



TOWN OF BLACK MOUNTAIN

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

Date: **February 13, 2023**

Time: **6:00 p.m.**

Regular Session Minutes

THE BLACK MOUNTAIN TOWN COUNCIL held their regular meeting on Monday, February 13, 2023, at 6:00 p.m. in the board room of Town Hall, 160 Midland Avenue, Black Mountain NC.

1. CALL TO ORDER

Mayor C. Michael Sobol called the meeting to order at 6:00 p.m. with the following members in attendance:

Mayor C. Michael Sobol
Vice Mayor Archie Pertiller
Council Member Alice Berry
Council Member Bill Christy
Council Member Doug Hay
Council Member Pam King

The following staff members were present:

Josh Harrold, Town Manager – absent, participated remotely.
Ron Sneed, Town Attorney
Savannah Parrish, Town Clerk

2. PROCLAMATIONS | AWARDS | RECOGNITIONS

A. Proclamation for Black Mountain Swannanoa Chamber of Commerce – *Presented by*

Mayor C. Michael Sobol

Mayor C. Michael Sobol presented a proclamation celebrating the 100-year anniversary of the Black Mountain Swannanoa Chamber of Commerce.

B. Employee of The Year Award – *Presented by Chief of Police Steve Parker*

Chief Steve Parker presented the Employee of the Year Award to Sgt. Josh Kiser, who was nominated by his peers. Chief Parker stated that Sgt. Kiser demonstrated great supervision skills, not only with his employees, but with everyone in the department. Chief Parker also praised Sgt. Kiser for his handling of several critical incidents that took place during his command.

3. CITIZEN COMMENTS

*Individuals wishing to address the Board 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 Board. **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.*

Phil Bisesi of Black Mountain expressed concern about parking on Broadway Avenue, requesting that the Town Council make the spaces parallel parking only.

Rick Early of Black Mountain addressed the Town Council regarding the 2023-2023 Fiscal Year Budget and asked that the Council not acquire any additional debt or raise taxes.

4. COMMUNICATIONS [AGENCIES COUNCILS, COMMISSIONS & STAFF]

Transportation Report – Presented by Jessica Trotman, Planning Director

The planning director provided an annual update on town transportation projects, including the Blue Ridge Road Interchange with Interstate 40 and the Ninth Street Bridge replacement.

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: *I move that Council adopt the minutes of January 5, 2023, Agenda Session and January 9, 2023, Regular Session, as presented [or as amended].*

B. Surplus Property Donation

Motion: *I move that Council adopt the resolution declaring certain property surplus and to authorize its donation to the Town of Old Fort Police Department as presented.*

C. Resolution in Support of Local School Calendar Control

Motion: *I move that Council adopt the resolution in support of the Buncombe County Board of Education Local Control of School Calendars as presented.*

D. Resolution Requesting Creating Outdoor Recreation Economics (CORE) Services from The NC Main Street & Rural Planning Center, Rural Planning Program

Motion: *I move that Council adopt the resolution requesting Creating Outdoor Recreation Economics (CORE) Services and MOU from the NC Main Street & Rural Planning Center as presented.*

E. FY22-23 Amendment to Contract to Audit Accounts

Motion: *I move that Council-adopt the amended audit contract*

Councilmember Doug Hay moved that Council approve consent agenda items A-D as presented. The motion was approved by a vote of 5-0.

6. UNFINISHED BUSINESS

A. Agreement between DOT and Town of Black Mountain for EB5547 Section B

Planning Director Jessica Trotman presented information regarding the proposed agreement. This is an update to an existing agreement between the Town and the North Carolina Department of Transportation for the existing federal project identified as EB5547B in the State Transportation Improvement Plan. There was some discussion between the Council and the Mayor.

Councilmember Doug Hay moved to adopt the Agreement between DOT and Town of Black Mountain for EB5547 Section B as presented. The motion was approved by a vote of 5-0.

7. CITIZEN COMMENTS

The chair will recognize individuals requesting to address the Board regarding the specific New Business or Unfinished Business items below. 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.

Rick Post of Black Mountain addressed the Town Council in support of a Truck Traffic ordinance for Midland Avenue, citing the limited turn radius for vehicles that travel north on Midland Avenue and have to turn either east or west on First Street.

8. NEW BUSINESS

A. Truck Traffic on Midland Ave. Discussion & Direction

Town Clerk Savannah Parrish asked the council to provide direction to town staff concerning a truck traffic ordinance for Midland Avenue. After some discussion, the Town Council agreed that staff should present council a proposed ordinance at the March regular session meeting.

B. Stormwater Utility Billing Discussion & Direction – Jessica Trotman, Planning Director

The new finance software will allow the billing of the stormwater utility fee to occur monthly rather than on a yearly basis. Planning Director Jessica Trotman suggested a text amendment will be brought forth reflecting this change. The council agreed and a text amendment will be presented to the council for approval.

C. Ordinance to Amend Chapter 20, Section 20-203, Accumulations Prohibited, to Add Text for Construction Waste Debris – Jessica Trotman, Planning Director

The stormwater management plan, required by the NPDES permit requires review of ordinances related to the management of construction site runoff. The regulations lacked specific ordinances

related to construction sites and on-site debris. This ordinance meets the requirement of the stormwater management plan by prohibiting construction site waste and requiring on-site containers for construction debris.

Councilmember Archie Pertiller moved to adopt the Ordinance to Amend Chapter 20, Section 20-203, Accumulations Prohibited, to Add Text for Construction Waste Debris. The motion was approved by a vote of 5-0.

D. Community Waste Reduction Grant Application —*Rechelle Ray, Waste Reduction Specialist*

The Public Works Department asked for Town Council support on a funding application to purchase recycling carts for curbside single-stream recycling in town. The Community Waste Reduction and Recycling Grant is one of two grants to be submitted for funds to purchase recycling carts and create education and outreach materials. Blue bags are not recyclable with Curbside Management and are considered a contaminant. If awarded the Community Waste Reduction and Recycling Grant, the town may receive up to \$40,000 because transitioning out of blue bags is considered a priority project with a higher award amount. The town is required to match the grant award by 20%.

Waste Reduction Specialist Rechelle Ray presented the information to the Town Council. Councilmember Christy inquired into the Town's obligation to accept the grant funds should they be awarded, and it was confirmed that the Council could choose to accept or reject awarded funding.

Councilmember Archie Pertiller moved that Council approve the Resolution in Support of The Public Works Department's Application for Community Waste Reduction and Recycling Grant as presented. The motion was approved by a vote of 5-0.

E. Community Recycling Grant Application —*Rechelle Ray, Waste Reduction Specialist*

The Residential Curbside Recycling Cart Grant is one of two grants to be submitted for funds to purchase recycling carts and create education and outreach materials. This grant awards communities \$15 per cart for universal strategy recycling and \$1 per household for education and outreach materials. Blue bags are not recyclable with Curbside Management and are considered a contaminant.

During cart distribution, The Town of Black Mountain would seek assistance from Buncombe County, The Recycling Partnership and The Division of Environmental Assistance and Customer Service to ensure the best education and outreach materials.

Councilmember Pam King moved that Council approve the Resolution in Support of The Public Works Department's Application for The Residential Curbside Recycling Cart Grant as presented. The motion was approved by a vote of 5-0.

9. PUBLIC HEARING -NONE

The chair will recognize individuals requesting to address the Board 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.

10. COMMUNICATION FROM STAFF

1. Town Attorney Ron Sneed announced that he would not be bidding on the RFP for Attorney Services. The Council thanked Attorney Sneed for his many years of service to the Town.
2. Town Clerk Savannah Parrish announced that the Town's phone menu has been changed to accommodate residents more efficiently. The staff directory was also expanded to include more contact information. The Clerk also reminded the Council and public of the planning retreat being held on February 25, 2023.

11. COMMUNICATION FROM MAYOR AND TOWN COUNCIL

Councilmember Bill Christy reflected on the importance of Black History Month and Martin Luther King, Jr. Day. Council Member Christy encouraged all of those in attendance to reflect on equality and justice, and to consider carefully the important lessons taught to us by history.

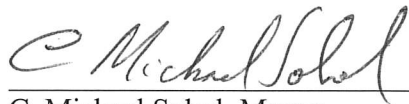
Vice Mayor Archie Pertiller thanked Council Members Berry, Hay, Christy, and King for attending the Swannanoa Valley Dr. Martin Luther King, Jr. Memorial Corporation Event.

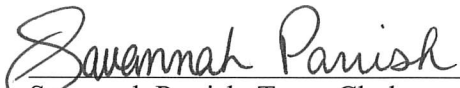
Councilmember Hay thanked Black Mountain Swannanoa Chamber Director Sharon Tabor for her leadership in facilitating the continued growth of the chamber.

12. ADJOURNMENT

There being no further business, Mayor C. Michael Sobol adjourned the meeting at 7:34 p.m.

ATTEST:


C. Michael Sobol, Mayor


Savannah Parrish, Town Clerk