



**MINUTES OF THE REGULAR MEETING OF THE LAKE LURE TOWN COUNCIL
HELD MONDAY, MARCH 11, 2014, 6:00 P.M. AT THE LAKE LURE MUNICIPAL
CENTER**

PRESENT: Mayor Bob Keith
Commissioner John W. Moore
Commissioner Mary Ann Silvey
Commissioner Bob Cameron
Commissioner Diane Barrett

Christopher Braund, Town Manager
J. Christopher Callahan, Town Attorney

ABSENT: N/A

CALL TO ORDER

Mayor Bob Keith called the meeting to order at 6:00 p.m.

INVOCATION

Attorney Chris Callahan gave the invocation.

PLEDGE OF ALLEGIANCE

Council members led the pledge of allegiance.

APPROVE THE AGENDA

Town Manager Chris Braund asked that discussion regarding filling a police officer position be added to the agenda.

Commissioner Bob Cameron made a motion to approve the agenda as amended, adding discussion of filling a police officer position to the agenda between items 12b and 12c.

Page 2- Minutes of the March 11, 2014 Regular Council Meeting

Commissioner John Moore seconded the motion and the vote of approval was unanimous.

PUBLIC HEARING - PROPOSED ORDINANCE NO. 14-03-11 AMENDING SECTION 94.02 DEFINITIONS AND 94.05 DESIGN AND CONSTRUCTION STANDARDS OF THE LAKE STRUCTURE REGULATIONS OF THE TOWN OF LAKE LURE

Mayor Bob Keith opened the public hearing regarding proposed Ordinance No. 14-03-11 and invited citizens to speak during the public hearing. No one requested to speak.

Council agreed to close the public hearing.

CONSIDER ADOPTION OF ORDINANCE NO. 14-03-11 AMENDING SECTION 94.02 DEFINITIONS AND 94.05 DESIGN AND CONSTRUCTION STANDARDS OF THE LAKE STRUCTURE REGULATIONS OF THE TOWN OF LAKE LURE

Public notices were duly given and published in the Forest City Daily Courier newspaper.

After discussion, Commissioner Bob Cameron made a motion to adopt Ordinance No. 14-03-11 as presented. Commissioner seconded the motion and the vote of approval was unanimous.

ORDINANCE NUMBER 14-03-11

AN ORDINANCE AMENDING SECTION 94.02 DEFINITIONS AND 94.05 DESIGN AND CONSTRUCTION STANDARDS OF THE LAKE STRUCTURE REGULATIONS OF THE TOWN OF LAKE LURE

WHEREAS, the Town of Lake Lure Lake Advisory Board has recommended modifications to Chapter 94, concerning the definitions, design and construction standards of the Lake Structure Regulations of the Town of Lake Lure; and

WHEREAS, the Lake Lure Town Council, after due notice, conducted a public hearing on the 11th day of March, 2014, upon the question of amending the Lake Structure Regulations in this respect.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LAKE LURE, NORTH CAROLINA, MEETING IN REGULAR SESSION AND WITH A MAJORITY OF TOWN COUNCIL VOTING IN THE AFFIRMATIVE.

SECTION ONE. Section 94.02 of the Lake Structure Regulations of the Town of Lake Lure is hereby amended to add or amend the following definitions. All other definitions are to remain unchanged:

Page 3- Minutes of the March 11, 2014 Regular Council Meeting

§ 94.02 DEFINITIONS

“Marina.” A facility with a lakefront location which provides temporary or permanent watercraft mooring(s) for rent or lease and may also include the rental, sale or repair of boats, boat motors, and accessories, and/or the sale of marine fuel and lubricants, bait and fishing equipment, and the like.

[ADDITIONS TO TEXT ARE UNDERLINED; DELETIONS ARE ~~STRUCK THROUGH~~]

SECTION TWO. Section 94.05 (C) and of the Lake Structure Regulations of the Town of Lake Lure are hereby amended as follows. All other portions are to remain unchanged:

§ 94.05 DESIGN AND CONSTRUCTION STANDARDS

- (C) No portion of any structure shall be located closer than 15 feet away to any side lot line, as projected into the lake. The projection of the lot line shall be in a straight line on the same bearing as the lot line and shall extend no further than 30 feet or one third the distance to the opposite shore as described in Paragraph (B). This provision does not apply to sea walls. See also Paragraph (M) below regarding boardwalks.

[ADDITIONS TO TEXT ARE UNDERLINED; DELETIONS ARE ~~STRUCK THROUGH~~]

SECTION THREE. Any person violating the provisions of this ordinance shall be subject to the penalties set forth in Section 94.99 of the Lake Structure Regulations.

SECTION FOUR. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

SECTION FIVE. If any section, subsection, paragraph, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed severable and such holding shall not affect the validity of the remaining portions hereof.

SECTION SIX. The enactment of this ordinance shall in no way affect the running of any amortization provisions or enforcement actions, or otherwise cure any existing violations.

SECTION SEVEN. This ordinance shall be in full force and effect from and after the date of its adoption.

Adopted this 17th day of March, 2014.

Page 4- Minutes of the March 11, 2014 Regular Council Meeting

PUBLIC FORUM

Mayor Bob Keith invited the audience to speak on any non-agenda items and/or consent agenda topics.

Rita Swanson Robinson, owner of property at 2428 Memorial Highway stated that she wanted to publicly ask when Lake Lure stopped being a business friendly town and became a dictatorship. Ms. Robinson presented information concerning a dilapidated structure that she owns located at 2428 Memorial Highway. Ms. Robinson explained that she is receiving civil penalties daily and expressed dissatisfaction with the zoning administrator's procedure.

Ms. Robinson further stated that she would like to continue to work on improving the property and asked council to rescind the fines and allow her more time to complete work on the structure.

Deborah Keller, county commissioner candidate for Rutherford County district one, introduced herself and explained why she would like to be considered for the office of county commissioner.

STAFF REPORTS

Town Manager Chris Braund presented the town manager's report dated March 11, 2014. (Copy of the town manager's report is attached.)

COUNCIL LIAISON REPORTS & COMMENTS

Commissioner Diane Barrett reported the activities of the Parks and Recreation Board.

Commissioner John Moore reported the activities of the Zoning and Planning Board.

Mayor Bob Keith reported the activities of the Lake Advisory Board.

Commissioner Mary Ann Silvey reported the activities of the Lake Lure ABC Board.

Commissioner Bob Cameron reported the activities of the Lake Lure Board of Adjustment/Lake Structures Appeal Board.

CONSENT AGENDA

Mayor Bob Keith presented the consent agenda and asked if any items should be removed before calling for action.

Page 5- Minutes of the March 11, 2014 Regular Council Meeting

Commissioner Bob Cameron made a motion to approve the consent agenda as presented. Commissioner Mary Ann Silvey seconded the motion and the vote of approval was unanimous. Therefore, the consent agenda incorporating the following items was unanimously approved:

- a. Minutes of the February 17, 2014 Meeting
- b. a request submitted by the Lake Lure Classical Academy PTO to suspend the peddling ordinance for the Lake Lure Classical Academy Spring Fling Festival being held on May 17, 2014 from 9:00 a.m. to 3 :00 p.m.
- c. a request submitted by the Rutherford County Tourism Development Authority to suspend the alcohol ordinance for the Hickory Nut Gorge Chamber Recharge Event being held on April 8th at the welcome center in Lake Lure

End of Consent Agenda.

UNFINISHED BUSINESS:

a. OTHER UNFINISHED BUSINESS

There was no other unfinished business.

NEW BUSINESS:

a. REVIEW AND CONSIDER ADOPTION OF THE PROPOSED TOWN LIMITS MAP

Community Development Director Shannon Baldwin presented two maps titled “Town of Lake Lure Town Limits Map 2014” gave background information relating to the proposed town limits map.

After discussion, Commissioner John Moore made a motion to adopt the map as presented and direct staff to prepare the necessary documents to present to Representative Hager for submission into the NC Legislature so that a “Boundary Map of the Town of Lake Lure, NC” becomes official. Commissioner Bob Cameron seconded the motion.

Mayor Bob Keith recessed the meeting for 5 minutes to allow council members to review the maps.

Mayor Keith reconvened the meeting and after further discussion, and the vote of approval was unanimous.

Page 6- Minutes of the March 11, 2014 Regular Council Meeting

Council members thanked the community development department for their work on the town limits map.

NEW BUSINESS:

b. DISCUSSION OF CURBSIDE RECYCLING OPTIONS

Town manager Chris Braund gave an overview of a presentation created based on recommendations from an ad hoc recycling committee including objectives, cost and funding options for the town recycling program, what we would like out of a recycling program.

Barbara Meliski, mayor of Chimney Rock Village and member of the recycling committee, mentioned that it wouldn't take long to spend \$52 a year (the estimated annual household cost of curbside recycling) in gas driving to the landfill and stated that recycling is the right thing to do.

Some council members agreed that recycling is important to the community and should be encouraged, but decided that we have greater priorities and maybe we can look at it later.

Barbara Marsh Searcy explained that she doesn't feel that recycling is encouraged as much as it should be and that the presented \$52 per year is probably worth it, but that she also agrees that the town has other high priorities that need to be addressed also.

NEW BUSINESS:

b. DISCUSSION CONCERNING FILLING A POLICE OFFICER POSITION

Council members were provided a handout showing the police department schedule and shift coverage.

After discussion, Commissioner John Moore made a motion to fill a vacant police officer position moving a reserve officer up to a fulltime position. Commissioner Diane Barrett seconded the motion and the vote of approval was unanimous.

NEW BUSINESS:

c. CLOSED SESSION - TO CONSULT WITH AN ATTORNEY TO PRESERVE THE ATTORNEY-CLIENT PRIVILEGE PURSUANT TO N.C.G.S. 143-318.11(A)(3)

Commissioner Bob Cameron made a motion to enter into Closed Session to consult with the town attorney to preserve the attorney-client privilege pursuant to N.C.G.S. 143-

Page 7- Minutes of the March 11, 2014 Regular Council Meeting

318.11(a)(3). Commissioner John Moore seconded the motion and the vote of approval was unanimous.

While in closed session council members voted to seal the minutes of the closed session meeting.

<p>ADJOURN THE MEETING</p>

With no further items of discussion, Commissioner Bob Cameron made a motion to adjourn the meeting at 8:40 p.m. Commissioner John Moore seconded the motion and the vote of approval was unanimous.

ATTEST:

Andrea H. Calvert
Town Clerk

Mayor Bob Keith