



TOWN OF BLACK MOUNTAIN TOWN COUNCIL

September 14, 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. Presentation of Medal of Valor to Four Citizens

2.B. Proclamation for September 25 to be "Dolly Parton Day" in Black Mountain

3. COMMUNICATIONS FROM STAFF, COUNCILS, COMMISSIONS & AGENCIES

3.A. Presentation from BearWise Advisory Group

3.B. Presentation on Parking from BMPD

3.C. Presentation on Swannanoa River Floodbench Project

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. Adoption of Meeting Minutes- August 6 & 10, 2026 - Wesley Barker, Town Clerk
Motion: Motion to approve the meeting minutes as presented, or amended.

7.B. Resolution to Amend the FY26-27 Budget for BMPD Insurance Recovery Proceeds - Laurel Mabery, Accountant, Steve Parker, Police Chief
Motion: Motion to approve the budget amendment resolution as presented.

7.C. Monthly Tax Collector Report- July 2026 - Laurel Mabery, Accountant
Motion: Approve the tax collector report for July 2026 as presented.

7.D. Call for a Public Hearing for Text Amendments to Chapter 6, Animals, Section 6-6, Public Nuisance, and Section 6-19, Civil Penalty to add language regarding

bears, to be held on Monday, October 12, 2026, at 6:00 p.m. in the Council Room of Town Hall, 160 Midland Avenue, Black Mountain, NC, or as soon thereafter as possible. - Michelle Kennedy, Planning Director

Motion: I move to call for the public hearing for amendments to Chapter 6, Animals, Section 6-6, Public Nuisance and Section 6-19, Civil Penalties to add language regarding bears to be held on Monday, October 12, 2026, at 6:00 p.m. in the Council Room of Town Hall, 160 Midland Avenue, Black Mountain, NC or as soon thereafter as possible.

- 7.E. Authorization of the Purchase of Recycling Vehicles through NC DEQ Recycling Grant Program and Adoption of the Capital Project Ordinance.** - Matt Begley, Recovery & Capital Programs Director

Motion: Motion to approve the resolution authorizing the purchase of recycling vehicles through NCDEQ Helene Recovery Recycling Infrastructure Grant Program and adoption of the Capital Project Ordinance as presented.

- 7.F. Consideration of Resolution Authorizing the Purchasing of Replacement Vehicles through the USDA Community Facilities Disaster Assistance Fund Grant and Adoption of Capital Project Ordinance.** - Matt Begley, Recovery & Capital Programs Director

Motion: Motion to approve the resolution authorizing the purchase of replacement vehicles through the USDA Community Facilities Disaster Assistance Fund Grant and adoption of the Capital Project Ordinance for this grant as presented.

- 7.G. Consideration of Resolution to Authorize the Agreement with Anchor QEA of NC, PLLC to Provide Design and Engineering Services for the Flat Creek Greenway Restoration Project** - Matt Begley, Recovery & Capital Programs Director

Motion: Motion to approve the resolution as presented.

- 7.H. Consideration of Resolution Authorizing the Task Order with Jennings Environmental for Design & Engineering Services for the NC DEQ Blueprint Veterans Park Floodbenching Project and Adoption of a Capital Project Ordinance for this Project.** - Matt Begley, Recovery & Capital Programs Director

Motion: Motion to approve the resolution to authorize the task order with Jennings Environmental as presented and to adopt the Capital Project Ordinance as presented for the Veterans Park Floodbenching Project.

- 7.I. Consideration of Resolution Authorizing the Task Order with Jennings Environmental for Design & Engineering Services for the Veterans Park River Restoration Project and Adoption of the Capital Project Ordinance.** - Matt Begley, Recovery & Capital Programs Director

Motion: Motion to approve the resolution authorizing the Task Order with Jennings Environmental for design & engineering services for the Veterans Park River Restoration Project and adoption of the Capital Project

Ordinance for the project as presented.

- 7.J. Consideration of Resolution Authorizing the Task Order with Kimley-Horn & Associates to Perform Design & Engineering Services for the Veterans Park Pedestrian Bridge Project.** - Matt Begley, Recovery & Capital Programs Director

Motion: Motion to approve the resolution authorizing the task order with Kimley-Horn & Associates to perform design & engineering services for the Veterans Park Pedestrian Bridge Project as presented.

- 7.K. Consideration of Resolution Authorizing the Amendment to the Agreement for Professional Engineering & Design Services from the John R. McAdams Company for FEMA Town Roads Group 2 Project.** - Matt Begley, Recovery & Capital Programs Director

Motion: Motion to approve authorizing the amendment to the agreement for Professional Engineering & Design Services from the John R. McAdams Company for FEMA Town Roads Group 2 Project.

- 7.L. Consideration of Application to Pursue Grant Funds for Part-Time Assistant Community Garden Manager Position Funding for FY27-28** - Jacob Guiot, Recreation & Parks Director

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 to Amend Chapter 48, Utilities, Article VI, Stormwater Management Enterprise Fund, Division 2, Stormwater Service Charges** - Jennifer Tipton, Senior Admin, Michelle Kennedy, Planning Director

Motion: I move that we approve the amendments to Chapter 48, Utilities, Article VI, Stormwater Management Enterprise Fund, Division 2, Stormwater Service Charges as presented.

- 8.B. Public Hearing to Amend Chapter 2, Building Regulations, Section 2.3, Flood Damage Prevention Ordinance** - Anne Phillip, Stormwater Technician, Michelle Kennedy, Planning Director

Motion: I move that we approve the proposed amendments to Chapter 2, Building Regulations, Section 2.3, Flood Damage Prevention Ordinance, as presented and that the proposed amendments are consistent with the comprehensive plan and are in the public interest because they promote environmentally-sensitive and sustainable practices and promote the public health, safety and welfare of the town.

- 8.C. Public Hearing to Amend Chapter 8, Land Development and Environmental**

Regulations, Section 8.2, The Phase II Stormwater Ordinance and Chapter 20, Environment, Article X, Illicit Discharge - Anne Phillip, Stormwater Technician, Michelle Kennedy, Planning Director

Motion: I move that we approved the proposed amendments to Chapter 8, Land Development and Environmental Regulations, Section 8.2, The Phase II Stormwater Ordinance and Chapter 20, Environment, Article X, Illicit Discharge as presented and the proposed amendments are consistent with the comprehensive plan and are reasonable and in the public interest because they promote environmentally-sensitive and sustainable practices, promote natural approaches to address stormwater, and promote the public health, safety and welfare of the town.

9. CITIZEN COMMENTS

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10. UNFINISHED BUSINESS

10.A. Discussion of Public Safety Building Facilities

11. NEW BUSINESS

11.A. Resolution to Amend the Fiscal Year 2026-27 Schedule of Fees for facility rental fee increases for the Lakeview Clubhouse facility. - Jacob Guiot, Recreation & Parks Director

Motion: Motion to approve the amendments to the Lakeview Clubhouse rental fees and amendment to the Town Schedule of Fees for FY26-27 as presented.

11.B. Agreement For Engineering Services With McGill Associates, PA for Water Resiliency Project. - Richard Hicks, Interim Town Manager

Motion: I move that Council authorize the Interim Town Manager to Execute the Engineering Agreement with McGill Associates, PA for the Water Resiliency Project.

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