



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 REGULAR MEETING OF THE LAKE LURE TOWN COUNCIL HELD TUESDAY, FEBRUARY 28, 1995, 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

John R. Strutner, Town Manager
J. Christopher Callahan, Town Attorney
Sam Karr, Finance Director

ABSENT: N/A

CALL TO ORDER

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

INVOCATION

Attorney Callahan gave the invocation.

APPROVAL OF MINUTES

Commissioner Schichtel moved, seconded by Commissioner Church, to approve the following minutes as written with a correction to the motion of the minutes of the February 14, 1995, Regular Council Meeting to read as follows:

Page 2 - Minutes of the February 28, 1995 Regular Council Meeting

After much discussion, Commissioner Bush moved, seconded by Commissioner Donovan, to approve a two-year boat concessions agreement between the Town and Lotus Enterprise, Inc. to operate a scenic passenger boat ride service on Lake Lure and authorize the Town Manager to negotiate and execute the contract. The vote of approval was unanimous.

Regular Council Mtg.	2/14/95	9:30 a.m.	Community Center
Closed Session Mtg.	2/14/95	9:30 a.m.	Community Center
Closed Session Mtg.	1/24/95	7:30 p.m.	Community Center

AUDIENCE OF CITIZENS

Jim Tolly, of Black Mountain Machine, stated that his company was hired to make about \$50,000 in repairs to lake structures damaged by flooding last August, but has not completed the project because of recent rain and requested that Council keep the lake down another two weeks.

OLD BUSINESS

There was no old business items to be discussed.

UPDATE ON PLANS FOR THE DOGWOOD FESTIVAL

Sharon Theiss, Festival Chairperson, presented Council with a copy of an up-to-date schedule of events for the Fifth Annual Dogwood Festival to be held on April 22 and 23, 1995. (Event schedule attached). Ms. Theiss also requested that Council suspend the appropriate ordinances during the time the Dogwood Festival is in session.

It was the consensus of Council to table action on suspending the ordinances for further review until the next regular Council meeting to allow Ms. Theiss an opportunity to identify the specific ordinance(s) that she wished to be suspended.

**ESTABLISH DATE(S) FOR PUBLIC HEARING TO RECEIVE
CITIZEN COMMENTS REGARDING PRESENT CATV
FRANCHISE'S PERFORMANCE AND FUTURE CATV NEEDS
IN LAKE LURE**

Commissioner Bush moved, seconded by Commissioner Donovan, to call for a public hearing to be held on Tuesday, April 18, 1995, 7:30 p.m. at the Lake Lure Community Center at which time residents could meet with representatives from Phoenix Cable, Inc., to identify future needs and critique performance to date. The vote of approval was unanimous.

TAX REFUND

Betty Hinson, Tax Collector, presented Council with a tax refund for their consideration. Commissioner Donovan moved, seconded by Commissioner Bush, to approve the following tax refund. The vote of approval was unanimous.

TAX REFUNDS

<u>NAME</u>	<u>REASON</u>	<u>AMOUNT</u>
Donald Piers	Billed twice for same parcel and paid both times	\$654.94

OTHER NEW BUSINESS

After much discussion regarding the raising of the lake level on March 1, 1995 as voted on in the September 27, 1994 Regular Council Meeting, Commissioner Donovan moved, seconded by Commissioner Bush, to delay raising the lake level until March 11, 1995 for the convenience of property owners who are still trying to complete work on their seawalls and have been hampered by inclement weather. Commissioner Donovan and Commissioner Bush voted yes. Commissioner Schichtel and Commissioner Church voted no. The mayor voted no. Therefore, the tie was broken with a vote of 2 to 3 in favor of raising the lake level.

STAFF REPORTS

Finance Director Sam Karr gave an up-to-date report on the Town's finances.

Town Manager Structner reported on the following items:

1. Operations to clean Pool Creek and dig silt catching basins have been completed. The beach has been graded in preparation for the upcoming season.
2. The seawall panels on the point where the gazebo is located have been installed.
3. Request for proposals for consultant services for the computer network in the new Government Center are due March 20. A Review Committee made up of Commissioner Bush, several staff members, and four (4) citizens with knowledge and experience in computers will screen the proposals.
4. Bids have been solicited for the security system in the new Government Center. Bids are due March 13.
5. The General Contractor has requested a revised project schedule for the new Government Center. The Town's Architect advises he will recommend approval. It is justified due to the adverse weather conditions experience in December and January. Substantial completion will now be September 20, 1995. Also, placement of fill inside the building footprint prior to pouring the slab has begun. The Architect and County Building Inspector are both pleased with the quality of work thus far.

COUNCIL COMMENTS

Mayor Lehner stated that the Lake Lure Point Park Grant was denied because the amount requested was under the minimum of \$10,000. The Town could decide to resubmit at a higher amount next year.

ADJOURNMENT

Commissioner Schichtel moved, seconded by Commissioner Donovan, to adjourn the meeting. The vote of approval was unanimous.



ATTEST:

Mary A. Flack

Mary A. Flack, CMC/AE
Town Clerk

Max E. Lehner

Mayor Max E. Lehner

RECEIVED

PHOENIX CABLE
INCORPORATED

A Phoenix American Company



NOV 21 1994

November 17, 1994

Town of Lake Lure
ATTN: Mr. Tom Hard, Town Manager
P.O. Box 255, Highway 74
Lake Lure, NC 28746

10 South Franklin Turnpike
Ramsey, New Jersey 07446-2551
(201) 825-9090
(201) 825-8794 FAX

Dear Mr. Hard:

Our records indicate that our cable television franchise is up for renewal on August 24, 1997. We of course wish to continue providing service to Lake Lure Town, North Carolina for an additional renewal term.

The Federal Communications Act establishes formal cable television franchise renewal procedures which are to be followed in the event a franchising authority and cable operator are unable to agree informally upon franchise renewal. We understand that certain of these procedures are to be formally invoked by a cable operator, even if the operator expects to reach a satisfactory renewal through informal discussions with the Town. This letter is intended to satisfy that provision.

Accordingly, pursuant to Section 626(a) of the Communications Act of 1934, as amended, 47 U.S.C. S 546(a), Phoenix American Inc. hereby requests the Town of Lake Lure to commence proceedings which afford the public in Town of Lake Lure appropriate notice and participation for the purpose of:

- (1) identifying the future cable-related community needs and interests; and
- (2) reviewing the performance of Phoenix American, Inc. under the franchise during the current franchise term.

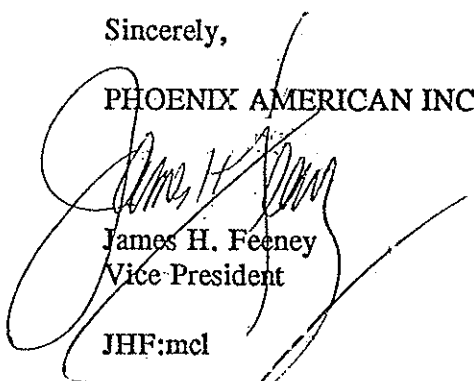
We also request that you take all steps necessary to promptly renew our franchise operations granted by the Town of Lake Lure pursuant to certain Franchise Agreement dated August 24, 1982.

The purpose of this letter is to invoke the federal process and standards for franchise renewal. We are most interested in renewing our franchise through less formal procedures, which we will be suggesting to you shortly.

We look forward to meeting with you at your convenience, and to answer any questions you may have concerning this process.

Sincerely,

PHOENIX AMERICAN INC.


James H. Feeney
Vice President

JHF:mcl

cc: Mayor Max E. Lehner, Town Office, PO Box 255, Hwy 74, Lake Lure, NC 28746

THE FIFTH ANNUAL DOGWOOD FESTIVAL
SATURDAY AND SUNDAY
APRIL 22 & 23, 1995

DATE	DAY	TIME START	TIME END	EVENT	LOCATION
422	SAT	8:00 AM	2:00 PM	FLEA MARKET/BREAKFAST**	BAT CAVE VOL. FIRE. DEPT.
422	SAT	9:00 AM	5:00 PM	BOTTOMLESS POOLS**	BEHIND ARCADE GROOUNDS
422	SAT	9:00 AM	6:00 PM	LAKE LURE TOURS**	LAKE LURE MARINA
422	SAT	9:00 AM	11:00 AM	5 K RUN	LAKE LURE COMMUNITY CENTER
422	SAT	9:00 AM	5:00 PM	ARTS AND CRAFTS FAIR	LAKE LURE ARCADE GROUNDS
422	SAT	9:00 AM	5:00 PM	EARTH DAY**	CHIMNEY ROCK PARK
422	SAT	10:00 AM	3:00 PM	HEALTH FAIR	LAKE LURE COMMUNITY CENTER
422	SAT	11:00 AM	3:00 PM	MUSIC OF THE MOUNTAINS	LAKE LURE ARCADE GROUNDS
422	SAT	11:00 AM	5:00 PM	CHILDREN'S CORNER	LAKE LURE ARCADE GROUNDS
422	SAT	11:00 AM	5:00 PM	CLOGGING	LAKE LURE ARCADE GROUNDS
422	SAT	12:00 N	1:00 PM	PARADE	LAKE LURE TO CHIMNEY ROCK
422	SAT	12:00 N	3:00 PM	BAKE SALE	LAKE LURE ARCADE GROUNDS
422	SAT	3:00 PM	4:00 PM	MUSIC MAN	PAVILLION ON THE POINT
422	SAT	6:30 PM	8:30 PM	AMATEUR FUN NIGHT	LAKE LURE COMMUNITY CENTER
				BRUCE PIEPHOFF SINGS	LAKE LURE ARCADE GROUNDS
423	SUN	9:00 AM	5:00 PM	BOTTOMLESS POOLS**	BEHIND ARCADE GROUNDS
423	SUN	9:00 AM	6:00 PM	LAKE LURE TOURS**	LAKE LURE MARINA
423	SUN	9:00 AM	5:00 PM	ARTS AND CRAFTS FAIR	LAKE LURE ARCADE GROUNDS
423	SUN	9:00 AM	5:00 PM	EARTH DAY**	CHIMNEY ROCK PARK
423	SUN	11:00 AM	5:00 PM	CHILDREN'S CORNER	LAKE LURE COMMUNITY CENTER
423	SUN	12:00 N	3:00 PM	QUILTING FAIR+	GERTON COMMUNITY CENTER
423	SUN	12:00 NM	3:00 PM	MUSIC OF THE MOUNTAINS	LAKE LURE ARCADE GROUNDS
423	SUN	2:00 PM	4:00 PM	GOSPEL SINGING	PAVILLION ON THE POINT
423	SUN	3:00 PM		DOOR PRIZE DRAWING	LAKE LURE ARCADE GROUNDS
423	SUN	4:00 PM	5:00 PM	PING PONG BALL RACE+	CHIMNEY ROCK PARK BRIDGE
				BRUCE PIEPHOFF SINGS	LAKE LURE ARCADE GROUNDS

* FEE CHARGED
+ UNOFFICIAL ACTIVITY NOT
COVERED BY LAKE LURE
LIABILITY INSURANCE.

02/16/95 UP-DATE