



REVISED

TOWN OF BLACK MOUNTAIN - Regular Session Agenda

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

Date: **5-09-05** Time: **6:00 p.m.**

I. CALL TO ORDER

- Welcome
- Pledge of Allegiance
- Prayer Led By: Pastor Steve Morrison, Grace Fellowship Church of God, 116 North Fork Road, Black Mountain, NC

II. ADOPTION OF THE AGENDA

III. COMMUNICATIONS FROM THE MAYOR

- A. Proclamation – Honoring First Baptist Church – 100 years

Add: **B. Transportation Advisory Committee Report**

IV. COMMUNICATIONS FROM TOWN ATTORNEY

Add: **A. Tax Refund Case**

V. CONSENT AGENDA

- A. Adoption of the Minutes
Motion: To adopt the minutes of March 29, 2005 – Special Workshop, April 7, 2005 - Agenda Workshop, April 11, 2005 – Regular Session
- B. Adoption of Budget Amendment #13
Motion: To adopt budget amendment #13 as submitted
- C. Move Animal Control Ordinance to Old Business “D”**
- D. Request to Declare 1977 Public Works Dump Truck Surplus Property
Motion: To request that the Board declare the 1977, F 700 Ford dump Truck VIN #F706YV09024 surplus and accept closed bids for the sale of the truck with a minimum bid of \$5,000.00.
- E. **CALL FOR PUBLIC HEARING** on proposed Fiscal Year 2005-2006 Annual Budget for the Town of Black Mountain
Motion: To call for a Public Hearing on the Recommended Budget for Fiscal Year 2005-2006 on Monday, June 13, 2005 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, Black Mountain, NC
- F. Approval of Reclassification of Recreation and Parks Director’s Job Description
Motion: To approve the placement of the Recreation and Parks Director’s position to Pay Grade 20
- G. Acceptance of Grant from the Community Foundation of Western North Carolina for Planning the Owen Youth Center Program at the Carver Center
Motion: To accept the award of the grant funding from the Community Foundation of Western North Carolina for the purpose of planning for the development of the Owen Youth Center Program in the Carver Center, and to authorize the Town Manager to accept the grant award on the behalf of the Town
- H. Appointment of Trustees to the Black Mountain Local Firemen’s Relief Fund Board
Motion: To affirm Charles Arnett as the Board’s designee to continue serving until January 2007 and to appoint Sterling Poe to fill the unexpired term (until January 2006) vacated by the death of the Board’s other designee, Frank B. Williams

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- I. Request from Historic Preservation Commission to Apply for Certified Local Government Status

Motion: To approve an application for submission to the State Historic Preservation Office requesting that the Town of Black Mountain be designated a Certified Local Government for the purposes of historic preservation and to authorize the Mayor to sign that application on the behalf of the Town

- J. **CALL FOR PUBLIC HEARING** to Adopt a Resolution of Intent to Close a Portion of the Ten Foot Alleyway that Extends Northwest from West Cotton Avenue to West Keesler Street; and, to Close the Street Right-of-Way Known as McKnitt Parkway

Motion: To pass the Resolution of Intent to close the southwesterly portion of the alleyway that runs between West Cotton Avenue and West Keesler Street and, to Close the Street Right-of-Way Known as McKnitt Parkway and to hold a Public Hearing on the matter at the June 13, 2005 Regular Meeting at 6:00 p.m. or as soon thereafter as possible

- Add: K. **Permission to Apply for a Homeland Security Grant to Fund One Position in the Fire Department**

Motion: To authorize the staff to apply for a Staffing for Adequate Fire and Emergency Response (SAFER) grant from the Department of Homeland Security as detailed in the attached application.

- Add: L. **Request for Approval for the Town of Black Mountain to Apply for a Progress Energy Foundation Grant for the Primary School Trail Project**

Motion: Motion to apply for a grant from Progress Energy for the Primary School Trail Project and to authorize the Mayor to sign the grant application on the behalf of the Town.

- Add: M. **Request from Riverlink to Endorse an Application to Restore Sections of the Swannanoa River**

Motion: Motion to authorize the Mayor to draft a letter on the behalf of the Town in support of the RiverLink application for a Clean Water Management Trust Fund grant to restore the section of the Swannanoa River where it crosses property owned by the Town of Black Mountain at both the Black Mountain Recreational Park and off of White Pine Drive

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.

VI. COMMUNICATIONS FROM THE TOWN MANAGER

- A. Review of Consent Agenda
Projects Update
1. Filling of Open Positions
 2. Sidewalk Construction Projects
 3. MSD Work on Golf Course
 4. Pool Renovations Update – Powerpoint Presentation

VII. COMMITTEE/BOARD REPORTS

- A. Announcement of Committee Vacancies

- Add: B. **“Litter Sweep” Report**

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VIII. OLD BUSINESS

- A. Second reading of ordinance amendment to rezone the property located at 1194 Old US 70 W, further described as PIN #0609.16-84-5103, from O-I to C-2
Motion: To consider a request to rezone the property located at 1194 Old Old US Hwy 70 West, further described as PIN #0609.16-84-5103, from O-I to C-2 as recommended by the Planning Board at their meeting on March 7, 2005
- B. **PUBLIC HEARING** on the Annexation by Petition of a Portion of the Property Known as “The Settings”, a.k.a. Buncombe County Property Identification Number 0618.00-45-4735 as Described in Plat Book 96, pages 162, 163 and 164
Motion: To approve the annexation ordinance which incorporates the annexation agreement for a portion of the property known as The Settings, a.k.a. Buncombe County Property Identification Number 0618.00-45-4735 as described in Plat Book 96, pages 162, 163 and 164
- C. Consideration of Request for the North Carolina Department of Transportation to Conduct a Feasibility Study Regarding the Construction of an Interchange at the Grade Separated Intersection of Interstate 40 and Lytle Cove Road
Motion: To Request that the NCDOT conduct a feasibility study of the possibility of developing an interchange at the grade separated intersection of Interstate 40 and Lytle Cove Road

Moved from Consent Agenda

- D. Adoption of Buncombe County Animal Control Ordinance
Motion: To adopt Buncombe County Animal Control Ordinance and rescind existing Town of Black Mountain Animal Control Ordinance

IX. NEW BUSINESS

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

XI. CLOSED SESSION

- A. Property Acquisition - as permitted in NCGS 143-318.11(a)(5)

XII. ADJOURNMENT

Anthony N. Caudle, Town Manager

ANC:sr