Minutes of a Regular Meeting Of the Board of Commissioners of the Town of Lake Lure, N.C. May 24, 1983

The regular meeting of the Board of Commissioners was held in the Community Building May 24th at 7:30 p.m. The following members were present: Mayor Charles Hicks, Commissioners Sadye Gruver, Frankie Queen, Woodrow Price and Town Attorney Jervis Arledge.

Minutes of meetings held April 1st, April 21st, April 26th, May 2nd and May 12th were read. Mayor Hicks asked that the word "BEER" be deleted from page one, paragraph five of the April 1st mins. Motion was made by Commissioner Gruver, seconded by Commissioner Price and the vote was unanimous to adopt the minutes with the correction.

Mr. Rust, Co-Chairman of the Organization Study Committee, reported to the council the findings & recommendations of his committee. They have been studying Mayor/Council versus Manager/Council forms of government. A copy of the report is attached to the minutes. Upon discussion motion was made by Commissioner Gruver, seconded by Commissioner Price a public hearing be set within four or five days. The vote was unanimous.

Motion was made by Commissioner Price, seconded by Commissioner Gruver Mr. Dave Lide be appointed to serve on the Zoning Board . The vote was unanimous.

Motion was made by Commissioner Price, seconded by Commissioner Gruver to authorize Mayor Hicks to file an application requesting a grant, for developing a park/recreation ares, from the Small Business Administration Parks & Recreation Area Development Grant Program and to act as official representative in connection with the application. The vote was unanimous.

Mayor Hicks presented the following schedule for monthly sewer billing:

- 1) Homes (including mobil homes)- \$5.00 per month.
- 2) Campgrounds \$10.00 basic fee plus \$1.00 each camper connection.
- 3) Hotels & Motels- \$10.00 basic fee plus \$1.00 per room.
- 4) Restaurants \$15.00 basic fee.
- 5) Stores (without public rest rooms) \$5.00
- 6) Stores (with rest rooms) \$5.00 plus 5.00 each additional rest room.
- 7) Service stations will be charges the same as #5 and #6.

- 8) Beauty shops \$5.00 per chair.
- 9) Churches \$5.00
- 10) Offices \$5.00 per rest room.

T. Fricker

Motion was made by Commissioner Price, seconded by Commissioner Queen the schedule be adopted and become effective June 1st. The vote was unanimous.

Commissioner Queen gave the Police report for the month of April. A copy is attached to the minutes.

There being no further business motion was made by Commissioner Price, seconded by Commissioner Gruver the meeting be adjourned. The vote was unanimous.

Charles F. Hicks, Mayor

Mary T. ficker, Clerk

REPORT

The Organization Study Committee was appointed by the Town Council of Lake Lure to study the several forms of municipal government in North Carolina and to make recommendations to the Council relative to needed changes in structure of the Governing Body of the Town of Lake Lure.

Committee members are:

L. M. Pearson, Former Mayor

J. Paul Wilson, Former Mayor

Ed Garrett, Mgr. Fairfield Mtns.

Ted Cashion, Former Commissioner

Co-Chairmen:

Claude Nelon, Former Commissioner Walter Rust

(Committee appointed October 26, 1982. Report completed May 23, 1983)

May 23, 1983

The Citizens Organization Study Committee From:

The Organization Study Committee has been pleased to serve the Council in this study, thereby assisting the Council in the performance ot its sworn duty to provide the best possible government for its constituents.

Extensive study has indicated to the Committee that the Council-Manager form of municipal government will provide Lake Lure Taxpayers the most for their money through:

(1)Providing the Town of Lake Lure with more efficient and effective handling of town affairs through the services of an experienced and professionally trained Manager functioning under clearly stated authority to conduct the day-to-day affairs of the town.

Increasing the revenue of the Town. (2)

Enhancing harmony between elected officials. (4)Providing the elected officials with more time and a better environment to study and develop sound policy and to monitor execution of established

policies, and

Permitting a more orderly growth and development of the Town.

More specifically, the Committee has concluded that the Council should establish, by whatever procedure it deems best, a new Charter providing for the Council-Manager form of government with a Manager appointed by the Council to serve at its pleasure. The Manager should be appointed solely on the basis of his executive and administrative qualifications.

This basic conclusion results from the attached Findings and General Recommendations of the Committee. It can be established from the Findings primarily on the basis of:

- The very substantial increase in revenue which the (1)Town shall realize starting this year demands the professional management which is essential to providing the wise investment and judicial expenditure policies and practices which will insure Lake Lure residents and taxpajers the appropriate scope and quality of Town services at the most favorable tax rate.
- (2) The most highly qualified of the Lake Lure electorate frequently are not available to serve in elected offices which demand more time than policy determination and performance review - not the day-to-day supervision required to properly administer the many substantial activities of the Town.
- A properly qualified Manager will far more than (3) earn his compensation and other allied costs in:
 - (a) Increased efficiency throughout each of the

operating departments,
(b) Financial management of the Town's funds, and

- (c) Skillful outreach to county, state and federal sources for available grants and other appropriate services.
- (4) Lake Lure, under its present "weak-mayor" structure seriously suffers from weak supervisory performance throughout its current operations, a situation demanding the Council-Manager approach rather than the Mayor-Council-Administrator form of government which would leave a substantial supervisory vacuum.

Findings and General Recommendations:

The following findings and general recommendations are based on:

(1) Writings of the Institute of Government at UNC relative to the various forms of municipal government in North Carolina.

(2) Reviews of (a) the Town Charter, (b) composition of the Town Council, (c) operation of the Town Council and Town personnel and (d) the physical size and

peculiarities of the Town.

(3) Interviews in sequence with (a) the Mayor and Manager of the City of Brevard, (b) the Mayor and the Council of the Town of Lake Lure, (c) the Mayor and the Manager of the Town of Tryon, and (d) the Administrator of the Town of Rutherfordton.

(4) Meetings and review of this report with Jake Wicker at the Institute of Government. He concurred with the basic report and provided additional information.

Findings relative to the present form of government in Lake Lure:

(1) The existing "weak-mayor" form of Town government creates conflict and dissension between the policy making and administrative responsibilities of the elected officials which makes it difficult to get things done.

(2) The Mayor lacks authority to lead the Council and to supervise the Town personnnel consistent with

the expectations of the citizens.

(3) Supervision of the Town's workforce is weak and inadequate leading to much less than satisfactory work performance throughout the Town. Some of the Town's departments have no department heads and the existing ones are appreciably lacking in supervisory skills.

(4) The Town Charter in the office files has not been updated since 1927 and does not reflect the present Council composition, functions of the Council or

the four-year "staggered terms" of office.

(5) Lake Lure currently operates under the Mayor-Council plan with each Council member named as Commissioner

over one specific department. In most cases, the elected official does not have the schooling, training or experience to perform efficiently and effectively in the assigned position.

Lake Lure does not have a written "Policy and Procedures Manual" or an Administrative Plan approved by

the Council.

(7) Elected officials by necessity give first priority to earning a living. This acutely limits the time that the typical Council member has for the handling of his assigned Commissioner duties, particularly during normal working hours when most Town personnel are at work and needing supervision. The money required to pay all Council members a cost-of-living salary would be unreasonable in contrast to hiring a qualified person to devote full time to implementing the policies established by the Council.

Several facilities and allied improvements are sorely (8) needed for the effective and efficient operation of the Town, especially a Town Hall, Maintenance Storage Facility, Boathouse for the Town boat, upgrading and expanding of the water system, roads and streets, and the procurement of proper equipment for

daily operations.

(9) The Town has lost considerable revenue, especially in the form of grants and the investment of Town funds, because the elected officials did not have the time or background to devote to their procurement and there has been no qualified Town employee available or designated to perform these important functions.

Judicial monitoring and investment of Town funds could (10)produce much of the additional revenue needed to provide and upgrade essential services for Lake Lure's

citizens.

(11)The increase in the tax base, retirement of the lake and power plant debt and the increase in funds from generated electricity will substantially more than double the Town's current revenue. Example: 1982683 Town budget was \$380,000. The increase in revenue from the sale of electrical power (alone) in 1983-84 will be approximately \$420,000.

(12)The Mayor's annual salary of \$9,000 is out of line with the \$900 annual salary of each Commissioner. There is also no written directive or established policy as to what the Mayor is expected to do to earn this salary. Although the present Mayor has

the time to devote each day to the job, there is no reason to assume that persons elected Mayor in the future will also have the great amount of time required to do this job properly.

(13) The Mayor-Council form of government leads to a considerable, often severe, vacuum immediately after an election when an inexperienced newly elected person is adapting himself to his duties in government in general and to his department in particular.

Findings Relative to other forms of Government:

- (1) There are only two formally designated forms of town and city government in North Carolina, the weak Mayor-Council form and the Council-Manager form. Communities which have Administrators operating within the Mayor-Council form, as in Rutherfordton, may be identified as the Mayor-Council-Administrator form.
- (2)The statistical breakdown for North Carolina in 1981 by 1980 population is shown by Table 1-4 of an article "Introduction to City Government in North Carolina" by Warren Jake Wicker of the Institute of Government, UNC. Lake Lure undoubtedly was included in the 109 shown in the Mayor-Council column for the 500-1000 population class. Most would agree that this is an understatement of Lake Lure's size. By population Lake Lure is undoubtedly more comparable to those communities of at least 2500 for town management complexity and more likely for the 5000 up grouping when taking into account the lake, dam, under-water sewer system and the hydroelectric plant. In the latter grouping only five operate with our present form of government, twenty-three with the Council-Manager system. Brevard is in this category, has the Council-Manager set-up, and both their Mayor and Manager are strongly of the opinion that Lake Lure needs this form.
- (3) A Manager rather than Administrator is indicated for the following reasons:
 - (a) Provides a full-time management of all rather than "many" town affairs.
 - (b) Provides central control necessary to make most expeditious changes.

(c) More fully relieves Council of other responsibilities than policy making and review.

(d) Avoids a "vacuum of power" which allows department heads tremendous leeway in any Mayor-Council-Administrator form of government such as in Rutherfordton. (Thus the Administrator course can only be effective when there are strong, well-qualified Department Heads, a point stressed by all Town or City Officials interviewed from outside of Lake Lure).

General Recommendations:

(1) That the Town of Lake Lure adopt the Council-Manager form of municipal government.

(2) That the present Town Council take the action required to implement this system of government not later than the November 1983 municipal elections, using one of the four options granted to them by the North Carolina General Statutes.

Four options for adopting the Council-Manager Plan:

- (1) By ordinance without a referendum. G.S. 160A-101, 102. (Used by majority of cities adopting plan since 1960).
 - (a) Resolution of intent.

(b) Call for public hearing within 45 days.

(c) Notice of public hearing containing a summary of amendments must be published once not less than 10 days prior to the hearing.

- (d) Following the hearing, but not earlier than the next regular meeting, the council may adopt an ordinance amending the charter to implement the amendments proposed.
- (2) Ordinance with a referendum. G.S. 160-101, 102, 103, 105.
 - (a) The date of the special election shall be not more than 90 days after adoption of the ordinance.

(3) Petition and referendum. G.S. 160-297. G.S. 160A-104, 105.

(4) Following local act amendment of charter with or without referendum.

General Recommendations continued:

(3) That the Town Unarter be revised to reflect the Council-Manager form of municipal government, the four-year "staggered terms" of office for Commissioners and the two-year for Mayor. (The North Carolina Institute of Governments legal department can provide able assistance.)

(4) That the Town Council appoint a Town Manager solely on the basis of education, experience, and executive and administrative qualifications to serve at its pleasure and also fix his compensation. The Council is to be the policy-making body and the Manager to carry out the established policies. (The International City Management Association, N. C. League of Municipalities and the Institute of Governments are available for help in publicizing the vacancy.)

(5) That the Mayor's annual salary of \$9000 be reduced to \$1200. (This will provide an annual saving of \$7800 to apply toward the salary of the Town Manager.)

(6) That the Town Council adopt a Policy-Procedure Manual with any changes to it requiring Council approval. (The N. C. Institute of Government and the League of Municipalities are available for valuable assistance as well as sample copies.)

Powers and Duties of the Manager:

- Chief Administrator of the city. G.S. 160A-148.
 Responsible to the Council for administering all municipal affairs placed in his charge by them.
- G.S. 160A-148.

 (3) Appoint, suspend or remove all city officers and

employees not elected by the people, and whose appointment or removal is not otherwise provided for by law, except the city attorney, in accordance with such personnel rules as Council may adopt. G.S. 160A-148(1).

(4) Direct and supervise the administration of all

departments. G.S. 160A-148(2).

(5) Attend all meetings of the Council. G.S. 160A-148(3)
(6) Recommend any measures that he deems expedient

(6) Recommend any measures that he deems expedient. G.S. 160A-148(3).

(7) See that all laws of the State and ordinances are faithfully executed within the city. G.S. 160A-148(4).

(8) Prepare and submit the annual budget and capital

program to the Council. G.S. 160A-148(5).

(9) Report on finances and administrative activities of the city at the end of the fiscal year. G.S. 160A-148(6).

(10) Make other reports as the Council may require concerning the operations of city departments subject to his direction and control. G.S. 160A-148(7).

(11) Performs such other duties that may be required or authorized by the Council. G.S. 160A-148(8).

Principles governing the conduct of Managers from City Management Code of Ethics:

- (1) Dedicated to the concepts of effective and democratic local government.
- (2) Affirm the dignity and worth of the services rendered by government.
- (3) Maintain a constructive, creative, and practical attitude toward urban problems.
- (4) Maintain a deep sense of social responsibility as a trusted public servant.
- (5) Dedicated to the highest ideals of honor and integrity in all public and personal relationships.
- (6) Believe that personal aggrandizement or profit secured by confidential information or by misuse of public time is dishonest.
- (7) Submit policy proposals to elected officials, provide them with facts and advice on matters of policy as a basis for making decisions on community goals.
- (8) Defend municipal policies adopted by elected officials.
- (9) Give elected representatives credit for establishment of municipal policies.
- (10) Accept credit or blame for policy execution.

- (11) Strive to improve his ability and usefulness and develop the competence of his associates in the use of management techniques.
- (12) Keep the community informed on municipal affairs.
 (13) Emphasize friendly and courteous service to the
- (13) Emphasize friendly and courteous service to the public.
- (14) Recognize that the chief function of government is to serve the best interests of all the people.
- (15) Resist any encroachment on his responsibilities, believing he should be free to carry out official policies without interference.

What does a Council expect of a Manager?

- (1) Relations with City Council.
 - (a) Recognize problems, accumulate facts, determine alternatives, evaluate alternatives, and make recommendations as to policies.
 - (1) Provide Council with adequate information for making policy decisions and determining long-range goals.
 - (2) Presents data in an understandable fashion.
 - (3) Anticipates emergencies and keeps Council informed.
 - (4) Uses imagination and originality in making policy recommendations.
 - (5) Display patience and tact in all dealings.
 - (b) Politely but firmly resist councilperson interference in administration.
 - (c) Deals openly and honestly with Council as a whole and not give special information to cliques.
 - (d) Prepare budget and fiscal reports.
 - (e) Attends meetings of council, of other governing bodies and represents the governmental units in intergovernmental relations.
 - (f) Stays out of partisan campaigns.
 - (g) Consider himself a professional who seeks to follow the ICMA "Code of Ethics".
- (2) Internal administrative operations.
 - (a) Be the Administrative head of municipal government and serve as facilitator.
 - (b) Recruits and selects qualified department heads.

(c) Organize and reorganize departments.

(d) Devotes entire time to municipal business.

- (e) Uses department heads and staff to discover problems, develop and implement programs.
- (f) Plans budget and sees that funds are used efficiently and effectively.
- (g) Develops programs, establishes objectives to achieve Council adopted policies within approved budget,
- (h) Delegates authority to department heads, sets frame of reference, clarifies source and extent of authority and nature of relationships with others.
- (i) Develops employees for greater responsibilities.
- (j) Evaluates work of subordinates, informs subordinates of progress and problems. Adjusts or revises plans when performance or programs are below standard.
- (k) Removes or transfers subordinates whose performance is not satisfactory.
- (1) Gathers facts, considers alternatives, makes and implements decisions promptly.
- (m) Is impartial and non-political in personnel relations.

(3) External relations.

- (a) Communicates Council's position and policies to the public even though he might not agree with it.
- (b) Investigates complaints promptly and takes appropriate action.
- (c) Represents city's interest with county, regional, state and federal officials and agencies.

What does the Manager expect from the Council?

(1)An opportunity to earn the respect of the Council. (2)

That the Council will make policy decisions.

Provide the Manager with the assistance to carry out (3) policy decisions.

Give clear assignments and completion dates.

Back the Manager when he is administering Council policy.

(6) Îssue directives only as a body. (7) An opportunity to study and report on a policy matter prior to Council action.

(8) Deal with administrative officers or employees through the Manager and not bypass the line of authority.

(9) Give criticism in private.

How can the Council evaluate the work of the Manager?

Hopefully, the Council will establish goals and programs and periodically, in executive session, review results with the Manager.

(1) What is the attitule of the community toward the Manager and his employees?

(2) How well does the Manager independently recognize problems, develop relevant facts, and formulate alternative solutions?

(3) Is city government well organized?

(4) Do his oral and written reports provide the Council with adequate information to make decisions?

(5) Is technical data and other information presented in understandable manner?

(6) Is the Council provided with sufficient alternatives to avoid being forced into a decision?

(7) Does the proposed budget represent a clear and thoughtful work plan for the coming year?

(8) Are the best administrative practices of purchasing, fiscal control and investment, and planning utilized?

(9) Is the City Manager well informed the control and planning utilized?

(9) Is the City Manager well informed as to the programs the city is planning or conducting?

(10) Can he meet standards and carry out Council policies according to agreed timetables?

(11) Is he successful in recruiting and retaining capable subordinates and employees?

(12) Is the Manager effective in his employee relations, in directing subordinates, in making recommendations regarding salaries, promotions, and fringe benefits?

(13) Does the Manager develop staff members?

(14) Are valid complaints brought against the City Manager and administration employees in their administration of adopted policies?

(15) Is the Manager able to resolve problems under strained or unpleasant conditions?

(16) Is the Manager effectively communicating the

Council's position to the public?

(17) Does the Manager respond in a positive way to constructive suggestions from the Council?

Typical powers of Mayor in Council-Manager cities.

(1) Summon City Council

(2) Preside at Council meetings.

(3) Provide information to Council.
(4) Make recommendations to Council.
(5) Serve as spokesman for the Council.
(6) Vote in case of tie.

(6) Vote in case of tie.(7) Sign legal documents.

(8) Sign legal documents for the Council.

(9) Exercise such powers over manpower programs as authorized by federal acts.

(10) Head of city government for ceremomial purposes.

Suggested sources of additional information:

- (1) National Municipal League, The Story of the Council-Manager Plan. 29th edition. 1964. 47 East 68th Street, New York, N. Y.
- (2) National Municipal League. Handbook for Councilmen in Council-Manager Cities. 1976.
- (3) Edwin O. Stene, <u>Selecting a Professional Municipal</u>
 <u>Administrator</u>. ICMA. 1972
- (4) Arthur W. Bromage, <u>Urban Policy Making</u>: <u>The Council-Manager Partnership</u>. 1970. Public Administration Service, 1313 East 60th Street, Chicago, Illinois 60637.

 (5) Orin F. Nolting, <u>Progress and Impact of the Council-Manager Partnership</u>.
- (5) Orin F. Nolting, <u>Progress and Impact of the Council-Manager Plan</u>. 1970. Public Administration Service, 1313 East 60th Street, Chicago, Illinois 60637.
- John C. Bollens and John C. Ries, <u>The City Manager Profession</u>: <u>Myths and Realities</u>. 1970. Public Administration Service, 1313 East 60th Street, Chicago, Illinois 60637.
 James M. Banovetz. <u>Managing the Modern City</u>. Inter-

(7) James M. Banovetz. Managing the Modern City. International City Management Association. 1971. pp. 76-150.

(8) Richard J. Stillman. The Rise of the City Manager. University of New Mexico Press. 1974.

(9) Symposium on The American City Manager: An Urban Administrator in A Complex and Evolving Situation, Public Administration Review, XXXI, No. 1 (Jan., Feb. 1971) pp. 6-45.

(10) ICMA. "City Governments, Forms, Structure, Election of Mayor and Council." <u>Urban Data Service Report</u>.

March 1976.



Bryan Easler Ford, Amc/Jeep/Renault, Inc.

P.O. Box 728, Duncan Hill Rd.

Phone 693-4281

HENDERSONVILLE, N.C. 28739

FI AMC Jeep RENAULT

June 22, 1983

Town of lake Lure Chief of Police P.O. Box 255 Lake Lure, NC 28746

Dear Sir:

We are pleased to submit the following bid on the 1983 Ford Bronco per our phone conversation on June 21, 1983. Please note that we did include the larger 351 engine and the larger 235X15 tires which would be needed for your application. Specifications include:

.Bronco - 5 Passenger Capacity

.351 Engine

.Automatic Transmission

.Air Conditioner

.2.35 X 15 Radial Mud & Snow Tires

.AM/FM Radio

.Heavy Duty Battery

.Heavy Duty 60 AMP Alternator

.Tinted Glass (complete)

Tax (if applicable)

\$11,593.29 120.00

\$11,713.29

This includes servicing, cleaning, and NC State Inspection.

Thank you,

rnon Israel

BUS

693-4281

Sales Representative

BRYAN EASLER FOR

HENDERSONVILLE, N.C.

A'VILLE 255-0541 номе 692-8463 Vernon Israel BRYAN EASLER FORD, INC

Car Mo or House	tire ater Cooe	Ven loent No		CHEVROLET MOTOR DIVISION		
KAIL	16 380	1685K18H1L	F14695	General Motors Corporation 4 Detroit, Michigan III		
 vpe Options 		Du	(e) = =	Suggested		

voe Options Extra Equip	Description	Suggested Retail Price
Extra Equip K 10516 K 10516	BLAZER-UTILITY WITH HARD TOP FOLDING REAR SEAT FRONT COLOR-KEYED FLOOR MAIS DOOR EDGE GUARD MOLDINGS INTER. W/S WIPER SYSTEM AIR CONDITIONING-FRONT EXT. BELOW-EYE-LINE-MIRRORS-BRT REAR AXLE - STANDARD RATIO ELECTRONIC SPEED CONTROL 5.0 LITER V8 GAS ENGINE 4-SPD. AUTO. TRANS. W/OVERDRIVE FUEL TANK & SKID PLATE SHIELD COMFORTILI STEERING WHEEL RALLY WHEELS HALOGEN HI-EEAM HEADLAMPS AM/FM STERED RAD W/CASSETTE TAP DELUXE FRONT AND REAR BUMPERS P235/75R15 TBLS OUR S/B RAD B/W P235/75R15 TBLS OUR S/B RAD B/W	Suggested Retail Price 10286.95 353.00 14.00 16.00 725.00 76.00 159.00 159.00 105.00 16.00 298.00 47.00 71.2
01x8S 020 01Y8S 020 01Y89 180 01Z8S 020 01Z92 020 01ZY3 010 01Z88 010	P235/75R15 TBLS DUR S/B RAD B/R	71.20
0168L (/3)	(EY NOS. 19W1 49X5 TIME 2.9)	N/C

Secreted 2 / / y . > 5

Mr. Swaringer,

I prow it has a little more than

what you requested but, in most cases what you re looking would have to be dealer what you had to order it would have located. If we had to order it would have to be an 84. Please consider me, you name the price, we work it out together! Thanh you (I can being it to you to look at.) Warren Barrer

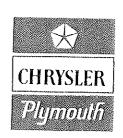
Bradley-Koone Motor Co., Inc.



415 E. MAIN ST.

FOREST CITY, N. C. 28043 TELEPHONE 704-245-5432

June 22, 1983



Board of Commissioners Town of Lake Lure P. O. Box 255 Lake Lure, North Carolina 28746

Gentlemen:

In response to your bid request Bradley-Koone Motor Company submits the following bid on a 1983 Jeep Cherokee which meets and exceeds your specifications. This bid is subject to the said vehicle still being available when bids are opened. It is the only four door Cherokee I have been able to find.

Equipment on the vehicle is as follows:

Jeep Cherokee 4 door Model 18 Exterior color - silver Interior color - black and silver Bucket seats (front) with center arm rest Bench seat (rear) Pioneer package 360 CI D engine V-8 Automatic transmission with part time four wheel drive Power steering Power brakes Air conditioning Tinted glass Rear window defroster Heavy duty battery Roof rack Power door locks Tilt steering wheel Cruise control Auxiliany floor mats AM/FM stereo radio P225/75 R15 Arriva steel belted radials Free wheeling hubs

Bid price \$13,859.00 Sales tax 120.00

Total \$13,979.00

Thank you for the opportunity to submit this bid.

Very truly yours,

RADLEY-KOONE MOTOR COMPANY, INC.

Jackson D. Koone

