



REVISED

## TOWN OF BLACK MOUNTAIN – Regular Session Agenda

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

Date: 4/16/07 Time: 6:00 p.m.

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### I. CALL TO ORDER

-Welcome

-Pledge of Allegiance

-Prayer Led By: Allen Hetzel, Deacon, St. James Episcopal Church, Black Mountain, NC

### II. CITIZEN COMMENTS

### III. ADOPTION OF THE AGENDA

### IV. COMMUNICATIONS FROM THE MAYOR

### V. COMMUNICATIONS FROM TOWN ATTORNEY

### VI. CONSENT AGENDA

A. Adoption of the Minutes

*Motion: To adopt the minutes of March 8, 2007 - Agenda Workshop, March 12, 2007 – Regular Session*

B. Adoption of Budget Amendment #15

*Motion: To adopt Budget Amendment #15 as submitted*

C. Resolution Endorsing the U.S. Mayors' Climate Protection Agreement

*Motion: To approve the Resolution Endorsing the U.S. Mayors' Climate Protection Agreement*

D. Resolution Supporting the Allocation of Broadband Accessibility to Public Safety Needs

*Motion: To adopt Resolution supporting a proposal to allocate 30MHz of broadband radio spectrum in the upper 700MHz band to allow for the development of a new public safety broadband network*

E. Pedestrian Master Plan Contract Agreement with Greenways Incorporated

*Motion: To approve the Contract Agreement with Greenways, Inc. and to authorize the Town Manager to enter into said contract on behalf of the Town*

F. Authorization of Specified Staff to Sign Purchase Orders

*Motion: To authorize Tony Caudle and Sherry Williams to perform the pre-audit function for Town of Black Mountain expenditures*

Amend G. **CALL FOR PUBLIC HEARING for** Consideration of Proposed Ordinance Regulation of and Assessment of Fees for the Cutting of Local Streets and Sidewalks

*Motion: To call for a public hearing to amend the Code of Ordinances for the Town of Black Mountain, Title IX, by revoking sections 100.10 through 100.14 and adopting new sections 100.10 through 100.14 to provide for permits and fees for cuts in public streets and sidewalks on Monday, May 14, 2007 at 6:00 p.m., or as soon thereafter as possible, in the meeting room of the Public Safety Building, located at 106 Montreat Road, Black Mountain, NC*

H. Request from the City of Asheville for Environmental Monitoring Equipment Station Easement

*Motion: To approve the request from the City of Asheville for Environmental Monitoring Equipment Station Easement and to authorize the Mayor and/or Town Manager to enter into the agreement on behalf of the Town*

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- I. **CALL FOR PUBLIC HEARING** to Consider Construction of McCoy Cove and Blue Ridge Road Sewer Lines

*Motion:* To call for a public hearing seeking comments on the construction of the McCoy Cove Road and Blue Ridge Road Sewer Lines on Monday, May 14, 2007 at 6:00 p.m., or as soon thereafter as possible, in the meeting room of the Public Safety Building, located at 106 Montreat Road, Black Mountain, NC

- J. **CALL FOR PUBLIC HEARING** for Stormwater Ordinance

*Motion:* To call for a public hearing to consider adoption of the proposed Stormwater Ordinance on Monday, May 14, 2007 at 6:00 p.m., or as soon thereafter as possible, in the meeting room of the Public Safety Building, located at 106 Montreat Road, Black Mountain, NC

- K. Golf Course 19<sup>th</sup> Hole Snack Shop Lease

*Motion:* To accept the bid from Cathy Moyers at \$400 per month for the next three years, effective May 1, 2007 and to authorize the Town Manager to execute the lease on the behalf of the Town

- Add L. **Resolution Naming William B. Ferguson as Finance Officer for the Town of Black Mountain**

*Motion:* To adopt Resolution naming William B. Ferguson as Finance Officer for the Town of Black Mountain

- Add M. **Request from Black Mountain/Swannanoa Chamber of Commerce to Support Joint Resolution of County-Wide Broadband**

*Motion:* To adopt request from Black Mountain/Swannanoa Chamber of Commerce to support joint Resolution of County-Wide Broadband

- Add N. **Resolution Supporting North Carolina State Energy Office Funding: Bills H839/S939**

*Motion:* To adopt Resolution urging the North Carolina General Assembly to enact H839 and S939 which appropriate \$7.5 million for the SEO in each of fiscal years 2007-2008 and 2008-2009

*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.*

## VII. COMMUNICATIONS FROM THE TOWN MANAGER

- A. Review of the Consent Agenda

- B. Projects Update

1. 2007-2008 Budget
2. Grant Awards
3. Report of Reallocation of Funds
4. Fire Department Report
5. Police Department Report

- C. Town Hall Day – Wednesday, May 9, 2007

- Add D. **TCC Update**

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**VIII. COMMITTEE/BOARD REPORTS**

- A. Board/Committee Appointments
  - 1. Planning Board - (2) openings to fill
  - 2. Greenways Commission – (1) opening to fill
- B. Beautification Clean-up Day – Alderman White

**IX. OLD BUSINESS**

- A. Presentation of ETJ Study Area by Benchmark Consultants  
*Motion: To approve the ETJ study area and direct the staff and consultants to continue with a public workshop and subsequent public hearings*
- B. **PUBLIC HEARING** on Proposed Revisions to the Flood Damage Prevention Ordinance  
*Motion: To adopt proposed amendments to the Flood Damage Prevention Regulations*  
*Delete second part of motion:*  
*and to direct the Planning Board to move forward with a task force for further work as required in conjunction with forthcoming floodplain maps*
- C. Presentation on Sutton Avenue Traffic Study  
*Motion: To adopt the Sutton Avenue Study Report for use in Town Capital Projects planning and street improvements programming*

**X. NEW BUSINESS**

- A. Relocation of Bus Stop from Current Location at Old Depot  
*Motion: None at this time*
- B. Consideration of Special Events and Temporary Uses Regulations  
*Motion: To adopt the Special Events and Temporary Uses Regulations for inclusion in Title IX, General Regulations of the Town of Black Mountain Code of Ordinances*
- C. Consideration of Ordinance to Amend Title VII, Section 73.04, of the Black Mountain Code of Ordinances to Prohibit Skateboards on the Streets and Sidewalks of the Town of Black Mountain  
*Motion: To adopt an Ordinance to amend Title VII, Traffic Code, Section 73.04, of the Code of Ordinances of the Town of Black Mountain*

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

**XII. ADJOURNMENT**

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Anthony N. Caudle, Town Manager