



TOWN OF BLACK MOUNTAIN

TOWN COUNCIL

MARCH 11, 2024

REGULAR SESSION AGENDA

Time: 6:00 p.m.

Town Hall Council Chambers | 160 Midland Avenue, Black Mountain, NC 28711

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1. CALL TO ORDER

- Welcome
- Pledge of Allegiance
- Invocation – *Moment of Silence*
- Announcements – *Mayor Sobol*
- Ethics Statement: *In accordance with the Code of Ethics adopted by the Council, all Council Members have a duty to conduct the affairs of the governing board in an open and public manner free of conflicts of interest. Is there any item on the agenda the outcome of which will have a direct, substantial, and readily identifiable financial impact for any Council Member, his or her family or close business associates? Does any Council Member have a financial interest in any public contract coming before this Council today? There being none, all Council Members have a duty and obligation to vote.*

2. PROCLAMATIONS, AWARDS, RECOGNITIONS

- A. Proclamation- Transgender Day of Visibility (March 31st)
- B. Proclamation- Women's History Month

3. CITIZEN COMMENTS

Individuals wishing to address the Council 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 Council. **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.

4. COMMUNICATIONS FROM STAFF, COUNCILS, COMMISSIONS & AGENCIES

- A. Presentation of Lead and Copper Water Line Replacement Rule**– Jessica Trotman,
Planning Director

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 Meeting Minutes** – Wesley Barker, Town Clerk

- January 20, 2024 Council Retreat
- February 8, 2024 Agenda Workshop Meeting
- February 12, 2024 Regular Meeting

Motion: To approve the meeting minutes as presented.

- B. Monthly Property Tax Collector Report** - Tammy Holland, Finance Director

Motion: To approve the monthly tax collection report as presented.

- C. Consideration of Budget Amendments** - Tammy Holland, Finance Director

- 1) Carver Flooring
- 2) Waste Reduction and Recycling Carts
- 3) Acceptance of Land of Sky Regional Council Grant for Public Wi-Fi

Motion: To approve the budget amendments as presented.

- D. Amendment to the 2024 Town Council Meeting Calendar to Accommodate FY 24-25 Budget Work Sessions**- Wesley Barker, Town Clerk

Motion: I move to adopt the amendment to the Town Council Meeting Calendar to accommodate FY 24-25 budget work sessions as presented.

- E. Consideration of Approval of 2024 Audit Contract with Gould Killian CPA Group, P.A.** – Tammy Holland, Finance Director

Motion: To approve the FY 24 Contract to Audit Accounts from Gould Killian, CPA Group, P.A.

- F. Call for Public Hearing for Voluntary Annexation of Property Owned by Givens Highland Farms** – Jessica Trotman, Planning Director

Motion: To call for a public hearing for voluntary annexation for a parcel known as Buncombe County PIN #0609-56-5118.00000 to be held on Monday, April 8, 2024, at 6:00 p.m., or as soon thereafter as possible, in the Council Chambers of Town Hall, 160 Midland Avenue.

- G. Call for Public Hearing to Rezone 99999 Francis Avenue from R-1 to OI-6** – Jessica Trotman, Planning Director

Motion: To call for a public hearing to rezone 99999 Francis Avenue (PIN #0609-56-5118.00000) from R-1 (Buncombe County zoning) to OI-6 (office and institutional) to be

held on Monday, April 8, 2024, at 6:00 p.m., or as soon thereafter as possible, in the Council Chambers of Town Hall, 160 Midland Avenue.

H. Consideration of Resolution to Apply for Section 319 NPS Pollution Control Grant for Stream Restoration on Black Mountain Golf Course – Jessica Trotman,

Planning Director

Motion: To approve the resolution to apply through the NC Department of Environmental Quality Section 319 NPS Pollution Control Grant for approximately three hundred and fifty linear feet of stream restoration on the Black Mountain Golf Course.

I. Consideration of Resolution to Apply for the NCDOT IMD Multimodal Planning Grant for a Comprehensive Bicycle and Pedestrian Plan – Jessica Trotman, Planning

Director

Motion: To approve the resolution to apply through the NCDOT IMD Multimodal Planning Grant for a comprehensive bicycle and pedestrian plan.

J. Consideration of Resolution to Apply for the Passive Recreation Lands Grant for Construction of the Ridgecrest Connector Trail Multi-Use Path – Jessica Trotman,

Planning Director

Motion: To approve the resolution to apply through the Buncombe County Open Space Bond Passive Recreation Lands Grant for construction of the Ridgecrest Connector Trail multi-use path.

K. Consideration of Approval of a Resolution Authorizing the Use of the Design/Build Delivery Method for the Cragmont Park Renovation Project –

Angela Reece, Project & Facilities Manager

Motion: I move that Town Council of the Town of Black Mountain authorize the use of the design-build method for the Cragmont Park Renovation Project pursuant to § 143-128.1A.

Motion for all Consent items: To approve all consent agenda items as presented (or as amended).

6. PUBLIC HEARING - none

The chair will recognize individuals requesting to address the Council regarding the specific topic of the public hearing. Public hearing comments by any one 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.

7. CITIZEN COMMENTS

The chair will recognize individuals requesting to address the Council 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.

8. UNFINISHED BUSINESS -none

9. NEW BUSINESS

- A. Consideration of GROW Trail Free Library Box at Town Square** – Josh Henderson, Recreation & Parks Director

Motion: To approve the placement of the GROW Trail Free Library Box at Town Square as presented.

- B. Consideration of Pool Pay Rate and Fee Schedule Increases** - Josh Henderson, Recreation & Parks Director

Motion: To approve increases to the pool pay rate and fee schedule as presented.

- C. Consideration of Summer Camp Staff Pay Rate and Hour Increases** - Josh Henderson, Recreation & Parks Director

Motion: To approve the increase to staff pay rates and hourly rates as presented.

- D. Consideration of 204 Portmanvilla Rd. Lien Release** - Josh Harrold, Town Manager

Motion: To approve release of the lien on this property.

- E. Consideration of Resolution to Enter into a Contract for Construction Services for the Veterans Park Streambank Restoration Project- FEMA Project # 436912** - Angela Reece, Project & Facilities Manager

Motion: I move that Town Council approve the Resolution to select **HGS, LLC T/A RES Environmental Operation Company, LLC** (Contractor) as lowest responsive, responsible bidder and to enter into an agreement to provide construction repair services for the Veterans Park Streambank Restoration Repair Project as presented.

- F. Consideration of Resolution(s) to Accept Grant Funding from The North Carolina Department of Environmental Quality and to Approve an Agreement for Professional Design-Build Services for the Black Mountain Swannanoa River Floodbench & Constructed Wetlands Project-SRP-SW-ARP-0026**– Angela L. Reece, Project & Facilities Manager

Motion: I move that Town Council approve the Resolution to Accept Funding from The North Carolina Department of Environmental Quality in the amount of \$5,000,000, **and** the Resolution to Approve the Agreement with _____ (selected firm) to Provide Design Build Services For The Black Mountain Swannanoa River Floodbench & Constructed Wetlands Project-SRP-SW-ARP-0026 as presented.

10. COMMUNICATION

- A. Town Attorney – Craig Justus
- B. Town Manager – Josh Harrold

11. COMMUNICATION FROM MAYOR AND TOWN COUNCIL

12. CLOSED SESSION

- A. § 143-318.11 (a)(5)-** To establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease.

Motion: To enter into closed session as allowed under NC General Statute § 143-318.11(a)(5).

13. ADJOURNMENT