



TOWN OF BLACK MOUNTAIN

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

Date: **April 11, 2022** Time: **6:00 p.m.** Regular Session Minutes

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Conserve resources; print only when necessary.

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*Should you need other assistance or accommodation for this meeting, please contact
Town Clerk Savannah Parrish at 419-9310, or by email at townclerk@tobm.org
(828) 419-9300 / TDD (800) 735-2962*

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 Bill Christy
Council Member Doug Hay
Council Member Pam King

The following staff members were present:

Josh Harrold, Town Manager
Savannah Parrish, Town Clerk
Ron Sneed, Town Attorney

Mayor Harris welcomed the public and led the Pledge of Allegiance and prayer. Rob Robinson, Board Chair of Christian Friends of Korea offered an invocation. Mayor Harris reminded the public that leaders of all faiths are invited to pray.

2. PROCLAMATIONS, AWARDS & RECOGNITION - None

3. CITIZEN COMMENTS

Dr. Heath Rada sent in a comment, which was read by Manager Harrold, in favor of a resolution of support for the Energy Innovation and Carbon Dividend Act.

Claire Danielson sent in a comment, read by Manager Harrold, expressing her support of the Dr. John Wilson Community Garden and her hope that the Town Council will continue to support and expand the garden.

Karen Hatley sent in a comment, read by Manager Harrold, in support of the Dr. John Wilson Community Garden and thanking Diana McCall for her years of service to the garden.

Elizabeth Keiser sent in a comment, read by Manager Harrold, asking the Town Council to address climate change by supporting a federal bill to reduce carbon.

Vaidila Satvika sent in a comment, read by Manager Harrold, requesting that the Town Council's support of the Citizens Climate Lobby and the Energy Innovation and Carbon Dividend Act.

Hannah Webber sent in a comment, read by Manager Harrold, expressing support for the policy prioritizing the purchase of electric vehicles and in support of other carbon-reducing policies.

Doug Brock sent in a comment, read by Manager Harrold, requesting that the Town purchase all electric vehicles and to further address climate change.

Patricia Thomson sent in a comment, read by Manager Harrold, endorsing the Energy Innovation and Carbon Dividend Act and asking the Town Council to consider supporting a resolution of support.

Andy Gibbon sent in a comment, read by Manager Harrold, to express concern regarding climate change and in support of the Energy Innovation and Carbon Dividend Act. Mr. Gibbon requested that the Town Council consider supporting the Carbon Dividend Act.

Bud Rainey sent in a comment, read by Manager Harrold, requesting that the Town Council pass a resolution of support for the Energy Innovation and Carbon Dividend Act.

Louise Lorton sent in a comment, read by Manager Harrold, requesting that the Town Council's support of the Citizens Climate Lobby. Ms. Lorton also requested that the Town Council pass a resolution in support of the Energy Innovation and Carbon Dividend Act.

Anthony Pascone addressed the Town Council to request a resolution of support for the Energy Innovation and Carbon Dividend Act.

Steffi Rauch expressed concern about climate change and spoke in favor of a resolution of support for the Energy Innovation and Carbon Dividend Act.

Bob Cumbie also spoke in favor of the Energy Innovation and Carbon Dividend Act.

Jane Galthwait addressed the Town Council to request a resolution of support for the Energy Innovation and Carbon Dividend Act.

Ann Lutz expressed her concern about development in the Town of Black Mountain. She requested a robust tree ordinance be put in place.

Tracy Munn requested that the crosswalk on Broadway be replaced.

4. COMMUNICATIONS FROM STAFF, COUNCILS, COMMISSIONS & AGENCIES

Council Member Archie Pertiller moved to add the annual report of the Black Mountain Beautification Committee to the agenda. The motion was approved by a vote of 5-0.

- A. The Black Mountain Beautification Committee
- B. Annual Water Report
- C. Parks and Recreation Annual Report

5. CONSENT AGENDA

Manager Harrold presented the consent agenda to the Town Council.

- A. Adoption of Minutes

Motion: *To adopt the minutes of the March 14, 2022 Regular Session Meeting, and the March 10, 2022 Agenda Meeting.*

- B. US70 Waterline Engineer Selection

Motion: *To approve engineering firm for US70 waterline project.*

- C. Martin Luther King, Jr. Marker Letter of Support

Motion: *To approve sending a letter of support for the Martin Luther King, Jr. Marker.*

- D. Budget Amendment Underpass Pedestrian Connection

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

- E. Call for Public Hearing to Close Portion of Unopened, Platted Portion of Buckeye Street

Motion: *To call for the public hearing to close an unopened, platted portion of Buckeye Street to be held on Monday, June 13, 2022, at 6:00 p.m. or as soon thereafter as possible, in the Board Room of Town Hall at 160 Midland Avenue.*

- F. Budget Amendment Black Mountain Beautification Committee Grant

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

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

6. CITIZEN COMMENTS - None

7. UNFINISHED BUSINESS - None

8. NEW BUSINESS

A. American Rescue Plan – Adoption of Policies and Procedures

The Final Rule for the American Rescue Plan was issued on January 6, 2022. That final rule contains a number of regulations that local governments must follow when expending Federal Funds, including a variety of policies and procedures. The required policies were presented to the board by Attorney Sneed. The Financial and Internal Control Policy was removed from the agenda and will be placed on May's agenda.

Council Member Doug Hay moved to approve the American Rescue Plan Policies and Procedures as presented. The motion was approved by a vote of 5-0.

B. Planning Board Memo asking Town Council to consider initiating a petition to close the remainder of Buckeye Street.

At the March meeting the Planning Board voted 4 to 0 (with one abstention) to make a recommendation to the Town Council to initiate the closure of the open right-of-way between Cragmont Park and the lower parcel also owned by the town. Planning Board made this recommendation because if closed, the right-of-way is split in half and added to the abutting parcel. This allows for the right-of-way to be included in the development of Cragmont Park.

Council Member Bill Christy moved to initiate the application process to close the remainder of Buckeye Street. The motion was approved by a vote of 5-0.

C. Policy Prioritizing the purchase of Electric Vehicles

This policy establishes that town staff will seek bids for electric vehicles when purchasing for the fleet, when a comparable electric vehicle exists. Black Mountain will be committed to increasing the number of electric vehicles in the town's fleet whenever possible.

Council Member Pam King moved approve the policy of purchasing electric vehicles when a comparable EV exists. The motion was approved by a vote of 5-0.

D. Acceptance of Park Amenities for Cragmont Park

The VFW is requesting that Town Council allow them to donate a workout station for Cragmont Park. The VFW would build and maintain this piece of equipment.

Archie Pertiller moved to approve the acceptance of the project as presented. The motion was approved by a vote of 5-0.

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

The proposed text amendments provide 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 amendments will also align with the requirements of the Buncombe County Health Department.

Council Member Pam King moved to open the public hearing for Ordinance #O-22-02 for amendments to add text for mobile food vendors and mobile food vendor courts. The motion was approved by a vote of 5-0.

There were no public comments.

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

Council Member Pam King moved to Ordinance #O-22-02 as presented. The motion was approved by a vote of 5-0.

10. COMMUNICATION FROM STAFF

Town Manager Josh Harrold reminded the Town Council and the public that all town offices close on Friday, April 15th for Good Friday. Manager Harrold also stated that the funds from FEMA were now going to be more than first anticipated. He expects that the projects at the golf course and greenway will be fully funded.

11. COMMUNICATION FROM MAYOR AND TOWN COUNCIL

Mayor Harris wished the public a Happy Easter. Council Member King shared more information regarding the commemorative marker for Martin Luther King, Jr.

12. CLOSED SESSION

- A.** Closed session to discuss the potential acquisition of property as permitted by North Carolina General Statutes 143-318.11 (5) and to consult with the Town Attorney as permitted by North Carolina Statutes 143-318.11 (a)(3).

Council Member Bill Christy moved to enter into closed session. The motion was approved by a vote of 5-0.

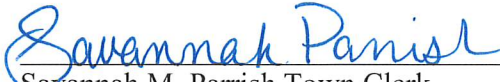
Vice Mayor Ryan Stone moved to return to open session. The motion was approved by a vote of 5-0.

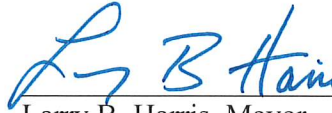
13. ADJOURNMENT

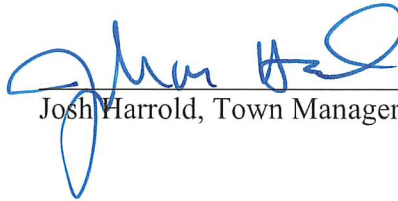
Vice Mayor Ryan Stone moved to adjourn the April 11, 2022 Town Council Meeting. The motion was approved by a vote of 5-0.

There being no further business, Mayor Harris adjourned the meeting at 7:55 p.m.

ATTEST:


Savannah M. Parrish Town Clerk


Larry B. Harris, Mayor


Josh Harrold, Town Manager