



TOWN OF BLACK MOUNTAIN

TOWN COUNCIL

APRIL 8, 2024

REGULAR SESSION AGENDA

Time: 6:00 p.m.

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

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REVISED 4-4-2024

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, SPECIAL RESOLUTIONS

- A. Proclamation- Earth Day - April 22nd, 2024
- B. Resolution to Move Black Mountain Away from Single Use Plastics
- C. Resolution Recognizing Climate Action Efforts within the Town of Black Mountain

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. Police Department 2023 Annual Report- *Steve Parker, Police Chief*

B. Sustainability Practices Presentation- *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*

- *March 7, 2024 Agenda Workshop Meeting*
- *March 11, 2024 Regular Meeting*
- *March 21, 2024 Special Called 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) *Correction of Recycling Carts Budget Amendment (BA131)*
- 2) *Reallocation of Administration, HR and Finance Budget Adjustment*
- 3) *Reallocation of Parks & Recreation and Pool Budget Adjustment*
- 4) *Police Department Sponsorship and Golf Tournament*
- 5) *Valetine 5K Donation Expense*

Motion: *To approve the budget amendments as presented.*

D. Call for Public Hearing for Text Amendment to Chapter 20, Article V, Nuisances

– Jessica Trotman, Planning Director

Motion: *To call for a public hearing for text amendments to Chapter 20, Article V, Nuisances of the Code of Ordinances to be held on Monday, May 13, 2024, at 6:00 p.m., or as soon thereafter as possible, in the Council Chambers of Town Hall, 160 Midland Avenue.*

E. Call for Public Hearing for Text Amendment to Chapter 43, Article VI to add a

Downtown Social District – *Jessica Trotman, Planning Director*

Motion: *To call for a public hearing for text amendments to Chapter 43, Article VI, to add a Downtown Social District to be held on Monday, May 13, 2024, at 6:00 p.m., or as soon thereafter as possible, in the Council Chambers of Town Hall, 160 Midland Avenue.*

F. Resolution to Apply through the Great Trails State Program Grant for

Professional Engineering Funding for the Ridgecrest Connector Trail – *Jessica*

Trotman, Planning Director

Motion: To approve the resolution to apply through the Great Trails State Program Grant for professional engineering funding for the Ridgecrest Connector Trail.

G. Consideration of Resolution to Apply for the Water Infrastructure Grant through the NC Department of Environmental Quality (DEQ) Water Infrastructure Grant for Lead Line Inventory and Replacement – Jessica Trotman,

Planning Director

Motion: To approve the resolution to apply through the NC Department of Environmental Quality Water Infrastructure Grant for Lead Line Inventory and Replacement.

H. Call for Public Hearing for Conditional Zoning for Montreat College- #O-23-22-

Jessica Trotman, Planning Director

Motion: To call for the public hearing to amend text for conditional zoning request for Montreat College to be held on Monday, May 13, 2024, at 6:00 p.m., or as soon thereafter as possible, in the Board Room of Town Hall, 160 Midland Avenue.

I. Call for Public Hearing for Map Amendment for Montreat College- Jessica Trotman,

Planning Director

Motion: To call for a public hearing to amend the zoning map for Montreat College to be held on Monday, May 13, 2024 at 6:00 p.m., or as soon thereafter as possible, in the Board Room of Town Hall, 160 Midland Avenue.

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

6. PUBLIC HEARING

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.

A. Voluntary Annexation of Property Owned by Givens Highland Farms– Jessica

Trotman, Planning Director

Motion: I move to approve the voluntary annexation of property known as 99999 Frances Avenue into the Town of Black Mountain town limits.

B. Public Hearing to Rezone 99999 Frances Avenue from R-1 to OI-6– Jessica Trotman,

Planning Director

Motion: I move to approve the ordinance rezoning property known as 99999 Frances Avenue from R-1 to OI-6 (office and institutional district).

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

- A. Carver Center Flooring Replacement**— Josh Henderson, Recreation & Parks Director
Suggested Council Action: Town Council to discuss and provide staff with direction for next steps.
- B. Public Safety Interoperability Program (PSIP) Agreement**— Josh Harrold, Town Manager
Motion: I move to approve the PSIP Agreement between the Town of Black Mountain and Buncombe County as revised.

9. NEW BUSINESS

- A. Consideration of Charles D. Owen Babe Ruth MOU** – Josh Henderson, Recreation & Parks Director
Motion: To approve the Charles D. Owen Babe Ruth MOU to add temporary batting cages and a storage building at Veteran’s Park.
- B. Consideration of 2024 Black Mountain Golf Course Rates effective May 1, 2024**
- Josh Harrold, Town Manager
Motion: To approve the proposed 2024 rates for the Black Mountain Golf Course as presented with an effective date of May 1, 2024.
- C. Consideration of Adoption of Electronic Records Policy** – Wesley Barker, Town Clerk
Motion: To approve an Electronics Records Policy for the Town of Black Mountain 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)(3)** To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged.
- B. § 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)(3) and § 143-318.11(a)(5).

13. ADJOURNMENT