTS OF NC LLC	2338	8586501740202	2,034.72
HL INVESTMENTS OF NC LLC	2339	8586501740203	1,946.64
HL INVESTMENTS OF NC LLC	2265	8586503706000	4,382.64
HL INVESTMENTS OF NC LLC	2216	8586503732000	8,214.85
HL INVESTMENTS OF NC LLC	2335	8586501765000	1,963.03
JPD2 LLC	1279	8586409769000	3,137.05
NGM ENTERPRISES LLC	4102	8586501895000	2,331.64

HEART OF BREVARD PERSONAL PROPERTY

Name	Bill	Map Number	Tax Levy
DONALD H BARTON P C	1292	000070075310	47.83
HOLLINGSWORTH DANIEL B & HOLLINGSWORTH ANN R	279	000024914000	1.10
MAYAS GRILL & CUISINE INC	2274	000070413760	346.50
PLAZA GARIBALDI MEXICAN RESTAURANT LLC	2273	000070413730	346.50
RAE & IVY	4440	70604070	356.48



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 JULY 31, 2025

Tina Tanner
Certified Tax Collector

YEAR	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER						
2025	\$ -											
2024-2014	\$ 11,986.29											
2013- PRIOR	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -						
TOTAL:	\$ 11,986.29	\$ -	\$ -	\$ -	\$ -	\$ -						
	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE						
2025											\$ -	
2024-2014											\$ 11,986.29	
2013-PRIOR	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -					\$ -	
TOTAL:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -					\$ 11,986.29	

YEAR	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER							
2025	\$	-											
2024-2014	\$	-											
2013-PRIOR	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	
TOTAL:	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	
	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	TOTAL						
2025							\$	-					
2024-2014				\$	-		\$	-					
2013-PRIOR	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	
TOTAL:	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	

STAFF REPORT

City Council, Monday, August 18, 2025

Title: Ordinance Declaring Multiple Street Closures - Annual Brevard Plein Air Festival and Assault on the Carolinas, September 13, 2025

Speaker: Aaron Bland, Asst Planning Director

Prepared by: Emily Brewer, Senior Planner

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 two upcoming events being held on Saturday, September 13, 2025: Heart of Brevard Plein Air Festival and Assault on the Carolinas.

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. Draft Ordinance

ORDINANCE NO. 2025-XX

**AN ORDINANCE DECLARING MULTIPLE
ROAD CLOSURES FOR SPECIAL EVENTS**

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:

Plein Air Festival

Date: Saturday, September 13, 2025

Time: 9:00 AM – 6:00 PM

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

SECTION 2. 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:

Assault on the Carolinas

Date: Saturday, September 13, 2025

Time: 6:00 AM – 5:30 PM

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

SECTION 3. This ordinance shall be in full force and effect from and after the date of its adoption.

Adopted and approved this the 18th day of August 2025.

Maureen Copelof
Mayor

ATTEST:

Denise Hodsdon, CMC
City Clerk

APPROVED AS TO FORM:

Mack McKeller
City Attorney

STAFF REPORT

City Council, Monday, August 18, 2025

Title: Award of Bank Financing for the Purchase of Three Vehicles

Speaker: Dean Luebbe

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

Approved by: Wilson Hooper, City Manager

Background

The FY25-26 City of Brevard budget included a Vacuum Truck and Sanitation Truck to be debt financed. At the August 4, 2025 Council meeting, staff presented a Bucket Truck which also needed to be replaced and City Council approved the budget amendment to include the Bucket Truck in the financing proposal. On July 29, 2025, the Finance Department contacted six financial institutions for proposals to finance \$965,000 over 59 months for the purchase of the three vehicles, as well listing the RFP on the City website. Three of the six financial institutions responded with proposals and one lending institution responded from the website. The list of responding institutions and their proposed rates is attached. First Citizens Bank responded to the RFP with a rate of 3.80%, which was the lowest.

David Todd and Public Works staff have already identified a Bucket Truck to purchase, and are currently communicating with vendors on the Sanitation Truck and Vacuum Truck purchases.

Action

Council is asked to authorize the City Manager and the Assistant City Manager/Finance Director to contract with First Citizens to finance the three vehicles.

Attachments:

1. comparison of debt offerings
2. Bucket Truck quote 8-12-25

**CITY OF BREVARD
CAPITAL EQUIPMENT LOAN
FY26
59 MONTH LOAN**

	Interest Rate	Estimated Monthly Payment
FIRST BANK	4.23%	18,240.50
UNITED COMMUNITY BANK	4.33%	18,215.67
FIFTH THIRD BANK		
FIRST CITIZENS BANK	3.80%	17,957.21
TRUIST BANK		
LGFCU		

**CITY OF BREVARD
CAPITAL EQUIPMENT LOAN
FY24
5 YEAR LOAN**

	PROPOSAL DATE	AMOUNT TO BE FINANCED	REPAYMENT PERIOD (MONTHS)	INTEREST RATE	Estimated Monthly Payment	TOTAL PAYMENTS
FIRST BANK	3/27/2023	\$ 850,000	59	5.99%	16,670.00	983,530.00
UNITED COMMUNITY BANK	3/21/2024	\$ 850,000	59	5.78%	16,620.00	980,580.00
FIFTH THIRD BNAK	3/29/2024	\$ 850,000	59	5.79%	16,620.00	981,500.00
FIRST CITIZENS BANK	3/29/2024	\$ 850,000	59	4.33%	16,020.00	945,213.81
TRUIST BANK	DID NOT RESPOND					
LGFCU	DID NOT RESPOND					

Bucket Truck



Quote Number: 812202501
 Opportunity Number:
 Sourcewell Contract #: 040924-ALT
 Date: 8/12/2025

Quoted for: Town of Brevard
 Quoted by: Collin Sech
 Phone: / Email: (336) 420-9254 / collin.sech@altec.com

REFERENCE MODEL	Sourcewell Price	Commercial List Price	Discount %
AT40-G 4x4	\$150,442	\$155,095	3%
(A.) Sourcewell Options On Contract			
1			
2			
3			

SOURCEWELL OPTIONS TOTAL: \$150,442 \$155,095 3%

(A.) OPEN MARKET ITEMS (Customer Requested)

1	UNIT		
2	UNIT & HYDRAULIC ACC		
3	BODY		
4	BODY & CHASSIS ACC		
5	ELECTRICAL		
6	FINISHING		
7	CHASSIS	Chassis and unit body to be 2025 model year in lieu of 2023	\$17,499
8	OTHER		
9			
OPEN MARKET OPTIONS TOTAL:			\$17,499

SUB-TOTAL FOR UNIT/BODY/CHASSIS: \$167,941

Delivery to Customer: \$1,260

TOTAL FOR UNIT/BODY/CHASSIS: \$169,201

(C.) ADDITIONAL ITEMS (items are not included in total above)

1			
2			
3			
4			

Pricing valid for 45 days and may be subject to availability at time of order

NOTES

** Denotes FET fees were paid when unit was new. Global is not FET exempt.

All items listed subject to availability, quote provided at time of request detailing options

Delivery is \$3.50/ mile

Alternate year models may be available in addition to the ones shown here, they will be discounted / priced

Chassis model can be any standard chassis (Ford, Dodge, International, Freightliner, Peterbilt, etc.)

PAINT COLOR: White to match chassis, unless otherwise specified

TO ORDER: To order, please contact the Account Manager listed above.

CHASSIS: Per Altec Commercial Standard

DELIVERY: No later than _____ days ARO, FOB Customer Location

TERMS: Net 10 days

BEST VALUE: Altec boasts the following "Best Value" features: Altec ISO Grip Controls for Extra Protection,

Only Lifetime Warranty on Structural Components in Industry, Largest Service Network in Industry, Altec

SENTRY Web/CD Based Training, Dedicated/Direct Gov't Sales Manager, In-Service Training with Every

Order.

*This quote does not include City, County, State or Federal taxes.

2 weeks delivery

Kentucky

STAFF REPORT

City Council, Monday, August 18, 2025

Title: Approval of Downtown Mural Application - Earth Mountain Bicycle

Speaker: Aaron Bland, Planning

Prepared by: Emily Brewer, Senior Planner

Approved by: Wilson Hooper, City Manager

Background & Discussion

Caitline Walters, of Earth Mountain Bicycle located at 66 E. Main Street, submitted an application for public art. Her application includes a description and image of the proposed artwork to be painted as a mural on the side of the building that faces Gaston Street.

The mural is intended to "*help tell the unique story of Earth Mountain Bicycle and Brevard.*" The work includes a mountain biker, a golden retriever, a mountain scene and a white squirrel. The applicant has included a rendering of the mural and a mock-up of how it will look on the building. Please note that the applicant will remove the business name from the mural. The dimensions of the mural are 18 feet by 24 feet.

Policy Analysis

The Downtown Master Plan Committee considered the application at their August 13, 2025 meeting and recommended in favor of approving the described mural on the side of the Earth Mountain Bicycle building.

Fiscal Impact

The owner is required to sign a Public Arts Maintenance Agreement to ensure the artwork will be maintained at no expense to the City. The executed agreement is attached.

Action

Council is asked to consider approving the attached Resolution granting permission for the described wall mural.

Attachments:

1. Public Art Application
2. Narrative Statement
3. Mural Rendering
4. Public Art Maintenance Agreement
5. Draft Resolution



The City of
Brevard
North Carolina

Date Received: _____

DTMPC Meeting: _____

City Council Meeting: _____

APPLICATION FOR PUBLIC ART

APPLICANT: Caitlin Walters / Earth Mountain Bicycle

Contact Information:

Mailing Address: 66 e. main st. City: Brevard State: NC ZIP: 28712
Email: Caitlin@earthmountainbicycle.com Phone: 828 862 5111

Property Owner Information (Not applicable for artwork proposed on City Property):

Property Owner Name: Caitlin Walters
Mailing Address: 66 e. main st. City: Brevard State: NC ZIP: 28712
Email: Caitlin@earthmountainbicycle.com Phone: 512 466 4940

Location of Property: 66 e. main st. Brevard, NC 28712

Property Identification Number (PIN): F14 / 320 4730

Type of Artwork:

☒ Mural
☐ Sculpture

☐ Memorial
☐ Functional Art (i.e. bike rack)

☐ Other: _____

Proposed location(s) for the art (side wall, rear yard, alcove, etc): Side of the building
that faces Gaston st.

Following must be Included with All Applications:

- ☐ Description and images or other illustrative graphics of the artwork to be installed. Dimensions (height, width, etc.) must be included in these descriptions.
- ☐ Narrative describing the theme and design.
- ☐ Photograph of the proposed location (if specific location in mind).
- ☐ Signed Maintenance Agreement provided by the City.
- ☐ Cost estimate: _____
- ☐ Project Installation Timeline: 3-7 days

Following must be Included with Mural Applications:

- ☐ Dimensions of any logos, symbols or text within the mural.

SIGNATURES

If the Applicant is other than the property owner, proof of the owner's consent is required, unless the property owner is the City of Brevard. Owner's signature proves consent. The applicant will be the liaison with the City and will be the party to receive official notice. Notice communicated to the applicant will be deemed communicated to the owner. By signing this application, the applicant is consenting to the designation for these purposes.

Property Owner: Caitlin Walters Date: 5/21/25
Applicant: Caitlin Walters Date: 5/21/25

From: Caitlin Walters
Sent: Wednesday, May 21, 2025 2:56 PM
To: Madalin Baker <madalin.baker@cityofbrevard.com>
Subject: Application for Public Art

Attached is the Application for Public Art.

Additional information requested:

1. Description and images or other illustrative graphics. **Included as an attachment.**
2. Dimensions:
3. Narrative: **4 aspects of the image that are important to the narrative of our business and Brevard. A mountain biker, a golden retriever, a mountain scene, and a white squirrel. All are images that we pride ourselves in that help tell the unique story of Earth Mountain Bicycle and Brevard, NC.**
4. Photograph of the proposed location. **(Included as an attachment)**
5. Cost Estimate:
6. Project Installation time: **3-7 days.**



Caitlin Walters
Owner / General Manager
66 E. Main St. Brevard, NC 28712
Earth Mountain Bicycle LLC
828-862-5111
caitlin@earthmountainbicycle.com



PUBLIC ART MAINTENANCE AGREEMENT

THIS Agreement is made as of the 22nd day of May, 2025 by and between:

City of Brevard (hereinafter "City")
95 West Main Street
Brevard, NC 28712

and

Caitlin Walters	("Owner").
66 E Main St. Brevard, NC 28712	("Physical Address of project")
451 Fisher rd Brevard, NC 28712	("Mailing Address of Owner")
828-862-5111	("Telephone Number")
caitlin@earthmountainbicycle.com	("Email Address")

WHEREAS, the City has determined in order to beautify public areas, enhance the quality of life for Brevard citizens, attract tourism, promote arts and culture, and encourage businesses to locate within the city, thus expanding Brevard's economic base, it is the policy of the City of Brevard to promote public art, where appropriate, through the implementation of a clarified process and design guidelines, and

WHEREAS, the Owner desires to facilitate this policy by installing public art as approved by the Brevard City Council pursuant to Ordinance 42-16 of the Brevard City Code and Chapter 12 of the Unified Development Ordinance;

WHEREAS, the Owner is aware that as a condition of being allowed to install any public art, the Owner must agree to certain maintenance and other requirements as set forth in the policy.

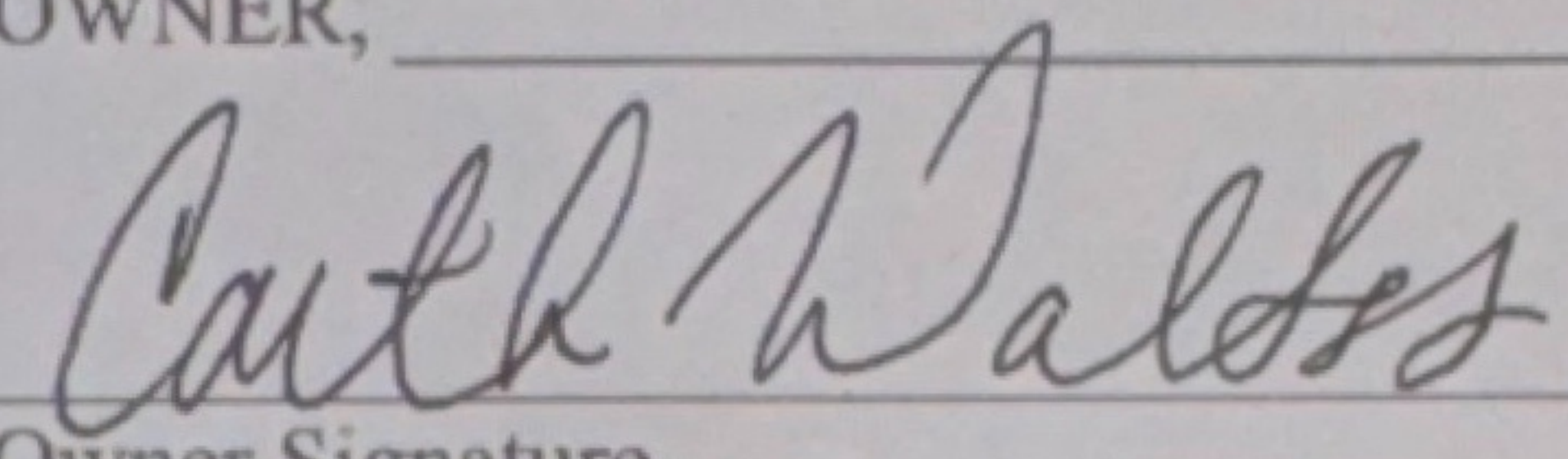
NOW THEREFORE, the Owner, subject to the approval of the said public art project by the Brevard City Council, agrees as follows:

1. Owner agrees to complete the installation work within one calendar year from the date of approval by City and all work shall be completed according to state and local building codes and ordinances, and approved, when necessary, by the proper authorities.
2. Owner accepts the sole responsibility of maintenance during the lifetime of the artwork and authorizes the City to perform such maintenance if these responsibilities are not fulfilled by the Owner. In the event the City is required to perform maintenance on the said project due to the Owners failure to maintain, the Owner shall reimburse the City for the reasonable costs of the maintenance. Maintenance shall include, but is not limited to, re-painting/touch-up painting to keep the art looking current and not faded, as determined by the DMPC, and abating graffiti, or other forms of vandalism, within 48 hours from the time the property owner has been notified. Owner maintenance may also include painting over the mural effectively ending its lifetime if no public funds were used in its creation and if there is no prior, conflicting agreement between the City and the property owner unless both parties are in agreement. Owner further agrees to follow the maintenance

guidelines set forth in Section VIII of the Public Art Policy and Application Process manual.

3. Once a project is complete, Owner shall apply an anti-graffiti coating to protect its surface if determined by the DMPC to be feasible.
4. The Owner agrees to allow images and video of the completed installation to be placed on the City of Brevard's web pages, social media, publications/videos, and local media.
5. Any disputes that arise between the parties with respect to the performance of this agreement shall be submitted to mediation prior to either party invoking the court system.
6. This agreement shall be governed by the laws of the State of North Carolina and shall be subject solely to the jurisdiction of the District or Superior Court of Transylvania County North Carolina.

IN WITNESS WHEREOF, the Owner hereto has signed this Agreement as of the date first above written.

OWNER, Caitlin Walters by:
 (SEAL)
Owner Signature

RESOLUTION NO. 2025-XX

**A RESOLUTION APPROVING A MURAL ON
THE WEST EXTERIOR WALL OF 66 E. MAIN STREET**

WHEREAS, City Council has been presented with a proposal for the placement of a wall mural located at 66 E. Main Street on the exterior wall facing Gaston Street, and

WHEREAS, the mural shall illustrate a mountain scene and depict mountain biker, golden retriever, and white squirrel, and

WHEREAS, City Council believes the proposed mural is consistent with the stated goals outlined in the Public Art Policy, and

WHEREAS, City Council recognizes the value of publicly displayed art and the importance of promoting public and private economic development efforts, and

WHEREAS, local art, such as high-quality wall murals, create a sense of place for the residents of Brevard.

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

Section 1. City Council, in concurrence with a recommendation from the Downtown Master Plan Committee, hereby approves an application for a wall mural on the west side of the building at 66 E. Main Street, in accordance with Brevard City Code of Ordinances Chapter 42 and Brevard Unified Development Ordinance Chapter 12.

Section 2. The Resolution shall become effective upon its adoption.

Adopted and approved this the 18th day of August, 2025.

Maureen Copelof
Mayor

ATTEST:

Denise Hodsdon, CMC
City Clerk

STAFF REPORT

City Council, Monday, August 18, 2025

Title: HCA Settlement Agreement

Speaker: Mack McKeller, City Attorney

Prepared by: Mack McKeller

Approved by: Wilson Hooper, City Manager

Discussion

City Attorney McKeller reports that in accordance with NCGS § 143-318.11(a)(3), separate settlements have been executed in the federal lawsuit entitled *In re: Mission Health Antitrust Litigation*, Civil Action No. 1:22-cv-00114 with Defendants (a) HCA Healthcare, Inc.; HCA Management Services, LP; HCA, Inc.; MH Master Holdings, LLLP; MH Hospital Manager, LLC; and MH Mission Hospital, LLLP (collectively, the “Mission Defendants”) and (b) ANC Healthcare, Inc. f/k/a Mission Health System, Inc. and Mission Hospital, Inc. (collectively, the “ANC Defendants”). Plaintiffs, including the City of Brevard, have agreed to dismiss all claims raised in this matter in exchange for the following:

- The Mission Defendants’ creation of a \$1,000,000 charity care fund to cover any liabilities owed under its existing charity policy by families and individuals at up to 400% of the Federal Poverty Level;
- The Mission Defendants’ commitment to act in accordance with Sections 7.13(b) and 7.25 the January 31, 2019 Asset Purchase Agreement (APA), making reasonable efforts to extend by **three** years the service commitments related to the Transylvania Regional Hospital through **January 31, 2032**, and binding themselves to the final judgment in the *Atrium* litigation, regarding the avoidance of anti-steering provisions in contracts with insurance providers, by an additional year, until January 31, 2028;
- The Mission Defendants’ agreement to confidentially share with enumerated representatives of Plaintiffs the written meeting materials provided to the Advisory Board and Local Advisory Boards for the duration of the Advisory Board Designation pursuant to Sections 7.12(a) and 7.12(b) of the APA subject to strict confidentiality requirements;
- The Mission Defendants’ commitment to use reasonable commercial efforts to achieve quality verification as a trauma center for Mission Hospital by the American College of Surgeons by June 2026, and maintain that status thereafter through June 2030;
- The Mission Defendants’ commitment to engage in good-faith negotiations for a one-year period to rent space in the building located at 377 Gallimore Road, Brevard, North Carolina 28712, for fair market value for purposes of ensuring the

provision of adult day care services at that location; to the extent a rental agreement is ultimately agreed to by the Mission Defendants and any tenant who intends to use 377 Gallimore Road for adult day care, the Mission Defendants shall take commercially reasonable efforts to encourage the Dogwood Health Trust to pay that rent on behalf of the tenant.

- The Mission Defendants' will make a payment of \$2.5 million toward Plaintiffs' costs and attorneys' fees arising from this action; and
- The ANC Defendants will make payments totaling \$2 million toward Plaintiffs' litigation expenses and attorneys' fees arising from this action, payable in installments.

If Council will recall, it approved the full terms of the Settlement Agreement in closed session at the August 4, 2025 meeting and authorized Mr. McKeller to sign it on behalf of the City. He did so on August 13, 2025 along with representatives of the other Plaintiffs and Defendants. This matter is being reported today for public approval and announcement of the primary provisions of the settlement pursuant to statute.

Attachments:

STAFF REPORT

City Council, Monday, August 18, 2025

Title: Proposed Amendment to City of Brevard Traffic Schedule - No Parking on Railroad Avenue and Galloway Street

Speaker: Tom Jordan, Police Chief
Paul Ray, Planning Director

Prepared by: Wilson Hooper, City Manager

Approved by: Wilson Hooper, City Manager

Background

Chapter 66 of the Code of Ordinances constitutes Brevard's "traffic schedule", the regulations establishing speed limits, no parking zones, limited parking zones, one-way streets, etc. within the city limits. Since these regulations are codified in an ordinance, it has been Brevard's practice to pre-advertise and hold public hearings for potential changes to the schedule. A public hearing for both these proposals was held at the August 4, 2025 Council meeting.

Discussion

Railroad Ave. is an approximately .55 mile north/south route within the city limits. There are industrial, recreational, commercial, and residential uses along its length. There are private lots, off-street public parking, and designated on-street public parking along it. However, in recent months cars have been seen parking in undesignated on- and off-street parking areas. In some cases those cars encroach on the pedestrian/bike trail near Probart St. In other cases they create a one-lane condition near the intersection of Whitmire St. Brevard's police and fire departments have noticed the latter condition, noting that it will inhibit emergency response if public safety vehicles must take that route when vehicles are parked along it. Therefore, staff are recommending that all of Railroad Ave. (with the exception of the designated on-street parking recently added to the section of the street between French Broad and Whitmire) be added to the "Schedule I: No Parking Areas" section of the schedule.

Galloway is an approximately 300-foot street connecting W Main and W Probart. It is exclusively residential in character, and thus is narrow in width. Like Railroad, when cars park along Galloway they create a condition that inhibits emergency response. Therefore, staff are recommending that all of Galloway St. be added to the "Schedule I: No Parking Areas" section of the traffic schedule.

Fiscal Impact

Minimal. The costs of signs and posts will be covered by operating dollars intended for these kinds of purchases.

Action

Council is asked to take one of the following actions:

1. Adopt the amendments as proposed
2. Amend the proposed "No Parking" areas and adopt as amended
3. Send the item back to staff for further evaluation and refinement
4. Reject the proposals

Attachments:

1. Proposed Amendments to Brevard City Code_Section 66-5_Schedule I
2. Ordinance Amending Traffic Schedule re No Parking Areas



SCHEDULE I. NO PARKING AREAS (Section 66-122)

A

Both sides of Appletree Street from the intersection of Faith Street to the intersection of North Johnson Street.

Both sides of Appletree Street from its intersection with East French Broad Street to the point where that portion of Appletree Street terminates.

North side of the ACCESS ROAD TO THE BREVARD HIGH SCHOOL MAINTENANCE FACILITY from its intersection with Country Club Road to a point 50 feet east of said intersection.

B

On the east side of North Broad Street from the loading zone to Probart Street for a distance of 287 feet 5 inches. *(NOTE: Loading Zone is not marked; No Parking is marked north from the Square to East Probart Street beside the Courthouse.)*

Both sides of North Broad Street from Probart Street to Caldwell Street.

Both sides of Brown Lane.

Both sides of Burrell Avenue from its intersection of Railroad Avenue to the intersection of Tinsley Road.

C

Both sides of Cadence Circle.

Both sides of North Caldwell Street from its intersection with Main Street to its intersection with North Broad Street.

Both sides of South Caldwell Street from its intersection with Main Street to its intersection with US 64W/Rosman Hwy.

West side of Carver Street from intersection of Mills Avenue and extending for a distance of 528 feet in a northerly direction.

East side of Carver Street from Morgan Street and extending for a distance of 528 feet in a southerly direction.

Both sides of Colwell Drive.

East side of Country Club Road from Monroe Street to Hayes Street.

E

Both sides of Elm Bend Road from its intersection with U.S. Highway 276 eastward to the limits of the city of Brevard's Extraterritorial Jurisdiction.

Both sides of England Street from its intersection with Probart Street, southward to its intersection with West Jordan Street.

F

Both sides of Franklin Street from East Main to East French Broad Streets.



North side of East French Broad Street from North Broad Street and extending 2,112 feet in an easterly direction.

South side of West French Broad Street from North Broad Street to Railroad Avenue.

G

Both sides of South Gaston Street from East Main Street to its intersection with Varsity Street.

Both sides of North Gaston Street from East Main Street to its intersection with East Probart Street.

[Both sides of Galloway Street](#)

Both sides of Gillespie Circle.

H

Both sides of Hampton Road between Whitmire Street and the City Limits.

Both sides of Hayes Street from Country Club Road to Ashworth Avenue.

Both sides of Hemphill Circle from Oakdale Street to Duckworth Avenue.

Both sides of High School Drive from its intersection with Gallimore Road to its end at the Brevard High School parking lot.

Both sides of Hillside Heights in its entirety.

North side of Hillview from its intersection with Brushy Creek (including a portion of Mills Avenue), west 485 feet, and the south side of Hillview Circle from its intersection with Mills Avenue, west 325 feet, each segment being adjacent to or across from Silversteen Memorial Park as No Parking Area.

J

Both sides of Jack Hudson Way in its entirety.

Johnson Street from East Main Street to Maple Street.

West side of Johnson Street between East Main Street and East Jordan Street.

East side of Jordan Road from Maple Street to Batson Road.

Both sides of East Jordan Street from Gaston Street to Johnson Street.

Both sides of West Jordan Street from Caldwell Street to England Street.

K

Both sides of Kilpatrick Street from the intersection of Burrell Avenue to the intersection of Tinsley Road.

Both sides of King Street approximately 35 feet from Railroad Avenue.

L

Both sides of East Laurel Court.

Both sides of West Laurel Court.

Both sides of Laurel Village Drive.

M



South side of East Main Street from Johnson Street extending approximately 100 feet eastward.

South side of East Main Street from Franklin to the end of East Main Street Extension.

Maple Street from South Gaston Street easterly for a distance of 84 feet.

Both sides of Maple Grove Lane.

North side of Mills Avenue from intersection with Hillview Circle to a point approximately 300 feet northeast of said intersection.

Both sides of Monroe Street.

Both sides of Morgan Street from its intersection with South Caldwell Street to its intersection with Duckworth Avenue.

North side of East Morgan Street between South Gaston Street and South Broad Street.

North Side of West Morgan Street between South Broad Street and South Caldwell Street.

N

Both sides of North Lane from its intersection with West Lane southward to its end at the English Hills parking area.

O

North side of Oakdale Street from South Caldwell Street and extending for a distance of 264 feet in an easterly direction.

South side of Oakdale Street between Carver Street and Jenkins Row, a distance of 315 feet.

Both sides of Oakdale Street, between Duckworth Avenue and Hemphill Circle.

Both sides of Oaklawn Avenue between Probart Street and West Main Street.

P

East side of Park Avenue from Outland Avenue and extending for a distance of 792 feet in a northerly direction.

West side of Park Avenue from East Main Street to Park View Drive.

Both sides of West Probart Street from North Broad Street Westward to the City Limits.

Both sides of East Probart Street from its intersection with North Broad Street, eastward to the terminus of East Probart Street.

R

~~West side of Railroad Avenue from West Probart Street to a point approximately 300 feet northeast of intersection with Whitmire Street.~~

[On both sides of Railroad Avenue from West Probart to McLean Road except an approximate 200 ft. section on the east side between W French Broad and Whitmire](#)

On both sides of Reservoir Road from its intersection with Whitmire Street, a distance of 300 feet.

West side of Rosenwald Lane from West Main Street to West Lane.



S

Both sides of Salem Street from King Street to Whitmire Street.

Both sides of Siniard Court in its entirety.

North side of Southview Drive extending from Country Club Road westward for a distance of 350 feet.

T

Both sides of Turnpike Road in its entirety.

U

The unnamed alley way between Jordan Street and Main Street.

V

Both sides of Victore Lane in its entirety.

W

Both sides of West Lane.

North side of Whitmire Street from North Caldwell to Railroad Avenue.

South side of Whitmire Street from Tinsley Road and extending 792 feet in an easterly direction.

PARKING PERMITTED DURING CERTAIN HOURS IN DESIGNATED PLACES

Parking shall be permitted in no parking zones on Sundays between the hours of 9:00 a.m. and 1:00 p.m. on the following streets:

West side of South Gaston Street from Jordan Street to Morgan Street.

North side of East Jordan Street from South Broad Street to South Gaston Street.

South side of Morgan Street from South Broad Street to South Gaston Street.

ORDINANCE NO. 2025-XX

**AN ORDINANCE AMENDING
THE CITY OF BREVARD TRAFFIC SCHEDULE**

WHEREAS, a public meeting was conducted on Monday, August 4, 2025, by Brevard City Council, and after review and consideration of the proposed amendments, it is the desire of the City Council of the City of Brevard that Section 66-5 of the Brevard City Code of Ordinance be amended as outlined below; and

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

SECTION 01. The City Clerk of the City of Brevard is hereby authorized and directed to revise and amend the official records and the Brevard Traffic Schedule to reflect the change as set forth in Exhibit A which is attached and incorporated herein.

SECTION 02. The City Manager of the City of Brevard is hereby authorized and directed to cause the appropriate signs to be installed on Galloway Street and Railroad Avenue and enforcement of the foregoing provisions to be implemented.

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

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

Adopted and approved on this the 18th day of August, 2025.

Maureen Copelof
Mayor

ATTEST:

Denise Hodsdon, CMC
City Clerk

APPROVED AS TO FORM:

Mack McKeller
City Attorney

STAFF REPORT

City Council, Monday, August 18, 2025

Title: Resolution Declaring Intent to Permanently Close an Unopened Public Right-of-Way - Hendersonville Pediatrics

Speaker: Paul Ray, Planning Director

Prepared by: Emily Brewer, Senior Planner

Approved by: Paul Ray, Planning Director, Wilson Hooper, City Manager

Background

Staff has prepared a Resolution for Council to consider, declaring the intent to close a public street in accordance with General Statutes Section 160A-299. This Resolution shall direct the City Clerk to properly advertise for a Public Hearing as prescribed by law.

Discussion

Hendersonville Pediatrics is remodeling the former PNC bank building located at 90 South Caldwell for their new operations. They have purchased three parcels (PINs 8586-40-4943, 8586-40-3870, and 8586-40-5719) that include the existing building and the parking lots. Centrally located between their parcels in their existing parking lot is an unopened right-of-way retained by the City of Brevard. Staff and Hendersonville Pediatrics have discussed the closure of this unopened right-of-way in exchange for approximately the same amount of space on the portion of the lot that is adjacent to the City-owned parking lot on W. Jordan St. The unopened right-of-way in question is highlighted red in the attached map, with the land to be transferred to the City highlighted in yellow.

Policy Analysis

North Carolina General Statutes 160A-299, requires a Resolution declaring its intent to close the street or alley and calling a public hearing on the matter. The Resolution directs the City Clerk to publish it once a week for four successive weeks in the Transylvania Times. The City Clerk must also give notice, by Certified Mail, to each property owner abutting the street to be closed by sending them a copy of the Resolution of Intent, and a notice must be posted along the right-of-way in at least two conspicuous locations.

Action

Staff and Hendersonville Pediatrics are preparing the agreement and closure plat, but Staff is requesting that Council approve the attached resolution instructing the City Clerk to begin advertising and notices, in accordance with State law.

1. Adoption of the resolution
2. Table the matter for further consideration
3. Denial of the resolution

Attachments:

1. Map of Proposed Closure and Land Swap
2. Draft Resolution



City of Brevard
PIN: 8586-40-3957

HP Brevard LLC
PIN: 8586-40-4943

HP Brevard LLC
PIN: 8586-40-3870

HP Brevard LLC
PIN: 8586-40-5719

W. JORDAN STREET

W. MORGAN STREET

S. CALDWELL STREET

RESOLUTION NO. 2025-XX

**A RESOLUTION DECLARING THE INTENT OF THE BREVARD CITY COUNCIL TO
CONSIDER THE CLOSING OF AN UNIMPROVED RIGHT-OF-WAY**

WHEREAS, North Carolina General Statutes 160A-299 authorizes the City Council to permanently close public streets and alleys; and

WHEREAS, the City intends to permanently close a portion approximately 0.075 acres in size of a public “street” which in actuality is an unimproved right-of-way in the vicinity of West Jordan Street near South Caldwell Street; and

WHEREAS, the City Council shall conduct a Public Hearing for the purpose of giving consideration to permanently closing a portion of the aforementioned street.

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

SECTION 1. That a Public Hearing will be held at 5:30 PM, or as soon thereafter as possible, on Monday, September 15, 2025, in Council Chambers located at 95 West Main Street, Brevard, North Carolina, to consider an Order to permanently close said public street.

SECTION 2. The City Clerk is hereby directed to publish this Resolution of Intent once a week for four successive weeks in the Transylvania Times prior to the Public Hearing.

SECTION 3. The City Clerk is further directed to transmit by Certified Mail, Return Receipt Requested, to each owner of property abutting on said street a copy of this Resolution of Intent, and shall cause a notice of the Public Hearing to be prominently posted in at least two places along the street.

SECTION 4. This Resolution of Intent shall become effective upon its adoption and approval.

Adopted and approved upon first reading this the 18th day of August 2025.

Maureen Copelof
Mayor

ATTEST:

Denise Hodsdon, CMC
City Clerk

STAFF REPORT

City Council, Monday, August 18, 2025

Title: Proposed Amendments to the City of Brevard Fee Schedule - Planning and Zoning Fees

Speaker: Emily Brewer, AICP, Senior Planner

Prepared by: Emily Brewer, Senior Planner

Approved by: Paul Ray, Planning Director, Wilson Hooper, City Manager

Background

The Planning Department is transitioning to a new planning permitting and code enforcement software effective August 20, 2025. With more than 500 permits processed annually, a permitting software is vital for the efficient operation of the Planning Department. The new permitting software serves the public just as much as the Planning Department through higher-quality service and increased transparency. This transition aligns with Action LUH-19 from the Building Brevard 2030 Comprehensive Land Use Plan, which charges staff with “enhanc[ing] communication of land use planning efforts, policy development, approvals, and processes.”

Discussion

The new software, GovWell, will streamline and modernize Planning's processes. Also used by Shelby and Black Mountain, the company built the software specifically for smaller municipalities that need a nimble system that can accommodate a wide range of services. Specifically, this software was selected because it provides:

- An online applicant portal where the public can easily apply for permits and track the status of their project(s);
- Workflow management with intake and assignment to the appropriate planner;
- Automation that sends emails to applicants automatically when additional information is needed, a permit is issued, an inspection is completed, etc.;
- Full customization for permits, workflows, etc.;
- Electronic plan review capabilities to allow for real-time collaboration and markup of digital documents across multiple departments; and
- 24/7 customer service for both staff and the public.

Staff have spent the past two months revising its permits, amending its procedures, and building the software to ensure efficiency and ease for the public users. As part of that, Staff is proposing changes to the planning and zoning fees in the fee schedule to better reflect the new permit types and procedures. A summary of the changes is below:

- **Fee Name Changes:** The majority of the proposed changes are to the fee names and/or consolidation of fees to match new permit types. For example, Brevard will have a new permit type for permanent signs ("Permanent Sign Permit"). The

current fee schedule lists different types of signs as different fee amounts. The proposed changes call out the two sign types that are procedurally different (freestanding ground signs and A-frame signs) and consolidate the rest into one fee ("Permanent Sign - All Other").

- ***New Fees to Match Permit Types:*** Some of our existing permit types did not have fees (chicken permits, public art permit, and MSD expansion petition), while other permit types were added to match the new procedures we want to put in place (e.g., steep slope development). The proposed fee schedule now includes all of our permit types. The fees are set to match other permits that require similar levels of work (i.e., number of inspections, number of Committee / Council meetings).
- ***Special Events and Closures:*** One of the major changes is how we will be treating special event permits and closure permits. Currently, there is only one permit application that includes both. However, they require different information on the application and are different procedurally. We have created separate applications for both of these permit types and will have the ability to link them together in the platform. For a special event, an applicant will submit a special event permit (regardless of if closures are involved) and pay the fee. There will then be a separate closure permit that will apply if you are closing a public space for a special event, maintenance, construction, etc. In the application, the applicant will be prompted to "link to the Special Event application" if applicable. By doing it this way, we will be able to clearly identify and track when something is being closed and for what purpose and easily transmit that information to the Police, Fire, and Public Works Departments.
- ***Deposits:*** The "reimbursable bond" that is currently required for some items (demolition, closures, etc.) is not a "bond" but a deposit. With the new permitting system, the applicant will pay the fee upfront and a reimbursement will be issued once the project is completed. If it is not completed adequately (there was damage to city infrastructure, additional cleanup is needed, etc.), the City will not refund the deposit.

Action

The new permitting portal will be available for constituents on August 20th. Given this, Staff is requesting that City Council take one of the following actions tonight:

1. Adopt the amendments to the bylaws as proposed;
2. Revise the amendments to the bylaws and adopt, as revised by Council; or
3. Reject the amendments to the bylaws.

Attachments:

1. FY 26 Fee Schedule - Proposed Changes
2. Draft Ordinance

Adopted Fee Schedule – General Fund

FY2026 Budget

Property Tax Rates

City-Wide	0.3575/ \$100 Valuation
Heart of Brevard MSD	0.1754 / \$100 Valuation

ABC Licensing Fees

Fees regulated by the State of North Carolina for the sale of beer and wine.

The license year for the following runs from May 1 through April 30 (NCGS 105-113.70(b)). License is not to be pro-rated.

Code	NCGS	Business Activity	Rate
		Beer & Wine (Copy of ABC Permit required.)	
D-101		On premise malt	\$15.00
D-102		Off premise malt	\$5.00
D-103		Wholesale beer	\$37.50
D-104		On premise wine	\$15.00
D-105		Off premise wine	\$10.00
D-106		Wholesale wine	\$37.50
D-107		Wholesale beer & wine	\$62.50

Taxi Licensing Fees

Tax regulated by North Carolina General Statutes 20-97 and NCGS 160A-211

Code B-146 - NCGS 20-97 - **Taxicabs** *Requires Approval Rate: \$15 per vehicle

*Taxi / Vehicles for Hire. City of Brevard Code of Ordinances, Chapter 78

Solid Waste Removal Fees

Residential Garbage Collection	\$10.75 plus \$10.25 County Disposal Fee / \$21.00 per month total
Commercial Dumpster	\$100.00 per month total for two pickups per week. Each additional pickup is \$20.00 per pickup
Small Commercial Collection	\$10.75 plus \$10.25 County Disposal Fee times number of monthly pickups / \$21.00 per month total
Special Refuse Pick Up (Includes appliances & furniture)	\$20.00 per single item \$75.00 per load
Television / Computer Monitor Collection	ALL TV's - \$15.00

Recycling Fees

Residential Recycling Fee	\$4.00 per month
Commercial Recycling Fee	\$5.75 per month (Additional 96-gallon containers \$5.75 each)
Commercial Cardboard Recycling	\$10.00 per month per water meter for all commercial customers
Mulch Fee	Pickup truck loads, City Residents - \$0 All other loads - \$10 per yard

Adopted Fee Schedule – General Fund

FY2026 Budget

Franklin Pool Fees

Admission	\$2.00 per day per individual
Individual Season Pass	\$50 per season
Family Season Pass	\$150 per season
Family Day Pass	\$7.00 per day
Party / Event Rental	\$200

Depot Railroad Avenue Park Rental Fees

WEEKDAYS (Monday through Friday)		
Outdoor Pavilion Only	Non-Profit	Private
Morning Block	\$50	\$75
Afternoon Block	\$50	\$75
Evening Block	\$50	\$75
Meeting Room Only	Non-Profit	Private
Morning Block	\$50	\$75
Afternoon Block	\$50	\$75
Evening Block	\$50	\$75
Meeting Room and Outdoor Pavilion	Non-Profit	Private
Morning Block	\$100	\$125
Afternoon Block	\$100	\$125
Evening Block	\$100	\$125

WEEKENDS (Saturday and Sunday)		
Outdoor Pavilion Only	Non-Profit	Private
Morning Block	\$150	\$200
Evening Block	\$150	\$200
Full Day	\$250	\$300
Meeting Room Only	Non-Profit	Private
Morning Block	\$150	\$200
Evening Block	\$150	\$200
Full Day	\$250	\$300
Meeting Room and Outdoor Pavilion	Non-Profit	Private
Morning Block	\$250	\$275
Evening Block	\$250	\$275
Full Day	\$350	\$375

Mary C. Jenkins Community Center Rental Fees

Community Room	Non-Profit 501(c)3	Individual/Organization
Weekday Hourly Rate (2 Hour Minimum Block)	\$25	\$40
Weekday Daily Rate	\$180	\$320
Weekend Hourly Rate (2 Hour Minimum Block)	\$60	\$160
Weekend Daily Rate	\$220	\$400
Additional Hourly Rate (After 2 Hour Minimum Block)	\$25	\$25
Security Deposit	\$100	\$100
Meeting Rooms	Non-Profit 501(c)3	Individual/Organization
During Regular Center Hours	No Fee	No Fee
Security Deposit - Outside Regular Center Hours Only	\$100	\$100
Outside Patio (Exclusive Use)	Non-Profit 501(c)3	Private Individual/Organization
Hourly Rate (In Addition to Room Rental)	\$25	\$25
Kitchen	Non-Profit 501(c)3	Individual/Organization
If Appliances Used for Meal Preparation	\$50	\$50

Adopted Fee Schedule – General Fund

FY2026 Budget

Community Garden Fees

Garden Plot Rental	Fee
5-foot x 5-foot Plot	\$5
5-foot x 10-foot Plot	\$10
5-foot x 15-foot Plot	\$15
5-foot x 20-foot Plot	\$20
ADA Accessible Plot	\$5

Adopted Fee Schedule – General Fund

FY2026 Budget

Planning and Zoning Fees

Residential Development	Fee
New Construction	\$200 per dwelling unit ¹
Accessory Structures	\$50
Improvements or Additions to Existing Structures—Significant or Substantial (25% or more market value of structure) <u>Addition or Expansion</u>	\$50
Improvements or Additions to Existing Structures—Incidental (up to 25% market value of structure) <u>Deck or Other Improvement</u>	\$50 ²
Floodplain Development	No Fee
<u>Steep Slope Development</u>	<u>No Fee</u>
Permit Extension	\$50

Non-Residential Development ³	Fee
Development Review ⁴	\$500
New Construction	\$0.06 per heated sq. ft.
Accessory Structures	\$100
Improvements or Additions to Existing Structures—Incidental (up to 25% market value of structure) <u>Incidental Improvements</u>	\$100
Improvements or Additions to Existing Structures—Significant (26—49% market value of structure) <u>Significant Improvements</u>	\$150
Improvements or Additions to Existing Structures—Substantial (50% or more market value of structure) <u>Substantial Improvements</u>	\$200
Fee in Lieu – Parking	\$5,000 per parking space
Fee in Lieu - Sidewalk	Actual Cost
Fee in Lieu – Stormwater	Actual Cost
Floodplain Development	\$200
<u>Steep Slope Development</u>	<u>\$200</u>
Interior Remodels & Non-Structural Changes	\$150
Parking Lots—New & Reconfiguration	\$150
Permit Extension	\$500

Other Development ⁵	Fee
Demolition, Grading and Other Land Disturbance	\$50 + \$500 deposit reimbursable bond
Grading and Other Land Disturbance	\$100 + \$500 reimbursable bond
Driveway or Other Encroachment on City Right-of-Ways	\$50
Fence	\$50
Utility Encroachments	\$500
<u>Permanent Sign – Freestanding</u> Ground Signs	\$200
<u>Permanent Sign – A-Frame / Sandwich Board</u> Signs	\$50
Wall & Marquee Signs	\$100
Electronic Signs (Including Message & Reader Boards)	\$1,000
Panel Replacement, Reface & Resurface	\$50

¹ Includes accessory dwelling units and manufactured home set ups.

² When a handicapped ramp or other accessibility accommodation is built by a tax-exempt organization, or by volunteers, without expense for either labor or materials being paid by the owners or occupants, the fee may be waived by the administrator.

³ Includes multifamily structures larger than 4 dwelling units, residential projects with 8 or more dwelling units, and subdivisions with 8 or more lots.

⁴ The development review fee shall apply to any project where landscaping plans, stormwater plans, lighting plans, architectural plans, etc. are to be reviewed in addition to a basic site plan. Other fees (e.g., new construction, substantial improvement) are paid in addition.

⁵ These fees apply when the application is not part of a larger development permit.

Adopted Fee Schedule – General Fund

FY2026 Budget

Other Development ⁵	Fee
<u>Permanent Sign</u> – All Other Signs for Which Permit is Required	\$100
Temporary Signs for Which a Permit is Required	\$50
Special Event Signs	\$50
Parking Lot Resurfacing	\$50
Wireless Communication Facilities	\$1,000
Dedication of Infrastructure	\$100
Performance Guarantee	Actual Cost + % as set forth in UDO Ch. 16

Other Zoning	Fee
Change of Use / Occupancy	\$100
<u>Chickens</u>	<u>\$50</u>
Food Truck Site	\$150
Home Occupation	\$50
<u>Public Art</u>	<u>\$100</u>
Sidewalk Usage	No fee
<u>Sidewalk Usage</u> – Sidewalk Dining	\$100
Street Banners <u>Reservation</u>	\$250
Social District Participation	\$200
Temporary Use	<u>\$200 per location and permit period</u> \$50
Temporary Vendors	\$200 per location and permit period
Carnivals & Circuses	\$500 per location and permit period
Farmers Markets & Tailgate Markets	\$200 per location
Tree Removal	\$25 per tree
Reinspection / Failed Zoning Inspections	\$50 per reinspection
Zoning Code Enforcement Abatement Administrative Fee	\$250
Zoning Consistency Determination / Farm Exemption Certification	<u>\$50</u> 25

Subdivision	Fee
Major Subdivision	\$500 + \$20 per lot (total)
Minor Subdivision	\$75 + \$20 per lot (total)
Exempt Subdivision ⁶	\$75

Petitions to City Council	Fee
Map Amendment – Base District Rezoning	\$400
Map Amendment – Conditional Zoning District ⁷	\$600
Text Amendment	\$500
Annexation	\$500
<u>ETJ Modification</u>	<u>\$500</u>
<u>MSD Extension</u>	<u>\$100</u>
Modification – Major	\$400
Modification – Minor	\$150
Street, <u>or</u> Right-of-Way, & Easement Abandonment	\$500 + Actual Cost
Vested Right Determination	\$500

Petitions to Board of Adjustment	Fee
Appeal of <u>Administrative Decision</u> Staff Determination	\$100

⁶ This category includes recombinations of previously subdivided lots, lot line adjustments, and other items defined by the Unified Development Ordinance Chapter 19 and NCGS Section 160D-802.

⁷ This fee includes the review of a preliminary and/or final master plan as part of the Conditional Zoning District.

Adopted Fee Schedule – General Fund

FY2026 Budget

Petitions to Board of Adjustment	Fee
Special Use Permit	\$250
Variance	\$250

Special Events ⁸ & Closures ⁹	Fee
City-Sponsored Events (adopted by resolution) <u>Special Event – City-Sponsored</u>	No fee
<u>Special Event – Not City-Sponsored</u>	<u>\$200 / day</u>
Other Events on Private Property—No parking space, sidewalk, or street closures	No fee
Other Events on Private Property—Parking space, sidewalk, or street closures	\$200 / day + \$500 bond
Other Events on Public Property—Park, greenway, or similar facilities	\$200 / day + \$500 bond
Closure – City Street	<u>\$100-250 / day + \$1,000 bond deposit</u>
Closure – Public Alley	<u>\$50-100 / day + \$500 bond deposit</u>
Closure – Public Parking Space	<u>\$100 / day + \$500 bond deposit</u>
Closure – Public Sidewalk	<u>\$500 / day + \$500 bond deposit</u>
Closure – State Road	<u>\$1,500 / day + \$2,000 bond deposit</u>

Other	Fee
Custom Mapping	<u>\$40 per hour + cost of map</u>
Black & White Printing—8.5"x11"—11"x17" (1 sheet)	No Fee
Black & White Printing—8.5"x11"—11"x17" (>1 sheet)	10 cents per page
Black & White Printing—Larger than 11"x17"	\$25 per page
Color Printing—8.5"x11"—11"x17" (1 sheet)	No Fee
Color Printing—8.5"x11"—11"x17" (>1 sheet)	50 cents per page
Color Printing—Larger than 11"x17"	\$25 per page

State of Emergency: There shall be no permit fees for construction, reconstruction, alteration, repair, movement to another site, removal, or demolition of any structure damaged as a direct result of an event having been declared a disaster and subject to a "State of Emergency," as defined by Chapter 21 of the City's Unified Development Ordinance. Similarly, there shall be no permit fee for temporary uses associated with emergency response and recovery established in accordance with Chapter 21.

Professional Services: The Administrator may secure the services of a qualified professional (e.g., licensed architect, attorney, engineer, landscape architect, arborist, surveyor, or planner) in the review of any application. Professional services purposes include but are not limited to: the review of floodplain development proposals, proposed public infrastructure of stormwater systems, traffic impact analysis, specialized legal services, etc. The actual cost of professional services shall be the responsibility of the applicant. The applicant shall be informed in advance of the City's intention to secure professional services. The applicant shall be provided with all reports generated by qualified professionals, and copies of all statements and receipts. The applicant shall reimburse the City for professional services expenditure prior to the issuance of a certificate of occupancy or final zoning / project approval.

~~**Reimbursable Bonds for Land Disturbance:** The Administrator may waive bonds for demolition, grading or other land disturbance upon determination that such bond would serve no useful purpose. Administrator may require a bond in excess of \$500 if such is deemed necessary in the interests of public health or safety. These bonds shall be prepared and administered in accordance with the improvement guarantee procedures set forth in the procedure for the~~

⁸ The administrator may assess fees for the actual cost of services provided by City forces (i.e., personnel, deployment of fire apparatus, solid waste removal, provision of barricades, State Fire Code inspections, etc.) in support of special events or temporary uses. Refer to the Departmental Cost of Services fee schedule for additional "cost of service" fees.

⁹ Closures for maintenance and repairs not exceeding five days are not subject to a fee but may be required to ~~retain a reimbursable bond~~ pay a deposit in the amount specified. Closures for maintenance and repairs are charged for each day after the fifth day.

Adopted Fee Schedule – General Fund

FY2026 Budget

~~installation and dedication of public improvements. The administrator may require a demolition, in association with any development activity for which such bond is relevant.~~

Recording Fees: The Administrator may invoice the applicant for any recording fees incurred in officially filing records with the Transylvania County Register of Deeds, if applicable.

Adopted Fee Schedule – General Fund

FY2026 Budget

Traffic Violation Fees

Parking Ticket	\$50 per violation
Fire Hydrant, Fire Lane Obstruction, and designated handicap spaces	\$75 per violation
Vehicle Towing	True cost of towing
Late Fee	\$25 per violation

Departmental Cost of Service Fees for Special Events and Temporary Use

The following fees are intended to recoup cost for the delivery of services in support of Special Events, Temporary Uses, and unique emergency situations (including but not limited to bomb threats, hazardous materials events, manhunts, and other unique calls for service). The specific mechanism and timing of fee recovery will be determined by the applicable department heads on a case-by-case basis.

Fire Department Inspections for City Permits	Fee
Fireworks Tent Permit	\$300 per 30 days
Assembly Tent Permit	\$75 per 30 days

Fire Department, Deployment of Personnel, Apparatus & Equipment	Fee
Officer	\$45 per hour
Firefighter	\$40 per hour
Light Duty Quick Response Vehicle / Boat / Support Vehicle	\$20 per hour
Fire Engine	\$200 per hour
Rescue Truck	\$250 per hour
Ladder Truck	\$300 per hour

Public Services Department, Deployment of Personnel & Equipment	Fee
Special Dumpster Service	\$50

Police Department, Deployment of Personnel & Equipment	Fee
Officer	\$35 per hour

Miscellaneous Fees

Return Check Fee	\$30 per check per occurrence
Code Enforcement Abatement Administrative Fee	\$250

Adopted Fee Schedule – Utility Fund

FY2026 Budget

Economic Development Utility Rates

City Council may, as a means of supporting economic development within the City of Brevard and Transylvania County, authorize a business to receive a 30% reduction in utility rates, subject to an agreement that such business achieve certain economic development performance measures.

Water Charges

Description	In City	Outside City
Basic Charge (per month)	\$13.65	\$20.50
Water (per gallon, Residential, Commercial, and Institutional)	\$9.86/1,000 gal	\$14.84/1,000gal
Water (per gallon, Industrial)	\$8.69/1,000 gal	\$13.05/1,000 gal

Meter Fees

	3/4 inch \$2.70/month	
	1 inch \$2.70/month	
	1.5 inch \$15.00/month	
	2.0 inch \$18.00/month	
	3.0 inch \$25.00/month	
	4.0 inch \$44.00/month	
	6.0 inch \$67.00/month	
	All multi-family dwellings, including apartments and condominiums, shall pay \$27.29 per unit or the meter reading, whichever is greater	
Meter Reactivation Fee	\$60.00	

Sewer Charges

Description	In City	Outside City
Basic Charge (per month)	\$13.65	\$20.50
Sewer Water (per gallon)	\$9.86/1,000 gal	\$14.84/1,000gal

Water Tap Fees

Tap Size (inches)	Tap and Meter Setting Fee ^{10 11}
3/4	\$1,375
1	\$1,600
2	\$4,500
Charges for taps greater than 2", 6' in depth, or require disturbance to NCDOT infrastructure or right-of-way will be calculated on a case-by-case basis by the Public Works Director. Charges for such taps shall include the city's cost of personnel time, meters, materials and equipment (including asphalt repair), plus 35 percent of the direct labor charge; however, no fee for a tap larger than two inches shall be less than \$2,440.	

Sewer Tap Fees

Tap Size (inches)	Tap Fee ¹³
Up to 6" Tap	\$1,375
Charges for taps greater than 6", 6' in depth, or require disturbance to NCDOT infrastructure or right-of-way will be calculated on a case-by-case basis by the Public Works Director. Charges for such taps shall include the city's cost of personnel time, materials and equipment (including asphalt repair), plus 35 percent of the direct labor charge; however, no fee for a tap larger than two	

¹⁰ The Public Works Director may impose additional fees to recover the true cost of water and/or sewer tap installation when such is warranted by site conditions. In such cases, fees shall be computed at the sum total of the cost of labor, materials, and equipment necessary for completion of the work plus 35 percent of the direct labor charge.

¹¹ During a "State of Emergency" as defined by Chapter 21.2 of the Brevard Unified Development Ordinance, the Zoning Administrator may temporarily waive such fees for temporary uses associated with emergency response and recovery as described in Chapter 21.3 of the UDO. The duration of the waiver shall correspond with the duration of the State of Emergency, after which the fees must be paid in full or the meters recovered, and the utility access terminated.

Adopted Fee Schedule – Utility Fund

FY2026 Budget

inches shall be less than \$955.

System Development Fees ¹³

Connection Size (in)	Max Flow (gpm)	Water	Sewer
$\frac{3}{4}$	30	\$500	\$1,000
1	50	\$830	\$1,670
1.5	100	\$1,660	\$3,340
2	160	\$2,660	\$5,340
3	320	\$5,320	\$10,680
4	500	\$8,310	\$16,690
6	1,000	\$16,620	\$33,380
8	1,600	\$25,590	\$53,410
10	2,300	\$38,220	\$76,780
12	3,100	\$51,510	\$103,490

Sewer Tap Relocation Fee

Fee ¹³

Flat Fee

\$1,375

Charges for sewer tap relocations will be calculated on a case-by-case basis by the Public Works Director. Charges for such taps shall include the city's cost of personnel time, materials, and equipment, plus 35 percent of the direct labor charge. The minimum and maximum sewer tap relocation fees are set forth above.

Septage and Digested Fees

Septic Tank Waste Disposal (Using Flow Based Billing/Monitored Keyed Access)

Septic Fee (Domestic) In County \$0.063/gal

Septic Fee (Domestic) Out of County \$0.126/gal

Digester Tank Waste Disposal (Using Flow Based Billing/Monitored Keyed Access)

Digester Fee (domestic digested sludge) In County \$0.063/gal

Digester Fee (domestic digested sludge) Out of County \$0.126/gal

Digester Fee (industrial digested sludge) In County \$0.078/gal

Digester Fee (industrial digested sludge) Out of County \$0.140/gal

Out of County Septage/Sludge Hauled to WWTP Double Rate of in County Fee

NO LEACHATE ACCEPTED

New Utility Account Deposit Fees

Use	Fee
Deposit fee for new utility accounts	\$ 100.00

High Strength Wastewater Collection and Treatment Surcharge Rates (Industrial)

Parameters	Rates
BOD 5	\$0.51/lbs. BOD 5
Total Suspended Solids	\$0.48/lbs. TSS
NO LEACHATE ACCEPTED	

High Strength Wastewater Collection and Treatment Surcharge Rates

Adopted Fee Schedule – Utility Fund

FY2026 Budget

(Commercial and Institutional)

Category	Concentration of BOD/TSS	Rates	
1 – Residential	<500mg/L	No Charge	No Charge
2 - Standard	>501 mg/L	No Charge	No Charge
3 - Low	>501 mg/L and <1,000 mg/L	\$0.16/lbs. BOD	\$0.15/lbs. TSS
4 - Medium	>1,001 mg/L and <1,500 mg/L	\$0.28/lbs. BOD	\$0.26/lbs. TSS
5 - High	>1,500 mg/L and <2,000 mg/L	\$0.38/lbs. BOD	\$0.36/lbs. TSS
6 – Super High	>2,000 mg/L	\$0.51/lbs. BOD	\$0.48/lbs. TSS

Miscellaneous Utility Fees

Late Payment Fee	\$5 applied on the 21st day of each month
Cut-Off / Cut-On Fee	\$25 applied on the 28th day of each month
Return Check Fee	\$30 per check per occurrence
Meter Location	\$30 per occurrence
Meter Location Change	\$250
Meter reactivation	\$60
Fire Hydrant Flow Test (two or more hydrants)	\$250
Well Permit ⁸	\$1,000
Tanker Truck Access Fee	\$25
Others as specified in Chapter 70 Sec. 70-38 of the Brevard City Code	

⁸ Refer to Chapter 70 of City Code

Adopted Fee Schedule – Stormwater

FY2025 Budget

Stormwater Fees

Category	Sq. Ft of Impervious	Rates*
Tier 1 – Exempt Government Properties	Exempt	None
Tier 2 - Undeveloped	None	None
Tier 3 – Minimal Impact	1 - 7,000	\$4.00/mo.
Tier 4 – Moderate Impact	7,001 – 250,000	\$15.00/mo.
Tier 5 – Heavy Impact	>250,001	\$150.00/mo.

*Rates will be billed on an annualized basis.

ORDINANCE NO. 2025-____

**AN ORDINANCE AMENDING THE FEE SCHEDULE OF THE
FY 2025-2026 CITY OF BREVARD BUDGET**

WHEREAS, the City of Brevard adopted the FY 2025 budget on June 2, 2025, including a schedule of fees; and,

WHEREAS, the City of Brevard Planning Department has reviewed and refined its permitting requirements and procedures; and,

WHEREAS, it is the desire of the City Council of the City of Brevard that the FY 2025-2026 budget fee schedule be amended as outlined below.

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

SECTION 01. The City of Brevard FY 2025-2026 fee schedule is hereby amended as described in Exhibit A.

SECTION 02. The City Manager of the City of Brevard is hereby authorized to amend the official FY 2025-2026 budget to reflect the change as set forth herein.

SECTION 03. This Ordinance shall become effective upon its adoption and approval.

Adopted and approved upon first reading this the 18th day of August 2025.

Maureen Copelof
Mayor

ATTEST:

Denise Hodsdon, CMC
City Clerk

APPROVED AS TO FORM:

Mack McKeller
City Attorney

STAFF REPORT

City Council, Monday, August 18, 2025

Title: Resolution Directing Clerk to Investigate Sufficiency of
Petition for Contiguous Annexation - City-owned Property on
Cashiers Valley Road

Speaker: Aaron Bland, Assistant Planning Director
Wilson Hooper, City Manager

Prepared by: Denise Hodsdon, City Clerk

Approved by: Wilson Hooper, City Manager

Background

On March 17, 2025 City Council adopted Resolution No. 2025-16 declaring three properties as surplus and approving the sale of the properties on the open market via the upset bid method of public property disposal. Staff presented land disposal as a potential funding source for affordable housing endeavors. This City-owned property, located on Cashiers Valley Road east of the Public Works building, was included in that resolution. The subject property is partially within the City's corporate limits (Tax Property Identification Number 8585-19-5389). The intention of this annexation petition is to include the remainder of the parcel within city limits before selling it to support affordable housing initiatives.

Discussion

Pursuant to NCGS 160A-31(c), City Council is asked to direct the City Clerk to Investigate the Sufficiency of the Petition.

Policy Analysis

In keeping with the City's annexation procedures, a metes and bounds description of the parcel to be annexed, and an annexation plat are attached.

Action

Staff recommends Council adopt the drafted Resolution Directing the City Clerk to Investigate Sufficiency of the Annexation Petition.

Attachments:

1. Petition Requesting Contiguous Annexation_COB-Cashiers Valley Rd
2. Metes and bounds description Road Legal Description-08-06-2025
3. Annexation Plat
4. Resolution Directing Clerk to Investigate Sufficiency

STATE OF NORTH CAROLINA
COUNTY OF TRANSYLVANIA
CITY OF BREVARD



PETITION REQUESTING A CONTIGUOUS
ANNEXATION
(G.S. 160A-31)

Date: August 6, 2025

To the City Council of the City of Brevard:

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

Transylvania County Property Identification Number(s): _____
8585-19-5389-000

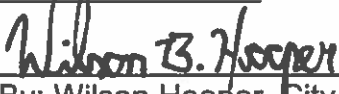
Street Address: Cashiers Valley Road

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

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

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

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

a. Name City of Brevard
Address 95 W Main St, Brevard, NC 28712
Telephone 828-885-5602 Email: Wilson.Hooper@cityofbrevard.com
Signature 
By: Wilson Hooper, City Manager

b. Name _____
Address _____
Telephone _____ Email _____
Signature _____

c. Name _____
Address _____
Telephone _____ Email _____
Signature _____

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

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

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

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

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

Petition along with a Metes and Bounds description (Attachment A), and Map / Survey (Attachment B) is to be returned to:

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

CITY ANNEXATION LEGAL DESCRIPTION
FOR PIN# 8585-19-5389

Beginning at an existing concrete monument which has North Carolina NAD 83/2011 grid coordinates of Northing: 559254.05' and Easting: 881654.64';

thence N 49°56'27" W a distance of 195.52' to a deeded 30" Oak Tree;

thence N 50°55'39" W a distance of 127.49' to a found iron rod 1.0' above grade on the east side of a soil road bed;

thence along the eastern margin of the soil road bed N 15°41'21" E a distance of 74.96' to a set 5/8" rebar with a plastic I.D. cap on the east margin of the soil road bed;

thence N 72°06'25" E passing through a deeded 26" Oak tree at a distance of 7.49' and a deeded 34" double Hemlock tree at a distance of 61.21', a total distance of 70.11' to a found rebar with a plastic I.D. cap set at grade;

thence S 03°46'52" W a distance of 59.43' to a found ¾" iron pipe at grade;

thence S 62°42'08" E a distance of 147.82' to a found ¾" iron pipe 0.5' above grade;

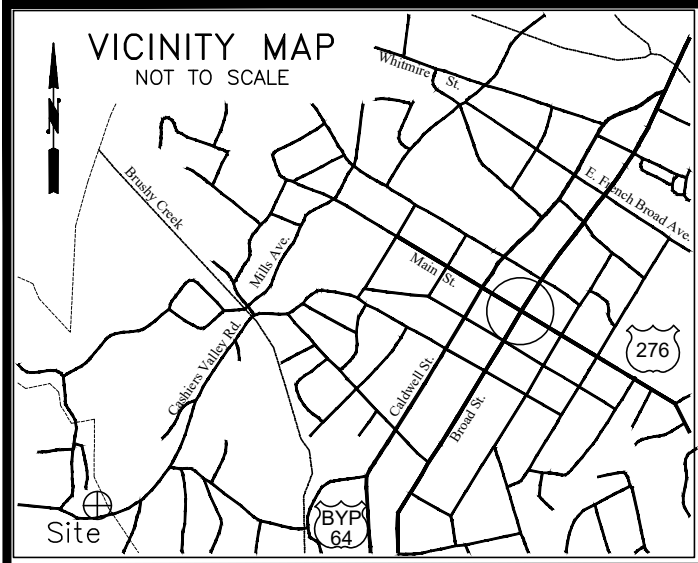
thence S 62°46'10" E a distance of 53.81' to a calculated point at the intersection of the existing city limit line;

thence with the existing city limit line on a curve to the southeast with an arc length of 168.28', with a radius of 3,207.69', with a chord bearing of S 25°59'41" E, a chord length of 168.24' to a calculated point on the deeded property line for parcel 5389 in the center of Cashiers Valley road;

thence along the centerline of the existing asphalt road the following 2 calls S 67°20'11" W a distance of 35.92' to a calculated point;

thence S 70°00'39" W a distance of 25.99' to a calculated point in the centerline of the road;

thence leaving the centerline of Cashiers Valley road N 49°10'11" W a distance of 39.42' to an existing concrete monument which is the place and point of beginning.



OWNER CERTIFICATION-ANNEXATION

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

DATE _____ OWNER(S) _____

CITY OF BREVARD-ANNEXATION

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

CITY CLERK _____

STATE OF NORTH CAROLINA
COUNTY OF TRANSYLVANIA

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

REVIEW OFFICER _____ DATE _____

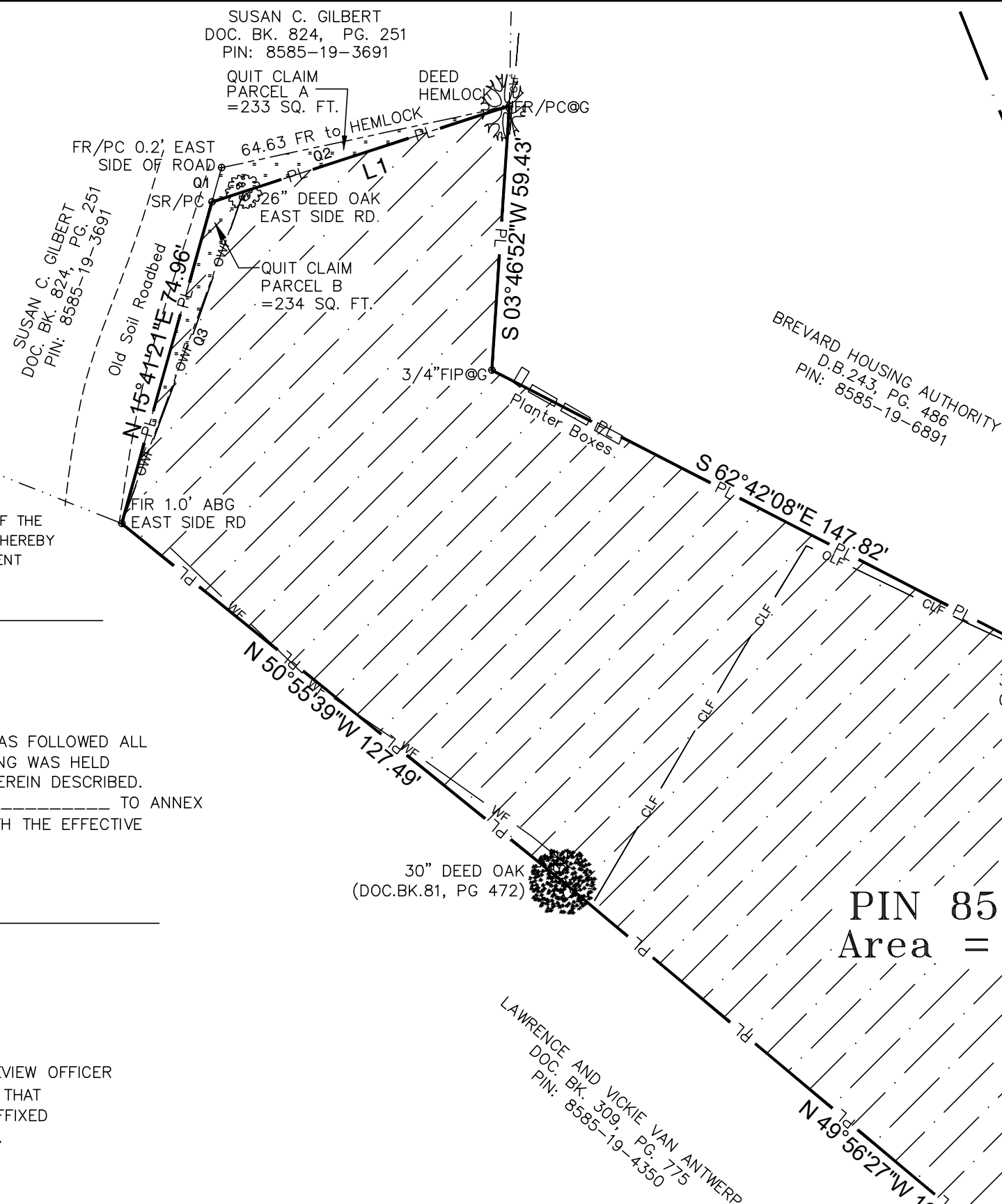
STATE OF NORTH CAROLINA
COUNTY OF TRANSYLVANIA

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

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

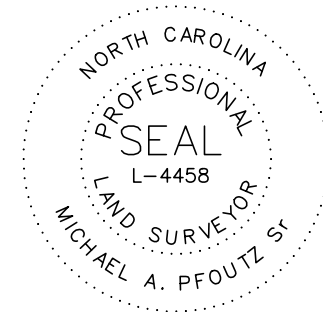
WITNESS MY HAND AND NOTARIAL SEAL, THIS THE _____ DAY OF _____, 20____.

NOTARY PUBLIC _____
MY COMMISSION EXPIRES: _____



- NOTES:
- 1) PROPERTY SHOWN HEREON IS DESIGNATED BY THE LAST 4 NUMBERS OF THE TAX PIN (PARCEL IDENTIFICATION NUMBER). THE BOUNDARY FOR PARCEL 5389 WAS SURVEYED IN SEPTEMBER 2024 AND FEBRUARY 2025. ALL DISTANCES SHOWN HEREON ARE HORIZONTAL GROUND UNLESS OTHERWISE STATED. NOT ALL IMPROVEMENTS ARE SHOWN HEREON. PORTIONS OF THIS PROPERTY ARE ALREADY WITHIN THE CITY LIMITS. CORNERS ALONG THE EXISTING CITY LIMITS LINE ARE CALCULATED POINTS AND THE REMAINING PORTION OF THE SURVEYED PROPERTY IS BEING ANNEXED INTO THE CITY LIMITS AS SHOWN HEREON.
 - 2) PLAT FILE 25, SLIDE 182 DELINEATED AN OVERLAP ON THE SOUTHERN PORTION OF PARCEL 5389 FROM PLAT FILE 21, SLIDE 58. THE CITY OF BREVARD QUIT CLAIMED THAT PORTION OF THE OVERLAP PARCEL CONGRUENT WITH THE CITY OF BREVARD PARCEL AS RECORDED IN DOCUMENT BOOK 1152, PAGE 191.
 - 3) AT THE NORTHERN END OF THE SURVEYED PROPERTY, THERE IS A GAP PARCEL (AS SHOWN HEREON). PLAT FILE 25, SLIDE 182 SHOWED THAT GAP PARCEL AS BEING QUIT CLAIMED TO THE CITY OF BREVARD. THAT PROPERTY LINE IS BEING REVISED AS SHOWN HEREON AND A PORTION IS BEING QUIT CLAIMED TO THE CITY OF BREVARD AND THE OTHER PORTION IS BEING QUIT CLAIMED TO SUSAN GILBERT AS SHOWN HEREON.
 - 4) AREA OF EXISTING PARCEL 5389 IN CITY LIMITS =0.249 OF AN ACRE
AREA OF NEW ANNEXED PARCEL =0.886 OF AN ACRE
TOTAL PARCEL 5389 (SURVEY) =1.135 ACRES -(INCLUDES OVERLAP AND QUIT CLAIM PARCELS)
AREA OF OVERLAP PARCEL CONVEYED TO PARCEL 5389 =0.128 OF AN ACRE
AREA OF QUITCLAIM PARCEL B =234 SQ. FT .005 OF AN ACRE
THE AREA SHOWN FOR PARCEL 5389 ON P.F.25, SL.182 IS A SCRIVENERS ERROR AND HAS BEEN CORRECTED ON THIS PLAT. AREA DERIVED AT BY COORDINATE COMPUTATION.
 - 5) THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE SEARCH. THUS THIS PROPERTY IS SUBJECT TO ALL RIGHT-OF-WAYS; COVENANTS; EASEMENTS AND RESTRICTIONS OF RECORD BOTH SHOWN AND NOT SHOWN HEREON
 - 6) PLAT REFERENCE: P.F. 21, SL. 58; P.F 20, SL. 7; P.F. 25, SL. 182
 - 7) DEED REFERENCE: DOC.BK. 81, PG. 472; D.B. 228, PG 421; DOC. 994, PG. 784; DOC. BK. 1152, PG 191
 - 8) TAX PARCEL IDENTIFICATION NUMBER: 8585-19-5389
 - 9) THAT PORTION OF PROPERTY CURRENTLY WITHIN THE CITY LIMITS IS ZONED GENERAL RESIDENTIAL 8 AND THE REMAINDER APPEARS TO BE ZONED GENERAL RESIDENTIAL 4.
 - 10) PER PLAT FILE 20 SLIDE 7, NCDOT HAS ONLY A MAINTAINED R/W FOR CASHIERS VALLEY ROAD IN THIS AREA.
 - 11) THERE ARE NO NCGS MONUMENTS WITHIN 2000' OF THIS PROPERTY.

CERTIFICATE OF PURPOSE OF PLAT:
G.S. 47-30 f(11) d.
I, MICHAEL A. PFOUTZ Sr., PROFESSIONAL LAND SURVEYOR, CERTIFY THAT THIS SURVEY IS OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT-ORDERED SURVEY, OR OTHER EXCEPTION TO THE DEFINITION OF SUBDIVISION



CERTIFICATE OF SURVEY ACCURACY:
I, MICHAEL A. PFOUTZ, Sr., PROFESSIONAL LAND SURVEYOR, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL FIELD SURVEY PERFORMED UNDER MY DIRECTION FROM INFORMATION REFERENCED HERON; THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION REFERENCED HEREON; THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY AS CALCULATED BY LATITUDES AND DEPARTURES BEFORE ADJUSTMENT IS NOT LESS THAN 1 : 10,000 ; AND THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.

WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER, AND SEAL THIS THE 30th DAY OF JULY, 2025, A.D.

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

GPS-RTN CERTIFICATION

GPS CONTROL DATA
CLASS OF SURVEY: C
POSITIONAL ACCURACY: .05
GPS FIELD PROCEDURE: STATIC
DATE OF SURVEY: 10/07/24 DATUM/EPOCH: 83 (NC GNSS CORS & REAL-TIME NETWORK).VERTICAL POSITIONS ARE REFERENCED TO NAVD 88 (GEOID 2018u7) NC GNSS CORS & REAL-TIME NETWORK.
EQUIPMENT USED: TOPCON HIPER SR, TOPCON MAGNET SOFTWARE.
GEOID MODEL: GEOID 18 (CONUS)
UNITS: US FEET
COMBINED FACTOR 0.99972710339580

BOUNDARY CALL TABLE

Course	Bearing	Distance
L1	N 72°06'25" E	70.11'
L2	S 76°19'33" W	36.01'
L3	S 61°11'01" W	33.17'
L4	S 63°11'56" W	38.15'
L5 O/A	S 67°20'11" W	59.71'
L6	S 70°00'39" W	25.99'
L7	N 49°10'11" W	39.42'
Course	Bearing	Distance
Q1	N 15°41'21" E	7.97'
Q2	N 72°06'25" E	66.04'
Q3	N 20°11'55" E	79.35'

ANNEXATION BOUNDARY CALL TABLE

Course	Bearing	Distance
A1	Rad: 3207.69' Tan: 84.16' Chd: S 25°59'41" E	A: 168.28' CA: 3°00'21" 168.24'

LEGEND

NAD NORTH AMERICAN DATUM
NTS NOT TO SCALE
PIN TAX PARCEL IDENTIFICATION NUMBER
NCGS NORTH CAROLINA GEODETIC SURVEY
PC PLASTIC ID CAP
FR FOUND REBAR
FIP FOUND IRON PIPE
FIR FOUND IRON ROD
CP CALCULATED POINT
ABG ABOVE GRADE
@G AT GRADE
DOC. BK., PG. DOCUMENT BOOK, PAGE
P.F., SL. PLAT FILE, SLIDE
D.B., PG. DEED BOOK, PAGE
O/A OVERALL
Ⓟ UTILITY POLE
WF WOOD FENCE
OWF OLD WIRE FENCE
CLF CHAIN LINK FENCE
OHW OVERHEAD WIRE
PL PROPERTY LINE (SURVEY)
--- ADJOINER LINES (NOT SURVEYED)
--- SOIL ROAD BED
--- EXISTING CITY LIMITS
--- DRAINAGE CULVERT

ASPHALT
CURRENT CITY LIMITS WITHIN PARCEL 5389
CITY ANNEXATION NEW PARCEL
QUIT CLAIM PARCELS
PF21, SL58 OVERLAP QUITCLAIMED TO CITY

PREPARED BY
CAROLINA MOUNTAIN SURVEYING
FIRM LICENSE NUMBER #F-1205
137 NORTH BROAD STREET; SUITE 2
BREVARD, NORTH CAROLINA 28712
(828) 883-2670
CMSURVEYING@COMPORIUM.NET

ORDINANCE No. _____
PROPERTY SITUATE IN
CITY OF BREVARD, BREVARD TOWNSHIP
TRANSYLVANIA COUNTY, NORTH CAROLINA
OWNERS OF RECORD: CITY OF BREVARD

ANNEXATION and PROPERTY
LINE ADJUSTMENT PLAT
for PIN 8585-19-5389
PREPARED FOR
THE CITY of BREVARD

DATE
JULY 26, 2025

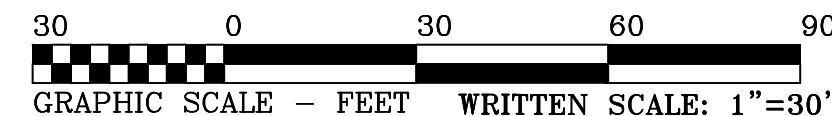
FIELD RECORDS
DATA COLLECTOR

DRAWING
CMS24048-ANNEX

COORD. FILE
CMS24048.CRD

PROJECT NUMBER

CMS24048



RESOLUTION NO. 2025-XX

A RESOLUTION DIRECTING THE CITY CLERK TO INVESTIGATE THE SUFFICIENCY OF A PETITION FOR AN ANNEXATION PURSUANT TO NCGS 160A-31, AS AMENDED

WHEREAS, a petition was received on August 6, 2025, requesting the annexation of a contiguous area described in said Petition as a portion of property owned by the City of Brevard located on Cashiers Valley Road, Brevard, NC 28712, consisting of 0.886 acres, more or less, be annexed into the City of Brevard. (Tax Property Identification Number: 8585-19-5389).

Metes and Bounds Property Description:

Beginning at an existing concrete monument which has North Carolina NAD 83/2011 grid coordinates of Northing: 559254.05' and Easting: 881654.64';

thence N 49°56'27" W a distance of 195.52' to a deeded 30" Oak Tree;

thence N 50°55'39" W a distance of 127.49' to a found iron rod 1.0' above grade on the east side of a soil road bed;

thence along the eastern margin of the soil road bed N 15°41'21" E a distance of 74.96' to a set 5/8" rebar with a plastic I.D. cap on the east margin of the soil road bed;

thence N 72°06'25" E passing through a deeded 26" Oak tree at a distance of 7.49' and a deeded 34" double Hemlock tree at a distance of 61.21', a total distance of 70.11' to a found rebar with a plastic I.D. cap set at grade;

thence S 03°46'52" W a distance of 59.43' to a found ¾" iron pipe at grade;

thence S 62°42'08" E a distance of 147.82' to a found ¾" iron pipe 0.5' above grade;

thence S 62°46'10" E a distance of 53.81' to a calculated point at the intersection of the existing city limit line;

thence with the existing city limit line on a curve to the southeast with an arc length of 168.28', with a radius of 3,207.69', with a chord bearing of S 25°59'41" E, a chord length of 168.24' to a calculated point on the deeded property line for parcel 5389 in the center of Cashiers Valley road;

thence along the centerline of the existing asphalt road the following 2 calls S 67°20'11" W a distance of 35.92' to a calculated point;

thence S 70°00'39" W a distance of 25.99' to a calculated point in the centerline of the road;

thence leaving the centerline of Cashiers Valley road N 49°10'11" W a distance of 39.42' to an existing concrete monument which is the place and point of beginning.

WHEREAS, said Petition has been received by the City Council of the City of Brevard, North Carolina; and

WHEREAS, NCGS 160A-31, as amended, provides that the sufficiency of the Petition shall be investigated by the City Clerk before further annexation proceedings may take place; and

WHEREAS, the City Council of the City of Brevard deems it advisable to proceed in response to this request for annexation.

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

Section 1. The City Clerk is hereby directed to investigate the sufficiency of the above-described Petition and to certify as soon as possible to the City Council the result of her investigation.

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

Adopted and approved this the 18th day of August, 2025.

Maureen Copelof
Mayor

ATTEST:

Denise Hodsdon, CMC
City Clerk

STAFF REPORT

City Council, Monday, August 18, 2025

Title: Proposed Amendments to Housing Trust Fund Bylaws

Speaker: Emily Brewer, AICP, Senior Planner

Prepared by: Emily Brewer, Senior Planner

Approved by: Paul Ray, Planning Director, Wilson Hooper, City Manager

Background & Discussion

Transylvania County conducted a county-wide property reappraisal (or “revaluation”) for 2025. On average, property value assessments increased 54% across the county. This drastic increase is felt city-wide. As property values rise, tax bills often increase, creating financial strain for many households, potentially forcing them to downsize, relocate, or face housing insecurity. The City's Housing Committee has considered potential options for property tax relief for low-income households.

With that direction from the Housing Committee, City staff submitted an application to launch a Low-Income Homeowner Assistance Program through Dogwood Health Trust's recent grant program, "Investing in Community Supports for Older Adults." The proposed program is designed to help ease the financial burden of sharply rising property taxes for low-income households that include at least one member aged 60 or older.

In addition to pursuing grant funding, Staff prepared amendments to the Housing Trust Fund bylaws to add property tax assistance to the eligible expenses. Established in 2012 and revamped in 2023, the City's Housing Trust Fund serves as a flexible source of funding that can be used to support a variety of affordable housing activities and initiatives. The proposed amendments can be found in Attachment 3.

Action

On August 12, 2025, the Housing Committee reviewed the proposal and favorably recommended the amendments. Staff is requesting that City Council take one of the following actions:

1. Adopt the amendments to the bylaws as proposed;
2. Revise the amendments to the bylaws and adopt, as revised by Council; or
3. Reject the amendments to the bylaws.

Attachments:

1. City of Brevard Housing Trust Fund Bylaws - Proposed Changes
2. Draft Ordinance

City of Brevard Housing Trust Fund Bylaws

Proposed Changes – August 2025

ARTICLE I: PURPOSE AND DEFINITIONS

I. Purpose

Affordable and workforce housing have been recognized as a substantial need for residents of Brevard and the surrounding area. In an effort to promote increased development and retention of affordable housing within its jurisdiction, the City of Brevard has established the Housing Trust Fund. The Housing Trust Fund serves as a flexible source of funding that can be used to support a variety of affordable housing activities and initiatives.

II. Definitions

- 1) **"Affordability"** shall be defined as housing where total costs do not exceed 30% of household income.
 - a) For Homeowners, total housing costs include principal, interest, taxes and insurances.
 - b) For Renters, total housing costs include rent and utilities.
- 2) **"Area Median Income"** (AMI) shall be defined as United States Department of Housing and Urban Development (HUD)'s annual assessment of median family income for Transylvania County.
- 3) **"Low income"** (LI) shall be defined as households, adjusted for family size, making up to 60% of AMI, per North Carolina General Statute § 157-3.
- 4) **"Low/moderate income"** (LMI) shall be defined as households, adjusted for family size, making up to 80% of AMI.
- 5) **"Affordable Housing"** shall be defined as housing that costs no more than 30% of the total income for residents making 80% or less of AMI as defined by HUD.
- 6) **"Workforce Housing"** shall be defined as housing that costs no more than 30% of the total income for residents making 81% to 120% of AMI as defined by HUD.

ARTICLE 2: GOVERNANCE AND MEMBERSHIP

I. Housing Committee

The Housing Committee shall be the Policy Committee guiding housing-related activities being undertaken by the City of Brevard and serve as the Governing Board for the Housing Trust Fund. The responsibilities and duties of the Committee area as follows:

- 1) To review and make recommendations to Brevard City Council concerning new or reviewed policies and ordinances related to the City's adopted housing priorities, as set forth within the City of Brevard Comprehensive Land Use Plan and other plans, policies, resolutions, and ordinances adopted by City Council;
- 2) To review funding requests and applications and make recommendations to Brevard City Council for the Housing Trust Fund;
- 3) To consult with the Application Review Sub-Committee, established herein, when necessary;
- 4) To establish forms, procedures, guidelines and requirements as are necessary for the administration of this Housing Trust Fund;
- 5) To manage the fund balance and ensure requirements and restrictions for specific funding sources are met;
- 6) To annually review the City's housing-related goals, data, and other progress indicators, and to make recommendations to prioritize or adjust activities based on such review; and
- 7) To identify and research affordable and workforce housing trends and issues.

The Committee will meet monthly to discuss affordable housing projects and initiatives and conduct any business. Additional meetings may be scheduled at the discretion of the Committee.

The Committee shall be comprised of two members of City Council and one citizen member appointed by the City Council for a two-year term. The citizen member shall be a resident of the City of Brevard. City staff shall serve as non-voting liaisons for the Committee. Staff will not count towards quorum calculations.

II. Application Review Sub-Committee

The Application Review Sub-Committee may be an advisory group to the Housing Committee established to review funding applications and consult with the Housing Committee upon request.

Typically, the Sub-Committee will attend a meeting of the Housing Committee following a formal application cycle to participate in the review and discussion of applications received. The Housing Committee is ultimately responsible for recommending funding decisions to City Council, with input from the Sub-Committee. The Housing Committee may invite the Sub-Committee to additional meetings as necessary.

The Sub-Committee shall be comprised of up to eight community representatives, appointed by the Housing Committee. To the extent possible, appointed community representatives shall represent a variety of groups related to affordable housing and development, such as LMI residents, real estate developers, housing finance experts, homelessness service providers, and community leaders/advocates. Furthermore, the Sub-Committee should reflect the diverse composition of Brevard's community by race, ethnicity, gender and age, to the extent possible.

ARTICLE 3: FUNDING AND ELIGIBILITY

I. Funding Sources

The City of Brevard Housing Trust Fund may include, but not limited to, the following sources:

- 1) Community Development Block Grant (CDBG) loan repayments from developers of affordable housing. Only CDBG eligible activities, benefitting a majority of individuals whose income is below 80% of the median for Transylvania County, will be eligible for use with Housing Trust Fund monies accrued in this manner.
- 2) Funding created through appropriations from City Council's general fund as is deemed appropriate to assist with the development of affordable housing in Brevard.
- 3) Other funds, including grants, donations, loans, and principal and interest payments on funds received by previous funding recipients.

II. Eligible Applicants

The following are the eligible applicants for receiving awards from the Housing Trust Fund:

- 1) For-profit developers and providers of affordable housing
- 2) Non-profit developers and providers of affordable housing
- 3) Income-eligible homeowners
- 4) Income-eligible renters
- 5) Non-profit providers of homeowner/homebuyer education and resources
- 6) Non-profit providers of homelessness and supportive services
- 7) City of Brevard

For property-specific projects, the applicant must be the owner of the property or be under-contract/option to purchase the property, except the income-eligible renters applying for rental assistance. The property must be current on all applicable taxes and fees.

Funding may be provided for programs that support affordable housing efforts (e.g., home repair programs, education programs) that are not property-specific provided that the applicant can provide evidence that the program will support eligible beneficiaries.

Developers of mixed-income housing projects may be eligible for funding if at least 20% of the total units are set-aside for low-income persons, in accordance with North Carolina General Statute §157-3.

The City of Brevard shall be eligible to use funding for programmatic expenses. Administrative costs are not eligible for funding.

III. Eligible Beneficiaries

In order to qualify for funding through the Housing Trust Fund, all of the following criteria must be met by the beneficiaries of the affordable housing project:

- 1) Beneficiaries must be a resident (current or future) of:
 - a) the City of Brevard, if receiving City funds appropriated by City Council, or
 - b) the City of Brevard and its extra-territorial jurisdiction (ETJ), if receiving other funds through the Housing Trust Fund.
- 2) Beneficiaries must have a gross income of 80% of AMI or less for homeowners and 60% of AMI and below for renters (unless otherwise specified).
- 3) The affordable building or unit that is subject to program funding must be dedicated to beneficiaries at the designated income level for a minimum of 15 years.
 - a) This provision does not apply to projects included in subsection IV(5) below ("Other Projects").

In accordance with North Carolina General Statute §157-29, all subsidy must flow directly to the income-eligible household. Funds granted to developers (nonprofit or for-profit) may not be diverted for other purposes.

IV. Eligible Activities

The following activities are eligible for assistance through the Housing Trust Fund:

- 1) Developer Gap Financing
 - Loans or grants to developers for the installation of public infrastructure to facilitate the development of affordable housing, as defined herein.
 - Loans or grants to developers to purchase or prepare land to facilitate the development of affordable housing.
 - Loans or grants to developers to assist in the conversion of existing non-residential buildings into affordable housing.
- 2) Homeowner Assistance
 - Loans or grants serving income-eligible homeowners for housing repairs.
 - Loans or grants serving income-eligible homeowners for down payment assistance or other upfront costs associated with closing on a house.
- 3) Renter Assistance
 - Loans or grants serving income-eligible renter households for security deposits or other upfront costs associated with signing rental leases.
- 4) Critical Housing Repairs

- Grants serving income-eligible homeowners for emergency (health and safety related) housing repairs, which may include weatherization.
- Loans to developers to assist with the rehabilitation of existing substandard multi-family housing units and their conversion to affordable housing.

5) Other Projects

- Acquisition of land to be used for the creation of affordable housing in instances where the City is a project partner.
- Acquisition of vacant housing for rehabilitation and resale as affordable housing.
- Pre-development costs (such as feasibility studies, surveys, appraisals, land options, and preparation of an application) for projects to be developed for the creation of affordable housing.
- Grants for land trust projects that guarantee long-term affordability of a property through 99-year renewal ground leases or for maintenance of land trust housing stock.
- Clearance of blighted properties.
- Homeless services and assistance.
- Public utility improvements in predominately LMI areas.
- Public street, sidewalk, and other infrastructure improvements in predominately LMI areas.
- Programs to assist and educate LMI homeowners and homebuyers. This includes, but is not limited to, housing counseling, homebuyer education, property tax relief programs, and other assistance or education programs deemed appropriate by the Housing Committee to advance and maintain homeownership.
- Seeking out and implementing solutions for affordable and workforce housing in Brevard.

ARTICLE 4: PROCESS AND PROCEDURES

I. Application Process

If City Council determines that funding is available, the Housing Trust Fund shall have two application cycles throughout the year for local funds. The primary application cycle shall commence in fall, and the secondary cycle shall be in the spring. Funding is based on the availability of funds. Only as many funding cycles will be completed as necessary to use the available funds. The application review and approval process shall not apply to City initiatives or project where the City is a development partner.

II. Approval Process

City of Brevard reserves the right to act as sole judge of the content of the applications submitted and may at its sole discretion, reject any or all applications.

Applications may not be considered if:

- The project does not align with the eligibility criteria.
- The applicant has demonstrated poor past performance in carrying out projects or complying with funding guidelines.
- The applicant fails to provide required information.
- The application is received after the deadline.

Based on initial staff review, compliance with procedures outlined in the Housing Trust Fund Program Guidebook, and availability of funds, the Housing Committee will forward a recommendation of funding allocations to City Council for approval. In some instances, an option of the requested grant or loan amount may be offered to the applicant.

In certain instances where an emergency housing repair is needed immediately to protect the health and safety of a resident or the general public or ensure the structural integrity of the dwelling unit, the City Manager may approve a grant or loan for repairs after staff has determined eligibility, not to exceed \$5,000 or 5% of the existing fund amount, whichever is lower. Local funds shall be the only eligible funding source.

III. Amendments & Administrative Procedures

The City of Brevard considers the financial status of the Housing Trust Fund during the annual budget cycle. City Council is responsible for overseeing the use and financial status of the Housing Trust Fund.

The City of Brevard Housing Trust Fund may be amended at any time through a majority vote of City Council. Council may not amend the Housing Trust Fund in a manner that would cause CDBG loan repayments to be expended for ineligible activities under CDBG program guidelines and requirements.

The Housing Committee is authorized and directed to establish such forms, procedures, guidelines and requirements as are necessary for the administration of this Housing Trust Fund. The Housing Committee, with assistance from City staff, will recommend policy changes to the City Council each year on an as-needed basis.

ARTICLE 5: MISCELLANEOUS PROVISIONS

I. Fair Housing requirements

The City of Brevard promotes Fair Housing principals that prohibit discrimination in housing based on race, age, gender, religion, national origin, disability or familial status. Developments assisted with Housing Trust Fund money will be required to abide by these principles.

ORDINANCE NO. 2025-____

AN ORDINANCE AMENDING THE CITY OF BREVARD HOUSING TRUST FUND

WHEREAS, the Brevard City Council created the Housing Trust Fund for the purposes of supporting the development of affordable housing within the City of Brevard on January 23, 2012 by adopting Ordinance 2012-02; and

WHEREAS, the Housing Trust Fund Selection Committee has met since its formation to discuss the Housing Trust Fund and has identified a need to amend the existing Ordinance to better facilitate furthering the goals of the Housing Trust Fund; and

WHEREAS, the Brevard City Council subsequently amended the Housing Trust Fund Ordinance (Ord. No. 2012-02), most recently on September 18, 2023, with Ord. No. 2023-45; and

WHEREAS, City Council's adopted goals for the development of affordable and workforce housing within the City of Brevard are set forth within the *Building Brevard 2030* Comprehensive Land Use Plan; and,

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

SECTION 01. The City of Brevard Housing Trust Fund Ordinance (Ord. No. 2012-02) Exhibit A is hereby amended as set forth in the attached.

SECTION 02. If any section, subsection, paragraph, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed severable and such holding shall not affect the validity of the remaining portions hereof.

SECTION 03. This Ordinance shall be in full force and in effect from and after the date of its adoption and approval.

Adopted and approved upon first reading this the 18th day of August, 2025.

Maureen Copelof
Mayor

ATTEST:

Denise Hodsdon, CMC
City Clerk

APPROVED AS TO FORM:

Mack McKeller
City Attorney

EXHIBIT A

City of Brevard Housing Trust Fund Bylaws

ARTICLE I: PURPOSE AND DEFINITIONS

I. Purpose

Affordable and workforce housing have been recognized as a substantial need for residents of Brevard and the surrounding area. In an effort to promote increased development and retention of affordable housing within its jurisdiction, the City of Brevard has established the Housing Trust Fund. The Housing Trust Fund serves as a flexible source of funding that can be used to support a variety of affordable housing activities and initiatives.

II. Definitions

- 1) **"Affordability"** shall be defined as housing where total costs do not exceed 30% of household income.
 - a) For Homeowners, total housing costs include principal, interest, taxes and insurances.
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- 2) **"Area Median Income"** (AMI) shall be defined as United States Department of Housing and Urban Development (HUD)'s annual assessment of median family income for Transylvania County.
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- 5) **"Affordable Housing"** shall be defined as housing that costs no more than 30% of the total income for residents making 80% or less of AMI as defined by HUD.
- 6) **"Workforce Housing"** shall be defined as housing that costs no more than 30% of the total income for residents making 81% to 120% of AMI as defined by HUD.

ARTICLE 2: GOVERNANCE AND MEMBERSHIP

I. Housing Committee

The Housing Committee shall be the Policy Committee guiding housing-related activities being undertaken by the City of Brevard and serve as the Governing Board for the Housing Trust Fund. The responsibilities and duties of the Committee area as follows:

- 1) To review and make recommendations to Brevard City Council concerning new or reviewed policies and ordinances related to the City's adopted housing priorities, as set forth within the City of Brevard Comprehensive Land Use Plan and other plans, policies, resolutions, and ordinances adopted by City Council;
- 2) To review funding requests and applications and make recommendations to Brevard City Council concerning new and make recommendations for review Housing Trust Fund funding requests
- 3) To consult with the Application Review Sub-Committee, established herein, when necessary;
- 4) To establish forms, procedures, guidelines and requirements as are necessary for the administration of this Housing Trust Fund;

- 5) To manage the fund balance and ensure requirements and restrictions for specific funding sources are met;
- 6) To annually review the City's housing-related goals, data, and other progress indicators, and to make recommendations to prioritize or adjust activities based on such review; and
- 7) To identify and research affordable and workforce housing trends and issues.

The Committee will meet monthly to discuss affordable housing projects and initiatives and conduct any business. Additional meetings may be scheduled at the discretion of the Committee.

The Committee shall be comprised of two members of City Council and one citizen member appointed by the City Council for a two-year term. The citizen member shall be a resident of the City of Brevard. City staff shall serve as non-voting liaisons for the Committee. Staff will not count towards quorum calculations.

II. Application Review Sub-Committee

The Application Review Sub-Committee may be an advisory group to the Housing Committee established to review funding applications and consult with the Housing Committee upon request.

Typically, the Sub-Committee will attend a meeting of the Housing Committee following a formal application cycle to participate in the review and discussion of applications received. The Housing Committee is ultimately responsible for recommending funding decisions to City Council, with input from the Sub-Committee. The Housing Committee may invite the Sub-Committee to additional meetings as necessary.

The Sub-Committee shall be comprised of up to eight community representatives, appointed by the Housing Committee. To the extent possible, appointed community representatives shall represent a variety of groups related to affordable housing and development, such as LMI residents, real estate developers, housing finance experts, homelessness service providers, and community leaders/advocates. Furthermore, the Sub-Committee should reflect the diverse composition of Brevard's community by race, ethnicity, gender and age, to the extent possible.

ARTICLE 3: FUNDING AND ELIGIBILITY

I. Funding Sources

The City of Brevard Housing Trust Fund may include, but not limited to, the following sources:

- 1) Community Development Block Grant (CDBG) loan repayments from developers of affordable housing. Only CDBG eligible activities, benefitting a majority of individuals whose income is below 80% of the median for Transylvania County, will be eligible for use with Housing Trust Fund monies accrued in this manner.
- 2) Funding created through appropriations from City Council's general fund as is deemed appropriate to assist with the development of affordable housing in Brevard.
- 3) Other funds, including grants, donations, loans, and principal and interest payments on funds received by previous funding recipients.

II. Eligible Applicants

The following are the eligible applicants for receiving awards from the Housing Trust Fund:

- 1) For-profit developers and providers of affordable housing
- 2) Non-profit developers and providers of affordable housing
- 3) Income-eligible homeowners
- 4) Income-eligible renters
- 5) Non-profit providers of homeowner/homebuyer education and resources

- 6) Non-profit providers of homelessness and supportive services
- 7) City of Brevard

For property-specific projects, the applicant must be the owner of the property or be under-contract/option to purchase the property, except the income-eligible renters applying for rental assistance. The property must be current on all applicable taxes and fees.

Funding may be provided for programs that support affordable housing efforts (e.g., home repair programs, education programs) that are not property-specific provided that the applicant can provide evidence that the program will support eligible beneficiaries.

Developers of mixed-income housing projects may be eligible for funding if at least 20% of the total units are set-aside for low-income persons, in accordance with North Carolina General Statute §157-3.

The City of Brevard shall be eligible to use funding for programmatic expenses. Administrative costs are not eligible for funding.

III. Eligible Beneficiaries

In order to qualify for funding through the Housing Trust Fund, all of the following criteria must be met by the beneficiaries of the affordable housing project:

- 1) Beneficiaries must be a resident (current or future) of:
 - a. The City of Brevard, if receiving City funds appropriated by City Council; or
 - b. The City of Brevard and its extra-territorial jurisdiction (ETJ), if receiving other funds through the Housing Trust Fund.
- 2) Beneficiaries must have a gross income of 80% of AMI or less for homeowners and 60% of AMI and below for renters (unless otherwise specified).
- 3) The affordable building or unit that is subject to program funding must be dedicated to beneficiaries at the designated income level for a minimum of 15 years.
 - a. This provision does not apply to projects included in Subsection IV(5) below ("Other Projects").

In accordance with North Carolina General Statute §157-29, all subsidy must flow directly to the income-eligible household. Funds granted to developers (nonprofit or for-profit) may not be diverted for other purposes.

IV. Eligible Activities

The following activities are eligible for assistance through the Housing Trust Fund:

- 1) Developer Gap Financing
 - Loans or grants to developers for the installation of public infrastructure to facilitate the development of affordable housing, as defined herein.
 - Loans or grants to developers to purchase or prepare land to facilitate the development of affordable housing.
 - Loans or grants to developers to assist in the conversion of existing non-residential buildings into affordable housing.
- 2) Homeowner Assistance
 - Loans or grants serving eligible homeowners for housing repairs.
 - Loans or grants serving eligible homeowners for down payment assistance or other upfront costs associated with closing on a house.
- 3) Renter Assistance

- Loans or grants serving eligible renter households for security deposits or other upfront costs associated with signing rental leases.

4) Critical Housing Repairs

- Grants serving income-eligible homeowners for emergency (health and safety related) housing repairs, which may include weatherization.
- Loans to developers to assist with the rehabilitation of existing substandard multi-family housing units and their conversion to affordable housing.

5) Other Projects

- Acquisition of land to be used for the creation of affordable housing in instances where the City is a project partner.
- Acquisition of vacant housing for rehabilitation and resale as affordable housing.
- Pre-development costs (such as feasibility studies, surveys, appraisals, land options, and preparation of an application) for projects to be developed for the creation of affordable housing.
- Grants for land trust projects that guarantee long-term affordability of a property through 99-year renewal ground leases or for maintenance of land trust housing stock.
- Clearance of blighted properties.
- Homeless services and assistance.
- Public utility improvements in predominately LMI areas.
- Public street, sidewalk, and other infrastructure improvements in predominately LMI areas.
- Programs to assist and educate LMI homeowners and homebuyers. This includes, but is not limited to, housing counseling, homebuyer education, property tax relief programs, and other assistance or education programs deemed appropriate by the Housing Committee to advance and maintain homeownership.
- Seeking out and implementing solutions for affordable and workforce housing in Brevard.

ARTICLE 4: PROCESS AND PROCEDURES

I. Application Process

If City Council determines that funding is available, the Housing Trust Fund shall have two application cycles throughout the year for local funds. The primary application cycle shall commence in fall, and the secondary cycle shall be in the spring. Funding is based on the availability of funds. Only as many funding cycles will be completed as necessary to use the available funds. The application review and approval process shall not apply to City initiatives or project where the City is a development partner.

II. Approval Process

City of Brevard reserves the right to act as sole judge of the content of the applications submitted and may at its sole discretion, reject any or all applications.

Applications may not be considered if:

- The project does not align with the eligibility criteria.
- The applicant has demonstrated poor past performance in carrying out projects or complying with funding guidelines.
- The applicant fails to provide required information.
- The application is received after the deadline.

Based on initial staff review, compliance with procedures outlined in the Housing Trust Fund Program Guidebook, and availability of funds, the Housing Committee will forward a recommendation of funding allocations to City Council for approval. In some instances, an option of the requested grant or loan amount may be offered to the applicant.

In certain instances where an emergency housing repair is needed immediately to protect the health and safety of a resident or the general public or ensure the structural integrity of the dwelling unit, the City Manager may approve a grant or loan for repairs after staff has determined eligibility, not to exceed \$5,000 or 5% of the existing fund amount, whichever is lower. Local funds shall be the only eligible funding source.

III. Amendments & Administrative Procedures

The City of Brevard considers the financial status of the Housing Trust Fund during the annual budget cycle. City Council is responsible for overseeing the use and financial status of the Housing Trust Fund.

The City of Brevard Housing Trust Fund may be amended at any time through a majority vote of City Council. Council may not amend the Housing Trust Fund in a manner that would cause CDBG loan repayments to be expended for ineligible activities under CDBG program guidelines and requirements.

The Housing Committee is authorized and directed to establish such forms, procedures, guidelines and requirements as are necessary for the administration of this Housing Trust Fund. The Housing Committee, with assistance from City staff, will recommend policy changes to the City Council each year on an as-needed basis.

ARTICLE 5: MISCELLANEOUS PROVISIONS

I. Fair Housing Requirements

The City of Brevard promotes Fair Housing principals that prohibit discrimination in housing based on race, age, gender, religion, national origin, disability or familial status. Developments assisted with Housing Trust Fund money will be required to abide by these principles.