



TOWN OF BLACK MOUNTAIN TOWN COUNCIL

August 10, 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

3. COMMUNICATIONS FROM STAFF, COUNCILS, COMMISSIONS & AGENCIES

3.A. Presentation from NCDOT Division 13 Representative(s) on Projects

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 MAYOR AND TOWN COUNCIL

6. COMMUNICATION FROM TOWN ATTORNEY & TOWN MANAGER

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. Resolution in Support of the Leonard Antonelli and Jacob Hill Bicycle Safety Zone Act of 2025 ("Lennie's Law") - Michael Sobol, Mayor

Motion: Motion to approve the resolution as presented.

7.B. Adoption of Meeting Minutes: June 8, 11, 15, 30 and July 9, 13, 2026. - Wesley Barker, Town Clerk

Motion: Motion to approve the meeting minutes as presented.

7.C. Monthly Tax Collector Report - Laurel Mabery, Accountant

Motion: Approve the tax collection report as presented.

7.D. Call for Public Hearing for Text Amendments to Chapter 2, Section 2.3, Flood Damage Prevention Ordinance - Michelle Kennedy, Planning Director

Motion: To call for a public hearing to amend Chapter 2, Section 2.3, Flood Damage Prevention Ordinance, of the Land Use Code, to be held on Monday, September 14, 2026, at 6:00 p.m. in the Council Room of Town Hall, 160 Midland Avenue, N.C. or as soon thereafter as possible.

7.E. Call for Public Hearing for Amendments to Chapter 8, Section 8.2, The Phase II Stormwater Ordinance and Chapter 20, Article X, Illicit Discharge - Michelle Kennedy, Planning Director

Motion: To call for a public hearing to amend Chapter 8, Section 8.2, The Phase II Stormwater Ordinance, of the Land Use Code, and Chapter 20, Article X, Illicit Discharge, of the Code of Ordinances, to be held on Monday, September 14, 2026, at 6:00 p.m. in the Council Room of Town Hall, 160 Midland Avenue, N.C. or as soon thereafter as possible.

7.F. Call for Public Hearing to Amend Chapter 48, Article VI, Division 2, Stormwater Management Enterprise Fund - Michelle Kennedy, Planning Director

Motion: To call for a public hearing to amend Chapter 48, Article VI, Division 2, Stormwater Management Enterprise Fund, of the Code of Ordinances, to be held on Monday, September 14, 2026, at 6:00 p.m. in the Council Room of Town Hall, 160 Midland Avenue, Black Mountain, N.C. or as soon thereafter as possible.

7.G. Appointment of Council Member Lawrence Lytle to the Land of Sky Regional Council Board of Directors as Primary Delegate & Council Member Larry Harris as Alternate Delegate - Wesley Barker, Town Clerk

Motion: Motion to appoint Lawrence Lytle as primary delegate, and Larry Harris as alternate delegate, to the Land of Sky Regional Council Board of Directors for the Town of Black Mountain.

7.H. Acceptance of Donation to the Dr. John Wilson Community Garden from Bounty & Soul - Jacob Guiot, Recreation & Parks Director

Motion: Motion to accept the donation to the Community Garden as presented.

7.I. Annual Property Tax Settlement for Fiscal Year 2026 & Adoption of the Order of Collection of Taxes for Fiscal Year 2027 - Richard Hicks, Interim Town Manager

Motion: Motion to approve the Property Tax Settlement for FY25-26 and adoption of the Order of Collection of Taxes for FY26-27.

7.J. Art in the Afternoon Lease Renewal - Richard Hicks, Interim Town Manager

Motion: Motion to renew the Art in the Afternoon lease for a one-year term expiring August 31, 2027.

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 One-Year Moratorium for Street Dedications to the Town - Michelle Kennedy, Planning Director

Motion: Motion to approve the one-year moratorium for street dedications to the Town of Black Mountain.

9. CITIZEN COMMENTS

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10. UNFINISHED BUSINESS

10.A. Consideration of Easement Request with Duke Energy (along Golf Course property) - Richard Hicks, Interim Town Manager

Motion: I move that Council authorize the Interim Town Manager to Execute the Requested Utility Easement with Duke Energy on the Town of Black Mountain Golf Course Property.

11. NEW BUSINESS

11.A. Consideration of Easement Request with Duke Energy (Richard Lane) - Richard Hicks, Interim Town Manager

Motion: I move that Council authorize the Town Manager to Execute a Utility Easement With Duke Energy on Town Property located on Richard Lane.

11.B. Presentation and Adoption of Equivalent Residential Unit (ERU) Rate Study - Anne Phillip, Stormwater Technician

Motion: I move we adopt the Equivalent Residential Unit (ERU) Rate Study as presented and allow time to explore the options available and direct staff as to which option would be best suited for the Town to bring back for approval.

11.C. Adoption of Town of Black Mountain Stormwater Master Plan (SWMP) - Michelle Kennedy, Planning Director

Motion: I move we adopt the Town of Black Mountain Stormwater Master Plan as presented by WK Dickson, LLC in January 2025.

11.D. Amendment to Town Purchasing Policy on Purchase/Credit Cards - Richard Hicks, Interim Town Manager

Motion: I move that Council adopt the proposed amendment to the Town's Purchasing Policy on Purchase/Credit Cards.

11.E. State of NC Purchasing Card Program Discussion - Greta Gibson, Customer Service & Revenue Supervisor

Motion: Staff recommends enrollment in the State of NC Purchasing Card Program presented.

- 11.F. Discussion of RFP's for Town Banking Services** - Richard Hicks, Interim Town Manager
Motion: n/a
- 11.G. Resolution Approving Financing Terms for Vehicle Purchases- Police Department** - Greta Gibson, Customer Service & Revenue Supervisor
Motion: Motion to approve the resolution approving finance terms for Police Department vehicle purchases as presented.
- 11.H. Acceptance of Drinking Water System Resiliency Improvement Funds From The State Revolving Fund Supplemental Appropriations for Hurricane Helene.** - Richard Hicks, Interim Town Manager
Motion: I move that the Interim Town Manager be authorized to execute the Acceptance Documents for the Water Resiliency Improvement Funds from the State Revolving Fund Supplemental Appropriations for Hurricane Helene.
- 11.I. A Resolution Authorizing the Task Order with Kimley-Horn and Associates, Inc. for Professional Engineering & Design Services for the Flat Creek Flood Mitigation Project.** - Matt Begley, Recovery & Capital Programs Director
Motion: Motion to approve the resolution as presented.
- 11.J. Proposed Contract for 2027 July 4th Fireworks Show** - Richard Hicks, Interim Town Manager
Motion: I move that Council authorize the Interim Town Manager to Execute the Contract for the 2027 July 4th Fireworks Show.
- 11.K. Ordinance to Amend the Fiscal Year 2026-27 Town Budget** - Richard Hicks, Interim Town Manager
Motion: I move that Council adopt the Ordinance to Amend the FY26-27 Budget.
- 11.L. Ordinance To Amend The Highway 70 Waterline Replacement Fund** - Richard Hicks, Interim Town Manager
Motion: I move that Council adopt the Ordinance to amend the Highway 70 Waterline Replacement Fund Budget as presented.
- 11.M. Ordinance to Amend the Ninth Street Bridge Project** - Richard Hicks, Interim Town Manager
Motion: I move that Council adopt the Ordinance to amend the 9TH Street Bridge Capital Project Ordinance as presented.
- 12. CLOSED SESSION - NCGS 143-318.11 (A)(3) CONSULT WITH ATTORNEY, ATTORNEY-CLIENT PRIVILEGE; AND NCGS 143-318.11(A)(6) PERSONNEL-RELATED.**
- 13. ADJOURNMENT**