



AGENDA
BREVARD CITY COUNCIL - REGULAR MEETING
Monday, July 20, 2026 - 5:30 PM
City Council Chambers

A. Welcome and Call to Order

B. Invocation

Keith Thompson, Brevard-Davidson River Presbyterian Church

C. Pledge of Allegiance

D. Certification of Quorum

E. Approval of Agenda

F. Approval of Minutes

1. June 15, 2026 Regular Meeting

G. Certificates / Awards / Recognition

1. Oath of Office - Deputy Chief of Police Alan Bonanno
2. Oath of Office - Police Sergeant Tanner Green

H. Public Comments

I. Special Presentation(s)

J. Public Hearing(s)

- Proposed Amendment to the City of Brevard Unified Development Ordinance
1. Chapters 9 and 19, and the Code of Ordinances Chapter 38 - Sight Triangle Regulations
- Proposed Amendments to City of Brevard Unified Development Ordinance,
2. Chapters 6, 17 and 19; and the Code of Ordinances Chapter 38 - Stormwater Management Development Regulations
3. Proposed Amendments to the City of Brevard Code of Ordinances Chapter 42 - Loitering, Trespassing, Public Intoxication, and Hours of Operation
4. Pathways to Removing Obstacles to Housing (PRO Housing) Federal Grant Application

K. Consent and Information

1. Tax Settlement Report - June 2026
2. City of Brevard Annual Tax Collection Settlement Report
3. Capital Project Amendment - Wastewater Treatment Plant Upgrade - \$8,575,000
4. Downtown Master Plan Committee Meeting Minutes - February 11, 2026 Meeting
5. Parks, Trails, and Recreation Committee Meeting Minutes - May 20, 2026 Meeting
6. Public Safety Committee Meeting Minutes - May 28, 2026 Meeting
7. Public Works and Utilities Committee Meeting Minutes - June 3, 2026 Meeting
8. Finance and Human Resources Committee Meeting Minutes - June 4, 2026 Meeting
9. Housing Committee Meeting Minutes - June 9, 2026 Meeting
10. Parks, Trails, and Recreation Committee Meeting Minutes - June 17, 2026 Meeting

L. Unfinished Business

1. Proposed Amendment to the Official Zoning Map of the City of Brevard - 2 Parcels on Deavor Road to PGX

M. New Business

1. Proposed Bracken Trail Name
2. Food Vendor Pilot Program
3. Appointment of ABC Board Member

N. Remarks / Future Agenda Considerations**O. Closed Session(s)**

1. Economic Development: NCGS 143-318.11(a)(4)
2. Property Acquisition: NCGS 143-318.11(a)(5)(i)
3. Pending Litigation: NCGS 143-318.11(a)(3) Veal vs. City of Brevard

P. Adjourn

Agenda Posted, Website, Sunshine List (July 16, 2026)
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
June 15, 2026 – 5:30 PM

The Brevard City Council met in regular session on Monday, June 15, 2026, at 5:30 p.m. in the Council Chambers of City Hall with Mayor Copelof presiding.

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

Staff Present – City Attorney Mack McKeller, City Manager Wilson Hooper, City Clerk Denise Hodsdon, Assistant City Manager David Todd, Assistant City Manager/Finance Director Dean Luebbe, Assistant to the City Manager Shawnee Cummings, Human Resources Director Kelley Craig, Assistant Planning Director Aaron Bland, Police Chief Christy Wentzell, Fire Chief Chase Owen, Public Works Director Wesley Shook, Water Treatment Plant ORC Dennis Richardson, and Wastewater Treatment Plant ORC Aaron Winans

Guests/Presenters – Vicki Eastland, Land of Sky and Daniel Sellers, NCDOT

Press – Jonathan Rich, Brevard Beagle

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

B. Invocation – Rev. Shelly Webb of Sharing House 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. Baker requested to move Item M-2 Preparatory Project Amendments to Unfinished Business as Item L-1 and to renumber Item L-1 Approve FY 2026-2027 Budget Ordinance and Fee Schedule as Item L-2. Mr. Baker also requested to add a Resolution Authorizing Submission of an Application for a North Carolina Water Resources Development Grant for the Norton Creek Stream Restoration Project to the Consent Agenda as Item K-9. Mr. Wise moved, seconded by Mr. Baker to approve the agenda as amended. The motion carried unanimously.

F. Approval of Minutes

F-1. June 15, 2026 Regular Meeting – Ms. Holder moved, seconded by Mr. Baker to approve the minutes of the June 15, 2026 Regular Meeting as presented. The motion carried unanimously.

G. Certificates / Awards / Recognition

G-1. Proclamation No. 2026-19 Juneteenth – Mayor Copelof read the proclamation aloud and presented it to Randy Lytle, President of the Mary C. Jenkins Community Center Board of Directors.

PROCLAMATION NO. 2026-19
JUNETEENTH

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

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

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

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

WHEREAS, the annual Juneteenth celebration in the City of Brevard this year will include a historical trolley tour on June 19th and 20th; a guest speaker and seafood dinner on Friday evening, June 19th at the Mary C. Jenkins Community & Cultural Center; an afternoon celebration on Saturday, June 20th at Silversteen Memorial Playground; and a joint worship service followed by a Sunday dinner on Sunday, June 21st at Mary C. Jenkins Community & Cultural Center; and

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

NOW, THEREFORE, I, Maureen Copelof, Mayor of the City of Brevard, North Carolina, do hereby declare June 19th, 2026, as JUNETEENTH in the City of Brevard, North Carolina, and urge all citizens to become more aware of the significance of this celebration in African American History and in the heritage of our nation and City.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Brevard to be affixed on this 15th day of June, 2026.

Attest: s/ Denise Hodsdon, CMC, NCCMC, City Clerk

s/ Maureen Copelof, Mayor

H. Public Comments

Rodney Locks commented that he has closely followed this year's budget process and commended Council for its thoughtfulness and commitment to maintaining a level of service that people will be happy with. He said during the public hearing it is clear that Council priorities and the citizen's priorities did not line up. I even commend Council for making last minute changes to show Council was paying attention. You know most of us don't have high-paying jobs that will allow us to afford continued property tax increases or higher water and sewer rates. Yet, as hard as you tried, you could not keep from raising property taxes by 2.5 cents and water rates by 4.5 cents, and you even had to increase the municipal service tax by .65 cents. We citizens are already paying 57% of the General Fund budget for personnel and 28% is for operations. If Council does not do anything to make it affordable to live in Brevard, not take care of the homeless, and much less improve our quality of life, we cannot continue to support you and our families. If you think this budget year was challenging, you know next year will be worse. Council needs to look at its own internal health. You need to engage an independent group like you did for the Police Department. I suggest Council needs a total reassessment of its priorities, level of service, healthcare plans, staffing expenditures, and investments. You need to get new money; you cannot keep raising property tax and water rates. The handwriting is on the wall...read it and heed it; you don't have much time.

Randy Austin said my brother and I own the West Main Barber Shop, and I have been working on this Main St. for 38 years. I took this business over from the men that started it in 1957, and they told me when I started that the hardest part about having a business on Main St. was the lack of parking, and this has been so true. I'd like to encourage this council to start the conversations about a parking garage, more parking lots, etc. Please don't wait until the Ecusta Trail is finished before we start the conversation. But, parking is not the main reason I'm here tonight. At the end of the last council meeting, the subject was brought up about reviewing the town's ordinances related to how law enforcement interacts with the homeless population downtown. As someone who has spent decades working on property and paying taxes on Main St., I don't think there is a homeless problem on Main St. What we have is a substance abuse problem. The things I have seen for the last two years would shock most normal people

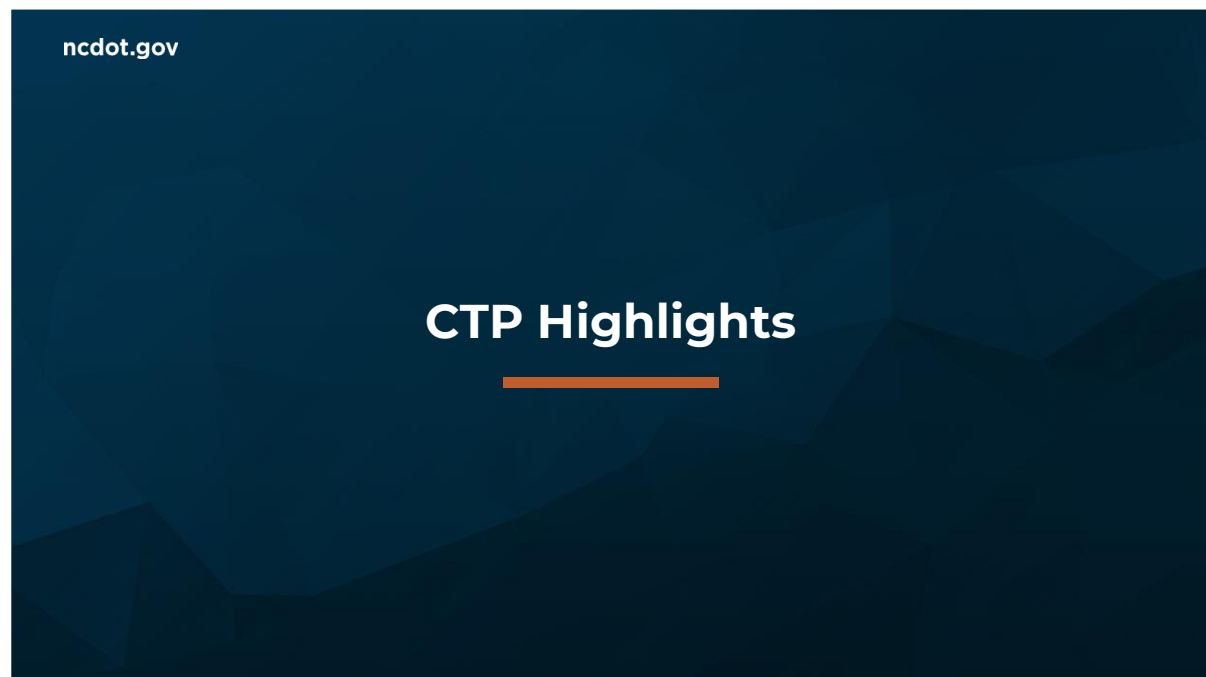
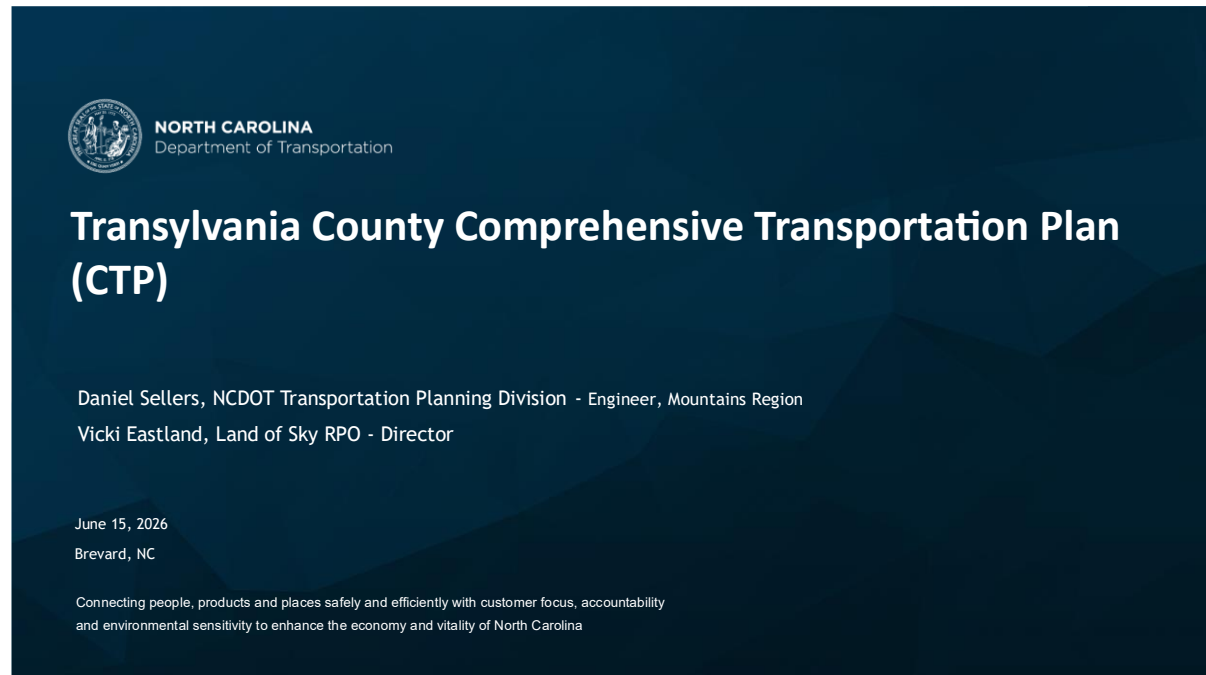
in Brevard, and I have pictures and videos to back it up. Would someone that has become homeless from job loss, medical bills, or fire lay on benches, throw trash, drink straight from liquor bottles, have fornication, and just in general lay drunk from daylight to dark? I think not. I think using the word “homeless” or “unhoused” to describe the people that are causing problems for the police is insulting to a legitimate homeless person. I am here to ask, as a business owner, property owner, and a law-abiding citizen and taxpayer, please give the Police Department all the tools they need to keep the good people in this town to have the community that they deserve—for moms, kids, and everyone to feel safe without seeing some of the behavior that I have seen for the last couple of years. If any of the council members, mayor, or city staff would like to have a conversation, I’m across the street.

Doug Powell said by the time we see each other again in these chambers we will have celebrated our nation’s 250th birthday of independence. It is prudent to review what we will be celebrating. There are many misconceptions about the founding of this country and those who founded it. Some of these historical inaccuracies have been presented ignorantly and some maliciously. As a city council member, when the things you say or do get filtered too many times by too many people, this presents a window of opportunity for those political decisions to be misinterpreted as well. This is why I commend those citizens who watch here live or online. No better way for a citizen to decide what your intent as a city council member is than by listening to your comments directly and tallying up your votes on each issue. This is our duty in a constitutional republic, and this is the reason why I share what I have learned about the original intent of this nation’s founding to you all. As you would not like to be completely miscategorized by a historian 250 years from now, I think it’s important to set the record straight about those men we call the founding fathers. We have largely been taught that these 56 men were trying to ensure mostly political and economic advantages when they signed the Declaration of Independence, but this is a relatively recent and incorrect interpretation. I don’t have enough time to go over every misconception tonight, but please read the Declaration yourselves so you will know the 27 reasons why they mutually pledged to each other their lives, their fortunes and their sacred honor. Rarely do people risk death solely for economic reason. Jesus’s disciples risked crucifixion and death because they were convicted by a truth greater than themselves. The signers of the Declaration knew that they had everything to lose and the odds of victory against Great Britain was slim to none. At the end of the day these men knew they were signing their death warrants in order to preserve their God-given civil and religious liberties and ultimately handed these down to future generations. Let’s tally up the sacrifices these men made on our behalf after the ink dried—7 lost their lives, 2 lost their health, 5 were prisoners of war, 17 lost their estates or fortunes, many burned to the ground, 5 incurred heavy debt, 4 lost their children, and 4 lost their wives. This doesn’t include the days, months, and years they were away from their families and their hometowns. They were literally America’s most wanted and were hunted down by the king’s men every step of the way. So perhaps sometime between our barbecues and fireworks, we can celebrate our independence and give thanks for the enormous sacrifice these men endured for the cause of our civil and religious liberties, freedoms, and honor them by presenting a more accurate view of them to the next generation. He wished everyone a Happy Independence Day and presented flags and 250th wristbands to Council.

Representative Anna Ferguson said I just want to introduce myself as your representative in the North Carolina House. I was appointed back in the spring, roughly less than a week before I had to report to Raleigh to session, which is why this is unfortunately the first opportunity I have had to come meet you in person. I watch your live streams, so I feel like have met you all, but it’s different face-to-face than it is watching you over the television. And, I had the honor and pleasure of meeting Mayor Copelof a couple of weeks ago. I look forward to having the opportunity to sit down so we can discuss what we need to do together. The way I see my position is I’m the conduit between you and what you need from the state. So, I’m not here to tell you what you need—you all are the experts. I’m here to have you tell me and for us to work out how we’re going to make that happen.

I. Special Presentations

I-1. Transylvania County Comprehensive Transportation Plan – Vicki Eastland, Land of Sky and Daniel Sellers, NCDOT – Daniel Sellers of the N.C. Department of Transportation and Vicki Eastland, Land of Sky RPO Director presented an overview of the Transylvania County Comprehensive Transportation Plan (CTP). The CTP is a long-range planning document which identifies major transportation improvement needs and develops long-term solutions for the next 20 to 30 years. The study is a joint effort between NCDOT, the Land of Sky Rural Planning Organization (RPO), Transylvania County, the City of Brevard, and the Town of Rosman. Council had been provided with hard copies of the CTP and it is available for public viewing on the City's website.



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What is a CTP?

- Comprehensive Transportation Plan
- Long -range, multi -modal transportation plan
 - 25-to -30 -year planning period
- Vision Plan
- System Focused Plan
- Not Fiscally Constrained
- Incorporates local plans, community, & statewide goals
- Developed cooperatively among local stakeholders, Rural Planning Organization (RPO), and NCDOT

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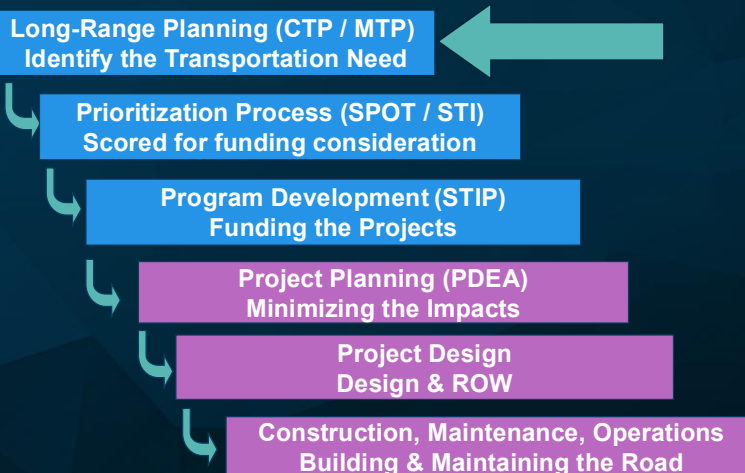
What is in a CTP?

- Multimodal Maps
 - Highway
 - Public Transportation and Rail
 - Bicycle
 - Pedestrian
- Recommendations
 - Existing
 - Needs Improvement
 - New Location
- Current and Future Conditions
 - Road Characteristics (Lanes, Right -of-Way, Speed Limits)
 - Traffic Information (Volume and Capacity, Crashes)
 - Future Conditions (Development Patterns, Geographic Constraints)

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Where does the CTP fit into the “Big Picture”?



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The purpose of the CTP is to

- Anticipate future deficiencies and provide proposals to address each deficiency
- Establish a common, long -range vision for facilities among local governments, RPO, and NCDOT
- Give due consideration to the human and natural environment
- Be accountable to the public through the formal public involvement process
- Provide for faster project delivery by utilizing project vision, environmental constraints, and public outreach in the project delivery
- Create recommendations that are concepts the design and environmental process can use as a starting point for further alignment or design

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Work to Date

- The planning process brought together a broad range of stakeholders, surveyed the public, and held workshops on the deficiencies and draft proposals to address identified “needs.”
- Consensus reached on recommendations
- Now everything has been compiled into a report.
- Adoption is the last remaining step
- The draft plan is available online, along with an extensive appendix which includes maps, tables, and project sheets

- <https://tinyurl.com/2stn3m8e>



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Plan Adoption Timeline

- County Transportation Advisory Board
 - Recommended Adoption on May 12th
- Local Adoption
 - Brevard City Council
 - Town of Rosman Board of Alderman
 - Transylvania County Board of Commissioners
- Mutual Adoption
 - Land of Sky RPO
 - NCDOT Board of Transportation

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Contact Us

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During Questions/Comments from Council, Mr. Wise said that Project 17 – The Railroad Avenue Extension raised some alarm bells for him and for other Councilmembers. He brought it up at the last County Transportation Advisory Committee meeting and they came up with a potential alternate to replace that project. The alternate would take that potential traffic onto Wilson Rd. He suggested removing Project 17 Railroad Avenue Extension from the CTP and replacing it with the Wilson Rd. alternative.

Mr. Wise moved, seconded by Mr. Baker to adopt the Comprehensive Transportation Plan with the exception of replacing the Project 17 Railroad Avenue with a new Project 17 Wilson Road Extension. The motion carried unanimously.

RESOLUTION NO. 2026-33
RESOLUTION ADOPTING THE 2026 TRANSYLVANIA
COUNTY COMPREHENSIVE TRANSPORTATION PLAN

WHEREAS, the City of Brevard, Town of Rosman, Transylvania County, Land of Sky Rural Planning Organization, and the Transportation Planning Division of the North Carolina Department of Transportation have actively worked to develop a Comprehensive Transportation Plan (CTP) for Transylvania County; and

WHEREAS, the CTP outlines the desires and needs of the county's transportation network for the next 50+ years; and

WHEREAS, City Council recognizes that the efficient provision of a safe multi-modal transportation system is a necessity in maintaining quality of life, economic development, and orderly growth within and throughout Transylvania County; and

WHEREAS, after full explanation of the plan during a presentation at its June 15, 2026 meeting, the Brevard City Council feel it to be in the best interests of the City to adopt the plan.

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

Section 1. The Brevard City Council supports and adopts the 2026 Transylvania County Comprehensive Transportation Plan as a guide in the development of the transportation system in Brevard and Transylvania County, with the following amendment:

- a. Replace Railroad Avenue Extension, R-5743 with Wilson Road (SR1540) Extension proposal.

Adopted and approved this the 15th day of June 2026.

Attest: s/ Denise Hodsdon, CMC, NCCMC, City Clerk

s/ Maureen Copelof, Mayor

I-2. Summary of Berry Dunn *Needs Assessment Report* and Current Brevard Police Department Organizational Changes – Chief Wentzell presented an update on the Berry Dunn Organizational Assessment and the progress the Police Department has made since the report was complete:



Purpose of Needs Assessment Report

- Independent assessment of BPD organizational health
- Identify barriers to efficiency and effectiveness
- Provide “playbook” for improvement
- Based on surveys, interviews, and operational analysis

Findings & Recommendations - Top 5 Areas

- Leadership
- Communication
- Business Processes
- Operational Processes
- Job Satisfaction

Findings: Leadership

- Inconsistent Accountability (3.1)
- Centralized Decision-Making (3.2)
- Limited Supervisor Empowerment (3.3)
- Role Clarity issues (3.4)
- Chain of command breakdown (3.6)
- Trust concerns (3.7)

Changes: Leadership

- Defined expectations per rank & role
- Delegated responsibilities
- Departmental Restructuring
 - Clear primary duties for each job assignment
 - Clear "extracurricular" assignments per employee
- Reinforcement of Chain of Command
- One-on-One meetings
 - Visibility and accessibility
 - Consistent Presence

Findings: Communication

- Over-reliance on email (3.10)
- Limited direct interaction (3.10)
- Lack of follow-up (3.11)
- Employees feel unheard (3.11)
- Inconsistent communication during change (3.13)

Changes: Communication

- Supervisor / Staff / Policy meetings restored
 - Minutes sent out
- Increased engagement
 - Internally and externally
 - Intentional about opportunities to get staff feedback and buy-in
- In-person and email follow-up on all changes

Findings: Business Processes

- Inefficient policy rollout (3.12)
- Limited training as relates to policy (3.12)
- Poor communication of changes (3.13)
- Lack of meeting documentation (3.14)

Changes: Business Processes

- Significant changes to policy review & rollout
- Interactive training formats
 - In person / video / email
- In-person and email follow-up on all changes with explanations
- Meeting minutes sent out to all personnel

Findings: Operational Processes

- Limited event planning (3.15)
- Staffing shortages (3.16)
- Recruitment challenges (3.16)
- Top-heavy structure (3.17)

Changes: Operational Processes

- Designated event coordinator
 - Creating pre-event action plans
 - Post event debriefings
 - On-going collaboration with Planning & FD
- Increasing Recruitment Efforts
 - HR added bonus pays / increasing marketability
 - Targeted approach to recruitment / job fairs
 - Cadet program Restructuring of department
- Restructuring of department
 - Staffing realignment and shared purpose

Findings: Job Satisfaction

- Morale challenges (3.17 / 3.18)
- Trust Concerns (3.7)
- Strong employee commitment (3.18)

Changes: Job Satisfaction

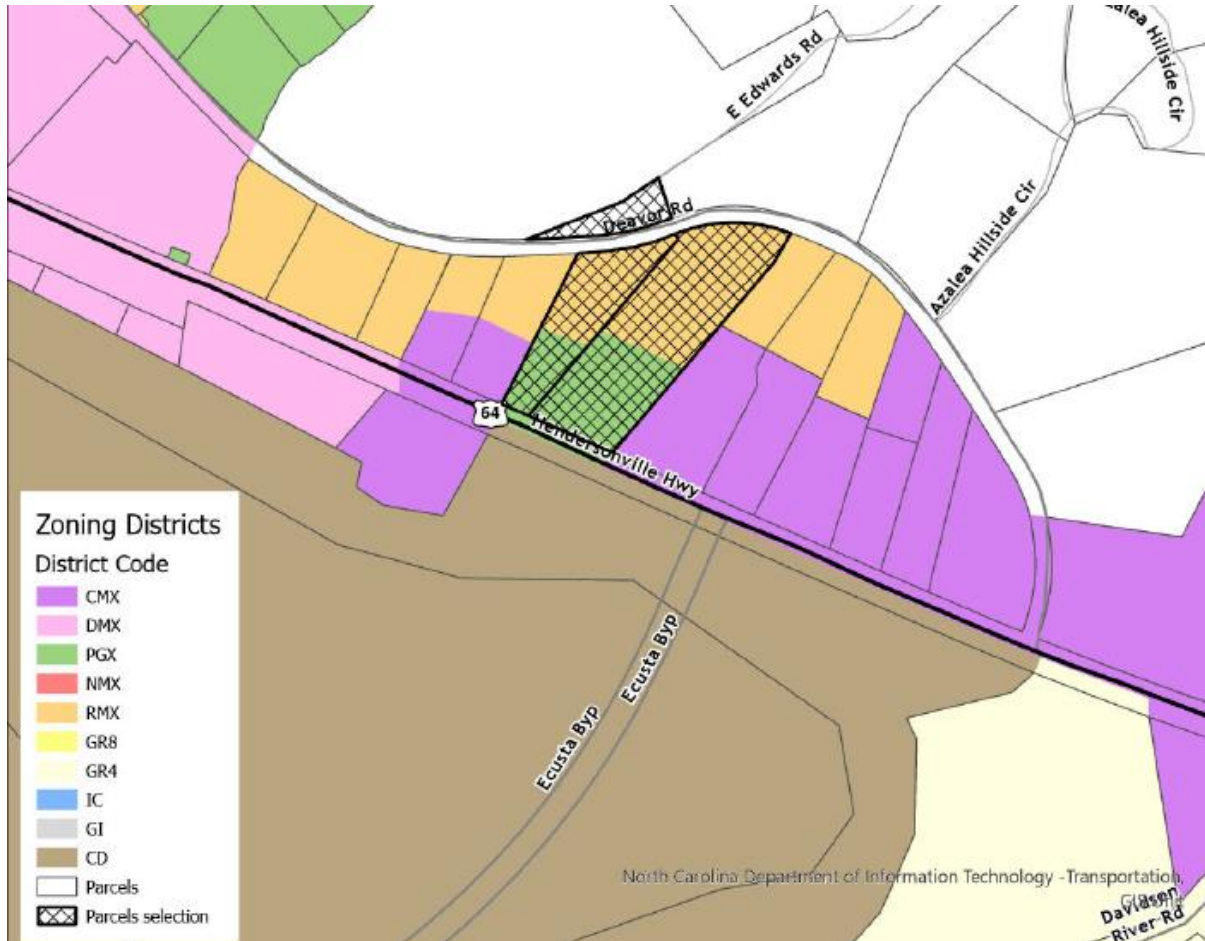
- Leadership visibility
- Direct engagement with staff
- Culture rebuilding
 - Setting "BPD Standard" / Esprit de Corps
- Future focus on career development
 - Structured development plans
- Future focus on recognition and wellness

Moving Foward

- Completing contract with Berry Dunn
 - Focusing on 6- and 12-month strategic plan
- Complete policy modernization and received NC State Accreditation by March 2027
- Focus on accountability, expectations, mentoring and employee development, communication and morale
- Goal – high performing, high morale, professional department.

J. Public Hearing(s)

J-1. Proposed Amendment to the Official Zoning Map of the City of Brevard – 2 Parcels on Deavor Road to PGX – Aaron Bland explained that the request is to rezone the remainder of a newly recombined parcel to the PGX district. Approximately half of the parcel was rezoned to PGX previously. Since then, property lines have been amended to create one larger undeveloped parcel and one small parcel with the existing house. The request is to rezone the entirety of the larger parcel to PGX, eliminating the previously enacted split zoning, and leave the small house parcel as RMX as it is now. The Planning Board unanimously recommended approval at its May meeting.



At 6:45 p.m. Ms. Holder moved, seconded by Mr. Baker to open the public hearing. The motion carried unanimously.

Public Participation – None.

At 6:45 p.m. Mr. Baker moved, seconded by Ms. Holder to close the public hearing. The motion carried unanimously.

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

K-1. Tax Settlement Report – May 2026

K-2. Asset Inventory and Assessment of the Water Distribution System and the Wastewater Collection System

RESOLUTION NO. 2026-34
RESOLUTION ACCEPTING THE RESULTS OF THE ASSET INVENTORY AND ASSESSMENT
PROJECTS FOR THE CITY'S DRINKING WATER AND WASTEWATER UTILITY SYSTEMS
NCDEQ-DWI PROJECT NUMBERS AIA-W-ARP-0106 AND AIA-D-ARP-0124

WHEREAS, the City of Brevard was awarded two Asset Inventory and Assessment Grants to study and report on the City's drinking water and wastewater systems; and

WHEREAS, the firm of Summit Engineering has assisted the City in conducting the evaluations and making the reports on the water and sewer assets; and

WHEREAS, the results of these efforts establish a roadmap for future investments in maintaining and advancing the utility systems.

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

- 1) The City appreciates the investment of State Funds for these purposes and the assistance provided by NCDEQ.

2) The City accepts the plans and reports as tools to guide future investments in the utility systems.

3) These adopted Asset Management Plans supersede all previously adopted similar plans.

4) These adopted Asset Management Plans may be amended by the City Council with budgetary actions or other actions related to the authorization of specific projects and by the adoption of future Asset Management Plans.

5) The City will update and maintain the database systems developed for the assets.

6) The City hereby adopts this Resolution to close the projects.

Adopted and approved this the 15th day of June, 2026.

Attest: s/ Denise Hodsdon, CMC, NCCMC, City Clerk

s/ Maureen Copelof, Mayor

K-3. Resolution Appointing Friends of the Ecusta Trail Representative to the Ecusta Trail Advisory Board

RESOLUTION NO. 2026-35

A RESOLUTION APPOINTING A REPRESENTATIVE FROM FRIENDS OF ECUSTA TRAIL AS A MEMBER OF THE BREVARD/TRANSYLVANIA ECUSTA TRAIL ADVISORY BOARD

WHEREAS, on August 5, 2024 City Council adopted Resolution No. 2024-31 Updating the Membership and Charge of the Brevard/Transylvania Ecusta Trail Advisory Board (ETAB); and

WHEREAS, the membership of the ETAB was reconstituted to include two members of Brevard City Council, two at-large members, and one representative from each of the following entities, per each entity’s recommendation: Transylvania County Tourism Development Authority, Friends of Ecusta Trail, Conserving Carolina, Transylvania Economic Alliance, Heart of Brevard, and Transylvania County; and

WHEREAS, the membership terms are indefinite; and

WHEREAS, John Ditillo was appointed as the representative from Friends of Ecusta Trail; and

WHEREAS, Friends of Ecusta Trail has advised that they wish to make a substitution to their representative and recommend that Mark Tooley, a Transylvania County resident, represent Friends of Ecusta Trail going forward.

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

The Brevard City Council does hereby appoint Mark Tooley as a member of the Brevard/Transylvania County Ecusta Trail Advisory Board as a representative from Friends of Ecusta Trail.

Adopted and approved this the 15th day of June, 2026.

Attest: s/ Denise Hodsdon, CMC, NCCMC, City Clerk

s/ Maureen Copelof, Mayor

K-4. Resolution Accepting \$8,575,000 Funding Modification for Wastewater Treatment Plant Upgrade Phase 1

RESOLUTION NO. 2026-36

RESOLUTION BY THE CITY COUNCIL OF BREVARD ACCEPTING FUNDING OF \$8,575,000 FOR CONSTRUCTION OF WASTEWATER TREATMENT PLANT UPGRADE PHASE 1

WHEREAS, the City of Brevard has received a Directed Projects grant from the 2023

Appropriations Act, Session Law 2023-134, administered through the Drinking Water Reserve and Wastewater Reserve to assist eligible units of government with meeting their water/wastewater infrastructure needs; and

WHEREAS, in September 2024 the North Carolina Department of Environmental Quality granted permission for the City of Brevard to use \$352,000 of the grant balance to hire KCI Engineering to conduct a Preliminary Engineering Report on wastewater treatment plant upgrades. When completed, the report recommended a three-phase approach to upgrade the facility; and

WHEREAS, in July 2025 the state granted permission to use an additional \$878,000 to fund full design and engineering of phase one.

WHEREAS, in May 2026 the state granted permission to use \$8,575,000 to construct phase one; and

WHEREAS, the City of Brevard intends to perform the work of said project in accordance with the agreed scope of work.

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

SECTION 1. That the City of Brevard does hereby accept the North Carolina Department of Environmental Quality's Funding Offer Modification in the amount of \$8,575,000

SECTION 2 That the City of Brevard does hereby give assurances to the North Carolina Department of Environmental Quality that any Conditions or Assurances contained in the Award Offer will be adhered to.

SECTION 3 That the City Manager, or his designee, and successors so titled, is hereby authorized and directed to furnish such information as appropriate State agency may request in connection with this project; to make the assurance as contained above; and to execute such other documents as may be required by the Division of Water Infrastructure.

Adopted and approved this the 15th day of June, 2026.

Attest: s/ Denise Hodsdon, CMC, NCCMC, City Clerk

s/ Maureen Copelof, Mayor

K-5. Public Safety Committee Meeting Minutes – April 27, 2026

K-6. Public Works and Utilities Committee Meeting Minutes – May 6, 2026

K-7. Finance, Human Resources, and Citizen Appointment Committee Meeting Minutes – April 27, 2026

K-8. Housing Committee Meeting Minutes – May 12, 2026

K-9. Resolution Authorizing Submission of an Application for a North Carolina Water Resources Development Grant for the Norton Creek Stream Restoration Project

**RESOLUTION NO. 2026-37
RESOLUTION BY THE CITY OF BREVARD CITY COUNCIL
SUPPORTING A WATER RESOURCES DEVELOPMENT GRANT
FOR THE NORTON CREEK RESTORATION PROJECT**

WHEREAS, the City of Brevard supports the Norton Creek Stream Restoration, a project to repair poor conditions of Norton Creek from Silversteen Drive to Rosman Hwy for the purpose of reducing erosion, stabilizing property, reducing flooding, and improving the natural aquatic stream system, and

WHEREAS, a highly prioritized goal in the 2030 Comprehensive Land Use Plan is celebrating Brevard's natural resources through conservation of environmentally sensitive areas, improving access to recreation and restoration of native ecosystems, and

WHEREAS, the successful planning and implementation of this project will contribute to the long-term safety and well-being of our citizens, and enhance the quality of life in our community.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brevard, North Carolina that,

1. Brevard City Council requests the State of North Carolina to provide financial assistance to the City of Brevard for Norton Creek Stream Restoration in the amount of \$436,600.
2. City Council assumes full obligation for payment of the balance of project costs.
3. City Council will obtain all necessary State and Federal permits.
4. City Council will comply with all applicable laws governing the award of contracts and the expenditure of public funds by local governments.
5. City Council will supervise construction of the project to assure compliance with permit conditions and to assure safe and proper construction according to approved plans and specifications.
6. City Council will obtain suitable spoil disposal areas as needed and all other easements or rights-of-way that may be necessary for the construction and operation of the project without cost or obligation to the State.
7. City Council will assure that the project is open for use by the public on an equal basis.
8. City Council will hold the State harmless from any damages that may result from the construction, operation and maintenance of the project.
9. City Council accepts responsibility for the operation and maintenance of the completed project.

Adopted and approved this the 15th day of June 2026.

Attest: s/ Denise Hodsdon, CMC, NCCMC, City Clerk

s/ Maureen Copelof, Mayor

~~ At 6:48 p.m. Mayor Copelof called for a 5-minute break. ~~

L. Unfinished Business

L-1. (M-2.) FY 2026-2027 Preparatory Project Amendments – Mr. Hooper explained that these amendments are designed to tee up the FY27 Budget and to execute some of the instructions Council gave Staff at the budget workshop on June 5th.

L-1-a. (M-2-a.) Establishment of the Sports Complex Capital Project Fund – Dean Luebbe explained that this is to set up the capital project fund (Fund 74) for the Sports Complex. The initial needs are focused mainly on the parking lot and restrooms. The Project will be funded by a General Fund transfer of \$46,000 and a \$11,000 transfer from the Rosenwald Revitalization Fund.

Mr. Baker moved, seconded by Mr. Wise to set up the fund as described.

During discussion Mr. Lytle said what he remembered was that Council had discussed opening a fund that was all-encompassing so it would be there for all of the parks and recreation properties. He asked would it not be better to have a fund for Recreation and within that, have the fund earmarked for the Sports Complex, and funds for other parks would go under the same fund? He said he feels that would be beneficial for future discussion and future planning, as there needs to be a comprehensive plan for all locations, with priority at this time given to the Sports Complex for the parking lot and bathrooms there. He proposed that the fund be named Parks and Recreation Fund.

Following further discussion, Mr. Baker amended his motion to establish a Parks and Recreation Capital Fund and assign \$46,000 from the General Fund and a \$11,000 transfer from the Rosenwald Revitalization Fund to the Sports Complex Capital Project. Mr. Wise seconded the amended motion. The motion carried unanimously.

ORDINANCE NO. 2026-30 CAPITAL PROJECT ORDINANCE TO ESTABLISH THE PARKS AND RECREATION CAPITAL PROJECTS FUND

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

Section 1: The City/County Sports Complex at 824 Ecusta Road has grown increasingly busy in recent years, and improvements are needed on the parking lot and restrooms. The initial scope of the Parks and Recreation Capital Projects Fund will involve professional services and construction

related to the parking lot and bathrooms at the Sports Complex. City Council approval will be required for the scope to change or expand.

Section 2: This Project will be recorded in the newly established Parks and Recreation Capital Projects Fund. Initial funding for this fund will come from an \$11,000 transfer from the Rosenwald Revitalization Capital Project Fund and a \$46,000 transfer from the General Fund in FY27. The City is expecting that the initial project budget of \$57,000 will be increased as the specifics of the Sports Complex Project become known. The Project will likely be ongoing for a number of years and require additional grant funding or other outside funding.

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

Account Number	Account Name	Budget Amount
74-4900-0925	Prof Serv – Sports Complex	\$57,000
TOTAL PROJECT APPROPRIATION		\$57,000

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

Account Number	Account Name	Budget Amount
74-3333-0000	Transf from GF – Sports Complex	\$46,000
74-3333-0025	Transf from 82 – Sports Complex	\$11,000
TOTAL PROJECT REVENUE		\$57,000

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

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

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

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

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

ADOPTED by the City Council of the City of Brevard, North Carolina, on this 15th day of June 2026.

Attest: s/ Denise Hodsdon, CMC, NCCMC, City Clerk

s/ Maureen Copelof, Mayor

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

L-1-b. (M-2-b.) Capital Project Amendment – Rosenwald Revitalization Fund - \$11,000 – Dean Luebbe explained that this amendment is to transfer the \$11,000 from the Rosenwald Revitalization Fund to the newly established Parks and Recreation Fund for the Sports Complex Capital Project.

Mr. Wise moved, seconded by Ms. Holder to transfer \$11,000 from the Rosenwald Revitalization Fund to the newly created Parks and Recreation Capital Fund for the Sports Complex Capital Project. The motion carried unanimously.

ORDINANCE NO. 2026-31

CAPITAL PROJECT ORDINANCE TO AMEND ORDINANCE

NO. 2025-37 ROSENWALD REVITALIZATION FUND

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 listed under the ordinance 2025-37 will be reallocated. The City has established a new Capital Project Fund 74 named the Parks and Recreation Capital Projects Fund. The initial Project in this fund will focus on improvements to the Sports Complex, related to restrooms and the parking lot. Initial funding for this Project will come from a FY27 transfer from the General Fund in the amount of \$46,000 and an \$11,000 transfer from the Rosenwald Revitalization Fund.

Section 2: After this transfer, approximately \$88,000 in fund balance will be remaining in the Rosenwald Revitalization Fund. Currently, the precise use of these funds is unknown.

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

Account Number	Account Name	Budget Amount
82-4100-2920	Silversteen Park	\$1,094,000
82-4100-2920	Silversteen Park	(\$11,000)
82-4100-6200	Transfer to Fund 74 - Parks and Recreation Capital Projects Fund	\$11,000
TOTAL PROJECT APPROPRIATION		\$1,094,000

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

Account Number	Account Name	Budget Amount
82-3300-0000	Donations – Silversteen Playground	\$27,000
82-3300-0150	Donations – Bethel A	\$10,200
82-3250-0000	Transfer from General Fund	\$539,800
82-3300-0250	NCDEQ Grant	\$167,000
82-3250-0200	Transf from 31/ARPA	\$200,000
82-3990-0000	Fund Balance Approp	150,000
TOTAL PROJECT REVENUE		\$1,094,000

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

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

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

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

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

ADOPTED by the City Council of the City of Brevard, North Carolina, on this 15th day of June 2026.

Attest: s/ Denise Hodsdon, CMC, NCCMC, City Clerk

s/ Maureen Copelof, Mayor

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

L-2. (L-1.) Approve FY 2026-2027 Budget Ordinance and Fee Schedule –
Attorney McKeller advised that the Governing Board's Budget would need to be approved separately as state law requires that anyone who sits on the board of directors for a non-profit entity that receives grants or financial support from the local government must recuse themselves from the vote. Mr. Lytle serves on the board of directors for Habitat for Humanity and for Transylvania Economic Alliance; Ms. Holder serves on the board of directors for Rise and Shine; and Mayor Copelof serves on the board of directors for Heart of Brevard.

Mr. Baker moved, seconded by Mr. Wise to recuse Councilmember Lytle, Councilmember Holder and Mayor Copelof from discussion of the Governing Board Budget. The motion carried 3-0.

Mr. Baker moved, seconded by Mr. Wise to approve the Governing Board Budget. The motion carried 3-0.

Remainder of the FY 2026-2027 Budget – Mr. Hooper referred to the changes to the FY27 Budget resulting from the June 5, 2026 Council Special-Called Budget Workshop:

**Changes to FY27 Budget from
June 5, 2026 Brevard City Council
Special-Called Budget Workshop**

General Fund Changes

- Reduce Municipal Service District tax increase from 2¢ to 0.65¢; reduce projected revenue from this tax by \$11,000
 - Remove “tipper carts”
 - Reduce FY27 debt service in GF-Non Departmental by \$35,000
 - Redirect \$6,200 to GF-Administration-Contracted Svcs for “NEOGOV Perform module”
 - Earmark remaining \$28,800 for seed money for future merit compensation pool OR use the savings to bump citywide COLA adjustment from 2.7% to 3.0% (with corresponding adjustments to departmental personnel lines)
 - Adopt Commercial Cardboard fees as reflected below; adjust GF revenue by \$57,000
- | Fee Name | Current | Proposed |
|--------------------------|---------------|----------------|
| Commercial Recycling Fee | \$5.75/mo. | \$13.00/mo. |
| Commercial Cardboard Fee | | |
| --Base Fee | --\$10.00/mo. | --\$20.00/mo. |
| --Smaller User | --\$10.00/mo. | --\$100.00/mo. |
| --Medium User | --\$10.00/mo. | --\$150.00/mo. |
| --Large User | --\$10.00/mo. | --\$200.00/mo. |
- Add GF-Non Departmental-Transfer Out for \$46,000 to newly established Fund 74 (Sports Complex Capital Improvement Fund)¹
 - Earmark \$84-\$87k from Fund 82 (Rosenwald) for a yet-to-be-determined infrastructure project(s) in the Rosenwald neighborhood.²

Fire Fund Changes

- None; approved as proposed

Water/Sewer Fund Changes

- None; approved as proposed

Stormwater Fund Changes

- None; approved as proposed

¹ Per Council’s direction, \$11,000 from Fund 82 (Rosenwald) already transferred to Fund 74 (Sports Complex Capital Improvement Fund)

² This direction requires no accounting changes or changes to the proposed budget Ordinance. Council indicated that Caroline Ave. traffic calming should be part of the package.

Mr. Hooper added that there is still one more choice for Council to make regarding what to do with the remaining \$28,800 that is left after removing \$35,000 for the tipper carts and redirecting \$6,200 for a NEOGOV employee performance evaluation program. At the workshop Council had earmarked the remaining \$28,000 as seed money for future merit compensation pool. He noted that the CPI has increased significantly since the start of budget discussions and Council could consider using the \$28,800 to increase the proposed 2.7% COLA adjustment to 3.0%.

Mr. Baker moved, seconded by Mr. Wise to approve the FY2026-2027 Budget Ordinance with the 3.0% COLA option.

During discussion, Mr. Daniel clarified his objection to the use of the Rosenwald Revitalization Fund. He read the Ordinance Amending the FY2024-2025 Budget Amendment 25-6 which transferred \$100,000 from the General Fund to Silversteen Park Norton Creek Streambank Restoration Project Phase 2. The budget offset for the transfer came from Police salaries and if the entire \$100,000 was not needed for the project, the unneeded portion could be returned to the General Fund.

Ms. Holder noted that her request to add \$300,000 to the City’s legislative requests for bathrooms at Silversteen Park was not included in the report from the Budget Workshop. She is requesting that Council update the legislative request to include that. Attorney McKeller advised that this is not part of the budget at this time and it would be something for a later discussion. Mayor Copelof noted that Ms. Holder’s comments could be tabled until after the budget discussion. Attorney McKeller advised that the agenda would need to be amended in order add this as a separate item.

Vote on the motion to approve the FY2026-2027 Budget with the 3.0% COLA option was 4 in favor, and 1 opposed (Daniel). The motion carried.

Ms. Holder then moved to amend the agenda to add to New Business as Item M-2 to add to the Legislative Request \$300,000 for bathrooms at Silversteen. Mr. Lytle seconded the motion. Vote on the motion was 2 in favor (Holder and Lytle) and 3 opposed (Daniel, Baker and Wise). The motion failed.

City of Brevard FY2026-2027 Budget Ordinance

Ordinance No. 2026-26

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

Section 1. It is estimated that the following revenues will be available to the General Fund for the Fiscal Year beginning July 1, 2026 and ending June 30, 2027:

REVENUES	BUDGET
AD VALOREM TAXES	\$ 7,793,398
OTHER TAXES	2,765,000
UNRESTRICTED REVENUES	951,535
RESTRICTED INTERGOVERNMENTAL	306,200
SALES AND SERVICES	1,736,800
MISCELLANEOUS	1,408,500
FUND BALANCE APPROPRIATED	-
TOTAL	\$ 14,961,433

Section 2. The following amounts are hereby appropriated in the General Fund for the operation of the City Government and its activities for the Fiscal Year beginning July 1, 2026 and ending June 30, 2027 in accordance with the Chart of Accounts heretofore established for the City of Brevard:

EXPENDITURES	BUDGET
GOVERNING BODY	\$ 266,500
ADMINISTRATIVE	1,189,600
FINANCE	845,600
PLANNING	1,008,700

COMMUNITY CENTER	174,800
BUILDING AND GROUNDS	964,550
POLICE	4,349,800
PUBLIC WORKS - ADMINISTRATION	745,900
PUBLIC WORKS - GARAGE	535,900
PUBLIC WORKS - STREETS - LOCAL	1,005,725
PUBLIC WORKS - STREETS - POWELL BILL	268,000
RECREATION	296,300
SANITATION	1,312,200
NON DEPARTMENTAL	1,997,858
TOTAL	\$ 14,961,433

Section 3. It is estimated that the following revenues will be available to the Water and Sewer Utility Fund for the Fiscal Year beginning July 1, 2026 and ending June 30, 2027:

REVENUES	BUDGET
WATER BILLINGS	\$ 3,700,000
SEWER BILLINGS	3,375,000
METER FEES	186,000
OTHER REVENUES	521,900
DEBT PROCEEDS	-
TOTAL	\$ 7,782,900

Section 4. The following amounts are hereby appropriated in the Water and Sewer Utility Fund for the operation of said utilities for the Fiscal Year beginning July 1, 2026 and ending June 30, 2027:

EXPENDITURES	BUDGET
WATER TREATMENT	\$ 1,225,100
WASTEWATER TREATMENT	1,498,500
WATER AND SEWER MAINTENANCE	2,387,200
NON DEPARTMENTAL	2,672,100
TOTAL	\$ 7,782,900

Section 5. The following revenues will be available for the Capital Reserve Fund for the Fiscal Year beginning July 1, 2026 and ending June 30, 2027:

REVENUES	BUDGET
FUND BALANCE APPROPRIATED	\$ -
SYSTEM DEVELOPMENT FEES	105,000
TOTAL	\$ 105,000

Section 6. The following expenditures will be available for the Capital Reserve Fund for the Fiscal Year beginning July 1, 2026 and ending June 30, 2027:

EXPENDITURES	BUDGET
INCREASE IN FUND BALANCE	105,000
TOTAL	\$ 105,000

Section 7. It is estimated that the following revenues will be available to the Fire District Fund for the Fiscal Year beginning July 1, 2026 and ending June 30, 2027:

REVENUES	BUDGET
TRANSFER FROM GENERAL FUND	\$ 995,608
FIRE DISTRICT TAX	756,620
OTHER REVENUES	10,000
FUND BALANCE APPROPRIATED	-
LOAN PROCEEDS	-
TOTAL	\$ 1,762,228

Section 8. The following amounts are hereby appropriated in the Fire District Fund for the Fiscal Year beginning July 1, 2026 and ending June 30, 2027:

EXPENDITURES	BUDGET
PERSONNEL, OPERATING, CAPITAL, DEBT	1,762,228
TOTAL	\$ 1,762,228

Section 9. It is estimated that the following revenues will be available to the Stormwater Fund for the Fiscal Year beginning July 1, 2026 and ending June 30, 2027:

REVENUES	BUDGET
CHARGES FOR SERVICES	209,000
TOTAL	\$ 209,000

Section 10. The following amounts are hereby appropriated in the Stormwater Fund for the Fiscal Year beginning July 1, 2026 and ending June 30, 2027:

EXPENDITURES	BUDGET
OPERATING	209,000
TOTAL	\$ 209,000

Section 11. It is estimated that the following revenues will be available to the Bjerg Fund for the Fiscal Year beginning July 1, 2026 and ending June 30, 2027:

REVENUES	BUDGET
INTEREST ON INVESTMENTS	2,100
TOTAL	\$ 2,100

Section 12. The following amounts are hereby appropriated in the Bjerg Fund for the Fiscal Year beginning July 1, 2026 and ending June 30, 2027:

EXPENDITURES	BUDGET
INCREASE IN FUND BALANCE	2,100
TOTAL	\$ 2,100

Section 13. The following revenue amounts will be available in the Health Insurance Fund for Fiscal Year beginning July 1, 2026 and ending June 30, 2027:

REVENUES	BUDGET
FUND BALANCE APPROPRIATED	\$ 78,000
TRANSFER FROM OTHER FUNDS	1,836,000
DENTAL DEPENDENT PREMIUMS	35,000
HEALTH DEPENDENT PREMIUMS	127,000
RETIREE PREMIUMS	60,000
TOTAL	\$ 2,136,000

Section 14. The following amounts are hereby appropriated in the Health Insurance Fund for the Fiscal Year beginning July 1, 2026 and ending June 30, 2027:

EXPENDITURES	BUDGET
HEALTH INSURANCE COSTS	2,136,000
TOTAL	\$ 2,136,000

Section 15. It is estimated that the following revenues will be available to the Heart of Brevard Municipal Service District Tax Fund for the Fiscal Year beginning July 1, 2026 and ending June 30, 2027:

REVENUES	BUDGET
SERVICE DISTRICT TAX - CURRENT AND PRIOR YEARS	\$ 155,500
TRANSFER FROM GENERAL FUND	22,000
TOTAL	\$ 177,500

Section 16. The following amounts are hereby appropriated in the Heart of Brevard Municipal Service District Tax Fund for the Fiscal Year beginning July 1, 2026 and ending June 30, 2027:

EXPENDITURES	BUDGET
CONTRACT SERVICES	\$ 166,500
TRANSFER TO DOWNTOWN MASTER PLAN	11,000
TOTAL	\$ 177,500

Section 17. It is estimated that the following revenues will be available to the Housing Trust Fund for the Fiscal Year beginning July 1, 2026 and ending June 30, 2027:

REVENUES	BUDGET
TRANSFER FROM GENERAL FUND	\$ 235,000
SALE OF CAPITAL ASSETS	50,000
OTHER REVENUES	1,500
TOTAL	\$ 286,500

Section 18. The following amounts are hereby appropriated in the Housing Trust Fund for the Fiscal Year beginning July 1, 2026 and ending June 30, 2027:

EXPENDITURES	BUDGET
OPERATING	\$ 76,500
DEBT PAYMENTS	210,000
TOTAL	\$ 286,500

Section 19. The Revenues and Expenditures set forth in Section 1 through Section 18 of this Ordinance are hereby summarized as follows:

BUDGET APPROPRIATIONS	BUDGET
GENERAL FUND	\$ 14,961,433
STORMWATER FUND	209,000
WATER & SEWER FUND	7,782,900
FIRE DISTRICT FUND	1,762,228
CAPITAL RESERVE FUND	105,000
BJERG FUND	2,100
HEALTH INSURANCE RESERVE FUND	2,136,000
HEART OF BREVARD FUND	177,500
HOUSING TRUST FUND	286,500
TOTAL	\$ 27,422,661

Section 20. There is here hereby levied a tax at the rate of thirty eight and one quarter cents (\$0.3825) per one hundred dollars (\$100) valuation of property as listed for taxes as of January 1, 2026 for the purpose of raising the revenue listed as Taxes in the General Fund in Section 1 of this Ordinance. This rate is based on an estimated total valuation of property for the purposes of taxation of \$2,051,000,000 and an estimated collection rate of 98.5%.

Section 21. There is hereby further levied a tax at the rate of eighteen and nineteen tenth cents \$0.1819 cents per one hundred dollars (\$100) valuation of property as listed for taxes as of January 1, 2026 within the boundaries of the Heart of Brevard Municipal Service District for the purpose of raising the revenue listed as Taxes in the Heart of Brevard Municipal Service District Tax Fund in Section 15 of this Ordinance. This rate is based on an estimated total valuation of property for the purposes of taxation of \$91,900,000 and an estimated collection rate of 87.00%.

Section 22. There is hereby further attached (Exhibit A) to said Ordinance a schedule of taxes, fees, and charges for the General and Utility Funds.

Section 23. The Budget Officer shall be authorized to reallocate departmental appropriations among the various line item expenditures of that department, as said officer believes necessary. The Budget Officer shall be authorized to effect interdepartmental transfers, in the same fund, provided that no departmental budget shall be reduced by more than ten percent without the prior approval of the City Council. Any such transfers shall be reported to the City Council at its next regular meeting and shall be entered in the minutes.

Section 24. Copies of the Budget Ordinance shall be furnished to the Budget Officer and Finance Officer of the City to be kept on file by them for their direction in the collection and disbursement of funds. Said officials are hereby authorized to receive and expend funds as herein set forth in accordance with the Brevard City Code and the General Statutes of the State of North Carolina.

Adopted and approved this the 15th day of June, 2026.

Attest: s/ Denise Hodsdon, CMC, NCCMC, City Clerk

s/ Maureen Copelof, Mayor

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

M. New Business

M-1. FY 2025-2026 Wrap-up Budget Amendments

M-1-a. Budget Amendment, Stormwater Utility Fund, \$60,000, Budget Amendment 26-07 – Dean Luebbe reviewed the details of the proposed amendment. Mr. Wise moved, seconded by Mr. Baker to approve the ordinance amending the budget for the \$60,000 increase to the Stormwater Utility Fund. The motion carried unanimously.

**ORDINANCE NO. 2026-27
AN ORDINANCE AMENDING THE FY2025-2026 BUDGET.
BUDGET AMENDMENT NUMBER 26-07**

SUBJECT: Budget Amendment to increase Stormwater Utility Fund budget by \$60,000

AGENDA INFORMATION

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

BRIEF SUMMARY: In September of 2025, the City signed an agreement in the amount of \$435,000 with the John McAdams Company for the Stormwater Master Plan. At that time, it was intended that the project would be split equally over FY26 and FY27, and a total of \$219,000 was budgeted in FY26. The project is moving faster than anticipated and the City has already paid \$264,037.81 of the total project cost

The budget offset to this entry will come from fund balance in the Stormwater Utility Fund. The Stormwater Utility Fund typically receives close to \$200,000 annually from stormwater fees, and even with this budget entry, is expected to have a fund balance of over \$100,000 at June 30, 2026.

MOTION FOR CONSIDERATION: To approve Budget Amendment 26-07, as submitted, increasing the budget in expenditure account:

21-8500-4500 (Contracted Services)	\$60,000
TOTAL	\$60,000

And increasing the budget in the revenue account:

21-2990-0000 (Fund Balance)	\$60,000
TOTAL	\$60,000

ATTACHMENTS: None.

MANAGER'S RECOMMENDATION: Approve budget amendment 26-07 as presented.

Approved and adopted this 15th day of June, 2026.

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

s/ Maureen Copelof, Mayor

M-1-b. Budget Amendment, Water and Sewer Utility Fund, \$240,000, Budget Amendment 26-08 – Dean Luebbe reviewed the details of the proposed amendment. Mr. Baker moved, seconded by Mr. Lytle to approve Budget Amendment 26-08 in the Water and Sewer Utility Fund. The motion carried unanimously.

ORDINANCE NO. 2026-28

AN ORDINANCE AMENDING THE FY2025-2026 BUDGET.

BUDGET AMENDMENT NUMBER 26-08

SUBJECT: Budget Amendment to increase Water and Sewer Fund budget by \$240,000

AGENDA INFORMATION

Agenda LocationConsent

Department:Finance

Contact:Dean Luebbe, Assistant City Manager and Finance Director

BRIEF SUMMARY: The Water and Sewer Fund requires a \$240,000 budget amendment. Expenses related to the RBC Shaft Replacement (\$100,000), SCADA improvements (\$90,000) and higher than expected overtime costs in the Water and Sewer Maintenance Department (\$40,000) make up the bulk of this increase.

The budget offset to this entry will come from higher than expected revenue in the High Strength Waste Charge of \$60,000, and in the Septage Digester Fee of \$50,000, and FEMA revenues of nearly \$130,000.

MOTION FOR CONSIDERATION: To approve Budget Amendment 26-08, as submitted, increasing the budget in expenditure accounts:

30-8220-7400 (Capital Outlay)	\$100,000
30-8140-7400 (Capital Outlay)	\$90,000
30-8140-0210 (Overtime)	\$40,000
30-6600-5800 (Banking Fees)	\$10,000
TOTAL	\$240,000

And increasing the budget in the revenue accounts:

30-3940-0200 (FEMA Reimb)	\$130,000
30-3710-0500 (High Strength Waste Charge)	\$60,000
30-3760-0000 (Septage-Digester Fees)	\$50,000
TOTAL	\$240,000

ATTACHMENTS: None.

MANAGER'S RECOMMENDATION: Approve budget amendment 26-08 as presented.

Approved and adopted this 15th day of June, 2026.

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

s/ Maureen Copelof, Mayor

M-1-c. Budget Amendment, General Fund, \$525,000, Budget Amendment 26-09 – Dean Luebbe reviewed the details of the proposed amendment, noting that the offset to the budgetary increases will be FEMA reimbursements. Mr. Baker moved, seconded by Mr. Wise to approve Budget Amendment 26-09 to increase the General Fund by \$525,000. The motion carried unanimously.

ORDINANCE NO. 2026-29

AN ORDINANCE AMENDING THE FY2025-2026 BUDGET.

BUDGET AMENDMENT NUMBER 26-09

SUBJECT: Budget Amendment to increase the General Fund budget by \$525,000

AGENDA INFORMATION

Agenda LocationConsent

Department:**Finance****Contact:****Dean Luebbe, Assistant City Manager and Finance Director**

BRIEF SUMMARY: Many departments within the General Fund are requiring budget amendments to ensure that actual expenditures do not exceed budgeted amounts at fiscal year end.

The Finance Department salary accounts are expected to be nearly \$25,000 over budget due to overtime costs and the vacation payout of a retiring employee. The City budgets Citywide IT replacement and upgrades from the contracted services line item. In FY26, the City budgeted \$20,000 for this purpose, but actual costs were nearly double that amount, due largely to a upgrade from Windows 10, which affected fifteen users.

The Police Department will require a \$65,000 budget amendment. In the last three fiscal years, the City has purchased four Police vehicles. The Police Department has a total of thirty vehicles. Eighteen are considered pursuit vehicles. Even if the City is able to replace two vehicles a year, the oldest pursuit vehicles would still be nine years old. Additionally, a 2022 Ford Explorer was totaled during Hurricane Helene when a tree fell on it. The City did receive insurance proceeds for the vehicle.

The Building and Grounds Department will require a \$120,000 budget amendment. Full time salary and overtime accounts amount to \$50,000 of this need and \$70,000 has been spent on studies and overdue building maintenance of City Hall. The City Hall building originally constructed in the 1960s is currently experiencing poor indoor air quality issues related to a leaky building envelope due in part to old windows, leaky fenestrations, poor flashing, and an air conditioning retrofit that is creating moisture issues due to condensation. Clean up and repairs are underway on the ground floor of City Hall and building envelope repairs have been designed and will be going out for bid soon. Currently the FY27 Recommended Budget includes two new positions in this department, which should greatly reduce the overtime being paid, and \$150,000 has been budgeted for building maintenance as the City continues to correct longstanding issues related to moisture and air flow..

Public Works Administration requires a \$25,000 budget amendment as overtime will exceed budgeted amounts and Maintenance and Repair – Building has exceeded budget, in large part because of a \$15,000 needed for door replacements leading into the building.

Public Works Garage requires a \$50,000 budget amendment. Salaries and overtime costs are expected to exceed budget by \$10,000, and the City paid \$15,000 for a diagnostic scanner for large trucks during the fiscal year. Additionally, maintenance and repair on Transylvania County vehicles is expected to exceed budget. The budget overage on Transylvania County vehicle expense will increase related revenues.

Public Works Streets requires a budget amendment in the amount of \$70,000. The Maintenance and Repair – Vehicle line is expected to be \$15,000 over budget. This line item can vary annually more than other operating line items due to the type of vehicle repairs needed, and the department incurred many higher expenses in FY26. The Supplies line item is expected to end the fiscal year \$35,000 over budget. Higher than expected stone and asphalt costs are the primary drivers. In July of 2025, the City Council approved budget amendment 26-01 in the amount of \$150,000 for the purchase of a new Bucket Truck. The City received three bids and the bid was awarded to Global Rental Company in the amount of \$169,201, so the Capital Outlay line item also needs to be increased by \$20,000.

The Public Works Sanitation Department requires a \$150,000 budget amendment. The Maintenance and Repair – Vehicle line item is expected to exceed budget by \$40,000. As noted earlier, these type of line items often do not have consistent year to year costs associated with them. In FY26, sanitation trucks have required a \$10,000 high end fuel pump and a \$10,000 transmission as well as numerous charges in the \$2,000 to \$5,000 range. The contracted services line item is expected to end the fiscal year nearly \$110,000 over budget. Because of maintenance issues with sanitation trucks, the City needed to rent a Sanitation Truck for five months at a cost of \$35,000. The City also budgeted \$32,400 under this line item for brush grindings and disposal. In FY26 the City has spent \$109,800 for this purpose. The budgeted amount was fairly accurate, based on the last four years of activity (\$116,000 spent over the last four fiscal years), but FY26 amounts are much higher than expected in large part because of the grinding and removal of brush from Hurricane Helene.

The budget offset to this entry will come from FEMA reimbursement related to Hurricane Helene.

MOTION FOR CONSIDERATION: To approve Budget Amendment 26-09, as submitted, increasing the budget in expenditure accounts:

10-4400-0200 (Salaries)	\$15,000
10-4400-0210 (Overtime)	\$10,000
10-4400-4500 (Contracted Services)	\$20,000

10-5100-7400 (Capital Outlay)	\$65,000
10-5000-0200 (Salaries)	\$25,000
10-5000-0210 (Overtime)	\$25,000
10-5000-7400 (Capital Outlay)	\$70,000
10-5450-0210 (Overtime)	\$10,000
10-5450-1500 (Maint & Repair – Building)	\$15,000
10-5550-0200 (Salaries)	\$5,000
10-5550-0210 (Overtime)	\$5,000
10-5550-3120 (M & R County)	\$20,000
10-5550-3300 (Supplies)	\$20,000
10-5600-1700 (M & R Vehicles)	\$15,000
10-5600-3300 (Supplies)	\$35,000
10-5600-7400 (Capital Outlay)	\$20,000
10-5800-1700 (M & R Vehicles)	\$40,000
10-5800-4500 (Contracted Serv)	\$110,000
TOTAL	\$525,000

And increasing the budget in the revenue accounts:

10-3940-0200 (FEMA Reimb)	\$525,000
TOTAL	\$525,000

ATTACHMENTS: None.

MANAGER’S RECOMMENDATION: Approve budget amendment 26-09 as presented.

Approved and adopted this 15th day of June, 2026.

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

N. Remarks/Future Agenda Considerations.

Mr. Lytle thanked staff for their hard work on the budget, and his colleagues and the public for their engagement and feedback.

Mr. Daniel thanked staff for his birthday card.

Mr. Baker said I’m fine with reopening a discussion of the legislative request on a future agenda and adding potential projects to that list. I don’t think we should open it just for a discussion of a singular project, especially since we are just about a month out from when we discussed that. I would be open to discussing the entire request, which I think has already been submitted and would need to be amended.

Ms. Holder said I want to bring transparency regarding the incident at the Sports Complex where a child was hit by a car. She said the information I understood, and I think we all understood, was that it happened because of the lack of traffic markings in the parking lot and the way the parking lot is situated. But, now I understand from the report that it was actually a person who was intoxicated that hit this child. She said that is very unfortunate and I don’t know that lines would have helped. I also understood that the emergency vehicles had a difficult time getting through, but the emergency vehicles were not impeded by that, and I wanted to bring clarity and full transparency to myself and to everyone about what happened on that night. I still agree that there does need to be parking, and that’s why we talked about the \$11,000 to fix the parking situation, but I think we need to know the full disclosure about what actually happened on that awful day. She hoped that everyone would join in the Juneteenth celebrations and she was glad to be in a community where we can celebrate each other for who and what we are.

Mr. Wise thanked everyone for all the hard work on the budget. He encouraged everyone to come hear Council read the Declaration of Independence on the Fourth of July, noting it is more important now than ever that we all understand what the tenets of the foundation of the country are all about.

Mr. Hooper noted that Council will need to hold a meeting on July 20th.

Mr. Hooper asked David Todd to share the latest on the Hillview Ave. culvert replacement. Mr. Todd said the contractor will be mobilizing this week and start construction on Monday of next week. During construction there will be times when roads will need to be closed and the contractor will update us as to which road will be closed when and for how long. The project is scheduled to be completed by mid-to-late August.

Mr. Hooper then asked Chief Wentzell to share information on the new Deputy Chief. Chief Wentzell announced that Alan Bonanno will be the Deputy Chief, and he will be sworn in at the July 20th Council meeting. She shared his background and experience and noted that he distinguished himself throughout the Deputy Chief process.

Mayor Copelof also thanked the staff, the public, and the elected officials who have wrestled with a very tough budget year and trying to balance all the different needs we have across the city. She said I think we have come up with a pretty good, fair, balanced budget that listened to the public and I appreciate all of the public input. I also want to thank the public for our town hall meeting last week at the Rosenwald information and listening session. We went through a lot of the different projects that are happening and we had a great attendance. For a small community of 8000 people we have an incredible amount going on, most of it funded with state and federal grants and FEMA. Partnering with our State is so important and I want to thank Rep. Ferguson for sitting here through our entire meeting. I am really looking forward to having her come spend a full day with us. She reminded everyone about the 3-day Juneteenth celebration and the 2-day Fourth of July/America's 250th Birthday celebration.

O. Closed Sessions – None.

P. Adjourn – There being no further business, at 8:11 p.m. Ms. Holder moved, seconded by Mr. Baker, to adjourn the meeting. The motion carried unanimously.

Maureen Copelof
Mayor

Denise Hodsdon, CMC
City Clerk

Minutes Approved: July 20, 2026



City of Brevard, North Carolina

Oath of Office

State of North Carolina
County of Transylvania
City of Brevard

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

Alan Bonanno

Oath Administered By:

Denise Hodsdon
City Clerk

July 20, 2026

Date



City of Brevard, North Carolina

Oath of Office

State of North Carolina
County of Transylvania
City of Brevard

I, Alan Bonanno, do solemnly swear that I will be alert and vigilant to enforce the criminal laws of this State; that I will not be influenced in any matter on account of personal bias or prejudice; and that I will faithfully and impartially execute the duties of my office as a Law Enforcement Officer and Deputy Chief of Police according to the best of my skill, abilities, and judgment; so help me God.

Alan Bonanno

Oath Administered By:

Denise Hodsdon
City Clerk

July 20, 2026

Date



City of Brevard, North Carolina

Oath of Office

State of North Carolina
County of Transylvania
City of Brevard

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

Tanner Green

Oath Administered By:

Denise Hodsdon
City Clerk

July 20, 2026

Date



City of Brevard, North Carolina

Oath of Office

State of North Carolina
County of Transylvania
City of Brevard

I, Tanner Green, do solemnly swear that I will be alert and vigilant to enforce the criminal laws of this State; that I will not be influenced in any matter on account of personal bias or prejudice; and that I will faithfully and impartially execute the duties of my office as a Law Enforcement Officer according to the best of my skill, abilities, and judgment; so help me God.

Tanner Green

Oath Administered By:

Denise Hodsdon
City Clerk

July 20, 2026

Date

STAFF REPORT

City Council, Monday, July 20, 2026

Title: Proposed Amendment to the City of Brevard Unified Development Ordinance Chapters 9 and 19, and the Code of Ordinances Chapter 38 - Sight Triangle Regulations

Speaker: Aaron Bland, Asst Planning Director

Prepared by: Aaron Bland, Asst Planning Director

Approved by: Wilson Hooper, City Manager

Background

This is a staff-initiated text amendment to both the Unified Development Ordinance (UDO) and the Code of Ordinances to clarify and unify the requirements for what are known as "sight triangles." A sight triangle is defined as "The area that establishes a clear line of sight for a waiting vehicle to see oncoming traffic and make turning movements into or out of a street or driveway connection safely or for traffic to see entering or waiting vehicles."

Currently, the UDO and Code language about sight triangles do not match, creating confusion for both property owners and City staff. Additionally, the graphics are inconsistent and not to scale, creating further confusion. These amendments look to clear up these issues and create more nuanced sight triangle requirements that are a better fit for Brevard.

Discussion

Regulating sight triangles at street intersections and driveways is essential to ensure that all road users, including drivers, pedestrians, and bicyclists, can see and anticipate one another in time to make safe movements and decisions. Clear sight lines reduce the likelihood of crashes by allowing drivers to judge gaps, identify conflicts, and respond appropriately before entering or crossing a roadway. Without consistent sight triangle requirements, objects such as landscaping, fencing, parked vehicles, or other obstructions can unintentionally block visibility, increasing crash risk even at locations that are otherwise well-designed. Establishing and maintaining clear sight triangles provides a predictable, enforceable standard that supports safe access to property, protects the public, and helps reduce preventable collisions.

One of the key aspects of these amendments is to make clear that there are two types of sight triangles: one for street intersections and one for driveways. Driveways and street-street intersections are regulated differently because they function very differently in how conflicts occur and how drivers make decisions.

A driveway is a minor access point where a driver is typically stopped, starting from a low-speed or zero-speed position, and must judge gaps in moving traffic before entering a roadway. This requires longer, directional sight distance along the roadway, so drivers can see approaching vehicles early enough to accelerate and merge safely. As a result,

driveway sight triangles are often longer and narrower, and responsibility for maintaining them is clearly assigned to the adjacent property owner. Staff's research shows that typical driveway sight triangles in North Carolina are asymmetrical, measuring 10'-15' into the driveway and 50'-70' along the road.

An intersection of two streets is a shared public decision space where movements are more predictable and traffic is almost always controlled in some way by stop signs, signals, or geometric design that moderates speeds. Drivers approaching a street intersection generally expect the possibility of cross traffic, are already slowing (e.g. for a stop sign), and have multiple visual cues that shape their own behavior and also allow them to anticipate what other drivers will do. Sight needs are therefore more balanced, and as such, sight triangles for intersections are often regulated using smaller, symmetrical triangles. Staff's research showed a variety of intersection sight triangles in North Carolina, ranging from 20'x20' to 35'x35' with almost all being symmetrical.

Policy Analysis

Proposed Amendments Staff is proposing changing the driveway sight triangle from 10'x70' 15'x50' for driveways connecting to a public street. This allows for enough distance to adequately see oncoming traffic for the driver entering the road, and allows for the entirety of most typical vehicles to be seen approaching the road by drivers already on the road.

Staff is proposing that the minimum standard for street intersection sight triangles be 25'x25', but on roads with a speed limit of 40MPH or higher that the distance be increased to 35'. Currently, the dimensions are based on the width of the street right-of-way. However, Staff believes that basing the dimensions on the speed limit of the road is a better option because vehicle speed directly determines how much time and distance a driver needs to perceive a conflict, react, and stop safely. Speed-based sight triangles better reflect actual operating conditions, not just roadway geometry, and the posted speed limit is a better proxy for how fast drivers are expected to travel and the level of risk the roadway is designed to accommodate.

In all sight triangles, the vertical clearance zone is 2.5' to 12.5' above the grade of the adjacent roadway, leaving a 10' tall clear zone but allowing for low-lying landscaping or fencing that allows through-visibility. There are also exceptions for infrastructure such as fire hydrants, streetlights, and traffic control devices.

The amendments maintain that sight distances for driveway connections along state-maintained roadways shall be approved by NCDOT but add a new provision that allows staff to require a larger sight triangle on any street where traffic volumes are high, there is a documented history of crashes, and if a traffic engineer deems additional sight distance warranted. Additionally, Staff is proposing new graphics that match other new graphics found throughout the UDO, which will be used in both the UDO and the Code for consistency.

Recommendation

The Planning Board discussed these amendments at their May 26th meeting and unanimously recommended approval as written. The Board also submits to City Council the attached consistency statement, in accordance with state law.

Action

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

Attachments:

1. Draft Amendments
2. Consistency Statement

9.5. Visibility at street intersections and driveways; sight triangle.

A. Purpose and Applicability:

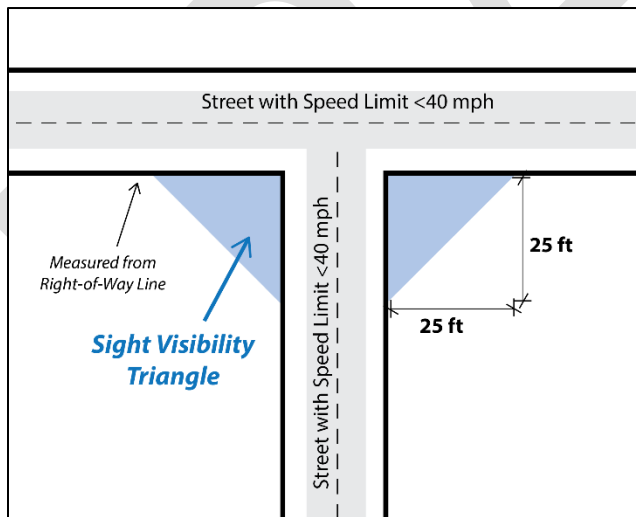
1. To ensure adequate visibility at street intersections and driveway connections, clear sight triangles shall be required at the following locations in all zoning districts:
 - a. Intersections of two or more public or private streets; and
 - b. Driveways or other vehicular access points connecting to public or private streets.
2. The provisions of this section shall apply to:
 - a. New development and redevelopment;
 - b. Expansions to existing access drives; and
 - c. Installation or modification of landscaping, fencing, parking, signage, or any other structures that may affect visibility within the sight triangle area.

B. Measurement of Sight Triangles:

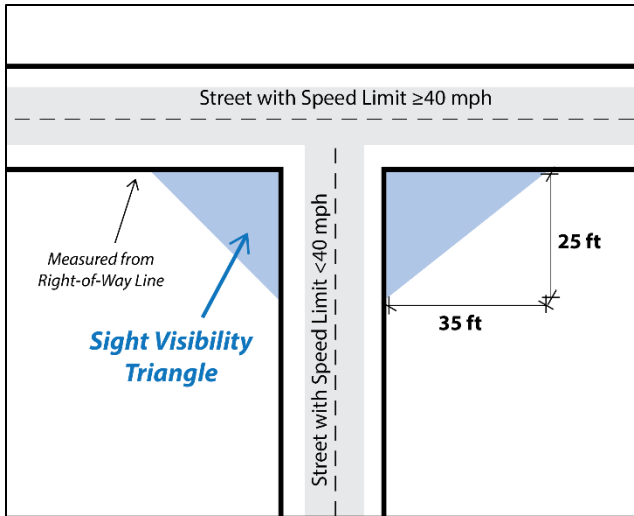
1. Street intersection sight triangles shall be measured from the point of intersection of the right-of-way lines, or when no ROW exists, from the point of intersection of the pavement or road edges.
2. Driveway sight triangles shall be measured from the point where the driveway edge intersects the street edge.
3. Sight triangles shall be formed by connecting points measured along each intersecting leg as specified in subsections C and D below.

C. Street Intersection Sight Triangles:

1. Minimum Required Dimensions: A clear sight triangle with legs measuring twenty-five (25) feet along each intersecting street shall be provided at all street intersections.



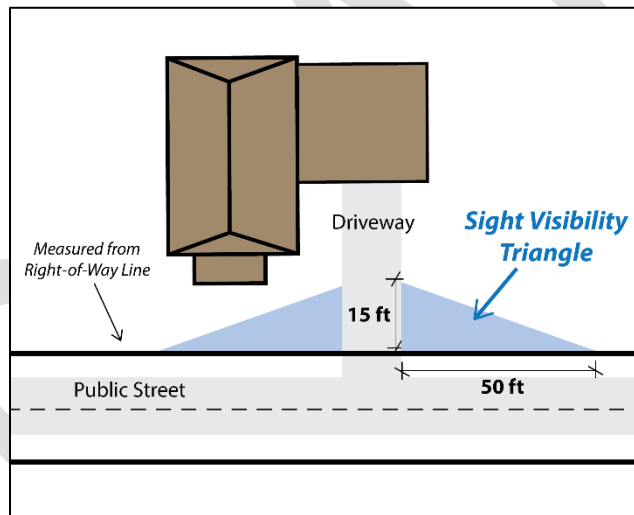
2. Increased Requirements: For roads with a speed limit of 40 MPH or higher, the minimum shall be increased to thirty-five (35) feet along each intersecting street with such a speed limit.



D. Driveway Sight Triangles:

1. Minimum Required Dimensions

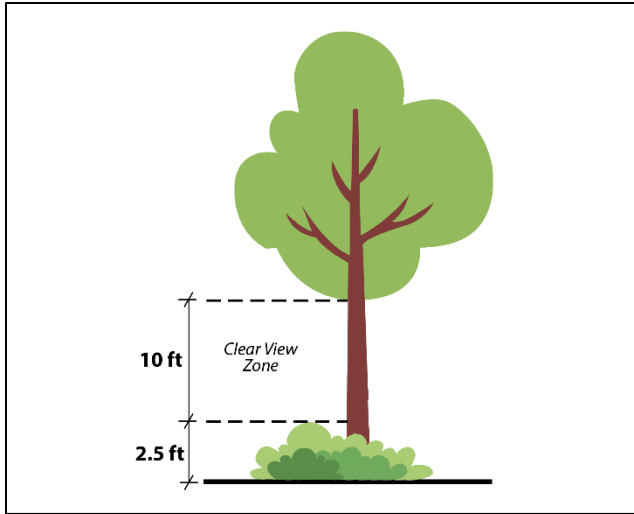
- a. A clear sight triangle shall be provided at each driveway connection as follows:
 - i. When connecting to public streets: fifteen (15) feet by fifty (50) feet.



2. State-Maintained Roadways: Required sight distances for driveway connections along state-maintained roadways shall be approved by NCDOT. Where the NCDOT Driveway Manual conflicts with these standards, the stricter of the two standards shall prevail.

E. Vertical Clearance Within Sight Triangles:

1. Within all required sight triangle areas as defined above, no planting shall be placed or maintained and no closed fence, building, wall, sign or other structure shall be constructed if such planting or structure thereby obstructs visibility between two and one-half (2.5) feet and twelve and one-half (12.5) feet above the grade of the adjacent roadway.



2. The following are exempt from the height limitations of this section, provided they do not materially obstruct visibility:
 - a. Traffic control devices;
 - b. Utility poles and utility cabinets;
 - c. Fire hydrants; and
 - d. Streetlights and public safety infrastructure.

F. Engineering Determination and Adjustment:

1. On streets with a speed limit of forty (40) MPH or higher, the Administrator may require a larger sight triangle than the minimum specified in this section where:
 - a. Traffic volumes are unusually high;
 - b. Documented crash history indicates a visibility concern; or
 - c. In the opinion of a professional traffic engineer unique site conditions or topography warrant additional sight distance.
2. Engineering determinations shall be based on accepted transportation engineering practices, including applicable AASHTO and NCDOT guidance.

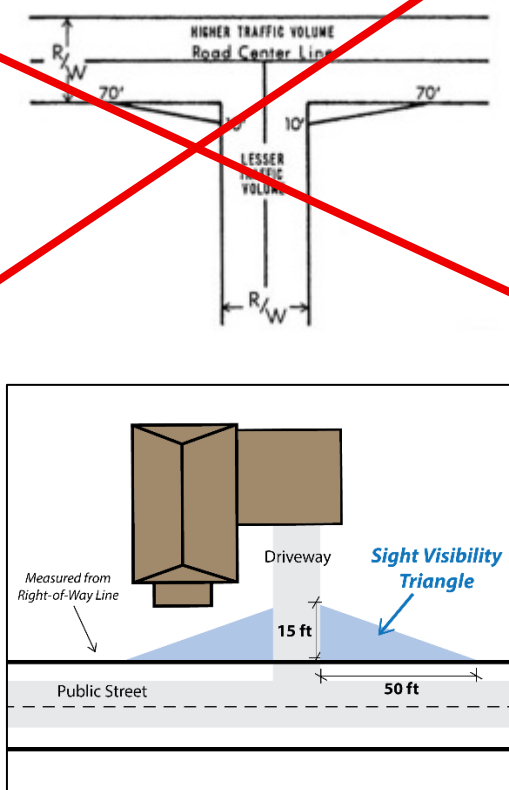
G. Maintenance Responsibility:

1. Property owners shall be responsible for maintaining required sight triangles free of obstructions.
2. Failure to maintain a required sight triangle in compliance with this section shall constitute a violation of this ordinance.

Chapter 38 – Health and Sanitation; Article II. Nuisances; Section 38-32. Enumeration

- I. Any and all trees or bushes dead, diseased or not properly trimmed, or any object or growth within ~~the~~ all required sight triangles ~~distance~~, on private property adjacent to city street rights-of-way that constitute a hazard to city property or to the health or safety of motorists or pedestrians. ~~"Sight distance"~~ Sight triangles shall be defined as the area required to provide a ~~ten-foot-by-70-foot-unobstructed~~ clear view ~~across property primarily located~~ at street intersections, driveways, and along sharp horizontal curves in the roadway as required by Chapter 9 of the City of Brevard Unified Development Ordinance. No owner, lessee or occupant, or any agent, servant, representative or employee of any such owner, lessee or occupant, having control of any lot or land in the city, regardless of whether the lot is occupied or not, shall permit or maintain on such lot or land, or on or along the sidewalk, street or alley adjacent to the same between the property line and the curb or middle of the alley or for ten feet outside the property line if there is no curb, any of the conditions described in this subsection. It shall be the joint and several duty of any owner, lessee and occupant of any lot or land to cut and/or remove or cause to be cut and/or removed all causes of such conditions as often as may be necessary to comply with the provisions of this chapter.

FIGURE 38-32A: SIGHT DISTANCES



**COMMENT OF CONSISTENCY WITH COMPREHENSIVE PLAN
AND ANY OTHER OFFICIALLY ADOPTED APPLICABLE PLANS
TXT-26-0001**

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

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

Building Brevard Comprehensive Land Use Plan:

- **Goal 4:** Create a built environment that prioritizes a safe, active, multi-modal transportation system and community health and wellness.

STAFF REPORT

City Council, Monday, July 20, 2026

Title: Proposed Amendments to City of Brevard Unified Development Ordinance, Chapters 6, 17 and 19; and the Code of Ordinances Chapter 38 - Stormwater Management Development Regulations

Speaker: Emily Brewer, AICP, Senior Planner

Prepared by: Emily Brewer, Senior Planner

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

Background

Brevard is located within the French Broad River Basin, near the river's headwaters, and experiences some of the highest rainfall totals in North Carolina due to its position along the eastern escarpment of the Blue Ridge Mountains. Effective stormwater management is essential for mitigating the environmental impacts of development in sensitive terrain. As land is cleared and replaced with roads, rooftops, and other impervious surfaces, the natural ability of soil and vegetation to absorb rainfall is lost. This leads to increased runoff volumes and higher flow speeds, which can quickly overwhelm drainage systems, damage properties, cause infrastructure failures, erode streambanks, deteriorate water quality, and reduce groundwater storage. Without proper stormwater controls, debris, sediment, trash, and other pollutants are washed into neighboring properties and nearby waterways. By requiring thoughtful stormwater design, communities can reduce peak flows, slow down runoff, and preserve more natural hydrologic functions even as development expands.

This is a staff-initiated text amendment to improve the stormwater management requirements to be more equitable, effective, and easier to administer. This amendment will also augment the ongoing stormwater master plan project to assess and evaluate the conditions of community storm drainage infrastructure. Staff worked closely with McAdams, the firm conducting the stormwater master plan, over the last few months to understand the complexities of stormwater management in Western North Carolina, review best practices in other communities, and address the short-comings in the current ordinance. Staff also reviewed this ordinance with Planning Board at their May 26th meeting, who recommended in favor of its adoption.

Discussion

Section 6.6 establishes the City's stormwater requirements to protect life and property from flooding, improve water quality by filtering pollutants, and limit additional impervious surface. The major changes to the section are summarized below:

- **Applicability:** Currently, the standards apply to new large non-residential or mixed-use projects, residential developments with 8 or more dwelling units, and any project where stormwater controls are required by a review board. Smaller

residential projects, bona fide agriculture, redevelopment with no increase in impervious area, small accessory structures, and development in the Heart of Brevard Municipal Services District are exempt. These exemptions should be granted sparingly and strategically to ensure environmental outcomes are achieved and certain types of development are incentivized. The proposed amendments restructure the applicability standards so that stormwater requirements are triggered by the amount of new built-upon area or area of disturbance, rather than by the number of residential dwelling units. This area-based approach is a more equitable and effective regulatory tool because stormwater impacts are directly related to the extent of disturbed soil and impervious coverage. For example, a single large home with extensive driveway and patio coverage may generate significantly more runoff than a multifamily structure on a smaller footprint. A disturbance-based trigger better aligns with regulatory oversight with actual hydrologic impact, ensures proportional mitigation, and closes gaps where smaller-scale projects cumulatively contribute to runoff and water quality degradation. It also creates clearer, more objective standards that are easier to administer and defend. The new applicability section also includes all development in steep slope areas regardless of project size. Steep slopes in particular increase runoff velocity, erosion potential, and downstream sedimentation, compounding flood and water quality impacts. Requiring stormwater controls in these areas ensures that risk is addressed at its source and reflects Brevard's mountainous topography and associated landslide susceptibility.

- **General Design Standards:** The amendments also include general design standards to encourage stormwater volume reduction prior to detention measures, including minimizing built-upon area by clustering buildings, reducing road widths and parking areas, and using permeable materials and releasing stormwater runoff as sheet flow through vegetated areas.
- **Stormwater treatment requirements:** The stormwater treatment requirements remain the same with two notable exceptions:
 - The existing ordinance includes a requirement to remove 85% of the total suspended solids (TSS) from the first inch of any rain event. This requirement is outdated and cannot be accomplished with many of the approved stormwater control measures. Instead, the amendment requires that the first inch of a rain event is to be treated in accordance with the North Carolina Minimum Design Criteria.
 - The new ordinance regulations include an incentive for projects to use low-impact development (LID) techniques. LID are stormwater control measures that are designed to mimic natural hydrology (e.g., stormwater wetlands, bioretention cells, infiltration systems, permeable pavement, green roofs, Silva cells). Instead of designing for the two- and ten-year storm event, they will be allowed to control for the five-year storm. City staff were advised that designing LID at the size necessary for the 10-year storm is not feasible; McAdams recommended the 5-year storm design, as it will be more practicable and will manage the majority of the stormwater needs for the 10-year (see precipitation volume chart below for reference). Staff believes that

this will encourage developers to utilize LID techniques instead of relying on large structural measure, like retention ponds.

Point Precipitation Frequency Estimates at 95 W Main Street (inches)

	2-Year	5-Year	10-Year
24-hour Event	4.64	5.70	6.54

- **Stormwater Management Plans:** The requirements for a stormwater management plan were moved from Chapter 17 and amended to be more clear.
- **Maintenance Requirements:** The weakest section of our existing stormwater ordinance is the lack of maintenance requirements and enforcement procedures. The new amendments include the requirement of an operation and maintenance agreement that is the responsibility of the owner. These agreements are to be recorded at the Transylvania County Register of Deeds to ensure any subsequent owner is aware of their ongoing responsibilities. Additionally, inspection reports can ensure the stormwater measures are appropriately maintained and functioning as intended. Larger cities that have a stormwater engineer on staff sometimes require annual inspection reports and ongoing compliance management. That is not feasible for the Brevard planning staff, so, instead, the amendments allow the administrator to have the authority to demand an inspection report at any time — particularly if there is a reasonable belief that the structure is not working properly or if there is any proposed redevelopment on the site.
- **Fee-in-Lieu:** The fee-in-lieu option has been removed as an option for most projects. It is, instead, reserved for projects where it is impossible to meet the requirements. The administrator will also require the project to comply with the stormwater chapter to the greatest extent possible.
- **Illicit Stormwater Usage:** The amendment also moves the illicit stormwater discharge and connection requirements to the Code of Ordinances, as it pertains to the usage of the city's public infrastructure.

Planning Board Discussion

At the May 26th meeting, Planning Board members discussed the potential impact on single-family homeowners at length. The proposed development thresholds are designed so that the vast majority of routine improvements to existing single-family homes are not subject to the ordinance. Typical residential projects (building a single-family home, constructing a deck, or adding a garage) would not disturb one acre of land or add 20,000 square feet of built-upon area, triggering the stormwater management requirements. Instead, the ordinance is intended to apply to larger-scale development and redevelopment projects that have the potential to significantly increase stormwater runoff and affect downstream properties, public infrastructure, and water quality. A single-family

homeowner would typically only become subject to these requirements when undertaking an unusually large project that exceeds the minimum land disturbance or impervious surface thresholds, when developing property subject to the City's steep slope regulations, or when stormwater management is required as a condition of approval by City Council or the Board of Adjustment.

To put the 20,000-square-foot built-upon area threshold into perspective, it represents a significant amount of development that is much larger than a typical residential property. It is approximately equivalent to the entire Franklin Park pool complex, including the main pool, baby pool, surrounding concrete deck, picnic shelter, pool pump building, and roughly half of the bathhouse. It is also comparable to the entire fenced area containing the three tennis courts at Silvermont Park, the Silvermont Mansion and its surrounding driveway, or nearly the entire Transylvania County Library building (excluding the Rogow Room). For commercial comparison, a typical Walgreens store is approximately 15,000 square feet, while the Food Lion grocery store is about 34,000 square feet. Even the largest residential property in the city, including the home, long driveway, a large detached garage, and numerous other accessory structures, totals only about 37,000 square feet. These comparisons demonstrate that the ordinance is intended to regulate projects of a substantial scale rather than single-family homes, thereby minimizing regulatory burdens on homeowners while ensuring that developments with the greatest potential to impact drainage patterns and watershed health appropriately manage stormwater runoff.

Policy Analysis

Revisions to the City's stormwater ordinance align with multiple aspects of the City of Brevard Comprehensive Plan and the recently adopted Green Growth Audit addendum. This includes the strategies and actions below:

City of Brevard Building Brevard 2030 Comprehensive Land Use Plan

- Goal 5: Celebrate Brevard's natural resources through conservation of environmentally sensitive areas, improving access to recreation, and restoration of native ecosystems.
- PNRC-5: Require conservation design in areas with sensitive natural resources
- EDIR-7: Update City's stormwater management plan.
- EDIR-8: Encourage and incentivize the use of low-impact development and free stormwater infrastructure techniques to manage stormwater.
- EDIR-10: Consider/evaluate built-upon regulations to allow for adequate infiltration in different zoning districts.
- EDIR-11: Continue investment in upgrades to stormwater infrastructure downtown and in strategic growth areas.
- EDIR-18: Incorporate climate resiliency considerations into City strategic planning initiatives and investments with a focus on vulnerability to flooding, landslides, and extreme weather.

City of Brevard Green Growth Audit

- Action 2.3.A: Review and revise the City's stormwater management requirements to align with modern best practices.
- Action 2.3.B: Add definitions and illustrations of low impact development techniques to ensure it is clear they are allowed and encouraged.
- Action 2.3.C: Refine the types of development activities that are required to comply with the stormwater management provisions, including instituting an impervious surface-based threshold and all development in sensitive areas.
- Action 2.3.D: Consider amendments to the types of development activities that are exempt from stormwater management provisions.
- Action 2.3.F: Allow for and encourage the use of porous and semi-porous materials throughout the ordinance
- Action 2.3.G: Provide guidance and incentives for developers to use LID and site design to supplement stormwater management requirements by reducing stormwater runoff close to the source, requiring less structured treatment
- Action 2.3.H: Consider allowing variation to certain architectural standards for green infrastructure and LID techniques (e.g., alternative roof pitches to allow for green roofs or rain cisterns)

What's more, City Council identified stormwater management as an organizational priority in FY25 when it created a stormwater enterprise fund and established a dedicated revenue source for stormwater projects.

Action

This is for public hearing purposes only; no action is requested at this time. At the next regular meeting, staff requests that Council take one of the following actions:

- Adopt the amendment as written;
- Adopt the amendment as revised by the Board;
- Reject the amendment; or
- Table the matter for further consideration.

In accordance with North Carolina General Statutes, the Planning Board submits a statement analyzing the consistency and reasonableness of this proposal with regards to existing policies or plans of the City of Brevard. The Statement of Consistency and Reasonableness is included for your review.

Attachments:

1. Proposed Amendments
2. Consistency Statement BPB
3. Draft Ordinance



UNIFIED DEVELOPMENT ORDINANCE

CHAPTER 6. ENVIRONMENTAL PROTECTION

6.6. Stormwater runoff provisions.

A. Purpose. The purpose this section is to:

1. ~~(1)~~ protect life and property and minimize nuisances by limiting destructive runoff and flooding generated by impervious surface areas;
2. ~~(2)~~ to protect water quality and natural ecosystems by filtering sediments and pollutants such as nitrogen, phosphorus, trace metals, and hydrocarbons; and
- 1-3. ~~(3)~~ limit additional impervious surface areas to the greatest extent possible.

B. Applicability.

~~2-1.~~ Minimum development thresholds: This section shall apply to all new development and redevelopment projects, including but not limited to site plans, subdivision applications, and demolition activities, that does any of the following: ~~Affected property:~~ The requirements of this section shall apply to the following activities:

- a. Cumulatively disturb one acre of land or more; ~~Any new non-residential or mixed-use development that disturbs more than one acre of land, or will have an impervious surface area more than 50 percent of the total acreage of the site.~~
- b. Cumulatively add 20,000 square feet or more of built-upon area; ~~Any new residential development or subdivision of eight or more dwelling units.~~
- c. Are subject to the steep slope area requirements in Section 6.4; or
- ~~c.d.~~ Are required to comply with the provisions of this section as a condition of approval by the Board of Adjustment or City Council. ~~Any project for which stormwater management is required as a condition of approval by the planning board, board of adjustment, or city council.~~

~~3.~~ In the event of redevelopment that results in increased impervious area, only the new impervious areas are subject to the standards in subsection 6.6.C.

~~4-2.~~ Exemptions: ~~activities:~~ The following activities are exempt from ~~the stormwater management~~ provisions of this section:

- a. Projects that do not meet the minimum development thresholds above; and
- ~~a.b.~~ Existing b Bona fide agricultural structures used exclusively for agricultural purposes.
- b. ~~Development or redevelopment of a single one or two family dwelling unit that disturbs less than one acre and will have an impervious surface area less than 20,000 square feet.~~
- c. ~~Redevelopment that results in no net increase of impervious surface area on a property.~~
- d. ~~Development or redevelopment of parcels located within the Heart of Brevard Municipal Service District.~~
- e. ~~Small accessory buildings or structures, or additions less than 400 square feet.~~



~~f. Residential infill development as defined in CHAPTER 19 of this ordinance.~~

3. Changes to stormwater measures: Any alterations to stormwater measures shall be made in accordance with this section.

C. General design standards.

1. All development subject to this section shall take the following actions to the maximum extent practicable:

- a. Minimize built-upon area by clustering buildings, reducing road widths and parking areas, and using permeable materials for walkways, patios, and overflow parking;
- b. Release stormwater runoff as sheet flow through vegetated areas;
- c. Prevent stormwater runoff from discharging onto adjacent properties; and
- d. Maintain pre-development drainage patterns and preserve natural drainageways and swales.

2. All development shall prevent erosion and sedimentation during and after construction (see also Section 6.7).

3. The administrator may require evidence from the applicant to demonstrate compliance with these standards.

~~**B.D. Requirements for stormwater treatment. Stormwater management requirements: The following requirements shall apply to all impervious surface areas of affected properties.**~~

1. The runoff from all built-upon areas on the project shall be treated in a primary stormwater control measures (SCM) that is designed, constructed and maintained in accordance with the relevant North Carolina Minimum Design Criteria (MDC) set forth in 15A NCAC 02H .1050 through .1062 (see NCDEQ Stormwater Design Manual).

~~1.2.~~ Stormwater measures shall be designed by a certified design professional in the State of North Carolina, and shall be constructed and maintained in accordance with commonly accepted best practices.

~~2.3.~~ Minimum design standards:

~~a. Runoff volume shall be calculated with the use of the Soil Conservation System (SCS) method.~~

~~b.a.~~ SCMs shall be designed to provide treatment for the runoff from the one-inch storm event. At a minimum, stormwater measure shall be designed to remove 85 percent of the Total Suspended Solids (TSS) from the first inch of any rain event.

~~c.b.~~ The stormwater run-off generated by a two-year and ten-year, 24-hour rain event, shall be limited at a rate equal to or less than the pre-development discharge rates.

~~d.c.~~ Stormwater measure shall have a drawdown of 48 hours, but not more than 120 hours.

4. Low-impact development credit.

a. Projects are encouraged to utilize low-impact development (LID) techniques to control stormwater runoff in a way that uses or mimics natural process in order to reduce the necessary structured treatments. Small scale Stormwater management practices, non-structural techniques, low-impact designs (LID), and site planning designed to mimic natural hydrologic runoff characteristics and minimize the impact of land development on water resources must be implemented. Only when it is absolutely necessary is the use of a structural BMP warranted.

b. Minimum design standards for LID stormwater management measures shall be to control stormwater runoff for a five-year, 24 hour rain event.

~~e. Structural treatment devices used as an alternative to, or in conjunction with LID techniques are acceptable only when practically necessary.~~



5. Off-site SCMs: Stormwater measures may be located off-site provided that:

- a. Such measures are located within a parcel of land under the same ownership as the affected property or within a common area under the management of a property owners' association or similar entity; and
- ~~f.b. When stormwater measures are located off-site, d~~Deeds of both the affected property and the property containing the stormwater measure shall be provided and shall clearly reference an access easement and the right and responsibility of the owner of the affected property to access and maintain such measure.

~~3. In all instances stormwater measures shall be designed to complement a development and surrounding community and to minimize any threat to public health. If ponds or lakes are used, such areas shall be landscaped as amenities or hidden from view. This provision applies regardless whether the pond or lake typically contains water or may be dry for periods of time.~~

E. Stormwater management plan.

~~4. Permit requirements: The administrator shall review all stormwater plans required by this ordinance to ensure compliance therewith. In making this determination, the administrator shall use the Stormwater Best Management Practices Design Manual published by the North Carolina Department of Environmental Quality or other commonly accepted information and engineering data.~~

1. Timing of stormwater management plan submittal: The applicant shall submit a stormwater management plan with the full set of site construction documents, in accordance with Chapter 17, to be reviewed and approved by the administrator to ensure compliance with this section.

2. Required items: The stormwater management plan shall include the following items in sufficient detail to facilitate plan review and construction:

- a. A narrative description of the proposed site improvements, the stormwater treatment system, and any low impact design elements.
- b. The existing and proposed site contours and drainage patterns.
- c. Engineering drawings showing plan, profile, and details of the existing and proposed drainage system, including, but not limited to, piping, drainage structures, swales, and channels tying into a network of pre-existing manmade or natural channels.
- d. Site layout showing all existing and proposed stormwater control measures and built-upon areas, except for built-upon areas associated with single family residential lots and outparcels on commercial developments that are undetermined at the time of project submittal.
- e. Subdivision lot lines, maintenance access routes and easements, utility and drainage easements, public rights of way, and SCMs.
- f. Signed, sealed, and dated plan details of each SCM in plan view at a scale such that all details are legible on a copy. The plan details shall include dimensions, side slopes, and elevations, inlet and outlet devices, bypass structures, pretreatment area,
- g. Signed, sealed, and dated planting plans for each SCM that requires a planting plan per the Minimum Design Criteria. The planting plan shall include plant layout with species names and locations and total number and sizes of all plant species.
- h. Proposed drainage easements shown on the plans, and a signed agreement to provide final recorded drainage easements if recorded documents are not available at the time of submittal.



- i. Calculations and engineering specifications relevant to the design of the stormwater conveyance and treatment system.
- j. Location of floodplain/floodway limits and proposed stream channel modifications, such as bridge or culvert crossings.
- k. Relationship of the site to upstream and downstream properties and drainages.
- a. ~~Stormwater management system concept plan. When required as part of any project, a written or graphic concept plan of the proposed post-development stormwater management system shall be submitted along with other application materials and shall include the following: preliminary selection and location of proposed structural stormwater controls; low impact design elements; location of existing and proposed conveyance systems such as grass channels, swales, and storm drains; flow paths; location of floodplain/floodway limits; relationship of site to upstream and downstream properties and drainages; and preliminary location of proposed stream channel modifications, such as bridge or culvert crossings.~~
3. If, following commencement of land disturbing activity pursuant to an approved plan it is determined that the plan is inadequate to meet the requirements of this ordinance, the administrator may require any revision of the plan that is necessary to comply with this ordinance.

F. As-built plans and final approval.

1. Timing of as-built plan submittal: ~~As-built plans and final approval.~~ Upon completion of a project, and before final zoning approval or a certificate of occupancy may be granted, the applicant shall certify that the completed project has been built in accordance with the approved stormwater management plans and designs. A final inspection and approval by the administrator are necessary prior to the issuance of any certificate of occupancy, release of improvement guarantee, or other final approval.
- 5-2. Required items: ~~The applicant shall submit actual "as built" plans for all stormwater management facilities or practices after final construction is completed.~~ shall include the following items:
 - a. ~~The plans shall show the~~ final design specifications for all stormwater management facilities and practices and the field location, size, depth, and planted vegetation of all measures, controls, and devices, as installed.
 - a-b. A signed and sealed designer's certification ~~The designer of the stormwater management measures and plans shall certify, under seal,~~ that the as-built stormwater measures, controls, and devices are in compliance with the approved stormwater management plans and designs and with the requirements of this ordinance.
6. ~~A final inspection and approval by the administrator is necessary prior to the issuance of any certificate of occupancy, release of performance guarantee, or other final approval.~~
- ~~C. Inspection of measures: The Administrator may, from time to time, inspect approved stormwater measures for compliance with this section and approved plans. Inspections may include, but are not limited to, reviewing maintenance and repair records; sampling discharges, surface water, groundwater, and material or water in stormwater measures; and evaluating the condition of stormwater measures. No person shall obstruct, hamper or interfere with the Administrator while carrying out his or her official duties. If the owner or occupant of any affected property refuses to allow such inspection, the Administrator shall proceed to obtain an administrative search warrant pursuant to G.S. 15-27.2 or its successor.~~

D-G. Maintenance of stormwater measures:

1. General standards for maintenance:



- a. The owner of any stormwater measure installed pursuant to this section shall maintain and operate ~~such measure~~ it so as to preserve and continue its function in controlling stormwater quality and quantity at the degree or amount of function for which the stormwater measures were ~~was~~ designed.
- b. Furthermore, stormwater measures installed prior to the enactment of this ordinance as a requirement of the issuance of any permit shall be subject to the maintenance requirements herein.
- c. The owner of each stormwater measure, whether structural or non-structural in design, shall maintain it so as not to create or permit a nuisance condition.

2. Inspection reports:

- a. The administrator shall have the right to demand an inspection report at any time should there be:
 - i. a reasonable belief that any stormwater structure or feature is constructed or being maintained in violation of this ordinance; or
 - ii. proposed redevelopment activity on the site.
- b. Such inspection report shall be prepared by a registered North Carolina professional engineer, surveyor, or landscape architect performing services only in their area of competence.
- c. The report shall contain the following:
 - i. The name and address of the landowner.
 - ii. The recorded Plat book and page number of a lot of each stormwater control.
 - iii. A statement that an inspection was made of all stormwater controls and features.
 - iv. The date the inspection was made.
 - v. A statement regarding the performance status and compliance of all inspected controls and features with the terms and conditions of the approved maintenance agreement required by this ordinance.
 - vi. The signature and seal of the engineer, surveyor, or landscape architect.
- d. Should the stormwater inspection reveal substantial maintenance or repair recommendations, it shall be the owner's responsibility to retain certified design professional to develop plans and specifications for such repairs within 30 days from finding that substantial maintenance or repair recommendations are necessary. Maintenance or repair work must commence within 60 days and be completed within a reasonable amount of time, from finding that substantial maintenance or repair recommendations are necessary.
- ~~c.~~e. Nothing in this section negates any requirements for the inspection of stormwater measures as set forth by any state or federal agency.

H. Operations and maintenance agreement.

1. Requirement to have an agreement: The applicant or owner of a site that is required to have a SCM pursuant to this section must execute an operation and maintenance agreement prior to final zoning approval or issuance of a certificate of occupancy for development or redevelopment. The responsibility for complying with the operation and maintenance agreement rests on the property owner.
2. Content of agreement. The operation and maintenance agreement shall include the following:
 - a. A requirement for the property owner to maintain, repair, and, if necessary, reconstruct the SCM, and shall state the terms, conditions, and a schedule of maintenance of at least once every two years for the SCM.



- b. A statement granting the city a right of entry in the event the stormwater administrator has reason to believe it has become necessary to inspect, monitor, maintain, repair, or reconstruct the SCM. In no case, however, shall the right of entry confer an obligation on the city to assume responsibility for the SCM.
- c. Language to bind the parties thereto and all subsequent owners, successors and assigns, of the site, portions of the site, and lots or parcels served by the SCM.
- 3. Recordation: The operation and maintenance agreement shall be referenced on the final plat; and if there is no final plat, then the agreement shall be referenced on an as-built record drawing and also recorded in the Transylvania County Register of Deeds, so as to appear in the chain of title of all subsequent purchasers under generally accepted searching principles. A copy of the recorded maintenance agreement shall be given to the administrator prior to final zoning approval.

~~E. Reserved.~~

~~F. Illicit discharges: Except as provided herein, no person shall cause or allow the discharge, emission, disposal, pouring, or pumping, whether directly or indirectly, of any liquid, solid, gas, or other substance, other than stormwater, into any surface water, ground water, or stormwater conveyance. This prohibition applies to any substance deposited upon the land in manner and amount that the substance is likely to reach a stormwater conveyance, surface or ground water.~~

- 1. ~~The following discharges shall not be deemed illicit and shall be permitted under the terms stated:~~
 - a. ~~Water line flushing, except any anti-freezing agent;~~
 - b. ~~Landscape irrigation;~~
 - c. ~~Diverted stream flows;~~
 - d. ~~Rising ground waters;~~
 - e. ~~Uncontaminated ground water infiltration (as defined at 40 CFR 35.2005(20));~~
 - f. ~~Uncontaminated pumped ground water;~~
 - g. ~~Discharges from potable water sources;~~
 - h. ~~Foundation drains;~~
 - i. ~~Air conditioning condensation;~~
 - j. ~~Irrigation water;~~
 - k. ~~Springs;~~
 - l. ~~Water from crawl space pumps;~~
 - m. ~~Footing drains;~~
 - n. ~~Lawn watering;~~
 - o. ~~Individual residential car washing;~~
 - p. ~~Flows from riparian habitats and wetlands;~~
 - q. ~~Dechlorinated swimming pool discharges;~~
 - r. ~~Street wash water; and~~
 - s. ~~Other non-stormwater discharges for which a valid NPDES discharge permit has been approved and issued by the State of North Carolina.~~
- 2. ~~Prohibited discharges include but are not limited to the following:~~



- a. ~~Discharges of oil, anti-freeze, chemicals, paints, garbage, litter;~~
- b. ~~Raw sewage discharges or overflows;~~
- c. ~~Discharges of wash water resulting from the hosing or cleaning of gasoline stations, auto repair garages, or other types of automotive service facilities;~~
- d. ~~Discharges resulting from the cleaning, repair, or maintenance of any type of equipment, machinery, or facility (including motor vehicles, cement related construction equipment, port-a-potty servicing, etc.);~~
- e. ~~Discharges of wash water from mobile operations such as steam cleaning, power washing, pressure washing, carpet cleaning, and mobile carwash facilities; discharges of wash water from the cleaning or hosing of impervious surfaces in industrial and commercial areas including parking lots, streets, sidewalks, driveways, patios, plazas, work yards, and outdoor eating or drinking areas;~~
- f. ~~Discharges of runoff from material storage areas containing chemicals, fuels, grease, oil or hazardous materials or chemicals;~~
- g. ~~Discharges of pool or fountain water containing chlorine, biocides or other chemicals, and also discharges of pool or fountain filter backwash water;~~
- h. ~~Discharges of water containing sediment or construction-related wastes; and~~
- i. ~~Discharges of food related wastes such as grease, oil, fish processing water, kitchen mat wash water, trash bin wash water, pouring liquids into dumpsters.~~

~~G. Illicit connections:~~ ~~Other than those exceptions listed in Section 6.6.H.1, above, it shall be unlawful to cause or permit any connection to a surface water or stormwater conveyance or stormwater conveyance system that allows the discharge of anything other than stormwater.~~

- 1. ~~Prohibited connections include, but are not limited to the following: floor drains, wastewater from washing machines or sanitary sewers, wash water from commercial vehicle washing or steam cleaning, and wastewater from septic systems.~~
- 2. ~~Where such connections exist in violation of this section and said connections were made prior to the adoption of this provision or any other ordinance prohibiting such connections, the property owner or the person using said connection shall remove the connection within one year following the effective date of this ordinance. Provided, however, the one-year grace period shall not apply to connections which may result in the discharge of hazardous materials or other discharges which pose an immediate threat to health and safety, or are likely to result in immediate injury and harm to real or personal property, natural resources, wildlife, or habitat.~~
- 3. ~~Upon determining that an illicit connection may result in the discharge of hazardous materials or may pose an immediate threat to health and safety, or is likely to result in immediate injury and harm to real or personal property, natural resources, wildlife, or habitat or that a connection was made in violation of any applicable regulation or ordinance, other than this section the administrator shall designate the time limit within which the connection shall be removed. In setting the time limit for compliance, the administrator shall take these matters into consideration:~~
 - a. ~~The quantity and complexity of the work;~~
 - b. ~~The consequences of delay;~~
 - c. ~~The potential harm to the environment, to the public health, and to public and private property; and~~
 - d. ~~The cost of remedying the damage.~~



~~I. Fee-in-lieu-of-stormwater-compliance:~~Stormwater fee-in-lieu. On site compliance with the requirements of this section may be impractical or impossible on certain parcels within the city. The owner and/or developer of affected properties may pursuant to the provisions set forth herein, opt to pay a fee-in-lieu of compliance with the stormwater management requirements of this section.

~~1. When the administrator may allow a fee-in-lieu:~~ If existing site conditions make compliance with the requirements of this section impractical or impossible, the administrator, in consultation with the Technical Review Committee, may, at its discretion, allow the applicant to pay a fee-in-lieu of compliance.

~~a. The administrative may determine that additional review is required and request review and/or a recommendation by the Board of Adjustment prior to allowing this alternative.~~

~~2. How the fee may be implemented:~~ Prior to the approval of a fee-in-lieu, the development shall come into compliance to the greatest extent possible. This may include, but is not limited to, the following:

~~a. Construction of a smaller SCM and a fee-in-lieu for the difference between the cost of the smaller SCM compared to the larger SCM;~~

~~b. Changes to the site design to reduce stormwater volume; and/or~~

~~c. The provision of low-impact development stormwater management treatments.~~

~~4.3. Basis for determining the fee-in-lieu:~~ Fees shall be based upon the actual cost of construction of a structural stormwater measure to control and treat stormwater runoff from the total impervious surface area of the affected property.

~~5.4.~~ Payment may be made in the form of contribution of funds, contribution of land, contribution of engineered stormwater control construction work, or a combination of these.

~~6.5.~~ Fee-in-lieu contributions shall be set aside in a dedicated fund, and applied to stormwater management and other water quality improvement projects.

~~Purposes eligible for fee-in-lieu contributions include the following:~~

~~a. The acquisition, design, or construction of stormwater control and treatment measures.~~

~~b. Stream bank, wetland, or other surface water protection and restoration projects that enhance stormwater management goals, reduce erosion, and enhance water quality.~~

~~c. The elimination of illicit or inappropriate connections to stormwater conveyances.~~

~~d. Other activities identified by the city manager, provided that such activities are for the sole purpose of improving water quality.~~

~~e. Matching funds for grants to fund any of the aforementioned types of activities.~~

~~f. Matching funds for participation in any water quality improvement program funded by the Transylvania County Soil and Water Conservation Service, the North Carolina Department of Environmental Quality, the USDA Natural Resources Conservation Service, or other local, regional, state or federal agencies.~~

~~7. The expenditure of stormwater contributions is limited as follows:~~

~~a. To the extent practical, contributions shall be applied to activities that will result in water quality benefits comparable to the benefits of controlling and treating stormwater on the contributing property.~~



- ~~b. Contributions shall not be applied to the stormwater management requirements of other affected properties, or to the same affected property to satisfy the stormwater management requirements of future site plan approvals.~~
- ~~c. Contributions shall not be applied to any other purpose or activity of the city not directly related to stormwater management and water quality improvement.~~

CHAPTER 17. DEVELOPMENT PLAN REQUIREMENTS

17.5. Master plan requirements.

When required, the master plan shall be drawn to the following specifications and must contain or be accompanied by the information listed below. This section defines both preliminary and final master plans. A preliminary master plan may only be submitted as part of an application for a conditional zoning district. All plans shall be submitted at a scale not less than one inch = 50 feet unless otherwise authorized by the administrator.

- A. Processing or review of a preliminary or final master plan may not proceed without all of the following information:
 - 1. The boundary, as determined by survey, of the area to be developed with all bearings and distances shown and the location within the area, or contiguous to it, of any existing streets, railroad lines, perennial streams, wetlands, easements or other significant features of the tract.
 - 2. Scale denoted both graphically and numerically with north arrow.
 - 3. A vicinity map at a scale no smaller than one inch equals 1,200 feet showing the location of the development with respect to adjacent streets and properties.
 - 4. The proposed name of the development, street names, the owner's name and address, the names of adjoining property owners, the name of the city, county, and state in which the development is located, the date of plan preparation, and the zoning classification of the tract to be developed, and of adjoining properties.
 - 5. Corporate limits and extraterritorial jurisdiction boundaries (where applicable).
 - 6. A timetable for estimated project completion for each phase proposed.
 - 7. Original contours at intervals of not greater than five feet for the entire area to be subdivided or developed and extending into adjoining property for a distance of 300 feet at all points where street rights-of-way connect to the adjoining property and 50 feet at all other points of common project boundaries. Transylvania County or City of Brevard digital topography may be used to satisfy this requirement but should be field-verified to ensure accuracy. This requirement may be waived for developments smaller than one acre or where insufficient topographic changes warrant such information.
 - 8. The location of any building restriction areas (i.e. flood hazard areas, buffer locations, watershed protection districts, and/or jurisdictional wetlands), where applicable.
 - 9. Site calculations shall include total acreage of tract, acreage in parks and other non-residential uses, total number and acreage of parcels, and the total number of housing units.
 - 10. The following statement shall be placed upon all master plan documents, as applicable:



"Areas delineated upon this plan as a protection area or Special Flood Hazard Areas is subject to limitations upon development as set forth [CHAPTER 34](#) of Brevard City Code, and any development, disturbance, or encroachment is prohibited except in accordance therewith."

B. Requirements for preliminary master plans. A preliminary master plan may only be submitted as part of an application for a conditional zoning district. A preliminary master plan may be more conceptual in nature than a final master plan, and shall be sufficient to demonstrate deviations from the base zoning district and the scope of the project.

1. At a minimum, a preliminary master plan shall show the conditions both requested and offered that deviate from the base zoning district.
2. A preliminary master plan may divide the district into land use areas and specify proposed uses and other development standards which shall apply to such land use area. The preliminary master plan may also depict transition zones between any such land use areas which shall permit deferring the determination of the precise boundaries between land use areas until final master plan review.
3. Additional submittal requirements for the preliminary master plan shall be determined by the administrator in the pre-application meeting or during review. The approving authority may require additional submittals as deemed necessary due to the particulars of the project. A preliminary master plan may include the following information, as applicable:
 - a. The location of proposed buildings, parking and loading areas, streets, alleys, easements, lots, parks or other open spaces, site reservations (i.e. school sites), property lines and building setback lines with street dimensions, and tentative lot dimensions.
 - b. The traffic and circulation system demonstrating a safe and adequate on-site transportation system that addresses vehicular, bicycle, transit and pedestrian circulation. The on-site transportation system shall be integrated with the off-site transportation circulation system of the city.
 - c. The proposed limits of construction for all proposed development activity, including all required protected areas and open space.
 - d. Landscaping plan and/or vegetation preservation plan in accordance with [Section 17.9](#).
 - e. Lighting plan in accordance with [Section 17.10](#).
 - f. Architectural plans in accordance with [Section 17.11](#).
 - g. Traffic impact analysis (if required) in accordance with [Section 17.12](#).
 - h. Stormwater management ~~concept~~ plan in accordance with [Section 17.13](#) [6.6](#).
 - i. Conceptual utilities plan. Conceptual plans for utilities to serve the development, including sanitary sewers, storm sewers and water lines.
 - j. Environmental impact statement, pursuant to Article 113A of the North Carolina General Statutes, if: the development exceeds two acres in area, and; if the BPB deems it necessary due to the nature of the land or peculiarities in the proposed design.
 - k. Development permit and certification application with supporting documentation as required by the flood hazard prevention requirements of [CHAPTER 6](#) of this ordinance.

C. Requirements for final master plans.

1. A final master plan shall include all of the following information, as applicable:
 - a. The location of proposed buildings, parking and loading areas, streets, alleys, easements, lots, parks or other open spaces, site reservations (i.e. school sites), property lines and building setback lines with street dimensions, and tentative lot dimensions.



- b. The transportation and circulation system showing typical cross-sections of proposed streets. Where a proposed street is an extension of an existing street, the profile of the street shall include 300 feet of the existing roadway, with a cross section of the existing street. Where a proposed street within the development abuts a tract of land that adjoins the development and where said street may be expected to extend into said adjoining tract of land, the profile shall be extended to include 300 feet of the said adjoining tract.
 - c. The proposed limits of construction for all proposed development activity, including all required protected areas and open space.
 2. Additional submittal requirements for the final master plan shall be determined by the administrator in the pre-application meeting or during review. The approving authority may require additional submittals as deemed necessary due to the particulars of the project. A final master plan may include the following information and supplemental plans, as applicable.
 - a. Landscaping plan and/or vegetation preservation plan in accordance with Section 17.9.
 - b. Lighting plan in accordance with Section 17.10.
 - c. Architectural plans in accordance with Section 17.11.
 - d. Traffic impact analysis (if required) in accordance with Section 17.12.
 - e. Stormwater management ~~concept~~ plan in accordance with Section ~~17.13~~ 6.6.
 - f. Conceptual utilities plan. Conceptual plans for utilities to serve the development, including sanitary sewers, storm sewers and water lines.
 - g. Environmental impact statement, pursuant to Article 113A of the North Carolina General Statutes, if: the development exceeds two acres in area, and; if the BPB deems it necessary due to the nature of the land or peculiarities in the proposed design.
 - h. Development permit and certification application with supporting documentation as required by the flood hazard prevention requirements of CHAPTER 6 of this ordinance.

17.6. Construction document requirements.

The construction documents for site plans, conditional rezoning plans, special use plans, major subdivisions, vested rights, and master plans shall be submitted in accordance with the specifications of this section except where specifically noted. Construction documents shall constitute the complete submittal requirements for site plans and preliminary plats required prior to construction.

The size and number of completed application submittal copies required shall be set by the administrator. No certifications other than the certificate of survey and accuracy as in Section 17.7.J and the seal of the professional designer must be provided in connection with the submission.

Construction drawings must be drawn to the following specifications and must contain or be accompanied by the applicable information listed below. All plans shall be submitted at a scale not less than one inch = 50 feet unless otherwise authorized by the administrator. No processing or review of construction documents will proceed without all of the following information:

- A. The boundary, as determined by survey, of the area to be subdivided with all bearings and distances shown and the location within the area, or contiguous to it, of any existing streets, railroad lines, water courses, easements, bridges, floodplains, or other significant features of the tract.
- B. Scale in feet denoted both graphically and numerically with north arrow and declination.



- C. A sketch vicinity map at a scale no smaller than one inch equals 1,200 feet showing the relationship between the proposed subdivision and surrounding area.
- D. Environmental survey in accordance with Section 17.3.
- E. Existing topography and finish grading with contours drawn at two foot intervals. This requirement may be waived for developments smaller than one acre or where insufficient topographic changes warrant such information.
- F. Corporate limits and extraterritorial jurisdiction boundaries (where applicable).
- G. The proposed names of the development and streets, the owner's name and address, signature of the owner or owner's duly authorized agent, the surveyor's name, the names of existing and proposed adjoining subdivisions or property owners, the names of the city, county, and state in which the development is located, the date of preparation, and the zoning classification of the tract to be developed and of adjoining properties.
- H. Proposed lot lines, lot and block numbers, and exact dimensions.
- I. The future ownership (dedication or reservation for public use to a governmental body; for owners to duly constituted home owners' associated, for tenant's remaining in subdivider's ownership of recreation and open space lands).
- J. A statement from the City of Brevard regarding the availability of adequate water and sewer capacity for the proposed development.
- K. The plans for utility layouts, including sanitary sewers, storm sewers, and water lines, illustrating connections to existing systems. All systems shall conform to current city standards.
- L. The location and size of all utility lines, easements, and rights-of-way. Easements shall be provided on all construction documents as follows:
 - 1. *Utility easements:* Easements for underground or above ground utilities shall be provided for and centered along rear or side lot lines, and shall be a minimum of ten feet in width. Easements for water lines, sanitary sewers, and storm drains shall be centered on the pipe and a minimum of 20 feet in width or as required by design manual.
 - 2. *Drainage easements:* Where a development is crossed by a stream or drainage way, an easement shall be provided conforming with the lines of such stream and of sufficient width as shall be adequate to maintain the overall integrity of the drainage area and provide for its periodic maintenance.
 - 3. *Landscape easements:* Landscape easements along streets should be designed in accordance with the provisions of CHAPTER 6 and CHAPTER 8. The city may require landscape easements for developments where industrial or commercial uses abut residential uses.
 - 4. *Public access easements:* Public access easements shall be provided for sidewalks, trails, greenways, and other pedestrian and bicycle facilities that provide connections other than within public rights-of-way.
- M. The location of proposed buildings, parking and loading areas, streets, alleys, lots, parks or other open spaces, reservations (i.e. school sites), property lines and building setback lines with street dimensions, tentative lot dimensions, and the location of any building restriction areas (i.e. flood hazard areas, watershed protection districts, and/or jurisdictional wetlands. Buildings shown for the purpose of measuring setbacks must reflect these elements when applicable.
- N. Site calculations shall include total acreage of tract, acreage in parks and other non-residential uses, total number and acreage of parcels, the total number of housing units, area of all mixed-use and non-residential buildings, gross project density per acre, linear feet of streets, and the accurate locations and descriptions of all monuments, markers, and control points.



- O. The location and dimensions of all off-street parking and loading spaces, and walkways indicating the type of surfacing, size, angle of stalls, width of aisles, and a specific.
- P. Development permit and certification application with supporting documentation as required by the flood hazard prevention requirements of [CHAPTER 34](#) of Brevard City Code.
- Q. The location and dimensions of any sidewalks, curb cuts, curb and gutters to be installed along public street frontages, and other required street improvements designated in [CHAPTER 11](#) of this ordinance, or as called for in the Brevard Transportation Plan, the Rural Planning Organization Thoroughfare Plan or Transportation Improvement Program, or other plan or policy of the city. Required right-of-way shall be drawn in the location shown on any official plan at the width specified in this ordinance.
- R. Typical cross sections of proposed streets showing rights-of-way, pavement widths, grades, and design engineering data for all corners and curves. Where a proposed street is an extension of an existing street the profile of the street shall include 300 feet of the existing roadway, with a cross section of the existing street. Where a proposed street within the subdivision abuts a tract of land that adjoins the subdivision and where said street may be expected to extend into said adjoining tract of land, the profile shall be extended to include 300 feet of the said adjoining tract.
- S. The location of any existing or proposed demolition landfills in the site. Such sites shall not be used for building.
- T. A copy of the full soil erosion and sedimentation permit application including forms, plans, and calculations to be submitted to the North Carolina Department of Environmental Quality-Erosion and Sediment Control Office, and a copy of the approval letter prior to site plan or preliminary plat approval.
- U. Final proposed elevations of all non-single family and duplex buildings proposed for construction as part of this site plan approval. Subsequent buildings within the development may be handled as separate site plans. Such elevations shall include all facades visible from public streets.
- V. Supplemental plans as applicable:
 - 1. Landscape plan in accordance with Section [17.9](#).
 - 2. Tree preservation plan in accordance with Section [17.9](#).
 - 3. Lighting plan in accordance with Section [17.10](#).
 - 4. Architectural plans in accordance with Section [17.11](#).
 - 5. Traffic impact analysis (if required) in accordance with Section [17.12](#).
 - 6. Floodplain development information (if required) in accordance with ~~Section 17.13~~[Chapter 34 of the Brevard City Code or Ordinances](#).
 - 7. Stormwater management ~~concept~~ plan in accordance with Section ~~17.13~~[6.6](#).
- W. The following statement shall be placed upon all final construction documents, as applicable:

"Areas delineated upon this plat or plan as a protection area or Special Flood Hazard Areas is subject to limitations upon development as set forth [CHAPTER 34](#) of Brevard City Code, and any development, disturbance, or encroachment is prohibited except in accordance therewith."

In addition to the above required information, the following additional information may be necessary for specific sites as determined by the administrator:
- X. Where a proposed water and sewer system does not contemplate the use of facilities owned and operated by the city, the proposed facility plans as approved by the appropriate agency, shall be submitted with the construction documents.



- Y. Where public or community water supply and/or sewerage systems are not available or to be provided, a written statement from the Transylvania County Health Department shall be submitted with the construction documents indicating that each lot has adequate land area and soil conditions suitable to accommodate the proposed methods of water supply and sewage disposal.

17.13. Stormwater management plan requirements. Reserved.

~~**A. Stormwater management system concept plan:**~~

- ~~1. When required as part of any project, a written or graphic concept plan of the proposed post-development stormwater management system shall be submitted along with other application materials and shall include: preliminary selection and location of proposed structural stormwater controls; low impact design elements; location of existing and proposed conveyance systems such as grass channels, swales, and storm drains; flow paths; location of floodplain/floodway limits; relationship of site to upstream and downstream properties and drainages; and preliminary location of proposed stream channel modifications, such as bridge or culvert crossings.~~

~~**B. As-built plans and final approval:**~~

- ~~1. Upon completion of a project, and before final zoning approval or a certificate of occupancy shall be granted, the applicant shall certify that the completed project is in accordance with the approved stormwater management plans and designs, and shall submit actual "as built" plans for all stormwater management facilities or practices after final construction is completed.~~
- ~~2. The plans shall show the final design specifications for all stormwater management facilities and practices and the field location, size, depth, and planted vegetation of all measures, controls, and devices, as installed. The designer of the stormwater management measures and plans shall certify, under seal, that the as-built stormwater measures, controls, and devices are in compliance with the approved stormwater management plans and designs and with the requirements of this ordinance.~~
- ~~3. A final inspection and approval by the administrator shall occur before the release of any performance securities.~~



CHAPTER 19. DEFINITIONS

19.3. Definitions.

Built-upon area (BUA): The portion of a development or redevelopment that is covered by impervious surfaces. Also referred to as impervious surface coverage.

Disturbed area: All lands that are stripped, graded, grubbed, filled, or excavated at any time during the site preparation or removing vegetation for, or construction of, a project. Disturbed areas include redevelopment and new impervious surface areas. Also referred to as area of disturbance.

Impervious area surface: Any man-made surface which restricts the percolation of rain water into the soil including, but not limited to, areas covered by roofs, roof extensions, patios, porches, driveways, sidewalks, parking areas and athletic courts. ~~Also referred to as built-upon area, impervious surface or impervious coverage.~~ In accordance with NCGS §143-214.7D, the following is not considered an impervious ~~area~~ surface:

- A. A slatted deck.
- B. The water area of a swimming pool.
- C. The surface of number 57 stone, as designed by the American Society for Testing and Materials, laid at least 4 inches thick over a geotextile fabric.
- D. A trail or greenway that is either unpaved or paved with pavement that is porous with a hydraulic conductivity greater than 0.001 centimeters per second (1.41 inches per hour).
- E. Landscaping material, including, but not limited to, gravel, mulch, sand, and vegetation, placed on areas that receive pedestrian or bicycle traffic or on portions of driveways and parking areas that will not be compacted by the weight of a vehicle, such as the area between sections of pavement that support the weight of a vehicle.
- F. Artificial turf, manufactured to allow water to drain through the backing of the turf, and installed according to the manufacturer's specifications over a pervious surface.

Low-impact development (LID): Stormwater control measures designed to mimic natural hydrology. For the purposes of this ordinance, LID includes stormwater wetlands, bioretention cells, infiltrations systems, permeable pavement, green roofs, Silva Cells and Filterra systems. Other LID stormwater management technology that is designed, constructed and maintained in accordance with the North Carolina Minimum Design Criteria (MDC) may be considered on a case by case basis.

Primary Stormwater Control Measure (SCM): A wet pond, stormwater wetland, infiltration system, sand filter, bioretention cell, permeable pavement, green roof, or an approved new stormwater technology that is designed, constructed and maintained in accordance with the relevant North Carolina Minimum Design Criteria (MDC) set forth in 15A NCAC 02H .1050 through .1062 (see NCDEQ Stormwater Design Manual).

Stormwater: Runoff generated by rain, melting snow, and other precipitation events. Stormwater is that portion of precipitation that flows across a surface to down-slope properties, the storm drain system, or receiving waters. Stormwater often carries pollutants and can cause damage to property and stream channels and can impair natural aquatic systems.



Stormwater control and treatment measure: A physical device designed to accomplish one or more of the following: trap, settle out, or filter pollutants from stormwater runoff; alter or reduce stormwater runoff velocity, amount, timing, or other characteristics; approximate the pre-development hydrology on a developed site. ~~Structural best management practices (BMPs) include physical practices such as constructed wetlands, vegetative practices, filter strips, grassed swales, and other methods installed or created on real property. "Stormwater control and treatment measure" is synonymous with "stormwater bmp," "structural practice," "stormwater control facility," "stormwater control practice," "stormwater treatment practice," "stormwater management practice," "stormwater control measures," "structural stormwater treatment systems," "low impact design," and similar terms used in this ordinance.~~

CODE OF ORDINANCES

CHAPTER 38. HEALTH AND SANITATION

ARTICLE II. NUISANCES

DIVISION 1. GENERALLY

30-50. Illicit stormwater usage.

A. Illicit discharges:

1. No person shall cause or allow the discharge, emission, disposal, pouring, or pumping, whether directly or indirectly, of any liquid, solid, gas, or other substance, other than stormwater, into any surface water, ground water, or stormwater conveyance, except as provided herein.
2. This prohibition applies to any substance deposited upon the land in manner and amount that the substance is likely to reach a stormwater conveyance, surface or ground water.
3. The following discharges shall not be deemed illicit and shall be permitted under the terms stated:
 - a. Water line flushing, except any anti-freezing agent;
 - b. Landscape irrigation;
 - c. Diverted stream flows;
 - d. Rising ground waters;
 - e. Uncontaminated ground water infiltration (as defined at 40 CFR 35.2005(20));
 - f. Uncontaminated pumped ground water;
 - g. Discharges from potable water sources;
 - h. Foundation drains;
 - i. Air conditioning condensation;
 - j. Irrigation water;
 - k. Springs;
 - l. Water from crawl space pumps;
 - m. Footing drains;



- n. Lawn watering;
 - o. Individual residential car washing;
 - p. Flows from riparian habitats and wetlands;
 - q. Dechlorinated swimming pool discharges;
 - r. Street wash water; and
 - s. Other non-stormwater discharges for which a valid NPDES discharge permit has been approved and issued by the State of North Carolina.
4. Prohibited discharges include but are not limited to the following:
- a. Discharges of oil, anti-freeze, chemicals, paints, garbage, litter;
 - b. Raw sewage discharges or overflows;
 - c. Discharges of wash water resulting from the hosing or cleaning of gasoline stations, auto repair garages, or other types of automotive service facilities;
 - d. Discharges resulting from the cleaning, repair, or maintenance of any type of equipment, machinery, or facility (including motor vehicles, cement-related construction equipment, port-a-potty servicing, etc.);
 - e. Discharges of wash water from mobile operations such as steam cleaning, power washing, pressure washing, carpet cleaning, and mobile carwash facilities; discharges of wash water from the cleaning or hosing of impervious surfaces in industrial and commercial areas including parking lots, streets, sidewalks, driveways, patios, plazas, work yards, and outdoor eating or drinking areas;
 - f. Discharges of runoff from material storage areas containing chemicals, fuels, grease, oil or hazardous materials or chemicals;
 - g. Discharges of pool or fountain water containing chlorine, biocides or other chemicals, and also discharges of pool or fountain filter backwash water;
 - h. Discharges of water containing sediment or construction-related wastes; and
 - i. Discharges of food-related wastes such as grease, oil, fish processing water, kitchen mat wash water, trash bin wash water, pouring liquids into dumpsters.

B. Illicit connections:

- 1. Other than those exceptions listed above, it shall be unlawful to cause or permit any connection to a surface water or stormwater conveyance or stormwater conveyance system that allows the discharge of anything other than stormwater.
- 2. Prohibited connections include, but are not limited to the following: floor drains, wastewater from washing machines or sanitary sewers, wash water from commercial vehicle washing or steam cleaning, and wastewater from septic systems.
- 3. Where such connections exist in violation of this section and said connections were made prior to the adoption of this provision or any other ordinance prohibiting such connections, the property owner or the person using said connection shall remove the connection within one year following the effective date of this ordinance. Provided, however, the one-year grace period shall not apply to connections which may result in the discharge of hazardous materials or other discharges which pose an immediate threat to health and safety, or are likely to result in immediate injury and harm to real or personal property, natural resources, wildlife, or habitat.



4. Upon determining that an illicit connection may result in the discharge of hazardous materials or may pose an immediate threat to health and safety, or is likely to result in immediate injury and harm to real or personal property, natural resources, wildlife, or habitat or that a connection was made in violation of any applicable regulation or ordinance, other than this section the administrator shall designate the time limit within which the connection shall be removed. In setting the time limit for compliance, the administrator shall take these matters into consideration:
 - a. The quantity and complexity of the work;
 - b. The consequences of delay;
 - c. The potential harm to the environment, to the public health, and to public and private property; and
 - d. The cost of remedying the damage.

38-510—38-70. Reserved.

**COMMENT OF CONSISTENCY WITH COMPREHENSIVE PLAN
AND ANY OTHER OFFICIALLY ADOPTED APPLICABLE PLANS
TXT-26-0005**

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

The Brevard Planning Board forwards this recommendation to City Council with a finding that the proposed amendment is **consistent** with the City's adopted plans and policies.

City of Brevard Building Brevard 2030 Comprehensive Land Use Plan

- Goal 5: Celebrate Brevard's natural resources through conservation of environmentally sensitive areas, improving access to recreation, and restoration of native ecosystems.
- PNRC-5: Require conservation design in areas with sensitive natural resources
- EDIR-7: Update City's stormwater management plan.
- EDIR-8: Encourage and incentivize the use of low-impact development and free stormwater infrastructure techniques to manage stormwater.
- EDIR-10: Consider/evaluate built-upon regulations to allow for adequate infiltration in different zoning districts.
- EDIR-11: Continue investment in upgrades to stormwater infrastructure downtown and in strategic growth areas.
- EDIR-18: Incorporate climate resiliency considerations into City strategic planning initiatives and investments with a focus on vulnerability to flooding, landslides, and extreme weather.

City of Brevard Green Growth Audit

- Action 2.3.A: Review and revise the City's stormwater management requirements to align with modern best practices.
- Action 2.3.B: Add definitions and illustrations of low impact development techniques to ensure it is clear they are allowed and encouraged.
- Action 2.3.C: Refine the types of development activities that are required to comply with the stormwater management provisions, including instituting an impervious surface-based threshold and all development in sensitive areas.
- Action 2.3.D: Consider amendments to the types of development activities that are exempt from stormwater management provisions.
- Action 2.3.F: Allow for and encourage the use of porous and semi-porous materials throughout the ordinance

- Action 2.3.G: Provide guidance and incentives for developers to use LID and site design to supplement stormwater management requirements by reducing stormwater runoff close to the source, requiring less structured treatment
- Action 2.3.H: Consider allowing variation to certain architectural standards for green infrastructure and LID techniques (e.g., alternative roof pitches to allow for green roofs or rain cisterns)

ORDINANCE NO. 2026-____

**AN ORDINANCE AMENDING MULTIPLE CHAPTERS OF CITY OF BREVARD UNIFIED
DEVELOPMENT ORDINANCE TO REVISE THE STORMWATER MANAGEMENT
REQUIREMENTS**

WHEREAS, the City of Brevard has stormwater runoff requirements for development occurring within its Planning Jurisdiction in order to: (1) protect life and property and minimize nuisances by limiting destructive runoff and flooding generated by impervious surface areas; (2) to protect water quality and natural ecosystems by filtering sediments and pollutants such as nitrogen, phosphorus, trace metals, and hydrocarbons; and (3) limit additional impervious surface areas to the greatest extent possible; and,

WHEREAS, the Brevard Planning Board considered revisions to City of Brevard Unified Development Ordinance Chapter 6 – Environmental Protection, Chapter 17 – Development Plan Requirements, and Chapter 19 – Definitions & the City of Brevard Code of Ordinances Chapter 38 – Health and Sanitation on April 8, 2026, and recommended in favor; and,

WHEREAS, the City Council of the City of Brevard finds that the proposed amendment is consistent nor inconsistent with the elements of adopted plans;

City of Brevard Building Brevard 2030 Comprehensive Land Use Plan

- **Goal 5:** Celebrate Brevard's natural resources through conservation of environmentally sensitive areas, improving access to recreation, and restoration of native ecosystems.
- **PNRC-5:** Require conservation design in areas with sensitive natural resources
- **EDIR-7:** Update City's stormwater management plan.
- **EDIR-8:** Encourage and incentivize the use of low-impact development and free stormwater infrastructure techniques to manage stormwater.
- **EDIR-10:** Consider/evaluate built-upon regulations to allow for adequate infiltration in different zoning districts.
- **EDIR-11:** Continue investment in upgrades to stormwater infrastructure downtown and in strategic growth areas.
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- **Action 2.3.D:** Consider amendments to the types of development activities that are exempt from stormwater management provisions.
- **Action 2.3.F:** Allow for and encourage the use of porous and semi-porous materials throughout the ordinance
- **Action 2.3.G:** Provide guidance and incentives for developers to use LID and site design to supplement stormwater management requirements by reducing stormwater runoff close to the source, requiring less structured treatment
- **Action 2.3.H:** Consider allowing variation to certain architectural standards for green infrastructure and LID techniques (e.g., alternative roof pitches to allow for green roofs or rain cisterns)

and,

WHEREAS, a public hearing was conducted on Monday, July 18, 2026, 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 3rd day of August 2026.

Maureen Copelof
Mayor

ATTEST:

Denise Hodsdon, CMC
City Clerk

APPROVED AS TO FORM:

Mack McKeller
City Attorney

STAFF REPORT

City Council, Monday, July 20, 2026

Title: Proposed Amendments to the City of Brevard Code of Ordinances Chapter 42 - Loitering, Trespassing, Public Intoxication, and Hours of Operation

Speaker: Christy Wentzell, Chief of Police
Wilson Hooper, City Manager

Prepared by: Christy Wentzell; Wilson Hooper

Approved by: Wilson Hooper, City Manager

Background

At its June 22, 2026 meeting, the Public Safety Committee considered staff's recommendation to update the code of ordinances to affix misdemeanor penalties to certain offenses. This recommendation was motivated by a noticeable uptick in those types of offenses in the downtown area. As currently written, some of the offenses in this report are only punishable with civil penalties, which local law enforcement find to be ineffectual.

The proposed changes also update the wording of chapters of the code that affix a misdemeanor penalty to offenses, but with wording that does not comply with the requirements of NC General Statutes. The proposed changes also assign operating hours to certain city properties that didn't previously have them, which gives law enforcement the ability to remove individuals who are camping or using the properties for other than their intended purpose. Finally, the proposed changes add city properties that did not exist at the time of the code's enactment to the list of city facilities where concealed carry is prohibited.

Discussion

In 2021, the North Carolina General Assembly passed S.L. 2021-138 which decriminalized local ordinances. Municipalities were given an opportunity to "save" certain rules by following an exemption procedure prescribed in the statute, but the clear expectation from Raleigh was the exemption be used sparingly. This proposal would add certain offenses to the list of exempted ordinances, and correct some of the wording on ordinances that Council attempted to "save" in 2021/2022 but did not adopt the correct legal language.

If the proposed changes are approved, the following offenses will now be considered a misdemeanor or infraction with a fine up to \$500 per NCGS 14-4:

- Consumption of possession of alcoholic beverages in public place (Code of Ordinance Chapter 42.3)
- Trespassing on posted property; loitering in general (Chapter 42.5)
- Loitering for the purposes of engaging in drug-related activity (Chapter 42.6)
- Assemblages obstructing street (Chapter 42.7)

- Carry concealed weapons on or near city property (Chapter 42.13)
 - Proposed changes to this chapter also include adding 132 Commerce St., Mary C Jenkins Community Center, Jimmy Harris Railroad Depot Park, Silversteen Park, the Dog Park, Silversteen Skate Park, the Brevard Sports Complex, and the Community Garden to the list of facilities where concealed carry is prohibited.
- Failing to vacate city-owned property when properly notified by a city agent (Chapter 42.17)
 - Reference to the city's "administrative encampment policy" is relocated to this section.

From the law enforcement perspective, these proposed updates provide officers with clearer legal authority and practical enforcement tools to address recurring quality-of-life and public safety concerns. BPD officers are trained to resolve situations through communication, education, and voluntary compliance. And, in most cases, that approach is successful. But by restoring the criminal penalties authorized under North Carolina General Statute 14-4, officers will have additional clear and legally recognized enforcement option when reasonable efforts to gain voluntary compliance are unsuccessful.

The changes will allow for more consistent enforcement, provide greater accountability for repeat violations, and reduce situations where officers are repeatedly responding to the same issue without an effective legal remedy. They also provide officers with the legal authority to take appropriate enforcement action, when necessary, while still allowing them to exercise sound judgment and discretion based on the circumstances of each encounter.

Staff believe effective policing is about having the right tool for the right situation. These changes do not require officers to make arrests, nor do they change Brevard's philosophy of policing. They simply restore an enforcement option when education, warnings, and other reasonable efforts have been exhausted. Ultimately, these updates help us better protect businesses, public spaces, residents, and visitors while promoting fair, consistent, and professional enforcement throughout the community.

Fiscal Impact

These changes are expected to have little to know fiscal impact to the City.

Action

No action requested; for information and public hearing only.

Attachments:

1. Chapter 42 recommended updates



CITY CODE OF ORDINANCES

PART II: CODE OF ORDINANCES

CHAPTER 42. OFFENSES AND MISCELLANEOUS PROVISIONS

State law reference(s)—Criminal law, G.S. ch. 14.

ARTICLE I. IN GENERAL

Contents:

- 42-1. Advertisements.
- 42-2. Unauthorized use of police or fire signals.
- 42-3. Consumption or possession of alcoholic beverages in public place.
- 42-4. Reserved.
- 42-5. Trespass on posted property; loitering generally.
- 42-6. Loitering for purpose of engaging in drug-related activity.
- 42-7. Assemblages obstructing street.
- 42-8. Refusal to pay taxicab fare.
- 42-9. Damaging fire hydrant, traffic signal, or police or fire alarm system.
- 42-10. Damaging bridges or culverts; obstruction of drains.
- 42-11. Damaging streetlights, signs or other fixtures on streets or sidewalks.
- 42-12. Interfering with students.
- 42-13. Shooting firearms.
- 42-14. Carrying concealed weapon on or near city property.
- 42-15. Firing projectiles or arrows.
- 42-16. Public art.
- 42-17. Hours of Operation
- 42-18. Enforcement and Administration
- 42-19—42-40. Reserved.



42-1. Advertisements.

- A. *Posting generally.* It shall be unlawful for any person to post any bills, signs or advertisements on any building, fence or other property belonging to another without the consent of the owner thereof. Such consent shall be secured in writing, and such written consent shall be exhibited by the person having the consent to any police officer of the city on demand.
- B. *Posting on poles.* It shall be unlawful for any person to post any bills, posters, signs or advertisements on any telegraph, telephone, electric light or other pole along any of the streets of the city; provided that this section shall not be construed to include street signs placed on the poles by the city for designating names of streets. Each sign, poster, bill or advertisement posted in violation of this subsection shall constitute a separate offense.
- C. *Placing in or on motor vehicles.* It shall be unlawful for any person to distribute advertising or printed matter of any kind by placing the advertising or printed matter in or on a motor vehicle that is parked on any street or other public place.
- D. *Scattering handbills.* It shall be unlawful for any person to throw or cast any handbills, posters, circulars, programs, cards, placards, pamphlets or other printed, typed, stenciled or written matter, or other advertising matter, on any street, avenue or other public place, or in any yard or stoop in the city; provided this shall not apply to magazines and newspapers that are sold and distributed by carriers.
- E. *Defacing or destroying advertisements or notices.* It shall be unlawful for any person to tear, deface, mutilate, take down or destroy any advertisement, legal, public or private notice legally posted for public view within the city, except for the owner of the private property or the officials in charge of the public property upon which it may be posted. (Code 1980, §§ 10-7—10-11)

Cross reference(s)—Advertising on or in vehicles for hire restricted, § 78-1.

42-2. Unauthorized use of police or fire signals.

It shall be unlawful for any person, without special authority from the police department or fire department, to carry or use any whistle, bell, horn or siren similar in appearance or sound to the whistles, horns or sirens used by the police department or fire department. (Code 1980, § 10-12)

42-3. Consumption or possession of alcoholic beverages in public place.

- A. It shall be unlawful for any person to consume, sell, serve or drink alcoholic beverages of any kind, or to publicly display alcoholic beverages if the container has been opened or the seal broken, on any property owned, leased or controlled by the city, and any public street, alley, sidewalk or parking lot within the city limits, whether the area is open to vehicular traffic or has been closed to vehicular traffic in connection with a parade or other special event, unless a valid permit is obtained, pursuant to the subsections below:
 - 1. The city manager (or designee thereof, hereafter, "the administrator") is hereby authorized to allow the sale and consumption of alcoholic beverages during a special event that has been permitted pursuant to [CHAPTER 66](#) of Brevard City Code, provided the permittee presents the City with the appropriate permit from the North Carolina Alcoholic Beverage Control Commission.
 - 2. The city manager or the administrator is hereby authorized to issue a social district participation permit that would allow the sale of alcoholic beverages for consumption in a designated social district pursuant to [CHAPTER 43](#) of the Brevard City Code.



3. The city manager or the administrator is hereby authorized to issue a sidewalk dining permit that would allow the sale and consumption of alcohol on public sidewalks pursuant to [CHAPTER 46](#) Article II of the Brevard City Code.
4. This permit shall only be valid for a designated area.
5. The permit holder shall be solely responsible for assuring compliance with all applicable laws of the City of Brevard and the State of North Carolina pertaining to the sales and consumption of alcoholic beverages. Permit holders who demonstrate failure to assure compliance with such laws shall be subject to immediate permit revocation, and may be subject to such civil and criminal penalties as are set forth in Brevard City Code and the North Carolina General Statutes.
6. In the issuance of a permit, the administrator shall have the authority to impose reasonable conditions to protect the public health, safety and welfare.
7. Chief of police, police department event commander on-duty, and the administrator shall have authority to immediately cause alcohol sales and consumption activities to cease and desist upon a determination that the permit holder has failed to maintain compliance with the terms and conditions of the permit or the requirements of Brevard City Code, or that continuation of alcohol sales and consumption at the event would pose an immediate threat to the public health, safety and welfare.

B. *Penalty. Violation punishable as a misdemeanor or infraction with fine up to \$500 per G.S. 14-4.*

(Code 1980, § 10-13; Ord. No. 6-08, § 1, 4-7-08; Ord. No. 2012-04, § 1, 2-20-12; Ord. No. 2017-16, § 2, 8-22-17, Ord. No. 2021-02, § 1(Exh. A), 1-25-21; Ord. No. [2023-36](#), § 1(Exh. A), 8-21-23; Ord. No. [2026-15](#), § 1(Exh. A), 5-426)

Cross reference(s)—Sale of intoxicating beverages by taxicab drivers, § [78-37](#).

State law reference(s)—Similar provisions, G.S. 18B-300(c).

Effective on: 5/4/2026

42-4. Reserved.

Editor's note(s)—Ord. No. 6-04, § 1, adopted March 15, 2004, repealed § 42-4 in its entirety. Former § 42-4 pertained to the sale of beer or wine on Sunday and derived from Code 1980, § 10-14.

42-5. Trespass on posted property; loitering generally.

- A. It shall be unlawful for any person to loiter in or upon, or to drive any vehicle upon, any private property on any day between the hours of 12:00 midnight and 6:00 a.m. when signs have been posted by the owner or his employee or agent prohibiting such acts.
- B. It shall be unlawful for any person to loiter in or upon, or to drive any vehicle upon, any private business property parking lot or area at any time such business is not open to the public, when signs have been posted by the owner or his employee or agent stating that such loitering or driving of vehicles is prohibited at or during certain designated times.
- C. It shall be unlawful for any person to habitually loaf or loiter on the streets, or to congregate on the streets or sidewalks of the city in such a way as to obstruct or interfere with the free passage into or out of any public business or private property.



D. It shall be the duty of the police officer who observes a violation of this section first to warn the offender, and upon his failure to heed the warning to arrest him.

D.E. Violation of this section punishable as a misdemeanor or infraction with fine up to \$500 per G.S. 14-4

(Code 1980, § 10-15)

42-6. Loitering for purpose of engaging in drug-related activity.

A. Violations. It shall be unlawful for a person to loiter, remain or wander about in a public place in a manner and under circumstances manifesting the purpose of engaging in a violation of any subdivision of the North Carolina Controlled Substances Act, G.S. 90-89 et seq. A prima facie showing of a violation of this section is made by proof that a person, while in a public place, loiters and commits any of the following acts or courses of conduct:

1. Repeatedly beckons to, stops or attempts to stop passersby, or repeatedly attempts to engage passersby in conversation;
2. Repeatedly stops or attempts to stop motor vehicles;
3. Repeatedly interferes with the free passage of motor vehicles or other persons;
4. Associates at such location with one or more persons who are known unlawful drug users, possessors and sellers;
5. Behaves in such a manner as to raise a reasonable suspicion that he is about to engage in, or is engaged in, an unlawful drug-related activity;
6. Repeatedly passes to or receives from passersby, whether on foot or in a vehicle, money or objects;
7. Takes flight upon the approach or appearance of a police officer;
8. Is at a location frequented by persons who use, possess or sell drugs; or
9. Uses or associates with the user of any vehicle which is registered to a known unlawful drug user, possessor or seller, or is known to be or have been involved in drug-related activities.

B. Penalty. ~~A violation of any provision of this section is a misdemeanor and shall subject the offender to punishment in accordance with Section 1-8.~~ **Violation punishable as a misdemeanor or infraction with fine up to \$500 per G.S. 14-4**

(Code 1980, § 10-15.1; Ord. No. [2023-43](#), § 1(Exh. A), 9-5-23)

Editor's Note—Ordinance 2023-43 transferred the definitions previously found in this section to City Code § 1-2.

Effective on: 9/5/2023

42-7. Assemblages obstructing street.

A. It shall be unlawful for persons to assemble or collect and stand so as to obstruct any sidewalk, street or other public way, except an authorized parade. All persons so collecting and standing shall disperse and move upon the demand of any police officer.

B. Penalty. **Violation punishable as a misdemeanor or infraction with fine up to \$500 per G.S. 14-4**

(Code 1980, § 10-17)

Cross reference(s)—Streets, sidewalks and other public ways, [CHAPTER 62](#).



42-8. Refusal to pay taxicab fare.

It shall be unlawful for any person to refuse to pay the legal fare of any taxicab after having hired the taxicab, and it shall be unlawful for any person to hire any vehicle defined in this section with the intent to defraud the person from whom it is hired of the value of such service.

(Code 1980, § 10-18)

Cross reference(s)—Taxicabs, § 78-31 et seq.

42-9. Damaging fire hydrant, traffic signal, or police or fire alarm system.

It shall be unlawful for any person willfully or negligently to damage or interfere with any fire hydrant, police or fire alarm box, traffic signal or other property used in the city's police or fire alarm systems.

(Code 1980, § 10-19)

State law reference(s)—Damaging fire alarm systems, G.S. 14-286.

42-10. Damaging bridges or culverts; obstruction of drains.

It shall be unlawful for any person to damage or displace any part of any bridge, culvert, ditch and drain or other property belonging to or used by the city, or place any obstruction in any culvert, ditch or drain so as to prevent or impede the free flow of water through the culvert, ditch or drain. (Code 1980, § 10-20)

42-11. Damaging streetlights, signs or other fixtures on streets or sidewalks.

It shall be unlawful for any person to damage, tamper with, remove or paint upon or deface any sign, sign post, streetlight, traffic signal or bulletin board or other municipal property upon the streets and sidewalks, except employees of the city in performance of their official duties. (Code 1980, § 10-21)

42-12. Interfering with students.

It shall be unlawful for any person wantonly to molest, disturb or interfere with any student of any school while such student is en route to or from any school, church or other place where such student has a right to be. (Code 1980, § 10-22)

42-13. Shooting firearms.

It shall be unlawful for any person other than duly sworn peace officers to fire or shoot any gun or pistol or other firearm within the city except in duly licensed shooting galleries; provided, this section shall not be construed to prevent the protection of one's self, family or property from harmful or hostile attack or injury. This section shall not apply to the discharge of blank ammunition for ceremonial purposes.

(Code 1980, § 10-23)

State law reference(s)—Authority to regulate, G.S. 160A-189.

42-14. Carrying concealed weapon on or near city property.



A. It shall be unlawful for any person, willfully and intentionally, to carry concealed about his person any Bowie knife, dirk, dagger, switchblade, slingshot, loaded cane, metallic knuckles, razor, stun gun, pistol, gun or other deadly weapon of any kind, when in, on or about the city-owned property listed in 42-14.D.

B. This section shall not apply to:

1. Any ordinary pocket knife carried in the closed position. As used in this section, the term "ordinary pocket knife" means a small knife, designed for carrying in a pocket or purse, which has its cutting edge and point entirely enclosed by its handle, and that may not be opened by a throwing, explosive or spring action.
2. Law enforcement officers and military personnel when acting in the line of duty, and full-time law enforcement officers when off duty, provided that they are otherwise authorized to carry such weapon.
3. Any individual legally carrying a concealed handgun, as identified in North Carolina General Statutes, unless prohibition is specifically identified or is allowed by North Carolina General Statute.

C. Provided that the weapon is not a firearm, it shall be a defense to prosecution under this section that the defendant was engaged in, or on the way to or from, an activity in which he lawfully used the weapon, he possessed the weapon specifically for that lawful use, and he did not use, threaten or attempt to use the weapon for any illegal purpose. The defendant shall have the burden of proof with regard to such defense.

D. This section will apply to and with respect to the following properties only:

1. The interior of all city-owned buildings, namely, city hall, the city ~~volunteer~~ fire department building, police department headquarters, ~~the~~ public works buildings, the wastewater treatment buildings, the water treatment buildings, ~~and~~ the French Broad community center, Jimmy Harris Railroad Depot Park, and the Mary C Jenkins Community Center when properly posted with signs prohibiting concealed weapons. In this event, those with the legal right to carry concealed weapons may lock their firearms in their vehicles on city-owned parking lots.
2. The confines of the following city-owned public recreation facilities, including, but not limited to, buildings located thereon: Hap Simpson Park, Franklin Park, Silversteen Park, the Brevard Dog Park, Jimmy Harris Railroad Depot Park, the City Sports Complex, Silversteen Skate Park, Tannery property trails, Brevard Community Garden and "Clemson" Park located at the corner of Main and Caldwell Streets.
3. City and county athletic fields when city or county scheduled events are taking place.

E. This section will not apply to: City owned greenways, bike/hike paths, Bracken Preserve and Estatoe Trail, and athletic fields when no scheduled event is taking place.

F. This section will not apply to the section of the bike/hike path that runs through city and county athletic fields, even when scheduled events are taking place.

G. Any person violating the provisions of this section shall be guilty of a misdemeanor with a fine up to \$500 per G.S. 14-4.

(Code 1980, § 10-23.1; Ord. No. 2013-18, § 1, 12-16-13)



42-15. Firing projectiles or arrows.

It shall be unlawful for any person to shoot or project any stone, rock, shot or other hard substance by mean of a slingshot, bean shooter, air rifle, pop gun, bow or other similar contrivance; provided that archery shooting may be engaged in on such grounds as may be set aside and approved therefor by the city council.

(Code 1980, § 10-24)

State law reference(s)—Authority to regulate pellet guns, G.S. 160A-190.

42-16. Public art.

- A. It shall be unlawful for any person to install art in publicly-visible spaces without receiving city council approval. City council shall issue a resolution stating its approval or denial of the installation request based on adopted policies.
- B. Public art includes but is not limited to murals, sculptures, memorials, and community art designed and/or built by an artist. Public art may be attached to a building or be a free-standing installation.
- C. For the purposes of this section, a publicly-visible space is defined as publicly- or privately-owned, nonresidential property that is visible from public streets and pedestrian walkways.

~~C.D.~~ D. Installed artwork may be subject to abatement pursuant to Section 38-35.

(Ord. No. 2021-06 , § 1(Exh. A), 2-22-21; Ord. No. 2021-48 , § 2(Exh. B), 11-15-21)

42-17. Hours of Operation

- ~~A.~~ A. All city-owned property shall be open only from 6 AM to 10 PM unless otherwise posted.
- ~~B.~~ The city manager may appoint agents who may enact such administrative rules and procedures, and issue such orders as are necessary to effectuate the purpose of this article and to protect the general health, safety, and welfare of the public.
- ~~C.~~ Designated agents and sworn law enforcement may enforce this article.
- ~~D.~~ An administrative encampment policy which aims to connect residents of encampments who may be experiencing homelessness with housing and other resources shall govern City interaction with such campers. At the expiration of the notification period as defined in the encampment policy, campers shall be subject to the remaining provisions of this ordinance.
- ~~E.~~ Failure to vacate city-owned property at the expiration of the notice period defined in 42-18.C when properly notified by an appointed agent may be enforced as a misdemeanor or infraction with fine up to \$500 per G.S. 14-4.

(Ord. No. 2023-16, § 1, 5-1-23)

Effective on: 5/1/2023



~~42-18. Enforcement and Administration~~

- ~~A. The city manager may appoint agents who may enact such administrative rules and procedures, and issue such orders as are necessary to effectuate the purpose of this article and to protect the general health, safety, and welfare of the public.~~
- ~~B. Designated agents and sworn law enforcement may enforce this article.~~
- ~~C. An administrative encampment policy which aims to connect residents of encampments who may be experiencing homelessness with housing and other resources shall govern City interaction with such campers. At the expiration of the notification period as defined in the encampment policy, campers shall be subject to the remaining provisions of this ordinance.~~
- ~~D. Failure to vacate city owned property at the expiration of the notice period defined in 42-18.C may be enforced as a misdemeanor per G.S. 14-4.~~

~~{Ord. No. 2023-16, § 1, 5-1-23}~~

~~Effective on: 5/1/2023~~

42-1918—42-40. Reserved.

STAFF REPORT

City Council, Monday, July 20, 2026

Title: Pathways to Removing Obstacles to Housing (PRO Housing)
Federal Grant Application

Speaker: Emily Brewer, AICP Senior Planner

Prepared by: Emily Brewer, Senior Planner

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

Background

The U.S. Department of Housing and Urban Development's (HUD) 2026 Pathways to Removing Obstacles to Housing (PRO Housing) grant program provides \$50 million in competitive funding to help state and local governments remove barriers to housing production and preservation. The program aims to increase housing supply, improve affordability, and support housing-friendly regulatory reforms. Grants are expected to range from \$5 million to \$10 million.

This round of funding emphasizes implementation and prioritizes communities that have already taken steps to adopt housing-supportive policies and practices. The program would support a wide range of eligible housing activities — zoning reforms, permitting improvements, housing-related infrastructure investments, and programs that expand housing opportunities — but the emphasis is the creation of for-sale affordable housing units. Communities that can demonstrate recent regulatory reforms and measurable housing outcomes will be the most competitive applicants. And further, Transylvania County is identified as a priority geography for this round of funding and additional preference points are given to "rural" areas.

Discussion

The City, in partnership with Housing Assistance Corporation (HAC), is submitting an application for approximately \$10 million to support the development of their affordable homeownership community on Cashiers Valley Road. The project proposes the construction of 26 affordable homes, including 10 single-family homes and 16 townhomes, and includes funding for the infrastructure and site improvements necessary to facilitate development. Housing Assistance Corporation's homeownership model is designed to promote wealth-building opportunities by providing income-qualified households with a one-time affordable home purchase, allowing homeowners to build equity while expanding access to homeownership in the community.

The proposed grant application also includes approximately \$500,000 for affordable housing preservation activities in the Rosenwald community. Funding would be used to provide home repair assistance for an estimated six to eight low-income owner-occupied homes, helping preserve existing affordable housing stock and allowing residents to safely and affordably remain in their homes.

Although the PRO Housing program does not require matching funds, the project leverages significant local investment and partnerships. Last year, the City transferred the property to HAC as an in-kind donation, valued at approximately \$600,000, to support the project. The City will also provide staff time to support project implementation and coordination and extend sewer along Cashiers Valley Road to serve the site. The County is funding the utility extension into the neighborhood through a Dogwood Health Trust grant (~\$400,000). The City is engaging Land of Sky Regional Council to provide grant administration services should the application be awarded.

As previously stated, the program is intended to support implementation for communities that have taken steps to remove barriers to affordable housing creation over the last three years. The application will highlight the recent ordinance changes that remove barriers to housing production and other steps taken to improve transparency and efficiency. The changes since August 3, 2023 are:

- Reducing parking requirements *[note: recent state legislation has eliminated the city's authority to enact minimum parking requirements for any uses effective January 1 - Staff will bring further amendments to the UDO to address these changes]*
- Allowing cluster home development by-right with a 50% density bonus
- Allowing manufacture home parks by-right with a 50% density bonus
- Allowing group developments by-right to allow multiple principal residential buildings on a single parcel
- Allowing subdivision off of private roads in the ETJ
- Prohibiting short-term rentals in the General Residential zoning district
- Publishing a comprehensive schedule of fees *[included as a best practice in Executive Order 14394 - Removing Regulatory Barriers to Affordable Home Construction]*
- Disposing of publicly-owned land for housing development *[included as a best practice in Executive Order 14394]*
- Switching to GovWell for permitting in order to leverage technology for expedited approval of permits *[included as a best practice in Executive Order 14394]*
- Streamlining permitting processes for housing development by using GovWell for virtual Technical Review Committee reviews *[included as a best practice in Executive Order 14394]*

The project is currently in the design phase, and the required environmental review process is underway to ensure the development is positioned to move forward if funding is secured. The proposed project aligns closely with the goals of the PRO Housing program by removing barriers to affordable housing development, increasing the supply of affordable homeownership opportunities, preserving existing affordable housing, and leveraging public investment to address local housing needs.

Action

No action is requested at this time; information for public hearing only. Staff will submit

the application prior to the August 3rd deadline.

Attachments:



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 JUNE 30, 2026

Tina Tanner

Certified Tax Collector

CITY OF BREVARD TAX SETTLEMENT REPORT
MONTH ENDING JUNE 30, 2026

UPDATED: 07.10.2026

YEAR	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER		
2025	\$ -	\$ 4,581,126.39	\$ 427,280.33	\$ 195,358.15	\$ 164,976.55	\$ 707,473.79		
2024-2014	\$ 11,986.29	\$ 6,246.25	\$ 3,664.91	\$ 9,827.00	\$ 451.75	\$ 326.18		
2013- PRIOR	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		
TOTAL:	\$ 11,986.29	\$ 4,587,372.64	\$ 430,945.24	\$ 205,185.15	\$ 165,428.30	\$ 707,799.97		
	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	TOTAL	
2025	\$ 368,774.87	\$ 50,506.58	\$ 50,094.31	\$ 112,226.42	\$ 23,734.85	\$ 17,415.98	\$	6,698,968.22
2024-2014	\$ 2,962.61	\$ 303.69	\$ 5,145.32	\$ 9,243.59	\$ 3,471.27	\$ 2,175.81	\$	55,804.67
2013-PRIOR	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$	-
TOTAL:	\$ 371,737.48	\$ 50,810.27	\$ 55,239.63	\$ 121,470.01	\$ 27,206.12	\$ 19,591.79	\$	6,754,772.89

HEART OF BREVARD TAX SETTLEMENT REPORT
MONTH ENDING JUNE 30, 2026

UPDATED: 07.10.2026

YEAR	JULY		AUGUST		SEPTEMBER		OCTOBER		NOVEMBER		DECEMBER			
2025	\$	-	\$	78,787.77	\$	14,235.31	\$	7,200.76	\$	1,907.35	\$	20,757.82		
2024-2014	\$	-	\$	62.00	\$	1.48	\$	-	\$	-	\$	5.45		
2013-PRIOR	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-		
TOTAL:	\$	-	\$	78,849.77	\$	14,236.79	\$	7,200.76	\$	1,907.35	\$	20,763.27		
		JANUARY		FEBRUARY		MARCH		APRIL		MAY		JUNE		TOTAL
2025	\$	7,653.10	\$	2,591.55	\$	4,786.92	\$	3,599.02	\$	57.92	\$	1,492.02	\$	143,069.54
2024-2014	\$	106.50					\$	1,421.81	\$	-			\$	1,597.24
2013-PRIOR	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-
TOTAL:	\$	7,759.60	\$	2,591.55	\$	4,786.92	\$	5,020.83	\$	57.92	\$	1,492.02	\$	144,666.78

STAFF REPORT**City Council, Monday, July 20, 2026**

Title: City of Brevard Annual Tax Collection Settlement Report

Speaker:

Prepared by: Tina Tanner, Tax Collector/Water/Finance

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

Attachments:

1. City of Brevard Annual Tax Collection Settlement Report 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.

2025 TAX COLLECTION SETTLEMENT REPORT

July 20, 2026

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: 2025 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

2025 Collection Rates

All Districts

Thru June 30, 2026

<u>District</u>	<u>Collection Rate</u>
City of Brevard	97.81 %
Heart of Brevard	89.26 %

CITY OF BREVARD COLLECTION TOTALS								
as of 06/30/2026								
Year	Original Levy	Penalties	Discoveries	Releases	Total Levy	Total Collected	Uncollected	% Rate
2025	\$ 6,840,864.15	\$ 6,642.78	\$ 106,657.48	\$ (99,417.99)	\$ 6,854,746.42	\$ 6,704,920.79	\$ 149,825.63	97.81%

Monies Collected Other than Taxes			
	Advertising Fee	Interest	Misc. Fee
2024		\$ 11,524.84	
Total	\$ -	\$ 11,524.84	\$ -

Total Tax Collected	\$ 6,708,531.55
Total Pen Collected	\$ 5,952.57
	\$ 6,714,484.12
Ret Check	\$ (9,563.33)
	\$ 6,704,920.79

CITY OF BREVARD PRIOR YEARS COLLECTION TOTALS								
07/01/2025-06/30/2026								
Year	Levy-07/01/2025	Penalties	Discoveries	Releases	Total Levy	Total Collected	Uncollected	% Rate
2024	\$ 98,358.02	\$ 164.96	\$ 824.77	\$ -	\$ 99,347.75	\$ 46,040.09	\$ 53,307.66	46.34%
2023	\$ 42,695.58	\$ 144.79	\$ 482.64		\$ 43,323.01	\$ 5,944.53	\$ 37,378.48	13.72%
2022	\$ 18,121.36	\$ 103.72	\$ 270.00	\$ (42.84)	\$ 18,452.24	\$ 1,577.14	\$ 16,875.10	8.55%
2021	\$ 10,876.44	\$ 135.00	\$ 270.00	\$ (45.00)	\$ 11,236.44	\$ 2,069.20	\$ 9,167.24	18.42%
2020	\$ 7,724.74	\$ 183.60	\$ 306.00		\$ 8,214.34	\$ 37.79	\$ 8,176.55	0.46%
2019	\$ 1,640.54				\$ 1,640.54	\$ 9.23	\$ 1,631.31	0.56%
2018	\$ 1,070.76				\$ 1,070.76	\$ -	\$ 1,070.76	0.00%
2017	\$ 419.41				\$ 419.41	\$ -	\$ 419.41	0.00%
2016	\$ 1,191.88				\$ 1,191.88	\$ 314.01	\$ 877.87	26.35%
2015	\$ 757.19				\$ 757.19		\$ 757.19	0.00%
TOTAL	\$ 182,855.92	\$ 732.07	\$ 2,153.41	\$ (87.84)	\$ 185,653.56	\$ 55,991.99	\$ 129,661.57	

Monies Collected Other than Taxes			
	Advertising Fee	Interest	Misc. Fee
2024	\$ 257.48	\$ 4,511.19	
2023	\$ 67.50	\$ 1,467.70	
2022	\$ 25.65	\$ 456.63	
2021	\$ 26.75	\$ 629.80	
2020	\$ 3.99	\$ 59.87	
2019	\$ -	\$ 4.65	
2018	\$ -		
2017	\$ -		
2016	\$ -	\$ 226.16	
2015	\$ -	\$ -	
Total	\$ 381.37	\$ 7,356.00	\$ -

YTD % COLLECTED AS OF 6/30/2026

2024	99.14%
2023	99.39%
2022	99.70%
2021	99.84%
2020	99.81%
2019	99.97%
2018	99.98%
2017	99.99%

HEART OF BREVARD COLLECTION TOTALS								
as of 06/30/2026								
Year	Original Levy	Penalties	Discoveries	Releases	Total Levy	Total Collected	Uncollected	% Rate
2025	\$ 152,843.19	\$ 85.77	\$ 9,260.25	\$ (1,823.60)	\$ 160,365.61	\$ 143,137.31	\$ 17,228.30	89.26%

Monies Collected Other than Taxes			
	Advertising Fee	Interest	Misc. Fee
2024		\$ 581.69	
Total	\$ -	\$ 581.69	\$ -

Total Tax Collected	\$ 143,069.54
Total Pen Collected	\$ 67.77
	\$ 143,137.31

HEART OF BREVARD PRIOR YEARS COLLECTION TOTALS								
07/01/2025-06/30/2026								
Year	Levy 7/01/2025-	Penalties	Discoveries	Releases	Total Levy	Total Collected	Uncollected	% Rate
2024	\$ 11,122.20	\$ 21.30	\$ 106.50		\$ 11,250.00	\$ 1,613.28	\$ 9,636.72	14.34%
2023	\$ 8,170.71				\$ 8,170.71	\$ 5.26	\$ 8,165.45	0.06%
2022	\$ 1,936.16				\$ 1,936.16	\$ -	\$ 1,936.16	0.00%
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	\$ 24,883.60				\$ 25,011.40	\$ 1,618.54	\$ 23,392.86	

Monies Collected Other than Taxes			
	Advertising Fee	Interest	Misc. Fee
2024	\$ -	\$ 187.83	
2023	\$ -	\$ -	
2022	\$ -	\$ -	
2020	\$ -	\$ -	
2019	\$ -	\$ -	
Total	\$ -	\$ 187.83	\$ -

YTD % COLLECTED AS OF 6/30/2025

2024	93.50%
2023	94.47%
2022	98.69%
2021	98.08%
2020	97.82%
2019	99.32%

DELINQUENT TAXPAYERS

AS OF JUNE 30, 2026

CITY OF BREVARD REAL PROPERTY

Name	Bill Number	Map Number	Tax Levy
ADRIFT PROPERTY MANAGEMENT LLC	3907	8585680081000	2,115.17
AHWAH ROGER P	312	8585871474405	509.71
AHWAH ROGER P	313	8585871474406	509.71
AHWAH ROGER P	314	8585871474407	510.71
AHWAH ROGER P	315	8585871474408	510.71
AHWAH ROGER P	319	8585871474425	460.59
AHWAH ROGER P	318	8585871474426	460.59
AHWAH ROGER P	317	8585871474427	456.30
AHWAH ROGER P	316	8585871474428	456.30
AHWAH ROGER P	309	8585871474437	509.71
AHWAH ROGER P	320	8585871474438	510.21
AHWAH ROGER P	310	8585871474439	510.71
AHWAH ROGER P	311	8585871474440	510.71
ALLEN MATTHEW J HEIRS	784	8586223397000	107.25
ASHEVILLE ADVENTURES LLC	4029	8597541925000	938.82
BARTON DONALD H REVOCABLE TRUST OF 2010	2226	8585484135424	762.50
BARTON PATRICIA	3657	8596074799000	1,970.74
BETTER PROPERTY SOLUTIONS LLC	1437	8586205736000	1,067.84
BETTER PROPERTY SOLUTIONS LLC	1438	8586204828000	1,145.31
BJB HOLDINGS LLC	1310	8587916908000	1,103.05
BLSH LLC	1901	8587906339000	107.25
BLSH LLC	1903	8587907414000	107.25
BLSH LLC	1902	8587907499000	107.25
BLSH LLC	1904	8587908566000	107.25
BOERNER BEATRICE BARBARA	3890	8585883275452	555.65
BOWLIN ENTERPRISES INC	1891	8597002617000	107.25
BOYNTON GORDON F III ETAL %JANET POE	2846	8585894781000	1,316.61
BREVARD CANCER CENTER LLC % CANCER CARE OF WNC PA	754	8586941412000	4,669.74
BROAD KINGDOM LLC	2277	8585389591000	1,436.97
BUCHANAN JANICE R	1009	8597304024000	463.20
CADINHA MARIAN HEIRS %DAVID FULLER	3217	8586772543000	1,362.24
CAFARO SHERRI	833	8596030443000	900.96
CALLOWAY ALYSSA RUTH	36	8585880318401	567.20
CAMARENA JOSE A	3117	8586803003000	2,465.49
CAMP ROBERTA N HEIRS TRUSTEE	4480	8585599421000	1,352.52
CANTRELL BRENDA	841	8596563849001	133.80
CANTRELL TOMMY L & CANTRELL BRENDA D	4482	8596563849002	5.72
CARLAND FRANKLIN T & RONALD G DBA CARLAND INVESTMENT	4484	8586510540000	595.23
CARLAND RONALD GENE	4415	8586510597000	1,541.78
CISON MICHAEL KEITH	8	8597114602000	1,001.35
CLEVELAND SAMUEL PEYRE	3585	8585376373000	652.71
CLOBUGS LLC C/O BRITTANI R SUMMEY	2558	8586526378000	1,946.59
COWAN BROTHERS LLC	2664	8586610025000	1,322.74
CURTO HENRY J & CURTO AUSTIN RYLEY	3885	8586642971000	801.75
DEPARTMENT OF TRANSPORTATION	2311	8596576788000	249.18
EGOLF PROPERTIES LLC	1579	8596097857000	5,356.31
EL GATO LLC	943	8586524162000	3,419.13
ELDRIDGE SHIRLEY P HEIRS % ELDRIDGE CARL EDWARD III	944	8585972853000	1,220.56
ELLIS HOWARD THOMAS % CHRISTOPHER ELLIS	84	8586239424000	107.25
ELWOOD TABITHA & ELWOOD CHRISTOPHER	3947	8596160340000	1,633.83
EVERGREEN DEVELOPMENT COMPANY	95	8585460600000	429.00
FLOOD JENNIFER K	1894	8597228946000	304.86
FOSTER CORINNA B	1710	8585782517000	1,312.37
FOUNDATION HOLDINGS LLC % SCOTT MOSER	1455	8586648092000	1,691.50
GALLOWAY BETTY M	803	8586518184000	1,359.06
GALLOWAY CHERIE HOLDEN	131	8586339403000	531.66
GALLOWAY WHITNEY DEAN	141	8585979646000	497.45
GEORGE ELEANOR ADDIE	4138	8585296059000	1,795.92
GOING GREEN BUILDERS LLC	2068	8586224289000	219.60
GOING GREEN BUILDERS LLC	2067	8586224344000	785.17
GOING GREEN BUILDERS LLC	3687	8586437666000	1,707.31
GONZALES JENINA P	2685	8585970271000	268.13
GONZALEZ JOSE E & GONZALEZ EILEEN CAQUIAS	2508	8586548861000	316.13
GOVEA JOSE ALFREDO CONTRERAZ & GUERRERO MARIA DEL CARMEN C	4329	8596298418000	377.94
GRAHAM JOEL V	1116	8585198080000	456.41
HALL TIMOTHY M & HALL NANCY R	191	8586427788000	584.97
HALL TIMOTHY M & HALL NANCY R	190	8586428771000	518.82

HALL TIMOTHY M & HALL NANCY R	189	8586520726000	446.88
HANSEN LENA	4225	8586423128000	321.75
HARNESS JACQUELINE & SHEKELLE COLIN	3218	8586337828000	1,255.31
HARRIS CHARLES M TRUSTEE	212	8585367561000	1,620.61
HARRIS SUSAN RAE	216	8585883275428	538.03
HARTELL MATTHEW & HARTELL KERRIANNE	2476	8586332174000	214.50
HARTELL MATTHEW & HARTELL KERRIANNE	2477	8586333120000	214.50
HAWK DAVID R & HAWK JOAN L TRUSTEES	4311	8586777685000	1,689.28
HENDRIX & HENDRIX REAL ESTATE LLC	4221	8585572933000	1,217.28
HENDRIX INVESTMENTS REALTY LLC	2499	8586749159000	2,462.67
HOFFMAN RANDY	2407	8596091155000	178.75
HOGSED SIDNEY B HEIRS	254	8597300688000	229.54
HOLDEN BILLY M & HAZEL R FISHER-HOLDEN	257	8586849868000	268.13
HOLLINGSWORTH OLIVIA L & HOLDER STEVEN C	619	8585376565000	822.70
HOLMES MICHAEL A & HOLMES SONYA W	1675	8586336514000	1,167.83
HOOPER TRAVIS J & HOOPER KELLY R	1786	8586552137000	251.78
HOOPER TRAVIS J & HOOPER KELLY R	1792	8586551209000	203.78
HOOPER TRAVIS J & HOOPER KELLY R	1790	8586551328000	203.78
HOWARD DIANE	1591	8585484135422	748.74
ISSA ANTOINE & ISSA TANIA	4376	8586319611000	2,457.91
JAMERSON HOWARD STEPHEN HLTE %JAMERSON DANIEL	3837	8585386719000	820.74
JAMERSON ROBERT K %DANIEL JAMERSON	848	8586934118000	1,189.50
JENKINS VERNA WILKES	4178	8586303275000	321.75
KILLIAN ANNIE B HEIRS %DAVID HEFNER	346	8586301926000	53.63
KNOX SHERRI NICOLE	359	8586312438000	627.01
LANDRETH RICHARD HEIRS	366	8586740174000	1,054.18
LINN ARDITH M ETAL	2570	8586440159000	627.40
LUCAS HILDA	1321	8585883275429	639.56
MARTIN SUSAN & MARTIN GERALD RANDALL TRUSTEES	4269	8586943735000	2,667.70
MARTINEZ JOSE LUIS GONZALEZ ETAL	3748	8586303537000	162.33
MARTINEZ JOSE LUIS GONZALEZ ETAL	3749	8586302596000	368.28
MARTINEZ JOSE LUIS GONZALEZ ETAL	3747	8586303598000	262.50
MARTINEZ PROTO O A & ALTAMIRANO LORENA	2813	8586999846000	268.13
MCCALL ONEAL & MCTAGGART BETH	3691	8586935952000	316.13
MCKINNEY WILLIAM J & OWEN SHIRLEY S	849	8586237841000	379.90
MELROSE LINDA	2977	8586704562000	2,072.42
MELROSE LINDA	3220	8586535086405	1,321.09
MH TRANSYLVANIA REGIONAL HOSPITAL LLLP HCA	2785	8596296099001	1,038.00
MILLER RUTH E HEIRS %CATHY MILLER	437	8586333317000	375.38
MILLER RUTH E HEIRS %CATHY MILLER	436	8586334353000	676.16
MORGAN AND BROWN INC	450	8585484135426	658.25
MORRIS ANNE ELIZABETH	451	8586642462000	309.87
MORRIS LINDSAY	1585	8586301448000	1,021.58
MORRIS LINDSAY	1586	8586302400000	155.25
MURR JOY TINSLEY	3954	8585554606000	1,137.52
NELSON RONALD D & NELSON LUCY J	463	8597324798000	1,035.49
NTB PROPERTIES	4263	8585883275458	668.83
OCONNELL NICOLE M	1967	8597105940002	331.40
OGEECHEE DAVIDSON LLC	3480	8597463093000	2,531.35
OKELLEY KIMBERLY KAY	3625	8596571086000	190.00
ONDERDONK JINI MEDINA	3955	8586306883000	584.07
OYLER GENE H & OYLER LISELOTTE E C	496	8585484135417	670.84
PARROTT WALKER B	3756	8585453792000	960.70
PEETRIS CHARLES V ET AL	1613	8586943914000	214.50
PEETRIS CHARLES V ET AL	1614	8586942914000	1,793.24
PETERSON V SCOTT & SPENCER JOHN	512	8585484135433	750.52
PHILIPS BRIAN P PA	970	8585389086000	2,227.55
POLITO THOMAS ALBERT & POLITO HELEN FURR	3899	8585159520000	178.75
POND KARL & POND NANCEE	4161	8585250690000	178.75
POWERS SUE	1363	8585454776000	440.02
PRICE NINA CAROL HEIRS %DONNA MCINTYRE	3655	8586941000000	973.85
PRICE NINA CAROL HEIRS %DONNA MCINTYRE	3656	8586941019000	357.50
PRUITT PROPERTIES INC	1887	8596198646000	21.45
R AND L REAL ESTATE HOLDING & LLC	3417	8586854139000	5,995.35
R&D BREVARD CDJR HOLDINGS LLC	1578	8597008169000	1,520.63
R&D BREVARD CDJR HOLDINGS LLC	1577	8596096664000	3,417.20
RELES RICHARD	1298	8586945143000	2,182.28
ROBINSON ARTHUR D & ROBINSON MARGARET H	563	8586205490000	485.31
ROBINSON LEONARD BRADFORD	566	8585285552000	779.09
ROBINSON MARK E & ROBINSON SUSAN H	1049	8585484135421	672.64

ROBINSON MARK EDWARD & ROBINSON SUSAN HARRIS	567	8585883275427	512.50
ROBINSON MONIKA S	1443	8586549533000	2,232.41
RODES ROBERT M & RODES LUCY W	568	8586887289102	1,534.20
ROSENJACK KEVIN	3174	8586306016000	1,291.78
SCOTT DAVID A	3973	8585254724000	226.75
SCOTT DAVID A	3974	8585254870000	178.75
SELLE ROBERT EDWARD	1640	8585787986000	1,328.89
SHOTWELL JAMES M & SHOTWELL DENISE C	602	8586747368000	996.45
SIMPSON DEBORAH G	3066	8586940818000	802.07
SMITH DANE G ET AL %JANET F GIBSON	1643	8585686651000	558.06
SMITH ROBERT G J & SMITH EVELYN HEIRS	615	8586312006000	806.69
SMITH VALERIA TRUSTEE ETAL	4403	8586201854000	1,356.38
ST JOHN PETER HEIRS	2280	8596375092000	681.81
ST MARIE DEAN	3068	8585883275453	374.04
STICKY FOREST ENTERPRISES LLC	3178	8597645558000	1,485.41
TINSLEY FRANK EUGENE %RHONDA ROGERS	670	8585281725000	218.29
TINSLEY FRANK EUGENE %RHONDA ROGERS	672	8585283831000	912.33
WATKINS CAROL F & WATKINS VIRGINIA G	2544	8585691481000	1,834.11
WELLENS DAVID R TRUSTEE	3456	8586230123000	1,986.56
WEST JAMES E HEIRS	1549	8586218817000	533.88
WHEATLEY CONRAD B HEIRS	1776	8596296678000	318.16
WHITMIRE MARTHA ANN HEIRS % SONYA HOLMES	1212	8586322220000	580.25
WILSON JUDY A	1568	8585371758000	3,130.34
WINE JACKSON	1418	8586426459000	426.66
WINE JACKSON	1423	8586425466000	1,083.71
WINE JACKSON C	820	8586427208000	1,042.14

CITY OF BREVARD PERSONAL PROPERTY

Name	Bill Number	Map Number	Tax Levy
7 FINGER MEDIA LLC	2759	000070488770	77.96
A BLAST FROM THE PAST LLC	2533	000070466100	13.94
ACS JANITORIAL SERVICE	4464	000000075650	47.90
AIKEN MORGAN B DBA BROWS BY M	2897	000070502860	6.12
ALTEMOSE JASON MERRICK	1349	000070137160	3.80
ANDREWS CHRISTINA G DBA MOMMY AND ME	2923	000070505610	5.51
APPALACHIAN APOTHECARY INC DBA METCALF COMPOUNDING PHARMACY	4526	70473430	214.50
ASHEVILLE VAPOR INC	2765	000070489740	15.54
BINGHAM GAVIN HUNTER	4590	2025100456	7.55
BLYTHE THOMAS R	593	000004982000	9.15
BOND VERONICA	3801	70577570	91.82
BOOK SARAH SISKIND	4564	2025100677	40.98
BOYD KARKITA DEVON	4568	2025100646	104.57
BREVARD ASSOCIATES L/A BALSAM GROVE APTS	752	000006003250	140.80
BREVARD AUTO PARTS	4506	000070634860	95.15
BREVARD ROCK GYM NICHOLAS ACCARDO LLC	3811	000070578370	32.09
BROWN BARBARA	2368	000070444480	58.94
BRYSON MICHAEL KEITH	4566	2025100651	438.67
BUCHANAN LEVI ELLIS	4579	2025100555	11.97
C EDWARDS GROUP MCDONALDS #4166	909	000069894450	8,698.89
CAMERON CARLTON M & CAMERON SHARON L	4478	000008514000	2.23
CANTRELL ANTHONY RANDALL	4618	2025100221	10.83
CHAPPELL TRISTAN BRIANNE	4562	2025100681	8.33
CHEVALIER INTERNATIONAL HOLDINGS LIMITED	2024	000070408270	520.71
CLEVELAND FRANK L & CLEVELAND VERA E	18	000010523000	3.67
CLOSSON DAVEN	21	10628000	68.53
COCA COLA COMPANY THE	23	000010701050	138.67
COLLINS, JULIE	4628	000070640560	74.12
COMPTON CHARLES EDWARD	958	000069919300	1.79
CONLEY BROOKE AFTON	4553	2025100034	40.84
CONLEY LACEY CHEYENNE	4601	2025100373	59.37
CORTES SOTO DEBORAH	4620	2025100214	70.19
DEAN, JACOB	4629	000070640520	77.25
DILLS LAURA LOU	1814	000070342360	34.43
DUVALL BRADLEY CHARLES	4558	2025100711	24.39
DYE ROBERT W & DYE ANDREA D	857	000069853640	0.95
EGOLF FORD OF BREVARD LLC	1582	000070258150	1,663.94
EGOLF OF BREVARD LLC	1167	000070054800	431.32
FF ACRES LLC	1245	000070089220	12.47
FG COMMUNITIES AT BREVARD NC LLC	4630	000070602540	70.63
FISHER JUSTIN CALEB	3635	000070562620	36.82
FLAT ROCK OPTICIANS LLC DBA PISGAH VISION	2791	000070490480	12.56
FOUNDATION HOLDINGS LLC % SCOTT MOSER	1454	000070193140	105.52
GARETH TATE RENTALS	3848	000070580910	123.67
GARETH TATE RENTALS	2758	000070488740	118.68
GAUSE DEMETRICK TYRONE	4581	2025100549	59.25
GILLESPIE DENNIS R	166	000019430000	50.62
GREENE ANN HOLLAND	177	000020722000	27.59
GRESHAM DAVID A & KATHRYN B	4576	2025100618	66.32
GROVES EDDIE WALTER	4606	2025100330	51.00
HALL JENNY MARIE	4605	2025100340	20.96
HAMMERING NAILS CONST LLC	2093	000070414310	8.94
HERMSEN ADAM CHRISTOPHER	4602	2025100368	125.33
HOGSED DEBRA GUNTER	1433	000070181570	213.61
HOOPER TRAVIS J & HOOPER KELLY R	1789	000070331360	90.60
HOWELL TRAVIS JEROME	4557	2025100713	10.86
JACKSON WINE CUSTOM CONTRACTING LLC	1430	000070180830	108.24
JOHNSON DAVID CHARLES	4550	2025100050	4.63
KINSEY HUNTER LEE	4397	70621850	10.73
KINSEY JONATHAN L & KINSEY BRANDY M	3107	70520540	3.58
KITTLE CHAD JAMES	4580	2025100551	37.07
KNOX JOSIAH CHRISTAVIAN	4563	2025100680	410.66
KOFFMAN JAMES W & KOFFMAN LEIGH A	3524	000070554840	4.34
KTCHN LLC	2812	000070493170	54.81
L & M GREEN CLEANING SERVICE LLC	1896	000070372210	37.31

LANCE WALTER J & LANCE LOIS ANN	363	000029705000	2.50
LAWS PHYLLIS WOODARD HEIRS	1311	000070118330	5.78
LEAF CAPITAL FUNDING LLC	2161	000070422940	76.53
LYNCH JANIE A HEIRS % MCCANTS LINDA M	384	000031612000	3.58
MCALUM ASHLIE NICOLE	4560	2025100702	7.69
MCCALL SHIRLEY	407	000034010000	33.99
MCCALL, TOM JR	4634	000070640590	60.23
MCCURDY DAVID BARCLAY	4588	2025100483	4.51
MCFARLAND JOSHUA D ETAL	3651	000070564880	115.26
MCGILL MELISSA ROCHELLE	417	34934500	16.09
MCLEAN MOSER LLC	3499	000070553380	70.10
MEDFORD WILLIAM J	4571	2025100636	11.44
MEURIG JAMES	4585	2025100490	392.28
MEURIG JAMES	4586	2025100486	199.23
MICHAEL CLAYTON ASHWORTH	4569	2025100640	161.35
MICKELSON HANS & MICKELSON SARAH	3649	000070563850	138.30
MILETI ALBERT VINCENT JR HEIRS	2687	000070480170	35.71
MILLER AMY LYNN	4599	2025100386	109.72
MILLER AUSTIN LEE	4551	2025100048	29.33
MOORE WANDA DENISE	4559	2025100710	5.58
MURRAY JILL	4399	70621990	8.94
N C RADIATION THERAPY MANAGEMENT SERVICES LLC DBA	1046	000069979820	2,034.88
NIELSEN CATHERINE ALEXANDER & NIELSEN DAVID C	3345	70542710	1.02
NORMA CLAYTON REALTY LLC CLAYTON NORMA REALTY	1692	000070299960	13.05
OHARA JOSHUA DAVID	4400	70622040	7.15
OWEN PHILLIP LEE	4596	2025100405	9.88
PADUANO ALAN JOSEPH & MERRELL JANET LISA	501	000042460000	1.07
PETERSON JUNE & CHARLES CRANE DBA BREVARD FUDGE	2545	000070467760	5.68
PHILIPS LORI HICKS	4603	2025100367	36.66
PHILLIPS ETHAN GARRETT & ANDERSON KIMBERLY NICOLE	4573	2025100627	39.60
PRICE NINA CAROL HEIRS %DONNA MCINTYRE	3654	000070565030	3.66
PUBLIC SERVICE CO OF NC INC	4541	000045361020	5,338.63
QUIRE JEFFREY & QUIRE DRUE	3527	000070555030	2.50
R&L REAL ESTATE HOLDINGS DBA ZAXBYS	3497	000070553330	441.68
REDBOX AUTOMATED RETAIL LLC	1604	000070266650	42.77
REHABILITATION SUPPORT SERVICE	1300	000070111690	338.13
REUNITED CROSSFIT LLC	2744	000070486910	36.39
REVIS WILLIAM CLYDE	996	000069943170	28.31
REYNALDO PEREZ JONATHAN	4594	2025100432	60.15
RHODES JEFFREY COLE	4575	2025100625	82.40
RICE LLOYD O	3883	000070582900	1.79
ROBINSON EDWIN G & ROBINSON MONIKA	4452	70632610	49.70
ROBINSON MONIKA S	4453	70632620	129.87
ROE DAVID CHARLES & BENNETT DAISY TRACY	3613	000070561030	1.16
SANCHEZ JOSE LUIS	3951	70588600	107.15
SELLE ROBERT EDWARD	1639	70278390	7.23
SIERRA KENNETH R & SIERRA LINDA D	2424	000070452340	1.99
SMITH JESSE F & SMITH MARY	3710	70571340	4.34
SMITH MATTHEW K & SMITH LISA C	613	000051582600	60.07
SONS LLC THE	1670	000070294120	3.58
SPAGHETTI BUCKET LLC	3151	000070525770	383.32
STRAUS CABIN LLC	1866	000070363070	1.15
STREAM STALKERS LLC	4402	70622390	7.15
SUMMEY KAYLA DEANNE	4607	2025100306	38.77
TATE MICHAEL GARETH	4054	70596670	36.34
TAULBEE CHRISTOPHER & TAULBEE TIFFANY	3016	70511250	2.26
THOMPSON TERESA MAXWELL	665	000054784000	37.94
TINSLEY FRANK EUGENE %RHONDA ROGERS	671	000055080000	10.99
TINSLEY ROBERT E & TINSLEY LINDA P	673	000055190000	2.61
TOPPER ALEX C & TOPPER KAITLIN R	2449	70455450	1.45
UPCOUNTRY BREWING DBA UPCOUNTRY TAPROOM	3139	000070524840	287.98
VAN TUINEN BRIANNA & SMRIKO HARRIS	4444	70629720	159.67
VIDE COR MEAM INC DBA BESPOKE & CO	3322	000070539630	5.95
VOLTZ DONALD A & VOLTZ LINDA G	1133	000070035630	1.79
WALLACH ANDREW I	3937	70587030	2.68
WATKINS CAROL F & WATKINS VIRGINIA G	2543	000070467680	4.62
WATKINS REGINA BELL	4611	2025100271	18.69
WESTWOOD VENTURES INC DBA U B TAN & WELLNESS	4260	70609590	130.28

WHEATLEY CONRAD B HEIRS	1775	000070328290	247.72
WHITESIDE PATRICK VANNESS	4555	2025100001	27.68
WILLIS DIANE A	2601	000070472640	1.07
WRIGHT CLAIR ASHLEY	4570	2025100637	5.03
YUNG CATHLEEN MARGARET	4592	2025100445	5.35
ZAJAC MICHAEL A & ZAJAC MARY	777	000061147400	2.90
ZIEGLER BRIAN CHRISTOPHER	4042	00070595230	8.69

HEART OF BREVARD REAL PROPERTY

Name	Bill Number	Map Number	Tax Levy
AETHELWOLD DEVELOPMENT LLC	4523	8586501850302	991.36
AETHELWOLD DEVELOPMENT LLC	2063	8586501850302	2,251.51
AETHELWOLD DEVELOPMENT LLC	2064	8586501850303	1,303.74
AETHELWOLD DEVELOPMENT LLC	4522	8586501850303	899.64
BARTON DONALD H REVOCABLE TRUST OF 2010	2227	8586508490000	3,881.10
CRANE CHARLES E & PETERSON JUNE E	2495	8586500913000	6,794.57
EARTH MOUNTAIN PROPERTIES LLC	3315	8586504730000	3,978.67
FOLGER HILDA F TRUSTEE HEIRS	4196	8586507773000	776.16
FOLGER HILDA F TRUSTEE HEIRS	4197	8586507792000	1,175.24
FOLGER HILDA F TRUSTEE HEIRS	4198	8586508639000	1,408.97
HALL TIM & HALL NANCY	2459	8586501850101	1,963.84
HL INVESTMENTS OF NC LLC	2150	8586501740202	1,788.68
HL INVESTMENTS OF NC LLC	2151	8586501740203	1,667.82
HL INVESTMENTS OF NC LLC	4525	8586501740303	721.02
HL INVESTMENTS OF NC LLC	2081	8586503706000	5,338.57
HL INVESTMENTS OF NC LLC	2039	8586503732000	9,848.03
HL INVESTMENTS OF NC LLC	2152	8586501765000	3,246.04
HOOPER TRAVIS J	1240	8586505769000	1,397.25
HOOPER TRAVIS J	1239	8586505797000	1,327.60
HOOPER TRAVIS J	1238	8586506801000	276.62
HOOPER TRAVIS J & HOOPER KELLY R	1788	8586506825000	2,693.79
ISSA TANIA & ISSA ANTOINE	4101	8586510164406	4,115.57
TUNGSTEN BRANDING INC	3692	8586501740103	1,985.10
YOUNG WALKER LLC	2552	8586501850204	1,545.95

HEART OF BREVARD PERSONAL PROPERTY

Name	Bill Number	Map Number	Tax Levy
DIMPS REALTY INC	54	000013982350	4.13
DONALD H BARTON P C	1207	000070075310	36.79
FLETCHER HOSPITAL INC ADVENTHEALTH HENDERSONVILLE	4087	000070599390	92.24
MAYAS GRILL & CUISINE INC	2090	000070413760	266.45
PLAZA GARIBALDI MEXICAN RESTAURANT LLC	2089	000070413730	67.29
RAE & IVY	4172	70604070	246.68

STAFF REPORT

City Council, Monday, July 20, 2026

Title: Capital Project Amendment - Wastewater Treatment Plant Upgrade - \$8,575,000

Speaker: Dean Luebbe

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

Approved by: Wilson Hooper, City Manager

Background

In late June of 2026, the City completed all NCDEQ requirements and was awarded an additional \$8,575,000 in grant funding for the WWTP Upgrade Project. The proposed action is an accounting maneuver designed to record the grant onto the city's books per GAAP.

Action

Staff request Council approve the Capital Project Amendment as presented.

Attachments:

1. CPO Amendment \$8,575,000 WWTP
2. SRP-W-134-0175 FOM Acceptance (Brevard)

ORDINANCE NO. 2026-XX

CAPITAL PROJECT ORDINANCE TO AMEND ORDINANCE
NO. 2025-40 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 2025-40 will be increased by \$8,575,000.

Section 2: In late June of 2026 the City finalized the NCDEQ requirements on additional funding for the Wastewater Treatment Plant Upgrade Project. The amount approved was \$8,575,000 and originated from the \$13,000,000 earmark from Session Law 2023-134. The City had previously requested and received permission to utilize \$1,230,000 of this funding for this project. The City expects to finalize the paperwork on an additional 5M for this project shortly.

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

Account Number	Account Name	Budget Amount
31-8220-0925	Professional Services	\$1,230,000
31-8220-0925	Professional Services	\$575,000
31-8220-7400	Capital Outlay	\$8,000,000
TOTAL PROJECT APPROPRIATION		\$9,805,000

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	\$1,230,000
31-3970-0800	NCDEQ SRP-W-134-0175	\$8,575,000
TOTAL PROJECT REVENUE		\$9,805,000

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 20th day of July, 2026.

Maureen Copelof
Mayor

ATTEST:

Denise Hodsdon
City Clerk

APPROVED AS TO FORM:

Mack McKeller
City Attorney

**STATE OF NORTH CAROLINA
DEPARTMENT OF ENVIRONMENTAL QUALITY
DIVISION OF WATER INFRASTRUCTURE**

Funding Offer Modification

Wilson Hooper, City Manager
City of Brevard
95 West Main Street
Brevard, NC 28712

ALN Number: N/A

Funding Offers Being Modified:

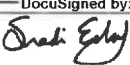
	Date of Previous Funding Offer	Previous Funding Offer Amount	Modification Amount	New Funding Offer Amount
SRP-W-134-0175*	7/23/25 (FOM)	\$1,230,000	\$8,575,000	\$9,805,000
*Co-funded with SRF-W-HEL-0027				

Modification Information and Change in Project Description:

The City of Brevard has a total of \$13,000,000 earmarked under S.L 2023-134. There are currently two different Funding Offers under this earmark. Pursuant to the request from the City of Brevard received March 16, 2026, this document acknowledges and carries out the request for previously unused S.L 2023-134 funds to be added to one of those Funding Offers as indicated above. All Assurances and Conditions from the previous Funding Offers for the project numbers above

For The State of North Carolina:

**Shadi Eskaf, Director, Division of Water Infrastructure
North Carolina Department of Environmental Quality**

DocuSigned by:  ----- Signature	5/29/2026 ----- Date
---	----------------------------

I, the undersigned, being duly authorized to take such action, as evidenced by the CERTIFIED COPY OF AUTHORIZATION BY THE APPLICANT'S GOVERNING BODY, do hereby accept this Financial Award Modification.

On Behalf of:

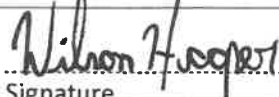
Name of Representative in Resolution:

Title (Type or Print):

City of Brevard

Wilson Hooper

City Manager

 ----- Signature	<u>6/29/26</u> ----- Date
---	---------------------------------

CC:

Wilson Hooper, City Manager, City of Brevard (wilson.hooper@cityofbrevard.com)
Dean Luebbe, Finance Director, City of Brevard (dean.luebbe@cityofbreavard.com)
Kyle Seaman, KCI Associates of North Carolina, PA (kyle.seaman@kci.com)
Roshanda Paige – roshanda.paige@deq.nc.gov
Ian McMillan – ian.mcmillan@deq.nc.gov
Mark Hubbard – mark.hubbard@deq.nc.gov
Logan Kluttz – logan.kluttz@deq.nc.gov
COM-FOM 2000077993

Attachment: Request from the City of Brevard Received March 16, 2026
Conditions and Assurances

RESOLUTION NO. 2026-36

**RESOLUTION BY THE CITY COUNCIL OF BREVARD
ACCEPTING FUNDING OF \$8,575,000 FOR CONSTRUCTION OF
WASTEWATER TREATMENT PLANT UPGRADE PHASE 1**

WHEREAS, the City of Brevard has received a Directed Projects grant from the 2023 Appropriations Act, Session Law 2023-134, administered through the Drinking Water Reserve and Wastewater Reserve to assist eligible units of government with meeting their water/wastewater infrastructure needs; and

WHEREAS, in September 2024 the North Carolina Department of Environmental Quality granted permission for the City of Brevard to use \$352,000 of the grant balance to hire KCI Engineering to conduct a Preliminary Engineering Report on wastewater treatment plant upgrades. When completed, the report recommended a three-phase approach to upgrade the facility; and

WHEREAS, in July 2025 the state granted permission to use an additional \$878,000 to fund full design and engineering of phase one.

WHEREAS, in May 2026 the state granted permission to use \$8,575,000 to construct phase one; and

WHEREAS, the City of Brevard intends to perform the work of said project in accordance with the agreed scope of work.

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

SECTION 1. That the City of Brevard does hereby accept the North Carolina Department of Environmental Quality's Funding Offer Modification in the amount of \$8,575,000

SECTION 2 That the City of Brevard does hereby give assurances to the North Carolina Department of Environmental Quality that any Conditions or Assurances contained in the Award Offer will be adhered to.

SECTION 3 That the City Manager, or his designee, and successors so titled, is hereby authorized and directed to furnish such information as appropriate State agency may request in connection with this project; to make the assurance as contained above; and to execute such other documents as may be required by the Division of Water Infrastructure.

Adopted and approved this the 15th day of June, 2026.




Maureen Copelof
Mayor

ATTEST:


Denise Hodsdon, CMC, NCCMC
City Clerk

MINUTES
City Council Downtown Master Plan Committee

Wednesday, February 11, 2026 – 3:30pm
City Hall Council Chambers

Members Present: Gary Daniel, Chair Council Member
Lauren Wise, Vice Chair, Council Member
Nicole Bentley, Heart of Brevard Executive Director
Dee Dee Perkins, Heart of Brevard Representative
Dakota Chapman, Citizen Member
Mayor Maureen Copelof, Ex-Officio Member

Staff Present: Wilson Hooper, City Manager
David Todd, Assistant City Manager
Paul Ray, Planning Director
Aaron Bland, Assistant Planning Director
Shawnee Cummings, Assistant to the City Manager

Media: David Bradley, Transylvania Times

A. Welcome & Call to Order

Chairman Daniel called the meeting to order at 3:31pm.

B. Certification of Quorum

Assistant to the City Manager Shawnee Cummings certified that a quorum was present.

C. Approval of Agenda

Mayor Copelof requested to add an agenda item for “Co-Ed Theater Update” and Mr. Hooper requested that we cover the agenda item before the Bike Lane Field Trip. Mr. Wise moved, seconded by Ms. Perkins to approve the agenda as revised. The motion carried unanimously.

D. Approval of Minutes

Mr. Wise moved, seconded by Ms. Perkins to approve the minutes of the December 10, 2025 Meeting as presented. The motion carried unanimously.

E. Co-Ed Theater Update

Mr. Hooper reminded everyone that the City owns the Co-Ed Theater building and leases it to Take One Entertainment, owned by Abby and Eli Steel. Take One Entertainment operates the theater and pays the city \$100 per year. The lease term is 5 years and ends in March 2027. Mr. Hooper stated that it was his understanding that the low rent rate was offered in exchange for the lessee assuming most of the maintenance responsibilities, which is reflected in the lease.

Due to cold weather, a pipe burst in the partially demolished apartment in the upstairs part of the Co-Ed Theater. Both parties engaged their insurers. Mr. Hooper hopes that Take One Entertainment's insurer will assume responsibility for the damage according to the lease and that the policy is sufficient to cover the damage.

Water saturated the carpet, insulation, floorboards, crawlspace, joists, framing, and plaster walls of the building. A restoration company has been remediating and running fans with the hope that the structure can be preserved. It is also believed that the plaster and insulation contain asbestos and the City is awaiting test results. The electrical system was not impacted, or at least not enough to prevent electricity from being restored to the building by Duke Energy and Transylvania County.

Mr. Hooper, Mr. Todd, and Fire Chief Chase Owen walked the building with Transylvania County's Fire Marshall and the Building Department Director. The County officials are likely to become more involved when the efforts shift from remediation to repair. Mr. Hooper also stated that it is also possible that the repairs may trigger code upgrades in order for the building to be brought up to code. In the weeks to come, we will have more information related to repairs and next steps.

Mr. Hooper added that Heart of Brevard and the Community Foundation have offered to host a fundraiser if needed. Ms. Bentley stated that as a City-owned property, the building is eligible for the Rural Economic Development Grant, offering up to \$850,000. The grant is for construction and requires a 5% match, but it can be matched with insurance or fundraising funds. Applications are due in April. Mr. Hooper asked if the City received the grant, is it required that the City continue to own it after it is fixed? Ms. Bentley was not sure but stated that it would likely be required for a period of time. Ms. Perkins added that the Heart of Brevard obtained the same grant, or the earlier version of it, to renovate the Belt Building and that it was required that they own the building for 4 or 5 years after.

F. Public Comment

Mr. Daniel asked what the City staff took from the Committee's update on the Downtown Master Plan and what their actions moving forward are going to be? Mr. Hooper shared that his thoughts were that the Committee directed staff to move forward with the May Collaborative's work so that we can have better information when pricing the City's projects and deciding which projects the City will be able to

move forward with. Using this information will make Staff better informed and help Council when making decisions. Mr. Todd stated that he and Melanie worked to continue assigning budgetary estimates to the projects discussed, but that there was some confusion as to how to prioritize those projects. Mr. Daniel stated that he felt the update was confusing and he wanted to clarify that he would like to hear that staff is working proactively to pursue funding for the Downtown Master Plan.

Mr. Ray stated that he already submitted a request for the next fiscal year to obtain a grant writing consultant to apply for the BUILD grant. The request for the grant writing consultant will be part of the budgetary discussions in the weeks to come.

Ms. Perkins stated that she does not know how the priority of projects will be ordered, but that during the downtown walkabout that the committee took a few weeks ago, she noticed that some of our signage is beginning to look worn. Ms. Perkins explained that some letters are peeling off and some of the signs do not contain enough information. She suggested that this committee could do an assessment of the downtown area to see what signs require maintenance and upfitting and then add that to the list as a project. Ms. Bentley agreed and added that this Committee has been discussing comprehensive wayfinding as long as she has been on the Committee. Ms. Bentley stated that there is overlap with the parking study and downtown signage should be part of the larger discussion on wayfinding.

Ms. Bentley stated that the Heart of Brevard completed its fifth walkability study, which was an assessment around dusk, and they are working on the findings of that assessment. The Heart of Brevard is meeting with Wesley and his team later this week to discuss the projects that have been completed and big picture items so that the Committee can prioritize those projects and look for potential funding.

G. Set Date for Next Meeting

Ms. Bentley and Mr. Wise will be attending the Main Street Conference during the next scheduled meeting time. The Committee decided to reschedule the March regular meeting on Wednesday, March 11, 2026 to Thursday, March 26, 2026 at 3:30 pm.

H. Bike Lane Field Trip

Mr. Hooper stated that after the bike lane discussion a couple months ago, we have 9 options to consider. Mr. Todd stated that the designer was tasked with getting the bike lane from where the Ecusta trail crosses W. Main St., near Probart St. and Railroad Ave., to either England St. parking lot or Clemson Plaza. Mr. Todd introduced the 9 options as follows (attachments 1-9):

1. Bidirectional bike lane against the curb on the north side of W. Main St. and ending at the England St. parking lot. (3 pages)

2. Bidirectional bike lane against the curb on the south side of W. Main St. and ending at the Clemson Plaza. (4 pages)
3. Sharrows painted on the road with no dedicated bike lane and ending at England St. parking lot. (3 pages)
4. Sharrows painted on the road with no dedicated bike lane and ending at Clemson Plaza. (4 pages)
5. Bike lanes on both sides of W. Main St., against the curb, and ending at England St. parking lot. (3 pages)
6. Bike lanes on both sides of W. Main St., against the curb, and ending at Clemson Plaza. (4 pages)
7. Bike lanes on both sides of W. Main St. in between the traffic lane and parallel parked vehicles and ending at England St. parking lot. (3 pages)
8. Bike lanes on both sides of W. Main St. in between the traffic lane and parallel parked vehicles and ending at Clemson Plaza. (4 pages)
9. Sharrows painted on the road that start on W. Main St. and take bicyclists down Oaklawn Ave., Jordan St., and up Caldwell St. ending at Clemson Plaza. (4 pages)

Ms. Perkins stated that she was recently in Hendersonville and took photos of the other end of the Ecusta trail for reference. Ms. Perkins added that Hendersonville has angled parking on one side of the road with a bidirectional bike lane against the curb and then parallel parking on the other side of the street. Mr. Todd stated that options #1 and #2 are supposed to be similar to Hendersonville's concept, but that it does not include angled parking, as it is related to the width of the road. Mr. Todd explained that the only odd thing about Hendersonville's concept is that if the bike lane is not being used or someone does not know it is there, it can look like the parked vehicles are too far from the curb and floating in the middle of the road. Mr. Daniel stated that with angled parking, car doors will not open into the bike lane.

Mr. Todd stated that the number of driveways that cross the bike lane will have a big impact on how much parking will be lost. On the first page of each concept option, there is a chart that details the number of parking spaces lost by selecting that option. On the pages of each concept, there are insets that show what a terminus archway could look like, applicable signage, and details related to the parking lots.

After returning from a walk downtown, the Committee discussed further. Mayor Copelof emphasized that there should be opportunities for cyclists to weigh in on how they feel about sharrows, delineators, and other factors to provide a biking perspective in addition to the downtown perspective. Mr. Wise asked if we could put this topic on the Parks, Trails, and Recreation Committee agenda for next week and Ms. Cummings responded that we could. Ms. Bentley proposed asking someone from the Brevard Bike Alliance or Mike Sule with Asheville on Bikes to provide input.

Mr. Hooper asked if we are trying to narrow our options, do we want to say that we do not like sharrows? Or if we do, they are not the ultimate solution? Or that we do not like the diverter down Oaklawn Ave.? Mayor Copelof stated that she does not

think we should say anything until we get input from bicyclists. Mr. Wise and Mr. Daniel agreed that bicyclists should be consulted.

Mr. Daniel commented that to base this decision on parking would be a mistake and that it needs to be based on how we can best get people downtown. Mayor Copelof added that downtown should be usable to a large demographic, including residents and older folks, as opposed to only tourists and bicyclists. She further stated that when comparing car and bike parking, those may serve different demographics.

Mr. Hooper stated that he hears common values that everyone agrees on and can be relayed to other stakeholders when soliciting input. The common values were to induce trail users into downtown to generate commerce, keep downtown accessible to non-trail users, minimize parking loss, and prioritize safety.

Mr. Chapman stated that obtaining additional designs with angled parking and a bidirectional bike lane on one side of the road would be important to have before presenting the options to additional stakeholders. The Committee agreed.

Mr. Hooper reminded everyone that we are only talking about the bike lane in concept and that it is currently unfunded, so the decision is not needed now.

I. Adjourn

There being no further business, the meeting was adjourned at 5:17pm.

Minutes Approved: June 10, 2026

X 

Gary Daniel, Committee Chair
Lauren Wise, Committee Vice Chair

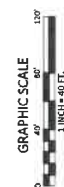
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Shawnee Cummings
Assistant to the City Manager

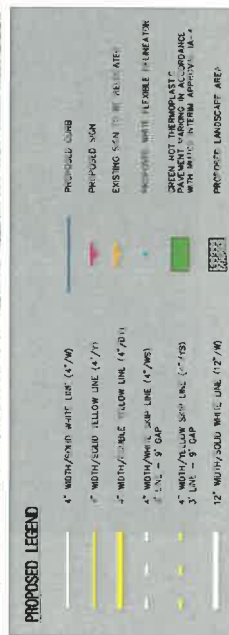
MCPC'S KAD 1983



PARKING SPACE COUNT	
EXISTING PARKING LOT SPACES	30
PARKING LOT SPACES LOST	4
TOTAL PARKING LOT SPACES	31
EXISTING SIDE STREET PARKING SPACES	45
SIDE STREET PARKING SPACES LOST	11
TOTAL SIDE STREET PARKING SPACES	34
SUMMARY: NO SIDE STREET OR HOV3+ SPACES	



14-00000



MATCH LINE, SEE
SHEET CNPT-3





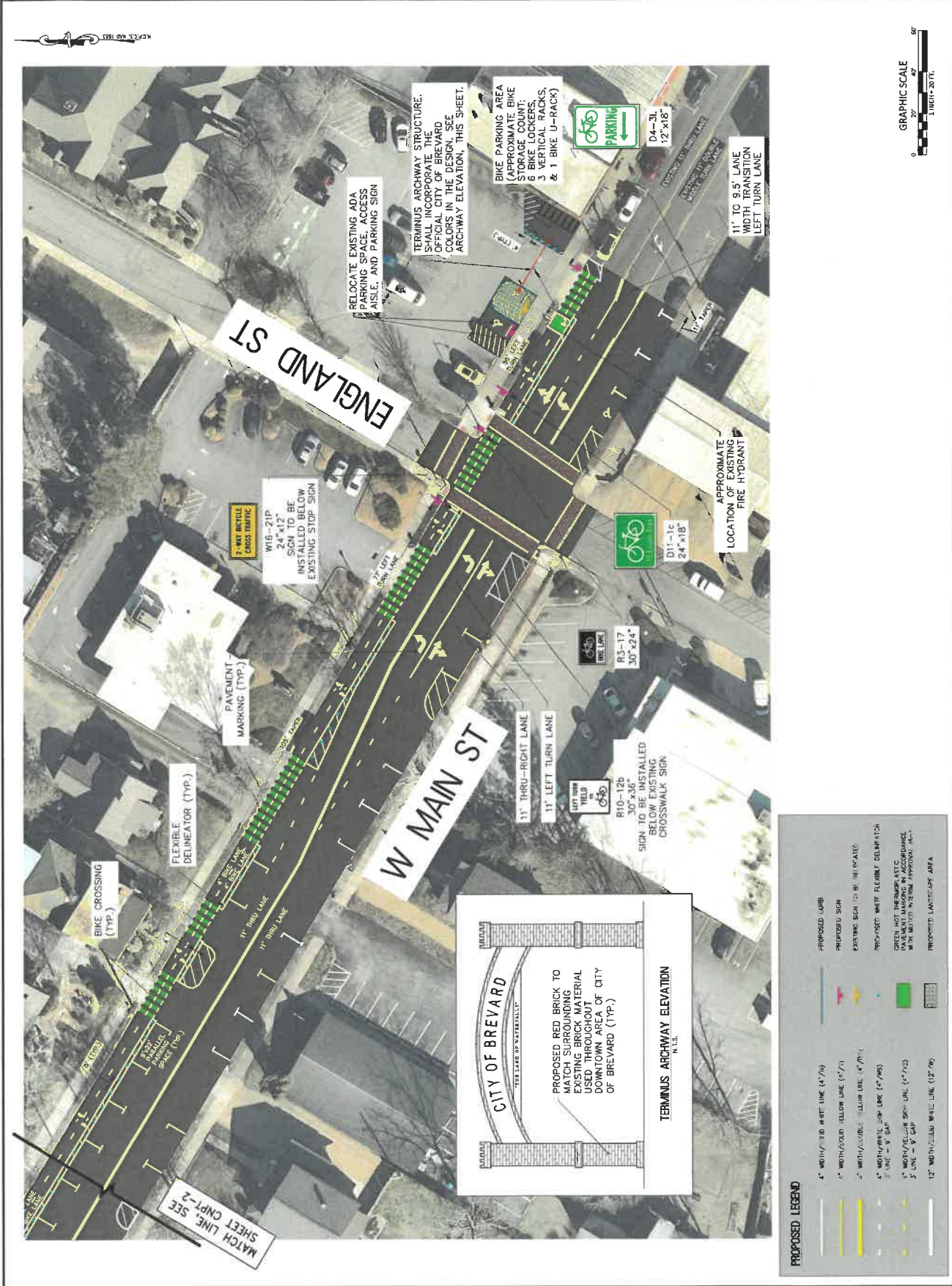
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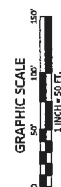
DATE: 12-12-2025
BY: PATRICK HARAMJIA
REGISTERED PROFESSIONAL ENGINEER, NC, NO. 92046

NOT FOR CONSTRUCTION

CONCEPT PLAN
OPTION # 1
NEW DOWNTOWN BIKE PATH CONNECTOR
CITY OF BREVARD
TRANSIT/VANIA COUNTY
NORTH CAROLINA

CNPT-3
SHEET NO. 1 OF 3
SCALE: 1" = 20' (PLAN)
1" = 20' (SECTION)
DATE: 12/12/2025
DRAWN BY: [blank]
CHECKED BY: [blank]





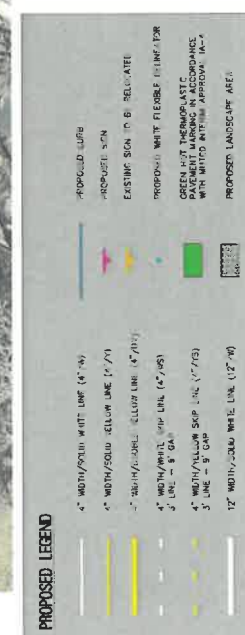
PARKING SPACE COUNT	
EXISTING SIDE STREET PARKING SPACES	61
SIDE STREET PARKING SPACES LOST	26
TOTAL SIDE STREET PARKING SPACES	35

SUMMARY: NO SIDE LANE OR HYDRANT ISSUES

PROPOSED LEGEND

	4" WIDTH/SOLID WHITE LINE (4" W)	PROPOSED CURE
	4" WIDTH/SOLID YELLOW LINE (4" Y)	PROPOSED LASH
	4" WIDTH/DOUBBLE YELLOW LINE (4" YD)	EXISTING SIGN TO BE RELOCATED
	5" WIDTH/WHITE STRIP LINE (4" W) 9" GAP	PROPOSED NEW TRAILER RAILWAY LANE
	5" LINE 9" GAP	GREEN "NO" HEADSTAMP LASH
	4" WIDTH/VEHICLE STRIP LINE (4" V) 5" LINE 9" GAP	WHITE "NO" HEADSTAMP LASH
	12" WIDTH/SOLID WHITE LINE (12" W)	PROPOSED LANDSCAPE WALL

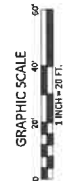
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MATCH LINE, SEE SHEET CNPT-3

GRAPHIC SCALE

1963 MAR 10



Page 118 of 264

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DATE: 12-12-2025

PATRICK HARAJILIA

PROFESSIONAL ENGINEER NO. 10000

NO FOR

CONSTRUCTION

PAID 12/12/2025

I, **PATRICK HARAJILIA**, P.E., No. 10000, State of New Mexico, do hereby certify that I am the duly Licensed Professional Engineer responsible for the preparation and submission of this plan. I am not providing engineering services as a consultant to any other person or entity. I am not providing engineering services as a consultant to any other person or entity. I am not providing engineering services as a consultant to any other person or entity.

REVISION	DATE	BY

OVERALL AERIAL PLAN

OPTION # 3

CITY OF BREVARD

NEW DOWNTOWN BIKE PATH CONNECTOR

TRANSFLYNNA COUNTY

NORTH CAROLINA

PROJECT NO.

12070003

DATE

12/12/2025

SCALE

AS SHOWN

CNPT-1



PARKING SPACE COUNT

EXISTING PARKING LOT SPACES	35
PARKING LOT SPACES LOST	4
TOTAL PARKING LOT SPACES	31
EXISTING SIDE STREET PARKING SPACES	45
SIDE STREET PARKING SPACES LOST	0
TOTAL SIDE STREET PARKING SPACES	45

COMMENTS: PARKING SPACES CALCULATED ALONG BIKE PATH.
 SUMMARY: NO SITE, LIVE OR HYDRANT ISSUES.

PROPOSED LEGEND

4" WIDTH SOLID WHITE LINE (4" W)

12" WIDTH SOLID WHITE LINE (12" W)

PROPOSED CURB

PROPOSED LANDSCAPE AREA

PROPOSED SIGN

EXISTING SIGN TO BE RELOCATED

PROPOSED 18" X 24" SIGN (RELOCATED)



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DATE: 12-18-2025
 PROJECT: PATRICK HARAMLIA
 BY: PROFESSIONAL ENGINEER, INC. NO. 202540

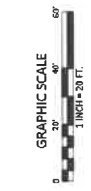
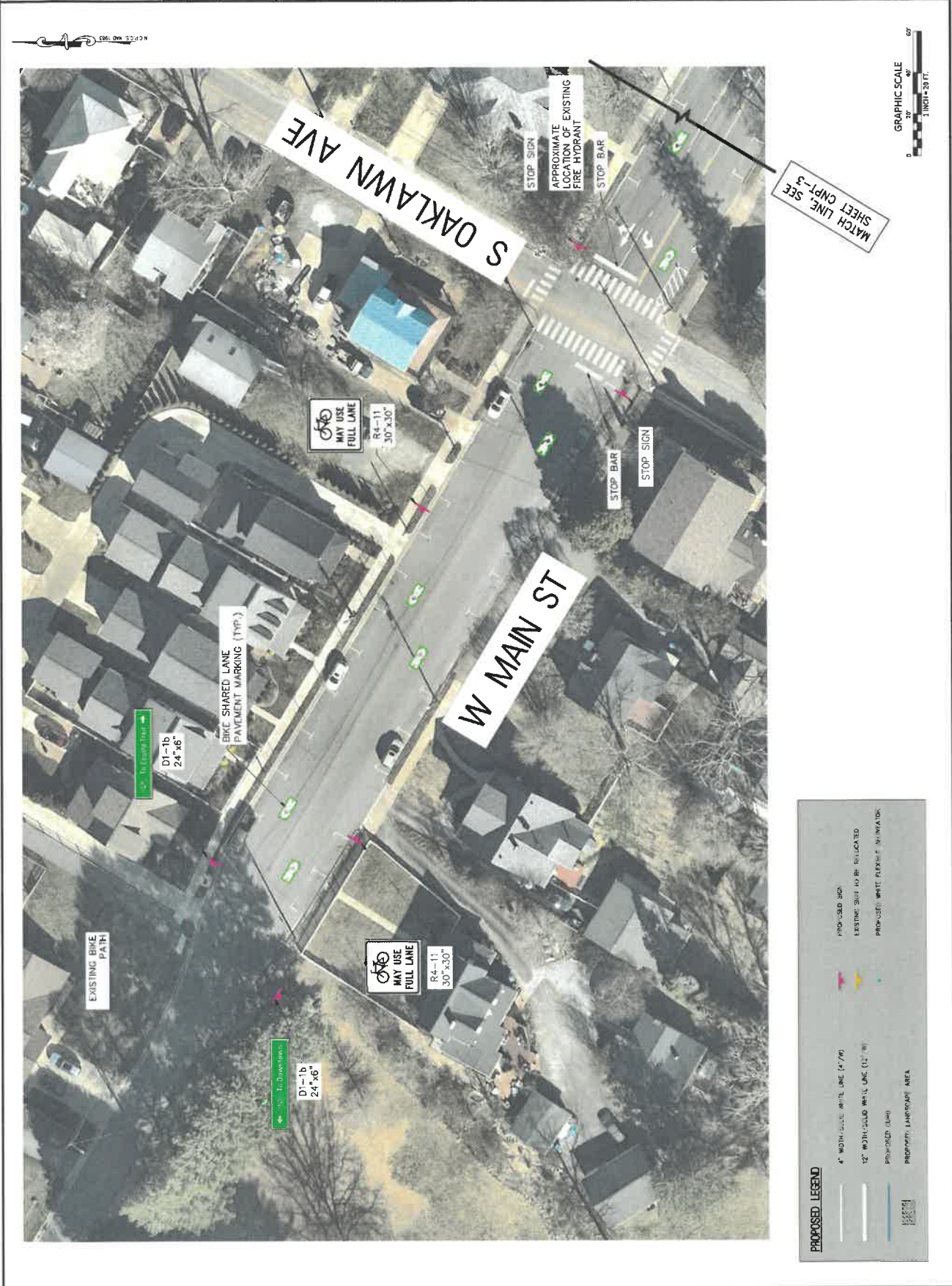
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NO.	DATE	REVISION

OVERALL AERIAL PLAN
 OPTION # 3
 CITY OF BREWSTER
 NEW DOWNTOWN BIKE PATH CONNECTOR
 TRANSYLVANIA COUNTY
 NORTH CAROLINA

NO.	DATE	REVISION

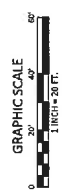


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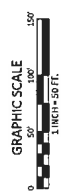
PROPOSED LEGEND

4" WIDTH SOLID WHITE LINE (4" W)	PROPOSED SIGN
12" WIDTH SOLID WHITE LINE (12" W)	EXISTING SIGN TO BE RELOCATED
PROPOSED CURB	PROPOSED WHITE FLEXIBLE DELINEATION
PROPOSED LANDSCAPE AREA	

MCPL 3 MAY 1983



Page 121 of 264



PROPOSED LEGEND

	PROMISED SUN
	4" WIDTH/SUNNY WHITE LINE (4" / 10")
	12" WIDTH/SOLID WHITE LINE (12" / 30")

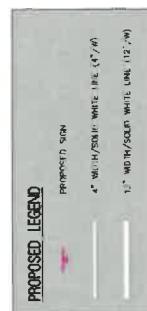


GRAPHIC SCALE
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1 INCH = 20 FT.

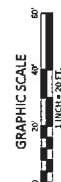
PROPOSED LEGEND

	PROPOSED SIGN
	4" WIDTH/SOLID WHITE LINE (4" W)
	12" WIDTH/SOLID WHITE LINE (12" W)

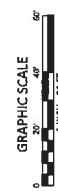
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MATCH LINE, SEE
SHEET CNPT-4

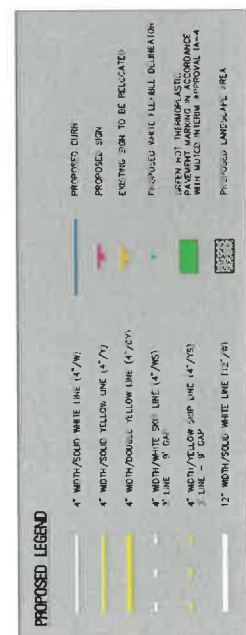


— 4 —



PROPOSED LEGEND

	PROPRIETARY SIGN
	4" WIDTH VINYL WHITE LINE (4"/W)
	1 1/2" WIDTH SOLID WHITE LINE (1 1/2"/W)



PARKING SPACE COUNT	
EXISTING PARKING LOT SPACES	35
PARKING LOT SPACES LOST	4
TOTAL PARKING LOT SPACES	31
EXISTING SIDE STREET PARKING SPACES	45
SUB STREET PARKING SPACES LOST	15
TOTAL SIDE STREET PARKING SPACES	30
SUMMARY: NO SIDE STREET OR HYDRANT ISSUES	



M.C.P.C.S. MAY 1983

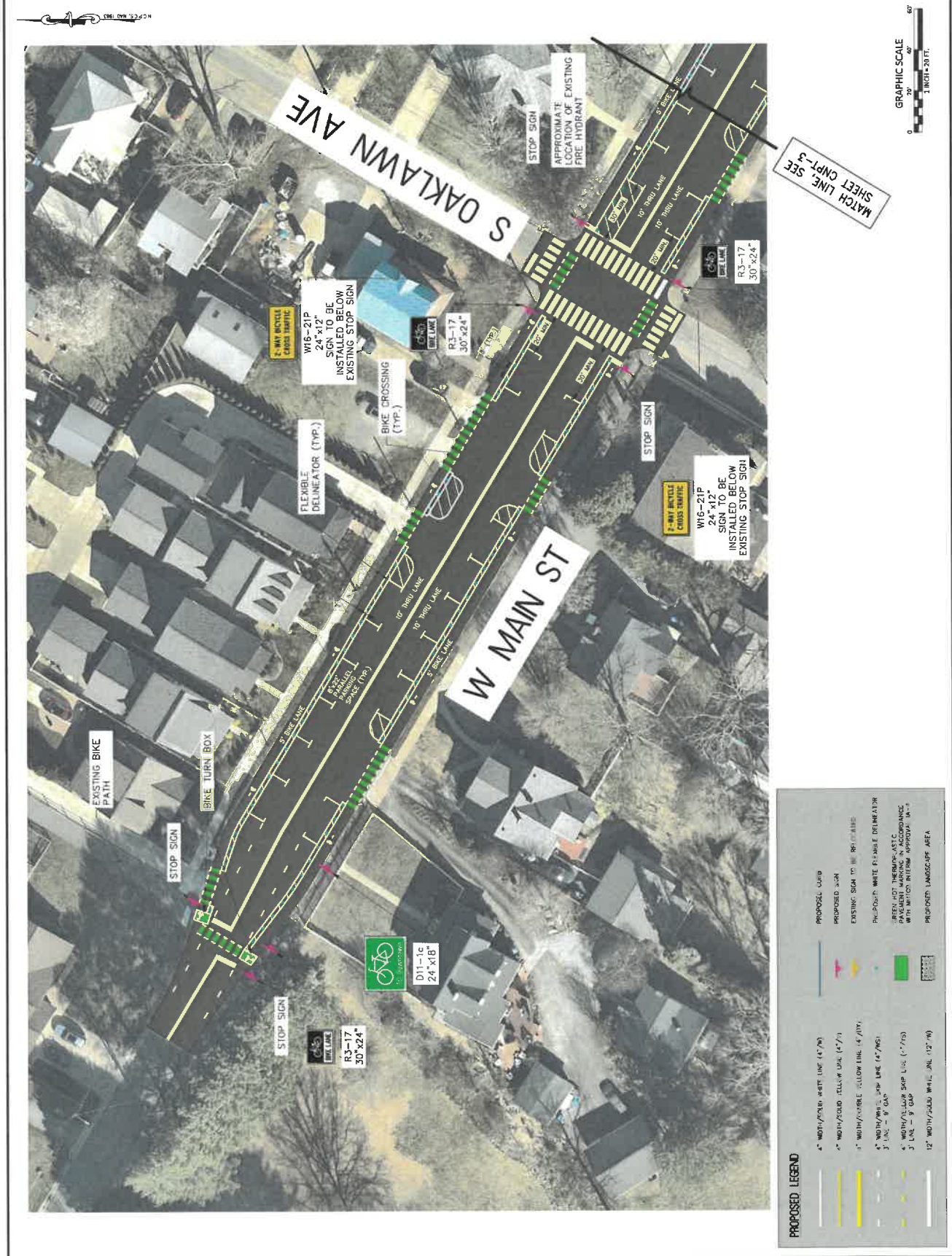


PARKING SPACE COUNT	
EXISTING SIDE STREET PARKING SPACES	61
SIDE STREET "PARKING SPACES LOST"	22
TOTAL SIDE STREET PARKING SPACES	39
SUMMARY: NO SITE, INF OR HYDRANT ISSUES	

GRAPHIC SCALE

0 50' 100' 150'

1 INCH = 50 FT.



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 E-MAIL: INFO@RYE.COM
 Professional Professional Seal

DATE: 12-18-2025
 PATRICK HARAMLIA
 PROFESSIONAL ENGINEER, NO. 0000



ALL INFORMATION ON THIS PLAN IS BASED ON THE INFORMATION PROVIDED BY THE CLIENT. THE ENGINEER HAS NOT CONDUCTED A VISUAL INSPECTION OF THE SITE. THE CLIENT IS RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED. THE ENGINEER'S LIABILITY IS LIMITED TO THE PROFESSIONAL SERVICES PROVIDED. THE ENGINEER DOES NOT WARRANT THE ACCURACY OF THE INFORMATION PROVIDED. THE ENGINEER'S LIABILITY IS LIMITED TO THE PROFESSIONAL SERVICES PROVIDED.

REVISION	DATE	BY

CITY OF BREWSTER
 NEW DOWNTOWN BIKE PATH CONNECTOR
 OPTION # 7
 OVERALL AERIAL PLAN

PROJECT:	DATE:	SCALE:	BY:
CNPT-1	12/18/2025	1"=40'	PH



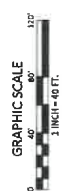
PROPOSED LEGEND

- 4" WIDTH/SOLID WHITE LINE (4" / 7')
- 4" WIDTH/SOLID YELLOW LINE (4" / 7')
- 4" WIDTH/DOUBLE YELLOW LINE (4" / 7')
- 4" WIDTH/WHITE SPOT LINE (4" / 7')
- 5" LINE 9" GAP
- 4" WIDTH/WHITE SPOT LINE (4" / 7')
- 5" LINE 9" GAP
- 12" WIDTH/SOLID WHITE LINE (12" / 7')

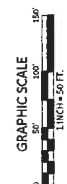
- PROPOSED CURB
- PROPOSED SIGN
- EXISTING SIGN TO BE RELOCATED
- PROPOSED WHITE FLEXIBLE DELINEATOR
- GREEN FLUO-THERMAL-ASTIC
- PROPOSED INTERIOR WITH WHITE INTERIOR 11-4
- PROPOSED LANDSCAPE 11-4

PARKING SPACE COUNT

EXISTING PARKING LOT SPACES	35
PARKING LOT SPACES LOST	4
TOTAL PARKING LOT SPACES	31
EXISTING SIDE STREET PARKING SPACES	40
SIDE STREET PARKING SPACES LOST	14
TOTAL SIDE STREET PARKING SPACES	26
SUMMARY: NO SITE LINE OR HYDRAULIC ISSUES.	



4-1081



PROPOSED LEGEND

	"PROPOSED SIGN"
	1" WIDTH/SOLID WHITE LINE (4" / 4")
	1 1/2" WIDTH/SOLID WHITE LINE (12" / 4")

RVE, INC.
CONSULTING ENGINEERS
30 SOUTHVIEW AVE. SUITE 300
ASHEVILLE, NC 28801
(828) 255-4691
WEB ADDRESS: RVE.COM
Resilience • Innovation • Service

DATE: 12-18-2025
PROJECT: NEW DOWNTOWN BIKE PATH CONNECTOR
DESIGNER: PATRICK HARAMLIA
LICENSE: NC PROFESSIONAL ENGINEER, NO. 10236

NOT FOR CONSTRUCTION

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OVERALL AERIAL PLAN
OPTION # 8

CITY OF BREVARD
NEW DOWNTOWN BIKE PATH CONNECTOR
TRANSFLY/WMVA COUNTY
NORTH CAROLINA

CNPT-2



MATCH LINE, SEE SHEET CNPT-3

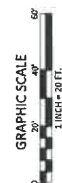


PROPOSED LEGEND

- PROPOSED SIGN
- 4" WIDTH/5/8" WHITE LINE (12" / 4")
- 12" WIDTH/5/8" WHITE LINE (12" / 4")

[illegible]

42 M.C.P.C.S. MAY 1983



PROPOSED LEGEND

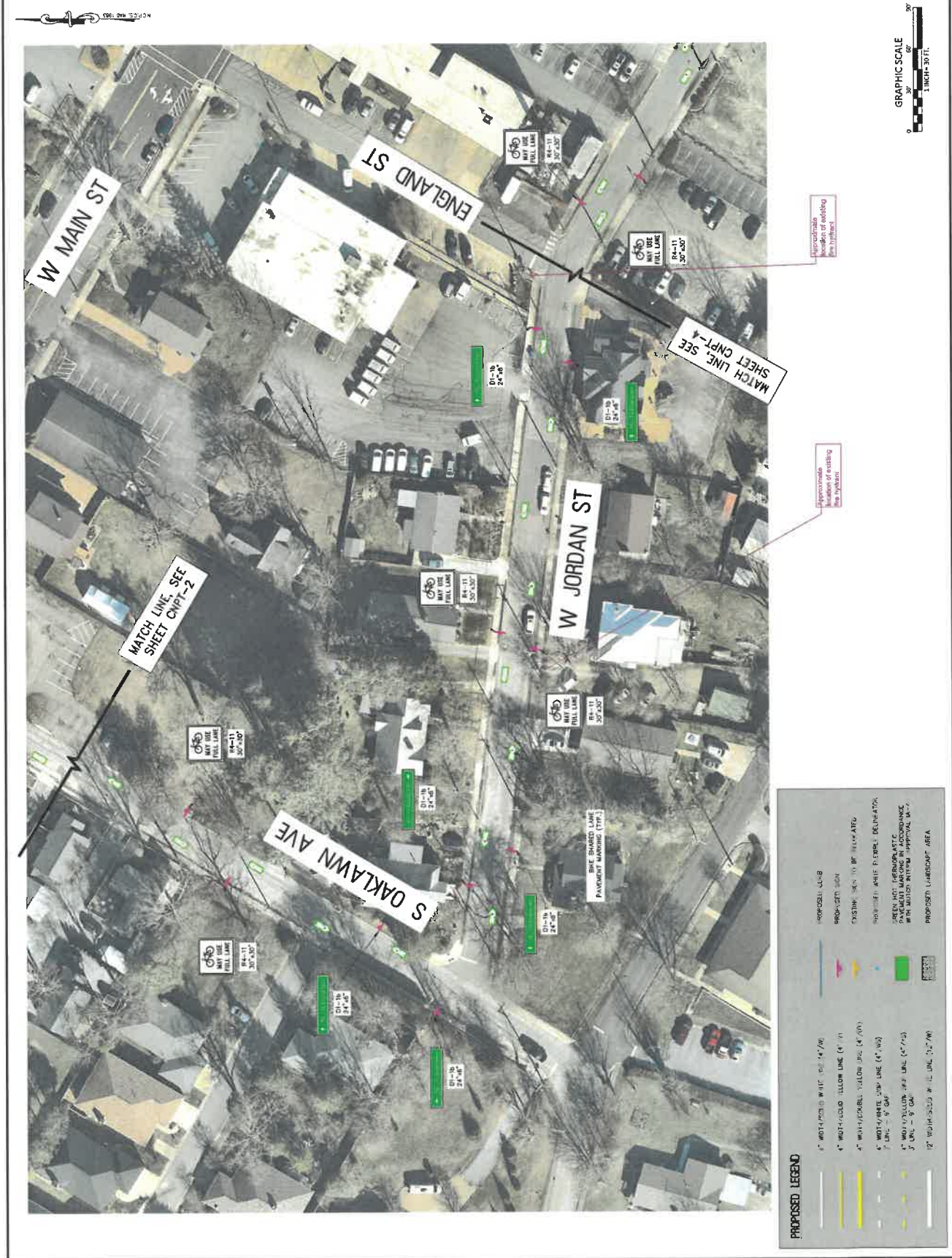
	PROPERTY SIGN
	4" WIDTH/SOLID WHITE LINE (4" x 6")
	12" WIDTH/SOLID WHITE LINE (12" x 6")

NO. 1000



PROPOSED LEGEND	
	PROPOSED SIGN
	8' WIDTH/SOULR WHITE LINE (4" W)
	12' WIDTH/SOULR WHITE LINE (6" W)





— 4 —



GRAPHIC SCALE

MINUTES
City Council Parks, Trails & Recreation Committee

Wednesday, May 20, 2026, at 3:30 PM
City Hall Council Chambers

Members Present: Aaron Baker, Chair, Council Member
Lauren Wise, Vice Chair, Council Member
Daniel Jessee, Citizen Member
Reba Osborne, Citizen Member
Howie Granat, Citizen Member

Members Absent: Jackson Tate, Citizen Member
JD Powers, Citizen Member
Maureen Copelof, Mayor, Ex-Officio

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

Guests: Alvin Fuller (Summit Engineering), Drake McNeary, Kevin Gallo

Media: Jonathan Rich

A. Welcome and Call to Order

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

B. Certification of Quorum

Assistant to the City Manager Shawnee Cummings certified that a quorum was present.

C. Approval of Agenda

Mr. Wise motioned to approve the agenda. Mr. Jessee seconded, and the motion carried unanimously.

D. Approval of Minutes – April 15, 2026

H. Granat motioned to approve the minutes, seconded by D. Jessee. The motion carried unanimously.

E. Design Options for Main Street to MCJ + Rosman Highway to High School Segments

Mr. Hooper explained that this is a follow-up to a presentation that Alvin gave last year, which went over the initial trail alignment options. The Committee asked Mr. Fuller to come back with more information to help the Committee make a recommendation on which alignment to refer to the full Council. Mr. Hooper reminded everyone that the decision that Staff is asking the Committee to make today is a referral to full Council on which alignments the Committee would like Mr. Fuller to take to 100% design. The City was awarded a grant to pay for design, but Mr. Fuller needs direction on which options to proceed with. Mr. Hooper said the Committee's recommendation is just an expression of their preferred alignment, but not a pledge that the trail will be built. There will be several factors for the full Council to decide on, such as how to pay for it, how to get community buy-in, and what tools will be used to obtain rights-of-way.

Mr. Fuller, with Summit Engineering Group, stated that he was hired to look at two phases of the Estatoe Trail. He said he will go over the status of the entire Estatoe Trail, and then he will look to the Committee for guidance on options for Phases II and IV (Attachment A). The status of the Estatoe Trail is as follows:

- Phase I: Completed in 2019 and 2022 (Railroad Ave.). Ends at W. Main St. and includes sections by the Sports Complex, Lowe's, and Pisgah National Forest. Parts of Phase I are also incorporated into the Ecusta Trail.
- Phase II: Design Phase – Seeking Committee Guidance. Includes connection from W. Main St. to Mills Ave./Mary C. Jenkins Community Center (MCJCC).
- Phase IIIa: Design Complete. Includes Tannery North and the brownfield, and spans from Cashiers Valley Rd. to Silversteen Dr. NCDOT will construct and the let date (bid opening for NCDOT) will be June 23, 2026.
- Phase IIIb: Completed in 2023 and includes Tannery South, spanning from Silversteen Dr. to Rosman Hwy.
- Phase IIIc: Design Complete. Includes Rosman Hwy crossing and sidewalk extensions for connectivity. City Staff will construct the sidewalks and NCDOT is responsible for the signalized crossing.
- Phase IV: Design Phase – Seeking Committee Guidance. Includes connection from Rosman Hwy to Brevard High School.

Phase II

Mr. Fuller originally designed the trail based on existing features in the field, such as a wet weather ditch he was trying to avoid. After discussing with Staff, he changed the design to follow property lines to minimize impact on adjacent properties.

The area's topography exceeds ADA standards of a maximum of 5% longitudinal grade. The trail will contain 160 linear feet of concrete path that runs parallel to Main St. and 1,000 linear feet of either asphalt or elevated boardwalk to connect Main St. to MCJCC. The trail is cross-country, which may create accessibility challenges for contractors, and will require 9 easements. Mr. Baker asked if that is 9 additional easements, as he knows we already have some. Mr. Fuller said the easements we have are not wide enough, as they are 7.5 ft on each side of the property line, and we will likely need 10 ft on each

side of the property line for maintenance and installation. The options proposed for Phase II are either an asphalt path at grade or an elevated boardwalk.

The asphalt path would be a 10 ft crowned path that would super elevate to the surface water side for drainage. The area along W. Main St. would have a curb and gutter and would be a 10 ft sidewalk that super elevates toward the gutter.

The elevated boardwalk would be PermaTrak, a concrete boardwalk, and would have fencing. Mr. Fuller added that there was some concern with the cross-bracing on the fence, but if they beef up the columns and use the girder of the bike path for lateral support, they should only need cross-bracing in certain areas and it would allow the bottom of the boardwalk to be open so people could get under it.

The comparison between the two options is below:

Alternative Analysis

Asphalt Bike Path at Grade

Pros

- Less Expensive
- More common (more bidders)

Cons

- More disturbed land
- More erosion control measures
- Not ADA compliant
- May have limited grant opportunities

Estimated Construction Cost

- Construction Estimate = \$0.67 M
- 10% Contingency = \$0.07 M
- Construction Budget = +/- \$0.74 M

Elevated Boardwalk

Pros

- Confines bikers and pedestrians to the path – does not allow meandering on private property
- Less land disturbed
- ADA compliant
- More eligible for grants
- Provide place making

Cons

- More expensive
- Less common (less competitive bids)

Estimated Construction Cost

- Construction Estimate = \$3.00 M
- 10% Contingency = \$0.30 M
- Construction Budget = \$3.30 M



The estimated costs in the comparison are strictly construction and do not include the cost of design, which is grant-funded, soil testing, construction engineering, permitting, or easements. Mr. Todd said total cost estimates will be 30-40% higher.

Mr. Wise asked what the grade is if an asphalt path is pursued, although he recognizes it would vary. Mr. Fuller said the worst part is about 9%, but they have tried to mitigate it.

Mr. Granat asked about ramps to reduce the grade. Mr. Fuller said he attempted to incorporate ramps but it was not going to work. Mr. Todd stated that the City-owned land in the Phase II area is very narrow, making it too small to pursue switchbacks that would reduce steepness. Mr. Fuller said even if the City obtained more land next to Main St., switchbacks would still not be feasible because of the steepness at the end of the trail near MCJCC, where there is also limited space. Mr. Ray added that if switchbacks were pursued, the drop off is quite steep and a lot of fill dirt would be needed.

Ms. Osborne asked if the City has been successful in obtaining ADA-related grants in the past. Mr. Fuller said grants are not provided for ADA compliance, but if the trail is not ADA-compliant, you will be precluded from certain grants. Mr. Hooper said there are grants that fund ADA updates to recreational facilities, but they require matching, are very competitive, and it is unknown if the grants will be funded in the next grant cycle.

Mr. Granat asked about the section leading up to Probart St., as the grade is greater than 5%. Mr. Fuller said it is about 9% but he explained that when a trail is alongside a road, it is understood that you have to match the road grade and there is nothing that can be done about it. When a trail goes cross country, it is expected to be ADA compliant.

Ms. Osborne asked if there are other parts of the trail that are not ADA compliant. Mr. Todd said there are portions of the trail that are above 5% grade, but those sections are adjacent to the road, so technically the whole trail is ADA compliant. Mr. Baker said he thinks the question is not asking about meeting the standard, but is about the user experience, which would be that the trail is not under 5% grade in all sections.

Mr. Fuller highlighted next steps, which include selecting an alternative for Phase II, performing soil borings and environmental work, finalizing design plans, obtaining easements, and submitting funding applications. The only permits required will be a Grading/Land Disturbance Permit and an NCDOT Encroachment Permit.

Mr. Hooper added that while the City does not own the lawn area adjacent to Main St., the City has the Right of First Refusal to buy the property when it goes on the market. He does not know when that would be, and the property is valued at over \$1,000,000.

Ms. Osborne asked if we know how much easements will cost. Mr. Fuller said we do not, as there is not a set price per square foot and cost depends on the impact to the property.

Mr. Granat suggested converting Mills Ave. to a one-way street, creating a bike lane, and having the trail follow the road. Mr. Ray said that is not an option being offered. Mr. Granat said he needs to bring it up because it is low cost and will get around the easements. Mr. Ray added that City Council has already rejected the idea of using Mills Ave., so he thinks we are wasting our time since the design cost is fully covered and the only options being considered have been presented. Mr. Fuller said if the path were to follow the road, he is concerned about the slope, number of driveways, and potential for accidents. Mr. Jessee added that the Mills Ave. option, or the sidewalks along Oaklawn St. and Carver St., can be revisited as last resorts if the City is unable to obtain the easements. Mr. Baker said he rode his bike up Mills Ave. today so that option would maintain the status quo. Mr. Granat said he is trying to account for the additional context that comes with running the trail through that section, including the opposition of some of the residents. He understands the choice between the options from an engineering perspective, but he is looking at the aspects that are not as straightforward.

Mr. Baker said we are being asked to select an alignment out of the options presented and there will be opportunities for discussion down the road as it concerns easements.

Mr. Todd suggested moving forward with design and construction on the pieces of land that are not grade-dependent and the City owns. Once a decision is made on design, it will be for a shorter section. Mr. Fuller said if proceeding that way, it would make sense to construct only the W. Main St. portion, as the other portions are design dependent. Mr. Baker said we already have the funds to design the whole thing, so he is not sure why we would not design the whole thing. He added that if we have the end pieces and no connection in between, people will ride their bikes through people's backyards.

Mr. Baker said he understands from an aesthetic perspective, the boardwalk would not be great for the neighborhood, but even in terms of cost, he does not know how we could pick the boardwalk over the asphalt option. The asphalt option would preclude the City from federal grants, but he cannot see paying that much for the boardwalk.

Phase IV

Phase IV will get trail users from Rosman Hwy to Brevard High School. Originally, everyone was in favor of the first option, consisting of 150 linear feet of elevated boardwalk, 175 linear feet of concrete bike path near the high school parking lot, and 3,650 linear feet of asphalt path. Some of the challenges include cross country construction, easements, construction in the flood plain and flood way, pedestrian safety through the high school parking lot, the trout moratorium, and stream buffer. Mr. Fuller said we have the School Board easement, and 4 easements are still needed.

Both options traverse the HP Crossroads LLC property, as well as the Downing Park Homeowners' Association. Option 1 would use the existing sewer easement to cross the Hollingsworth and CJD Work, LLC properties until reaching the School Board easement, but there has been substantial pushback from both property owners. The trail would affect a third of the Hollingsworth property, making the easement very expensive.

In looking at other options, Mr. Fuller explained that the Planning Department has been working with Three Lees, LLC on a development and they are willing to donate an easement as a fee in lieu of. Mr. Fuller said this option would require 2 creek crossings. Option 2 includes 150 linear feet of elevated boardwalk, 175 linear feet of concrete path, 2 pedestrian bridges, and 3,700 linear feet of asphalt path. Option 2 has the same challenges as option 1, plus the 2 creek crossings, but avoids major issues by only cutting through a corner of the Hollingsworth property and avoiding the CJD Work, LLC property. Three Lees, LLC has agreed to the path alignment in principle. Mr. Ray said he expects the Downing Park Homeowners' Association and the McNeely's property owners to be on board if the City provides a solid privacy fence.

The Phase IV options include a 10 ft wide crowned asphalt path and are superelevated towards surface water for drainage. Mr. Fuller recommended a curb and gutter along the high school parking lot to act as some semblance of a barrier for pedestrian safety.

The comparison between the two options is below:

Alternative Analysis

Option #1

Pros

- Utilizes the existing sewer easement
- Improves access to the existing sewer main for maintenance
- Less expensive
- Less regulatory permit requirements
- ADA Compliant

Cons

- More significant impact to adjacent property
- Eminent Domain likely

Estimated Construction Cost

- Construction Estimate = \$1.67 M
- 10% Contingency = \$0.17 M
- Construction Budget = \$1.84 M

Option #2

Pros

- Easement easier to obtain
- Avoids / minimizes use of Eminent Domain
- ADA Compliant

Cons

- More expensive
- More disturbed land
- More erosion control measures
- 2 creek crossings
- Additional regulatory permitting

Estimated Construction Cost

- Construction Estimate = \$ 2.00 M
- 10% Contingency = \$ 0.20 M
- Construction Budget = +/- \$ 2.20 M



Both options are ADA compliant and eligible for grant funding. Option 1 is slightly less expensive, but only for construction, as it does not include the cost of easements. Option 2 is more expensive because of the pedestrian bridges needed for the creek crossings.

Next steps involve selecting an alternative, performing soil borings and environmental work, finalizing design plans, obtaining easements, and submitting funding applications. There will be a Grading/Land Disturbance Permit, NCDOT Encroachment Permit, Stream Buffer Waiver, "No Rise" Certification, 404 USACE Permit, and a 401 NCDEQ Permit. All permits, aside from the "No Rise" Certification, expire within 2 years and require renewal if not used. The "No Rise" Certification will account for the work performed on Hillview Culvert, which will be completed before the trail.

Ms. Osborne asked if the eminent domain in Option 1 could cause the cost to exceed the cost of Option 2. Mr. Fuller said yes and Mr. Hooper said the appraised value of the Hollingsworth land was \$149,000. That does not include litigation costs and is not a final negotiated price. Ms. Osborne asked if there is any difference between the options in terms of applying for grants. Mr. Hooper said grant applications that do not require taking land are usually viewed more favorably.

Ms. Osborne motioned to refer Phase II, Option 1: Asphalt Bike Path at Grade and Phase IV, Option 2: Asphalt Path with Creek Crossings to the full Council. Mr. Jessee seconded and the motion carried unanimously.

F. Update on Tannery North Estatoe Trail Construction

Mr. Fuller received comments back from NCDOT for the third time and the documents are on his desk for final review before sending them back. NCDOT will review the documents one final time to ensure their comments were addressed. NCDOT moved the let date from June 9th to June 23rd and will begin advertising in the next few weeks.

Mr. Baker asked if the comments fell into a certain category or if they were related. Mr. Fuller stated that NCDOT reviewed the bid documents previously and wanted the documents in NCDOT format. The City was initially going to bid the project so it was not set to NCDOT standards. After receiving the formatting comments, Mr. Fuller made the changes and sent the documents back. After another review, NCDOT sent the documents back to Mr. Fuller with additional comments. Mr. Todd and Mr. Ray set up a page turning with NCDOT in March to go through the comments one-by-one to ensure all comments were addressed. During the page turning, NCDOT asked for a few more spec sections and for some sections to be rewritten. Mr. Fuller made those changes and resent the documents. NCDOT sent the documents back with more comments about 2 weeks ago, and said Mr. Fuller needed to address the comments in 4-5 days. Mr. Fuller told NCDOT that was ridiculous given his other projects, so NCDOT moved the let date out to give additional time. Mr. Fuller said he will sign, seal, and send the bid documents back tomorrow. Mr. Ray said Summit Engineering really stepped up to make it happen.

Mr. Baker asked if we feel relatively confident in NCDOT's June 23rd date. Mr. Fuller said while he is not confident, NCDOT is firm in their dates and will advertise 2 weeks prior.

Mr. Baker said the project has lingered for a while and he knows NCDOT was not initially involved. After their involvement, costs increased dramatically. Mr. Fuller said he thinks NCDOT's involvement is a good thing considering the brownfield and contaminated soils. He said NCDOT has more resources and people with sufficient training to ensure everything is done properly. He just thinks if they have preferences for bid documents, they need to let people know and give adequate time for a response.

Mr. Todd added that NCDOT has 2 let dates a month, so if any unforeseen circumstances arise, there will be 2 let dates in July. Mr. Wise asked about the timeline and Mr. Todd said he would expect a contractor to be on site about 60 days after bids are opened on June 23. Mr. Hooper said the smokestack removal will be a complicating factor. Initial cleanup and trail construction will be expected to last 6 to 9 months.

Mr. Wise asked for an update on the smokestack. Mr. Hooper said he plans to speak with the insurance representative tomorrow. Mr. Todd explained that Staff started preparing the EMP, as the bids were close and recommended the same demolition method.

G. Follow-Up Discussion on E-Bikes in Bracken Preserve

Mr. Baker said this is a follow-up from the last 2 Committee discussions. He realized Public Comment came at the end of last meeting and many people came to speak. If the Committee was going to take action, he felt the Committee needed to hear from the public first.

Mr. Baker said he believes the Committee discussed tabling the item until a later date and added that the Committee may choose to bring the item up again in the future. After discussion of whether the tabling of the issue should be tied to a specific date, a change in the rules for Pisgah National Forest, or another marker, the Committee agreed to table the issue with no caveat.

Mr. Bland confirmed after reaching out to NCLWF that the decision of whether to allow e-bikes is completely up to the City, as the land manager of Bracken Preserve.

Ms. Osborne motioned to adhere to the current rules in place regarding the prohibition of e-bikes in Bracken Preserve and that the Committee table the discussion indefinitely. Mr. Wise seconded, and the motion carried unanimously.

Committee Comments

Mr. Jessee asked if there is anything happening with crossing lights or any other improvements to the Davidson River Connector. Mr. Hooper said he believes NCDOT has something planned related to that, but that he would check and follow up.

Mr. Hooper stated that the planned roundabout at the entrance to the forest has been extended to the Ecusta Rd. and Hwy 280 intersection in front of Lowe's. The plan will include a bicycle/pedestrian refuge with a high-intensity activated crosswalk (HAWK) signal, which is a full-stop red light signal activated when people are crossing. Mr. Hooper said it is a couple years out but it will make that crossing much safer.

H. Public Comment

No members of the public spoke during public comment.

I. Set Date for Next Meeting - Wednesday, June 17, 2026, at 3:30 PM

Committee members set the date for the next meeting on June 17, 2026, at 3:30 PM.

J. Adjourn

There being no further business, L. Wise motioned to adjourn, R. Osborne seconded, the motion passed unanimously, and the meeting was adjourned at 4:57 PM.

Approved: _____ June 17, 2026



Aaron Baker, Chair, Council Member, or
Lauren Wise, Vice Chair, Council Member



Shawnee Cummings
Assistant to the City Manager



Estatoe Trail Phases II & IV

Presented By:
Alvin Fuller Jr, PE – Sr. Vice President



1



Presentation Topics

- Topic 01 – Project Overview (all phases)
- Topic 02 – Phase II
- Topic 03 – Phase IV



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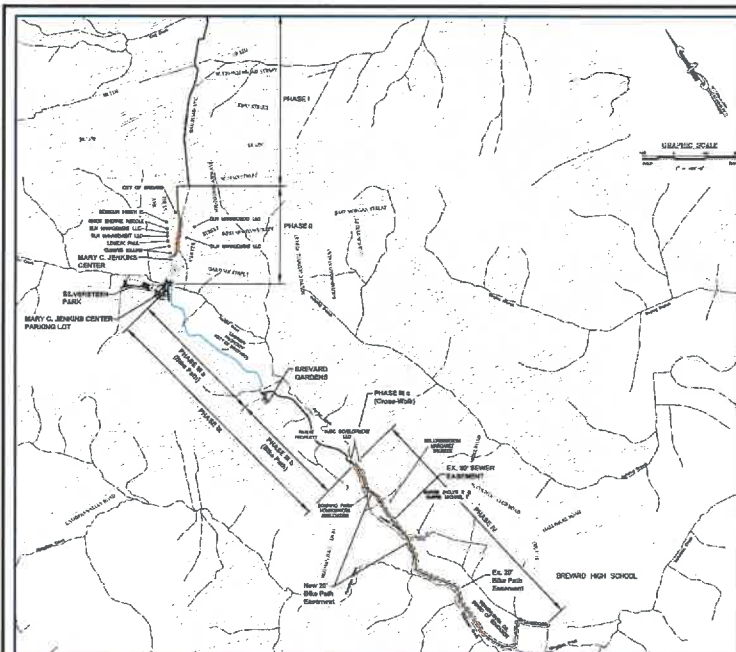


Topic 01

Project Overview



3



STATUS

- Phase 1 – Completed in 2019
- Phase 2 – Currently in Design Phase
- Phase 3a – Design Complete
(Tannery North) NCDOT to Construct
(Let Date June 23, 2026)
- Phase 3b – Completed - Constructed
(Tannery South) by Brevard City Staff in 2023
- Phase 3c – Design Complete
(US 64) to be Constructed by
Brevard Staff & NCDOT
- Phase 4 – Currently in Design Phase
(High School)



4



Topic 02

Phase II



5



Phase II
Convey pedestrians from
W. Main St. to the Mary C.
Jenkins Community Center

Description

- 160 L.F. of Conc. Path
- 1,000 L.F. of Asphalt Path or Boardwalk

Challenges

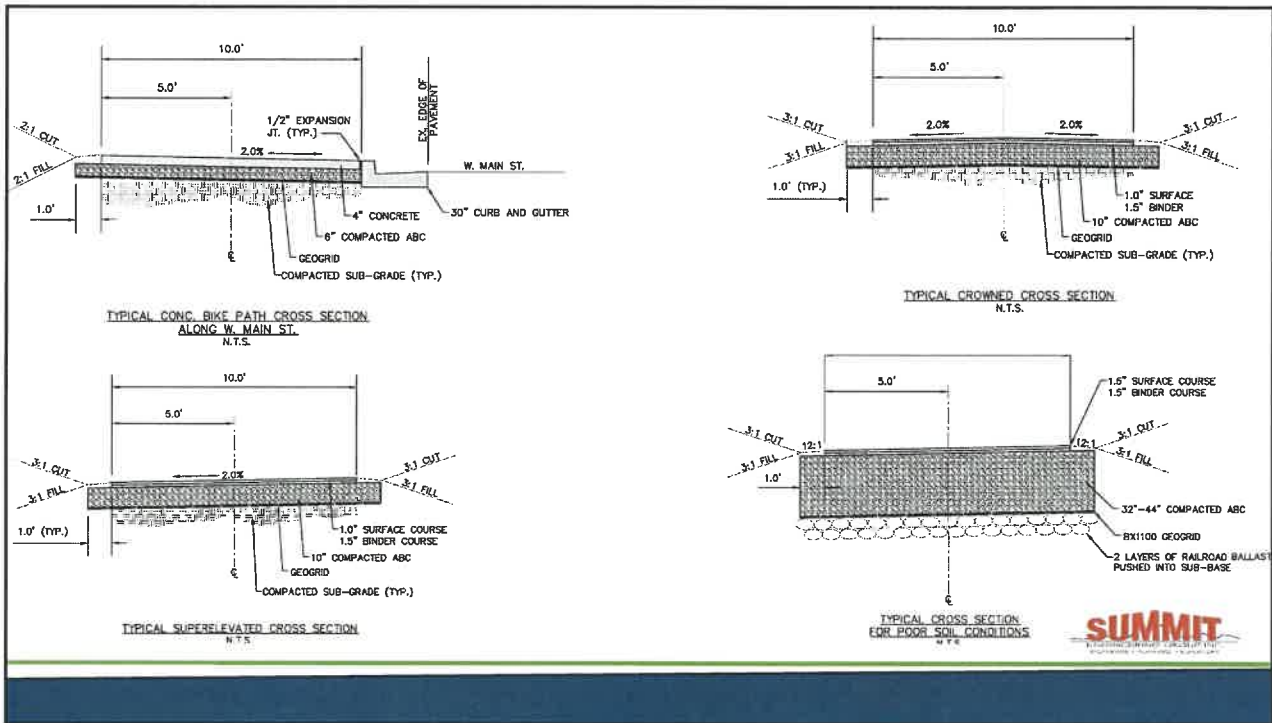
- Cross Country
- Natural Grade Exceeds ADA Standards
- 9 Easements

Options

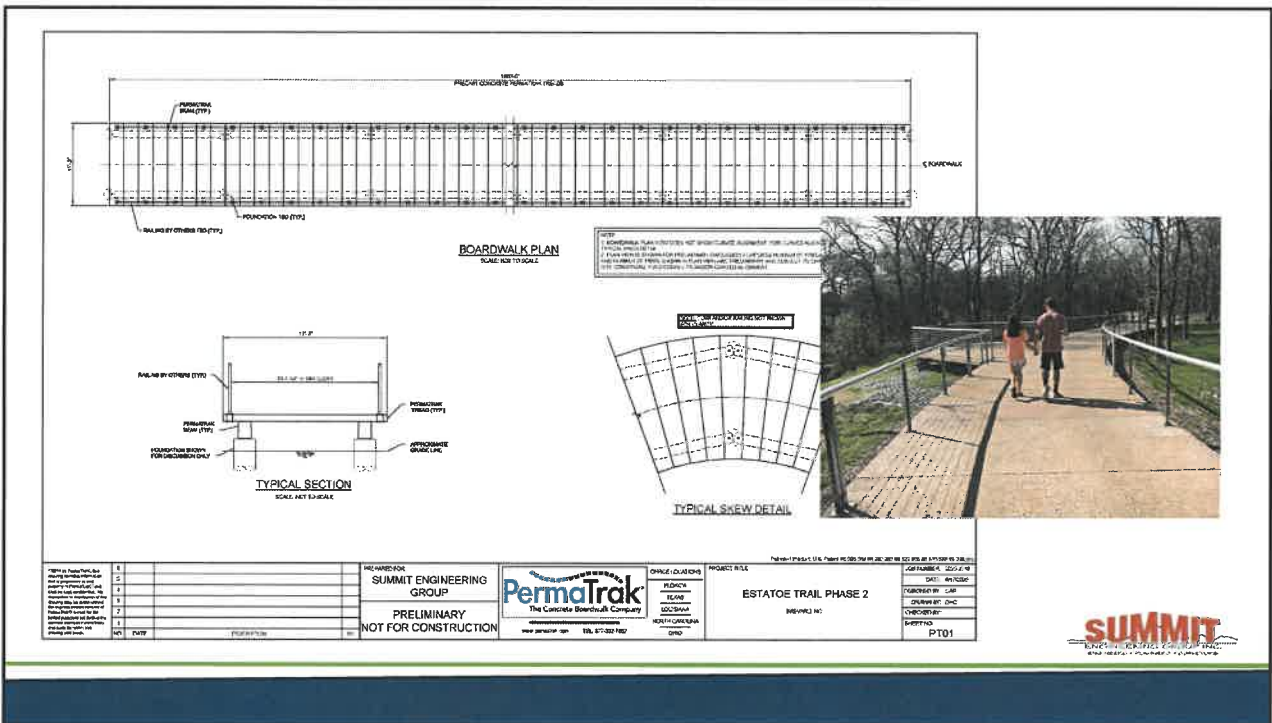
- Standard asphalt bike path installed at grade
- Elevated boardwalk



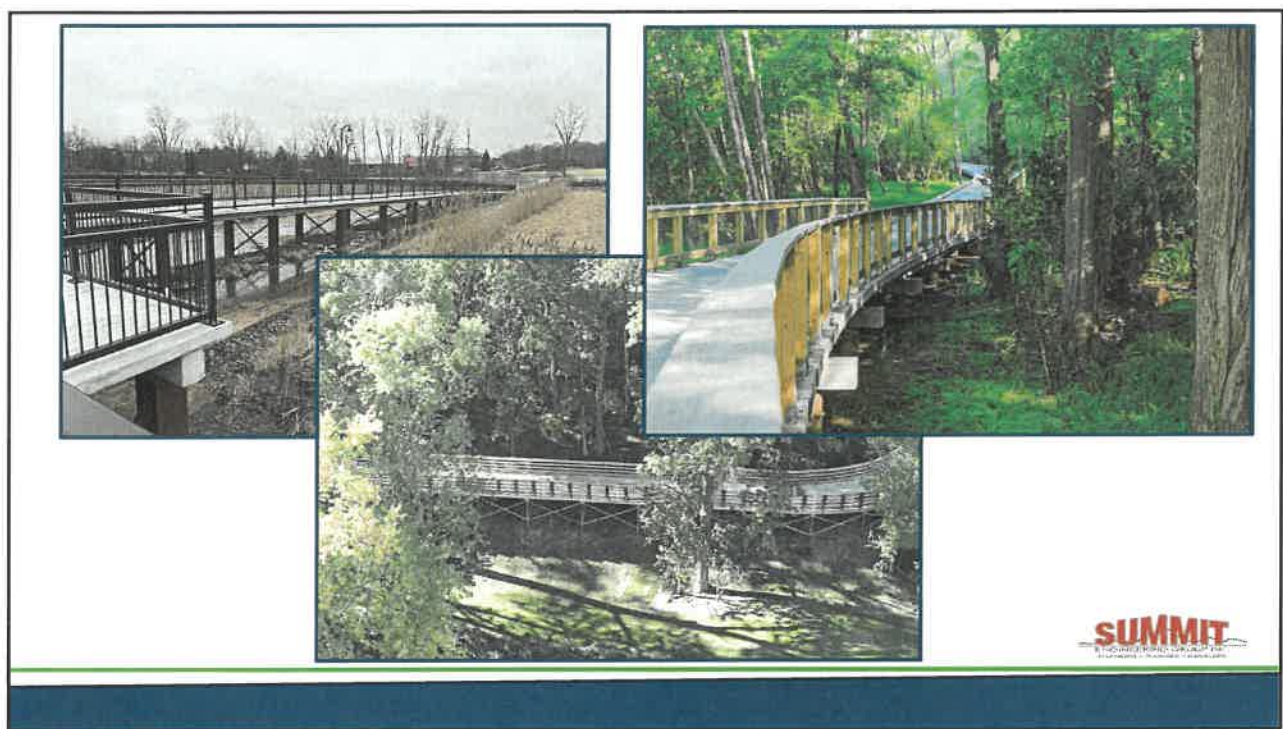
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Alternative Analysis

Asphalt Bike Path at Grade

Pros

- Less Expensive
- More common (more bidders)

Cons

- More disturbed land
- More erosion control measures
- Not ADA compliant
- May have limited grant opportunities

Estimated Construction Cost

- Construction Estimate = \$ 0.67 M
- 10% Contingency = \$ 0.07 M
- Construction Budget = +/- \$ 0.74 M

Elevated Boardwalk

Pros

- Confines bikers and pedestrians to the path – does not allow meandering on private property
- Less land disturbed
- ADA compliant
- More eligible for grants
- Provide place making

Cons

- More expensive
- Less common (less competitive bids)

Estimated Construction Cost

- Construction Estimate = \$3.00 M
- 10% Contingency = \$0.30 M
- Construction Budget = \$3.30 M



10

Next Steps

- Select Alternative
- Perform required soil borings
- Perform environmental
- Begin final design plans
- Easement Acquisitions
- Funding Applications

Required Regulatory Permits

- Grading / Land Disturbance Permit
- NCDOT Encroachment Permit



11



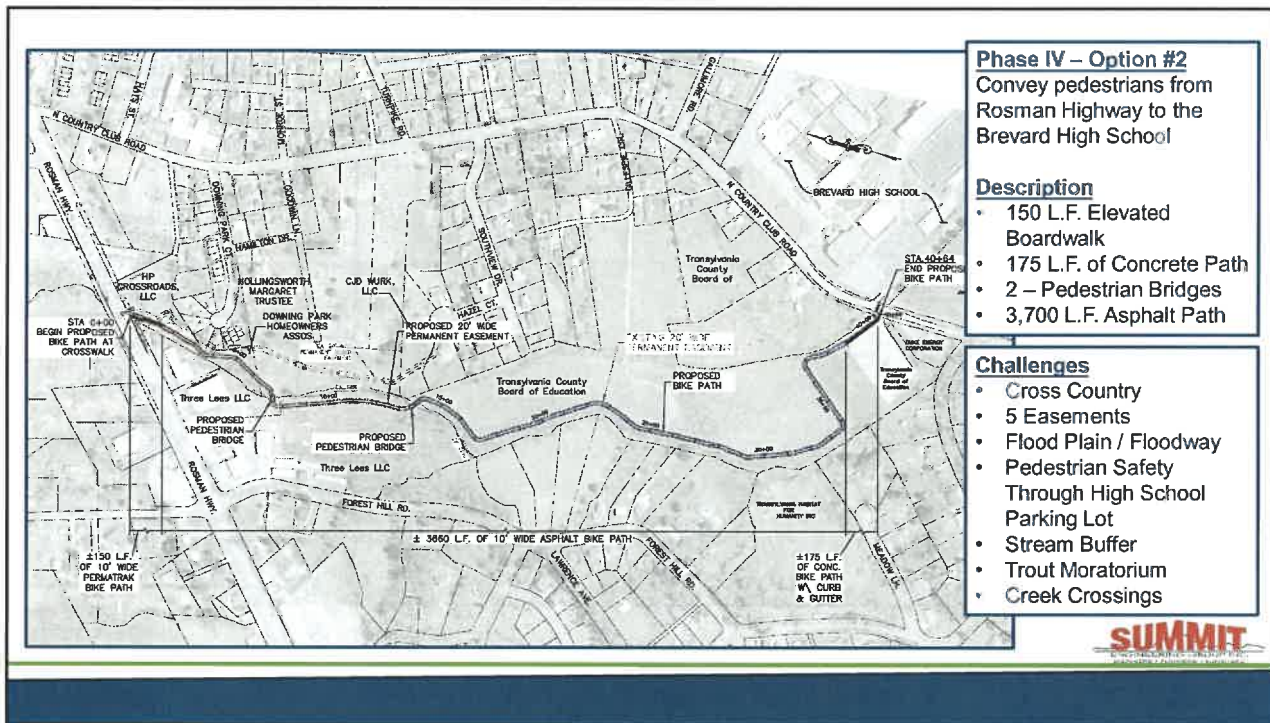
Topic 03

Phase IV

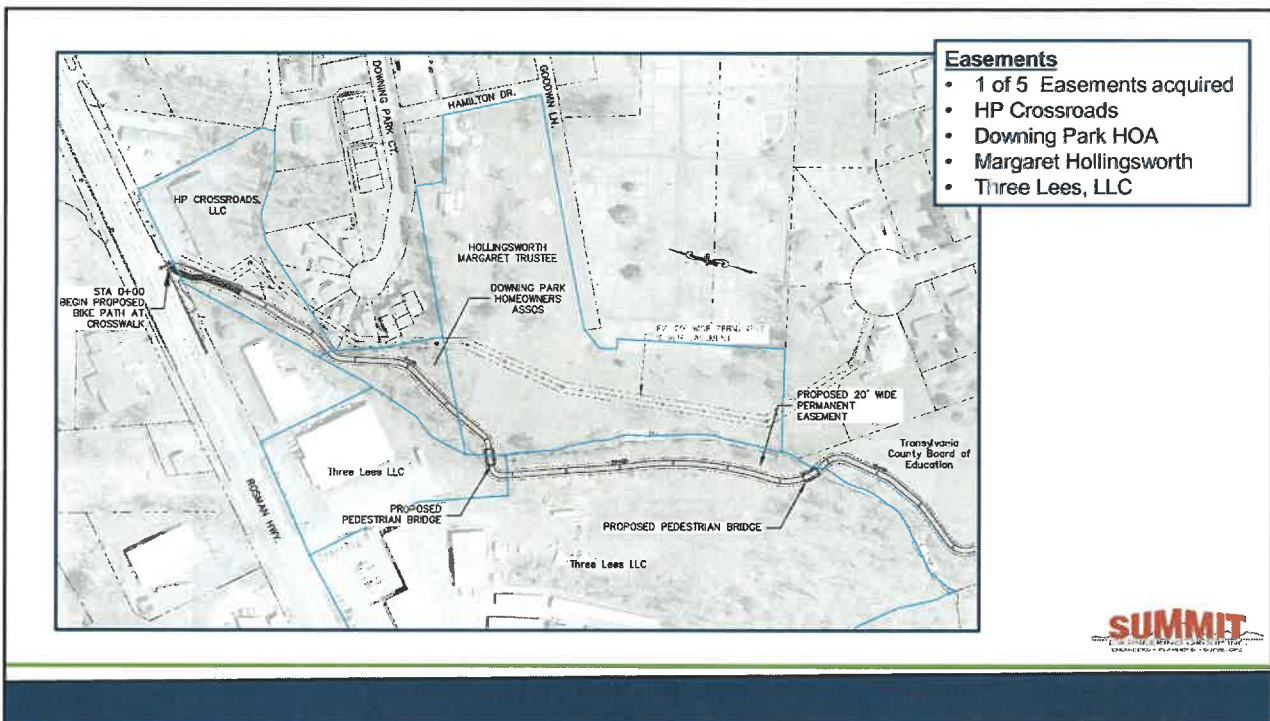


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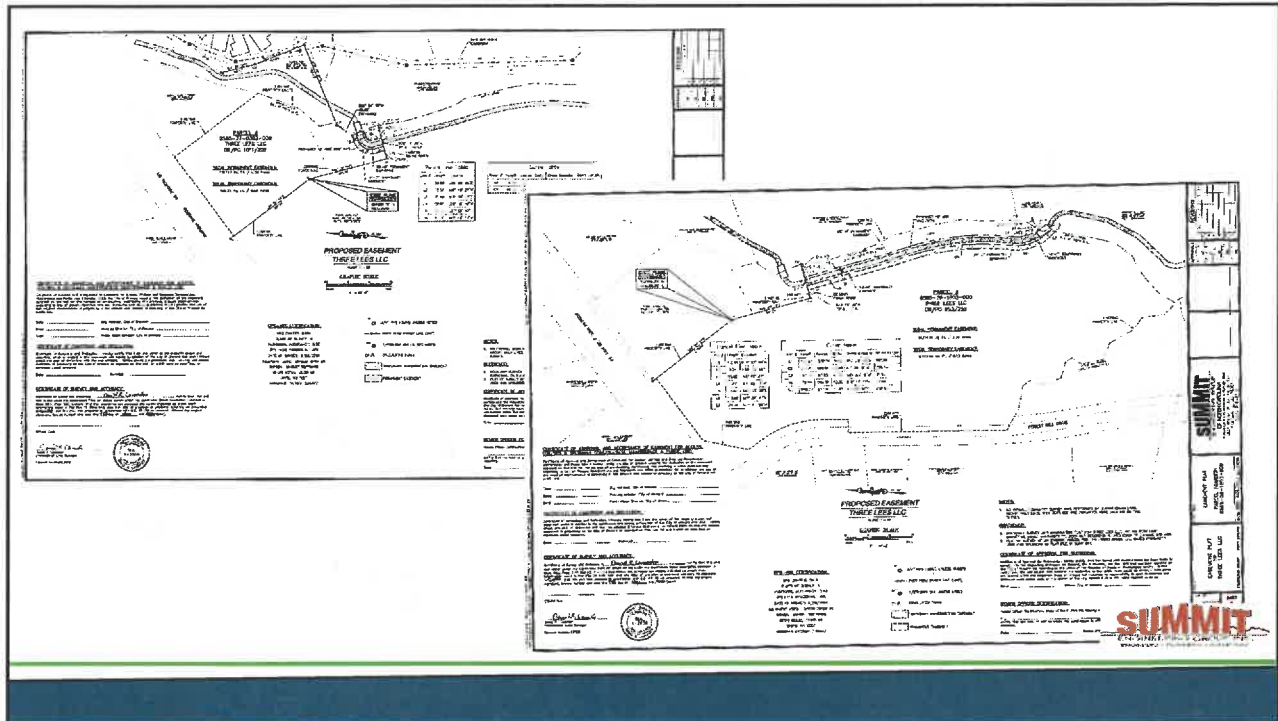




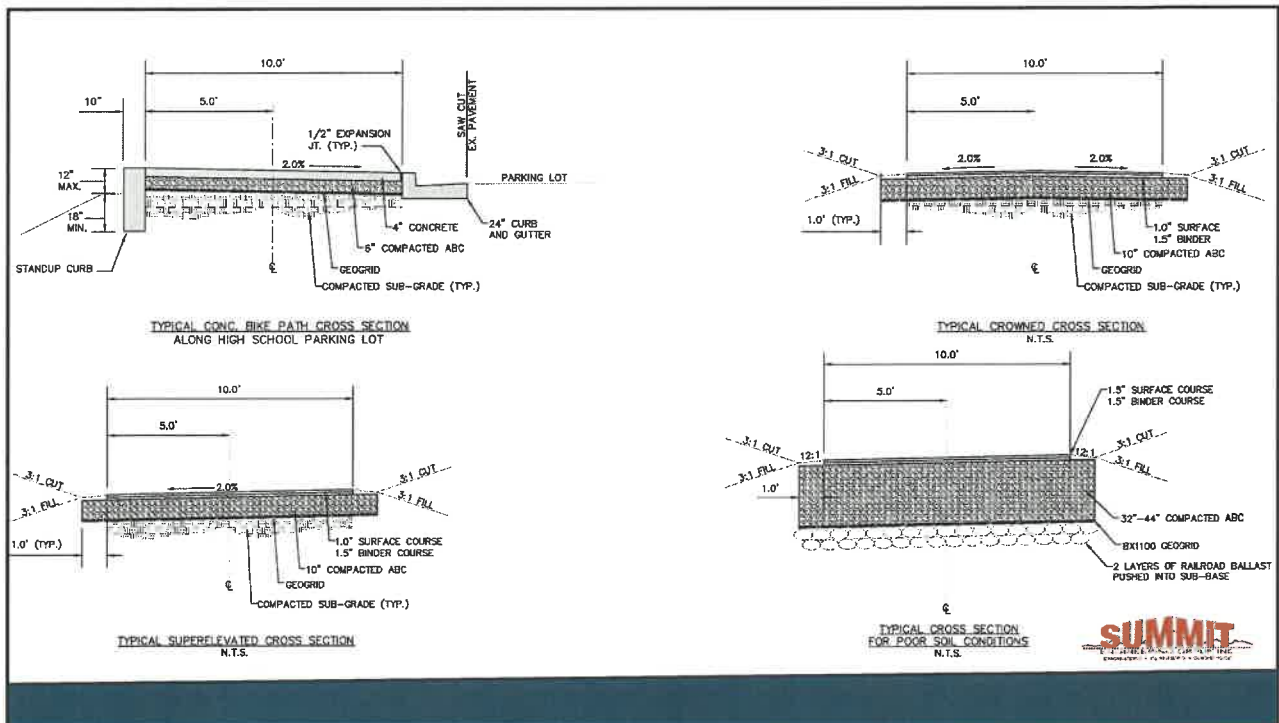
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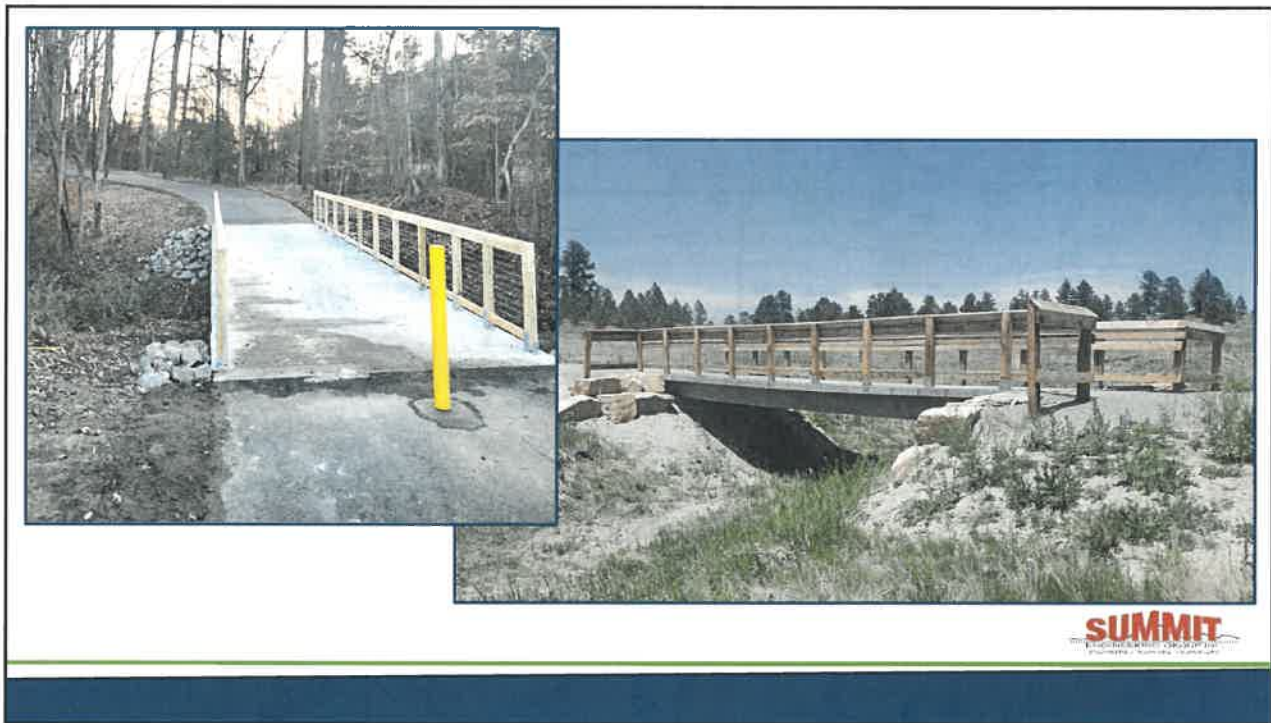
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17



18



19

Alternative Analysis

Option #1

Pros

- Utilizes the existing sewer easement
- Improves access to the existing sewer main for maintenance
- Less expensive
- Less regulatory permit requirements
- ADA Compliant

Cons

- More significant impact to adjacent property
- Eminent Domain likely

Estimated Construction Cost

- Construction Estimate = \$1.67 M
- 10% Contingency = \$0.17 M
- Construction Budget = \$1.84 M

Option #2

Pros

- Easement easier to obtain
- Avoids / minimizes use of Eminent Domain
- ADA Compliant

Cons

- More expensive
- More disturbed land
- More erosion control measures
- 2 creek crossings
- Additional regulatory permitting

Estimated Construction Cost

- Construction Estimate = \$ 2.00 M
- 10% Contingency = \$ 0.20 M
- Construction Budget = +/- \$ 2.20 M



20

Next Steps

- Select Alternative
- Perform required soil borings
- Perform environmental
- Begin final design plans
- Easement Acquisitions
- Funding Applications

Required Regulatory Permits

- 404 USACE Permit
- 401 NCDEQ Permit
- "No Rise" Certification
- Stream Buffer Waiver
- Grading / Land Disturbance Permit
- NCDOT Encroachment Permit



21

Questions ???



22

MINUTES
City Council Public Safety Committee

Thursday, May 28, 2026 – 3:30pm
City Hall, Council Chambers

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

Staff Present: Wilson Hooper, City Manager
David Todd, Assistant City Manager
Christy Wentzell, Police Chief
Chase Owen, Fire Chief
Becky McCann, Communications Coordinator
Shawnee Cummings, Assistant to the City Manager

Guests: Harvey Sankey, Linda Gallo, Rodney Locks, Vith Gass

Media: David Bradley, Jonathan Rich

A. Welcome & Call to Order

Committee Chair Aaron Baker welcomed everyone and called the meeting to order at 3:28 pm.

B. Certification of Quorum

Assistant to the City Manager Shawnee Cummings certified that a quorum was present.

C. Approval of Agenda

Mr. Lytle requested that we add an agenda item regarding the unhoused folks in downtown and Mr. Gallo also requested that we add an item regarding e-bikes and e-scooters on City trails. With those additions, Mr. Lytle moved, seconded by Mr. Gallo to approve the agenda. The motion carried unanimously.

D. Approval of Minutes – April 27, 2026 Meeting

Mr. Lytle moved, seconded by Mr. Gallo to approve the minutes. The motion carried unanimously.

E. Traffic Calming Measures and DOT Updates

Mr. Hooper stated that this Committee met more recently than the official meeting with NCDOT, so any news shared will be information Staff has found out in the normal course of business. Mr. Todd stated that he will speak to the items with changes and those are highlighted in yellow (Attachment A).

Line 1 – W. Probart and Railroad Intersection – Staff started widening the curb and are planning to set the RRBC's next week. The work should be complete next week.

Line 5 – Estatoe Temporary Trail/Reroute – The curb cuts on Pender are complete and Staff will need to paint the crosswalk. Mr. Todd spoke with NCDOT this week to confirm that Staff can paint the crosswalk again on Fisher and they confirmed. Because it is an NCDOT road, the crosswalk needs to be thermoplastic, which can be expensive. NCDOT has offered to try to work with the City, so NCDOT might be willing to pay for that crosswalk. Work should be complete by the end of June.

Related to the Traffic Calming Work Team meeting, Mr. Hooper said Christy, the City's third-party traffic engineer, has not been able to visit the Cashiers Valley Rd./Mills Ave./Carver St. intersection yet, or at least Staff has not heard her feedback yet. Staff hopes to get feedback on that intersection, the west side of Main St. near the School Board building, and a few other sites before the next meeting.

Chief Wentzell stated that they are still moving around the traffic data collection devices and one of the devices on W. Main St. was tampered with, so she would discredit data collected from that device. Since the last Council meeting, where issues were brought up in relation to Carolina Ave., BPD has conducted two safety checkpoints in that area. BPD is increasing speed detection efforts near Carolina Ave. and coming down the hill, but there are no clear vantage points to run radar coming down the hill. Chief Wentzell said they have 1 lidar certified officer and are hoping to improve that with the new Deputy Chief, who is a radar/lidar instructor. Carolina Ave. efforts were started after the last Council meeting, so Chief Wentzell said she should have the data collected by the next Committee meeting.

Over the past month on E. French Broad St., they are averaging a 14% enforcement rate and the fastest speed was 63 mph, which was an outlier. Chief Wentzell said they are looking at relocating that device, as they received a complaint about speeding on Turnpike Rd., near Maple and Country Club. They deployed a speed detection device today, so Chief Wentzell should have the data by next meeting.

Mr. Lytle said we know the speed bumps installed on Probart have possibly redirected traffic and he is not sure if that was an unintended consequence. He added that some speed bumps are very close to the stop signs and asked if that is redundant. Mr. Hooper said he thinks traffic is diverting onto James St., Thomas St., and Main St., but they cannot verify it because traffic data was not collected on those streets prior to speed bump installation. The data from Probart St. shows slower

speeds, but the volume has stayed near the same. He added that speed bumps near stop signs may be redundant, but the traffic engineer prescribed them that way. The speed bumps next to the stop signs were the “anchor bumps,” as they were placed first and subsequent spacing of the remaining speed bumps were spaced from the anchor bumps. Mr. Todd explained that speed bumps are on either side of the multi-use trail crossing and the speed bumps were used to help resolve concerns about the crossing. Mr. Lytle asked if we suspect the speed bumps are excessive, what would be used to prove or disprove that. Mr. Hooper said Staff would confirm with the traffic engineer that the speed bumps are spaced appropriately and ask about the effectiveness of speed bumps when the spacing is changed. He added that when planning the traffic calming measure, it was intended to have a significant effect.

Mr. Lytle asked how much a speed bump costs and asked if the planning and installation is the bulk of the cost. Mr. Hooper said the price varies, as speed bumps are petroleum-based products that fluctuate with the commodities market. He added that the speed bumps on Probart were kind of an experiment, in that Staff were learning as they went and had to buy extra speed bumps because the first ones were not installed correctly. Future installations will be more efficient, so most of the cost would be for the speed bumps themselves at about \$4,000 per bump.

Mr. Lytle said his opinion is that the speed bumps on Probart are a bit excessive and that some could be removed and placed elsewhere. Mr. Hooper said one thing that we have yet to learn is what happens when you pull up a speed bump. He added that during installation, he thought you could remove them, and you might be able to, but we have not tried. Mr. Todd said in his experience, speed bumps get destroyed when removing them. He added that there were over 1,000 anchor bolts used to install the speed bumps on Probart, and the condition of the road underneath will depend on the road’s subsurface. Some of the bolts were screwed into the asphalt while others were affixed using epoxy, which will result in holes in the pavement that will need to be patched. Mr. Lytle said part of learning will also include collecting data on adjacent streets before we install speed bumps to see the impacts on traffic after.

F. City’s Response to “Stump Dump” Fire on Hwy 64

Chief Owen said BFD was called out to a fire on Hwy 64 and it was originally Little River Fire Department’s response. There were several people on site and they needed more resources so they called for a tanker and ladder truck. BFD sent two tankers and a ladder truck to respond and they were present for 8 hours. They were hauling water as fast as they could at about 800 gallons a minute for 8 hours.

The business at the site conducts clean burning using air curtains, which are essentially large dumpsters with fans driven by engines that blow air over the fire. This method allows burning without creating any smoke. With the recent burn ban, the business accumulated a significant back stock from people coming in to dump wood. One wood pile was too close to one of the burners and something flew out and caught the pile on fire. It was beyond the business’s capability to put out the

fire, so they immediately called for service. The fire was moving so fast that they were having trouble getting enough water to put out the fire so they worked to protect the surrounding areas and tried to cool it down. BFD connected to hydrants at Brevard Academy and the cemetery, and they were overrunning the system. Chief Owen said they remedied that by pulling from the Straus Tower that serves the hospital. As the fire progressed, trucks also started sucking water out of the river and hauling it back to the scene. They also pulled from a hydrant in Etowah on the Henderson County water system so they did not deplete Brevard's reservoirs. Chief Owen said Public Works helped them out by directing them to hydrants that would not pull from the water tower being overrun and being present to help fix any hydrants. He added that with the amount of fire loading at the scene, there was no way to put out the fire, which is why it took a while to burn out.

Mr. Baker asked to find out more information because he remembers the discussion after the fire in Mills River and both fires used a ton of resources. Chief Owen said they had at least one tanker from every fire department in Transylvania County and 10 tankers from departments in Henderson County. He added that it is not manpower intensive, but it is intensive in terms of hauling water back and forth. The biggest difference between this fire and the fire in Mills River is that the structure in Mills River burnt down due to years of mulch accumulation and mulch is combustible. Chief Owen said the Mills River fire was still smoking as of 2-3 weeks ago and it has been 6 months since the fire started. With this fire, there is still some smoke coming off of it and it has been about a week and a half since the fire. NCDEQ told the business that the most effective way to handle it was to let the fire burn out.

Mr. Todd went to BFD's training exercise last week and there were several fire departments present. He said Chief Owen worked himself to death keeping the scene organized and he wanted to acknowledge his colleague for a job well done.

Chief Owen said he saw comments on the City's Facebook page and they do not get houses in good condition to burn. He said often, repairs are going to cost more than the house is worth. The house used in their exercise was damaged during Helene and repairs did not work out. Chief Owen added that they are grateful when they get houses to burn because it is the only real-world training you can get as a firefighter.

G. Axon ALPR Cameras

Mr. Hooper said this is a follow-up to an item from a few meetings ago and Chief Wentzell revised the guidelines on potential use of automatic license plate reader (ALPR) cameras. After the budget workshop in April, Chief Wentzell went back to Axon to ask if there was any room to trim down the quote for body worn cameras and tasers. Axon agreed to take \$25,000 off the quote over the course of the 5-year contract and sent two options. The first included just the tasers and body worn cameras. For the second option, they offered to discount the quote a little more if the City agreed to take 3 Outpost cameras, which are similar to FLOCK. Axon is trying to get a foot in the door with ALPR cameras, as FLOCK has a monopoly in most areas,

and they tie in with Fusus, a real-time crime information center. Chief Wentzell said the offer is what brought this item back to the Committee.

The differences between FLOCK and Outpost are that FLOCK is a still frame snapshot of a license plate, while Outpost also has live view capabilities. Live view would allow sworn officers to log in for a vetted reason and monitor in real time. Outpost also has better infrared, nighttime, and tag reading capabilities than FLOCK.

After the last discussion, there were concerns about who would have access, information sharing, and ownership of the data. Similar to FLOCK, the data from the camera belongs to the City, so Axon would not be able to release, sell, or share it with others, including federal authorities. Data sharing would ultimately be governed by Council's directives and the Police Department's policy. Chief Wentzell provided a list of policy considerations for the Committee (Attachment B).

Mr. Gallo asked if Axon's system communicates with FLOCK's system, to which Chief Wentzell said no, they are two separate entities. Mr. Gallo then asked if we would not have access to the County's data and other nearby municipalities' data. Chief Wentzell said we would not have access to the FLOCK system, but like FLOCK, if something has been entered into the crime database, we will get the same hit or notification that FLOCK would get. You can still share data with other agencies that use Axon, but there are less agencies that use it in this area. One difference, and benefit, is that Axon is integrated into Evidence.com, which BPD uses to handle evidence. Chief Wentzell added that Axon would operate more in real time, as opposed to a post-event investigative tool like FLOCK.

Live view capabilities would be limited to sworn law enforcement officers. To initiate a search, it will require a call for service or incident report number. BPD policies would not allow access to live view for surveillance, monitoring, or tracking, unless there is a law enforcement purpose, and there would be audit trails on usage.

Chief Wentzell mentioned that Mr. Lytle wanted to see the potential impact of the cameras on our crime rate. She clarified that the cameras will not have a direct impact on the City's crime rate, but they will have an impact on our solvability rate. She talked to Sheriff Owenby, and he said they have seen their solvability rate increase by 15-20%. Hendersonville and Henderson County have attributed a 30-40% increase in their solvability rate to FLOCK cameras. Mr. Baker asked if that is for crimes that occurred in front of the camera or in general. Chief Wentzell said it is overall, as it essentially generates tips. For example, if they know a time frame for when a crime occurred or details about a suspected vehicle, they can check camera feeds during that time frame and it may help narrow in on a suspect.

Mr. Lytle said he did a little bit of research, and has some questions, as he thinks it is likely what we will hear in a meeting. One concern is there are folks that think you will be able to piece together their everyday lives and movements using the cameras. The second concern is that the government could subpoena the data, at

which point our policy would no longer matter. He added that some cities have written into their policies to purge and delete the data within a certain number of days. Chief Wentzell said with both FLOCK and Axon, all data is purged after 30 days unless it is tied to a case number and tagged as evidence. Mr. Lytle said having worked for a tech company, he would want to add legal teeth to that. He does not want to blindly trust the company's policy, and he wants something in writing that would require the City and Axon to abide by that policy to give us more protection.

Mr. Lytle said from his understanding, Axon is more of a closed system and less of a sharing network like FLOCK. Chief Wentzell confirmed that with Axon, the data would not be shared unless we sent it. She added that when you get FLOCK cameras, you still have to approve sharing, but when you first get set up, your system will get inundated with sharing requests and there is a default setting that automatically accepts sharing requests, unless you opt out.

Mr. Lytle asked if these cameras capture more than just license plates, as Chief Wentzell mentioned they could be used to monitor protests or festivals. Chief Wentzell said yes, the live view cameras can monitor more than just license plates. Mr. Lytle asked how long the live view data is held. Chief Wentzell said it is held for a 30-day period unless it is tagged as evidence. She added that live view does not use artificial intelligence or facial recognition software, so people will not be identified.

Mr. Lytle asked where the 3 cameras would be placed. Chief Wentzell said she would meet with her Staff, Planning, and Axon to determine the best placements. She thinks having a camera at a main downtown intersection, even for traffic related purposes, is important. She would also confer with the Sheriff to ensure placements are not redundant and that they complement the Sheriff's cameras. The cameras are fixed, but if needed, they can be moved for a small fee.

Chief Owen said at the Sheriff's office, they only received one complaint regarding a FLOCK camera in the County. They rarely received any other feedback and most of it was resolved by answering questions and correcting misinformation.

Mr. Lytle said his biggest concern is unauthorized data sharing, but if we can put legal teeth behind it, he would feel a lot better. He added that the City's use policies would also need to be very, very specific. Chief Wentzell said this is a policy she would bring to Council and to the City attorney for review and input prior to implementation. Mr. Lytle said it may be redundant for a lawyer, but he thinks we need to be redundant in this scenario. Chief Wentzell said it should also help ease concerns knowing that many different people have looked at the policy, best practices are incorporated, and accountability measures are in place. She added that she will have monthly audits of the camera system, which supervisors currently do with body worn cameras.

Mr. Baker said his biggest question is whether the cameras are solving an actual problem, rather than being included as part of a contract. Chief Wentzell said the

cameras would definitely help solve more crimes and cited examples including a missing person case in Henderson County and a stolen vehicle outside Subway.

Mr. Lytle said he would like to hear from the public. Chief Wentzell said she would also like to share success stories so the public can understand the benefits. She added that said she would provide an annual report on the cameras' impact on solvability, compliance, and usage, as it is required for accreditation.

Mr. Baker said we need tasers and body worn cameras, but the fact that the cameras are in a contract with those things, and we expect to get some public comment that may drag on, he is concerned it may delay implementation of the tasers and body worn cameras. He asked what the next steps are. Mr. Lytle said since there is no cost difference, the salesperson probably just wants to show that he got the cameras included, and we do not have to put the cameras out right away. Mr. Lytle advised checking to make sure the cameras do not have an implementation time frame that we would need to comply with. Chief Wentzell said there is no time frame that dictates when the cameras need to be up and support from Axon is not time limited. She added that there may be a lag before they get the body worn cameras and tasers anyway, as they would be expected in September if approved in the budget.

Mr. Gallo asked how the cameras communicate with the BPD. Chief Wentzell said the cameras will be linked to the National Crime Information Center (NCIC) and the State DCI, so when a license plate matches information linked to a missing person or a stolen car, they would get a hit on their system that would send an email, text, and notify dispatch. Mr. Gallo asked if the live view uses internet. Chief Wentzell said yes.

Mr. Gallo mentioned the security cameras that are supposed to go in Clemson Plaza and asked if the Outpost cameras could serve both purposes. Chief Wentzell said yes, if approved. Mr. Gallo suggested putting up Outpost cameras in Clemson Plaza while waiting for approval for other locations. Mr. Todd said the two cameras are different and not subject to the same approvals, so it is not a one-for-one swap.

Mr. Hooper asked what the Committee wants the next step to be. Mr. Lytle said he would like for the policy to come back to the Committee and for the City attorney to look at the policies in depth before referral to the full Council. He advised having the City attorney consider Axon as a company, camera usage, and necessary protections to ensure the policy is airtight. Mr. Hooper asked if Axon seems amenable to extra requirements by its users like those discussed. Chief Wentzell said yes, but there may be some bureaucratic red tape and it may take a little bit longer.

H. Unhoused Population in Downtown

Mr. Lytle said he will keep the discussion high level and it can inform future conversations. The weather is getting warmer, and he has seen more unhoused folks downtown sleeping. He knows the Mayor has received some phone calls about it and he has a few questions. First, he asked what the current patrol schedule is for

downtown and how we do that. Chief Wentzell said there is no designated schedule, but they do have general patrols that are dependent upon call volume and case volume. BPD is still at 2 officers per shift and Chief Wentzell would like to be at 4. They do know people like to sleep behind the Co-Ed Theater at night, so they have increased patrols during those high-volume times. Mr. Lytle asked if our policy regarding folks sleeping on benches is the same during the day as it is at night. Chief Wentzell said it depends, as Clemson Plaza closes at 10pm. She said they are also looking at the City's ordinances on camping to see if they need to be re-examined.

Mr. Lytle asked what would be a reason that an officer would approach someone. Chief Wentzell said usually if they get a call, someone is publicly intoxicated, there is littering, or other types of nuisance calls. Most of the unhoused are familiar with BPD officers and the officers are familiar with knowing whether the unhoused have been trespassed from certain areas. Chief Wentzell said one man goes through alcohol withdrawals regularly, so her officers stop to check on his physical wellbeing and welfare. There are also times when they stop regardless of a call for service or if someone is doing something wrong. Mr. Lytle asked if they share information that advises the unhoused on where to get help or find resources. Chief Wentzell said yes, it is part of their policy. They have 10-12 unhoused folks they deal with routinely that are consistently made aware of the resources available.

Mr. Lytle asked how it is handled if there are people sleeping on the sidewalk during the day. Chief Wentzell said last week, there were a few unhoused in alcoves and they had to inform them that the property owner did not want them there, gave them water, and helped them move along to find some benches. She added that if their belongings are everywhere, they ask them to keep their belongings together.

Mr. Lytle asked if there is a plan to implement a bicycle program downtown using BPD's e-bikes to have a consistent presence during the summer. Chief Wentzell said yes, when she gets up to full staffing. BPD's vehicles do not have bike racks, so officers would need to ride their bikes from the police department and with current staffing, they would not be near their vehicles to respond in an emergency. She would like to add racks to the vehicles so officers could respond if needed. Mr. Lytle asked when she would be able to start a downtown bike patrol program. Chief Wentzell said she could do it using overtime hours, otherwise in mid-summer or fall.

Mr. Lytle asked if Chief Wentzell has been in communities with trained ambassadors that have access to police radio. Chief Wentzell said she has not, but she has been at departments with co-response, where licensed clinical social workers respond with officers to mental health and substance abuse calls. She added that she met with Beth at TC Strong and Rick at the high school to look at what they can do for mental health and substance abuse, as they have received several mental health calls concerning high schoolers. BPD is limited in that officers can really only take people to the jail or hospital, so they discussed partnerships and what resources the police department can offer. She said they are seeing if organizations have volunteers that can respond with them on mental health and substance abuse calls. Mr. Baker said it

is a tough issue that a lot of cities deal with and the mental health side is harder, as we do not have many partner organizations that bigger cities can rely on.

Mayor Copelof said there will be another resource once The Haven opens their peer support room, as it will have counselors from Love and Respect and a place to go during the day. She said now, we do not have a place to tell people to go during the day, so of course they hang out in the plaza. She added that when there is a place to go with assistance and trained professionals, it will help police because then when they respond to calls, there is an option. She is not sure when the center opens.

Chief Wentzell said behavioral concerns have resulted in many of the unhoused being trespassed from the organizations that provide resources, like Sharing House and Bread of Life. She added that it typically goes back to substance abuse, so she does not know the answer. Mayor Copelof said they also have to want the help.

Mr. Lytle said it is something to keep on our radar and that it is likely to get worse before it gets better. He thinks downtown police presence will help minimize the concerns of downtown businesses and he believes Chief Wentzell's folks can help.

I. E-bikes and E-Scooters on City Trails, Sidewalks, and Roads

Mr. Gallo suggested adding it to next meeting's agenda so that the Planning Staff can attend, but he has observed and heard from others about the number of e-bikes and e-scooters on trails, sidewalks, and streets. He added that you can get an e-scooter that goes up to 25 mph for as little as \$270. He observed some of them crossing through a crosswalk without even stopping on Probart St.

Mr. Gallo said he looked at the UNC School of Government's criminal law blog, and it says there are currently 2 statutes that grant municipalities the authority to regulate the use of public streets, sidewalks, alleyways, bridges, and other forms of public passage within their corporate limits. He added that there are municipalities that have established policies beyond what the State has done. He felt it needed to be brought up and at a future meeting, hopefully Planning Staff can look into what might be able to be accomplished. Mr. Baker said we will add it to a future agenda.

J. Public Comment

Rodney Locks asked if the data collected by the Axon cameras is time-tagged and how we can distinguish our data from others' data. Chief Wentzell said we would only have access to the City's data and the data is time-tagged.

Linda Gallo said if there is ever a discussion to move speed bumps away from Probart, you need to let the residents know because people do not want any moved. They are thrilled to have them. She added that they have seen semi-trucks on Probart and causing damage to the road, so she suggested considering weight limits

or charging overweight vehicles since the road will require repair. She said there was documented speeding on Probart and the speed bumps have been effective.

Harvey Sankey asked if Hendersonville and Henderson County have Axon cameras. Chief Wentzell said they have FLOCK. Mr. Sankey then asked if Chief Wentzell has talked to law enforcement agencies that have Axon cameras. Chief Wentzell said she has not but plans to. She added that she talked to agencies that dropped FLOCK and switched to Fusus, with Axon being tied into Fusus. Of those, she is aware of are Cary and Raleigh who have 65 and 100+ cameras respectively.

Mr. Sankey asked if Chief Wentzell has arrested any unhoused since joining the police department. Chief Wentzell said yes. Mr. Sankey asked how many. Chief Wentzell said she knows of 5-7 arrests for trespassing, public intoxication, or other nuisance type calls. She said they arrested an unhoused person last night who was committing a breaking and entering and during the arrest, he headbutted the window of her police car, shattering the window. Mr. Sankey asked what happens after they are arrested. Chief Wentzell said they are taken to the jail, brought before the magistrate, and the magistrate will either give them a bond or release them on their own recognizance. If they are not released, they stay at the County Jail.

K. Set Date for Next Meeting – Monday, June 22, 2026 at 3:30pm

The next meeting was scheduled for Monday, June 22, 2026, at 3:30 pm.

L. Adjourn

There being no further business, the meeting was adjourned at 5:08 pm.

Minutes Approved: June 22, 2026

X 

Aaron Baker, Chair, Council Member or
Dean Lytle, Vice Chair, Council Member

X 

Shawnee Cummings
Assistant to the City Manager

Traffic Calming and Safety Project Status 5/28/2026

IDENTIFIER	PROJECT	DESCRIPTION	STATUS	NOTE
1	W. Probart/Railroad intersection Improvements	Move stop sign/stop bar slightly east to provide more space for traffic collection; increase SB curb radius to ease turning movements onto WB Probart, add double sided RRBCs.	RRBCs are on hand, work is in progress with hopes of completing all intersection work by 6/30/2026.	
2	E. Probart crossing at Broad St.	Enhanced signage to warn motorists of pedestrians	Installed pedestrian and traffic warning signs, painted the crosswalk. Waiting on McAdams review one way travel on Probart, Broad to court house parking. Traffic data has been requested from Police. Stripes have been repainted after NCDOT repaving. Also waiting on	
3	Estatoe boardwalk repair Section 1, behind McDonalds	Repair/replace/reconfigure boardwalk sections of Estatoe Trail.	FLAP Grant has been awarded to the City, but we have not yet determined the full amount of the award. The designer for the project has been selected, WSP. We are presently unsure when grant funding will be available, as such we will not enter into a design agreement until we are sure of the funding amount and timeline	PTR comm. has agreed that this should be staff focus for the year to come
4	Estatoe boardwalk repair Section 2, behind Aldi	Repair/replace/reconfigure boardwalk sections of Estatoe Trail.	FLAP Grant has been awarded to the City, but we have not yet determined the full amount of the award. The designer for the project has been selected, WSP. We are presently unsure when grant funding will be available, as such we will not enter into a design agreement until we are sure of the funding amount and timeline	PTR comm. has agreed that this should be staff focus for the year to come
5	Estatoe temporary trail	Gravel path along old railbed	Pender curb cuts are complete. Pender crosswalk to be painted by end of June. Fisher Lane curb cuts to begin next week. Working in conjunction with NCDOT to add thermoplastic crosswalk. Hope to have work completed by the end of June.	
6	Carolina Ave. traffic calming	Possible traffic calming measures on Carolina Ave. north of intersection with Shipman	Staff plans to bring a proposal to the Budget Retreat to add speed bumps on the City owned portion of Carolina Avenue.	
7	Four-way stop near Silversteen Park	Add stop sign at Mills Ave. to create four-way stop near Silversteen Park	Final layout received from our Traffic Consultant. Signs have been ordered. We will implement this work after the Hillview Street culvert is repaced.	Need to advertise traffic change and install "New Traffic Pattern" signs

8	Oaklawn/Main St. four-way stop	Add stop signs/stop bars on Main St. to create four-way stop	All signage is complete, painting to be completed by 6/5/2026 weather and staffing allowing.	Need to advertise traffic change and install "New Traffic Pattern" signs
9	Oaklawn/Carver four-way stop	Add stop sign at EB Carver to create four-way stop	New stop signs and warning signs for the new intersection are in place. Warning signs will come down in about 90 days, completing this project. Warning signs are coming down at the end of May.	
10	Park Ave, Park View, Elm Bend. traffic calming	Constituent request for consideration	Initial data collection complete and data review is in process. Plans are to continue data collection while school is in session as previous collection occurred during the summer.	
11	Pisgah Church Dr. traffic calming	Constituent request for consideration	Data collection scheduled	State rd., traffic control measures must be approved by NCDOT
12	Fisher Rd. traffic calming	Constituent request for consideration	Discussed with NCDOT 12/18/25. NCDOT indicates they are flexible in regards to trail crossing and willing to consider ownership swap.	
13	No Turn On Red where Bike Paths are crossed, Deer Lake Road, Jackson Court, Osbourne, temporary until R5800 is complete.	Constituent request for consideration	Discussed with NCDOT on 12/18/25. NCDOT is reviewing mast arms to see if they can support associated signage. NCDOT said maybe to painting trail crossing with the Ecusta Trail Logo at Deer Lake, Pisgah Heights, Jackson Court	
14	Add traffic calming to Oakdale, near 228	Constituent request for consideration	Under discussion	Add to data collection schedule
15	Flashing Yellow light and enhanced crosswalk, Highschool to dirt parking across Country Club Road. Consider addition of speed bumps or rumble strips	High School has requested rumble strips	NCDOT has agreed to install a flashing RRFB at this crosswalk between June and August of 2026.	
16	Can speed be reduced on shared bike lanes on French Broad	Constituent request for consideration	Under discussion	
17	Can Morgan Street be made a bike boulevard	Constituent request for consideration	Under discussion in Downtown Master Plan	
18	Can the Bike Ped Plan be reviewed for safety concerns and address those on a higher priority	Constituent request for consideration	Under discussion	
19	Can we review the number of light changes per crosswalk crossing at 276/Elm/Park View at school crossing	Constituent request for consideration	This was discussed briefly with NCDOT at last quarterly meeting on 12/18/25 but we do not have a solution yet. Do new lights at Gallimore change traffic	
20	Ecusta Road signage warning of upcoming trail crossings	Constituent request for consideration - Need to verify if this has been done	To be addressed by a coming STIP Project, have asked NCDOT if signs can be added, awaiting their approval	

21	Secondary egress from Cherry St area	Constituent request for consideration - Need to follow up with McGill	Public Safety agreed to review one emergency exit route versus 4 as originally proposed. Update proposal received from our designer on 11/24/25. This project is on hold pending identification of needed budget.
22	Trail crossing signs and better marking by Pisgah Heights	Constituent request for consideration	Repaint faded crosswalk add signs, waiting on NCDOT. Staff will schedule this work.
23	Deerlake Road sidewalk extension	Constituent request for consideration	Cost estimated by Public Works to be \$20k for materials, work could be done in house as time allows, double cost if contracted. Wilson to discuss with home owners association.
24	Better trail marking/ safety improvements by Deerlake Rd/AVL Highway, permanent per R5800.	Constituent request for consideration	Discussed with NCDOT on 12/18/25 but no resolution yet. DOT is considering this along with the new roundabout work
25	Deer Lake Crossing Signal Light	Constituent request for consideration	Reviewed with NCDOT on 12/18/25, they promised to give this consideration but no promises were made.
26	Excessive speed on West Main, 200 block due to traffic on Probart rerouting around speed bumps. What traffic control measures can be put in place?	Constituent request for consideration	Just recently completed additional data collection. Review in process.
27	Lack of crosswalk on Broad Street near library	Constituent request for consideration	Will discuss with NCDOT
28	Varying speed limits on Broadway, one small section speeds up. Can they be made the same?	Constituent request for consideration	Will discuss with NCDOT
29	Silversteen between Caldwell and Aiken	Constituent request for consideration	Will discuss with NCDOT
30	Review intersection of Carver Street and Oakdale Street and Cashiers Valley Road below MJCOC	Constituent request for consideration	Alternatives under discussion with TCWT
31	Add a crosswalk across Whimire St where it intersects Railroad.	Constituent request for consideration	This is a confusing request as the crosswalk being requested already exists
32	102 East French Broad - Excessive Speed	Constituent request for consideration	Police Department to conduct data collection
1	RESOLVED OR COMPLETED ITEMS Jailhouse Hill Line Painting	Constituent request for consideration	Completed
			NCDOT

2	Line Painting in front of Ingles	Constituent request for consideration	Completed	NCDOT
3	Railroad Avenue parking	Public hearing 8/4 for code changes prohibiting on-street parking along Railroad	Complete	
4	Crosswalk Indicators not working, French Broad/Caldwell	Constituent request for consideration	Complete	
5	Crosswalk Indicators not working, French Broad/Broad	Constituent request for consideration	Complete	
6	Crosswalk Indicators not working, Main/Caldwell	Constituent request for consideration	Complete	NCDOT
7	Reflective Tape on Benches at Jordan Street Bump Out	Constituent request for consideration	Complete	Will be reviewed again later if deemed problematic
8	Bicycle Accident Barclay Road due to ignored Road Closure Barricades	Constituent request for consideration	Complete	NCDOT – Estimated Completion by 10/1/25
9	Jake Brake Signs	Constituent request for consideration	Complete	
10	Railroad/McClean path crossing improvement	Replace one-sided RFBs with two-sided; create ADA accessible "landing pads" on both sides of crosswalk	Complete	
11	Excessive speed on Maple. What traffic control measures can be put in place?	Constituent request for consideration	Complete	Traffic data was collected. Based on the traffic data it was decided that new measures were needed at this time.

Brevard Police Department – ALPR Policy Considerations

- ALPR technology will be deployed for legitimate public safety and criminal investigative purposes only, with an emphasis on solving and preventing serious crime, locating stolen vehicles, missing persons, and enhancing officer and community safety.
- The department will prioritize systems capable of providing reliable, court-admissible evidence under varying environmental conditions, including nighttime and low-light operations where many criminal offenses occur. Image quality and evidentiary value will be evaluated as part of ongoing system assessment.
- “Live View” capabilities will be limited to sworn law enforcement personnel and utilized only for legitimate operational purposes such as active investigations, violent crime response, BOLOs, missing/endangered persons, officer safety incidents, or exigent circumstances.
- Live View functionality will not be used for generalized surveillance, random monitoring of the public, or tracking individuals absent a legitimate law enforcement purpose.
- The department will require all ALPR searches and Live View access to be documented via a call for service number and/or incident report number, logged, and auditable. Supervisory personnel will conduct monthly random audits to ensure compliance with department policy and constitutional standards.
- ALPR systems utilized by the department should support rapid information sharing and real-time investigative awareness while maintaining CJIS-compliant security protections and audit trails.
- The department will prioritize systems that support continuous software and security improvements through routine firmware and platform updates to maintain current detection capabilities, cybersecurity protections, and operational effectiveness.
- Cybersecurity protections and vendor security practices will be a critical consideration in ALPR deployment and data-sharing decisions. Systems must comply with CJIS standards and industry best practices to safeguard sensitive law enforcement information.

- The department will maintain ownership and control of all department-generated ALPR data. Vendor platforms will not be permitted to sell, monetize, or otherwise commercially exploit department-owned data.
- Data sharing will be limited to verified criminal justice agencies for legitimate law enforcement purposes consistent with department policy, applicable law, and operational necessity.
- The department reserves the right to restrict or deny data-sharing access to agencies or organizations whose practices, privacy standards, or operational objectives do not align with City policy or community expectations.
- The department will not utilize ALPR systems for generalized intelligence gathering, indiscriminate surveillance, monitoring constitutionally protected activity absent a legitimate law enforcement or public safety purpose, or immigration enforcement absent a valid criminal justice purpose or legal requirement.
 - This provision does not preclude the use of ALPR or live-view technology during protests, festivals, demonstrations, or other large public events when there is a legitimate operational, investigative, traffic management, crowd safety, emergency response, or public safety purpose.
 - The department may utilize such systems to respond to criminal activity, threats to public safety, disorderly conduct, riots, traffic concerns, or other exigent circumstances; however, individuals will not be monitored solely for exercising First Amendment rights.
- Any integration between ALPR systems and evidence management, camera systems, CAD, or investigative platforms must maintain strict access controls, user accountability, and CJIS-compliant data protections.
- Employees who misuse ALPR systems, access information without a legitimate purpose, or violate policy will be subject to disciplinary action up to and including termination and potential criminal prosecution.
- The department conduct a bi- annual review on ALPR policies, vendor performance, privacy considerations, data-sharing practices, and technological capabilities to ensure the system remains aligned with constitutional protections, community trust, and operational needs.
- The department will conduct a full audit annually to ensure compliance with departmental policies.

MINUTES
City Council Public Works & Utilities Committee

Wednesday, June 3, 2026 – 3:30 p.m.
City Council Chambers

Members Present: Lauren Wise, Chair, Council Member
Gary Daniel, Vice Chair, Council Member
Owen Carson, Citizen Member
Mayor Maureen Copelof, Ex-Officio

Staff Present: Wilson Hooper, City Manager
David Todd, Assistant City Manager
Wesley Shook, Public Works Director
Dennis Richardson, Water Treatment Plant Supervisor
Aaron Winans, Wastewater Treatment Plant Supervisor
Shawnee Cummings, Assistant to the City Manager

Guests: Harvey Sankey, Alvin Fuller (Summit Engineering)

A. Welcome and Call to Order

Committee Chair Lauren Wise called the meeting to order at 3:31 p.m.

B. Certification of Quorum

Assistant to the City Manager Shawnee Cummings certified that a quorum was present.

C. Approval of Agenda

Mr. Carson moved, seconded by Mr. Daniel to approve the agenda as presented. The motion carried unanimously.

D. Approval of Minutes – May 6, 2026 Meeting

Mr. Daniel moved, seconded by Mr. Carson to approve the minutes of the May 6, 2026 meeting as presented. The motion carried unanimously.

E. Wastewater Treatment Plant Update

Mr. Todd stated that this update will cover the RBC failure last month. The RBC's consist of 8 units and each have their own rotating shaft. 4 shafts make a train, which operates as a unit, and it affects how the whole train operates. When 1 shaft failed, we lost a quarter of a train and quickly lost almost half of our plant capacity.

Mr. Todd explained that the City previously purchased used RBC shafts to use as replacements and we had a shaft on hand, which allowed us to get a contractor on site to replace the shaft quickly. To replace the shaft, you have to drain the basin that the RBC operates in and the water in the basin helps the RBC float a little bit. When draining the basin, the RBC sunk a little bit and it ripped the bearings out from the concrete, breaking the concrete basin. Staff worked to get an emergency repair performed to fix the concrete basin; however, Staff did not realize that when Hurricane Helene hit and flooded the plant, it damaged our 2 spare shafts. Sediment developed in the bottom of the shaft, either from sitting or being underwater. Normally when replacing a shaft, the shaft has little cups on it and they bubble air up that the cups catch, causing the shaft to rotate. When replacing our shaft, the air was not strong enough to make it rotate, so Mr. Winans created a sprinkler that sprays water into the cups, adding weight so the shaft would rotate.

Mr. Todd said they have been working on it since the shaft broke and it started out taking 6 minutes for the shaft to do a full rotation. Before the shaft broke, it would rotate in about a minute. With the sprinkler and after giving it some time, the rotation has gotten down to 2 minutes. Mr. Todd added that you cannot use a pressure washer to remove sediment, as it will break the plastic discs on the shaft.

Mr. Todd said we have one shaft left and it is flood-damaged, but it is also a high-density shaft. Originally, RBCs were designed with 3 low-density shafts and 1 high-density shaft. Since we only have a high-density shaft, it cannot be placed in any position in an RBC and must be placed in the number 4 spot. Neither of our RBCs currently have a high-density shaft, so if we break another shaft, we will place the spare shaft in the number 4 spot on one of the RBCs and move the shaft in the number 4 spot to the broken shaft position. At that point, we would have no spares. Mr. Todd and Mr. Winans are looking for used equipment dealers to find spares.

Mr. Todd said with the WWTP update, Phase 1 goes out for bid in July and construction will take about 18 months. He added that we have not started design for Phase 2, plus we will have to construct it. As an estimate, we will still be using RBCs for the next 5 years and will need spare shafts. He and Mr. Winans previously thought RBCs were obsolete and no longer manufactured, but they learned that air-driven RBCs, similar to ours, are no longer manufactured. Electric-driven RBCs are still manufactured, so one option moving forward would be to replace an air-driven RBC with an electric RBC. An electric RBC might be the spare we purchase, but from initial guesses, it would be much more expensive than a used shaft. If unable to find a used shaft, then an electric RBC is an option. He is talking to KCI about whether that is something we want to look into for long-term reliability of the plant.

Mr. Todd added that they asked KCI to include Davidson River Village in their flow projections. KCI did not initially include Davidson River Village, as they did not identify a flow given that their model is based on buildable development. Mr. Fuller had also created a flow projection of Davidson River Village, but it was based on a model several years back that was used our best guess of how Davidson River Village would develop and is different from what we know now. KCI was tasked

with using their developable model to include Davidson River Village but reduced to more closely match what we believe it would be built at now. KCI plugged that information into their flow projection model and updated the flow numbers with 2025 data. Mr. Fuller's previous project, the Gallimore Sewer Basin Rehabilitation, showed a substantial reduction in inflow and infiltration (I&I) and when you incorporate the 2025 data into that model, flow projections drop significantly. Given the drop, it pushed time and flow projections out, giving us more time before our WWTP reaches capacity thresholds. The City may not need to increase capacity as quickly as we thought and may want to consider renovating the RBCs as a short-term solution, depending on cost. Mr. Todd said they are looking at that option, not necessarily to recommend it, but so we have all our options available.

Mr. Wise asked if there is a big retrofitting cost to use the electric RBCs. He said he would assume you would have to do something to the basin to get the electric out there. Mr. Todd said he thinks the basin itself may be okay, but the connection to the shaft, a motor, a drive, a gearbox, belts, and a reduction box would be needed. Mr. Winans said there may not be enough power in the motor control, but he has not gotten any quotes back. Mr. Winans added that he just got a notification that the RBC rotation is down to 1 minute and 10 seconds, but they are still using a sprinkler.

Mr. Daniel said his understanding is that we raise our sewer fees 4% every year because we are still paying for retrofitting work that was done 5 years ago. His concern is that we are still paying for that and still not operating in great condition, so any thought of retrofitting our infrastructure again would raise concerns. He does not think we should continue to pay to retrofit things and then not be able to afford to fix them. Mr. Todd said the biggest difference is that Phase 1 of the WWTP renovation is \$13 million and we are bidding that in July. Phase 2 is estimated to be \$90-120 million, and we still need to find money to get design done. Mr. Todd said he is bringing this up because we need to do some risk analysis until we get funding identified. Mr. Daniel said he understands that and he is just giving a word of caution based on his observation. Mr. Wise asked what the design cost is for Phase 2. Mr. Todd said \$2.5 million. Staff requested congressional spending from State and Federal representatives, but the request would not be fulfilled for another year.

Mayor Copelof said when she talked with Representative Anna Ferguson, she was very familiar with the needs of our WWTP. Mr. Carson and Mr. Sankey said they also mentioned the WWTP to Representative Ferguson when they each talked with her.

F. Water and Sewer AIA

Mr. Todd said we have been talking about this for a long time and the project is largely done. City Council is required to approve a resolution accepting and adopting the results of the Asset Inventory and Assessment (AIA) plan for the City to get full grant reimbursement. Mr. Todd showed the deliverables, which are large binders that cover the water and sewer systems and contain printed copies of the GIS maps that were created. He added that Staff will give a brief presentation and bring a resolution to Council at the June 15th Council meeting. There is one outstanding piece of the AIA, an

Operations and Maintenance (O&M) Plan, which is currently in its draft form. The O&M Plan may not be finished by the June 15th Council meeting, so Staff would request Council to approve the AIA results pending receipt of the O&M Plan.

Sewer AIA

The scope of services included field inspections and GIS locations of manholes, gravity sewer lines, sewer lift stations, forcemains, and smoke testing, data organization, geodatabase preparation, demand projections using NCDOT Transportation Analysis Zone (TAZ) Data, and assessment of condition and adequacy of facilities. The data collected was used to prepare a capital improvement program and a repair and replacement program.

The City's wastewater treatment plant (WWTP) was constructed in the 1980's, updated in 2014, and has capacity for 2.5 million gallons per day (MGD). The City also has 15 sewer lift stations, 58 miles of gravity sewer lines, and 7 miles of forcemain. Current demand consists of 3,257 residential customers, 516 commercial customers, 100 institutional customers, and 1 industrial customer. Approximately 0.71 MGD of flow was billed, but the plant receives about 1.5 MGD in influent flow.

The City's sewer system is broken into 13 basins:

- Brushy Creek
- Singing Branch
- Jumping Branch
- Gallimore
- Elm Bend
- Lambo Creek
- Kings Creek
- Lambs Creek
- Pisgah Forest
- Davidson River
- Turkey Creek

The Gallimore Road, Neely Road, and Wilson Road Pump Stations are the primary pump stations and each serve about 4-5 of the sewer basin tributaries. Gallimore Road Pump Station discharges to the Neely Road Pump Station, which then conveys both stations' sewage to the WWTP, while Wilson Road conveys its sewage directly to the plant.

Mr. Fuller said there is approximately 300,000 linear feet of gravity sewer lines in the City, of which approximately 55,000 linear feet are clay lines. Clay lines are a significant portion of the sewer lines in Brushy Creek Basin, Kings Creek Basin, and Lambo Creek Basin. He added that there are about 1,900 manholes, of which about 1,600 were inspected and 300 are still to be located. About 235 manholes exhibited signs of I&I, with almost half in the Brushy Creek Basin. There are 86 manholes that require a new cover.

In inventorying lift stations, Mr. Fuller explained that they measured horsepower, power, and availability of backup power. Mr. Todd added that since the inventory, a few of the pump stations now have backup generators. Lastly, they inventoried forcemains, including pipe size, length in linear feet, material, and discharge location.

Over the past 4 years, there has been a decline in the influent flow to the WWTP and an increase in the amount billed, indicating there has been progress in addressing I&I and repairing infrastructure. In 2020, I&I was about 62% of the flow to the WWTP and in 2025, that has decreased to 40%. The City has conducted significant rehabilitation and replacement work in the past 10 to 15 years, with a focus on replacements in Kings Creek, rehabilitation of Gallimore Road sewer basin, and a pump station replacement.

Mr. Fuller said that field inspections were used in combination with City Staff's institutional knowledge to assess condition of the existing collection system. The in-depth analysis determined that Brushy Creek, Kings Creek, Lambs Creek, and Lambo Creek all have urgent issues that must be addressed soon. Additionally, lift station assessments documented flow, capacity, whether the station has onsite power, whether the station can accommodate growth, and any site-specific concerns. Mr. Todd added that Pisgah Fish Camp sewer lift station renovations will begin next week.

NCDOT TAZ data is used to predict growth trends to better plan and design roadway improvements. In this case, Mr. Fuller explained that they used TAZ data and known upcoming developments to predict future growth and expected flows to the WWTP. Load levels for each sewer basin were broken down between residential, commercial, and industrial customers and using current load levels and expected growth, projected loads were estimated. I&I was subtracted out from the total to get the most accurate figures. Substantial growth is expected between 2025 and 2030 but slows significantly between 2030 and 2040. As the City continues to address I&I issues, the influent flow decreases; demand for sewer is not expected to reach 2022 levels until 2040.

Mr. Fuller then prioritized the concerns from the assessment into a capital improvement plan (CIP) and assigned cost estimates to the improvements. For example, priority 1 projects will include gravity sewer improvements to sewer lines on 8 different streets and are estimated to cost \$3.2 million. For improvements in priority groups 1-3, Mr. Fuller recommended seeking SRF grants through NCDWI. For other priority group projects, Mr. Fuller advised that developers may be able to finance those improvements when constructing new developments or the City may want to engage in public-private partnerships. Mr. Todd added that NCDWI really wanted to see that the City has a plan for improvements and that needs have been prioritized.

The repair and replacement program identifies areas that need to be addressed but did not rise to the level of the 6 priority groups in the CIP. Mr. Fuller said these projects can be addressed as funding allows, and much of it could be completed in-house.

Water AIA

The scope of services included field inspections and GIS locations of fire hydrants, valves, blow-offs, and air release valves, data organization, geodatabase preparation that includes information on water mains, water storage tanks, and lift stations, preparation of a new hydraulic model, demand projections using NCDOT TAZ Data, and assessment of condition and adequacy of facilities. The data collected was used to prepare a capital improvement program and a repair and replacement program.

The City's water treatment plant (WTP) was constructed in the 1980's, updated in 2014, and can produce 2.6 MGD. The City also has 7 water storage tanks, 6 water booster pump stations, 1 hydropneumatics pump station, 96 miles of water main, and 574 fire hydrants. Current demand consists of 3,865 residential customers, 621 commercial customers, 113 institutional customers, and 2 industrial customers. Approximately 0.75 MGD of water was billed, but the plant produces about 1.56 MGD. A major leak was located and repaired in August of 2025, which reduced demand by about 0.4 MGD.

The City's water system consists of 6 hydraulic gradients, including the primary system, Burrell Mountain, Deer Lake, Straus Park, White Squirrel, and Eagle Point. Of the gradients, the primary system is the largest and serves the bulk of the City's customers.

All water mains were inventoried, specifying pipe size and length in both feet and miles. Approximately 1,800 linear feet of water main was deemed to be undersized by NCDEQ and will require replacement. The minimum pipe size for public water supply lines is 2", so any ¾" and 1" lines in the City will need to be replaced to meet that requirement. Additionally, the City has a significant amount of cast iron water mains in its system, primarily in the downtown area. Cast iron pipes are not inherently problematic and can last a long time, so Mr. Fuller said he has worked with Staff to identify the areas where those lines are actually causing problems. Mr. Fuller said 574 fire hydrants were also inspected and inventoried, of which about 115 did not have hydrant valves.

Water storage facilities were inventoried, including the date constructed, overflow elevation, capacity, and what facility the tank is filled by. The State requires that you have half of an average day's usage in storage, which would be about 0.8 MGD, and the City retains about 3 MG in storage. Inventory of the City's pump stations noted each station's flow, horsepower, and availability of backup power.

Mr. Fuller said that field inspections were used in combination with City Staff's institutional knowledge to assess condition of the existing distribution system. Billing and production records were also used to determine water loss, and hydraulic modeling was used to determine performance, water age, and fire flow. Mr. Fuller displayed a graph with produced water, billed water, and unaccounted for water; the graphic showed that after the August 2025 leak was repaired, water sales significantly exceeded unaccounted for water for the first time in several years. In 2022, unaccounted for water comprised 52.6% of water produced and in 2026, it is about 46%.

Out of the City's 574 fire hydrants, 43 were in fair condition and 24 were in poor condition. About 180 fire hydrants were installed before 1990 and 80 hydrants had unknown installation dates. For 90 hydrants, Mr. Fuller said they were unable to find the valve, either because of landscaping, paving over it, or other various reasons.

The pump station assessments documented type, whether the station can accommodate growth, and site-specific concerns, including excessive run times, outdated pumps, unstable structures, and SCADA issues. Assessment of the water mains identified problematic areas that need to be addressed using City Staff's institutional knowledge.

Mr. Fuller said that they constructed a hydraulic model using GIS and TAZ data and calibrated with flow tests. Models were run based on demand, system water supply, water age, and available fire flow. The biggest concerns were the locations of the Burrell Mountain and White Squirrel pump stations, and fire flow concerns with the inclusion of Davidson River Village. Projected demand for 2040 was approximately 1.9 MGD, so even in 2040, the City would still have plenty of water storage with 3 MG.

Mr. Fuller said that water age is critical to ensure there are no areas of the system with stale water and age should not exceed 360 hours. He advised monitoring chlorine residuals, as there were problems seen in the 2025 model at Straus Park, Deer Lake, western parts of the City near the reservoirs, and near the Wal-Mart tank. For the 2030 model, there were concerns in Straus Park, Deer Lake, and near the Wal-Mart tank. For the 2040 model, the areas of concern were the same as those in the 2025 model.

In running the fire flow model, the model was run to determine future fire flows as it relates to current demand and anticipated system growth. Per regulatory requirements, fire hydrants need to be able to maintain 500 gallons per minute for 2 hours at peak demand and maintain a minimum 20 pounds of pressure per square inch (psi). In 2025, the western portion of Deer Lake, the area near Chickadee Lane, and the Burrell Mountain area are all deficient in meeting the regulatory requirements. For the 2030 and 2035 models, the areas of concern remain the same. For the 2040 model, the development of Davidson River Village will affect the fire flow in Straus Park. Mr. Fuller provided recommendations to address these areas of concern, including relocation of a pump station, relocation of a PRV, and replacing/installing water mains in certain areas.

Mr. Fuller explained that they used TAZ data and known upcoming developments to predict future growth and expected demand for the WTP. Current demand was broken down between residential, commercial, and industrial customers and using current demand levels and expected growth, projected demand levels were estimated. Estimated water loss was also subtracted to maintain accuracy. Projected demand is expected to stay around 1.5 MGD through 2035 but jumps to 1.9 MGD in 2040 with the addition of Davidson River Village. The addition of Davidson River Village could trigger NCDEQ's 80/90 rule, which states that when you hit 80% of your capacity, you must obtain an approved engineering plan for WTP expansion and when you hit 90%, you must have permitting and design completed. Water storage was determined to be sufficient, and the distribution system was determined to be sufficient through 2039.

Necessary improvements identified in the assessment were then prioritized into a capital improvement plan (CIP) and assigned cost estimates. For example, priority 1 projects will include improvements to water mains on 7 different streets and relocation of a PRV, which are estimated to cost \$3.4 million. For improvements in priority groups 1-4, Mr. Fuller recommended seeking SRF grants through NCDWI. For other priority group projects, Mr. Fuller advised that funding is to be determined. Mr. Todd added that the total of the CIP for sewer exceeds the total of the CIP for water, indicating greater need for sewer improvements.

The repair and replacement program identifies areas that need to be addressed but did not rise to the level of the 6 priority groups in the CIP. Mr. Fuller said it primarily concerns fire hydrant replacements and new pumps and generators for pump stations. These projects can be addressed in-house as funding allows.

In looking at the total financial impact for both systems, Mr. Fuller incorporated the City's current debt service and showed a financial model from 2026 to 2040. If the City obtains grants and slowly introduces CIP projects as debt service for prior projects falls off, the City will have the ability to start addressing the issues without taking on significant debt or having to significantly raise rates.

Mr. Carson asked about the fire hydrants that do not meet regulatory requirements and if that means potential problems fighting a fire. Mr. Fuller said not necessarily, as the hydrants will still have enough water to fight a fire, but residents who are served by the same pump station may be temporarily without water or may notice a difference. Mr. Fuller added that it would not be great, but we could still fight a fire.

Mr. Todd thanked Mr. Fuller, as this information was extremely important, and what he does not want to do is let the information sit on a shelf. Mr. Hooper said unfortunately, the AIA was not complete prior to preparing the budget so none of the projects are baked in, but we have enough to at least get us started and we can always apply for grants. Mr. Fuller added that the projects are grouped in terms of priority, but the City can always pull projects from different areas and complete them individually.

Mr. Wise thanked Mr. Fuller for the work he performed. Mr. Wise also asked Mr. Richardson if he could explain how the water distribution system works so he could have a better understanding. Mr. Richardson explained that when the water plant is running, they are providing water directly to customers and filling tanks, and when the water plant is not running, the tanks provide water to customers.

Mr. Carson inquired as to whether water age could factor into the taste of the water, as he has heard some people saying they can taste chlorine in the water. Mr. Fuller said not all of the water is getting turned over because consumption is pulling water from the plant during peak demand and there may not be as much usage overnight, which is when the water from the tanks would get fully turned over. Mr. Fuller added that most of the time, you will have good water because the daytime usage is being fed by freshly pumped water at the WTP, but water used at 3am when the plant is not running will have a higher age. Mr. Todd added that any homes that get their water directly from the tank, primarily homes at higher elevations, will experience higher water ages. Mr. Fuller said their analysis also does not account for flushing of the tanks, which can help.

Mr. Richardson explained that they conduct maximum resident time testing, which tests the water at the far edges of town to ensure it is holding the necessary chemicals by the time it reaches those areas. When the water leaves the plant, the chlorine level is 1.5 and by the time it reaches the far end of town in the summer, the chlorine level is 0.7. In the winter, the chlorine levels at the far end of town can be up to 1.2. Water uses chlorine

much faster in hotter weather and as water age increases. The legal limit for chlorine levels is 0.2. Mr. Fuller said he would defer to the actual water samples over the models.

Mr. Carson moved, seconded by Mr. Daniel to recommend approval of the AIA results and refer it to the full Council for approval of a resolution adopting and accepting the plan, pending completing of the O&M manual. The motion carried unanimously.

G. Public Comment

Harvey Sankey asked if the RBC shaft will hold up the renovations at the WWTP, to which Mr. Winans said it will have no bearing. Mr. Sankey asked about Buncombe County's extra shafts, to which Mr. Todd said that Buncombe County is keeping their shafts for now, as they are also in the midst of a renovation.

Mr. Sankey added that the AIA was a great presentation and he lives in Straus Park. He asked if any fire hydrants in Straus Park need replacement, to which Mr. Fuller said not right now, but they will need to be replaced if Davidson River Village is constructed.

Mr. Daniel said he spoke to Madeline Magin and she asked if there was an update in relation to the traffic engineer looking at the King St., French Broad St., and Railroad Ave. intersection. Mr. Hooper said he needs to check if that intersection was discussed yet.

H. Set Next Meeting – Wednesday, July 1, 2026 at 3:30pm

The next regular meeting of the committee will be on July 1, 2026 at 3:30pm.

I. Adjourn

There being no further business, the meeting was adjourned at 5:29 p.m.

Minutes Approved: July 1, 2026



Lauren Wise, Chair, Council Member
Gary Daniel, Vice Chair, Council Member



Shawnee Cummings
Assistant to the City Manager

MINUTES
COUNCIL FINANCE, HUMAN RESOURCES and
CITIZEN APPOINTMENT COMMITTEE

Thursday, June 4, 2026 – 11:00am
City Hall Council Chambers

Members Present: Dean Lytle, Chair (arrived at 11:13am)
Pamela Holder, Vice-Chair, Council Member
Susan Miller, Citizen Member

Members absent: Maureen Copelof, Mayor, Ex-Officio

Staff Present: Wilson Hooper, City Manager
Dean Luebbe, Assistant City Manager/Finance Director
Kelley Craig, Human Resources Director (arrived at 11:38am)
Denise Hodsdon, City Clerk (arrived at 11:14am)
Shawnee Cummings, Assistant to the City Manager

Guests: Harvey Sankey

A. Welcome & Call to Order

Committee Vice Chair Pamela Holder welcomed everyone and called the meeting to order at 11:05am.

B. Certification of Quorum

Assistant to the City Manager Shawnee Cummings certified that a quorum was present.

C. Approval of Agenda

Ms. Miller moved, seconded by Ms. Holder to approve the agenda. The motion carried unanimously.

D. Approval of Minutes – April 27, 2026 Meeting

Ms. Miller moved, seconded by Ms. Holder to approve the minutes of the April 27, 2026 meeting as presented. The motion carried unanimously.

E. Vendors on City Property Policy Update

Ms. Brewer gave a presentation (Attachment A) and summarized what was discussed at past meetings, including vendor inquiries received by the Planning Department, the rationale behind locations and permit fees, and in-depth discussions held in late 2025

and early 2026. Ms. Brewer said the Planning Department was working to update their temporary use regulations and the special event regulations at the same time, which have since been updated. Vendors on City property do not fit neatly into either category of regulations, so the policy is being brought to the Committee and Council for consideration. In February, the Committee gave direction as to the changes needed for the non-motorized/pushcart vendor policy, including a longer permit period, lower permit fee, and the inclusion of additional locations, and advised Staff to look into a pilot program for motorized vendors, including food trucks and trailers.

Ms. Brewer said most cities do not allow vendors in public spaces outside of special events, but gave example policies used by Raleigh, Boone, and Marion. All the mentioned municipalities' programs have annual permits and fees, require liability insurance, allow vending only in downtown or public parks, require separation from restaurants, and are superseded by special events. Raleigh requires reservation of specific spots, while Boone and Marion are first-come-first-served. Asheville also piloted a food truck program that began in October 2025 and is ongoing given its success. Prior to the pilot, Asheville did not allow vendors on public property outside of special events. Asheville's program has 2 spaces in Pack Square that require registration and they rotate vendors by working their way through the registration list.

Ms. Brewer detailed a proposed food vendor pilot program for discussion purposes, including a 6-month pilot that would allow motorized and/or non-motorized vendors to operate at designated locations Friday through Sunday from 11am to 9pm. The program would aim to support local entrepreneurs, activate public spaces, expand dining options, and inform future policy decisions. Planning Staff would monitor participation, public feedback, operational impacts, and enforcement needs. At the end of the pilot, Staff would evaluate the program and provide recommendations to Council.

To participate, vendors would need to obtain a \$100 annual permit from the City, provide copies of their business license and health department permits, maintain sufficient insurance coverage, and operate during approved hours at designated locations. Ms. Brewer suggested 5 locations to start, some of which would accommodate motorized vendors, non-motorized vendors, or both. She added that a first-come-first-served model that is superseded by special events would be the easiest for Staff to administer and would allow Staff to gauge overall interest in the program.

Operational standards would include the following:

- Vendor can take up the one designated parking space or a 10'x 10' area
 - Vehicles used to tow must be moved to maintain adequate public parking/traffic flow
- No temporary structures, tents, tables, etc. (umbrellas or protective coverings allowed if attached to the vendor cart)
- No music/audio amplification
- One A-frame sign allowed
- Operator must be present at all times, except in cases of an emergency
- Vendors must keep area clean during and after operations

- Each vendor must have at least one trash can and cannot use City trash receptables
- Vendors must maintain professional behavior
- No sale of alcohol, tobacco, cannabis, hemp products, or other controlled substances or prohibited items
- At the end of operational hours, vendors would be required to take all signs and trash so the area is fully vacated after use

Ms. Brewer said she does not have any proposed locations because she knows it will be a point of discussion and could change based on where the Committee wants the pilot program to go. She added that the locations should be City-owned parking areas or public parking lots, parks, rights-of-way, and potentially Clemson Plaza, as Planning has received inquiries about that location specifically. Items to consider are what types of vendors are allowed, proximity to restrooms, restaurants, and residential areas, electrical and/or generator needs, and separation distances. The City has a couple downtown locations with electrical hookups that are only used for special events, but a consideration is whether to use some of those spots for the pilot program.

The options to consider are (1) move forward with a food vendor pilot program for motorized and non-motorized vendors, (2) move forward with non-motorized vendor policy and motorized food truck pilot program, or (3) table vendor discussion until additional interest or public input is received.

Ms. Holder asked when food trucks use power, whose power do they use? Ms. Brewer said it would usually be a generator, unless they are at a downtown site with electrical hookups, which would use the City's power. Ms. Holder asked if individuals using the City's power would need to pay a different fee. Ms. Brewer advised that food trucks in the Downtown Fire District, spanning 6 blocks, are not allowed to use a generator and downtown electrical hookups were created for vendors during special events. She added that usage of the City's power and whether that warrants a higher fee is a consideration for the Committee. Mr. Lytle asked if food trucks require either electrical hookups or generators to operate and Ms. Brewer said it is possible that they would not need power but infrequent, as it limits the ability to prepare food onsite. There are 4-5 locations downtown with electrical hookups, with one being Times Arcade Alley, and all are in the right-of-way. Ms. Brewer added that during City festivals, food trucks are notably set up outside of the Downtown Fire District. Mr. Hooper said aside from Times Arcade Alley, the other hookups are along the street and will take up a parking spot. Ms. Brewer explained that another consideration will be whether to have locations at parks near residential areas given the noise from generators. Mr. Lytle said that may be a reason to do a pilot program, as it will allow us to see if there are complaints or if neighbors are okay with the noise in certain areas and not others. The Committee agreed that downtown locations will be limited due to the electrical hookups and that other options can include parks and downtown locations outside the 6-block area.

Ms. Holder said that in thinking about the hours, she is wondering if the truck would need to be open until 9pm considering Brevard winds down early. If they closed earlier,

it may also help with the noise when trucks are set up at parks near residential areas. Ms. Brewer said later operating hours could also increase the number of food options available in the evening. Mr. Lytle said from a marketing perspective, he really likes Asheville's Food Truck Friday idea and asked about Ms. Brewer's rationale for the proposed days and operating hours. She stated that she included the extended hours because most businesses close early and it would generate activity downtown. The weekend schedule was chosen because it is when the City sees the heaviest traffic and the most visitors. If we receive feedback stating that no one comes to the food trucks late at night during the pilot, that would give Staff more information when assessing the effectiveness of the program. Mr. Lytle asked if vendors have to stay during operating hours. Ms. Brewer said no, it would just set parameters for when vendors are allowed to operate. Ms. Holder said we may want to consider seasonal hours, as it gets dark much later in the summer than it does in the winter, and if the hours are more aligned with daylight hours, people would not have to be there after dark.

Ms. Miller said she is comfortable with pushcarts in City parks or at Clemson Plaza, but she has issue with food trucks in public places. She said the private sector can make their property available for food trucks and that would possibly result in the City competing with private sector interests. Ms. Miller said she does not like food trucks and they are a nuisance, which will be pointed out by the pilot program. She added that food trucks can be a gathering spot for kids hanging out, have excessive noise from generators, or play very loud, disruptive music. Ms. Holder said the operational standards state that music would not be allowed. Mr. Lytle said a lot of vibrant downtowns are buzzing and have noise and music. He then asked if playing music downtown has been discussed before or if there have been complaints. Mr. Hooper said people have come to the Council before to ask about playing music downtown or selling art on the sidewalk and Council has shown little interest. He added that is without the complications of those being State roads and the State's limitations on what kind of commerce can take place on the sidewalks. He clarified that that was an old Council and if Council would like to revisit it, they can.

Mr. Hooper said he is hearing that the Committee still wants us to explore some things related to a food truck pilot program, so he hopes to hear the Committee's thoughts on moving forward with non-motorized vendors since there is comfort with that portion among the Committee. Ms. Holder said she is comfortable with both motorized and non-motorized vendors. Mr. Lytle agreed and said he does not see any reason that we cannot do a pilot program. Mr. Hooper said having not identified the locations yet, it sounds like Staff will need to come back to the Committee with the locations and information on what the locations can accommodate in terms of power. The Committee agreed.

Ms. Brewer said at the last Committee meeting, the Committee wanted to add Silversteen Park and the concrete area at the Depot, but the concrete area at the Depot is not City property so it would not be able to go there. Mr. Lytle asked if the locations are either/or, or if some could accommodate both pushcarts and food trucks. Ms. Brewer said Clemson Plaza and the dog park can only accommodate pushcarts, but the other locations have parking lots that could potentially accommodate a food truck.

Mr. Hooper recommended that we make the locations available for pushcarts now and then look into whether the locations can accommodate food trucks or both, to which Mr. Lytle said he could agree with that. Ms. Holder said she would like to pilot both at the same time so the public knows what is coming. Mr. Hooper said he only offers that option since we seem ready to do non-motorized vendors but we still have some work to do on food trucks. By grouping them together, it may delay program implementation. Ms. Miller said option 2 for consideration would move forward with the non-motorized vendor policy and allow Staff to gather more information for a food truck pilot program.

Ms. Miller motioned to recommend option 2, which moves forward with the non-motorized vendor policy and a food truck pilot program subject to additional information, to the full Council. Mr. Lytle seconded and the motion carried unanimously.

F. Remote Participation Policy for Committee Meetings

Ms. Hodsdon said there has been a question about whether to allow remote participation for boards and committee meetings. Considerations are whether to allow remote participation, remote participants to count toward a quorum, remote participants to vote, and whether the policy should be extended to Council. Ms. Hodsdon provided a handout with the main considerations in developing this policy (Attachment B). She added that UNC's School of Government (SOG) has a 3-part blog post that details considerations and components that should be approached with caution. Part 3 of the blog post was provided to Committee members (Attachment C). UNC'SOG advises municipalities to exercise caution, particularly with the governing board, because there are no clear State laws that expressly prohibit or authorize remote votes. Given the ambiguity related to governing boards, UNC'SOG directs municipalities to work closely with their City attorneys when creating a policy.

There is more flexibility for boards and committees and the blog post offered 4 possible approaches to consider, as well as considerations within each approach. Ms. Hodsdon added that she included remote participation policies used by other municipalities, including Chapel Hill, Durham, and Winston-Salem. Chapel Hill's policy applies only to boards and committees, Winston-Salem's policy applies to both Council and boards and committees, and Durham's policy applies only to Council.

Ms. Hodsdon said the first question is which boards and committees would the Committee want to allow remote participation for. Mr. Lytle said for him, the policy would only apply to boards and committees and not Council. While he does think there is an argument to be made that participating remotely is the same as being present, he said it should not be considered for Council at this time due to the ambiguity. Mr. Lytle asked what the risks are by allowing remote participants to count toward a quorum or allowing them to vote. Mr. Hooper said for the governing board, the main risk is that without statutory permission to allow remote appearances, someone could challenge the outcome of a vote and a court could rule that the vote was not official and the action is not binding. He added that it could be a small risk that would require Council to hold another vote, or it could be a big risk depending on the particulars of the action. Those

circumstances could be mitigated by claiming that that person did not vote. Mr. Lytle said his question was more specific as to allowing or not allowing the quorum for a Committee. Ms. Hodsdon said it could be challenged that it is an illegal meeting.

Ms. Holder said she agrees with what Mr. Lytle is saying, but if she is not able to attend due to a family emergency, she probably will not be able to attend remotely. She added that with a State of Emergency, it cannot be avoided, so she thinks that would be the only time Council should be permitted to remotely participate. Ms. Hodsdon said State statute allows remote meetings and participation during a State of Emergency. Ms. Holder said for boards and committees, the preference is to be in person but there should be a standard of reasoning for members who attend remotely, such as scheduling conflicts, work obligations, or personal emergencies.

Ms. Holder asked if the policy on remote participants needs to be black and white or if we could motion to allow someone to count towards a quorum when needed. Mr. Hooper said we should probably stick to whatever Council decides and approves as a policy, but that could be a caveat in the policy. Mr. Lytle said he believes the need for a remote participation policy was prompted because there have been a few times when a person attending remotely is needed to have a quorum. Ms. Holder said maybe it should only be allowed if it is needed for a quorum. Mr. Lytle asked why not just allow it? Ms. Holder said she thinks it is important that people understand the importance of attending in person, to which Ms. Miller agreed. Mr. Lytle said he is biased because he came from a fully remote tech company and saw productivity go up when they went remote, so his opinion is to allow it. Ms. Hodsdon said one of the example municipalities saw participation go up when they allowed remote participation. Ms. Craig said you may have more people willing to serve on committees and Ms. Hodsdon added that that is dependent on whether it is a blanket allowance or only under certain circumstances.

Mr. Hooper said we have more flexibility if the policy applies only to boards and committees, but the one reservation he has is applying the policy for Planning Board and Board of Adjustment, which are quasi-judicial governing boards and have quasi-judicial responsibilities. It would be particularly important for the Board of Adjustment hearings, given that parties are not allowed to have ex-parte communication and that cannot be ensured for someone sitting at their desk. Ms. Hodsdon said it would get complicated because you would need to allow individuals with standing to have remote access as well. Mr. Hooper said he needs to talk with the City attorney and check the statute for the Board of Adjustment given that they also have alternates present.

Mr. Lytle said Planning Board and Board of Adjustment could follow the same policy that Chapel Hill has, which states that remote participation shall not include voting on quasi-judicial applications, nor shall quasi-judicial hearings be held without a quorum of members present in person, except during a State-declared State of Emergency. He added that boards and committees could allow remote quorum, participation, and voting. Lastly, Council would only be permitted to participate remotely in a State-declared State of Emergency. Mr. Hooper asked if locally declared States of Emergency

should also be included. Mr. Lytle said he thinks that local emergencies are just as relevant and the Committee agreed to include it if permitted by statute.

Ms. Holder asked if we could allow the public to watch remotely but not comment or participate, similar to Council meetings. Mr. Hooper said Staff have been working on that but are working to figure out what equipment is needed. The equipment used for Council meetings will not work, as the microphones used to record committee meetings do not communicate with the camera used for Council meetings. If we were to stream committee meetings, those watching would not be able to hear the committee members. Mr. Lytle asked if we want to include that we will be streaming committee meetings or wait until we have the equipment. Mr. Hooper said we can include it.

G. Public Comment

Harvey Sankey said public comment on a Zoom meeting will get out of hand and arguments could start on a Zoom call. He said people could listen to Committee meetings remotely, but they should not be able to comment. Mr. Sankey said face-to-face is important and he thinks you can get more accomplished that way. Mr. Sankey said he does not think remote Committee participants should count toward a quorum or be allowed to vote. He said there are no distractions when attending in person and if you are in a different setting, there are distractions.

Mr. Sankey asked what department will monitor vendors on City property. Mr. Hooper said the Planning Department. Mr. Sankey asked if the Planning Department currently monitors anything similar. Mr. Hooper said they monitor compliance with planning and zoning ordinances and have employees in inspector-type roles, which give Planning the infrastructure to monitor vendor compliance. Mr. Sankey asked if there is a separate budget item for monitoring. Mr. Hooper said no, but the \$100 permit fee is intended to cover staff time. Mr. Sankey asked if the fee will cover staff time. Mr. Hooper said that will be evaluated during the pilot program. Mr. Sankey said he likes the pilot program, especially from June to September, but he thinks it should only be for food trucks and not push carts. He added that a \$100 fee is for 1 year, but the pilot program will only last a few months and asked if the fee would stay the same. Mr. Hooper said good point.

H. Set Date for Next Meeting

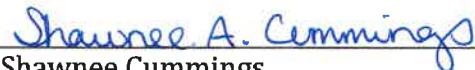
The next regular meeting is scheduled for Monday, June 22, 2026, at 11am.

I. Adjourn

There being no further business, the meeting was adjourned at 12:33pm.

Minutes Approved: June 22, 2026

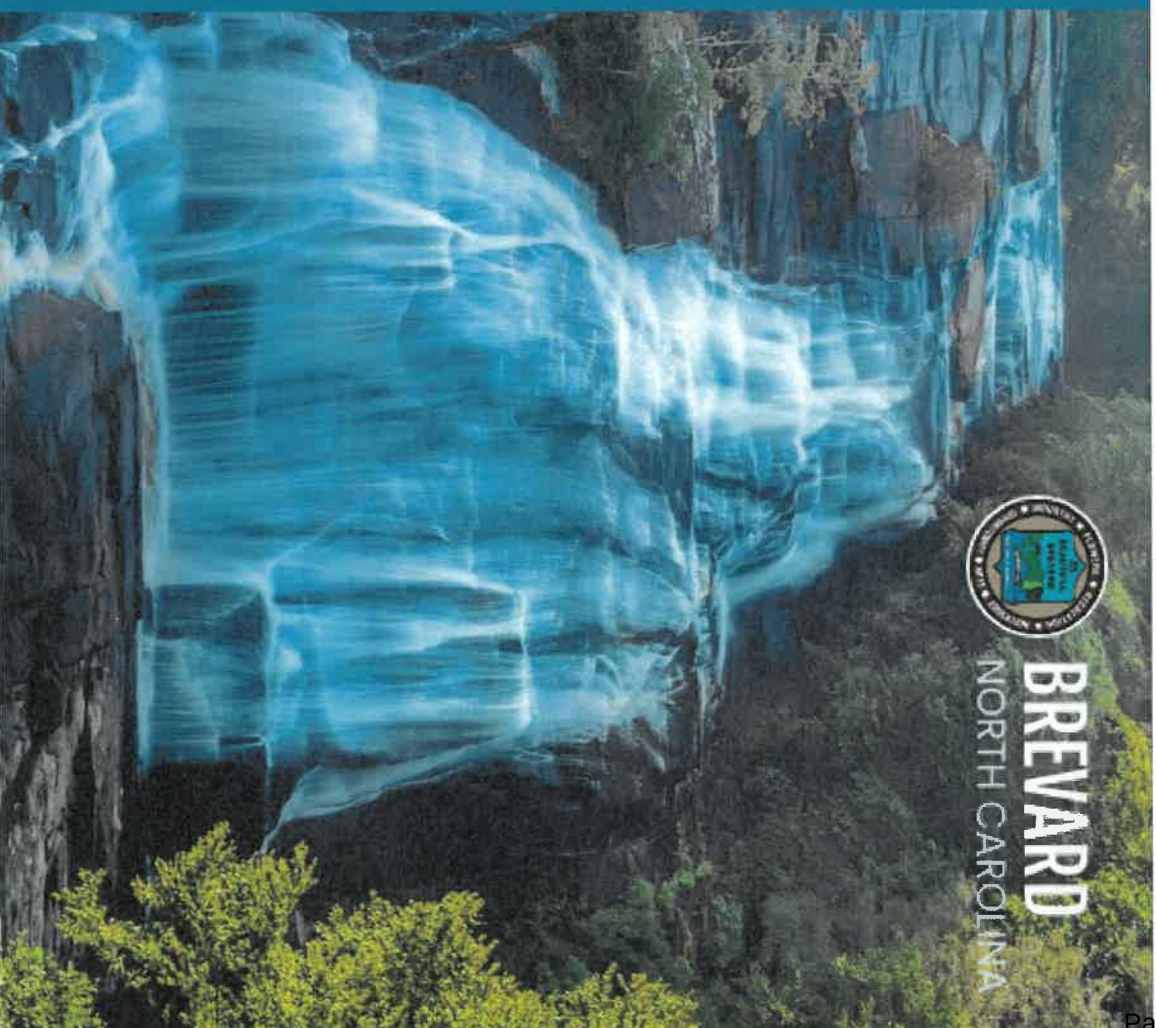
x 
Dean Lytle, Chair, Council Member or
Pamela Holder, Vice Chair, Council Member

x 
Shawnee Cummings
Assistant to the City Manager

Vendors on Public Property Discussion

FHRCA Committee

June 4, 2026



Background

- **Summer 2025:**
 - Uptick in requests for temporary uses, markets, events and vendors (including requests for Clemson Plaza)
 - Staff amending temporary uses (private property) and special events (public property usage)
- **Fall 2025**
 - Initial discussions of allowing vendors on public property with FHRCA Committee
 - Committee recommended policy where non-motorized vendors (pushcarts) could reserve one of 5 designated locations for up to 30 days
 - Committee discussed motorized vendors, but did not wish to pursue this
 - DTMP Committee was briefed and expressed concern about competition with brick-and-mortar restaurants – requested a high permit fee
- **December 2025:**
 - City Council referred the policy back to the FHRCA Committee to consider adding other vendor locations, lowering permit fee, and the changes to the reservation period (initially 30 days)
- **February 2026:**
 - FHRCA Committee discussed changes to the non-motorized vendor policy and asked staff to look into a pilot program for food trucks

Vendor Types

- **Motorized Vendors**
 - Food trucks, air streams, trailers, etc.
 - Connected to power
 - Food preparation can be on-site
- **Non-Motorized Vendors**
 - Pushcarts (sometimes called “Compact Mobile Food Operations”)
 - Not connected to power
 - Food preparation off-site



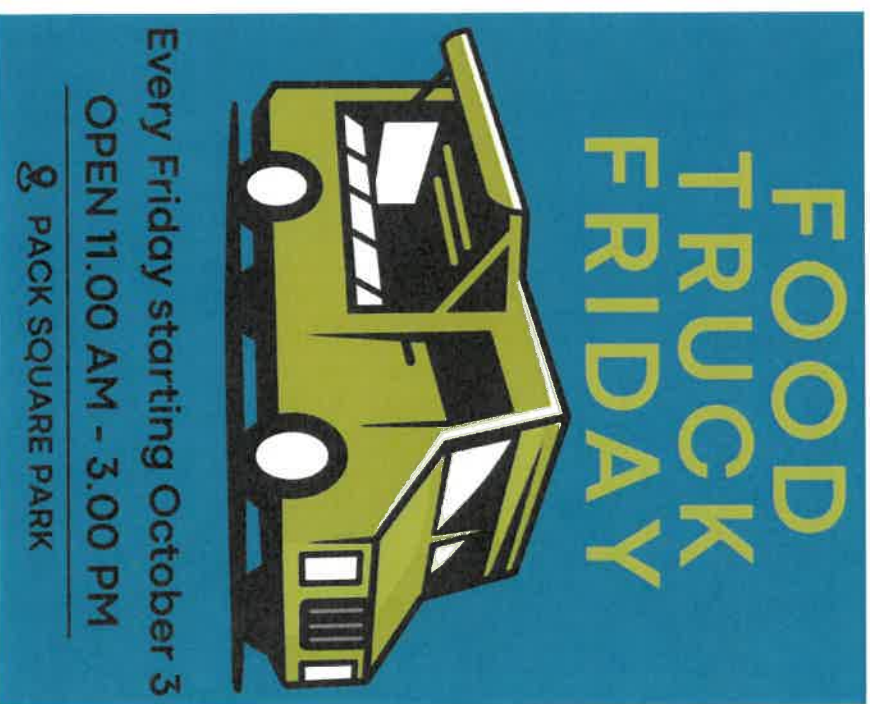
Other Cities

- Most cities do not allow vending in public spaces outside of a special event
 - Charlotte, Asheville, Hendersonville, Black Mountain, Franklin, etc.
- Trends for those that do:
 - Annual vendor program with permit / fee
 - Liability insurance required
 - Only in downtown or in public parks
 - Separation requirements from restaurants
 - Superseded by special events

City	Pushcarts in Public Spaces	Pushcart Permit	Food Trucks in Public Spaces	Food Truck Permit	Notes
Raleigh	Pushcarts allowed on sidewalk with location-specific permit in Downtown Overlay and Pedestrian Business Overlays	Annual spot-specific permit \$183	Food trucks allowed in designated right-of-way areas for food trucks (downtown only); total of 4 spots booked through the Raleigh Street Food Finder app	Annual permit to participate \$216	Location-specific and reserved; Superseded by special event permits
Boone	Vendors permitted at designated locations on sidewalk in front of Post Office (5 total)	Annual permit \$100	Not allowed (currently discussing new regulations for private property usage)	N/A	Spots are first-come-first-served; Superseded by special event permits
Marion	Pushcarts allowed on downtown sidewalks or public area designated for pedestrians if meet separation requirements	Annual permit \$240; Two-day permit \$25	Food trucks allowed in designated downtown public parking spaces after 5:30 pm (5 total)	Annual permit \$240; Two-day permit \$25	Spots are first-come-first-served; Superseded by special event permits; vendors can only take up one parking space; generators are prohibited / cannot use ancillary power

Asheville Pilot Program

- Typically only allow food trucks / vendors on public property as part of special event
- Currently holding a **Food Truck Friday pilot program** with 2 spaces in Pack Square
- Rotating selection of food trucks (registration process)
- Initially October – December 2025
- Very successful, continued into 2026



Proposed Food Vendor Pilot Program

- **Food Vendor Pilot Program**
 - Allow food vendors (motorized and non-motorized) to operate at designated public locations
 - 6-month trial period
 - Proposed operational hours: Friday – Sunday from 11:00 AM to 9:00 PM
- **Goals of Pilot Program:**
 - activate public spaces,
 - support local entrepreneurs,
 - expand dining options for residents and visitors, and
 - inform future policy decisions
- **Monitoring and Assessment**
 - City staff would monitor participation, public feedback, operational impacts, and enforcement needs
 - At the end of the pilot period, staff provides City Council an evaluation and recommendations regarding whether the program should be continued, modified, expanded, or discontinued

Proposed Food Vendor Pilot Program

- **Participating vendors would be required to:**
 - Obtain a Food Vendor Pilot Program permit (proposed \$100 permit fee)
 - Provide copies of business license, health department permits, etc.
 - Maintain appropriate insurance coverage (\$1,000,000 aggregate), and
 - Operate only within approved locations and hours / comply with operational standards of the program.
- **Designated Locations**
 - List of designated locations (perhaps 5 to start?)
 - Some motorized only, some non-motorized only, some both
 - First-come, first-served basis
 - Superseded by special events

Operational Standards

- Vendor can only take up the one designated parking space or 10-foot by 10-foot area
 - Vehicles used to tow must be moved to maintain adequate public parking / traffic flow
- No temporary structures, tents, tables, etc. (umbrellas or protective coverings allowed if attached to the vendor cart)
- No music / audio amplification
- One A-frame sign allowed
- Operator must be present at all times, except in cases of an emergency
- Vendors must keep area clean during and after operations
 - Each vendor must have at least one waste trash – cannot use City trash receptables
- Vendors must maintain professional behavior
- No sale of alcohol, tobacco, cannabis, hemp products, or other controlled substances or prohibited items.

Location Discussion

- **Potential locations include:**
 - City owned parking areas / public parking lots
 - Clemson Plaza
 - Parks
 - Rights-of-way (maybe?)
- **Things to consider:**
 - Whether location would be pushcarts only, food trucks only, or both
 - Proximity to restroom facilities, brick-and-mortar restaurants, residential (especially with generators / noise)
 - Electrical needs
 - Separation distances (15 feet from fire hydrant, 5 feet from building entrances (higher with generator), and cannot impede flow of traffic)

Options for Consideration

1. Move forward with a food vendor pilot program for both non-motorized and motorized
2. Move forward with non-motorized vendor policy and motorized food truck pilot program
3. Table vendor discussion until additional interest received / public input

Questions:

1. To which boards/committees will a remote participation policy apply?

- Council
- Appointed Boards/Committees
 - Council Committees – Advisory & Policy
 - Ecusta Trail Advisory Board
 - Planning Board
 - Board of Adjustment

2. Which approach(es) to consider? Same approach for governing board and appointed boards/committees, or separate approaches?

- In person only – prohibit any remote participation outside state of emergency
- In person quorum and in-person voting required – allow for remote attendance but only physically present members count toward quorum and can vote
- In-person quorum required with restricted remote voting – require in-person quorum to conduct business, but allow remote participants to count toward quorum as well. Permit remote participation in discussion, deliberation, motions, seconds, and votes. However, remote votes only count if they are not outcome determinative.
- Allow remote quorum, participation, and voting – allows for remote participant to count toward quorum, to participate in discussion, and to vote. Would not require an in-person quorum. (Caution: it is not clear that local governing boards have the authority to count remote participants toward quorum or to count remote votes.)

Main Areas for Policy to Address:

- Definition of “remote” or “electronic” meeting
- Rules regarding quorum and participation
- Rules regarding making motions and voting
- Cross-reference statutes re state of emergency and notice requirements

Policies/Procedures for Other Municipalities:

Town of Chapel Hill:

- Remote Participation Policy only includes boards and commissions, not the Council.
- Some or all members may attend meetings remotely and fully participate in all discussions and votes, and shall be counted toward a quorum.
- Policy does not limit the number of scheduled meetings that a board or commission member may participate in remotely, nor does it limit the number of board or commission members who may participate remotely in a given meeting.
- Meetings shall provide an opportunity for the public to participate and comment during the meetings by remote methods, including email, telephone and other methods, to the extent practical.
- For members of Board of Adjustment, remote participation shall not include voting on quasi-judicial applications, nor shall quasi-judicial hearings be held without a quorum of members present in person, except during a State-declared State of Emergency.

City of Winston-Salem:

- Applies to Council and city-designated boards and committees.
- Remote participation may be used in limited circumstances only.
 - Personal illness or disability
 - Personal or family emergency
 - Scheduling conflicts that make in-person attendance impracticable
 - National, state, or local state of emergency
- Members must give 24-hour notice to mayor/committee chair and clerk/committee secretary.
- Quorum must be physically present; remote members do not count toward quorum, but can vote.
- Remote participation permitted in all open sessions except for quasi-judicial proceedings.
- At the start of meeting and prior to participating in deliberations, mayor/chair shall announce who is participating remotely and remote participant shall state the reason he/she is participating remotely.
- Additional authority for city-designated public bodies: boards and committees are authorized to meet remotely, as a body, upon a majority vote of the membership at a separate meeting in-person; provided the public is afforded access to the meeting and all notice procedures are adhered to. No hearings shall be conducted remotely.

City of Durham:

- Council Rules of Procedure allow for Councilmember remote participation if:
 - Remote attendance is not requested for mere convenience but is needed because of unexpected or reasonably unavoidable circumstances (medical issues, necessary travel conflicts of greater than 50 miles, conflicts incurred in performing City business)
 - Notice to council and city manager must be submitted at least 24 hours in advance of the meeting.
- A quorum must be physically present in the meeting room and remote members do not count toward quorum.
- Presiding officer shall announce councilmember is attending remotely and that member shall confirm reason for remote attendance.
- Councilmembers attending remotely may take part in debate but shall not vote on any matter.
- Remote attendance is not allowed for quasi-judicial proceedings.
- Includes section regarding declarations of state of emergency.

Coates' Canons

NORTH CAROLINA LOCAL GOVERNMENT LAW BLOG

September 2, 2025

Remote Meetings Still Up in the Air: Part 3

Kristina Wilson

Since the COVID state of emergency expired, local governments have consistently wondered about remote meetings. The Court of Appeals evaluated an aspect of remote meetings in **State of North Carolina ex rel. Cannon v. Anson County**. Then, in March of 2025, **the Supreme Court deemed the Anson County case to be without precedential value**. Where does that leave local governments? This post will focus on locally adopted remote meeting rules and is the **third of a multi-part series**. **Part 1** focused on the broad legal landscape surrounding remote meetings after COVID, and **Part 2** centered on local governing boards' authority to conduct remote meetings.

Possible Approaches

Given the ongoing ambiguity around holding meetings remotely, local governing boards should rely on their attorneys to make judgment calls in this area. A menu of possible approaches to remote meetings follows:

1. In person only. The most cautious, and arguably most straightforward, option is to conduct governing board meetings entirely in person and prohibit any remote participation, outside of qualifying states of emergency as described in **G.S. 166A-19.24**.
2. In-person quorum and in-person voting required. A lower-risk compromise option is to adopt rules of procedure that allow for remote attendance but do not allow remote

participants to count toward quorum or to vote. In other words, only physically present board members would count toward quorum—the minimum numbers of members needed to conduct business. Under this approach, remote members can participate in discussion but cannot make motions, seconds, or vote.

3. In-person quorum required with restricted remote voting.

Under this approach, a local governing board would still require an in-person quorum to conduct business, but it would allow remote participants to count toward quorum as well. Rules following this method would permit remote participation in discussion, deliberation, motions, seconds, and votes. However, remote votes would *only count* if they were not outcome determinative. If a remote vote was a tiebreaker or outcome-determinative vote, the rules would require a repeat in-person vote to finalize the matter. Repeating the vote in person is a cautionary measure in case of challenges to remote voting.

4. Allow remote quorum, participation, and voting. The opposite of approach No. 1, approach No. 4 allows for remote quorum, remote participation, and remote voting. These local rules would count remote participants toward quorum and would not require an in-person quorum. Remote voting would be permitted in all circumstances, including in ties, without the need for a repeat in-person vote. **As Part 2 of this series discussed**, it is not clear that local governing boards have the authority to count remote participants toward quorum or to count remote votes. Therefore, this approach is probably the most “high-risk.”

Neither statute nor case law provide which of these approaches is permissible. Ultimately, local governing boards should rely on advice from counsel when navigating these uncertainties.

Local Rules of Procedure

If local governing boards wish to continue allowing remote participation under these or any other approaches, they should adopt specific rules authorizing such participation. Having remote meeting rules will help boards define their authority to conduct remote meetings and assist them in consistent application. Boards may adopt such rules in a variety of ways including as part of their local rules of procedure or as local policies. Regardless of the form the rules take, boards should approve the rules by majority vote in an open meeting. There are at least four main areas local rules should address.

- The definition of “remote” or “electronic” meeting

Because **there is no broadly applicable definition of “remote” or “electronic” meeting** in law, it would be wise for boards to establish their own definition in their locally adopted rules. Boards that follow *Robert’s Rules* may wish to incorporate *Robert’s* definition of remote meetings (discussed in **this post**). Other boards may want to mimic the remote meeting definition in G.S. **166A-19.24(i)(3)**. Whatever the definition, boards need to understand when and how the remote meeting rules apply, and clearly defining these terms can help.

- Quorum

Remote meeting rules should establish whether remote participants count toward quorum. If they do not, boards may want to address whether remote participants can still contribute to discussion. If the rules do count remote participants toward quorum, they should also define when a remote participant is considered “present” for quorum purposes. Is it when the participant is connected to the meeting remotely? Only when the participant is visible and/or audible? Rules should make these determinations to avoid unnecessary ambiguity.

- Voting

Remote meeting rules should also explicitly state whether remote participants can vote and how and when these votes do or do not count. They should additionally explain whether remote participants can make and second motions and whether they can participate in discussion and deliberation. For those using approach No. 3 above, the rules should define when a remote vote is considered an outcome-determinative vote.

Moreover, recall that city governing boards are subject to the “default yes” rule in **G.S. 160A-75(c)**, whereby a failure to vote by a member who is physically present in the council chamber (or who has withdrawn without being excused by a majority vote of the remaining members present) must be recorded as an affirmative vote. (Though not subject to this statute, many county governing boards have adopted this rule in their local procedures). Consequently, city governing boards and relevant counties should address how this rule applies in the remote context. They should answer questions such as: i) what constitutes an unexcused withdrawal that triggers a “default yes” in the remote context? and ii) what constitutes a failure to vote in the remote context?

- Cross-references

Finally, it may be prudent for rules to state explicitly that **G.S. 166A-19.24** controls during applicable states of emergency. To be clear, G.S. 166A-19.24 controls during qualifying states of emergency whether boards include this language or not, so including this cross-reference does not have legal significance. Instead, incorporating this citation is a practical tool to remind boards of the emergency statute and to help them understand how it interacts with their local remote meetings rules. Similarly, boards may consider including language about notice under **G.S. 143-318.13(a), addressing requirements for electronic meetings**. As **Part 1 of this series** explained, it is not clear that G.S. 143-318.13(a) applies to all types of remote meetings. However, the cautious approach is to assume that G.S. 143-318.13(a) applies to all remote meetings—however defined on the local level. Boards should then ensure they are complying with these notice and procedural requirements any time they conduct a remote meeting under their rules.

What about appointed boards, committees, subcommittees, and commissions?

The Supreme Court's treatment of the *Anson County* case did not impact the analysis for appointed boards, committees, subcommittees, and commissions since it dealt specifically with a county governing board. As I explain in more detail

in **this blog post**, some of these bodies likely have significantly more freedom to conduct remote meetings, provided that there are no specific statutes regarding physical presence for voting or quorum. Still, many of the considerations outlined above apply to appointed boards, and it is likely good practice for these boards to adopt specific remote meeting rules as well for the sake of transparency, clarity, and consistency.

Conclusion

The Supreme Court's treatment of *Anson County* muddies the already murky waters of remote meetings. Without more statutory or judicial guidance, local governing boards should be cautious when conducting remote meetings, particularly when significant votes are involved. In consultation with counsel, they should adopt specific remote meeting rules, follow them consistently, and comply with the notice requirements in G.S. 143-318.13(a).

MINUTES
City Council Housing Committee

Tuesday, June 9, 2026 – 3:45 PM
City Hall Council Chambers

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

Staff Present: Wilson Hooper, City Manager
Dean Luebbe, Assistant City Manager/Finance Director
Paul Ray, Planning Director
Emily Brewer, Senior Planner
Stephanie Holland, Planner
Shawnee Cummings, Assistant to the City Manager

Media: Jonathan Rich

A. Welcome and Call to Order

Committee Chair Pamela Holder welcomed everyone and called the meeting to order at 3:47pm.

B. Certification of Quorum

Assistant to the City Manager Shawnee Cummings certified that a quorum was present.

C. Approval of Agenda

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

D. Approval of Minutes – May 12, 2026 Minutes

Mr. Foster moved, seconded by Mr. Baker to approve the minutes of the May 12, 2026 meeting as presented. The motion carried unanimously.

E. Field Trip to Fairhaven Meadows and Habitat for Humanity's Cluster Development

Fairhaven Meadows

The Committee took a field trip to the Fairhaven Meadows construction site located at 1505 Asheville Highway, Brevard, NC to see the progress made at the future affordable

housing complex. During the trip, Ms. Brewer and Ms. Holland shared that the complex will have 42 units that will be available to individuals and families who make 40-70% of the area's median income. Most of the project is funded using 9% LIHTC, as well as City funds and contributions from Asheville Regional Housing Consortium, North Carolina Housing Finance Agency, First Citizens Bank, Self-Help Credit Union, Rehab Builders, M+A Architects, Legacy Bank and Trust, and Hunt Capital Partners.

The first building will contain 30 units, including both 1- and 3-bedroom apartments, while the second building will contain 12 units that are 2-bedroom apartments. The property features a clubhouse with an exercise room, common area, and an outdoor picnic pavilion. The property is expected to be complete in fall 2026.

Mayor Copelof added that the developer held neighborhood compatibility meetings with the neighbors to address their concerns with the new development. The developer modified their plans to accommodate residents and alleviate concerns, making the project more conducive to the area and generating community buy-in.

Habitat for Humanity's Cluster Development

The Committee visited the construction site of Habitat for Humanity's cluster home development at the corner of Curlee Street and Kings Mill Road. The development is being constructed in partnership with Blue Ridge Community College and is the City's first cluster home development. Blue Ridge Community College students are constructing the homes, including performing electrical and plumbing work using training acquired through the College's apprenticeship programs. The development has 6 small, single-story homes, both 1- and 2-bedrooms, on a 0.5-acre lot. The property has shared parking in the back and a courtyard area between the homes.

The price will be set at the cost to construct the home, but to maintain affordability, rent for each home will be set at 30% of the homeowner's income. Habitat for Humanity will have a silent mortgage on the home that covers the difference between what the homeowner can afford and the true cost.

Habitat for Humanity is pursuing numerous affordable housing projects in Brevard while also prioritizing repairs to damage caused by Hurricane Helene. They hope to complete construction on the cluster home development later this year.

F. Public Comment

No members of the public spoke during Public Comment.

G. Next Meeting Date

The next meeting was scheduled for Tuesday, July 14, 2026 at 3:45pm.

H. Adjourn

There being no further business, the meeting adjourned at 5:03 pm.

Minutes Approved: July 14, 2026


Pamela Holder, Chair, Council Member
Aaron Baker, Vice Chair, Council Member


Shawnee Cummings
Assistant to the City Manager

MINUTES
City Council Parks, Trails & Recreation Committee

Wednesday, June 17, 2026, at 3:30 PM
City Hall Council Chambers

Members Present: Aaron Baker, Chair, Council Member
Lauren Wise, Vice Chair, Council Member
Jackson Tate, Citizen Member
Howie Granat, Citizen Member
Maureen Copelof, Mayor, Ex-Officio

Members Absent: Daniel Jessee, Citizen Member
JD Powers, Citizen Member
Reba Osborne, Citizen Member

Staff Present: Wilson Hooper, City Manager
Aaron Bland, Assistant Planning Director
Shawnee Cummings, Assistant to the City Manager

Guests: Gary Lowden

Media: David Bradley

A. Welcome and Call to Order

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

B. Certification of Quorum

Assistant to the City Manager Shawnee Cummings certified that a quorum was present.

C. Approval of Agenda

Mr. Granat motioned to approve the agenda. Mr. Tate seconded, and the motion carried unanimously.

D. Approval of Minutes – May 20, 2026

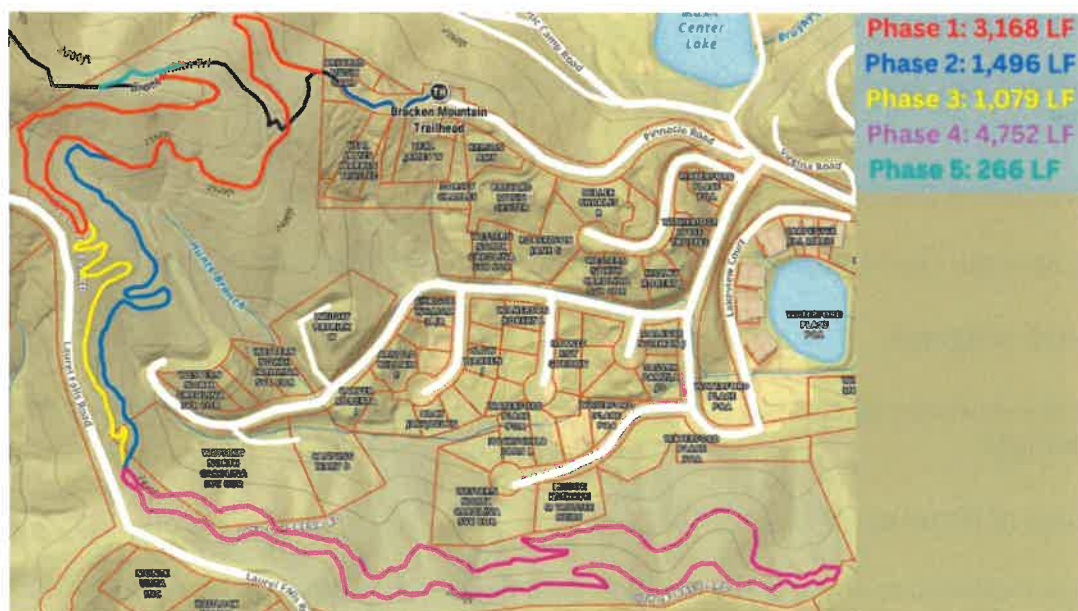
Mr. Wise motioned to approve the minutes, seconded by Mr. Granat. The motion carried unanimously.

E. Naming and Direction of New Bracken Trail

Mr. Bland said the original concept plan for the new Bracken trails included an additional trail that was not covered in the last discussion. Todd Branham, who is building the trails, offered to add that trail into his scope of work for no additional cost. A new trail name is needed for the fourth trail and the previously offered options were: Mountain Rush (rare plant found in Bracken), Squawroot (plant found in Bracken), Galax (plant found in Bracken), Rich Cove (habitat in Bracken), and Hunts Branch (creek with headwaters in Bracken). Mr. Bland said these are names related to the features of Bracken, but suggestions are welcomed. All that is needed is a name recommendation, but the Committee can also make this a directional trail, as it may be more conducive to being downhill only. Alternatively, they can also wait to see if directionality arises after the trails are opened for use, as it can always be changed later.

Mr. Granat noted that the recommended names for the loop and connector, Laughing Water Loop and Laughing Water Connector, were changed at a Council meeting to Bailey Loop and Bailey Connector. There was no substantiating historical evidence behind the Laughing Water story, which described a Blackfoot woman who escaped slavery and settled in the area. At the risk of perpetuating a legend, Council opted for trail names that honored a family whose history can be traced back to the Pinnacle Community.

Mr. Bland displayed the map below and stated that the red trail is the Mac Morrow Trail, the blue trail is the Bailey Connector, the pink trail is the Bailey Loop, and the yellow trail is the one in need of a name. The unnamed trail parallels the Bailey Connector but has more turns and elevation change. Mr. Lowden said the trail is next to the gravel road and was originally eliminated because the pitch did not accommodate an intermediate slope level, but everyone kept it in mind as a potential higher-level trail.



Mr. Granat asked if the trail is downhill only, will it be an impediment to other users. Mr. Lowden said it creates a shorter path from the Bailey Loop if you are going up and Mr. Bland said if you wanted to do the Bailey Loop, it does not prevent you from doing that

in the quickest and easiest way. Mr. Granat suggested waiting until the trail is open to see traffic patterns before deciding if it should be directional. Mr. Bland agreed and said they could wait to see what happens organically and if there are any conflicts to address. Mr. Granat said he likes Mountain Rush for a descending, fun switchback trail.

Mr. Baker said it seems like the Bailey Connector and the new trail are very tight together and asked if you can see one trail from the other. Mr. Bland said yes, but there is a grade difference and from the yellow trail, you are looking down on the blue trail. He added that it is visible right now due to how much brush was cut back while doing the trail work but it will fill in naturally. In the winter, there will be spots you can see.

Mr. Tate agreed that he likes Mountain Rush, as it seems fitting for the trail. Mr. Wise agreed, noting its double meaning.

Mr. Baker said everyone loves the signage at Bracken, but he knows it was not cheap. He added that we have not really talked about how signage factors in here. Mr. Bland said it is being talked about internally and they discussed using one of the box structures from the existing trails and repurposing it in the new area to get signage along the trails relatively soon. He added that the box structures are not hard to install, but they are big and have to be moved. A graphic designer will be needed to design a decal to affix to the structure and all of the decals will need to be updated, as the maps are outdated. Mr. Bland said at the very least, there will be some of the flexible trail signs you see at Pisgah, but more informative signs are in the works. He added that they also plan to have a donor recognition sign that acknowledges the donors who helped the City get the land, and a sign with wayfinding that identifies private property and the quickest way back to the parking lot. Mr. Granat said there are a couple box structures along Brushy Creek Trail that can be used, as there is redundancy. He added that as part of the graphic design, the QR codes need to be updated because they currently do not lead to anything and if the QR code leads to a map, users will worry less about the directional piece of it.

Mr. Tate motioned, seconded by Mr. Granat to recommend the yellow section of trail be named "Mountain Rush Trail." The motion carried unanimously.

Mr. Lowden said they have had 12 volunteer days, totaling 240 hours of work, and 2 field inspections with the contractor and the City. The Mac Morrow Trail is 50% done, is naturalizing for proper use, and will have a soft opening on July 1st. The Bailey Connector is complete and naturalized. The Bailey Loop and the trail recommended as Mountain Rush Trail are 50% done and are having roots cut and removed. Once done, the trails will need to naturalize before completion. There are 2 more volunteer days scheduled and more will be added if needed. By the end of June, all trails will be complete and naturalized, allowing a few weeks of aging prior to the ribbon cutting.

F. Schedule Bracken Trail Opening/Ribbon Cutting

Mr. Bland said the ribbon cutting is scheduled for July 10 and the plan is to assemble at the Jimmy Harris Railroad Depot at 9am. From there, people who are interested in a group ride will ride their bikes up to Bracken beginning at about 9:15am and there will

be shuttles for people who do not want to ride up to Bracken. Around 10am, a few people will say some remarks at the trailhead, they will cut the ribbon, and everyone will walk up to the new trails from the parking lot. After visiting the trails, people will return to the Depot for refreshments.

Mr. Baker asked if someone has talked to Mac Morrow to make sure he can be there. Mayor Copelof said he needs to be there so she will extend the invitation to him. Mr. Granat said Rebekah Robinson with Conserving Carolina will be there and Mr. Bland said Chris from Pisgah Area SORBA will also be there. Mr. Wise asked if there are any members of the Bailey family around. Mr. Hooper said he will call some people in Rosenwald and see if they know of any members of the Bailey family that are still in the area. Mr. Granat said he will also ask Edith Darity at the Juneteenth celebration.

Mr. Granat said they are working on the permanent signage to recognize donors at different thresholds but asked about donor recognition at the ribbon cutting. Mr. Bland said that they will have something at the Depot that lists major donors, but it has yet to be designed. Mr. Granat said Jenn Tutor at Conserving Carolina is contacting donors to see if they are okay with being recognized and to also invite them to the ribbon cutting.

Committee Comments

Mr. Baker stated that there has been a lot of discussion about bathrooms at parks during the budget process and he did not realize that there were external bathrooms at Mary C. Jenkins Community and Cultural Center (MCJCCC). Mr. Granat said those bathrooms are never open and he does not know why. Mr. Hooper said he has some information with the caveat that the hours have been different since Tyree has been on paternity leave. The bathrooms are open 8am-5pm Monday through Friday when Tyree is there and as needed for special events. Mr. Baker asked how we can extend those hours into the evening because there is not a ton of activity during the day, but there are people at the park almost every evening. Mayor Copelof said there are always people on weekends.

Mr. Baker said he knows it is tricky and we have had problems with restrooms getting vandalized in the past, but even though it is a challenge, he would like to figure out a way to extend the restroom hours. Secondly, he said we need to publicize that with signage on the exterior of the restrooms and at Silversteen Park.

Mr. Wise asked how the bathrooms at the Depot get locked/unlocked. Mr. Hooper said they are remotely locked/unlocked or can be set on a timer, which is likely similar to what would be in place at MCJCCC, but the trouble is when people find out the bathroom locks at 5pm and they go in at 4:59pm and then stay in there all evening after it locks.

To keep the facilities open after hours, there will need to be designated Staff who check to ensure the bathrooms are vacant at closing time. Mr. Hooper said it is possible but it takes some extra effort and time on Staff's part. He added that when you have police, who work around the clock, lock and unlock the bathrooms, you run the risk of them missing a day because they are on a call or handling an urgent matter. For that reason, they are not necessarily the best group to lock/unlock the bathroom reliably, but their

schedules are the most conducive to it. Public Works could unlock the bathrooms in the morning, but they get done with work at 3:30pm so they cannot lock them at night. Mr. Hooper said it will be incumbent upon Staff to determine the appropriate person to lock the restrooms in the evening and to set the schedule so that person could do so reliably.

Mayor Copelof added that if the restrooms will be open over the weekend, they will need to be cleaned. Mr. Granat asked if we have a sanitation crew that does the cleaning for City facilities. Mr. Hooper said we have in-house custodian who cleans the Depot bathrooms, MCJCCC, and City Hall, but she works business hours. When there is a vandalism in bathrooms over the weekend, a non-custodian employee is called in. Mr. Wise asked if the bathrooms inside of MCJCCC are available. Mr. Hooper said if someone is there and the building is open, then yes. Mr. Baker said once we know how we are going to execute it, signage will be critical. Mr. Granat asked with proper signage and longer hours for the MCJCCC bathrooms, would we get rid of the porta-johns at Silversteen Park. Mayor Copelof said no, it is too far for little kids and there are some ADA accessibility issues given that it is on a hill. Mr. Hooper added that Tyree will be back on the 29th and Staff will discuss further upon his return. Mr. Baker requested that we follow up on this item next month and Mayor Copelof suggested discussing it with the Rosenwald Community Advisory Board first rather than surprise them with signs.

Mr. Granat said upon careful consideration and the fact that the Bracken project is almost complete, next meeting will be his last Committee meeting. After 6 years, he decided to put his volunteer efforts into other avenues. Mayor Copelof said it will not be the same without him and we will need to advertise for the vacancy. Mr. Granat was appointed in 2020 to fill a vacancy, reappointed in 2021 and 2023, and reappointed for the current term in May 2025. The Committee thanked Mr. Granat for his service.

Mr. Baker said he has been following up with Staff on the Tannery North project because he knows there were some delays. He heard that our design work was accepted and the let date on June 23rd is still set, but we do not know how long it will take the contractor to mobilize. Mr. Wise asked when the smokestack demolition is scheduled to start. Mr. Hooper said we are still awaiting approval of the environmental management plan (EMP). Mr. Wise asked if those two things can work in conjunction. Mr. Hooper said it will be helpful for the smokestack contractor if the trail construction starts first because they will have to build a road and if the trail contractor builds the road, it gets a little easier for the smokestack contractor. He added that the work of the two contractors may overlap some, but they will be on opposite ends of the property.

Mr. Wise mentioned that the Committee is the proud new owner of the Parks and Recreation Capital Fund, which is partially funded to handle the Sports Complex design, which includes bathrooms and the parking lot. The fund will house funding for all of our parks and recreation facilities, but currently contains one targeted project. Mr. Hooper said it has \$11,000 and on July 1st, it will have another \$46,000, for a total of \$57,000.

Mr. Tate asked if there is an update on the Friends of Franklin Park. Mayor Copelof said they are active and working with Mr. Todd. Mr. Hooper said they have cleaned up, removed of overgrown vegetation, and identified longer-term projects that need to be

done. He said eventually they may say it is too much for them to do alone and that they need help, but so far, they have been relatively autonomous with Mr. Todd's supervision.

Mayor Copelof said she saw Mr. Ray started a conversation with the County about doing a joint parks and recreation plan because the existing plan is 10+ years old. If the plan is over 10 years old, they cannot use it to apply for a PARTF grant, which is what will be needed for parks and recreation improvements, like replacing the playground equipment at Franklin Park. She added that it was encouraging to see that the County was at least initially interested in starting a discussion about trying to do a joint plan.

Mr. Hooper said there will be a lot of activity this fall and next spring in relation to the Ecusta Trail and a lot of big decisions will come in quick succession. The trail crosses two culverts that are not at their end of life, but should probably be replaced, and we anticipated it being prohibitively expensive and/or that it would change the project scope. He said we got good news this week, which is that they will not be as expensive as anticipated and are eligible for grant funding. If there is leftover grant money, the culverts can be replaced during construction. If there is no grant money left and the City can find the money, the culverts can be replaced cheaply because the ground will already be torn up due to construction. Mr. Baker asked if the culverts are in City limits. Mr. Hooper said yes, they are by Oskar Blues and along Old Hendersonville Hwy.

G. Public Comment

No members of the public spoke during public comment.

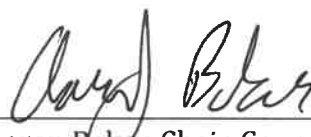
H. Set Date for Next Meeting – Wednesday, July 15, 2026, at 3:30 PM

Committee members set the date for the next meeting on July 15, 2026, at 3:30 PM.

I. Adjourn

There being no further business, Mr. Wise motioned to adjourn, Mr. Tate seconded, the motion passed unanimously, and the meeting was adjourned at 4:25 PM.

Approved: _____ July 15, 2026



Aaron Baker, Chair, Council Member, or
Lauren Wise, Vice Chair, Council Member



Shawnee Cummings
Assistant to the City Manager

STAFF REPORT

City Council, Monday, July 20, 2026

Title: Proposed Amendment to the Official Zoning Map of the City of Brevard - 2 Parcels on Deavor Road to PGX

Speaker: Aaron Bland, Asst Planning Director

Prepared by: Aaron Bland, Asst Planning Director

Approved by: Wilson Hooper, City Manager

Background

City Council enacted the the new Pisgah Gateway Mixed-Use zoning district (PGX) on January 5, 2026. At that time, Council indicated a desire for Staff to continue soliciting property owners to voluntarily rezone to PGX. Since that time, Staff has continued to reach out to property owners in the area. This is another voluntary rezoning to the PGX district. A public hearing on this item was held at Council's June 15, 2026 meeting.

Discussion

The applicant, Jason Shepherd of Looking Glass Realty on behalf of property owner Patricia Wrinkle, has applied to rezone the remainder of a newly recombined parcel to the PGX district. Approximately half of the parcel was rezoned to PGX previously. Since then, property lines have been amended to create one larger undeveloped parcel and one small parcel with the existing house. The request is to rezone the entirety of the larger parcel to PGX, eliminating the previously enacted split zoning.

Policy Analysis

The PGX district is supported by LUH-10 of the Building Brevard 2030 Comprehensive Land Use Plan. This rezoning is also consistent with the Future Land Use Map as these parcels are within the Pisgah Gateway character area.

Recommendation

The Planning Board discussed this request at their May 26th meeting, unanimously recommending approval. In accordance with state law, the Board also submits to Council the attached statement of reasonableness.

Action

Staff request Council take one of the following actions:

1. Approve the amendment as presented
2. Reject the amendment
3. Table the amendment for further discussion/information gathering.

Attachments:

1. Application Record Report
2. Site Map
3. Consistency and Reasonableness Statement
4. Future Land Use Map
5. Plat
6. Enacting Ordinance



Record Report for Map Amendment - Base District Rezoning #REZ-26-0003

Record Overview

Record Number: REZ-26-0003
Record Type: Map Amendment - Base District Rezoning
Record Status: In Progress
Record Submitted At: Thursday May 7, 2026
Record Address: Hendersonville Hwy Pisgah Forest NC 28768
Record Owner: Emily Brewer
Record Applicant User: Jason Shepherd
Record Applicant Company: Looking Glass Realty LLC

Form Submission

Applicant:
Jason Shepherd
[REDACTED]

Property Owner (if different):
CDP Aloe Properties LLC (Carol) Wrinkle
[REDACTED]

Property Address: Hendersonville Hwy Pisgah Forest NC 28768

Parcel Identification Number (PIN): 8597-64-2864-000, portion of 8597-64-1942-000

Current Zoning District(s): Pisgah Gateway Mixed Use (PGX), Residential Mixed Use (RMX)

Current Overlay District(s): None

Requested Zoning District(s): Pisgah Gateway Mixed Use (PGX)

Existing Zoning of Adjacent Properties:
Pisgah Gateway Mixed Use (PGX), Residential Mixed Use (RMX), Corridor Mixed Use (CMX)

Explanation (if necessary):
The property is being recombined and is currently split zoned. Asking that the entire new parcel be zoned PGX

I Acknowledge: Yes

Signature:

Signed in GovWell: Thursday May 7, 2026, 2:32pm

Generated Documents

No documents generated

Activity History

Email May 7, 2026, 4:45pm	Subject: #REZ-26-0003 Added to Planning Board Meeting (Looking Glass Realty LLC) (Hendersonville Hwy Pisgah Forest NC 28768) To: Jason Shepherd
Email May 7, 2026, 4:45pm	Subject: #REZ-26-0003 New Task - Add to Meeting (Looking Glass Realty LLC) (Hendersonville Hwy Pisgah Forest NC 28768) To: Emily Brewer
Meeting May 7, 2026, 4:45pm	Emily Brewer added the record to the Planning Board meeting scheduled for May 26, 2026 at 5:30pm
Email May 7, 2026, 4:45pm	Subject: #REZ-26-0003 Application Progress (Looking Glass Realty LLC) (Hendersonville Hwy Pisgah Forest NC 28768) To: Jason Shepherd
Email May 7, 2026, 4:45pm	Subject: #REZ-26-0003 New Task - Add to Meeting (Looking Glass Realty LLC) (Hendersonville Hwy Pisgah Forest NC 28768) To: Emily Brewer
Plan Review Completed May 7, 2026, 4:45pm	Emily Brewer approved the plans and left no comments.
Email May 7, 2026, 4:39pm	Subject: #REZ-26-0003 New Plan Set For Review (Looking Glass Realty LLC) (Hendersonville Hwy Pisgah Forest NC 28768) To: Emily Brewer
Plan Review Routed May 7, 2026, 4:39pm	Emily Brewer routed the plan set for review to Emily Brewer.
Email May 7, 2026, 3:16pm	Subject: #REZ-26-0003 Thank You For Your Payment (Looking Glass Realty LLC) (Hendersonville Hwy Pisgah Forest NC 28768) To: Jason Shepherd
Email May 7, 2026, 3:16pm	Subject: #REZ-26-0003 New Task - Route for Plan Review (Looking Glass Realty LLC) (Hendersonville Hwy Pisgah Forest NC 28768) To: Emily Brewer
Payment May 7, 2026, 3:16pm	Jason Sheoherd paid fees in the amount of \$400.00.
Email May 7, 2026, 2:50pm	Subject: #REZ-26-0003 Payment is Required (Due on 6/06/26) (Looking Glass Realty LLC) (Hendersonville Hwy Pisgah Forest NC 28768) To: Jason Shepherd
Payment May 7, 2026, 2:50pm	Emily Brewer requested fees in the amount of \$400.00.
Email May 7, 2026, 2:50pm	Subject: #REZ-26-0003 New Task - Add Fees (Looking Glass Realty LLC) (Hendersonville Hwy Pisgah Forest NC 28768) To: Emily Brewer
Email May 7, 2026, 2:50pm	Subject: #REZ-26-0003 Update On Your Submission (Looking Glass Realty LLC) (Hendersonville Hwy Pisgah Forest NC 28768) To: Jason Shepherd

Status Changed

May 7, 2026, 2:50pm

From: Submitted

To: In Progress

Application Review Completed

May 7, 2026, 2:50pm

Emily Brewer reviewed the application and marked it as complete.

Email

May 7, 2026, 2:49pm

Subject: #REZ-26-0003 | New Task - Review Application (Looking Glass Realty LLC) (Hendersonville Hwy Pisgah Forest NC 28768)

To: Emily Brewer

Email

May 7, 2026, 2:32pm

Subject: #REZ-26-0003 | Brevard: Submission Received and Status Tracker (Looking Glass Realty LLC) (Hendersonville Hwy Pisgah Forest NC 28768)

To: Jason Shepherd

Email

May 7, 2026, 2:32pm

Subject: #REZ-26-0003 | New Task - Schedule Future Workflows (Looking Glass Realty LLC) (Hendersonville Hwy Pisgah Forest NC 28768)

To: Emily Brewer

Record Submitted

May 7, 2026, 2:32pm

Jason Shepherd submitted the application with company Looking Glass Realty LLC.

Email

May 4, 2026, 1:30pm

Subject: #4881 | Reminder: Unsubmitted Draft Application (Map Amendment - Base District Rezoning) (Jason Shepherd) (TBD Hendersonville Hwy Pisgah Forest NC 28768)

To: Jason Shepherd

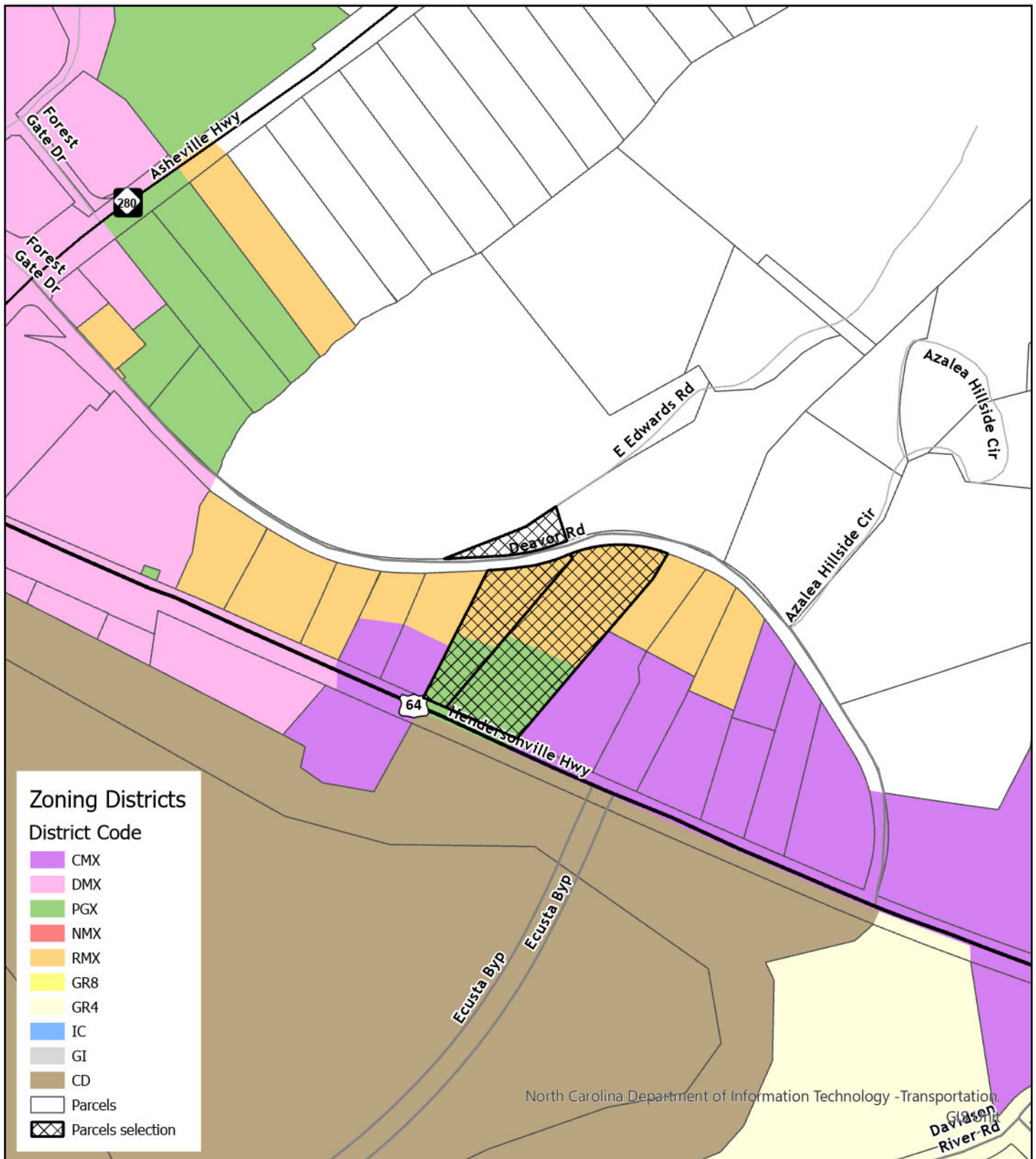
Email

April 27, 2026, 1:30pm

Subject: #4881 | Reminder: Unsubmitted Draft Application (Map Amendment - Base District Rezoning) (Jason Shepherd) (TBD Hendersonville Hwy Pisgah Forest NC 28768)

To: Jason Shepherd

Rezoning #REZ-26-0003 Exhibit A



0 110 220 330 Feet

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

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

**STATEMENT OF CONSISTENCY AND REASONABLENESS WITH
ADOPTED PLANS AND POLICIES OF THE CITY OF BREVARD
FOR MAP AMENDMENT #REZ-26-0003**

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

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

Comprehensive Land Use Plan

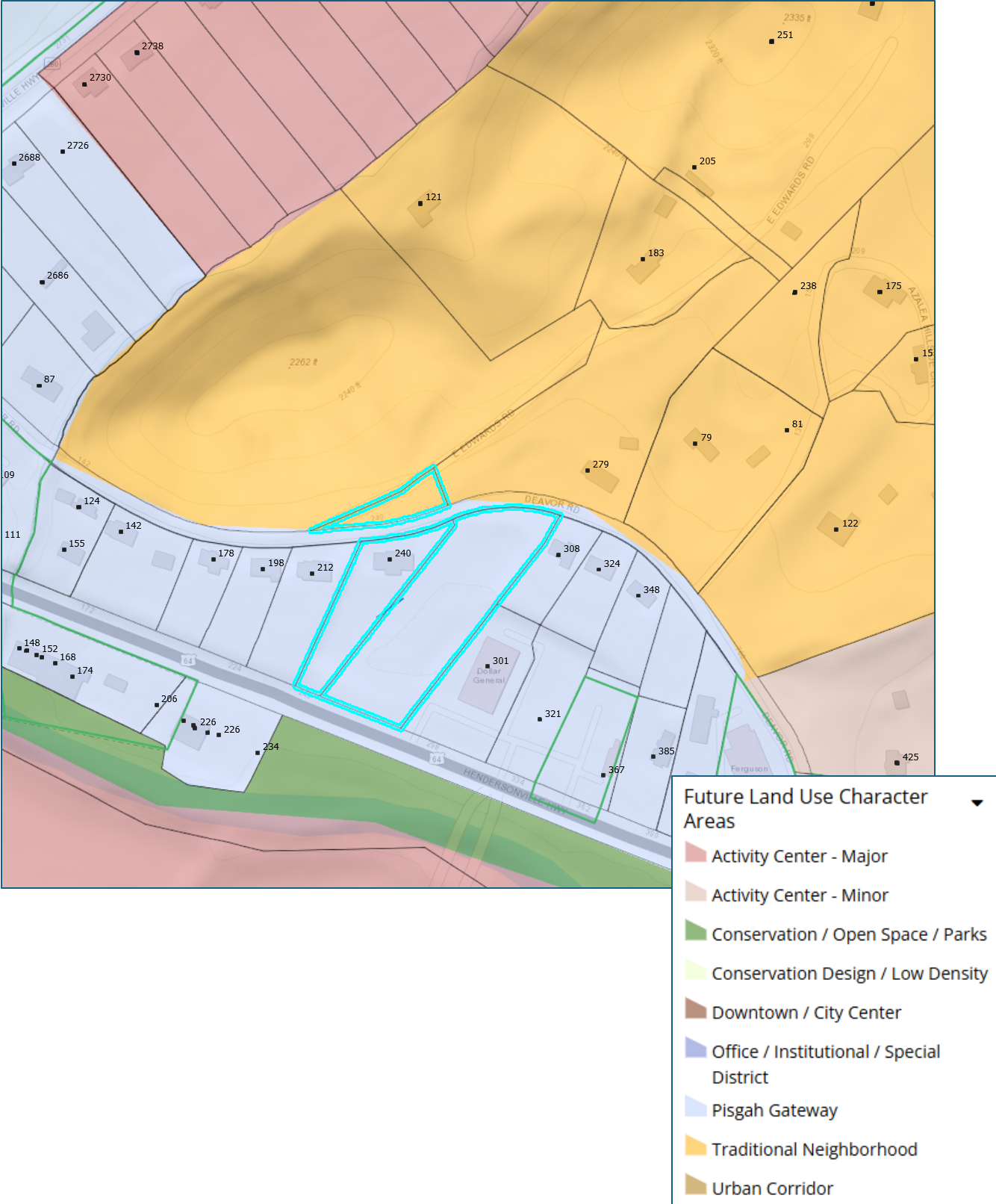
Recommendation Land Use & Housing – 10: Establish zoning overlay districts for the Asheville Highway Corridor and Pisgah Forest Area.

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

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

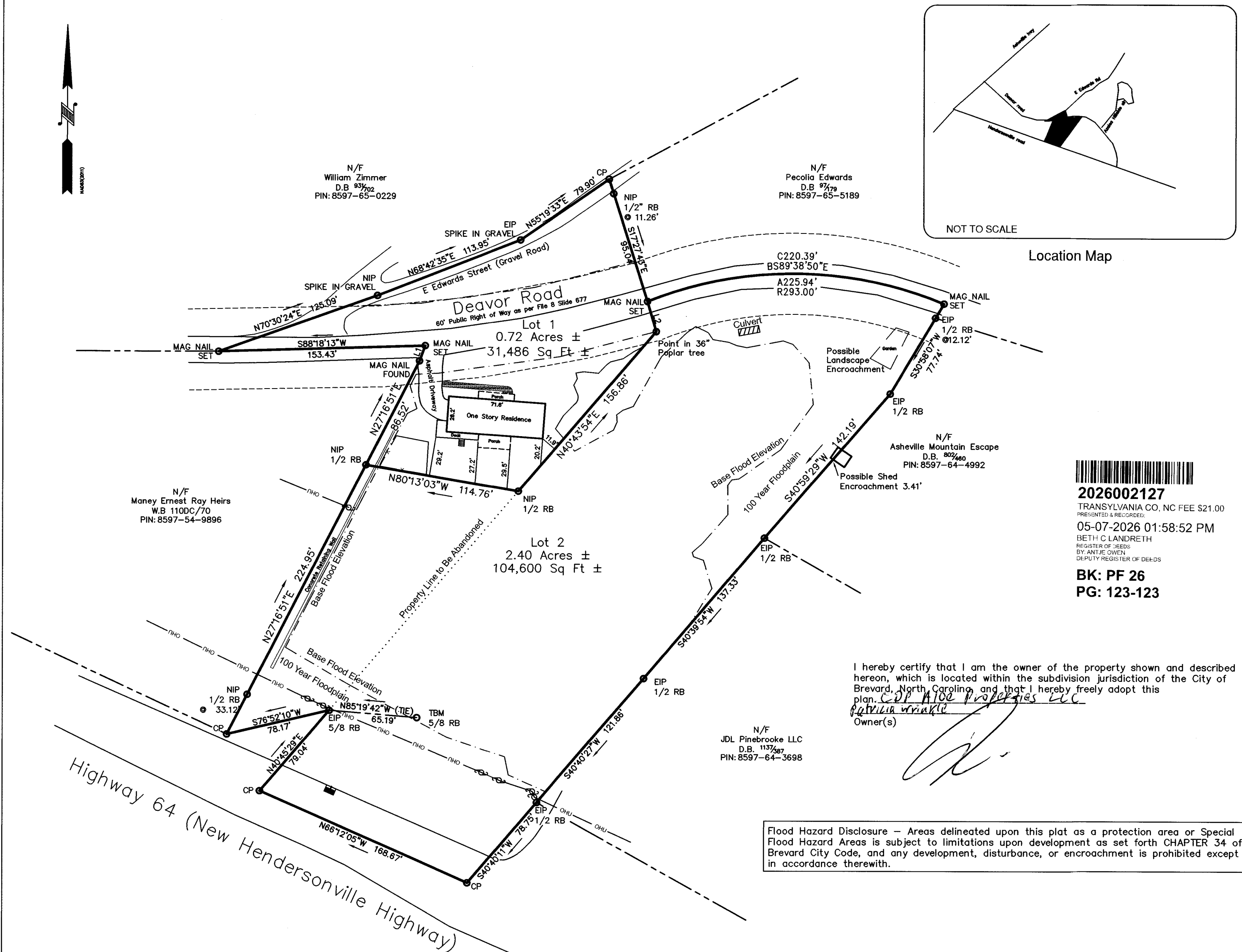
- It is in the public interest to create a more context-sensitive zoning district for this area as it is one of the primary gateways to our community, heavily trafficked by residents and visitors alike.
- There is a strong relationship between the currently allowed uses and the allowed uses of the proposed new district.
- The new district benefits landowners by replacing the existing district with a more context-sensitive district.
- The rezoning will eliminate the confusion of split zoning.
- Conditions at the US64/US276/NC280 intersection will be changing due to the NCDOT R-5799 intersection improvement project.
- The rezoning is consistent with the above element of the Comprehensive Land Use Plan.
- The rezoning is consistent with the Future Land Use Map, as amended by Ordinance 2025-04.

Future Land Use Map



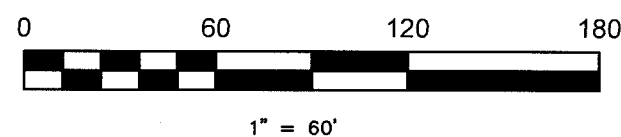
26, 123

Plot file 26 slide 123



NOTES:

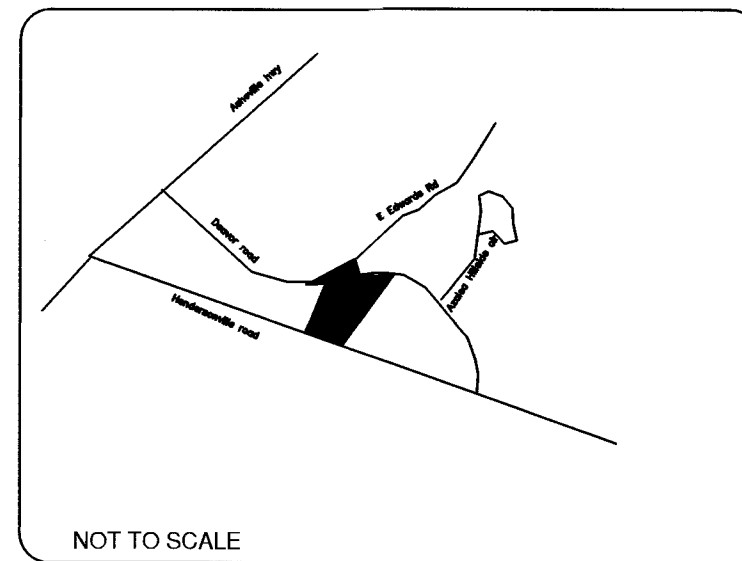
- The Basis of Bearings for this survey is NAD83(2011).
- Surveyor was not provided with a legal title search. There may exist easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts pertinent to this property that an accurate and current title search may disclose that are not shown on this plat.
- No underground utilities were located. Call before NC811 before digging.
- All buildings, surface and subsurface improvements on and adjacent to the site are not necessarily shown. Subsurface and environmental conditions were not surveyed or considered as part of this survey.
- Area by coordinate computation.
- All distances are horizontal ground distances in US Survey Feet, unless otherwise noted.
- Portion of Subject Property is located within an area having a Zone Designation "AE" by the Federal Emergency Management Agency (FEMA), on Flood Insurance Rate Map No. 3700859700J, with a date of identification of 10/02/2009.
- Flood Plain shown on drawing is taken from LOMR-F Property Map by Epps Engineering Associates project number 15022 dated 01/13/16.
- Portion of Subject Property Zoned Residential Mixed Use
 - Front Setback - 10'
 - Side Setback - 6'
 - Rear Setback - 25'
- Portion of Subject Property Zoned Pisgah Gateway Mixed Use
 - Front Setback - 15'
 - Side Setback - 6'
 - Rear Setback - 10'



LINE	BEARING	DISTANCE
L1	N20°38'48"E	12.07'
L2	S16°30'47"E	23.15'

LEGEND:

○	NIP	NEW IRON PIN (1/2" REBAR)
○	EIP	EXISTING IRON PIN
○	CP	CALCULATED POINT
	D.B.	DEED BOOK
	P.B.	PLAT BOOK
	Pg.	PAGE
	PIN	PROPERTY IDENTIFICATION NUMBER
	OT	OPEN TOP PIPE
	RB	REBAR
	R/W	RIGHT OF WAY
	PIN	PROPERTY IDENTIFICATION NUMBER
	OT	OPEN TOP PIPE
---		PROPERTY BOUNDARY LINE
---		ADJOINING PROPERTY LINE
---		OLD LOT LINE (TO BE REMOVED)
---		ROAD RIGHT OF WAY LINE
---		EASEMENT LINE



Location Map



2026002127
 TRANSYLVANIA CO, NC FEE \$21.00
 PRESENTED & RECORDED:
 05-07-2026 01:58:52 PM
 BETH C LANDRETH
 REGISTER OF DEEDS
 BY: ANJIE OWEN
 DEPUTY REGISTER OF DEEDS
BK: PF 26
PG: 123-123

I hereby certify that I am the owner of the property shown and described hereon, which is located within the subdivision jurisdiction of the City of Brevard, North Carolina, and that I hereby freely adopt this plan.

CDP Aloe Properties LLC
 Owner(s)

Flood Hazard Disclosure - Areas delineated upon this plat as a protection area or Special Flood Hazard Areas is subject to limitations upon development as set forth CHAPTER 34 of Brevard City Code, and any development, disturbance, or encroachment is prohibited except in accordance therewith.

I, Fulton V. Clinkscales, Jr., certify that this plat was drawn under my supervision from an actual survey performed under my supervision (deed description recorded in Book 930, page 698, etc.); that the boundaries not surveyed are clearly indicated as drawn from information found in Book 930, page 698; that the ratio of precision as calculated is 1:10,000; that the Global Positioning System (GPS) survey and the following information was used to perform the GNSS survey:

Class of survey: A
 Positional accuracy: 0.05'
 Type of GPS field procedure: RTK
 Dates of survey:
 Datum/Epoch: NAD83(2011)
 Published/Fixed-control use: VRS
 Geoid model: 2018
 Combined grid factor(s): 0.99990249
 Units: US Survey Feet

That this plat was prepared in accordance with G.S. 47-30 as amended

G.S. 47-30(f)(11)(d) This survey is of another category, such as the recombination of existing parcels, a court-ordered survey, or other exemption or exception to the definition of subdivision.

Fulton V. Clinkscales, Jr.
 Fulton V. Clinkscales, Jr.
 L-2614

I hereby certify that the subdivision plat shown is exempt from the subdivision provisions of the Brevard Unified Development Ordinance. The plat has been found to comply with the zoning regulations of the Brevard Unified Development Ordinance, and has been approved by the City of Brevard for recording in the Office of the Register of Deeds of Transylvania County, provided that this plat is recorded within thirty (30) days of the date of my signature below.

Paul C. Ray
 Review Officer

5/7/2026
 Date

Filed and recorded in the Register of Deeds Office for Transylvania County, N.C. this _____ day of April, 2025 at _____ o'clock _____ M in Slide _____

Register of Deeds

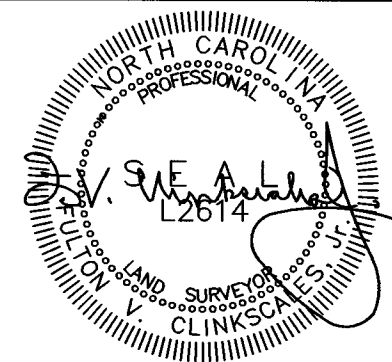
State of North Carolina
 Transylvania County

I, PAUL C. RAY, Review Officer of Transylvania County, certify that the map or plat to which this certification is affixed meets all statutory requirements for recording.

Paul C. Ray
 Review Officer

5/7/2026
 Date

Recombination Plat
CDP Aloe Properties LLC
(Owner)
240 Deavor Road
Brevard Township
Transylvania County
State of North Carolina



FREELAND - CLINKSCALES & ASSOCIATES, INC. of NC
 Engineers * Land Surveyors
 201 2nd AVE. EAST
 HENDERSONVILLE, N.C. 28792
 (828) 697-6539
 info@fcaofnc.com

REF. PLAT BOOK	---
REF. DEED BOOK	930/698
TAX MAP	8597-64-2864 & 8597-64-1942
PARTY CHIEF	ACL
DRAWN	ACL
DATE	May 5, 2026
DWG. NO.	H46037

RLS: F. V. CLINKSCALES JR., P.E.
 NO: L-2614 Firm No. C-1562

ORDINANCE NO. 2026-____

**AN ORDINANCE AMENDING THE CITY OF
BREVARD OFFICIAL ZONING MAP TO REZONE
LAND IN THE VICINITY OF 240 DEAVOR ROAD**

WHEREAS, the City has received a request from representatives of CDP Aloe Properties LLC that the Official Zoning Map of the City of Brevard be amended by rezoning two (2) parcels of land, identified by PINs 8597-64-1942-000 and 8597-64-2864-000, and hereafter referred to as the “Subject Properties,” from the Residential Mixed Use (RMX) district to the Pisgah Gateway Mixed Use (PGX) district; and,

WHEREAS, the City of Brevard Planning Board considered this proposed map amendment on May 26, 2026, and recommended approval; and,

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

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

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

- It is in the public interest to create a more context-sensitive zoning district for this area as it is one of the primary gateways to our community, heavily trafficked by residents and visitors alike.
 - There is a strong relationship between the currently allowed uses and the allowed uses of the proposed new district.
 - The new district benefits landowners by replacing the existing district with a more context-sensitive district.
 - The rezoning will eliminate the confusion of split zoning.
 - Conditions at the US64/US276/NC280 intersection will be changing due to the NCDOT R-5799 intersection improvement project.
 - The rezoning is consistent with the above element of the Comprehensive Land Use Plan.
 - The rezoning is consistent with the Future Land Use Map, as amended by Ordinance 2025-04.
- and,

WHEREAS, a public hearing was conducted on June 15, 2026, by the Brevard City Council, and, after hearing all persons wishing to comment, and upon review and consideration of the proposed amendment, it is the desire of the City Council of the City of Brevard Official Zoning Map be amended as outlined below.

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

SECTION 1. The zoning classification of the parcels identified by the Parcel Identification Numbers 8597-64-1942-000 and 8597-64-2864-000 is hereby rezoned to Pisgah Gateway Mixed Use, as depicted in Exhibit A to this Ordinance, which is attached hereto and incorporated herein by reference.

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

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

SECTION 4. If any section, subsection, paragraph, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed severable and such holding shall not affect the validity of the remaining portions hereof.

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

Adopted and approved this the 20th day of July 2026.

Maureen Copelof
Mayor

ATTEST:

Denise Hodsdon, CMC
City Clerk

APPROVED AS TO FORM:

Mack McKeller
City Attorney

STAFF REPORT

City Council, Monday, July 20, 2026

Title: Proposed Bracken Trail Name

Speaker: Aaron Bland, Asst Planning Director

Prepared by: Aaron Bland, Asst Planning Director

Approved by: Wilson Hooper, City Manager

Background

Construction of three new trails in the City's Bracken Preserve is almost 100% complete and the trails are open to the public. Three trails have already been named: Mac Morrow Trail (red on the attached map), Bailey Connector (blue), and Bailey Loop (purple). A fourth trail has been added to the trail builder's scope of work and now needs a name (yellow).

Discussion

Staff has developed a list of potential names based on the property's characteristics and history:

- Mountain Rush – a rare plant found in Bracken's seep complexes
- Squawroot – an unusual parasitic plant that grows on oak tree roots found in Bracken
- Galax – a common plant in Bracken and the greater Appalachians
- Rich Cove – a type of forest habitat found in Bracken
- Hunts Branch – creek with headwaters on the new Bracken expansion parcel; combines with Brushy Creek south of the Music Center to make Norton Creek

Recommendation

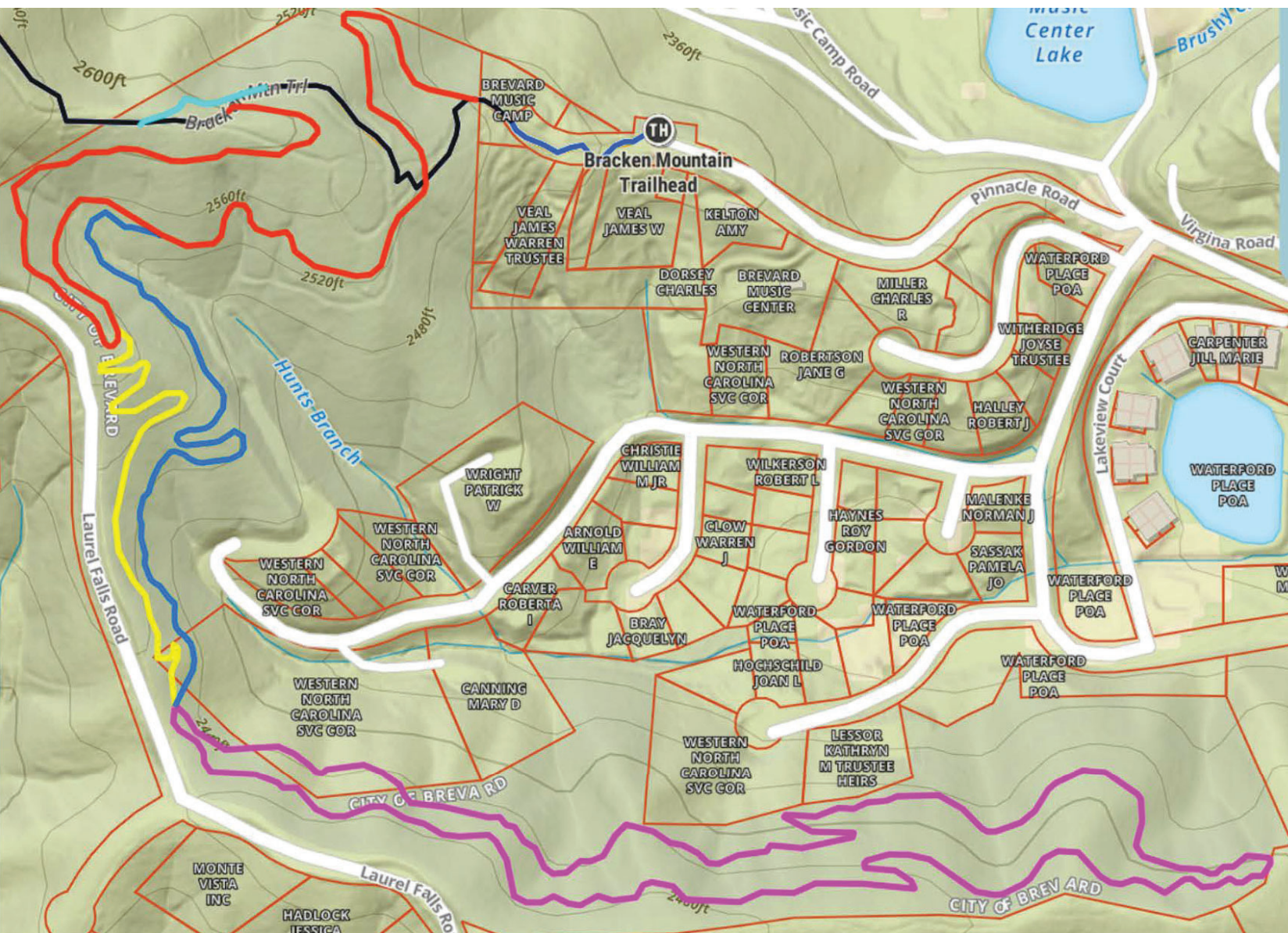
The Parks, Trails, and Recreation Committee discussed this matter at their June 17th meeting. After discussion, the Committee voted to recommend the name "Mountain Rush Trail."

Action

Action is requested on this item at this time by a motion and vote. Council may enact the name as recommended by the Parks, Trails, and Recreation Committee, or another name determined by Council.

Attachments:

1. New Bracken Trails Map



STAFF REPORT

City Council, Monday, July 20, 2026

Title: Food Vendor Pilot Program

Speaker: Emily Brewer, AICP, Senior Planner

Prepared by: Emily Brewer, Senior Planner

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

Background

The City of Brevard currently accommodates mobile food vendors through permitted special events, temporary uses on private property, and permanent mobile food vendor sites located on private property. However, there is currently no process that allows food vendors to operate on City-owned property outside of those circumstances.

Over the past several years, staff has received inquiries from food vendors and community members regarding opportunities to provide food service in City parks and other public spaces. Mobile food vendors have become an increasingly popular amenity in communities across North Carolina, providing flexible dining options while supporting local entrepreneurs and small businesses.

Rather than establishing a permanent program without operational experience, staff is proposing a five-month pilot program that will allow the City to evaluate the benefits and potential impacts of mobile food vending on public property before considering long-term policy changes.

The Finance, Human Resources, and Citizen Appointment Committee has considered allowing vendors of City property for nearly a year. Previously, a program to allow only non-motorized vendors was brought before City Council upon its recommendation. City Council referred it back to the Committee for further consideration. The Committee then directed staff to revise the policy to include motorized food trucks. Staff brought the Food Vendor Pilot Program to the Committee in June, where the Committee unanimously recommended in favor of its adoption.

Discussion

The proposed Food Vendor Pilot Program is intended to activate public spaces, provide additional food options for residents and visitors, and support local business opportunities while maintaining appropriate operational standards to protect public facilities and surrounding neighborhoods.

The pilot would apply to both motorized mobile food vendors (food trucks, trailers, and similar vehicles) and non-motorized vendors (pushcarts and similar equipment). Vendors would be required to obtain a City permit (proposed \$100) prior to operating and provide documentation demonstrating compliance with applicable Health Department regulations, business licensing requirements, and insurance standards. It is important to note that the

City does not regulate food safety or issue health permits; those requirements remain under the jurisdiction of the Transylvania County Health Department or other applicable county health departments.

The pilot program would operate from August 1 through December 31, 2026, with vendors permitted to operate only on Fridays, Saturdays, and Sundays between 11:00 a.m. and 9:00 p.m. Vendors would be required to remove all equipment and vacate City property at the end of each operating day.

To minimize conflicts with existing public uses, staff has identified several City-owned locations that can reasonably accommodate food vendors while maintaining adequate parking, pedestrian circulation, and park operations. Motorized vendors would be permitted at the Jordan Street parking lot (with an electrical hook-up), the Sports Complex parking lot (with a generator), and the Silversteen parking lot beginning in October following completion of nearby construction (with a generator). Non-motorized vendors would be permitted at Clemson Plaza, the Dog Park, Franklin Pool, Silversteen Park, the Skate Park, and the Soccer Field. Vendor locations would operate on a first-come, first-served basis, with only one vendor allowed per designated location. City-sponsored events, special event permits, and facility reservations would take precedence over vendor use.

Operational standards have been developed to minimize impacts on surrounding properties and ensure public safety. Requirements include limitations on the size of vending areas, restrictions on temporary structures and amplified sound, waste management responsibilities, signage standards, professional conduct expectations, and prohibitions on the sale of alcohol, tobacco, cannabis, hemp products, and other prohibited items. Vendors would also be required to maintain a minimum of \$1 million in liability insurance naming the City as an additional insured.

To ensure compliance, the program includes enforcement provisions allowing staff to issue written warnings, assess fines of up to \$500 per violation, suspend or revoke permits, and remove equipment remaining on City property outside approved operating hours.

Fiscal Impact

The pilot program will require a few small expenditures for signs at food truck parking spaces (~\$60) and electricity at the Jordan Street parking lot. Staff estimates that this would be less than \$400 in total (~\$60 for signs and ~\$300 for electricity).

Action

Staff is requesting action on this item tonight. Council has the following options:

- Adopt the attached resolution authorizing the Food Vendor Pilot Program as presented;
- Adopt the attached resolution authorizing the Food Vendor Pilot Program as amended by Council;
- Reject the attached resolution; or

- Table the matter for further discussion and consideration.

Attachments:

1. Food Vendor Pilot Program
2. Draft Resolution

CITY OF BREVARD

FOOD VENDOR PILOT PROGRAM

PROGRAM OVERVIEW

The **Food Vendor Pilot Program** allows food trucks and non-motorized food vendors to operate at designated City-owned locations on Fridays, Saturdays, and Sundays for a five-month trial period. The program is intended to activate public spaces, support local entrepreneurs, expand dining options for residents and visitors, and inform future policy decisions regarding mobile food vending on public property.

Under the pilot, participating vendors would be required to obtain a Food Vendor Pilot Program permit, maintain appropriate insurance coverage, comply with all health and safety regulations, and operate only within approved locations and hours. City staff would monitor participation, public feedback, operational impacts, and enforcement needs throughout the pilot period.

At the conclusion of the program, staff will provide City Council with an evaluation of the pilot's effectiveness and recommendations regarding whether the program should be continued, modified, expanded, or discontinued.

APPLICABILITY

This pilot program applies to all fully permitted motorized (food trucks, air streams, trailers, etc.) and non-motorized (pushcarts, etc.) mobile food vendors wishing to locate in the public designated locations.

The City of Brevard does not issue operational permits for food vendors or review any health or safety requirements. To participate in this pilot program, vendors are required to provide a copy of their approved permit from the Transylvania Health Department (or other county if applicable).

Note: This program does not apply to mobile food vendors included as part of a permitted special event on public rights-of-way, a permitted temporary use on private property, or a permanently established mobile food vendor site on private property.

PILOT PERIOD

The Food Vendor Pilot Program shall operate for a period of five months beginning on August 1, 2026 and ending on December 31, 2026. City Council may extend, modify, or terminate the pilot program based on staff recommendations and program performance.

DESIGNATED LOCATIONS

As part of the program, mobile food vendors would be allowed to set up at the following locations during the designated times:

- Motorized Food Trucks

- Jordan Street parking lot (*no generator permitted – electrical hookup only*)
- Sports Complex parking lot
- Silversteen parking lot * (*beginning October 2026 following construction in area*)
- Non-Motorized Vendors
 - Clemson Plaza
 - Dog Park
 - Franklin Pool
 - Silversteen Park
 - Skate Park
 - Soccer Field

Use of a vendor spot is on a first-come, first-served basis. Only one vendor is permitted on each site. Use of the vendor site is superseded by special event permits or facility reservations approved by the City of Brevard.

Maps of vendor locations are included in the appendix.

DAYS AND HOURS OF OPERATION

Mobile vendors may only operate on Fridays, Saturdays, and Sundays from 11:00 AM to 9:00 PM.

Vendors may occupy the spot up to 20 minutes before and up to 20 minutes after the hours of operation. The vendor must vacate the spot at the end of the day's operation and remove all associated equipment, signage, trash and debris.

PERMITTING REQUIREMENTS

All participating vendors must register and be approved by the City prior to operating. The permit application shall include:

- Business name and contact information
- Cart or vehicle dimensions
- Certificate of liability insurance (*\$1,000,000 aggregate with City listed as additional insured*)
- Applicable business licenses and sales tax registration
- Health Department permit (*if vending food or beverages*)
- Payment of permit fee (*\$100, non-refundable*)
- Any other information required by the administrator to demonstrate compliance with this program

To register, please visit www.cityofbrevard.com/PermitPortal and submit a registration form with the appropriate documentation for the City's review.

OPERATIONAL STANDARDS

All participating vendors shall comply with the following standards:

- No mobile food vendor shall take up more than the designated parking space(s) or a 10-foot by 10-foot area. Vehicles used to tow mobile vending units shall be moved to a secondary location prior to operation in order to maintain adequate public parking and circulation.

- No temporary structures, tents, tables, etc. are permitted with the mobile vendor. Umbrellas or protective coverings may be permitted if attached to the vendor cart or truck.
- If permitted as a non-motorized vendor cart, it cannot be connected to power. Any food preparation, if applicable, must take place off-site.
- Each vendor is allowed one A-frame / sandwich board sign with a maximum display area of 8 square feet per side and a maximum height of 4 feet (measured from the ground).
- No audio amplification is allowed as part of the mobile vending operations.
- The operator or their designee must be present at all times, except in cases of an emergency.
- The vendor shall comply with all federal, state and local laws when operating the unit. The approved pilot program reservation shall be visible at all times, along with any other permits required to be displayed by Transylvania County or the State of North Carolina.
- Vendors are responsible for keeping the area clean during and after operation. Each mobile vendor shall supply at least one waste receptacle which must be removed at the end of each day. City trash receptacles shall not be used for the vendor's waste.
- Vendors must maintain professional behavior. No harassment of passersby or aggressive solicitation will be tolerated.
- The sale of alcohol, tobacco, cannabis, hemp products, or other controlled substances or prohibited items is strictly prohibited.

VIOLATION AND ENFORCEMENT

Violations of this pilot program may result in:

- Written warnings
- Fines up to \$500 per violation
- Suspension or revocation of permit
- Confiscation of vending unit or equipment that remains in the designated location after operating hours and/or if the operator is not present

PHOTOS OF DESIGNATED LOCATIONS

Jordan Street Parking Lot – Food Truck Vendor Spot with Electrical Hook-Up



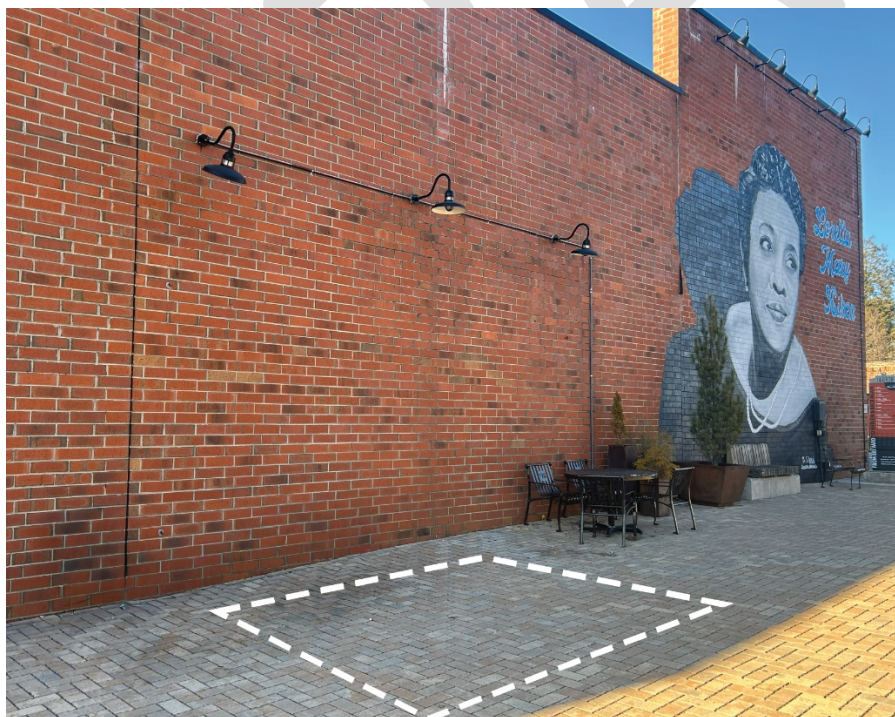
Sports Complex Parking Lot – Food Truck Vendor Spot



Silversteen Parking Lot – Food Truck Vendor Spot (Starting October 2026)



Clemson Plaza – Non-Motorized Vendor Spot



Dog Park – Non-Motorized Vendor Spot



Franklin Pool – Non-Motorized Vendor Spot



Skate Park – Non-Motorized Vendor Spot



Silverstein Park – Non-Motorized Vendor Spot



Soccer Field – Non-Motorized Vendor Spot



RESOLUTION NO. 2026-__

A RESOLUTION ADOPTING A FOOD VENDOR PILOT PROGRAM FOR MOBILE FOOD VENDING ON DESIGNATED CITY-OWNED PROPERTY

WHEREAS, the City Council of the City of Brevard recognizes that mobile food vendors can contribute to the vitality of public spaces, support local entrepreneurship, expand dining opportunities for residents and visitors, and enhance the community experience; and

WHEREAS, the City Council desires to evaluate the feasibility of allowing mobile food vendors to operate on designated City-owned property under controlled conditions before considering the establishment of a permanent program; and

WHEREAS, City staff has developed a Food Vendor Pilot Program that establishes designated vending locations, operating days and hours, permitting requirements, operational standards, and enforcement procedures intended to protect the public health, safety, and welfare while allowing mobile food vending in appropriate locations; and

WHEREAS, the pilot program shall commence on August 1, 2026, and conclude on December 31, 2026, unless modified, extended, or terminated earlier by action of the City Council; and

WHEREAS, the Finance, Human Resources, and Citizen Appointment Committee reviewed the proposed pilot program and unanimously recommended in favor of its implementation; and

WHEREAS, the City of Brevard does not regulate food preparation or food safety and requires participating vendors to maintain all applicable permits issued by the Transylvania County Health Department or other applicable health authority; and

WHEREAS, the City Council finds that implementing a limited-duration pilot program will provide valuable information regarding vendor participation, operational impacts, public demand, enforcement needs, and overall program effectiveness.

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

SECTION 1. The City of Brevard hereby adopts the Food Vendor Pilot Program, as presented by staff and adopted hereto as Exhibit A/

SECTION 2. The \$100 permit fee for participation in the Food Vendor Pilot Program is hereby established.

SECTION 3. City Staff is hereby directed to administer the Food Vendor Pilot Program and monitor implementation throughout its duration.

Approved and adopted this the 20th day of July 2026.

Maureen Copelof
Mayor

ATTEST:

Denise Hodsdon

City Clerk, CMC

EXHIBIT A
CITY OF BREVARD FOOD VENDOR PILOT PROGRAM

PROGRAM OVERVIEW

The **Food Vendor Pilot Program** allows food trucks and non-motorized food vendors to operate at designated City-owned locations on Fridays, Saturdays, and Sundays for a five-month trial period. The program is intended to activate public spaces, support local entrepreneurs, expand dining options for residents and visitors, and inform future policy decisions regarding mobile food vending on public property.

Under the pilot, participating vendors would be required to obtain a Food Vendor Pilot Program permit, maintain appropriate insurance coverage, comply with all health and safety regulations, and operate only within approved locations and hours. City staff would monitor participation, public feedback, operational impacts, and enforcement needs throughout the pilot period.

At the conclusion of the program, staff will provide City Council with an evaluation of the pilot's effectiveness and recommendations regarding whether the program should be continued, modified, expanded, or discontinued.

APPLICABILITY

This pilot program applies to all fully permitted motorized (food trucks, air streams, trailers, etc.) and non-motorized (pushcarts, etc.) mobile food vendors wishing to locate in the public designated locations.

The City of Brevard does not issue operational permits for food vendors or review any health or safety requirements. To participate in this pilot program, vendors are required to provide a copy of their approved permit from the Transylvania Health Department (or other county if applicable).

Note: This program does not apply to mobile food vendors included as part of a permitted special event on public rights-of-way, a permitted temporary use on private property, or a permanently established mobile food vendor site on private property.

PILOT PERIOD

The Food Vendor Pilot Program shall operate for a period of five months beginning on August 1, 2026 and ending on December 31, 2026. City Council may extend, modify, or terminate the pilot program based on staff recommendations and program performance.

DESIGNATED LOCATIONS

As part of the program, mobile food vendors would be allowed to set up at the following locations during the designated times:

- Motorized Food Trucks
 - Jordan Street parking lot (*no generator permitted – electrical hookup only*)
 - Sports Complex parking lot
 - Silversteen parking lot * (*beginning October 2026 following construction in area*)
- Non-Motorized Vendors
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 - Dog Park
 - Franklin Pool
 - Silversteen Park
 - Skate Park
 - Soccer Field

Use of a vendor spot is on a first-come, first-served basis. Only one vendor is permitted on each site. Use of the vendor site is superseded by special event permits or facility reservations approved by the City of Brevard.

DAYS AND HOURS OF OPERATION

Mobile vendors may only operate on Fridays, Saturdays, and Sundays from 11:00 AM to 9:00 PM.

Vendors may occupy the spot up to 20 minutes before and up to 20 minutes after the hours of operation. The vendor must vacate the spot at the end of the day's operation and remove all associated equipment, signage, trash and debris.

PERMITTING REQUIREMENTS

All participating vendors must register and be approved by the City prior to operating. The permit application shall include:

- Business name and contact information
- Cart or vehicle dimensions
- Certificate of liability insurance (*\$1,000,000 aggregate with City listed as additional insured*)
- Applicable business licenses and sales tax registration
- Health Department permit (*if vending food or beverages*)
- Payment of permit fee (*\$100, non-refundable*)
- Any other information required by the administrator to demonstrate compliance with this program

To register, please visit www.cityofbrevard.com/PermitPortal and submit a registration form with the appropriate documentation for the City's review.

OPERATIONAL STANDARDS

All participating vendors shall comply with the following standards:

- No mobile food vendor shall take up more than the designated parking space(s) or a 10-foot by 10-foot area. Vehicles used to tow mobile vending units shall be moved to a secondary location prior to operation in order to maintain adequate public parking and circulation.
- No temporary structures, tents, tables, etc. are permitted with the mobile vendor. Umbrellas or protective coverings may be permitted if attached to the vendor cart or truck.
- If permitted as a non-motorized vendor cart, it cannot be connected to power. Any food preparation, if applicable, must take place off-site.
- Each vendor is allowed one A-frame / sandwich board sign with a maximum display area of 8 square feet per side and a maximum height of 4 feet (measured from the ground).
- No audio amplification is allowed as part of the mobile vending operations.
- The operator or their designee must be present at all times, except in cases of an emergency.
- The vendor shall comply with all federal, state and local laws when operating the unit. The approved pilot program reservation shall be visible at all times, along with any other permits required to be displayed by Transylvania County or the State of North Carolina.
- Vendors are responsible for keeping the area clean during and after operation. Each mobile vendor shall supply at least one waste receptacle which must be removed at the end of each day. City trash receptacles shall not be used for the vendor's waste.
- Vendors must maintain professional behavior. No harassment of passersby or aggressive solicitation will be tolerated.
- The sale of alcohol, tobacco, cannabis, hemp products, or other controlled substances or prohibited items is strictly prohibited.

VIOLATION AND ENFORCEMENT

Violations of this pilot program may result in:

- Written warnings
- Fines up to \$500 per violation
- Suspension or revocation of permit
- Confiscation of vending unit or equipment that remains in the designated location after operating hours and/or if the operator is not present

STAFF REPORT

City Council, Monday, July 20, 2026

Title: Appointment of ABC Board Member

Speaker: Denise Hodsdon, City Clerk
Shawnee Cummings, Assistant to the City Manager/Deputy City Clerk

Prepared by: Shawnee Cummings, Assistant to the City Manager

Approved by: Wilson Hooper, City Manager

Background

The ABC Board is a 5-member board with members serving staggered 3-year terms expiring at the end of July. The terms of two members are expiring this year:

- Ron Brewer has served since April 2021, initially filling a vacancy and reappointed in 2023 for a full 3-year term. He is eligible to serve 1 more term.
- Lisa Conner has served a full 3-year term since August 2023 and is eligible for 1 more term. She has served as Board Chair for the past 2 years.

Discussion

Staff published notices requesting applications on the City's website on May 8th and in the Transylvania Times on May 14th. The deadline for applications was June 12th and 3 applications were received. Lisa Conner and Ron Brewer both applied for reappointment on May 28th and one additional application was received from Paige Wingate on May 14th. Copies of all applications are attached.

Recommendation

The Finance, Human Resources, and Citizen Appointment Committee reviewed the applications at its June 22nd meeting and chose to interview the applicants at a specially-called meeting on July 14th. Following the interviews, the Committee unanimously recommended that Lisa Conner be reappointed to the ABC Board for a second term due to her expertise and experience as ABC Board Chair. The Committee directed Staff to recruit an individual with retail, restaurant, or advisory board experience for the second appointment.

Action

A draft resolution appointing a member to the ABC Board is attached for Council's consideration.

Attachments:

1. Connor ABC Board Application
2. Brewer ABC Board Application
3. Wingate ABC Board Application

4. Draft Resolution

EMPLOYMENT APPLICATION

CITY OF BREVARD
95 W Main St
Brevard, North Carolina 28712

<http://www.cityofbrevard.com>

Conner, Lisa D
202200016 STATUTORY / CODE COMMITTEE MEMBER

ABC BOARD

Received: 5/28/26 02:55 PM

For Official Use Only:

QUAL: _____

DNQ: _____

☐ Experience

☐ Training

☐ Other: _____

PERSONAL INFORMATION**POSITION TITLE:**

STATUTORY / CODE COMMITTEE MEMBER

EXAM ID#:

202200016

NAME: (Last, First, Middle)

Conner, Lisa D

SOCIAL SECURITY NUMBER:

N/A

ADDRESS: (Street, City, State/Province, Zip/Postal Code)**EMAIL ADDRESS:****HOME PHONE:****NOTIFICATION PREFERENCE:**

Email

DRIVER'S LICENSE:

☒ Yes ☐ No

LEGAL RIGHT TO WORK IN THE UNITED STATES?

☒ Yes ☐ No

What is your highest level of education?

Bachelor's Degree

PREFERENCES**WHAT TYPE OF JOB ARE YOU LOOKING FOR?**

Regular

EDUCATION

Nothing Entered For This Section

WORK EXPERIENCE

Nothing Entered For This Section

CERTIFICATES AND LICENSES

Nothing Entered For This Section

Skills

Nothing Entered For This Section

ADDITIONAL INFORMATION

Nothing Entered For This Section

REFERENCES

Nothing Entered For This Section

Agency-Wide Questions

1. **Are you a resident of the City of Brevard?** A resident is defined as someone who lives in within the corporate city limits the majority of the year and claims the City of Brevard as their domicile for legal purposes.

Yes

2. **Please list your current place of employment and your occupation.**

Retired

3. **Please list any other appointed positions you currently hold in Brevard or Transylvania County. If none, please type "none or n/a"**

None

4. **Why do you want to be a member of this Board and/or Committee?**

I have enjoyed being a member of this committee since July 2023 and chosen as Chair July 2024. The knowledge of ABC policies and procedures I acquired in these 3 years can be used for another term and benefit the board.

5. **How would your experience, education and/or occupation be a benefit to this board or committee and the City of Brevard?**

Director/ Building Official for the Clark County School District, Las Vegas, NV Participated in managing a \$4.2B Bond fund for building/modernizing schools and support buildings. Dealing with every level of government in Nevada for 22 years gave me education and experience that benefits the ABC Board.

6. **Please briefly describe any community involvement you have that may be related and beneficial for City Council to know as they evaluate applicants to serve on this Board and/or Committee.**

I have served on the ABC Board for 3 years,

7. **Boards and Committees may meet in mornings, afternoons and or evening hours. What limitations do you have for attending meetings?**

None

Job Specific Supplemental Questions**1. Please select from the list below which Statutory / Code Committee and/or Committees you are interested in serving on.****ABC Board**

The following terms were accepted by the applicant upon submitting the online application:

By clicking the Accept and Submit button, I hereby certify that every statement I have made in this application is true and complete to the best of my knowledge. I understand that any false or incomplete information may be grounds for not employing me and for termination from employment, after employed.

- I understand that I will have to produce documentation verifying identity and eligibility to work in the United States if offered employment.
- I understand that I may required to verify any and all information on this application.
- I understand that this competed application is the property of the City of Brevard and will not be returned.
- I understand it is my responsibility to notify Human Resources of any change to my name, address and/or phone number
- I authorize my current and former employers to give any information regarding me or my employment, whether or not it is on their records. I hereby release them from any damage whatsoever for issuing same.
- I also authorize educational institutions which I attended to reveal my scholastic ratings, as well as degrees or certificates earned, to the City; and associations, registration and licensing boards and to others to furnish whatever detail is available concerning my qualifications. Notwithstanding any provision of State or Federal law, I expressly waive any right I have to review information the City receives from an employer or educational institution under a promise of confidentiality.
- I also permit the City to conduct a Police, Court, Credit and/or Motor Vehicle Records Investigation of my background where related to the job for which I am applying.
- I understand that if I apply or have applied for certain jobs, I may be tested for drug and alcohol use to determine if I am currently using or abusing these substances. I consent to the testing and understand that the results could prevent my employment.
- I understand and acknowledge that should I be employed by the City, then I serve "at will". This means that I may be terminated at any time. I further understand that this "at will" employment relationship may not be changed by any written document unless such change is specifically approved by the City Manager

This application was submitted by Lisa D Conner on 05/28/26 02:55 PM

EMPLOYMENT APPLICATION

CITY OF BREVARD
95 W Main St
Brevard, North Carolina 28712

<http://www.cityofbrevard.com>

Brewer, John R
202200016 STATUTORY / CODE COMMITTEE MEMBER

ABC BOARD

Received: 5/28/26 12:12 PM

For Official Use Only:

QUAL: _____

DNQ: _____

☐ Experience

☐ Training

☐ Other: _____

PERSONAL INFORMATION**POSITION TITLE:**

STATUTORY / CODE COMMITTEE MEMBER

EXAM ID#:

202200016

NAME: (Last, First, Middle)

Brewer, John R

SOCIAL SECURITY NUMBER:

N/A

ADDRESS: (Street, City, State/Province, Zip/Postal Code)**EMAIL ADDRESS:****HOME PHONE:****ALTERNATE PHONE:**

828-508-1333

NOTIFICATION PREFERENCE:

Email

DRIVER'S LICENSE:

☒ Yes ☐ No

LEGAL RIGHT TO WORK IN THE UNITED STATES?

☒ Yes ☐ No

What is your highest level of education?

Bachelor's Degree

PREFERENCES**WHAT TYPE OF JOB ARE YOU LOOKING FOR?**

Temporary

TYPES OF WORK YOU WILL ACCEPT:

Part Time

EDUCATION

Nothing Entered For This Section

WORK EXPERIENCE

Nothing Entered For This Section

CERTIFICATES AND LICENSES

Nothing Entered For This Section

Skills

Nothing Entered For This Section

ADDITIONAL INFORMATION

Nothing Entered For This Section

REFERENCES

Nothing Entered For This Section

Agency-Wide Questions

1. **Are you a resident of the City of Brevard?**A resident is defined as someone who lives in within the corporate city limits the majority of the year and claims the City of Brevard as their domicile for legal purposes.
Yes
2. **Please list your current place of employment and your occupation.**
Retired
3. **Please list any other appointed positions you currently hold in Brevard or Transylvania County.If none, please type "none or n/a"**
Alcohol Board Control Board of Directors
4. **Why do you want to be a member of this Board and/or Committee?**
To continue to service the city
5. **How would your experience, education and/or occupation be a benefit to this board or committee and the City of Brevard?**
I have served three years on this board and am familiar with its problems and financial situation.
6. **Please briefly describe any community involvement you have that may be related and beneficial for City Council to know as they evaluate applicants to serve on this Board and/or Committee.**
My three years of service on this board.
7. **Boards and Committees may meet in mornings, afternoons and or evening hours. What limitations do you have for attending meetings?**
No limitations at all.

Job Specific Supplemental Questions**1. Please select from the list below which Statutory / Code Committee and/or Committees you are interested in serving on.****ABC Board**

The following terms were accepted by the applicant upon submitting the online application:

By clicking the Accept and Submit button, I hereby certify that every statement I have made in this application is true and complete to the best of my knowledge. I understand that any false or incomplete information may be grounds for not employing me and for termination from employment, after employed.

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- I also authorize educational institutions which I attended to reveal my scholastic ratings, as well as degrees or certificates earned, to the City; and associations, registration and licensing boards and to others to furnish whatever detail is available concerning my qualifications. Notwithstanding any provision of State or Federal law, I expressly waive any right I have to review information the City receives from an employer or educational institution under a promise of confidentiality.
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This application was submitted by John R Brewer on 05/28/26 12:12 PM

EMPLOYMENT APPLICATION

CITY OF BREVARD
95 W Main St
Brevard, North Carolina 28712

<http://www.cityofbrevard.com>

Wingate, Paige E
202200016 STATUTORY / CODE COMMITTEE MEMBER

ABC Board

Received: 5/14/26 02:47 PM

For Official Use Only:

QUAL: _____

DNQ: _____

☐ Experience

☐ Training

☐ Other: _____

PERSONAL INFORMATION**POSITION TITLE:**

STATUTORY / CODE COMMITTEE MEMBER

EXAM ID#:

202200016

NAME: (Last, First, Middle)

Wingate, Paige E

SOCIAL SECURITY NUMBER:

N/A

ADDRESS: (Street, City, State/Province, Zip/Postal Code)**EMAIL ADDRESS:****HOME PHONE:****NOTIFICATION PREFERENCE:**

Email

LEGAL RIGHT TO WORK IN THE UNITED STATES?

☒ Yes ☐ No

What is your highest level of education?

Technical College

PREFERENCES**ARE YOU WILLING TO RELOCATE?**

☐ Yes ☐ No ☐ Maybe

WHAT TYPE OF JOB ARE YOU LOOKING FOR?

Regular

TYPES OF WORK YOU WILL ACCEPT:

Full Time, Per Diem

SHIFTS YOU WILL ACCEPT:

Day

EDUCATION

Nothing Entered For This Section

WORK EXPERIENCE

Nothing Entered For This Section

CERTIFICATES AND LICENSES

Nothing Entered For This Section

Skills

Nothing Entered For This Section

ADDITIONAL INFORMATION

Nothing Entered For This Section

REFERENCES

Nothing Entered For This Section

Agency-Wide Questions

1. **Are you a resident of the City of Brevard? A resident is defined as someone who lives in within the corporate city limits the majority of the year and claims the City of Brevard as their domicile for legal purposes.**

Yes

2. **Please list your current place of employment and your occupation.**

Studio U Salon Hair Designer

3. **Please list any other appointed positions you currently hold in Brevard or Transylvania County. If none, please type "none or n/a"**

None

4. **Why do you want to be a member of this Board and/or Committee?**

I am a native of Brevard and I have worked in the city for 37 years. I have invested in the city, its residents, and want to see all parts of the city succeed. My hope is to improve operations of the ABC Board and improve the relationship between our board and our community.

5. **How would your experience, education and/or occupation be a benefit to this board or committee and the City of Brevard?**

I am self employed and have worked with , budgeting , finance, and customer service throughout my lifetime. My experience working with the public give me a unique perspective on our community and a better understanding of what's important to the people of Brevard.

6. **Please briefly describe any community involvement you have that may be related and beneficial for City Council to know as they evaluate applicants to serve on this Board and/or Committee.**

In the past, I have worked with the Heart of Brevard and the chamber of commerce. I have also been involved or worked multiple festivals and events that the city has hosted.

7. **Boards and Committees may meet in mornings, afternoons and or evening hours. What limitations do you have for attending meetings?**

I have no limitations to accommodate meetings or events.

Job Specific Supplemental Questions**1. Please select from the list below which Statutory / Code Committee and/or Committees you are interested in serving on.****ABC Board**

The following terms were accepted by the applicant upon submitting the online application:

By clicking the Accept and Submit button, I hereby certify that every statement I have made in this application is true and complete to the best of my knowledge. I understand that any false or incomplete information may be grounds for not employing me and for termination from employment, after employed.

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This application was submitted by Paige E Wingate on 05/14/26 02:47 PM

RESOLUTION NO. 2026-XX

RESOLUTION APPOINTING A MEMBER TO THE BREVARD ABC BOARD

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 terms of two members expire in July, 2026; 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 its June 22, 2026 meeting and chose to interview the applicants at a specially-called meeting on July 14, 2026; and

WHEREAS, following interviews, the Finance, Human Resources and City Appointment Committee recommended that Lisa Connor be reappointment to the Brevard ABC Board; and

WHEREAS, the Finance, Human Resources and Citizen Appointment Committee agreed to extend the recruitment period to recruit an individual with retail, restaurant, or advisory board experience for the second appointment.

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

- 1) The Brevard City Council does hereby reappoint Lisa Connor to the Brevard ABC Board effective August 2026 and expiring in July, 2029.

Adopted and approved this 20th day of July, 2026.

Maureen Copelof
Mayor

ATTEST:

Denise Hodsdon, CMC, NCCMC
City Clerk