



# TOWN OF BLACK MOUNTAIN TOWN COUNCIL

March 9, 2026

REGULAR SESSION AGENDA


Time: 6:00 PM

Town Hall Council Chambers | 160 Midland Avenue, 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. 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. **Resolution Recognizing the Retirement of Police K-9 Cayman, and Ownership Transfer to Handler** - Steve Parker, Police Chief  
Motion: Motion to approve resolution recognizing the retirement of Police K-9 Cayman and to transfer ownership to his handler, Sgt. Newhouse.
- 2.B. **2026 Mayors' Monarch Pledge**
- 2.C. **Resolution Recognizing Women's History Month - March 2026**
- 2.D. **Resolution Recognizing International Transgender Day of Visibility on March 31, 2026**

## 3. COMMUNICATIONS FROM STAFF, COUNCILS, COMMISSIONS & AGENCIES

- 3.A. **Trash Trout Installation Presentation**
- 3.B. **Update on Public Safety Building Feasibility Study** - Richard Hicks, Interim Town Manager  
Motion: None- Presentation to Council.

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

## 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. **Adoption of Meeting Minutes- February 5, 9 & 25, 2026.** - Wesley Barker, Town Clerk  
Motion: Approval of meeting minutes as presented.
- 7.B. **Monthly Tax Collector Report** - Laurel Mabery, Accountant  
Motion: Approve the tax collection report as presented.
- 7.C. **Call for Public Hearing on April 13, 2026 at 6:00 p.m. to Amend Chapter 1,**

**Section 1.7.3, Variances, to remove the requirement that only signs in the historic district may seek a variance from the sign regulations.** - Michelle Kennedy, Planning Director

Motion: To call for a public hearing to amend Chapter 1, Section 1.7.3, Variances, to remove the requirement that only signs in the historic district may seek a variance from the sign regulations to be held on Monday, April 13, 2026, at 6:00 p.m., or as soon thereafter as possible, in the Council Room of Town Hall, 160 Midland Avenue, Black Mountain.

**7.D. Call for Public Hearing on April 13, 2026 at 6:00 p.m. to Amend Chapter 9, Section 9.10, Administrative Adjustment of Signage Regulations, to additional administrative adjustments for ground signs, cantilevered ground signs, and development identification signs.** - Michelle Kennedy, Planning Director

Motion: To call for a public hearing to amend Chapter 9, Section 9.10, Guidelines for Administrative Adjustment of Signage Regulations, to be held on Monday, April 13, 2026, at 6:00 p.m., or as soon thereafter as possible, in the Council Room of Town Hall, 160 Midland Avenue, Black Mountain.

**7.E. Consideration of Budget Amendment Resolution for Police Department Recognizing Grant Funds & Sale of Capital Assets** - Steve Parker, Police Chief , Laurel Mabery, Accountant

Motion: Motion to approve budget amendments as presented.

**7.F. Consideration of Budget Amendment Resolution to Acknowledge Payment to the Black Mountain Parks & Greenways Foundation for the Valentine's 5K Race** - Richard Hicks, Interim Town Manager

Motion: Motion to approve the resolution budgeting funds to acknowledge payment to the Black Mountain Parks & Greenway Foundation for the Valentine's 5K Race as presented.

**7.G. Consideration of Budget Amendment Resolution for NCLM Insurance Proceeds and Mobile Office Trailers Lease Payment** - Richard Hicks, Interim Town Manager

Motion: Motion to approve budget amendments as recommended.

**7.H. Consideration of Budget Amendment Resolution for Norfolk Southern Railway Lease Payment** - Richard Hicks, Interim Town Manager

Motion: Motion to approve the budget amendment as recommended.

**7.I. Resolution of Support for the Fonta Flora State Trail - Black Mountain to Point Lookout Trail Feasibility Study** - Richard Hicks, Interim Town Manager

Motion: Motion to approve the resolution of support for the FFST Feasibility Study 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 and Consideration of Approval of Voluntary Annexation of Property Owned by Givens Highland Farms (PIN# 0609-46-7498) - Michelle Kennedy, Planning Director**

Motion: I move to approve the Voluntary Annexation Ordinance of property known as 318 Tabernacle Road, PIN# 0609-46-7498, into the Town of Black Mountain town limits as presented and recommended.

**8.B. Public Hearing and Consideration of Approval to Rezone Property Owned by Givens Highland Farms (known as 318 Tabernacle Road- PIN #0609-46-7498) from R-1 to OI-6. - Michelle Kennedy, Planning Director**

Motion: I move to approve the ordinance rezoning the property owned by Givens Highland Farms, known as 318 Tabernacle Road, PIN #0609-46-7498, from R-1 to OI-6 (office and institutional) as presented & recommended.

**9. CITIZEN COMMENTS**

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**10. UNFINISHED BUSINESS**

**11. NEW BUSINESS**

**11.A. Call for Public Hearing on April 13, 2026 at 6:00 p.m. for Update to Town System Development Fees (SDF). - Richard Hicks, Interim Town Manager**

Motion: Motion to call for public hearing on April 13, 2026 at 6:00 pm for update to the Town's System Development Fees (SDF) to be held at Town Hall, 160 Midland Ave., Black Mountain, NC 28711.

**11.B. Petition to Dedicate Brookhaven Drive to the Town for Maintenance and Public Use - Michelle Kennedy, Planning Director**

Motion: To accept the dedication of Brookhaven Drive and the subsequent sidewalk to the Town for maintenance and public use.

**11.C. Authorization of Phase 1 Environmental Report for Donated Property to the Town from the State of NC - Richard Hicks, Interim Town Manager**

Motion: I move that Council authorize the Town Manager to obtain a Phase 1 Environmental Report on Property being donated to the Town by the

State of North Carolina.

- 11.D. Consideration of Easement Request with Duke Energy** - Richard Hicks, Interim Town Manager  
Motion: I move that Council Authorize the Town Manager to Execute Easement Documents With Duke Energy.
- 11.E. Consideration to Adopt Stormwater Master Plan and Associated Capital Improvement Plan** - Richard Hicks, Interim Town Manager  
Motion: Motion to adopt the stormwater master plan and capital improvement plan as presented & recommended.
- 11.F. Partnership with Carolina Elite Soccer** - Richard Hicks, Interim Town Manager  
Motion: Motion that Council authorize town staff to enter into partnership with Carolina Elite Soccer as presented.
- 11.G. Consideration of Amendment to Current Buncombe-Madison Regional Hazard Mitigation Plan** - Jessica Trotman, Assistant Town Manager  
Motion: Motion to approve amendment to the Buncombe-Madison Regional Hazard Mitigation Plan for Mitigation Action Plan section as presented.
- 11.H. Consideration of Pursuing Reimbursement through FEMA for Eligible Costs Incurred as a Result of Ice Storm Fern** - Richard Hicks, Interim Town Manager  
Motion: Council is asked to provide direction on whether Town staff should pursue reimbursement through FEMA for eligible costs incurred from Ice Storm Fern.
- 11.I. Award of Bid Received for Golf Cart Bridge Repairs at Black Mountain Golf Course & Approval of Capital Project Ordinance** - Richard Hicks, Interim Town Manager  
Motion: I move that Council Award the Bid for the Replacement of the Golf Course Bridges to Dan Grady Company, LLC in the amount of \$199,500, and to adopt the corresponding Capital Project Ordinance.
- 11.J. Approval of Budget Amendment Resolution for Golf Cart Bridge Repairs at Black Mountain Golf Course** - Richard Hicks, Interim Town Manager  
Motion: Motion to approve the budget amendment for the Golf Cart Bridge Repairs Project as presented.
- 11.K. Discussion of Town Attorney's Annual Evaluation** - Richard Hicks, Interim Town Manager  
Motion: Council should discuss setting a time to conduct the Town Attorney's annual evaluation.
- 12. CLOSED SESSION - NCGS 143-318.11 (A)(3) CONSULT WITH ATTORNEY, ATTORNEY-CLIENT PRIVILEGE.**

### **13. ADJOURNMENT**