



TOWN OF BLACK MOUNTAIN

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

Date: **July 10, 2023** Time: **6:00 p.m.**

Regular Session

Minutes

THE BLACK MOUNTAIN TOWN COUNCIL held their regular meeting on Monday, July 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 – *Absent*
Council Member Doug Hay
Council Member Pam King

The following staff members were present:

Josh Harrold, Town Manager – *Absent, participated via Microsoft Teams*
Craig Justus, Town Attorney – *Absent (Mr. Steve Williamson of Van Winkle Law Firm attended in his place)*
Savannah Parrish, Town Clerk

Mayor Sobol led those in attendance in the pledge of allegiance and a moment of silence, then read the ethics statement.

2. PROCLAMATIONS, AWARDS, RECOGNITIONS

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 addressed the Town Council to request that parking on Broadway Ave. be for compact cars only. Mr. Bisesi also expressed concerns about potholes on Highway 9.

- Dana Esposito requested that the Town Council ban Round Up and other glyphosate-based products from being used in town limits, citing health concerns.
- Sharon Tabor, Executive Director of the Black Mountain Chamber of Commerce, spoke to promote the Sourwood Festival and to request volunteers.

4. COMMUNICATIONS FROM STAFF, COUNCILS, COMMISSIONS & AGENCIES

A. Annual Streets Maintenance Report – Jamey Matthews, Public Works Director

Public Works Director Jamey Matthews presented the annual report to the Town Council. He reviewed parks maintenance projects. Mr. Matthews stated that the department collected 2,948.32 tons of trash and 377.47 tons of recycling throughout the year. The public works department saw 1,840 town property work orders in 2022.

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

June 8, 2023 Agenda Meeting Minutes, June 12, 2023 Regular Meeting Minutes, closed session meeting minutes from June 8, 2023 and May 8, 2023.

B. Call for Public Hearing for Text Amendment to Vested Rights

C. System Development Fee Capital Reserve Fund Amendment

Councilmember Doug Hay moved to approve the consent agenda as presented. The motion was approved by a vote of 4-0.

6. 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.

- Larry Pearlman thanked Jamey Matthews and the Public Works Department for all of the work they do for the town.
- Caitlin Giotto requested that the Town Council ban Round Up and other glyphosate-based products from being used in town limits, citing health concerns.

7. UNFINISHED BUSINESS

A. Traffic Policy

This policy establishes consistent procedures for addressing the traffic-related issues that may occasionally arise along roadways within or nearby residential areas in town. Councilmember Berry requested an amendment to the policy to change “impacted residents” to both residents and property owners. There was consensus from the Town Council on the requested change.

Vice Mayor Archie Pertiller moved to approve the proposed traffic policy as amended. The motion was approved by a vote of 4-0.

8. NEW BUSINESS

A. Board Appointments

a. Recreation Commission – *three applications received for two vacancies.*

The Recreation Commission was unable to meet in June and requested that the Town Council hold appointments to the commission until they are able to review the vacancies.

b. ABC Board – *one application received for one vacancy.*

Councilmember Doug Hay moved to appoint Larry B. Harris to the ABC Board for a three-year term. The motion was approved by a vote of 4-0.

c. Planning Board – *two applications received for one vacancy.*

Each member of the Council nominated current planning board member Rick Earley to be reappointed.

Councilmember Doug Hay moved to appoint Rick Earley to the Planning Board. The motion was approved by a vote of 4-0.

d. One application received for Zoning Board (3 alternate positions), Historic Preservation Commission (one vacancy), or Planning Board (one vacancy).

Vice Mayor Archie Pertiller moved to appoint David Hines as an alternate member of the Zoning Board of Adjustment. The motion was approved by a vote of 4-0.

B. Move Illicit Discharge to the Code of Ordinances – O-23-13

Illicit discharge, including domestic pet waste and debris in stormwater systems, are not development regulations and therefore need to be moved to the Code of Ordinances in the environmental section. The proposed text amendment removes the illicit discharge section from the Land Use Code and moves it to Chapter 20 of the Code of Ordinances.

Vice Mayor Archie Pertiller moved to approve Ordinance #O-23-13 as presented. The motion was approved by a vote of 4-0.

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

Town Clerk Savannah Parrish announced Citizen Academy 2023, which begins September 14, 2023. She also reminded the public of the citizen request tracker on the Town's website.

11. COMMUNICATION FROM MAYOR AND TOWN COUNCIL

Mayor Sobol welcomed the Van Winkle Law Firm as the Town Attorney.

Vice Mayor Pertiller thanked everyone involved in the little league tournament at Veterans Park.

12. ADJOURNMENT

There being no further business, Mayor C. Michael Sobol adjourned the meeting at 8 p.m.

ATTEST:

C. Michael Sobol, Mayor

Savannah Parrish, Town Clerk