



TOWN OF BLACK MOUNTAIN

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

Date: **December 11, 2023**

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

Regular Meeting Minutes

THE BLACK MOUNTAIN TOWN COUNCIL held their regular agenda workshop meeting on Monday, December 11, 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 Doug Hay
Council Member Pam King
Council Member Ryan Stone

The following staff members were present:

Josh Harrold, Town Manager
Craig Justus, Town Attorney
Wesley Barker, Town Clerk
Jennifer Tipton, Senior Admin

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

Mayor C. Michael Sobol read a Proclamation for Arbor Day.

3. CITIZEN COMMENTS

Debbie Norman, 230 North Fork Rd., spoke on parking at the Senior Center requesting 22 parking spaces be reserved from 9am-1pm Monday through Friday for senior center use.

Shawn Slome, 115 Third St., spoke about the 6.95-acre parcel of land located adjacent to Veterans Park at 500 Blue Ridge Road, encouraging the Town to purchase this property which coincides with a recommendation in the Town's adopted Parks and Recreation Plan, which would expand town parks and green space. Mr. Slome also suggested the Town look at financing options to acquire this land.

Jim Schneider, 210 Ninth St., spoke on the Senior Center request to designate parking spaces for use.

Peter Dawes, 49 Sunset Dr., addressed the Council about his water bill and a meter tampering charge. Mr. Dawes also spoke on restriping of town roads for public safety.

Julie White, from the Active Mobility Commission, thanked the Council for recent amendments to the

Active Mobility Commission and spoke on the upcoming feasibility study.

4) COMMUNICATIONS FROM STAFF, COUNCILS, COMMISSIONS & AGENCIES- none.

5) CONSENT AGENDA

- A. Adoption of Minutes** from October 5, 2023 Agenda Work Session, October 9, 2023 Regular Session, November 9, 2023 Agenda Work Session, and November 13, 2023 Regular Session Council meetings. *A motion was made by Vice Mayor Archie Pertiller to approve the minutes as presented. A vote of 5-0 in favor.*
- B. Adoption of the 2024 Town Council Meeting Schedule.** *A motion was made by Vice Mayor Archie Pertiller to approve the meeting schedule as presented. A vote of 5-0 in favor.*
- C. Adoption of the 2024 Town Holiday Schedule.** *A motion was made by Vice Mayor Archie Pertiller to approve the holiday schedule as presented. A vote of 5-0 in favor.*
- D. Approval of Budget Amendments** to transfer funds from unassigned fund balance for the following: Bike Boulevard, remaining \$20,000 to complete; State Forfeiture Funds- Glock Handgun, \$18,350; and Dugout approved repairs and updates, \$72,000. *A motion was made by Vice Mayor Archie Pertiller to approve the budget amendments as presented. A vote of 5-0 in favor.*
- E. Monthly Property Tax Collector Report.** *A motion was made by Vice Mayor Archie Pertiller to approve the report. A vote of 5-0 in favor.* Mayor Sobol requested a comparison of the tax collector report from last year.
- F. Award of Contract to Selected Firm for Feasibility and Master Planning of Donated Properties.** This item is to award the contract to Equinox for feasibility and master planning services for the donated properties to the town referred to as the Hemphill property and Black Mountain Venture properties. *A motion was made by Vice Mayor Archie Pertiller to approve the contract award to Equinox as presented. A vote of 5-0 in favor.*

6) PUBLIC HEARING- none.

7) CITIZEN COMMENTS- none.

8) UNFINISHED BUSINESS

- A) 2023 Comprehensive Recreation Master Plan Acceptance.** Jim Ford, with McGill Associates, gave a presentation to the Town Council with an overview of the Recreation Master Plan (2023-2033) projects and estimated costs of each. The elements of the plan were presented to the Council at a special-called meeting on March 1, 2023, however, at the time the plan was not yet complete and had not been accepted by the Council. Council Member Pam King commented on managing expectations due to costs, stating it will take time for projects to be completed. *Vice Mayor Archie Pertiller then made a motion to adopt the Comprehensive Recreation Master Plan and to use the term "adopt", in lieu of the term "accept." A vote of 5-0 in favor.*

9) NEW BUSINESS

- A) Appointment of Alternate Representative for the Black Mountain Center for the Arts.** This

appointment is to fill a vacancy resulting from Bill Christy's recent resignation from the Town Council, who was serving as the appointed alternate representative. ***Council Member Doug Hay made a motion to appoint Council Member Ryan Stone as the alternate representative to the Black Mountain Center for the Arts. A vote of 5-0 in favor.***

- B) Appointment to Asheville-Buncombe Riverfront Commission.** This appointment is a result of a recent revision of the Asheville Area Riverfront Redevelopment Commission's ordinance by the Asheville City Council to have more emphasis on sustainability of the riverfront area, including a regional look at improving water quality, and less focus on redevelopment and revitalization policies. As part of this revision, new membership includes one seat be appointed by the Black Mountain Town Council. The appointee must be an elected official or staff, or a resident, business owner/manager or property owner/manager in the Regional Riverfront. Terms on the commission are for three (3) years, expiring on December 31 of the appropriate year. Members may serve up to two (2) years full consecutive terms. ***Vice Mayor Archie Pertiller made a motion to appoint staff member Anne Phillip, Stormwater Technician, to this commission. A vote of 5-0 in favor.***

C) Board Appointments

- 1) Appointment of Representative to the Metropolitan Sewerage District (MSD) Board.** Robert Watts currently serves as the Town's appointee to this board. His term will expire on January 1, 2024, and he is eligible for and interested in another three-year re-appointment. ***Council Member Ryan Stone made a motion to appoint Robert Watts for another three (3)-year term to the MSD Board. A vote of 5-0 in favor.***
- 2) Appointment to Zoning Board of Adjustment (ZBA).** There is currently a vacancy for one of the three alternate seats on the ZBA. An application was received from Linda Brinson for this board. It was noted that those serving in alternate seats on ZBA do not have term expirations. ***Council Member Pam King made a motion to appoint Linda Brinson to serve on the ZBA as an alternate. A vote of 5-0 in favor.***

- D) Audited Financial Report for FY 23.** Travis Kever, with Gould Killian CPA Group, presented the audited financial report summary for FY 23 to the Council. Items discussed during this report include financial performance indicators of concern, general fund summary of revenue, expenditures and fund balance, and ARPA funds. Discussion ensued between the Council members and Travis Kever. ***Council Member Doug Hay then made a motion to accept the financial report as presented. A vote of 5-0 in favor.***

- E) Lake Tomahawk Playground Upgrades.** Jessica Trotman, Planning Director, gave a short presentation on this item, stating \$100,000 was budgeted in FY 23-24 to fund upgrades to the current playground at Lake Tomahawk. The Council was presented with four (4) quotes for two (2) different designs which were drafted from feedback from staff and stakeholders and would not alter the current playground footprint or surfacing. The first design includes varying new play elements to be placed in the vacant area between the existing playground and area of the swings. The second design includes upgrades of the current play structure, keeping the footprint the same, and additional play elements. Jessica Trotman stated the difference between each would be pricing and surfacing type, with the option for poured-in-place (PIP) surfacing or traditional mulch surfacing. Discussion ensued among Council Members. Council Member Doug Hay asked about simple fencing between the playground and parking lot to keep children safe and the possibility of incorporating natural features into the playground which would save costs. There was a consensus from the Council for staff to obtain more information on the suggestions

made by Council Member Doug Hay, and to receive cost estimates on fencing and natural features and bring this item back to Council for final approval.

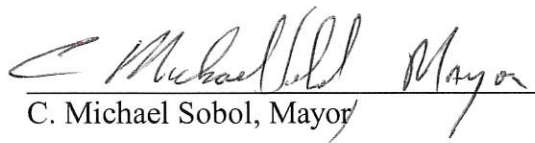
- F) Traffic Calming Policy.** Jessica Trotman, Planning Director, explained to the Council that this type of policy has several components to it which include discussion on public safety concerns with police and fire as it relates to placement of speed tables/humps and response time concerns. The Town would be looking at other communities and their traffic calming examples, which would be fine tuned for what would work for Black Mountain. The policy would be a scoring rubric, and a traffic study would be conducted once issues present themselves. Jessica Trotman stated this could be made part of the Capital Improvement Plan (CIP), based on the infrastructure chosen by the Council and the costs. The Town Attorney suggested naming this a "transportation plan" instead of using the term "policy." Also, this would be data driven, not perception driven. Examples will be compiled by staff and brought back to the Council for consideration.

10) COMMUNICATION

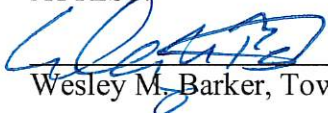
- A)** Town Attorney Craig Justus stated he would be meeting with several department heads regarding code enforcement, and about the code of ordinances later this month.
- B)** Town Manager Josh Harrold addressed trash pickup during the holidays, stating overflow dumpsters would once again be available at Public Works, 304 Black Mountain Ave., for residents to drop off extra trash and recycling during business hours.

11) COMMUNICATION FROM MAYOR AND TOWN COUNCIL. Council Member Alice Berry suggested posting the holiday sanitation schedules on the Town website and social media. Council Member Pam King spoke on the new website design. Council Member Ryan Stone expressed his gratitude for his recent appointment to the Council. Council Member Doug Hay and Vice Mayor Archie Pertiller both wished everyone a happy holiday season.

12) ADJOURNMENT. *With no further business, Mayor C. Michael Sobol adjourned the meeting at 7:30 p.m.*


C. Michael Sobol, Mayor

ATTEST:


Wesley M. Barker, Town Clerk