



TOWN OF BLACK MOUNTAIN TOWN COUNCIL

December 9, 2024

REGULAR SESSION AGENDA

Time: 6:00 PM

Black Mountain Presbyterian Church | 117 Montreat Rd., Black Mountain, NC 28711

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1. CALL TO ORDER

- 1.A. Welcome
- 1.B. Pledge of Allegiance
- 1.C. Moment of Silence
- 1.D. Announcements
- 1.E. Mayor's Statement

In accordance with the Code of Ethics adopted by the Council, all Council Members have a duty to conduct the affairs of the governing board in an open

and public manner free of conflicts of interest. Is there any item on the agenda the outcome of which will have a direct, substantial, and readily identifiable financial impact for any Council Member, his or her family or close business associates? Does any Council Member have a financial interest in any public contract coming before this Council today? There being none, all Council Members have a duty and obligation to vote.

2. ORGANIZATIONAL MEETING

- 2.A. Oath of office for elected Council Members Doug Hay, Pam King, Archie Pertiller & Ryan Stone by the Honorable Ward D. Scott - Wesley Barker, Town Clerk**

Motion: n/a- Council members will be given their oath of office.

- 2.B. Election of Mayor Pro Tempore - Wesley Barker, Town Clerk**

Motion: I move that Town Council elect _____ as Mayor Pro Tempore (Vice-Mayor).

- 2.C. Approval of November 5, 2024, General Election Abstract of Votes Results - Wesley Barker, Town Clerk**

Motion: I move that we approve the November 5, 2024 General Election Abstract of Votes as presented.

3. PROCLAMATIONS, AWARDS, RECOGNITIONS, SPECIAL RESOLUTIONS

4. CITIZEN COMMENTS

Individuals wishing to address the Council are asked to sign in at the entrance to the board room, indicating the topic(s) or agenda item(s) you wish to discuss, so that the chair may group speakers according to topic. The chair will recognize individuals requesting to address the Council. **Comments by any one speaker shall be limited to three (3) minutes.** If the topic you wish to discuss pertains to a **public hearing** scheduled for this meeting, please reserve your comment for the applicable public hearing.

5. COMMUNICATIONS FROM STAFF, COUNCILS, COMMISSIONS & AGENCIES

6. CONSENT AGENDA

All items on the consent agenda are considered routine, to be enacted by one motion without discussion. If a member of the governing body requests discussion of an item, the item will be removed from the consent agenda and considered separately.

- 6.A. Adoption of Meeting Minutes from August 8, August 12, and September 5, 2024 - Wesley Barker, Town Clerk**

Motion: I move that the Town Council meeting minutes from August 8, August 12 and September 5 be adopted.

- 6.B. Call for Public Hearing to Amend Chapter 1, Section 1.2.3, Definitions; Chapter 4, Section 4.7.11, Uses; Section 4.7.14, Table of Permitted Uses; and Chapter 5,**

Section 5.18, Emergency Housing to add definitions and text for emergency temporary housing - Jennifer Tipton, Senior Admin

Motion: To call for a public hearing to amend Chapter 1, Section 1.2.3, Definitions; Chapter 4, Section 4.7.11, Uses; Section 4.7.14, Table of Permitted Uses; and Chapter 5, Section 5.18, Emergency Housing to add definitions and text for emergency temporary housing, to be held on Monday, January 13, 2025, at 6:00 p.m., or as soon thereafter as possible, in the Council Room of Town Hall, 160 Midland Avenue.

6.C. Adoption of the 2025 Town Council Meeting Schedule - Wesley Barker, Town Clerk

Motion: I move to adopt the 2025 Town Council Meeting Schedule as presented.

6.D. Consideration of 2025 Town Holiday Schedule - Wesley Barker, Town Clerk

Motion: I move to approve the 2025 Town Holiday Schedule as presented.

6.E. Monthly Property Tax Collector Report - Cortney Kidd, Accounting Manager

Motion: I move to approve the monthly tax collector report as presented.

6.F. Resolution to Accept Donated Equipment to the Town - Josh Harrold, Town Manager

Motion: I move to approve the resolution to accept donated items to the town as presented.

7. PUBLIC HEARING

The chair will recognize individuals requesting to address the Council regarding the specific topic of the public hearing. **Public hearing comments by any one speaker shall be limited to ten (10) minutes.** The Mayor reserves the right to alter time limits and other rules of procedure at the beginning of each public hearing.

7.A. Public Hearing to Amend Chapter 4, Section 4.7.11, Uses, and Chapter 5, Additional Use Standards for Specified Uses, Section 5.17 Mobile Retail Vendors to add a maximum number of mobile retail vendors per permitted district. - Jennifer Tipton, Senior Admin

Motion: I move to approve the proposed text amendments to Chapter 4, Section 4.7.11, Uses, and Chapter 5, Additional Use Standards for Specified Uses, Section 5.17 Mobile Retail Vendors as presented and find that the proposed changes are consistent with current state regulations and find that these recommendations promote the general welfare and are in keeping with good zoning practice.

7.B. Public Hearing to Amend Chapter 1, Section 1.2.3, Definitions, to add a definition for mobile retail vendors - Jennifer Tipton, Senior Admin

Motion: I move that we approve the proposed text amendments to Chapter 1, Section 1.2.3, Definitions as presented and find that the proposed

changes are consistent with current state regulations and find that these recommendations promote the general welfare and are in keeping with good zoning practice.

8. CITIZEN COMMENTS

Individuals wishing to address the Council are asked to sign in at the entrance to the board room, indicating the topic(s) or agenda item(s) you wish to discuss, so that the chair may group speakers according to topic. The chair will recognize individuals requesting to address the Council. **Comments by any one speaker shall be limited to three (3) minutes.** If the topic you wish to discuss pertains to a **public hearing** scheduled for this meeting, please reserve your comment for the applicable public hearing.

9. UNFINISHED BUSINESS

9.A. Resolution Ratifying and Approving an Agreement for Professional Services for Disaster Related Property Restoration Services - Angela Reece, Facilities & Project Manager, Deputy Town Clerk

Motion: I move that Town Council approve the Resolution and Ratify the Agreement with **Belfor Property Restoration Group, Inc.** (selected firm) to Provide Professional Emergency Property Restoration Services and authorize the Town Manager or his designee to negotiate and execute the necessary scope of work and a fee not to exceed \$1,000,000.00 to mitigate water intrusion and implement emergency repairs to prevent further degradation and restore town facilities to a safe, usable condition.

9.B. Amended Debris Removal Interlocal Agreement with Buncombe County (Tetra Tech) - Josh Harrold, Town Manager

Motion: I move that Town Council approve the amended interlocal agreement with Buncombe County for Debris Removal with Tetra Tech.

9.C. Consideration of Amendment to Hurricane Helene Grant Project Ordinance and Project Budget Amendment - Tammy Holland, Finance Director

Motion: Motion to approve the Hurricane Helene Grant Project Ordinance and Project Budget Amendment as presented and recommended.

10. NEW BUSINESS

10.A. Consideration of Art in the Afternoon Lease Renewal (one-year) - Josh Harrold, Town Manager

Motion: I move that we approve the lease agreement for Art in the Afternoon for an additional year to expire August 31, 2025.

11. COMMUNICATION FROM TOWN MANAGER & TOWN ATTORNEY

12. COMMUNICATION FROM MAYOR AND TOWN COUNCIL

13. CLOSED SESSION

14. ADJOURNMENT