



REVISED

TOWN OF BLACK MOUNTAIN – Regular Session Agenda

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

Date: **8/13/07** Time: **6:00 p.m.**

I. CALL TO ORDER

-Welcome

-Pledge of Allegiance

-Prayer Led By: Rev. Jim Hunter, Blue Ridge Church of Christ, Black Mountain, NC

II. CITIZEN COMMENTS

III. ADOPTION OF THE AGENDA

IV. COMMUNICATIONS FROM THE MAYOR

V. COMMUNICATIONS FROM TOWN ATTORNEY

VI. OLD BUSINESS

- A. **PUBLIC HEARING** on Voluntary Annexation of a Portion of the Property
Known as The Settings, Phase IIIA

Motion: To approve the request for voluntary annexation, as submitted by The Settings, Inc., of that portion of their Master Plan known as Phase IIIA

- B. Certification of Comprehensive Plan Consistency for Increase in Height
Limitation for the I-1 Zoning District

Motion: The Board of Aldermen finds their action in increasing the height in the I-1 zoning district from 35 feet to 55 feet to be consistent with vision statement 10, "Economic Opportunity", of the Town's comprehensive plan which supports the continued viability of existing businesses and industries in Black Mountain, and specifically "moderate-sized clean industry providing good paying jobs".

- C. Certification of Comprehensive Plan Consistency for the Rezoning of Property on
U.S. 70 from I-1 to O-I

Motion: The Board of Aldermen finds their action in amending the zoning map for a portion of the I-1 zoning district south of U.S. 70 and west of Blue Ridge Road to the O-I designation consistent with the comprehensive plan because the lower height limitations of the O-I district are more appropriate to maintain the "small town atmosphere" that is a primary goal of the Comprehensive Plan, in that it is more appropriate to have buildings of less height as an entryway into the park and residential properties served by Blue Ridge Road and that buildings of no more than 35 feet in height are more consistent with the height of structures allowed in the C-2 zoning district on the north side of U.S. 70.

- D. Second Reading of Ordinance Rezoning Parcels in the Light Industrial
District (I-1) Which Are North of U.S. 70 to General Industrial District (I-2)
Zoning

Motion: To rezone parcels in the Light Industrial District which are north (as referenced on Attachment 1) of U.S. 70 to General Industrial District (I-2) zoning, including the parcels listed by PIN (also in Attachment 1) and that the Board of Aldermen finds their action in amending the zoning map for the property under consideration to be consistent with the comprehensive plan goal of maintaining the "small town atmosphere" of the community in that: (a) this area is uphill from U.S. 70 and buildings of greater than 35 feet in height will be more visible and obtrusive than taller

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buildings on the south side of U.S. 70; and (b) rezoning would be more consistent with the heavy industry currently in existence in this area.

- E. Referral of Recent Zoning Map Amendments to Planning Board for Additional Review and Recommendations

Motion: To direct the Planning Board to review previously and currently zoned industrial property in the west end of Black Mountain and to report back to the Board of Aldermen any recommendations for changes in the existing regulations that the Planning Board might have to address desired development patterns in that portion of Town

VII. NEW BUSINESS - None

VIII. CONSENT AGENDA

- A. Adoption of the Minutes

Motion: To adopt the minutes of July 5, 2007 – Agenda Workshop, July 9, 2007 - Regular Session

- B. Budget Amendment #01

Motion: (a) To approve Budget Amendment #01 authorizing the appropriation of water retained earnings to the water operations capital outlay line item, and (b) to declare Consolidated Pipe and Supply as a sole source provider in accordance with GS 143-129

- C. Budget Amendment #02

Motion: To approve Budget Amendment #02 authorizing the appropriation of contingency funds to the police contract services line item

- D. Budget Amendment #03

Motion: To adopt Budget Amendment #03 as submitted

- E. Budget Amendment #04

Motion: To approve Budget Amendment #04 and authorize disbursement of grant funds to the Salvation Army Boys and Girls Club

- F. Budget Amendment #05

Motion: To adopt Budget Amendment #05 authorizing the allocation of grant funds and the purchase of recycling bins to satisfy grant agreement

- G. Budget Amendment #06

Motion: To adopt Budget Amendment #06 authorizing the appropriation of fund balance to the public works capital outlay line item

- H. **CALL FOR PUBLIC HEARING** on Annexation of a Portion of the Property on Red Plum Lane in Black Mountain Estates

Motion: To set a Public Hearing to be held on Monday, September 10, 2007 in the meeting room of the Public Safety Building located at 106 Montreat Road, Black Mountain, NC for consideration of the request for voluntary annexation of Lot 1 and a portion of Lot 2 on survey submitted by the petitioner, also known as Buncombe County Property Identification Number 0609.07-69-6034 as further described in Plat Book 75, Page 150 and Plat Book 85, Page 125, by Mountain Ventures, Inc.

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- I. Proposed Additions to the Fee Schedule for the Planning and Development Department
Motion: To adopt the proposed Department fee schedule for paper and printing costs and a permit fee of \$50.00 to assist with the processing of Certificates of Appropriateness applications for major works within the Historic District
- J. Execution of Agreement with the State Department of Natural Resources to Install Three Rain Gauges as Part of the Regional Flood Mitigation Program
Motion: To approve and authorize the Town Manager to execute contract agreements with the State and with Distinctive AFWS Designs on the behalf of the Town of Black Mountain in order to install three rain gauges in the Black Mountain area as part of a regional rain monitoring and flood warning system
- K. Grant Project Ordinance – FIT Initiative Grant
Motion: To adopt “Grant Project Ordinance NC Health and Wellness Trust Fund Commission FIT Initiative Grant” as submitted and authorize the General Administration Department to include this project into Fund 60 – Grant/Special Revenue Fund
- L. Approval of Office Equipment Leasing Contract with Kearns Business Solutions
Motion: To authorize the Town Manager to sign a lease with Great America Leasing Corporation in association with Kearns Business Solutions to provide office equipment for the Town government, and to contract with Kearns Business Solutions to provide service on the equipment
- Move items A, B, C from “New Business” to “Consent” M, N, O*
- M. Award of Installment Purchase Financing to BB&T
Motion: To adopt the attached resolution accepting financing terms offered by BB&T Governmental Finance to provide \$265,500.00 financed at 3.97% for a term of 10 years for the purchase of automated meter reading units
- N. Agreement to Purchase Automated Meter Reading Equipment
Motion: (a) To declare Datamatic as a sole source provider in accordance with GS 143-129, and (b) to approve the purchase of 2,950 Firefly meter reading units in the amount of \$265,500
- O. Purchase of Recycling Bins
Motion: To approve the purchase of 4,000 recycling bins from SCL A-1 Plastics of Bramton, Ontario, Canada for \$21,000 contingent upon the receipt of grant funds that have been awarded to the Town for this purchase

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.

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IX. COMMUNICATIONS FROM THE TOWN MANAGER

- A. Review of the Consent Agenda
- B. Projects Update
 - 1. Fire Department Monthly Report
 - 2. Police Department Monthly Report
 - 3. Water Leak Detection/Meter Replacement Report
 - 4. Bus Stop Relocation Update
 - 5. Skateboard Update
 - 6. Planning Board Annual Report; Land Use Code Update
 - 7. Leaf Collection Event
 - 8. Black Mountain Greenway Project
 - 9. Additional Downtown Garbage Pickup
- C. Land-of-Sky Regional Council's Pepsi Mayor's Cup Raft Race

X. COMMITTEE/BOARD REPORTS

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

XII. ADJOURNMENT

Anthony N. Caudle, Town Manager