



TOWN OF BLACK MOUNTAIN

TOWN COUNCIL

October 13, 2025

REGULAR SESSION AGENDA

Time: 6:00 PM

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

Agendas and agenda packets may be accessed electronically from your laptop or smartphone. Visit the Town's website at www.townofblackmountain.org. Click on **Government** and select **Town Council** to access agenda materials for Town Council meetings. You can also scan this QR code with your smartphone to access agenda materials.



 Conserve Resources; print only when necessary.

The Town of Black Mountain is committed to providing accessible facilities, programs, and services for all people in compliance with the American with Disabilities Act (ADA). Hearing assistive devices are available at the door. Should you need other assistance or accommodation for this meeting, please contact Town Clerk Wesley Barker at: town.clerk@tobm.org, or **(828) 419-9300 / TDD (800) 735-2962**

1. CALL TO ORDER

- 1.A. Welcome
- 1.B. Pledge of Allegiance
- 1.C. Moment of Silence
- 1.D. Announcements
- 1.E. Ethics 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. PROCLAMATIONS, AWARDS, RECOGNITIONS, SPECIAL RESOLUTIONS

2.A. Domestic Violence Prevention & Awareness Month Proclamation

3. 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. Note: Council will not respond during the citizen comment period.

4. COMMUNICATIONS FROM STAFF, COUNCILS, COMMISSIONS & AGENCIES

4.A. Presentation of Law Enforcement Risk Review Award from NCLM

4.B. Fire Department Annual Report

5. COMMUNICATION FROM TOWN ATTORNEY & TOWN MANAGER

6. COMMUNICATION FROM MAYOR AND TOWN COUNCIL

7. 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.

7.A. Monthly Tax Collector Reports - Laurel Mabery, Accountant

Motion: Approve the tax collections reports as presented.

7.B. Resolution to Apply for Community Development Block Grant - Neighborhood Revitalization (CDBG-NR) Program - Michelle Kennedy, Planning Director

Motion: I move that we approve the resolution to apply for the Community Development Block Grant — Neighborhood Revitalization Program.

7.C. Resolution to Apply for the Golden LEAF Foundation Open Grants Program - Michelle Kennedy, Planning Director

Motion: I move that we approve the resolution to apply for the Golden LEAF Foundation Open Grants Program.

7.D. Resolution Declaring Certain Property Surplus and Authorizing Private Sale per N.C.G.S. 160a-266(c) - Jamey Matthews, Public Works Director

Motion: I move that Council approve the Resolution Declaring Certain Property Surplus and Authorizing Private Sale as presented.

- 7.E. Memorandum of Agreement with NC League of Municipalities (NCLM) for Disaster Recovery Services** - Josh Harrold, Town Manager
Motion: Motion to approve the Disaster Recovery Memorandum of Agreement Resolution with NCLM as presented.
- 7.F. Debris Removal Cooperative Memorandum of Agreement with NC Division of Emergency Management (NCEM)** - Jessica Trotman, Assistant Town Manager
Motion: Motion to approve the Memorandum of Agreement as presented.
- 7.G. Resolution to Designate Certain Town Facilities as Critical Facilities for Hazard Mitigation Purposes** - Jessica Trotman, Assistant Town Manager
Motion: Motion to approve the Resolution to Designate Certain Town Facilities as Critical Facilities for Hazard Mitigation Purposes.
- 7.H. Resolution Approving a Master Services Agreement between Kimley-Horn & Associates, Inc. and Town for Continuing Professional Services (Veterans Park Ped. Crossings)** - Jessica Trotman, Assistant Town Manager
Motion: Motion to approve the resolution which approves the Master Services Agreement between Kimley-Horn & Associates and the Town for the projects specified.
- 7.I. Resolution to Approve Contract with Anchor QEA for Restoration of N. Oconeechee Ave. Stormwater Management System** - Jessica Trotman, Assistant Town Manager
Motion: Motion to approve the resolution approving contract with Anchor QEA for N. Oconeechee Ave. Stormwater Management System Project.
- 7.J. Resolution to Amend Resolution R-25-45 Authorizing On-Call Contracts for Grant Writing & Consulting Services in Support of Recovery & Resilience Funding Opportunities.** - Jessica Trotman, Assistant Town Manager
Motion: Motion to approve the Resolution to amend Resolution No. R-25-45 authorizing staff to enter into contracts and execute on-call professional service contracts with the seven qualified firms that responded to the Grant Writing and Consulting Services RFQ.
- 7.K. Consideration of FY25-26 Budget Amendments** - Josh Harrold, Town Manager
Motion: Motion to approve the budget amendments as presented and recommended.
- 7.L. Resolution to Amend the Town Budget to Transfer Funds from Unassigned Stormwater Fund Balance to the Helene Fund for Stormwater & Environmental Projects** - Jessica Trotman, Assistant Town Manager
Motion: Motion to approve the resolution as presented.
- 7.M. Resolution Selecting KCI Associates for the Asset Inventory & Assessment (AIA) and Capital Improvement Plan (CIP) Services, and Authorizing the Town Manager to Negotiate a Contract** - Jessica Trotman, Assistant Town Manager

Motion: Motion to approve the resolution as presented.

8. 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.

8.A. Public Hearing for Village of Cheshire Master Plan Amendment - Michelle Kennedy, Planning Director

Motion: I move that we approve the proposed amendment to the Village of Cheshire Master Plan and find the proposed amendment is consistent with current state regulations and promotes and protects the health, safety, and welfare and is in keeping with good zoning practice.

8.B. Public Hearing for Text Amendment to Chapter 5, Section 5.17, Mobile Retail Vendors - Michelle Kennedy, Planning Director

Motion: I move that we approve the proposed text amendment to Chapter 5, Section 5.17, Mobile Retail Vendors, to remove setback requirements and find that the proposed change is consistent with current state regulations and find that the recommendation promotes and protects the health, safety and welfare and is in keeping with good zoning practice.

9. 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. Note: Council will not respond during the citizen comment period.

10. UNFINISHED BUSINESS

11. NEW BUSINESS

11.A. Eagle Scout Project - Handicap Accessible Fishing Pier at Lake Tomahawk Park - Josh Henderson, Recreation & Parks Director

Motion: Approved as presented.

11.B. Bee City USA Asheville Butterfly Trail Station at Veterans Park - Josh Henderson, Recreation & Parks Director

Motion: Approve the proposal and MOU.

11.C. NC Wildlife Federation Habitat Restoration Proposal - Josh Harrold, Town Manager

Motion: Council will discuss the proposal and may vote to approve the proposal as presented (or amended).

11.D. Transfer of Mobile Office Lease from USACE (US Army Corps of Engineers) to Town of Black Mountain. - Jessica Trotman, Assistant Town Manager

Motion: Approval of the mobile office lease transfer as presented.

11.E. Resolution To Apply For State Revolving Fund (SRF) Funding For Water System Improvements & Repeal of Resolutions No. R-25-41 and R-25-42. - Jessica Trotman, Assistant Town Manager

Motion: Motion to approve the resolution as presented.

11.F. Discussion of Emailed Public Comments Procedure - Josh Harrold, Town Manager

Motion: Council should discuss the procedure for emailed public comments.

11.G. Town Attorney Performance Evaluation Templates - Josh Harrold, Town Manager

Motion: Town Council will discuss and review the attorney performance evaluation templates and decide which template to use moving forward.

12. ADJOURNMENT