

MINUTES OF THE TOWN OF BLACK MOUNTAIN BOARD OF ALDERMEN
REGULAR SESSION
December 11, 2006

THE BLACK MOUNTAIN BOARD OF ALDERMEN met in a regular monthly session on Monday, December 11, 2006 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

The following staff members were present:

Anthony N. Caudle, Town Manager
Bo Ferguson, Assistant Town Manager
Shirley Raines, Town Clerk
Rosa Hilbert, Senior Administrative Assistant
Ronald Sneed, Town Attorney
Casey Conner, Recreation Superintendent
Kevin Pressley, Police Chief
Tim Rayburn, Fire Chief
Elizabeth Teague, Planning Director
Bob Watts, Public Works Director

Representing the media:
Gary & Sally Biggers, Black Mountain Digital Media, Inc.
Andy Grabel, Black Mountain News

Mayor Bartlett led the Pledge of Allegiance, followed with the Lord's Prayer led by Alderman White.

Mayor Bartlett thanked everyone in attendance and expressed appreciation to all those who were attending for the first time and also the viewing audience. The meeting was duly constituted and opened for the transaction of business. The following business was transacted.

II. CITIZEN COMMENTS - None

III. ADOPTION OF THE AGENDA

Alderman Brown made a motion to adopt the agenda. The motion passed unanimously.

The minutes of November 9, 2006 - Agenda Workshop, November 13, 2006 - Regular Session, November 29, 2006 – Special Meeting were approved.

IV. COMMUNICATIONS FROM THE MAYOR - None

V. COMMUNICATIONS FROM TOWN ATTORNEY - None

VI. CONSENT AGENDA

A. Adoption of the Minutes

Motion: To adopt the minutes of November 9, 2006 - Agenda Workshop, November 13, 2006 - Regular Session, November 29, 2006 – Special Meeting

B. Adoption of Budget Amendment #06

Motion: To adopt Budget Amendment #06 as submitted

C. Scheduled List of Board of Aldermen Agenda Meetings and Regular Session Meetings for 2007

Motion: To adopt the scheduled list of Board of Aldermen Agenda Meetings and Regular Session Meetings for 2007

D. **CALL FOR A PUBLIC HEARING** to consider a request from Citiline-Resortline to amend the text of the Cheshire Village Architectural Guidelines for Townhouses

Motion: To schedule a Public Hearing to be held January 8, 2007 at 6:00 p.m., or as soon thereafter as possible, in the meeting room of the Public Safety Building at 106 Montreat Road in order to consider a text amendment to the Village of Cheshire Architectural Guidelines for Townhouses

E. Review of Signs on the West Wall of Black Mountain Center for the Arts Building

Motion: To authorize the Swannanoa Valley Museum to place a directional sign on the west wall of the Black Mountain Center for the Arts building

F. Resolution of Support for Black Mountain Community Garden

Motion: To approve Resolution supporting the Black Mountain Community Garden authorizing them to occupy the space at their current location for a period of up to five years

G. Revision of Personnel Policy Manual

Motion: To approve the amendments to the Town of Black Mountain Personnel Policy Manual for sections on Substance Use/Abuse Policy and Overtime/Compensatory Time Policy

- H. Appointment of Town Representative to Metropolitan Sewerage District Board
Motion: To appoint Michael Sobol as the representative from the Town of Black Mountain to serve on the Metropolitan Sewerage District Board

VII. COMMUNICATIONS FROM THE TOWN MANAGER

A. Review of Consent Agenda

B. Projects Update

1. **Land Use code revision update** – Elizabeth Teague, Planning Director, gave a presentation and update on the Land Use Code Revision.
2. **Installation of solar powered battery back-up system for Public Safety communications system** – Mr. Caudle reported that Tim Rayburn, Fire Chief, started looking for a back-up system for Public Safety communications system and found a solar powered battery system to be preferable to other alternatives. Mr. Caudle said this is the direction that the Board has established to find more environmentally friendly methods by which to operate. He commended Chief Rayburn for finding this alternative.
3. **Police Department Monthly Report** – Lt. Steve Padgett gave the Police Department November operations report.
4. **Fire Department Monthly Report** – Fire Chief, Tim Rayburn, gave the Fire Department November operations report.
5. **Date for Board of Aldermen facility tour** – Mr. Caudle reported that the Board of Aldermen will tour the Town facilities on January 10, 2007 at 9:00 a.m. and conclude with lunch.
6. **Town holiday observances** – Mr. Caudle reported that the Town Offices will observe the following holiday schedule: December 25 & 26 – Closed for Christmas and January 1, 2007 – Closed for New Year's Day.
7. **U.S. Highway 70 Sidewalk** – Mr. Caudle reported that the U.S.70 Highway 70 sidewalk project is underway. Construction of retaining walls has begun and some concrete should be poured within the week.
8. **Meetings Broadcast over Internet** – Mr. Caudle reported that the Board of Aldermen monthly meeting can now be viewed over the internet. He said to view, go to the Town web site and click on the link "Video Streaming".
9. **Well under repair** – Mr. Caudle reported that a well is under repair in the watershed. He said the monthly report that tracks water loss (water pumped versus water billed) is showing that usage is up.

VIII. COMMITTEE/BOARD REPORTS

A. Board/Committee Appointments

1. Planning Board – (1) opening to fill unexpired term of Sheridan Hill – Mayor Bartlett asked for nominations for appointment to the Planning Board. Alderman White nominated Ames Tryon and Alderman Phillips nominated Matthew Stone. The vote for Ames Tryon was 1-4 with Alderman White voting for; the vote for Matthew Stone was 4-1 with Alderman White voting against. Mayor Bartlett noted that Matthew Stone will fill the unexpired term on the Planning Board.

2. Urban Forestry Commission – Alderman Brown nominated Joyce Schwarz for appointment to the Urban Forestry Commission. With a vote of 5-0 Joyce Schwarz was voted to fill the vacancy on the Urban Forestry Commission.

B. Land-of-Sky Regional Council – Alderman White reported that information from the legislators is available related to growth management tools for municipalities. Suggestions are being accepted by the legislators. For contact information please call Town Hall. Alderman White reported that Land-of-Sky Regional Council has received grants for ridge top development and stormwater planning.

IX. OLD BUSINESS

A. PUBLIC HEARING - To Solicit Input on the Proposed FY 2007-2012 Capital Improvement Program (CIP) and CIP Adoption

Mayor Bartlett opened the public hearing at 6:35 p.m.

With no public comments, Mayor Bartlett closed the public hearing and asked for Board discussion.

Alderman Brown made a motion to adopt the FY 2007-2012 Capital Improvement Program (CIP) as presented.

Alderman White amended the motion to add to the Capital Improvement Program a proposal for a Performing Arts Center to be funded in the future and add a timeline and cost after review by the Cultural Arts Group, which is chaired by Jill Jones.

Vice Mayor Sobol noted that the Board is using this CIP program as a guideline, a working tool, and will be used in the budget process.

The motion to adopt the FY 2007-2012 Capital Improvement Program and to include a Performing Arts Center to be funded in the future and add a timeline and cost after review by the Cultural Arts Group, which is chaired by Jill Jones, was approved by a vote of 5-0.

B. CALL FOR PUBLIC HEARING to Consider a Proposed Parks and Recreation Trust Fund (PARTF) Grant Application to Assist in Funding the Construction of a Community Swimming Pool

Alderman Brown made a motion to call for a public hearing to be held on Monday, January 8, 2007 to be held in the meeting room of the Public Safety Building, located at 106 Montreat Road, at 6:00 p.m., or as soon thereafter as possible, for the consideration of a proposed Parks and Recreation Trust Fund grant application that will assist in funding the construction of a community swimming pool. The motion passed unanimously.

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

Marilyn Sobanski, 516 Laurel Avenue, with Rainbow Recycling, gave a presentation to the Board of Aldermen requesting several items she would like the Board to consider during the 2007-2008 budget process, which included:

1. Recycling bins in public areas – our business district and recreational areas;
2. Weekly recycling for residents & all eligible businesses;
3. Yearly mailing of recycling information to all residents and businesses;
4. Electronics/computer recycling event;
5. Leaf shredding event.

Philip Bisesi, Hi Vu Drive, said he has tried to recycle, but there are too many rules in Black Mountain. He thinks we should provide recycling cans that are user-friendly. What do we do with toxic waste and electronic recycling? Mr. Caudle replied that in the interest of public information, citizens no longer have to separate the recyclables. Mr. Caudle referred Mr. Bisesi to Town Hall for further information.

Elaine Loutzenheiser, 410 Avena Road, commended the Police Department for checking downtown businesses in the early morning.

Mary Soyenova, 237 Old Toll Circle, thinks the existing swimming pool should be renovated at its current location even if it means taking down the Senior Center. She hopes the pool will be repaired and kept open until plans are in place for a new pool.

Steve Brown, 57 Fortune Street, asked if a recycling center could be placed at the post office. He said he has a computer consulting business and has the capability to archive the Board of Aldermen meetings. He said he would be happy to do this for the Town.

Wendell Begley, Camp Branch Road, requests that when proposed changes are made to the Land Use Codes that the changes be shown in red or italics and the existing language in black, so that citizens will readily know what is being proposed for change.

Harry Hamil, 15 John Myra Avenue, said the report of the Land Use Ordinance Update was not authorized by the Planning Board. He thinks the Planning Board should give the report, not the staff. Mr. Hamil said that people are not asking for reappointment to the Planning Board because of the workload, and he feels that there are not enough members on the Planning Board due to the reduction by the Board of Aldermen.

Philip Bisesi, Hi Vu Drive, said the Board of Aldermen does not pay attention to maintaining our assets. He said the pool needs to be repaired.

XII. ADJOURNMENT

With no further business Alderman Phillips made a motion to adjourn at 7:05 p.m. The motion passed unanimously.

Carl R. Bartlett, Mayor

Anthony N. Caudle, Town Manager

ATTEST

Shirley J. Raines, CMC, Town Clerk