



TOWN OF BLACK MOUNTAIN

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

Date: September 12, 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 room in a moment of silence. Mayor Harris then read the ethics statement and reminded the public of the Council's duty to vote, save a conflict of interest.

2. PROCLAMATIONS, AWARDS & RECOGNITION

A. Mayor Harris recognized the United Nations International Day of Peace with a Proclamation.

3. CITIZEN COMMENTS

4. COMMUNICATIONS FROM STAFF, COUNCILS, COMMISSIONS & AGENCIES

- A. Jamey Matthews presented the 2021 Annual Streets and Parks Report to the Town Council. The presentation is included as an attachment to these minutes.

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.

- A. Adoption of Minutes

Motion: *To approve the minutes of the August 8, 2022 Regular Session Meeting, the August 4, 2022 Agenda Meeting, the August 4, 2022 Special Meeting the August 4, 2022 Closed Meeting.*

- B. Resolution to Apply for Grant Funding for Fall 2022 Stormwater and Water Infrastructure Funding **#R-22-20**

- C. Resolution of Support for MPO Application for Safe Streets for All Action Plan Funding from USDOT **#R-22-21**

Council Member Doug Hay moved to approve consent item A-C as presented.

6. CITIZEN COMMENTS

Theresa Fuller - 207 Rhododendron Ave spoke of her concerns regarding Lake Tomahawk. Ms. Fuller's complete comments are included as an attached to these minutes.

Phil Bisesi - 15 Highview Drive requested changes to the International Day of Peace Proclamation.

Suzanne Sutherland – 217 Valley Ridge Lane encouraged the Town Council to prioritize efforts to address the climate crisis, specifically an adopted and published Climate Action Plan.

Jean Franklin, a representative of The Earth Care Team of Black Mountain Presbyterian Church spoke in support of Suzanne's comments.

Steffi Rausch, Organizer for Citizens' Climate Lobby also spoke of climate change concerns and urged the Town Council to take local action.

7. UNFINISHED BUSINESS - None

8. NEW BUSINESS

A. Approval of the Stormwater Master Plan

Jake McLean, a project manager with Wildlands Engineering, presented the council with the stormwater master plan. This plan takes a holistic view of the stormwater system and program in consideration of both the communities concerns and the regulatory environment from the NPDES permit and the associated stormwater management plan. This document considers and defines level of service, maintenance improvements, traditional stormwater pipe system, flood mitigation and environmental planning and engineering efforts that also improve water quality. The plan was created using existing data, extensive data collection efforts with the community to identify areas of concern, a working group, collaboration with Public Works, and a public survey.

Council Member Pam King moved to adopt the Stormwater Master Plan as presented. The motion was approved by a vote of 5-0.

B. Public Parking Space Closure Policy

The Town Manager received a request to close a parking space in a Town owned parking lot located off of Broadway Street. The parking space affronts a business owned by John Richardson, who is making the request to make access to the business easier. Manager Harrold presented a list of suggestions to guide the decision-making process at the August 8, 2022 Regular Meeting and has expanded those into a policy format.

Council Member Archie Pertiller moved to approve the Public Parking Space Closure Policy as presented. The motion was approved by a vote of 5-0.

C. Selection of Parks and Recreation Master Plan Consultant

The Town sought requests for proposals for the development of a comprehensive recreation master plan intended to identify the current state of recreation parks, facilities, programs, and services to drive future planning and growth through citizen input, with consideration from national and state trends. After scoring the received proposals, the Town Manager and Parks and Recreation Director recommend moving forward with McGill and Associates.

Council Member Doug Hay moved to approve the acceptance of the recommended firm to complete the comprehensive recreation master plan. The motion was approved by a vote of 5-0.

D. Water Policy Updates

Town staff would like to amend the water policy to provide authority to the Town Manager or his/her designee to waive certain fees due to unforeseen circumstances. Staff also hears concerns from citizens regarding billing due dates as well as when we disconnect customers for non-payment. Manager Harrold was directed by Town Council to draft an amendment to the water policy for the next regular session meeting.

E. Discussion of Future Date to Determine Allocation of American Rescue Plan Act Funds

The Town Council directed the Town Clerk to poll the council in order to find an agreeable date to hold a special call meeting to discuss the allocation of American Rescue Plan Act Funds.

F. Discussion of Forming Town Council Subcommittees

The Town council directed the Town Manager and the Town Clerk to explore the idea of Council Subcommittees and to return to the Council with a proposed policy.

9. PUBLIC HEARING

A. Public Hearing to Amend Text for Residential Uses in the Central Business District #O-22-07

Council Member Archie Pertiller moved to open the public hearing for Ordinance #O-22-07 for amendments to the Central Business District for residential uses. The motion was approved by a vote of 5-0.

The Town Council directed the Planning Board to look at amending the table of permitted uses to remove the allowance of residential uses at street level. The Planning Board reviewed the proposed amendment and recommended that single family and two-family residential uses be removed completely while multi-family uses be allowed above street level. The Planning Board voted 7-0 to recommend the amendment.

Staff review finds there are 10 single family dwellings that will become non-conforming. These are concentrated on Vance Avenue and Ridgeway Avenue. These would become legally non-conforming. This means the property owner and any future property owner can maintain the use as a single-family dwelling until they choose to change to something non-residential

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

Council Member Doug Hay moved to adopt Ordinance #O-22-07 as presented. The motion was approved by a vote of 4-1 with Council Member Christy voting against.

10. COMMUNICATION FROM STAFF

Town Manager Josh Harrold reminded the public of the Beautification's Litter Sweep, to be held on Saturday, October 1, 2022. The Town Manager also announced Citizen Academy would begin on September 19th with fourteen participants.

11. COMMUNICATION FROM MAYOR AND TOWN COUNCIL

Council Member recognized Hispanic Heritage Month.

Council Member Pam King announced to the public that the process of evaluating the Town Manager's performance was being enhanced.

12. CLOSED SESSION

- A. Closed Session to Discuss the Acquisition of Property as Permitted by North Carolina General Statute 143-318.11(5)

Council Member Archie Pertiller moved to enter into Closed Session as permitted by NC General Statutes. The motion was approved by a vote of 5-0.

Town Council returned to open session at 7:49 p.m.

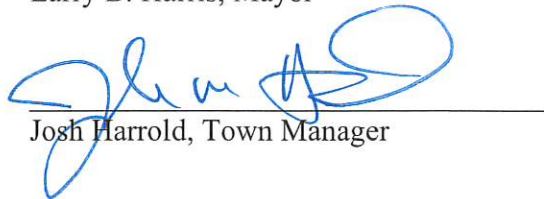
13. ADJOURNMENT

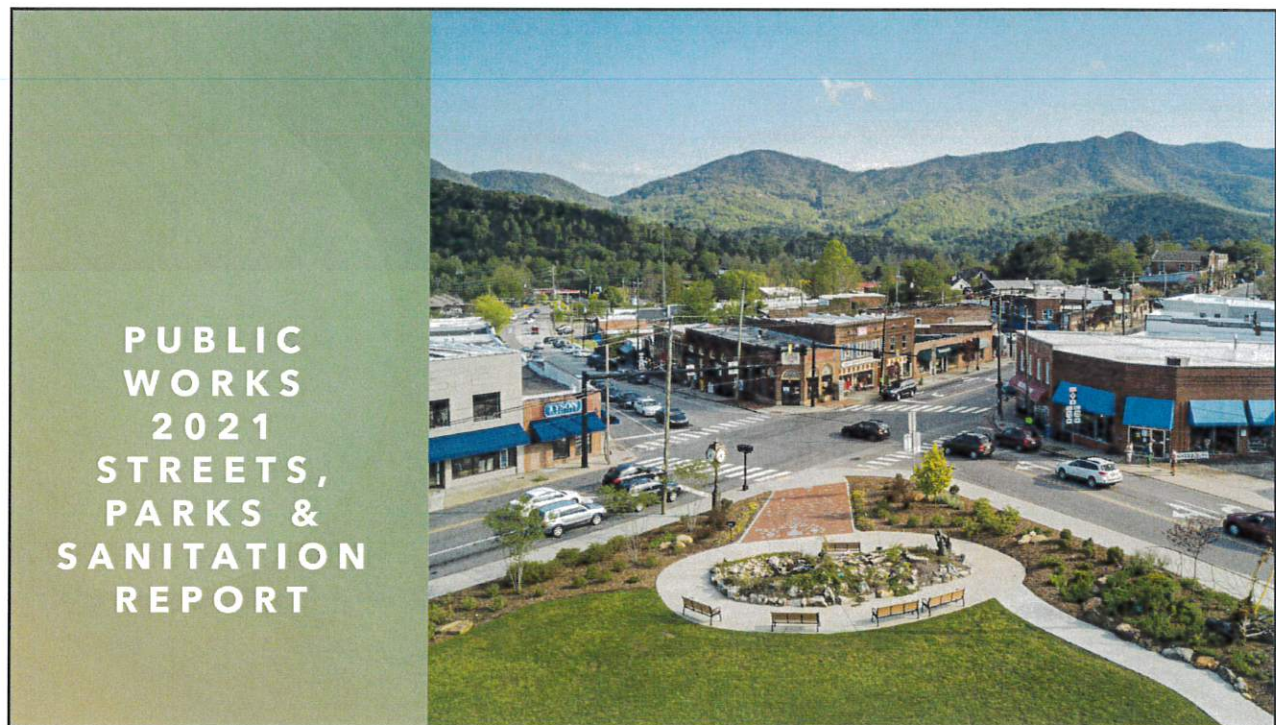
There being no further business, Mayor Harris adjourned the meeting at 7:49 p.m.

ATTEST:


Savannah Parrish Town Clerk


Larry B. Harris, Mayor


Josh Harrold, Town Manager



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STREETS

Capital

- Paving : Allen Mtn., Beech St., Craggy St., East Keesler, Honeycutt St., Lookout Terrace, Lynch Cove, Rainbow Ln, Wolf Creek Dr, Woodlands Dr, Highland Dr., Padgettstown ½, Fairway Dr. up to Allen Mtn.
- Vehicles : New F-150
- Grant for Dump Trucks: 2 Dump trucks
- Vehicle Lift at Shop: Installed

Maintenance

- General Maintenance:
- Hemlock Inoculation
- Storm Water: I Worq recording /Storm water permitting.
- French Drain on South Park Ln.:
- Snow Removal :

2

PARKS MAINTENANCE

- General Maintenance :
- Cragmont Park :
- Veterans Park Parking Lot :
- Cherry St. Restrooms :
- Town Square :

3

SANITATION

Trash

- **Trash Tonnage Collected:**
2920.87

Recycle

- **Recycle Tonnage Collected:**
541.58

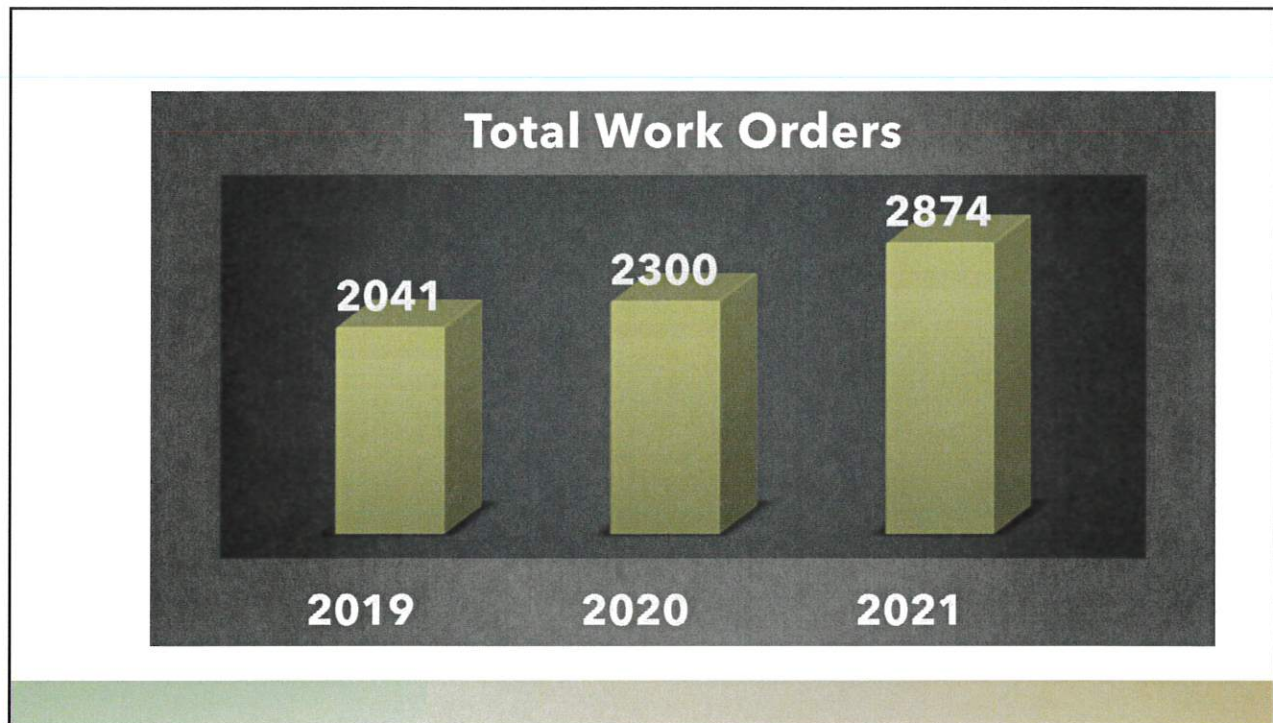
Yard Waste

- **Total Yard Waste Requests:**
Collected a total of 9,192 stops which is an average of 766 requests monthly and 192 weekly

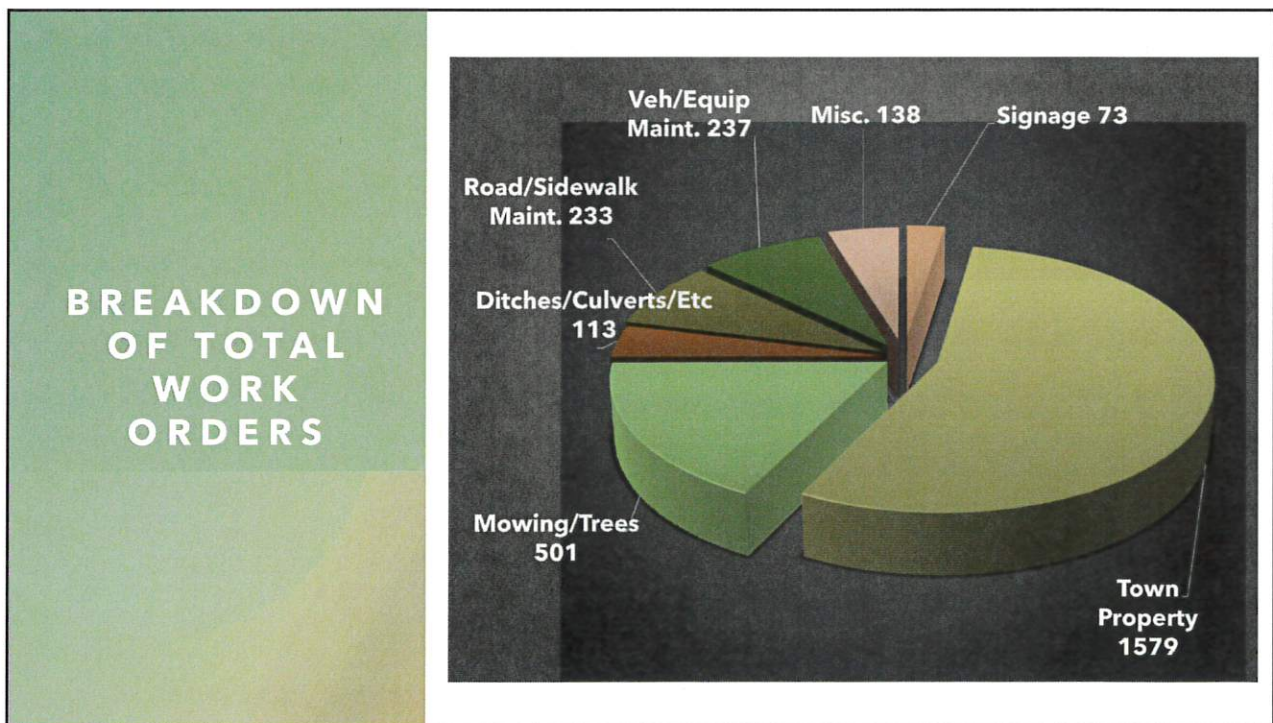
Bulk & White Goods

- **Total Bulk and White Goods Requests:**
Collected a total of 1,634 stops which is an average of 137 requests monthly and 35 weekly

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Town Property	Total Work Orders
Carver Center	28
Community Garden	30
Cragmont Park	4
Downtown Restrooms	730
Golf Course	13
Greenway	36
Grey Eagle Arena	10
Lake Tomahawk	44
Lakeview Center	12
Parks Misc	335
PSD Facilities	85
Riverwalk Dog Park	17
Skate Park	0
Tennis Courts	3
Town Property	93
Town Square	19
Veterans Park	79
Playground Inspection	0
Pool Maintenance	41
Total	1579