



TOWN OF BLACK MOUNTAIN BOARD OF ALDERMEN
AGENDA WORKSHOP MEETING MINUTES
September 5, 2019

THE BLACK MOUNTAIN BOARD OF ALDERMEN held an agenda workshop on Thursday, September 5, 2019 at 5:00 p.m. in the board room of Town Hall, 160 Midland Avenue, Black Mountain, NC. The purpose of the meeting was to review the agenda for the regular monthly meeting scheduled for Monday, September 9, 2019 at 6:00 p.m.

1. CALL TO ORDER

Mayor Don Collins called the meeting to order at 5:00 p.m. with the following members present:

Mayor Don Collins
Vice Mayor Maggie Tuttle
Alderman Larry B. Harris
Alderman Carlos Showers - absent
Alderman Ryan Stone - absent
Alderman Tim Raines

The following staff members were present:

Josh Harrold, Town Manager
Dean Luebbe, Assistant Town Manager
Angela L. Reece, Assistant to Manager/Town Clerk
Ron Sneed, Town Attorney- absent

Shawn Freeman, Police Chief
Scottie Harris, Fire Chief
Jessica Trotman, Planning Director
Joshua Henderson, Recreation Director
Jamey Matthews, Public Works Director

The Board reviewed the items that were proposed for the September 9, 2019 regular session meeting and REMOVED the following items: Item 7B, Consideration of Terms of Resolution authorizing Lease of Town Property located on White Pine Drive to Children & Friends Inc. until further information is presented to the Board.

Mayor Don Collins opened the meeting. Town Manager, Josh Harrold presented the proposed agenda to the Board of Aldermen. The Board of Aldermen will observe a moment of silence for the invocation.

Town Manager, Josh Harrold discussed **Item 5B**, Call for Public Hearing to adopt Phase II Stormwater Ordinance stating the recommended changes aid staff with enforcement and add more stringent requirements on developers. Mayor Collins stated he has asked the Manager and Planning Director to facilitate this. Manager Harrold stated the new requirement will impose a permit on areas having 5,000 square feet disturbance or more.

Black Mountain Board of Aldermen
Agenda Workshop Minutes September 5, 2019

Town Manager, Josh Harrold discussed **Item 5C**, Call for Public Hearing for Stormwater Illicit Discharge and Connection Ordinance stating this ordinance accompanies the stormwater ordinance and said it pertains to any discharge which is not rainwater.

Town Manager, Josh Harrold discussed **Item 5D**, Budget Amendment for Police Equipment Donation stating a gentleman (Chonzie Inc.) observed Black Mountain Police during an arrest of a subject and subsequently made an \$8,000 donation to the Police Department for the purchase of new weapons.

Town Manager, Josh Harrold discussed **Item 5E**, Budget Amendment to utilize Powell Bill Funding for Bridge Repairs stating this is an allowable use of the funds and recalled the 2018 bridge inspections resulting in a need to perform approximately \$55,000 in maintenance to several bridges in town. Manager Harrold also reminded the Board there is a bridge in need of replacement on Ninth Street in the near future. Manager Harrold stated he has been in conversations with the MPO to seek out funding opportunities to replace the bridge which is expected to cost approximately \$300,000.

Town Manager, Josh Harrold discussed **Item 7A**, Consideration of Offer(s) received to purchase Town owned property located at 2992 U.S. Hyw. 70 Black Mountain NC (Former Public Works Building) recalling the offer received for \$527,000 stating the appraised value of the property is \$585,000. Manager Harrold relayed Attorney Sneed's comments to the Board advising them if they wish to proceed with the sale of the property and acceptance of the offer he would prepare a resolution to begin the process.

Town Manager, Josh Harrold discussed **Item 7B**, Consideration of Terms of Resolution authorizing Lease of Town Property located on White Pine Drive to Children & Friends Inc. referring to documents contained in the agenda packet regarding an initial site plan of the proposed facility. Manager Harrold stated the Town Attorney stated he had received an incorrect legal description information for the proposed lease that has been presented and would require a survey and correct description. Manager Harrold stated the advertisement deadline is September 19th in order to get the legal notice published to have this item on the agenda for the November regular meeting. Manager Harrold stated the Board may call a special meeting to discuss the terms of the lease but is required to vote on any actual lease during a regular meeting. Alderman Larry B. Harris recalled the terms indicated in the MOU that was signed in 2017 and stated he feels it is important both parties are clear regarding which costs are bore by each party with particular regard to the sewer line. Alderman Harris stated the Town would not incur the cost of a sewer line as this is something they were not planning to do otherwise and said Children & Friends would need to be made aware of this in order to prepare their budget. Manager Harrold stated the proposed draft lease agreement terms (paragraph 5) states Children & Friends Inc. will be responsible for water and sewer upgrades as well as street improvements to accommodate the traffic pattern.

Black Mountain Board of Aldermen
Agenda Workshop Minutes September 5, 2019

Alderman Larry B. Harris moved to table Item 7B, Consideration of Terms of Resolution authorizing Lease of Town Property located on White Pine Drive to Children & Friends Inc. until further information is presented to the Town.

The motion was approved by a vote of 3-0.

Town Manager, Josh Harrold discussed **Item 7B**, Map Amendment for REZONING at 300 Flat Creek Rd. from SR-2 to TR-4 recalling the Board voting in favor of this at their August meeting stating the actual map amendment was left out of the packet and needs to be voted on as well. Manager Harrold stated a more appropriate statement of reasonableness is also included and will be incorporated in any future rezoning.

Town Manager, Josh Harrold discussed **Item 7C**, System Development Fee Ordinance Amendment stating the manner in which the ordinance is written is unclear for staff to determine who and when to charge the fees. Manager Harrold stated section E would be replaced to clarify the charges and said the building permit would serve as the trigger to charge the fee going forward. Manager Harrold stated he had discussed this with the NCLM Attorney and persons at the UNC SoG as the law is very new.

Town Manager, Josh Harrold discussed **Item 7D**, Tomahawk Streambank Restoration Phase II Engineering Contract stating the contract is to continue work on the project at the Golf Course.

Town Manager, Josh Harrold discussed **Item 7E**, Mueller System Automatic Water Meter Contract stating the town will have budgeted approximately \$450,000 in the CIP by fiscal year end to begin this project. Manager Harrold stated the first phase will be installation of receiver equipment on the town's water tanks which will read signals from the electronic meters and will eliminate manual reading of each meter. He said the technology allows for water leak detection in real time. Alderman Larry B. Harris reminded the public that the Town of Montreat is currently using this technology. Manager Harrold stated the total cost of the project is \$800,000.

Town Manager, Josh Harrold discussed **Item 8F**, Interlocal Agreement with the Town of Weaverville for First Due Size Up Software recalling the Town purchasing their share of the first half of this contract earlier in the year and reminded everyone that all the fire departments in the County are paying an equal share to utilize the software. Manager Harrold stated the Buncombe County Manager is reviewing the software before a recommendation is made for the County to pay for the entire cost and said in the meantime the Town of Weaverville is paying for it but asking each fire department to contribute their share to cover the cost. Manager Harrold stated this software is beneficial to our emergency responders in Black Mountain and said the cost is approximately \$2,500.

Town Manager, Josh Harrold discussed **Item 9A**, Public Hearing for Text Amendments to Amend Duplex Definition stating this amendment will clarify the definition of a duplex to assist in enforcement.

Town Manager, Josh Harrold discussed **Item 9B**, Public Hearing for Text Amendments to Amend Timeframe for Nonconformities stating the current ordinance allows 360 days and staff has recommended reducing this to 180 days.

Black Mountain Board of Aldermen
Agenda Workshop Minutes September 5, 2019

Town Manager, Josh Harrold discussed **Item 9C**, Public Hearing for Text Amendments to Amend Historic District and Historic Conservation District Overlay to clear up inconsistencies and aid in enforcement in these areas.

Cherry Street One-Way

Manager Harrold recalled prior discussions and resolution making Cherry Street One-Way heading north stating the business owners originally requested the street to be one-way south with diagonal parking. Manager Harrold stated two engineering firms have assessed the area and both recommended north direction for safety and traffic flow along State Street. Collin Kinton with Traffic Planning and Design Engineering Firm addressed the Board stating the firm has recommended the street to be one-way north bound primarily due to pedestrian safety and the traffic congestion from State Street onto Cherry. Mr. Kinton stated if the direction was south then the left lane turns would back traffic up into the Montreat Road intersection. Mr. Kinton stated north bound would allow a narrowing lane at the top along State to reduce the size of crosswalk at State making it safer for pedestrians to cross. Mr. Kinton stated traffic speeds would also be reduced naturally as vehicles travel up hill and would be conducive for the infirm to enter and exit vehicles. Manager Harrold stated one concern from a business owner was the closure of Sutton for special events and the fear that Cherry Street would be closed altogether. Manager Harrold stated there could be a special traffic plan implemented for special events. Alderman Larry B. Harris stated the Board pursued the one-way study at the request of the downtown merchants and stated south bound traffic would divert traffic to the other businesses in the area. Alderman Harris suggested staff have another meeting with the merchants to discuss the information before the Board directs the Town Manager to execute signage and striping of the street. Mr. Kinton stated pedestrian safety along State Street is the primary advantage for the direction recommendation. Police Chief Freeman added having the street one-way north bound will reduce the amount of response time for emergency vehicles along State Street and Montreat Road. Jesse Gardner spoke from the audience and reminded the Board Cherry Lane could be used to access Cherry Street in the event of a closure at Sutton for special events.

There was no further discussion.

There being no further discussion, Mayor Don Collins adjourned the meeting at 5:35 p.m.

ATTEST:



Angela Reece, Assistant to Manger/Town Clerk



Don Collins, Mayor