



TOWN OF BLACK MOUNTAIN

Town Hall, 160 Midland Avenue, Black Mountain, NC 28711

Date: **March 12, 2018**

Time: **6:00 p.m.**

Regular Session Minutes



*The agenda and all related documentation may be accessed electronically via Wi-Fi in Town Hall. From your laptop or smartphone, access the Town's website at www.townofblackmountain.org. Click on **Town Government** and select **Mayor and Board of Alderman** to download materials for all Town board meetings.*

 **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 Angela Reece at 419-9310, or by email at townclerk@townofblackmountain.org
(828) 419-9300 / TDD (800) 735-2962*

1. CALL TO ORDER

Mayor Don Collins called the meeting to order at 6:00 p.m. with the following members present:

Mayor Don Collins
Vice Mayor Maggie Tuttle
Alderman Larry B. Harris
Alderman Jeremie Konegni
Alderman Ryan Stone
Alderman Carlos Showers

The following staff members were present:

Matt Settlemyer, Town Manager
Dean Luebbe, Assistant Town Manager/Finance Director
Angela Reece, Town Clerk
Ron Sneed, Town Attorney
Shawn Freeman, Police Chief
Steve Jones, Fire Chief
Jessica Trotman, Planning Director
Jamey Matthews, Public Services Director
Casey Conner, Recreation Services Director

Mayor Don Collins welcomed everyone and led the Pledge of Allegiance. Pastor Dan Snyder of First Baptist Church, Swannanoa gave the invocation.

Mayor Collins thanked everyone in attendance and expressed appreciation to all those who were attending for the first time and also the viewing audience. The re-broadcast of each regular meeting is shown throughout the month on Charter Cable's Buncombe County Channel 192 at 8:00 p.m. on Sundays. Meetings initially air the same week in which they occur and are shown weekly until the next regularly scheduled meeting. Citizens may also go to the Town website www.townofblackmountain.org at any time and view the most recent regular meeting of the Board.

Black Mountain Board of Aldermen
Regular Session Minutes - March 12, 2018

In his announcements Mayor Collins

2. PROCLAMATION AND AWARD RECOGNITION

Mayor Don Collins read proclamations recognizing the life of Reverend Billy Graham and Litter Sweep 2018.

Police Chief Shawn Freeman presented Intermediate Law Enforcement Certificate Awards to Officers Jacob Calvert and Joe Moore and congratulated them for their hard work and dedication to achieve this award. Mayor Don Collins and the Board of Aldermen also praised the officers.

3. CITIZEN COMMENTS

Individuals wishing to address the Board 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 Board. 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.

Marilyn Sobanski of 516 Laurel Ave., Black Mountain addressed the Board of Aldermen expressing her concerns about development in the town. Ms. Sobanski stated she is not opposed to change or development but is asking that future decisions of the Board of Aldermen be heavily dependent on citizen input regarding new development and any re-development in town.

Lisa Milton of 406 W. State Street, Black Mountain addressed the Board of Aldermen expressing her concerns about a recent presentation given to the Planning Board by NCDOT regarding stakeholders of the proposed I40-Blue Ridge Road Interchange. Mrs. Milton stated she feels it is imperative to include land owners impacted by the project as stakeholders and to recognize their importance.

4. COMMUNICATIONS FROM BOARDS, COMMISSIONS & AGENCIES

At home viewers can view the video presentations by clicking [here](#). Copies of each presentation are included and made part of these minutes.

A. MSD Annual Report - Bob Watts

Bob Watts delivered the annual Metropolitan Sewerage District report to the Board of Aldermen. In his report, Mr. Watts reported that MSD projects in town are about half way completed. He stated they are using a method called pipe bursting to replace pipes which is a less invasive and timelier process. The report is made part of these minutes and attached herein.

B. NCDOT Project Update – Kristina Solberg, PE, NCDOT

Kristina Solberg, Project Engineer with NCDOT gave an update on the I40-Blue Ridge Road Interchange to the Board of Aldermen. Ms. Solberg stated the STIP Project No. is I-4409 and said

Black Mountain Board of Aldermen
Regular Session Minutes - March 12, 2018

the project proposal is to convert existing grade separation to an interchange. Ms. Solberg stated the project purpose and need is to reduce congestion and truck volumes within downtown Black Mountain, reduce congestion at nearby NC 9 interchange with I-40, and to facilitate local economic development initiatives. Ms. Solberg stated -of-way acquisition will begin in 2019 and construction will begin in 2021. She stated no design has been developed and missing data is being gathered from stakeholders at this time. Ms. Solberg clarified that her definition of stakeholders represented missing data pieces such as future development, biological surveys, vehicular travel patterns, and funding sources as they relate to law. She stated once that data is gathered then designs will be proposed and public input meetings will begin. Ms. Solberg stated a timeline for the first public meeting will be summer 2018 and a second public meeting will be spring 2019. Mayor Don Collins asked for clarification regarding citizens as stakeholders and Ms. Solberg stated the first public meeting will show how many will be impacted and will include alternatives. She stated additional data is being gathered at this time to begin development of the designs and once the designs are developed then citizens will be included as stakeholders. Alderman Larry B. Harris stated it was important to note the footprint of improvements being made to US70 and South Blue Ridge Road and stated local bicycle and pedestrian plans will be included. Alderman Ryan Stone clarified procedurally it is DOT's preferred method to gather data, develop alternatives and then accept public comment. Alderman Stone stated the community, along with NCDOT will be able to refine those alternatives to determine the best fit and community needs as well as to determine cost sharing. The report is made part of these minutes and attached herein.

C. Annual Water Report by Jamey Matthews, Public Services Director

Public Services Director Jamey Matthews delivered the 2017 Annual Water Report to the Board of Aldermen. Director Matthews discussed ongoing and completed projects stating higher capacity pumps have been installed in locations along with new piping to produce maximum water flow to customers. Director Matthews stated total work orders for 2017 was 2,851 and said crews installed 77 new water taps. Overall water usage has decreased slightly possibly due to detecting and repairing various water leaks in the system.

5. 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.

Town Manager Settlemyer presented the consent agenda to the Board of Aldermen.

A. Adoption of Minutes

Motion: *To adopt the minutes of February 8, 2018 (Agenda Session), and February 12, 2018 (Regular Session).*

Black Mountain Board of Aldermen
Regular Session Minutes – March 12, 2018

B. Budget Amendment to Purchase Police Vehicle

#FY2018-8

Manager Settlemyer stated there are drug forfeiture funds restricted to police use and this budget amendment reflects a purchase of a new police vehicle to replace a 2004 Chevy Impala which has over 125,000 miles and was on the list to be replaced. He stated the value of the vehicle does not equal the cost to repair it.

Motion: *To approve Budget Amendment #FY2018-08 as submitted, increasing the expenditure account 1010-5100-180 (Forfeiture Funds Expenditure) by \$31,000 and increasing the revenue account 1010-3935-900 (Forfeiture Fund Balance Appropriated) by \$31,000.*

C. Budget Amendment for Purchase of Property Located at 304 Black Mountain Avenue.

#FY2018-9

Manager Settlemyer stated this amendment is necessary to reflect the transfer of the down payment to BB&T Bank in the amount of \$500,000.00 on the agreement to borrow the remaining \$1.5M. Manager Settlemyer stated the down payment was comprised of \$250,000 from the General Fund and \$250,000 from the Water Fund. Manager Settlemyer stated this is a 15 year loan at 3.49% interest and said the principal payment would be approximately \$50,000 annually and the Board could pay it off early without penalty if they choose to in the future.

Motion: *To approve Budget Amendment #FY2018-09 as submitted. In the General Fund this entry increases the expenditure account 1000-4200-730 (Capital Outlay) by \$986,100, the revenue account 1000-3905-900 (Fund Balance Appropriated) by \$236,100 and the revenue account 1000-3920-900 (Proceeds from Installment Purchases) by \$750,000. In the Water Fund, the entry increases the expenditure account 3091-8100-730 (Capital Outlay) by \$1,001,100, the revenue account 3091-3905-900 (Fund Balance Appropriated) by \$251,100 and the revenue account 3091-3910-900 (Proceeds from Installment Purchases) by \$750,000.*

D. Request for Proposal to Provide Legal Services

Manager Settlemyer stated a Request for Proposal for Attorney services has not been sent out in a few years and is necessary.

Motion: *To approve the request for proposal to provide legal services as presented.*

There was no discussion by the Board.

Vice Mayor Maggie Tuttle moved to approve consent item A-D as presented.

The motion was unanimously approved by a vote of 5-0.

Black Mountain Board of Aldermen
Regular Session Minutes – March 12, 2018

6. CITIZEN COMMENTS

The chair will recognize individuals requesting to address the Board regarding the specific New Business or Unfinished Business items below. 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.

There were no citizen comments.

7. UNFINISHED BUSINESS – NONE

8. NEW BUSINESS

A. Resolution to Approve Matching Funds for the Riverwalk Phase II Project #R-18-05

Manager Settlemyer stated the town has received over \$2M in grant funding and would like to apply for additional grant funding to continue connecting the Flat Creek Greenway to The Oaks Greenway with an additional portion connecting into downtown. He stated this is a critical connection which will provide additional opportunities for future regional and county funding. Manager Settlemyer stated the total budget is approximately \$4M and staff is requesting an additional \$2.25M in funding. Manager Settlemyer stated the town has spent close to \$200,000 to date on engineering and permitting and the town will need to ask for additional funding.

Alderman Larry B. Harris moved to approve Resolution #R-18-05 for matching funds for Riverwalk Greenway Phase II as presented.

The motion was unanimously approved by a vote of 5-0.

Alderman Larry B. Harris recalled earlier discussions on the proposed I40-Blue Ridge Road Interchange and stated these connections will greatly increase our recreational resources in the town.

9. PUBLIC HEARING -NONE

The chair will recognize individuals requesting to address the Board regarding the specific topic of the public hearing. Public hearing comments by any on 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.

10. COMMUNICATION FROM STAFF

A. Town Attorney – None at this time.

B. Town Manager –Town Manager Settlemyer reminded the Board and Public that tree replacement in the downtown area has begun and stated citizens will see some construction of tree wells in the coming weeks. Manager Settlemyer reminded everyone the downtown streetscape project was funded through a matching grant from the Appalachian Regional Commission and said this project was chosen as a national representation of the type of project. Manager Settlemyer

Black Mountain Board of Aldermen
Regular Session Minutes - March 12, 2018

stated the timeline for completion of this portion of the project will be the end of April 2018. Mayor Collins and Manager Settlemyer thanked Town Clerk, Angela Reece for her hard work in obtaining the grant and project management.

11. COMMUNICATION FROM MAYOR AND BOARD OF ALDERMEN

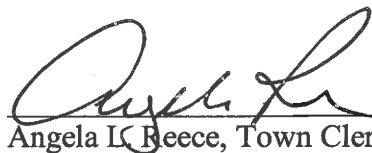
Alderman Larry B. Harris proposed holding an appreciation luncheon for Town Boards and Commissions members sometime in May to thank them for their service to the town. The Clerk will confirm a date, issue notice and send invitations to membership soon.

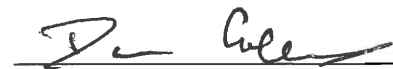
Mayor Don Collins noted academy awards received by actors in the film, Three Billboards, of which many major scenes were filmed in Black Mountain. Mayor Collins expressed his gratitude and thanks to the area citizens who collaborated with filmmakers to produce the film.

12. ADJOURNMENT

There being no further business, Mayor Don Collins adjourned the meeting at 7:25 p.m.

ATTEST:


Angela L. Reece, Town Clerk


Don Collins, Mayor


Matt Settlemyer, Town Manager