



REVISED

TOWN OF BLACK MOUNTAIN – Regular Session Agenda

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

Date: 5/12/08 Time: 6:00 p.m.

I. CALL TO ORDER

- Welcome
- Pledge of Allegiance
- Prayer – Pastor Frank Cantrell, Calvary Free Will Baptist, Swannanoa, NC

II. CITIZEN COMMENTS

III. ADOPTION OF THE AGENDA

IV. COMMUNICATIONS FROM THE MAYOR

- A. Committee/Board Vacancies: ABC Board, Zoning Board of Adjustment, Greenways Commission, Historic Preservation Commission, Housing Commission, Planning Board, Recreation Commission, Urban Forestry Commission – to be appointed at the June meeting

V. COMMUNICATIONS FROM TOWN ATTORNEY

VI. OLD BUSINESS

- A. **PUBLIC HEARING** to Add the Development Agreement Ordinance to the Code of Ordinances in Order to Establish Guidelines Through Which the Town Shall Consider Development Agreements
Motion: To (1) adopt the Development Agreement Ordinance, and (2) To adopt the Consistency Statement

VII. NEW BUSINESS

- A. Award of Sanitation Bid for Services
Motion: To award bid for sanitation services to GDS of Asheville; to authorize the Town Manager to negotiate terms of the contract for service with GDS; and, to have the proposed contract for service returned to the Board of Aldermen for final approval at the regularly scheduled June meeting of the Board
- B. Cooperative Interlocal Agreement with Buncombe County Tourism Development Authority and French Broad River MPO Wayfinding Project
Motion: To authorize the Town Manager to sign the interlocal agreement to participate in the regional Wayfinding Program
- C. Authorization to Enter into Lease Agreement with the Montessori School for Rental of Space at the Carver Community Center
Motion: To authorize the Town Manager to enter into a lease agreement with the Montessori School for rental of space at the Carver Community Center
- D. Changes to the Personnel Policy as Applied to the Provision of Retiree Health Benefits
Motion: To approve the proposed amendment to the Personnel Policy Manual as it relates to the provision of retiree health insurance and disease management benefits

VIII. CONSENT AGENDA

- A. Adoption of the Minutes
Motion: To adopt the minutes of April 10, 2008 - Agenda Workshop, April 10, 2008 – Closed Session, April 14, 2008 - Regular Session

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- B. Budget Amendment #24 – Capital Project Ordinance Amendment
Motion: To approve the Capital Project Ordinance Amendment and accompanying Budget Amendment #24 to transfer the Blue Ridge Road at I-40 Waterline Replacement Project from the Water Fund to the Capital Project Fund
- C. Budget Amendment #25
Motion: To adopt Budget Amendment #25 as submitted authorizing the allocation of controlled substance taxes, insurance proceeds, and donation received
- D. Revision to Chapter 110.11 “Computation of Tax” for Business Privilege Licenses as Applied to Pawnbrokers and Restaurants Seating Five or More People
Motion: To increase the Business Privilege License fees for Pawnbrokers and decrease it for the Restaurants seating five or more people in accordance with North Carolina General Statutes
- E. **CALL FOR PUBLIC HEARING** on Proposed Fiscal Year 2008-2009 Annual Budget for the Town of Black Mountain
Motion: To call for a public hearing on the Recommended Budget for Fiscal Year 2008-2009 on Monday, June 9, 2008 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. **CALL FOR PUBLIC HEARING** to Consider Adoption of the Comprehensive Pedestrian Master Plan
Motion: To call for a public hearing in order to take comment on the proposed Comprehensive Pedestrian Master Plan, to be held on Monday, June 9, 2008 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
- DELETE** G. **CALL FOR PUBLIC HEARING** of a Zoning Text Amendment to Section 153.005 (definitions) to Strike the Definition for Building Height and to Amend Section 153.025 to Set Forth the Way in Which Building Height Will Be Measured
Motion: To call for a public hearing on Monday, June 9, 2008 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 to consider proposals to: amend Section 153.005 of the Black Mountain Code of Ordinances eliminating the definition of building height; and, to consider a text amendment to Section 153.025 of the Black Mountain Code of Ordinances establishing new height and density regulations

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- H. **CALL FOR PUBLIC HEARING** to Consider Text Amendment to the Historic District Guidelines in Order to Accommodate Emerging Technologies in Green Building and Communications

Motion: To call for a public hearing on a text amendment to update the Historic District Guidelines to accommodate emerging technologies in green building and communications as part of the Black Mountain Code of Ordinances (Section 153.208-216), to be held on Monday, June 9, 2008 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

- ADD I. **Grant Project Ordinance Amendment**

Motion: To adopt amended "Grant Project Ordinance Flat Creek Master Plan Stream Enhancement Implementation" as submitted and authorize the accounting department to amend Fund 60 – Grant/Special Revenue Fund

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. Submission of Proposed FY 2008-2009 Annual Budget
 - 2. Petition for Construction of a Guardrail on Brookside Avenue
 - 3. Town Hall Property Exchange
 - 4. Goodson Cove Annexation
 - 5. North Carolina League of Municipalities Town Hall Day – June 4, 2008
 - 6. Cycle North Carolina
 - 7. Business to Business Model T Roadster Event – Tuesday, May 27, 2008
 - 8. Departmental Reports
 - Water
 - Fire
 - Police
 - Recreation

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