



TOWN OF BLACK MOUNTAIN

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

Date: **January 10, 2022** Time: **6:00 p.m.** **Regular Session Minutes**

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1. CALL TO ORDER

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

Mayor Larry B. Harris
Vice Mayor Ryan Stone
Council Member Archie Pertiller
Council Member Ryan Stone
Council Member Bill Christy
Council Member Doug Hay
Council Member Pam King

The following staff members were present:

Josh Harrold, Town Manager
Savannah Parrish, Town Clerk
Anna Stearns, Attorney – Sneed and Stearns

Mayor Harris welcomed the public and led the Pledge of Allegiance and prayer. Mayor Harris informed the public of an upcoming special call meeting to discuss debt financing for infrastructure projects.

2. PROCLAMATIONS, AWARDS & RECOGNITION

Mayor Harris read a Martin Luther King, Jr. Day Proclamation. Martin Luther King, Jr. Day will be observed by the Town of Black Mountain on January 17, 2022.

3. CITIZEN COMMENTS - None

4. COMMUNICATIONS FROM STAFF, COUNCILS, COMMISSIONS & AGENCIES

- A. Heart and Hammer Presentation – Executive Director Ben Fortson gave an overview of the organization’s mission, and shared success stories. The organization focuses on helping the elderly and disabled make home repairs that will enable them to continue living safely in their homes.
- B. Greenways Commission Presentation – Julie White made the presentation on behalf of the Greenways Commission. She gave an overview of the Commissions’ recommendations and voiced support for two projects.

5. CONSENT AGENDA

Manager Harrold presented the consent agenda to the Town Council.

A. Adoption of Minutes

Motion: *To adopt the minutes of the December 12, 2021 Regular Session Meeting, and the December 9, 2021 Agenda Meeting.*

B. Call for Public Hearing for Rezoning of 713 NC 9 Hwy #Z-O-22-01

Motion: *To call for a public hearing for rezoning 713 NC 9 Hwy (PIN #: 0619-31-1541.00000) from TR-4 to HB-8 to be held on Monday, February 14, 2022, at 6:00 p.m., or as soon thereafter as possible, in the Board Room of Town Hall, 160 Midland Avenue.*

C. Budget Amendment Carver Community Center Solar Panel Project

Motion: *To approve the budget amendment as presented.*

D. Project Closure Ordinances and Amendment-Water Capacity Improvement

Motion: *To approve project closure ordinance for the Water Capacity Improvement Project as presented and recommended.*

E. Budget Amendment Transfer for expenses paid for Swannanoa River Restoration out of the General Fund in Fiscal Year 19 and 20.

Motion: *To approve the budget amendment as presented.*

F. Budget Amendment Transfer in of PD Restricted Fund Balance

Motion: *To approve the budget amendment as presented.*

G. Updated Greenway Commission Ordinance #O-21-18

Motion: *To approve and adopt Ordinance #O-21-18 as presented [or as amended].*

H. Budget Amendment Governor's Crime Commission Grant

Motion: *To approve the budget amendment as presented.*

Council Member Archie Pertiller moved to approve consent items A-H as presented. The motion was approved by a vote of 5-0.

6. CITIZEN COMMENTS - None

7. UNFINISHED BUSINESS - None

8. NEW BUSINESS

A. Board Appointments

Zoning Board of Adjustment – Two (2) 3-year terms ending June 30, 2024 and three (3) alternate vacancies.

Two applications were received for Zoning Board of Adjustment from Larry Pearlman and Lauren Dodgin. ZBA cannot meet due to lack of quorum until at least one seat is filled.

Vice Mayor Ryan Stone moved to appoint Larry Pearlman and Lauren Dodgin to the Zoning Board of Adjustment. The motion was approved by a vote of 5-0.

B. Golf Course Snack Shop Lease Agreement

The current tenant would like to renew the lease for another 12 months. There are no changes from the previous lease terms. The monthly lease payment is \$400.

Vice Mayor Ryan Stone moved to approve the lease agreement for the Golf Course Snack Shop (19th Hole). The motion was approved by a vote of 5-0.

C. Discussion of Buncombe County of Mask Mandate Extension

Mayor Harris explained that the purpose of this agenda item was to give the public a chance to

express their thoughts concerning the extension of the Buncombe County mask mandate. The Buncombe County Board of Commissioners has extended the countywide face covering requirement for all indoor public spaces through February 16, 2022. The indoor mask requirement also extends to Asheville, Biltmore Forest, Black Mountain, Town of Montreat, Weaverville, and Woodfin. There were no comments. Vice Mayor Ryan Stone thanked Mayor Harris for joining the extension and voiced support for continuing to follow the county's recommendations.

9. 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 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.*

A. Public Hearing to Add Text for Mobile Food Vendors and Mobile Food Vendor Courts #O-21-20

Council Member Pam King moved to open the public hearing for Ordinance #O-21-20 for amendments to add text for mobile food vendors and mobile food vendor courts. The motion was approved by a vote of 5-0.

Planning Director Jessica Trotman presented the information concerning Ordinance #O-21-20. The Town currently does not have any regulations for mobile food vendors or mobile food vendor courts. The proposed text provides a list of requirements to operate as a mobile food vendor or mobile food vendor court and the districts in which they are allowed. The Planning Board recommended the amendment at their November 22nd meeting with a vote of 6-0.

Town Manager Josh Harrold read two public comments that were sent via email. The first was from John Richardson, 117-C Cherry St; and Casey McKissick, 107 Black Mountain Ave. The comments are included and made part of these minutes. There were no further public comments.

Council Member Archie Pertiller moved to close the public hearing. The motion was approved by a vote of 5-0.

There was a good deal of discussion among the council, Attorney Stearns, and the Planning Director. All agreed that language should be added to the ordinance to clarify requirements for food vendors at private events.

Council Member Bill Christy moved to adopt Ordinance #O-21-20 as amended with clarifying language. The motion was approved by a vote of 5-0.

10. COMMUNICATION FROM STAFF

Town Manager – Josh Harrold reminded the public of the upcoming special call meeting, and that town offices will be closed on January 17, 2022 in observance of Martin Luther King, Jr. Day.

11. COMMUNICATION FROM MAYOR AND TOWN COUNCIL

Council Member King reminded the public to take the Town's composting survey. She asked the council to consider holding a workshop to discuss American Rescue Plan Funding, and to establish a timeline for public input on how best to spend the funds.

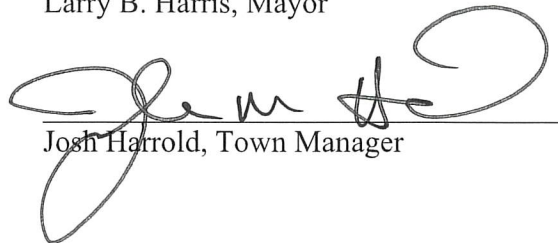
12. ADJOURNMENT

There being no further business, Mayor Harris adjourned the meeting at 7:16 p.m.

ATTEST:


Savannah M. Parrish Town Clerk


Larry B. Harris, Mayor


Josh Harrold, Town Manager