



Incorporated 1927

# Town of Lake Lure

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## MINUTES OF THE REGULAR COUNCIL MEETING HELD TUESDAY, APRIL 26, 1994, 7:30 P.M. AT THE LAKE LURE COMMUNITY CENTER

**PRESENT:** Mayor Max E. Lehner  
Mayor Pro-tem Bud Schichtel  
Commissioner Bill Bush  
Commissioner Bill Church  
Commissioner Jack Donovan  
  
Thomas M. Hord, 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 Manager Hord gave the invocation.

### APPROVAL OF MINUTES

Commissioner Bush moved, seconded by Commissioner Schichtel, to approve the minutes of Tuesday, March 15, 1994 Recessed Workshop Meeting, the minutes of the Tuesday, March 22, 1994 Regular Council Meeting, and the minutes of the Tuesday, April 12, 1994 Regular Council Meeting as written. The vote of approval was unanimous.

**AUDIENCE OF CITIZENS**

No persons signed up to speak under audience of citizens.

**INTRODUCTION OF TRENT JOLLY  
NEW POLICE OFFICER**

Police Chief Jake Gamble announced the hiring of Trent Jolly as the new police officer and said that Mr. Jolly could not be at the meeting tonight because he was at his graduation.

**PRESENTATION OF CONCEPT MASTER PLAN  
FOR REDEVELOPMENT OF CORE AREA**

Luther E. Smith, a landscape architect, presented the final Concept Master Plan Report to the Council. Mr. Smith said that the plan represents a guideline for recreational and economic development defined by the town. The Concept Master Plan is not intended as a fixed, inflexible planning tool. Its purpose is to reflect the ever changing needs of the community.

Mr. Smith talked on the following items in his presentation:

1. **Program Statement and Goals**
2. **Site Location and Regional Overview**
3. **Project Analysis**  
**Physical Land Form, Existing Development, Summary**
4. **Town Center Plan**  
**Phase I - 1 yr. to 3 yrs. Goals**  
**Phase II - 3 yrs. to 6 yrs. Goals**  
**Phase III - 6 yrs. to 10 yrs. Goals)**

5. Limitations
6. Funding Opportunities

**OTHER OLD BUSINESS**

There was no other old business.

**REQUEST TO APPROVE AN ABOVE GROUND  
TANK FOR FUEL STORAGE AT THE DAM MARINA**

Alan Moore, owner of the "Dam Marina," told Council that the regulatory agencies were responsible for controlling the installation of new fuel tanks and would require approval by the Town Council before they would accept his plans to install the above-ground fuel storage tank.

After discussion among Council, Commissioner Bush moved, seconded by Commissioner Church, to tentatively approve the installation of the above-ground fuel tank at the "Dam Marina" on Buffalo Shoals Road, provided that Mr. Moore meets all the environmental and code regulations required by the regulatory agencies such as local and county Fire Marshal, State, Federal, and EPA. The vote of approval was unanimous.

**REQUEST FOR STREET DANCE**

Council agreed to table the request from the Tomahawk Club to permit a 13-hour outdoor concert on the July 4th weekend. Town Council voiced some of their concerns including:

1. Major parking and traffic problems.
2. Effects on neighboring residents and commercial establishments would be unacceptable.
3. Requirement for increased police control would strain available resources, especially during a busy holiday weekend.

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It was the consensus of Council to visit the Tomahawk Club facilities on Highway 64/74 as requested by Julie LeMoyné on May 10, 1994 during the Regular Council Meeting before making a final decision on the request.

<p style="text-align: center;"><b>CONTRACT WITH N.C. DOT FOR MUNICIPAL BRIDGE INSPECTION PROGRAM</b></p>
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Town Manager Tom Hord recommended that Council renew the Municipal/State agreement for the reinspection of municipal system bridges. Mr. Hord also recommended that Council adopt the following resolution:

**RESOLUTION**

**WHEREAS, the Town of Lake Lure has requested the Department of Transportation to perform certain work under the Federal-Aid Highway Bridge Replacement and Rehabilitation Program, said work to consist of the reinspection and analysis of all public bridges on the Municipal Street System in the Town of Lake Lure; and**

**WHEREAS, the Town of Lake Lure proposes to enter into an agreement with the North Carolina Department of Transportation for said work wherein the Department of Transportation or a Consulting Engineering firm retained by the Department of Transportation will reinspect and prepare the necessary reports for all public bridges on the Municipal Street System in accordance with the National Bridge Inspection Standards; and**

**WHEREAS, under the proposed agreement and the Federal Highway Administration shall reimburse the Department of Transportation for eighty (80) percent of the cost of the work subject to compliance with all applicable federal policy and procedural rules and regulations; and**

**WHEREAS, under the proposed agreement the Town of Lake Lure shall reimburse the Department of Transportation for all costs of the work incurred by the Department of Transportation not paid by the Federal Highway Administration.**

**NOW, THEREFORE, BE IT RESOLVED** that the agreement for the hereinabove referenced bridge inspection work is hereby formally approved by the Town of Lake Lure and the Mayor and Town Clerk of this Municipality are hereby empowered to sign and execute the required agreement between the Town of Lake Lure and the Department of Transportation.

Commissioner Donovan moved, seconded by Commissioner Bush, to renew the State agreement for the reinspection of municipal system bridges and adopt the Resolution as recommended by Town Manager Hord. The vote of approval was unanimous.

**LAKE ADVISORY COMMITTEE RECOMMENDATIONS  
CONCERNING REGULATING COMMERCIAL ENTERPRISES  
ON LAKE LURE**

Bob Washburn, Chairman of the Lake Advisory Committee, reported to Town Council the ideas considered by the Lake Advisory Committee relative to regulating commercial enterprises on the lake. Mr. Washburn reviewed the following items:

- \* **Institute a two step process which would first identify Commercial operations, gathering information on how they use the lake, and then institute any regulations, if necessary. Resident and Non-Resident businesses would register with the Town and be supplied with a sticker and a log book for each boat that they register. During this initial phase of the study, Resident operators would pay no fee and Non-Resident operators would pay a fee that would cover the administrative costs of the study.**
  
- \* **Any commercial operation that rents boats should have in addition to the log books, written rental agreements with those who rent from them so that the name and address of the renter will be on record.**

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- \* **Tour boats, fishing excursions and ski boats should have logs that would show date, time, operator of craft, number of passengers and in the case of fishing charters - the number of fish caught and released. These log books would be returned to the Town Office at the end of each calendar year and be inspected from time to time during the year by authorized Town personnel.**

**Require commercial operators to clearly identify each boat on both sides with 4" to 6" lettering that could be an abbreviation. Example - Showboats could use SB 1 and SB 2 for their two boats.**

- \* **Limit the total number of jon boats that could be for rent on the lake each year.**

- \* **Operators of launch ramps should have a permit from the Town. Under the agreement of this permit they could be required to post any signage regarding the lake that the Town feels necessary and close the ramp when it is not supervised. Ramp operators could be held responsible for allowing boats to be launched at their ramp when these boats do not have a Lake Lure boat permit or exceed the size limits of the Town's lake ordinance.**

- \* **Only allow building permits for launch ramps on property zoned C-1 or R-3.**

It was the consensus of Council to refer the Lake Advisory Committee's recommendations to the Zoning and Planning Board for further consideration.

**BOARD APPOINTMENTS**

Commissioner Bush moved, seconded by Commissioner Church, to extend the Board of Adjustment terms of Blaine Cox through December 1996 and John Ficker through December 1995. The vote of approval was unanimous.

**OTHER NEW BUSINESS**

There was no other new business.

**STAFF REPORTS**

Mr. Hord gave an up-to-date financial status report on revenues and expenditures. He said that the revenues are coming in good and that the Town is in good financial shape.

Mr. Hord announced that Fairfield Mountains Volunteer Fire Department fishing tournament will be held on April 30th.

Mr. Hord reminded Council of the 1994 NCLM Regional meeting which will be held on April 28, 1994, at Marion Community Building.

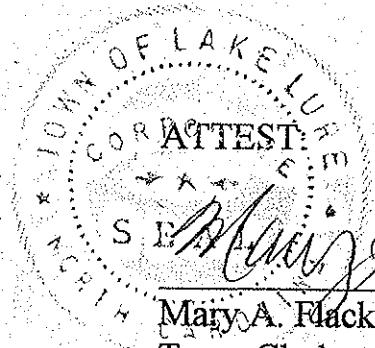
Mr. Hord reported that as a courtesy to residents and visitors, the Lake Lure Beach has been accessible without a admission charge since the swimming season ended last fall. Now that the lake is back to normal level and the weather and water warming, Mr. Hord said that he was concerned that people will be tempted to swim without lifeguard protection. He announced that the beach will be open weekends only starting May 7th through May 20th. Beginning May 21st the beach will be open daily throughout the summer, weather dependent.

**COUNCIL COMMENTS**

Mayor Lehner announced that the next Regular Council meeting will be held Tuesday, May 10, 1994, 9:30 a.m. at the Lake Lure Community Center.

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

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*Mary A. Flack*

Mary A. Flack, CMC/AAE  
Town Clerk

*Max E. Lehner*

Mayor Max E. Lehner