



TOWN OF BLACK MOUNTAIN

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

Date: April 10, 2023 Time: 6:00 p.m.

Regular Session Minutes

THE BLACK MOUNTAIN TOWN COUNCIL held their regular meeting on Monday, April 10, 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
Ron Sneed, Town Attorney
Savannah Parrish, Town Clerk

2. PROCLAMATIONS | AWARDS | RECOGNITIONS

Mayor Sobol acknowledged the passing of Vice Mayor Pertiller's mother, Joyce Pertiller. Mayor Sobol then read a proclamation for Earth Day, encouraging all residents to care for the planet.

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.*

- Andrew Clark of Disabled American Veterans Chapter 14 spoke to inform the public of DAV which ensures veterans and can access their full range of benefits, advocates for the veteran community on Capitol Hill.
- Doug Brock spoke against the resolution to make S. Ridgeway Avenue a one-way street.
- Rick Earley commented on Items 9A and 9B, noting that on the rezoning request the agenda packet stated the Planning Board recommended UR-8, however SR-2 was the recommendation.

4. COMMUNICATIONS [AGENCIES COUNCILS, COMMISSIONS & STAFF]

A. National Fire Safety Fundraiser Proposal – Ed Newsome, National Fire Safety

Ed Newsome of National Fire Safety requested the permission of the Town Council to approach business in town to request support for the purchase of materials to provide to children regarding fire safety.

B. Annual Police Department Report – Chief Steve Parker

Chief Steve Parker presented the annual report to the Town Council. Chief Parker noted that employee retention, recruitment and staffing levels continue to be an urgent need for the department. Chief Parker also noted that he will be requesting two additional positions in the Fiscal Year 23-24 Budget.

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 March 9 Agenda Meeting, the March 13 Regular Meeting, and the March 22 Special Meeting.*

B. Non-Profit Funding Application

Motion: *I move to approve the Non-Profit Funding Application as presented.*

C. Resolution to Authorize the Use of Electronic Advertisement for Contracts Subject to G.S. 143-129.

Motion: *I move to approve Resolution #R-23-11 as presented.*

D. Ridgecrest Feasibility Study Recommendation

Motion: *To approve the recommendation of Kimley-Horn to conduct the Ridgecrest Connector Trail Feasibility Study.*

E. Resolution to Adopt a Technical Assistance Memorandum of Agreement (MOA) with the NC League of Municipalities

Motion: *I move that Town Council approve the Resolution to Adopt a Technical Assistance Memorandum of Agreement as presented*

Vice Mayor Archie Pertiller moved that Town Council approve consent items A-E as presented. The motion was approved by a vote of 5-0.

6. CITIZEN COMMENTS - NONE

*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.*

7. UNFINISHED BUSINESS

A. Appointment of Town Attorney

After hearing briefly from each firm, Roberts and Stevens, Allen Stahl and Kilbourne, Van Winkle, and Teague Campbell the council engaged in a discussion regarding the pros and cons of each.

Councilmember Bill Christy moved that Council appoint the Van Winkle Law Firm as Town Attorney, effective July 1, 2023. The motion was approved by a vote of 5-0.

Mayor Sobol called for a 5-minute recess.

Following the 5-minute recess, Mayor Sobol called the meeting to order and announced that items 9A - Public Hearing for Voluntary Annexation for Portion of Property Owned by Vince and Libby Snelling and 9B - Public Hearing for Rezoning of Portion of Property Owned by Vince and Libby Snelling would be removed from the agenda.

B. Revised Babe Ruth Memorandum of Understanding

Town Manager Josh Harrold presented the revisions to the memorandum of understanding.

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

8. NEW BUSINESS

A. Presentation of Capital Project Survey Data and Discussion – Savannah Parrish, Town Clerk and Josh Harrold, Town Manager

Town Clerk Savannah Parrish presented the results of the Capital Project Survey. The Town Council and Town Manager discussed the results of the survey and potential capital projects. After much discussion, it was decided that the council would meet in a special workshop to make final decisions regarding capital project funding.

B. Advisory Board Appointments – Savannah Parrish, Town Clerk

a. Active Mobility Commission

The Active Mobility Commission received applications from Lisa Raleigh and Kristie Bergna for one vacant seat. The Active Mobility Commission voted 5-0 to recommend Lisa Raleigh for appointment to the one vacant seat.

The Town Council unanimously nominated Lisa Raleigh to serve as member of the Active Mobility Commission. The nomination was approved by a vote of 5-0.

b. Historic Preservation Commission

One application was received for one vacant seat. The applicant is Leigh Vidrine.

Councilmember Bill Christy moved that Council appoint Leigh Vidrine to serve as member of the Historic Preservation Commission. The motion was approved by a vote of 5-0.

C. Discussion of Offer to Purchase Town Property – Josh Harrold, Town Manager

Fred Alexander has offered to purchase town-owned property located off East Street in Black Mountain. These properties are also identified with PIN #'s 071041900300000 & 071041909200000. Mr. Alexander owns property contiguous and wishes to use the property for agricultural purposes. Should the council wish to sale the property, town staff will follow the guidelines laid out in NCGS 160A-266.

The Town Council requested additional information and a documented agreement with Mr. Alexander regarding greenway access before moving forward.

D. Black Mountain Pool Budget Amendments – Josh Henderson, Parks and Recreation Director

Parks and Recreation staff is seeking to increase pool salaries according to the documentation provided. These increases are necessary to attract applicants for seasonal pool positions in order to staff and run the pool effectively. As noted in the documentation, there are comparisons of other related positions in our area and these increases help keep us within the market.

The proposed fee schedule amendments included in the documentation are a result of increasing inflation and costs of goods and services that are needed to operate the pool. These increases help to offset some of the cost of the proposed employee salary increases as well as the growing increase in costs for chemicals, maintenance, and pool upkeep.

Councilmember Bill Christy moved to approve the Black Mountain Pool Budget Amendments as presented or amended. The motion was approved by a vote of 4-1, with Councilmember Alice Berry voting against.

E. Black Mountain Golf Course Rates – Brent Miller, Golf Course Operations Manager

Brent Miller presented the proposed increases to the Town Council. Brent proposed an increase in annual pass rates, cart fees, and greens fees in order to stay competitive with surrounding courses.

Mayor Sobol read a complimentary letter that was received by the Town Manager regarding the golf course.

Councilmember Pam King moved to approve the FY 23-24 golf course rates as presented. The motion was approved by a vote of 5-0.

F. Resolution for Commitment to the NC Main Street & Rural Planning Downtown Association Community Program #R-23-09 – Jessica Trotman, Planning Director

Jessica Trotman presented information regarding the Downtown Association Community Program. NC Main Streets & Rural Planning offers a Downtown Association Community Program, a 2-year process, that provides communities with the organizational foundation necessary for long-term downtown economic development success. This program is the only pathway to move into a NC Main Street Designation.

Due to the cost associated with implementing the Downtown Association Community Program, the Town Council chose not to move forward with the application at this time.

G. Resolution #R-23-10 to turn S. Ridgeway Avenue one-way going south from US 70 Hwy (E. State Street) – Jessica Trotman, Planning Director

Jessica Trotman presented the resolution to the Town Council, explaining that she was not expecting action on the resolution immediately. Colin Kinton, an engineer for Traffic Planning and Design, presented the analysis of the traffic study. Mr. Kinton recommended that Ridgeway be converted to a southbound-only flow, and additional Richardson traffic would be addressed by tweaking the light signal time.

The Town Council took no action on the matter.

9. PUBLIC HEARING

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.

Items 9A - Public Hearing for Voluntary Annexation for Portion of Property Owned by Vince and Libby Snelling and 9B - Public Hearing for Rezoning of Portion of Property Owned by Vince and Libby Snelling would be removed from the agenda.

10. COMMUNICATION FROM STAFF

Town Attorney – Ron Sneed

Attorney Sneed presented information to the Town Council regarding open meetings and when it is acceptable for members of the council to meet and when gatherings should be noticed by the Town Clerk. Attorney Sneed recommended that if two or more members of the council, and the mayor will be present, there should be notice given. Attorney Sneed also explained the quorum calculation.

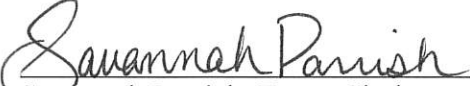
Attorney Sneed provided a legislative update.

11. ADJOURNMENT

There being no further business, Mayor C. Michael Sobol adjourned the meeting at 9:42 p.m.

ATTEST:


C. Michael Sobol, Mayor


Savannah Parrish, Town Clerk