



REVISED

TOWN OF BLACK MOUNTAIN – Regular Session Agenda

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

Date: 5/14/07 Time: 6:00 p.m.

I. CALL TO ORDER

-Welcome

-Pledge of Allegiance

-Prayer Led By: Mozelle Lynch, Preacher Steward, Thomas Chapel AME Zion Church, Black Mountain, NC

II. CITIZEN COMMENTS

III. ADOPTION OF THE AGENDA

IV. COMMUNICATIONS FROM THE MAYOR

A. Proclamation – May - “Older Americans Month”

V. COMMUNICATIONS FROM TOWN ATTORNEY

VI. OLD BUSINESS

A. Second Reading of Flood Damage Prevention Ordinance

Motion: To adopt the 2005 North Carolina Flood Damage Prevention Ordinance, which includes a freeboard height of two feet and eliminate “net fill zero” language; after the new Flood Insurance Rate Maps (FIRMs) are available, review the ordinance for any necessary changes, and have workshops to have input from the citizens

Defer item “B” to June meeting

B. Second Reading of Ordinance Regulating Special Events

Motion: To adopt the revised Special Events Regulations for inclusion in Title IX, General Regulations of the Town of Black Mountain Code of Ordinances

C. **PUBLIC HEARING** for Consideration of Proposed Ordinance

Regulation of and Assessment of Fees for the Cutting of Local Streets and Sidewalks

Motion: To adopt an ordinance 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

D. **PUBLIC HEARING** and Possible Consideration for Stormwater Ordinance

Motion: To adopt a local post-construction and illicit discharge prevention ordinance in compliance with “Phase II” Regulations of the Clean Water Act

E. **PUBLIC HEARING** to Consider Debt Issuance for Construction of McCoy Cove and Blue Ridge Road Sewer Lines

Motion: None

F. Selection of Consultant to Prepare Lake Tomahawk Pool and Clubhouse Master Plan

Motion: To select the firm of Haden Stanziale to prepare Lake Tomahawk Pool and Clubhouse Master Plan, and direct staff to negotiate a price and scope of service to begin the planning process

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VII. NEW BUSINESS

- A. Recommended Changes to the Town's Boards' and Commissions' Manual from the Town Planning Board
Motion: To adopt text changes to the Town's Boards and Commissions' Manual as proposed
- B. Adoption of a Capital Project Ordinance for Construction of Annexation Sewer Lines
Motion: To adopt a Capital Project Ordinance for Annexation Sewer Line Construction as presented
- Add C. Request to Amend Personnel Policy Manual to Allow for the Employment of Immediate Relatives within the Same Department
Motion: To amend the Town of Black Mountain Personnel Policy Manual by adopting the revisions to Section 8, "Limitations of Employment of Relatives"

VIII. CONSENT AGENDA

- A. Adoption of the Minutes
Motion: To adopt the minutes of April 5, 2007 - Agenda Workshop, April 16, 2007 - Regular Session, April 16, 2007 - Closed Session, April 23, 2007 - Special Meeting, April 23, 2007 - Closed Session
- B. Adoption of Budget Amendment #17
Motion: To adopt Budget Amendment #17 as submitted
- C. **CALL FOR PUBLIC HEARING** on Proposed Fiscal Year 2007-2008 Annual Budget for the Town of Black Mountain
Motion: To call for a public hearing on the Recommended Budget for Fiscal Year 2007-2008 on Monday, June 11, 2007 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
- D. Municipal Enhancement Agreement for US Highway 70 Construction
Motion: To approve the Resolution to enter into the Enhancement Agreement with the North Carolina Department of Transportation to construct a sidewalk from Old US 70 to Blue Ridge Road and to authorize the Mayor to sign the agreement on the behalf of the Town
- E. Appointment of Town Representative to the Trail Advisory Committee to the National Park Service's Rivers, Trails and Conservation Assistance (RTCA) Program
Motion: To appoint a designee to represent the Town on the Trail Advisory Committee to the National Park Service's Rivers, Trails and Conservation Assistance Program
- F. Amend Capital Project Ordinance - Water System Improvements Grant Project
Motion: To adopt Resolution amending Capital Project Ordinance - Water System Improvements Grant Project to reflect actual expenditures
- G. Increase of the Planning Board Membership from 5 to 7 Citizens
Motion: To adopt an ordinance to amend the Code of Ordinances for the Town of Black Mountain, North Carolina, Title III, Chapter 31.21 to enlarge the membership of the Planning Board

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- Add H. Resolution Declaring a Vehicle as Surplus Property
Motion: To adopt Resolution declaring a 1989 Ford Ranger as surplus property, and directing staff to sell the vehicle via electronic auction

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.

IX. COMMUNICATIONS FROM THE TOWN MANAGER

- A. Review of the Consent Agenda
B. Projects Update
1. Relocation of Bus Stop from Current Location at Old Depot Update
2. Fire Department Report
3. Police Department Report
4. Skateboard Ordinance Modifications
5. Proposed Budget 2007-2008 Presented to Board
6. Corridor Study Update
C. Town Hall Day – Wednesday, May 9, 2007 report

Add

X. COMMITTEE/BOARD REPORTS

- A. Board/Committee Appointments
1. Greenways Commission – (1) opening to fill
2. "Litter Sweep" Report – Alderman White

Add

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

XII. CLOSED SESSION – To enter into Closed Session to consult with Town Attorney in accordance with NCGS 143-318.11(3)

XIII. ADJOURNMENT

Anthony N. Caudle, Town Manager