TOWN OF BLACK MOUNTAIN
TOWN COUNCIL

April 13, 2026 **REGULAR SESSION AGENDA** **Time: 6:00 PM**

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

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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

3. COMMUNICATIONS FROM STAFF, COUNCILS, COMMISSIONS & AGENCIES

3.A. Brief Remarks by Dr. Shantelle Simpson, President and CEO of Appalachian Mountain Health

3.B. Presentation and Update on Temporary Facilities for Police & Fire Departments

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. Monthly Tax Collector Report - Laurel Mabery, Accountant

Motion: Approve the tax collection report as presented.

7.B. Call for Public Hearing on May 11, 2026, at 6:00 p.m. to Amend Chapter 1, Section 1.2.3, Definitions; Chapter 4, Section 4.7.14, Table of Uses by Zoning District; and Chapter 5, Section 5.19, Data Processing Centers, to add a definition, use, and requirements for data processing centers. - Michelle Kennedy, Planning Director

Motion: To call for a public hearing to amend Chapter 1, Section 1.2.3, Definitions; Chapter 4, Section 4.7.14, Table of Uses by Zoning District; and Chapter 5, Section 5.19, Data Processing Centers, to add a definition, use, and requirements for data processing centers, to be held on Monday, May 11, 2026, at 6:00 p.m., or as soon thereafter as possible, in the Council Room of Town hall, 160 Midland Avenue, Black Mountain.

7.C. Board of Adjustment Alternate Member Removal - Michelle Kennedy, Planning Director

Motion: Motion to remove Chloe Brown as an alternate from the Board of

Adjustment due to excessive absences from meetings.

7.D. Appointment of Board of Adjustment Alternate Member to Regular Member - Wesley Barker, Town Clerk

Motion: Motion to appoint Mary Hall from alternate to regular member on the Black Mountain Board of Adjustment.

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 to Amend Chapter 1, Section 1.7.3, Variances, to remove the requirement that only signs in the historic district may seek a variance from the sign regulations. - Michelle Kennedy, Planning Director

Motion: I move that we approve the proposed text amendment to Chapter 1, Section 1.7.3, Variances, as presented and find that the proposed change is consistent with current state regulations and find that this recommendation promotes the general welfare and is in keeping with good zoning practice.

8.B. Public Hearing to Amend Chapter 9, Section 9.10, Administrative Adjustment of Signage Regulations, to add additional administrative adjustments for ground signs, cantilevered ground signs, and development identification signs. - Michelle Kennedy, Planning Director

Motion: I move that we approve the proposed text amendment to Chapter 9, Section 9.10, Guidelines for Administrative Adjustment of Signage Regulations as presented and find that the proposed change is consistent with current state regulations and find that the recommendation promotes the general welfare and is in keeping with good zoning practice.

8.C. Public Hearing on System Development Fees 5-Year Update - Richard Hicks, Interim Town Manager

Motion: Once the Public Hearing has been held, the Town Council can adopt new System Development Fees based on the 5-year update report. The adoption can also be a part of the budget approval process when you adopt the FY 26/27 Fee Schedule.

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please reserve your comment for the applicable public hearing. Note: Council will not respond during the citizen comment period.

10. UNFINISHED BUSINESS

10.A. Discussion of Golf Cart Bridges Project Bids Received - Richard Hicks, Interim Town Manager

Motion: Motion to award a bid (or reject bids) received for the Golf Cart Bridges Project.

11. NEW BUSINESS

11.A. Consideration of Black Mountain Pool Seasonal Pay Rate Adjustments for 2026 Season - Richard Hicks, Interim Town Manager

Motion: Motion to approve the request for seasonal pay rate adjustments for Black Mountain Pool positions as recommended for the 2026 season.

11.B. Acceptance of Grant Funds with NC Department of Environmental Quality (DEQ) - Richard Hicks, Interim Town Manager

Motion: I move that Council accepts the Helene Recovery Recycling Infrastructure Grant in the amount of $525,000 and authorize the Interim Town Manager to execute the required grant documents.

11.C. Resolution to Award the Hilltop Rd. Phase II Construction Project to CRW Land Services, LLC - Matt Begley, Budget Analyst

Motion: Motion to approve the resolution awarding CRW Land Services, LLC with the contract for Hilltop Rd. Phase II Construction Project as presented.

11.D. Consideration of Capital Project Ordinance for Fairway Dr. / Tomahawk Ave. Stormwater Project - Richard Hicks, Interim Town Manager

Motion: Motion to approve the Capital Project Ordinance as presented.

11.E. Resolution of Budget Amendment Budgeting Funds to the Fairway Dr. / Tomahawk Ave. Stormwater Capital Project - Richard Hicks, Interim Town Manager

Motion: Motion to approve the budget amendment resolution.

11.F. Consideration of Capital Project Ordinance for Two Golf Cart Bridges Projects - Richard Hicks, Interim Town Manager

Motion: Motion to approve the Capital Project Ordinance for the Two Golf Cart Bridges Project as presented.

11.G. Consideration of Budget Amendment Resolution for the Golf Cart Bridges Capital Project - Richard Hicks, Interim Town Manager

Motion: Motion to approve the budget amendment resolution as presented.

11.H. Consideration of Budget Amendment for Replacement of Waterline on Old US

70 - Richard Hicks, Interim Town Manager

Motion: I move that Council adopt the budget amendment to cover the costs of the waterline that was replaced on Old US 70.

11.I. Proposal for Task Order # 5 – Lakeview Center Active Aging Floodplain Improvement Modeling - Richard Hicks, Interim Town Manager

Motion: I move that Council authorize the Town Manager to execute Task Order #5 with Arete Engineers forthe Lakeview Center Active Aging Floodplain Improvement Modeling.

11.J. Proposal for Black Mountain Avenue & Sutton Avenue Safety Study - Richard Hicks, Interim Town Manager

Motion: I move that Council authorize the Interim Town Manager to execute Task Order #1 with J.M.Teague Engineering for the Black Mountain Avenue & Sutton Avenue Safety Study.

11.K. Request for Extension of Lease - Black Mountain Center for the Arts - Richard Hicks, Interim Town Manager

Motion: I move that Council authorize the Interim Town Manager to execute a 5 year lease extension withthe Black Mountain Center for the Arts.

11.L. Request for Sewer Easement - Metropolitan Sewerage District - Richard Hicks, Interim Town Manager

Motion: I move that Council authorize the execution of a Sewer Easement with the Metropolitan Sewerage District of Buncombe County on Carver Avenue.

11.M. Candidate Filing Fees for November 2026 Municipal Election - Wesley Barker, Town Clerk

Motion: Council should review and vote to set the filing fee for Town of Black Mountain municipal election candidates.

11.N. Presentation of the FY25 Town Audit by Gould Killian CPA Group, P.A. - Richard Hicks, Interim Town Manager

Motion: I move that Council accept the Town of Black Mountain FY25 audit.

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

13. ADJOURNMENT