TOWN OF BLACK MOUNTAIN
TOWN COUNCIL

October 12, 2026 | **REGULAR SESSION AGENDA** | **Time: 6:00 PM**

Town Hall Council Chambers | 160 Midland Avenue, Black Mountain, NC 28711

Agendas and agenda packets may be accessed electronically from your laptop or smartphone. Visit the Town's website at www.townofblackmountain.org. **Click** on **Government** and select **Town Council** to access agenda materials for Town Council meetings. You can also scan this QR code with your smartphone to access agenda materials.

SCAN ME

Conserve Resources; print only when necessary.

The Town of Black Mountain is committed to providing accessible facilities, programs, and services for all people in compliance with the American with Disabilities Act (ADA). Hearing assistive devices are available at the door. Should you need other assistance or accommodation for this meeting, please contact Town Clerk Wesley Barker at: town.clerk@tobm.org, or **(828) 419-9300 / TDD (800) 735-2962**

1. CALL TO ORDER

1.A. Welcome

1.B. Pledge of Allegiance

1.C. Moment of Silence

1.D. Announcements

1.E. Ethics Statement

In accordance with the Code of Ethics adopted by the Council, all Council Members have a duty to conduct the affairs of the governing board in an open and public manner free of conflicts of interest. Is there any item on the agenda the outcome of which will have a direct, substantial, and readily identifiable financial impact for any Council Member, his or her family or close business associates? Does any Council Member have a financial interest in any public contract coming before this Council today? There being none, all Council

Members have a duty and obligation to vote.

2. PROCLAMATIONS, AWARDS, RECOGNITIONS, SPECIAL RESOLUTIONS

2.A. Proclamation Recognizing October as Domestic Violence Awareness Month

2.B. Special Resolution Honoring Former Council Member William "Bill" Christy

3. COMMUNICATIONS FROM STAFF, COUNCILS, COMMISSIONS & AGENCIES

3.A. Presentation on the Hilltop Rd. Repair Project - Matt Begley, Recovery & Capital Programs Director

Motion: N/A - Presentation only

4. CITIZEN COMMENTS

Individuals wishing to address the Council are asked to sign in at the entrance to the board room, indicating the topic(s) or agenda item(s) you wish to discuss, so that the chair may group speakers according to topic. The chair will recognize individuals requesting to address the Council. **Comments by any one speaker shall be limited to three (3) minutes.** If the topic you wish to discuss pertains to a public hearing scheduled for this meeting, please reserve your comment for the applicable public hearing. Note: Council will not respond during the citizen comment period.

5. COMMUNICATION FROM MAYOR AND TOWN COUNCIL

6. COMMUNICATION FROM TOWN ATTORNEY & TOWN MANAGER

7. CONSENT AGENDA

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.

7.A. Adoption of Meeting Minutes- September 10 & 14, 2026 - Wesley Barker, Town Clerk

Motion: Motion to approve the meeting minutes as presented (or amended).

7.B. Monthly Tax Collector Report - Laurel Mabery, Accountant

Motion: Approve the monthly tax collector report as presented.

7.C. Call for Public Hearing for Text Amendments to Chapter 4 Zoning Regulations, Section 4.4 Provisions Governing All Lots, Section 4.4.2 Lot Access and Section 4.7.11 TND Traditional Neighborhood District (master planned), Section 4.7.11.5 Design Standards to clarify public and private streets to be held on Monday, November 9, 2026, at 6:00 p.m. in the Council Room of Town Hall, 160 Midland Avenue, Black Mountain, N.C. or as soon thereafter as possible. - Michelle Kennedy, Planning Director

Motion: I move to call for a public hearing for text amendments to Chapter 4 Zoning Regulations, Section 4.4 Provisions Governing All Lots, Section 4.4.2 Lot Access and Section 4.7.11 TND Traditional Neighborhood District (master planned) to clarify public and private streets to be held on Monday, November 9, 2026, at 6:00 p.m. in the Council Room of Town Hall, 160 Midland Avenue, Black Mountain, NC.

7.D. Authorization of Master Service Agreement with Anchor QEA, PLLC - Matt Begley, Recovery & Capital Programs Director

Motion: Motion to approve the following resolution as presented.

7.E. Resolution to Approve Force Account Labor Exemption - Town Roads Group 1 - Matt Begley, Recovery & Capital Programs Director

Motion: Motion to approve the resolution as presented.

7.F. Land of Sky Regional Council Management Contract - Matt Begley, Recovery & Capital Programs Director

Motion: Motion to approve the resolution as presented and authorize the Interim Town Manager to execute the attached contracts.

7.G. Resolution to Authorize the Task Order for Downtown Stormwater Design & Engineering Services - Matt Begley, Recovery & Capital Programs Director

Motion: Motion to approve the resolution as presented.

7.H. Consideration of FY26-27 Budget Ordinance Amendment to Appropriate Remaining Community Foundation of Western North Carolina Emergency Disaster Relief Fund Grant Funds - Jacob Guiot, Recreation & Parks Director

Motion: Motion to adopt the budget ordinance amendment as presented.

7.I. Consideration of FY26-27 Budget Ordinance Amendment to Appropriate the Remaining Swannanoa Valley Medical Center and Ernie Dewick Endowment Fund Grants - Jacob Guiot, Recreation & Parks Director

Motion: Motion to adopt the budget ordinance amendment as presented.

8. PUBLIC HEARING

The chair will recognize individuals requesting to address the Council regarding the specific topic of the public hearing. **Public hearing comments by any one speaker shall be limited to ten (10) minutes.** The Mayor reserves the right to alter time limits and other rules of procedure at the beginning of each public hearing.

8.A. Public Hearing for Text Amendments to Chapter 6 Animals, Section 6-6 Public Nuisance, and Section 6-19 Civil Penalty to add language regarding bears - Michelle Kennedy, Planning Director

Motion: I move to approve the proposed amendments to Chapter 6 Animals, Section 6-6 Public Nusiance and Section 6-19 Civil Penalty as presented.

9. CITIZEN COMMENTS

Individuals wishing to address the Council are asked to sign in at the entrance to the board room, indicating the topic(s) or agenda item(s) you wish to discuss, so that the chair may group speakers according to topic. The chair will recognize individuals requesting to address the Council. **Comments by any one speaker shall be limited to three (3) minutes.** If the topic you wish to discuss pertains to a public hearing scheduled for this meeting, please reserve your comment for the applicable public hearing. Note: Council will not respond during the citizen comment period.

10. UNFINISHED BUSINESS

10.A. Continued Public Hearing to Amend Chapter 8, Land Development and Environmental Regulations, Section 8.2, The Phase II Stormwater Ordinance and Chapter 20, Environment, Article X, Illicit Discharge - Anne Phillip, Stormwater Technician & Floodplain Administrator

Motion: I move that we approve the proposed amendments to Chapter 8, Land Development and Environmental Regulations, Section 8.2, The Phase II Stormwater Ordinance and Chapter 20, Environment, Article X, Illicit Discharge as presented and the proposed amendments are consistent with the comprehensive plan and are reasonable and in the public interest because they promote environmentally-sensitive and sustainable practices, promote natural approaches to address stormwater, and promote the public health, safety and welfare of the town.

10.B. Resolution Supporting Efforts to Pursue Funding for Town of Black Mountain Public Safety Facilities - Larry Harris, Council Member

Motion: Motion to approve the resolution as presented.

11. NEW BUSINESS

11.A. Resolution Authorizing the Temporary Closure and Use of Honeycutt Street for Temporary Fire and Police Facilities - Richard Hicks, Interim Town Manager

Motion: Motion to approve the resolution as presented temporarily closing Honeycutt Street.

12. CLOSED SESSION - NCGS 143-318.11(A)(6) TO DISCUSS PERSONNEL-RELATED ITEMS.

13. ADJOURNMENT