



Incorporated 1927

Town of Lake Lure

P. O. Box 255 • Lake Lure, NC 28746-0255 • 704/625-9983 • FAX 704/625-8371

MINUTES OF THE TUESDAY, SEPTEMBER 26, 1995 REGULAR COUNCIL MEETING HELD AT FAIRFIELD BALD MOUNTAIN COUNTRY CLUB, 7:30 P.M.

PRESENT: Mayor Max E. Lehner
Commissioner Bill Bush
Commissioner Bill Church
Commissioner Jack Donovan
Commissioner Bud Schichtel

John R. Strutner, Town Manager
J. Christopher Callahan, Town Attorney

ABSENT: N/A

CALL TO ORDER

Mayor Lehner called the meeting to order at approximately 7:30 p.m.

INVOCATION

Town Attorney Chris Callahan gave the invocation.

APPROVAL OF MINUTES

Commissioner Schichtel moved, seconded by Commissioner Bush, to approve the minutes of the Tuesday, August 22, 1995 closed session of the regular Council meeting and the minutes of the Tuesday,

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September 12, 1995 Regular Council meeting as written, and to approve the minutes of the Tuesday, August 22, 1995 Regular Council meeting with the following amendment: Page 3, first paragraph, second sentence shall read as follows: Whenever a full-time Police Officer resigns, the Lake Officer ~~will~~ **could** move into that vacant Police Officer slot and the Auxiliary Officer ~~will~~ **could** be hired as the full-time Lake Officer. The vote of approval was unanimous.

AUDIENCE OF CITIZENS

Ken West, resident of Lake Lure, requested support from Council encouraging persons within the Town to provide financial assistance to a group referred to as the Concerned Citizens for Rutherford County who need legal assistance in combating the construction of a chip mill in the Union Mills area. The Concerned Citizens for Rutherford County is a group contesting the Chip Mill and have retained legal counsel to prevent the mill from locating in Union Mills. Donations are being requested and several upcoming events are being held in support of this cause. Council suggested that an article be placed in the Town's October issue of the newsletter.

OLD BUSINESS

There was no old business to be discussed.

NEW BUSINESS

- a. Schedule Public Hearing to Consider Amendment
to Zoning Ordinance to Include an R/O
Residential/Office District**

Mayor Lehner read a memorandum dated September 19, 1995, from the Town of Lake Lure Zoning and Planning Board to the Town Council in regard to a public hearing for proposed amendments to the

Town's Zoning Ordinance - adding R/O Residential/Office District. The memorandum read as follows:

Over the past several months, the Zoning and Planning Board has been drafting text for an additional zoning district, an R/O Residential/Office District. This district is intended to include limited non-residential uses of an office nature in a primarily residential district. The Board feels these office uses will have little impact on and will be compatible with the residences in the proposed R/O district and in the surrounding residential districts.

The Board first considered creating an R/O district in order to allow existing non-conforming uses along Highway 64/74A to expand. However, the Board now feels that it would be beneficial to make the R/O district available throughout Town. For this reason, the Zoning Board is not recommending that the R/O district be reflected on the Zoning Map at this time. Instead, the Board proposes that individual property owners who wish to have their property zoned R/O be allowed to apply for this zoning on an individual basis.

The Board will provide additional information about the proposed amendments to the Zoning Ordinance in the next month. At this time the Zoning and Planning Board requests that the Town Council schedule a Public Hearing for these proposed amendments.

Commissioner Bush moved, seconded by Commissioner Donovan, to schedule a Public Hearing Tuesday, October 24, 1995, 7:30 p.m., at the Lake Lure Community Center, in regard to proposed amendments to the Town of Lake Lure Zoning Ordinance and Map to include an R/O Residential/Office District. The vote of approval was unanimous.

<p>NEW BUSINESS</p>

<p>b. Report -- Discussion Regarding Oversized Boat</p>
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The Town received information during a Lake Advisory Meeting that there may be a boat on the lake which has been identified since

1991 as a 26 ft. Bayliner pontoon boat when in actuality it may not be classified as a pontoon boat but rather a pleasure boat. The maximum length allowed for pontoon boats is 28 ft., while the maximum length allowed for pleasure boats is 20 ft.

Robert Wise, Lake Patrol Officer, contacted the North Carolina Wildlife and Resources Commission to clarify boats classification. He spoke with John Matthews, a registration officer, who stated that the State of North Carolina would not have any problem classifying the boat as a pontoon boat.

After investigation and discussion of the matter, it was the consensus of the Council that the issue be dropped. Commissioner Bush suggested that copies of the reports be sent to the Lake Advisory Committee. Commissioner Donovan suggested that the complainant also be sent a copy of the report.

Council asked that the Town Manager contact the owner of the boat to inform him that his boat is considered within compliance of the Town's Boating Ordinance and that the issue had been dropped.

NEW BUSINESS

c. Appointment of Representative to the North Carolina Municipal League -- Voting Delegate & Alternate

Under the North Carolina Municipal League Constitution and the voting procedure established by the League Board of Directors, each member municipality sending delegates to the Convention is required to designate one voting delegate and one alternate voting delegate. Only the designated voting delegate or alternate may cast the municipalities vote at the League's Annual Business Meeting on **Monday, October 16, 1995, at 1:15 p.m.** It was the consensus of Council to appoint the Town Manager, John Strutner, as the voting delegate and to appoint Mayor Max Lehner as the alternate.

OTHER NEW BUSINESS

**a. Endorsement of North Carolina Character Counts! Week
October 15-21, 1995**

Commissioner Schichtel moved, seconded by Commissioner Church, to approve the Endorsement of North Carolina Character Counts! Week October 15-21, 1995. The vote of approval was unanimous. The endorsement reads as follows:

**ENDORSEMENT OF NORTH CAROLINA CHARACTER COUNTS! WEEK
OCTOBER 15-21, 1995**

Whereas, more than ever, children need strong and constructive guidelines from their families and their communities, including schools, youth organizations, religious institutions and civic groups;

Whereas, scholars and educators agree that people do not automatically develop good character and, therefore, conscientious efforts must be made by youth-influencing institutions and individuals to help young people develop the essential traits and characteristics that comprise good character;

Whereas, the General Assembly encourages students, teachers, parents, youth and community leaders to recognize the valuable role our youth play in the present and future of our State, and to recognize that character is an important part of that future;

Whereas, in July 1992, the Aspen Declaration was written by an eminent group of educators, youth leaders and ethics scholars for the purpose of articulating a coherent framework for character education appropriate to a diverse and pluralistic society;

Whereas, the Aspen Declaration states that "Effective character education is based on core ethical values which form the foundation of democratic society", and "every social institution has the responsibility to promote the development of good character" ...through emphasis of the *Six Core Elements of Character: TRUSTWORTHINESS; RESPECT; RESPONSIBILITY; JUSTICE AND FAIRNESS; CARING; AND CIVIC VIRTUE*

AND CITIZENSHIP;

Whereas, we encourage individuals and organizations, especially those who have an interest in the education and training of our youth, to adopt these ***Six Core Elements of Character*** as intrinsic to the well-being of individuals, communities, and society as a whole; and

Whereas, we encourage communities, especially schools and youth organizations, to integrate these ***Six Core Elements of Character*** into programs serving students and children.

Now, therefore, we endorse the designation of the week of October 15-21 as "North Carolina Character Counts! Week", and urge community colleges, universities, public schools and other groups interested in education and training of youth to embrace the ***Six Core Elements of Character*** and observe the week with appropriate ceremonies and activities.

Approved this 26th day of September, 1995.

Max E. Lehner
Mayor of the Town of Lake Lure

<p>OTHER NEW BUSINESS b. Industrial Appreciation Day</p>
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Director of the Economic Development Commission, James P. Black, requested by letter dated September 25, 1995, that the Town of Lake Lure become a part of the "Rutherford County Industry Appreciation Day" celebration scheduled Wednesday, October 18, 1995, by contributing \$200.00 to the event.

Rutherford County Industrial Appreciation Day has been held for many years at Cleghorn Golf Club. Thirty-two teams from industry pay the going rate for green fees. (Actually, this year the charge was rounded, per player, up from \$18.00 to \$20.00).

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Each player will be given mementos such as a sleeve of golf balls, T-shirts, golf towels, and a coffee mug with the County seal. A barbecue follows the tournament and door prizes are given out. Other industry members and contributors are invited to this function.

Favors, door prizes and the barbecue are paid for by the County municipalities which contribute \$200.00 each, and service industries which contribute \$100.00. Basically, everyone, including industry guests contribute to a fun day in honor of our Rutherford County Industry.

Commissioner Schichtel moved, seconded by Commissioner Church, to authorize the Finance Director to contribute \$200.00 to the Rutherford County Industrial Appreciation Day as requested by the Director of the Economic Development Commission. The funds will be transferred from the Council supplies line item. The vote of approval was unanimous.

STAFF REPORTS

Mr. Strutner reported that new hoists have been ordered for the dam. Hopefully, the hoists will be installed in early January.

Mr. Strutner reported that a meeting has been scheduled with the architect Thursday, September 28, 1995, in order to give the architect one last chance to look at the completion schedule for the Municipal Center. The Municipal Center is coming in under budget thus far.

COUNCIL COMMENTS

Commissioner Bush notified Council that he intends to present a proposed ordinance regarding concealed weapons as soon as the League of Municipalities completes their model ordinance.

CLOSED SESSION

Commissioner Bush moved, seconded by Commissioner Church, to enter into closed session for the purpose of discussing attorney/client matters. The vote of approval was unanimous.

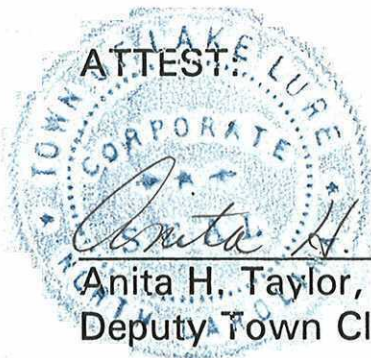
ADJOURNMENT

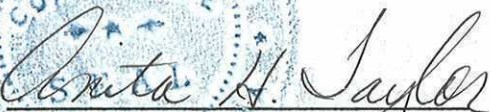
Commissioner Bush moved, seconded by Commissioner Donovan, to come out of closed session and re-enter the regular session of the meeting. The vote of approval was unanimous.

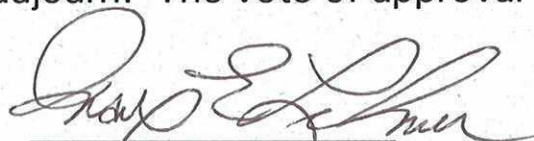
Commissioner Bush moved, seconded by Commissioner Church, to approve the request from the Lake Lure Historic Preservation and Development Association to suspend the Town's Ordinance, Section 63.01 of the Code of Ordinances, entitled Consumption of Malt Beverages and Unfortified Wine, Spirituous Liquors, or Mixed Beverages, for one single date in October should the Association wish to use the Gazebo for a wine and cheese social referred to as "A Lark by the Lake". The vote of approval was unanimous. The social is scheduled for Friday, October 13, 1995 with a rain date Friday, October 20, 1995 from 5:00 p.m. to 8:00 p.m. All of the money raised will go to local charities with part of the proceeds going to help the new Mountains Library.

With no further items of discussion, Commissioner Bush moved, seconded by Commissioner Donovan, to adjourn. The vote of approval was unanimous.

ATTEST




Anita H. Taylor, CMC/AAE
Deputy Town Clerk


Mayor Max E. Lehner