



**REVISED**

## **TOWN OF BLACK MOUNTAIN - Regular Session Agenda**

Black Mountain Public Safety Building, 106 Montreat Road, Black Mountain, NC

Date: **5/10/04** Time: **6:00 p.m.**

---

### **I. CALL TO ORDER**

-Welcome

-Pledge of Allegiance

-Prayer Led By: Dr. David Rayburn, Pastor, First Baptist Church, Black Mountain

### **II. ADOPTION OF THE AGENDA**

### **III. CONSENT AGENDA**

#### **A. Adoption of the Minutes**

*Motion: To adopt the minutes of April 12, 2004 - Agenda Meeting and Regular Session, April 19, 2004 – Special Called Meeting- Blue Ridge Road Interchange*

#### **B. Adoption of Budget Amendment #10**

*Motion: To adopt budget amendment #10 as submitted*

#### **C. Adoption of Resolution Authorizing the Mayor to Execute Agreements Providing for the Town's Participation in the Asheville Regional Housing Consortium**

*Motion: To adopt Resolution as submitted and approve the joint Cooperation Agreement between the Town of Black Mountain and the City of Asheville*

#### **D. CALL FOR PUBLIC HEARING on Proposed Fiscal Year 2004-2005 Annual Budget for the Town of Black Mountain**

*Motion: To call for a public hearing on the Recommended Budget for Fiscal Year 2004-2005 on Monday, June 14, 2004 at 6:00 p.m., or as soon thereafter as possible, to be held in the meeting room of the Public Safety Building at 106 Montreat Road in Black Mountain, NC*

*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.*

### **IV. COMMUNICATIONS FROM THE MAYOR**

A. Proclamation – “Strive Not to Drive Week” – May 8-15, 2004

B. Proclamation – “Osteoporosis Prevention Month” – May 2004

C. Proclamation – “Older Americans Month” - May 2004

D. Proclamation – “Honoring Centenarians” – May 14, 2004

### **V. COMMUNICATIONS FROM TOWN ATTORNEY**

### **VI. COMMUNICATIONS FROM THE TOWN MANAGER**

A. Review of Consent Agenda

B. Projects Update

1. Water Improvement Project

2. Fire Department Substation Development

3. Replacement of Culverts on Tenth Street and on Laurel Avenue

4. Condition of Officer Tony Norris

5. Health Initiative Task Force Update

6. Tree Replacement on State Street

7. Letter of Thanks from City of Asheville

**TOWN OF BLACK MOUNTAIN - REGULAR SESSION AGENDA**

**May 10, 2004**

**Page Two**

---

Add 8. Montreat College scheduled May 29 as day that citizens can get mulch from property at Blue Ridge Road and U.S. 70.

Add 9. Transportation Plan

**VII. COMMITTEE/BOARD REPORTS**

A. MSD Report – Alderman Sobol

B. Greenways Update – Alderman Sobol

Add C. Housing Commission Update

Add D. Nomination for Friends of River Award

Add E. Notification of Impending Vacancies on Boards and Commissions

Add F. Bus Report – Alderman Brown

Add G. Chamber of Commerce Report – Alderman Brown

Add H. Land-of-Sky Regional Council – Alderman White

Add I. Fireworks – T. Caudle

**VIII. OLD BUSINESS**

A. **PUBLIC HEARING** for Technical Revision to the Town of Black Mountain Minimum Housing Code

*Motion for Consideration: To amend Section 154.005 of the Town of Black Mountain Code of Ordinances to read as follows: “Every renter occupied dwelling or dwelling unit shall comply with all of the minimum housing standards established by this ordinance.”*

B. **PUBLIC HEARING** on Phase I of the Update of the Town of Black Mountain Zoning Ordinance

*Motion for Consideration: To approve the proposed amendments to Chapter 153 of the Town of Black Mountain Code of Ordinances as they pertain to the definitions of Building Height, Building Setback Lines, Residential Fences, Home Occupations and Mobile Homes as specified in the exhibits attached hereto.*

**IX. NEW BUSINESS**

Delete A. Request to Have White House on Clevenger Property Declared Surplus

*Motion for Consideration: To declare the remaining single-family structure on the Clevenger property declared as surplus personal property to be sold through a sealed bid process and that in the absence of a successful bid, the house would be demolished and removed from the property.*

B. Consideration of Proposed Resolution Reserving Municipal Property at the Intersection of Broadway and the Norfolk-Southern Railroad Tracks for Future Train Station Location

*Motion for Consideration: To approve the Resolution reserving the municipal property located adjacent to the Norfolk-Southern railroad right-of-way at its intersection with Broadway/N.C. Highway 9 for future use as a location for a passenger rail service depot in the Town of Black Mountain.*

**TOWN OF BLACK MOUNTAIN - REGULAR SESSION AGENDA**

**May 10, 2004**

**Page Three**

---

- C. Review of Proposed Projects Potentially Eligible for Enhancement Grant Funding Through the North Carolina Department of Transportation (NCDOT)

*Motion for Consideration: To pick one project to be submitted to the NCDOT for funding consideration under the NCDOT Enhancement Grant program.*

- D. Consideration of Request to Obtain Authorization for Automobile Fee in Order to Subsidize Public Transportation

*Motion for Consideration: To authorize the Mayor and the Town Manager to approach the local state legislative delegation in pursuit of authority to levy an additional \$5.00 motor vehicle fee for the purpose of funding the local mass transit effort.*

**X. CITIZEN COMMENTS** (at 8:00 p.m. if all preceding items on the agenda have not been finished by then)

**XI. CLOSED SESSION**

1. Prevent disclosure of information that is privileged under the law of the State of North Carolina or the United States.
2. Consult with the Town Attorney in order to preserve the attorney-client privilege.
3. Consider the conditions of appointment of the Town Manager.

Add 4. **Review of Property Negotiations**

**XII. ADJOURNMENT**

---

Anthony N. Caudle, Town Manager

ANC:sr