

MINUTES OF THE TOWN OF BLACK MOUNTAIN BOARD OF ALDERMEN
REGULAR SESSION MEETING
March 12, 2007

THE BLACK MOUNTAIN BOARD OF ALDERMEN met in regular monthly session on Monday, March 12, 2007 at 6:00 p.m. in the meeting room of the Public Safety Building, 106 Montreat Road, Black Mountain, NC.

I. CALL TO ORDER, PLEDGE OF ALLEGIANCE, PRAYER

Mayor Bartlett called the meeting to order at 6:00 p.m. with the following members present:

Mayor Carl R. Bartlett
Vice Mayor C. Michael Sobol
Alderman Joan Brown
Alderman Chuck McKeown
Alderman Rosalie Phillips
Alderman Mary Leonard White – absent due to illness

The following staff members were present:

Anthony N. Caudle, Town Manager
Bo Ferguson, Assistant Town Manager
Shirley Raines, Town Clerk
Ron Sneed, Town Attorney
David Ballard, Golf Pro/Manager
LuAnn Bryan, Recreation and Parks Director
Steve Jones, Deputy Fire Chief
Kevin Pressley, Police Chief
John Shaw, Golf Course Superintendent
Elizabeth Teague, Planning Director
Bob Watts, Public Works Director

Representing the media:

Andy Grabel, Black Mountain News
Gary & Sally Biggers, Black Mountain Video Productions
Jim Genaro, Asheville Daily Planet

Mayor Bartlett led the Pledge of Allegiance, followed by prayer led by Rev. Steve Rayburn, Swannanoa First Baptist Church, Swannanoa, NC.

II. CITIZEN COMMENTS - None

III. ADOPTION OF THE AGENDA

The minutes of July 31, 2006 – Joint Meeting with Planning Board and Board of Aldermen, February 6, 2007 - Agenda Workshop, February 6, 2007 – Closed Session, February 12, 2007 - Regular Session, and February 20, 2007 – Special Meeting were approved.

The agenda was amended with the following changes:

Under IV, Communications from the Mayor, added items “A” & “B”;
Moved item “Selection of Accounting firm to Conduct FY06-07 Audit” from Old Business to Consent;
Under VI, Consent Agenda, added item “K”, Mutual Aid Agreement for Fire Protection;
Under VII, Communications from the Town Manager, added item “9”;
Under VIII, Committee/Board Reports, added item “A”;
Under X, New Business, deferred item “A”, “Sutton Avenue Traffic and Parking Study” to April meeting.

With these changes the agenda was approved with a 4-0 vote on a motion by Alderman Phillips.

IV. COMMUNICATIONS FROM THE MAYOR

A. Proclamation Declaring April 13-21, 2007 as “National Architecture Week” – Mayor Bartlett read a proclamation declaring April 13-21, 2007 “National Architecture Week”.

B. Proclamation Declaring April 14-28, 2007 as “Litter Sweep 2007” – Mayor Bartlett read a proclamation declaring April 14-28, 2007 as “Litter Sweep 2007”. He said the Beautification Committee, in conjunction with Quality Forward, will sponsor an area-wide cleanup on Saturday, April 21.

V. COMMUNICATIONS FROM TOWN ATTORNEY - None

VI. CONSENT AGENDA

A. Adoption of the Minutes

Motion: To adopt the minutes of July 31, 2006 – Joint Meeting with Planning Board and Board of Aldermen, February 6, 2007 - Agenda Workshop, February 6, 2007 – Closed Session, February 12, 2007 – Regular Session, February 20, 2007 – Special Meeting

B. Re-Designation of the HOME Consortium

Motion: To approve the Joint Cooperation Agreement between the Town of Black Mountain and the City of Asheville and adopt the Resolution authorizing the Mayor of the Town of Black Mountain to enter into a Joint Cooperation Agreement with the Asheville Regional Housing Consortium

- C. Endorse Two Grant Applications to Fund Purchase of Ladder Truck, Self-Contained Breathing Apparatus, and Infrared Camera
Motion: To authorize the staff to apply for two AFG grants: one for the purchase of a ladder truck in the amount of \$787,500; the other in the amount of \$162,000 for the purchase of 38 Self Contained Breathing Apparatus and an infrared camera; and, to authorize the Town Manager to sign the grant applications on the behalf of the Town
- D. Resolution Requesting that the State Legislature Pass a Local Act Allowing the Town of Black Mountain to Be Afforded the Opportunity to Participate in the State Health Plan of North Carolina
Motion: To pass a Resolution requesting that the Town of Black Mountain be included in local legislation that would allow for participation in the State Health Plan of North Carolina
- E. **CALL FOR PUBLIC HEARING** on Proposed Floodplain Regulations
Motion: To call for a public hearing on the proposed floodplain ordinance revisions on Monday, April 16, 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
- F. Resolution Declaring Two Vehicles as Surplus Property
Motion: To adopt a Resolution declaring two Chevrolet Caprices as surplus property, and directing staff to sell the vehicles via electronic auction
- G. Resolution Supporting Flat Creek Stream Restoration Grant
Motion: To adopt the Resolution supporting Flat Creek Stream Restoration Grant, allowing for the construction of stream enhancement for Flat Creek on behalf of the French Broad Training Center
- H. Request to Approve Fire Protection Agreement with the Town of Montreat
Motion: To adopt the agreement between the Town of Black Mountain and the Town of Montreat for the provision of fire protection services and to authorize the Town Manager to enter into the agreement on the behalf of the Town of Black Mountain
- I. Declaration of Recreation and Parks Department Mower as Surplus Equipment to be Sold Through Private Sale to the Owen Little League, Inc.
Motion: To adopt Resolution declaring the Recreation and Parks mower surplus to be sold to the Owen Little League, Inc. through private sale

MOVED FROM OLD BUSINESS

- J. Selection of Accounting Firm to Conduct FY06-07 Audit
Motion: To accept the proposal of Lowdermilk Church & Co., LLP, to conduct the audit and prepare financial statements for FY06-07, in an amount not to exceed \$14,875, pending staff and LGC review and approval of a contract for service
- ADD K. Mutual Aid Agreement for Fire Protection
Motion: To approve the Mutual Aid Agreement for fire protection between the Fire Departments in Buncombe County, North Carolina and to authorize the Town Manager to sign said agreement on behalf of the Town of Black Mountain

VII. COMMUNICATIONS FROM THE TOWN MANAGER

A. Review of Consent Agenda

B. Projects Update

1. Mr. Caudle reported that the **April Board of Aldermen meeting** has been rescheduled to Monday, April 16, 2007 instead of Monday, April 9, 2007 due to the Easter holiday.

2. Mr. Caudle reported that the **Mt. Mitchell Marathon** was a great success. He said over 300 people participated in the marathon. Mr. Caudle thanked the staff and all the volunteers in the community who help with this event each year.

3. **Fire Department Report** – Steve Jones, Deputy Fire Chief, gave the Fire Department report for the month of February.

4. **Police Department Report** – Kevin Pressley, Police Chief, introduced two new officers on the Police Department staff: Jessica Howard and Matthew Howie. Chief Pressley gave the Police Department report for the month of February.

5. **Sidewalk construction** – Mr. Caudle reported that the first phase of U.S. 70 sidewalk construction is complete. He said DOT will bid the project in May and will administer the second phase which will continue from the intersection of U.S. 70 and Old U.S. 70 down to Blue Ridge Road. Mr. Caudle said staff is working with the Department of Transportation (DOT) to put in crosswalks at the red light at CVS.

6. **Code Enforcement Sticker Program** – Mr. Caudle reported that staff has initiated a program to post stickers on vacant buildings to alert new business owners of permits and inspections that are required before occupying the building.

7. **Update on Chamber of Commerce Heritage Station Proposal** – Bo Ferguson, Assistant Town Manager, reported that last summer the Board of Aldermen received a request from the Chamber of Commerce to participate in a concept design process for a new Town-owned rail station and Chamber of Commerce facility on Town property adjacent to NC 9 south of the railroad tracks. He said the proposed facility will not fit on the Town-owned parcel under consideration. Mr. Ferguson said the Chamber of Commerce is talking with adjacent landowners to determine if they would be willing to participate in the planning process. He said once positive commitments are received from these landowners, the Chamber will bring forth a formal presentation to the Board.

8. **Golf Course 19th Hole Snack Shop Lease** – David Ballard, Golf Pro/Manager, reported that no bids have been received for leasing the 19th Hole Snack Shop. He said he has readvertised with different organizations and extended the bid closing to March 16, 2007.

9. **Marketing Plan for Golf Course** – David Ballard, Golf Pro/Manager, reported that a color brochure advertising the golf course has been placed in area hotels and at welcome stations. He said he is also advertising in various golf magazines and giving discounted rates during off-peak times. Mr. Ballard said the member billing goes out April 1. He said he is looking into the possibility of billing these fees on a quarterly basis.

VIII. COMMITTEE/BOARD REPORTS

A. Alderman Brown reported that April 18 has been designated as the “Strive Not To Drive” day in Black Mountain. The bus will leave from the train depot at 10:40 a.m.,

travel to Grove Arcade, and return at 3:40 p.m. She said various activities are planned during the month of April in Buncombe County to encourage people to use the bus more and not drive their car.

IX. OLD BUSINESS

A. PUBLIC HEARING to Approve the Request to Rezone Property at 1046 Old U.S. 70 from Office Institutional (OI) to General Commercial (C2)

Mayor Bartlett opened the public hearing.

With no public comments, Mayor Bartlett closed the public hearing.

Alderman Brown made a motion to approve rezoning of property located at 1046 Old U.S. 70, Black Mountain, NC from Office Institutional (OI) to General Commercial (C2). The motion passed with a vote of 4-0.

B. Comparison of Pool Restoration/Construction Costs

LuAnn Bryan, Recreation & Parks Director, presented cost comparisons for pool restoration/construction costs as follows:

Options	Cost	Operating Costs
<u>Renovate existing pool</u>	\$304,000 to \$560,000	\$19,711
Partially renovate bathhouse	\$56,630	Hot water costs
Replace pool decking	\$27,000	N/A
<u>Construct new pool at Same location</u>	\$800,000 to \$1,000,000	\$19,711
Totally renovate bathhouse	\$78,860	-
Replace pool decking	\$27,000	N/A
Cover the pool	\$350,000	\$175,000
Heat the pool (two heaters)	\$7,000 to \$20,000	\$75,000 – natural gas
Tarp to cover pool	\$6,000	N/A
Plumbing and installation	\$5,000	N/A

Ms. Bryan reported that meetings have been held with Cheshire Fitness Center to discuss a possible partnership with them for Black Mountain citizens. Vice Mayor Sobol said he would like to renovate the existing pool at the same location, completely renovate the bathhouse, and look at upgrading the Clubhouse and Lakeview Center.

After discussion, Alderman Brown made a motion to renovate the pool at the existing location, totally renovate the bathhouse and have an architect draw up plans to include moving the bathhouse to another location, and upgrading the Clubhouse and Lakeview Center. The Board agreed that staff should proceed with a matching PARTF grant of \$500,000 and to be ready to submit the grant in January 2008. Staff will also meet with Cheshire Fitness Center and

the Health Initiative to discuss a possible partnership with Cheshire for citizens at their location. *The motion passed with a vote of 4-0.*

X. NEW BUSINESS - None

At this time, Mayor Bartlett presented the Mayor’s “Big Dog Award” to Town Clerk, Shirley Raines.

XI. CITIZEN COMMENTS – (At 9:40 p.m. Mayor Bartlett asked for Citizen Comments.)

Elaine Loutzenheiser, 410 Avena Road, regarding the pool, asked how would the children get to Cheshire? Mr. Caudle said at this point, the staff does not have all the answers, and the possible partnership with Cheshire is not just for swimming.

Philip Bisesi, 15 Hy Vu Drive, made the following comments:

Feels the Town needs to add more sidewalks; would like priority on the greenway projects and move the walkability of this Town ahead; he cannot ride the bus to Asheville as the times do not coincide with the Mountain Mobility bus and the Asheville Transit bus; he said in selecting professionals for projects, he does not feel the Town should go out to bid - they should be chosen on qualifications.

XII. ADJOURNMENT - *With no further business, Alderman McKeown made a motion to adjourn the meeting at 7:15 p.m. The motion passed with a 4-0 vote.*

Carl R. Bartlett, Mayor

ATTEST

Anthony N. Caudle, Town Manager

Shirley J. Raines, CMC, Town Clerk