



TOWN OF BLACK MOUNTAIN

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

Date: **September 29, 2023** Time: **8:30 a.m.** **Special Call Meeting Minutes**

THE BLACK MOUNTAIN TOWN COUNCIL held a special call meeting on Friday, September 29, 2023, at 8:30 a.m. in the board room of Town Hall, 160 Midland Avenue, Black Mountain NC.

1. CALL TO ORDER

Vice Mayor Archie Pertiller called the meeting to order at 8:35 a.m. with the following members in attendance:

Vice Mayor Archie Pertiller
Council Member Doug Hay
Council Member Pam King

The following staff members were present:

Josh Harrold, Town Manager
Jennifer Tipton, Senior Admin
Jessica Trotman, Assistant Town Manager/ Planning Director
John Coffey, Fire Chief
Jim Bingham, Deputy Fire Chief
Craig Justus, Town Attorney

2. BUSINESS

A. Public Hearing to Remove 102 Church Street from Primary Fire District (text)

Assistant Town Manager/Planning Director Jessica Trotman presented the information to the Council. The property owner of 102 Church Street has petitioned to be removed from the district. Removal from the fire district would allow for different methods of construction, mainly being allowed to use combustible materials.

Councilmember Pam King moved to open the public hearing for the proposed text amendments to the primary fire district. The motion was seconded by Councilmember Doug Hay and approved by a vote of 3-0.

Bo Carpenter, Attorney from Allen, Stahl, and Kilbourne, represents the owners of 102 Church Street and expressed that they are seeking the removal from the fire district to be able to salvage some of their rooftop deck expansion.

Stephen Paulson, owner of 102 Church Street, expressed the same sentiments as Mr. Carpenter.

Fire Chief John Coffey spoke about probability of risk and that a restaurant creates a higher risk of fire. The owner has been speaking with the Fire Department to work out additional safety inspections.

Councilmember Pam King made a motion to close the public hearing. The motion was seconded by Councilmember Doug Hay and approved by a vote of 3-0.

Vice Mayor Archie Pertiller made a motion to adopt Ordinance #O-23-16 as presented. The motion was seconded by Councilmember Pam King and approved by a vote of 3-0.

B. Public Hearing to Remove 102 Church Street from Primary Fire District (map)

Assistant Town Manager/Planning Director Jessica Trotman explained that the map amendment only changes the boundaries of the primary fire district.

Councilmember Doug Hay made a motion to open the public hearing for the map amendment for the primary fire district. The motion was seconded by Councilmember Pam King and approved by a vote of 3-0.

There was no further discussion.

Councilmember Pam King made a motion to close the public hearing. The motion was seconded by Councilmember Doug Hay and approved by a vote of 3-0.

Councilmember Doug Hay made a motion to adopt Zoning Ordinance #Z-O-23-17 as presented. The motion was seconded by Councilmember Pam King and approved by a vote of 3-0.

C. Public Hearing to Add TND and ICD as Conditional Districts

Assistant Town Manager/Planning Director Jessica Trotman presented the information to the Council. The TND and ICD districts were left off of the list of available districts that can be conditionally zoned. The amendment adds them to the list.

Councilmember Pam King made a motion to open the public hearing for amendments to the conditional use districts. The motion was seconded by Councilmember Doug Hay and approved by a vote of 3-0.

There as no further discussion.

Councilmember Doug Hay made a motion to close the public hearing. The motion was seconded by Councilmember Pam King and approved by a vote of 3-0.

Councilmember Doug Hay made a motion to adopt Ordinance #O-23-15 as presented. The motion was seconded by Councilmember Pam King and approved by a vote of 3-0.

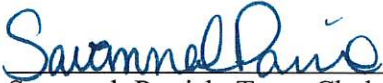
3. COMMUNICATION FROM MAYOR AND TOWN COUNCIL

There are three applicants for the vacant seat. The Council would like to allow applications to be received until October 5, 2023, and then have a ballot vote at the October 9th regular meeting. All applicants will be invited to attend the meeting and the selected applicant will be sworn in and immediately take that seat.

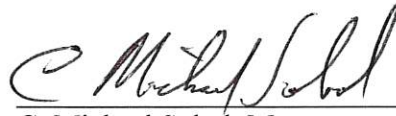
4. ADJOURNMENT

There being no further business, Vice Mayor Archie Pertiller adjourned the meeting at 9:19 a.m.

ATTEST:



Savannah Parrish, Town Clerk



C. Michael Sobol, Mayor