



REVISED

TOWN OF BLACK MOUNTAIN – Regular Session Agenda

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

Date: 4/14/08 Time: 6:00 p.m.

I. CALL TO ORDER

-Welcome

-Pledge of Allegiance

-Prayer – Led by Pastor Jerry Wicker, Faith Community Church, Black Mountain, NC

II. CITIZEN COMMENTS

III. ADOPTION OF THE AGENDA

IV. COMMUNICATIONS FROM THE MAYOR

A. Proclamation – “Senior Games” Week – May 8-10, 2008

B. Proclamation – “Litter Sweep Roadside Cleanup” – April 19 – May 3, 2008

V. COMMUNICATIONS FROM TOWN ATTORNEY

VI. OLD BUSINESS

A. Black Mountain Center for the Arts – Gale Jackson, Director - Report on New Renovated Pottery Studio

B. **PUBLIC HEARING** of a Zoning Text Amendment to Chapter 153, Section 153.005 (definitions) and to Amend Section 153.025 in Regard to the Way in Which Building Height Is Measured

Motion: (1) To adopt the Ordinance Amendment updating the way the Town measures building height; and (2) To adopt the Consistency Statement

C. **PUBLIC HEARING** on Rezoning of Lots East of Grovestone Road and North of U.S. 70 from I-2 to C-2

Motion: (1) To rezone the following four properties (1568 Grovestone Road, property of Richard Watson, 2898 U.S. 70, and 2908 U.S. 70), which are north of U.S. 70 and east of Grovestone Road from I-2 to C-2; and (2) To adopt the Consistency Statement

D. **PUBLIC HEARING** on Rezoning of Lots East of Blue Ridge Road and South of U.S. 70 from Light Industrial (I-1) to Office Institutional (O-I)

Motion: (1) To rezone the following six properties (860 Blue Ridge Road, Town Recreation Park and Clevenger Site, 850 Blue Ridge Road, and two properties owned by Campbell Family Investments), which are south of U.S. 70 and east of Blue Ridge Road from I-1 to O-I; and (2) To adopt the Consistency Statement

E. **PUBLIC HEARING** on Request for Voluntary Annexation of a Portion of Property Owned by Camp Merri-Mac

Motion: To approve ordinance annexing the described property as owned by Camp Merri-Mac into the corporate limits in the Town of Black Mountain

F. **PUBLIC HEARING** on a Zoning Text Amendment Request to Revise the Definition of Setback within Section 153.005 of the Black Mountain Code of Ordinances

Motion: (1) To adopt the Ordinance Amendment updating the Town’s definition for “Setback” in Section 153.005; and (2) To adopt the Consistency Statement

TOWN OF BLACK MOUNTAIN - REGULAR SESSION AGENDA

April 14, 2008

Page Two

- G. **PUBLIC HEARING** on a Zoning Text Amendment Request to Add a 15 Foot Minimum Setback Provision for Steep Hillside Lots in R-10 within Section 153.070

Motion: (1) To adopt the Ordinance Amendment updating the Town's R-10 Regulations; and (2) To adopt the Consistency Statement

- H. **PUBLIC HEARING** on a Zoning Text Amendment Request to Add Land Disturbance and Slope Protection Regulations to the Black Mountain Code of Ordinances

Motion: (1) To adopt the Ordinance Amendment to include the Land Disturbance and Slope Protection Ordinance; and (2) To adopt the Consistency Statement

- I. Letter of Support of Initiative by the Black Mountain Center for Research and Technology to be Included in the Certified Site Program of the North Carolina Department of Commerce

Motion: To endorse the letter of support for the Black Mountain Center for Research and Technology to be included in the Certified Site Program administered through the North Carolina Department of Commerce

VII. NEW BUSINESS

DELETE

- A. Amendment to Resolution Endorsing the Incorporation of Swannanoa

Motion: To pass the attached resolution of support for the incorporation of the community of Swannanoa

ADD

- B. Proposed Exchange of Town Hall Property

Motion: As deemed appropriate by the Board of Aldermen

ADD

- C. Resolution in Support of Regulatory Controls with the Banking System

Motion: To approve the Resolution in Support of Regulatory Controls with the Banking System

ADD

- D. Continuation of Disease Management Program

Motion: To authorize continuation of the Disease Management Program as directed by the Board

VIII. CONSENT AGENDA

- A. Adoption of the Minutes

Motion: To adopt the minutes of March 4, 2008 – Joint Meeting with Housing & Recreation Commissions, March 6, 2008 - Agenda Workshop, March 10, 2008 - Regular Session, March 11, 2008 – Public Hearing on Goodson Cove Request for Annexation

- B. Budget Amendment #22

Motion: To adopt Budget Amendment #22 as submitted authorizing the transfer of contingency funds to the capital outlay line item for the Indoor Athletic Facility Cost Center (10-81-6190-730)

- C. Budget Amendment #23

Motion: To adopt Budget amendment #23 as submitted authorizing the transfer of contingency funds, allocation of donations and insurance settlement funds received

TOWN OF BLACK MOUNTAIN - REGULAR SESSION AGENDA

April 14, 2008

Page Three

- D. Update of Personnel Policy Manual to Reflect Changes in FMLA Policy
Motion: To amend the Personnel Policy Manual to add the "Servicemember Family Leave" to the Family Medical Leave Act (FMLA) policy
- E. Vehicle Transfer from Buncombe County Anti-Crime Task Force (BCAT) to the Town of Black Mountain Police Department
Motion: To authorize the transfer of a 2001 GMC from Buncombe County to the Town of Black Mountain Police Department
- F. **CALL FOR PUBLIC HEARING** to Add A Development Agreement Regulations to the Black Mountain Code of Ordinances
Motion: To call for a public hearing on a text amendment to add Development Agreement regulations to the Black Mountain Code of Ordinances, to be held on Monday, May 12, 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

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. Petition for Construction of a Guardrail on Brookside Avenue
 2. Blue Ridge Road Water Line Construction
 3. Goodson Cove Annexation
 4. Departmental Reports
 - Water
 - Fire
 - Police
 - Finance
 - 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