



BLACK MOUNTAIN TOWN COUNCIL MINUTES

May 22, 2024 | Special Called Meeting | Time: 8:30 A.M.

Town Hall Council Chambers | 160 Midland Avenue, Black Mountain, NC 28711

The Black Mountain Town Council met for a special called meeting on Wednesday, May 22, 2024 at 8:30 a.m. for the following items: 1) A continued public hearing for text amendments to Chapter 43, Article VI to add a social district*; 2) for the presentation of the FY24-25 Recommended Town Budget; and 3) to call for a public hearing for the FY24-25 Town Budget.

**The initial public hearing for the social district item was held at the May 13, 2024 Town Council meeting and continued to this meeting on May 22, 2024.*

CALL TO ORDER

Mayor C. Michael Sobol called the meeting to order at 8:30 a.m. with the following members in attendance: Mayor C. Michael Sobol, Vice Mayor Archie Pertiller, Council Member Alice Berry, Council Member Doug Hay, Council Member Pam King, and Council Member Ryan Stone.

The following staff members were present: Josh Harrold, Town Manager; Jessica Trotman, Assistant Town Manager/Planning Director; Wesley Barker, Town Clerk; Angela Reece, Project & Facilities Manager; Josh Henderson, Recreation & Parks Director; John Coffey, Fire Chief; Steve Parker, Police Chief; Jamey Matthews, Public Works Director. Attorney Brian Gulden was also present.

CONTINUED PUBLIC HEARING: FOR TEXT AMENDMENTS TO CHAPTER 43, ARTICLE VI TO ADD A SOCIAL DISTRICT

Council Member Ryan Stone made a motion to open the public hearing on the social district. A vote of 5- 0 in favor. The time was 8:35 a.m.

Linda Tatsapaugh, 48 Beech Glen Dr., encourages the use of reusable metal cups instead of plastic cups if a social district was established.

Bob Bissett, 6 Old Cove Rd., business owner, addressed the Council on his concerns with the social district including parking, traffic, trash and other infrastructure concerns the social district might bring to businesses and to town.

Joe Ruck, 56 Tudor Way, spoke in favor of the social district.

Zach Hinkle, business owner, spoke about other cities that have adopted social districts stating they had no issues and did not reverse their decision on a district once started. Mr. Hinkle asked the Council that this decision be data driven.

Ken Floyd, business owner, spoke on the social district boundary and asked that it be extended down to the Monte Vista Hotel and Peri's Social House and not stop at the intersection of Dougherty Street.

Davis William, 314 S. Oconeechee Ave., spoke to the Council stating he does not see the economic benefit of a social district for the Town.

Larry Pearlman, 203 N. Park Ln., stated he is not in favor of a regular policy to allow a social district and suggested changing the proposed times to only weekends from 5-10 p.m., not 11am-10pm as currently proposed. Mr. Pearlman also expressed concern over enforcement of the district and suggested a survey of downtown businesses that do not serve alcohol on their thoughts.

Earl Metcalf, 33 Hillcrest Rd., spoke against the social district and stated a social district may cause a loss of visitors to the Town.

Jeff Hampton, downtown business employee, stated a social district is not where the town should be headed and would hurt the character of the Town and would not be a huge economic benefit to the Town. Mr. Hampton further stated festivals and special events would be a better time for a social district.

With no other comments, Vice Mayor Archie Pertiller made a motion to close the public hearing. A vote of 5-0 in favor. The time was 9:05 a.m.

Following the public hearing, a lengthy discussion ensued among Council Members and staff.

Mayor Sobol suggested a survey of businesses and citizens to communicate the proposed social district.

Council Member Alice Berry stated she was not convinced of the proposed social district, stating she felt the Town is warm, welcoming, and has plenty of social outlets in the town. If the district moves forward, she stated she would like to make it stricter than proposed.

Council Member Pam King stated she would like to see an educational forum about the district and feels rushed in the decision. She stated she isn't opposed to the social district, and the Blues Festival can go on as planned, but would like to get more information about a social district by having a forum first.

Vice Mayor Archie Pertiller stated he felt some more research is still needed on the social district and that it is moving too fast with this current proposal for a larger social district that spanned several streets. He stated a trial basis of a social district from Cherry St to Ridgeway Ave. down to Lookout Brewing would be preferred to see how it goes.

Council Member Ryan Stone stated he has no issue with social districts, but feels a full district isn't needed in the Town and has interest in exploring special events permits where alcohol could be served within the footprint of a special event.

At 9:42 a.m., Council Member Ryan Stone announced he needed to leave the meeting. Attorney Brian Gaulden advised the Council the first reading of this proposed ordinance will need a two-thirds vote in favor to move forward. Further, if Council Member Stone leaves the meeting without being formally excused by the Town Council, his vote would count as an affirmative

vote for whatever motions were made. Council Member Stone acknowledged this and left the meeting and was not formally excused by the Town Council.

Council Member Doug Hay felt the social district only for a weekend trial would not be sufficient for data and would be a one-time town expense for the required regulations.

Council Member Pam King stated she would like to have more time before making a decision on the social district.

Following the discussion, a motion was made by Council Member Pam King to deny the establishment of a social district, stating she was open to reconsider at a later date with more time to gather information. The motion to deny the establishment of a social district carried by a vote of 3-2 with Council Members King, Berry and Stone voting in the affirmative, and Council Members Pertiller and Hay voting against. *Council Member Stone's vote was in the affirmative toward this motion because he was not formally excused by the Council upon leaving the meeting.*

Presentation of Manager's Recommended Budget for FY 24-25

The next item on the agenda was the presentation of the recommended Town Operating Budget for FY24-25. Town Manager Josh Harrold and Finance Director Tammy Holland gave a presentation to the Town Council. Noteworthy budget items include the following:

- FY24-25 budget totals \$22 million across all funds.
- No property tax increase (current rate is .3210 cents per \$100 of valuations)
- 4% COLA (Cost of Living Adjustment) to permanent employees.
- 6 Positions (The current dual Planning Director & Assistant Town Manager position will be split to have a standalone Assistant Town Manager position.)
- Waste Reduction fee will increase \$3.00 per month/living unit.
- Water rates will increase by 13% for inside Town limits and 15% for outside Town limits. (Rate increases are larger than previous years due to an increase of 31.7% in wholesale rates from the City of Asheville.)
- Major Capital Expenditures include:
 - Street Paving
 - Fire Truck
 - Three (3) Police Vehicles
 - Public Works Truck
 - Water Operations Vehicle
 - Water Operations Dump Truck
 - Water Distribution Lines

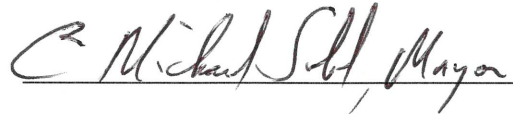
Additionally, a copy of the recommended FY24-25 budget is on file in the Town Clerk's office and posted on the Town's website.

Call for Special Meeting to hold a Public Hearing for FY 24-25 Budget

Council Member Doug Hay made a motion to hold a public hearing for the Recommended FY24-25 Budget on Tuesday, June 3, 2024 at 5:30 p.m. After some discussion, Council Member Hay withdrew his motion.

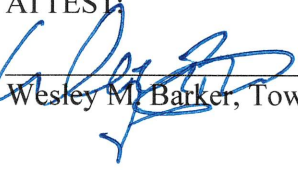
Council Member Doug Hay then made a motion to hold a public hearing for the Recommended FY24-25 Budget on Thursday, June 6, 2024 at 5:30 p.m. at the Town Hall Council Chambers. A unanimous vote in favor.

There being no further business, Mayor C. Michael Sobol adjourned the meeting at 10:24 a.m.

A handwritten signature in black ink, appearing to read "C. Michael Sobol, Mayor", written over a horizontal line.

C. Michael Sobol, Mayor

ATTEST:

A handwritten signature in blue ink, appearing to read "Wesley M. Barker", written over a horizontal line.
Wesley M. Barker, Town Clerk