



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, October 24, 1995 Regular Council Meeting, held at the Lake Lure Community Center, 7:30 p.m.

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

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

ABSENT: N/A

CALL TO ORDER

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

INVOCATION

Attorney Chris Callahan gave the invocation.

APPROVAL OF MINUTES

Commissioner Schichtel moved, seconded by Commissioner Bush, to approve the minutes of the Tuesday, September 26, 1995 Regular

Council Meeting, and the minutes of the Tuesday, October 10, 1995 Regular Council Meeting as written and presented by the Town Clerk. The vote of approval was unanimous.

**PRESENT AWARD TO DOROTHY DUNLAP FOR
OUTSTANDING PUBLIC SERVICE**

Mayor Lehner, on behalf of the Town Council, presented an award for outstanding public service to Dorothy Dunlap. Ms. Dunlap has been the driving force of the Mountains Library from the beginning of its opening in September, 1988. At that time the Library opened in a double-wide trailer on Buffalo Creek Road. Now, the library occupies a majestic new building on Bill's Creek Road with the EMS equipment and crew.

Mayor Lehner read a portion of an article which appeared in the Breeze Newsletter. The article read as follows: "*Through it all, Dorothy Dunlap has been there to seek, to guide and make sure that everything was going well. Hour after hour, day after day, week after week, she was there at no pay. Just doing the kind of good job that she knew how to do, and doing, of course, a growing good deed for the community. Thanks, Dorothy Dunlap, for a job well done. Your many hours of hard work do not go unnoticed.*"

Ms. Dunlap announced that the dedication service for the new library and EMS building will be held Sunday, November 5, 1995.

**PUBLIC HEARING -- RECEIVE CITIZEN COMMENTS REGARDING
PRESENT CATV FRANCHISE'S PERFORMANCE AND FUTURE
CATV NEEDS IN LAKE LURE**

Commissioner Donovan moved, seconded by Commissioner Bush to enter into a public hearing for the purpose of receiving public comment on the franchise renewal with Phoenix Cable. The vote of approval was unanimous.

The Town hired Custom Communications to handle cable franchise negotiations. Dave Harris, representative for Custom Communications, was present to answer the public's questions. Mr. Harris stated that the purpose of the public hearing was for citizens of Lake Lure to voice their concerns for the future

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franchise agreement.

Chuck Himelrick and John Finley, representatives from Mountain Cable Vision were present to answer questions and offer assistance to try to correct problem areas which were brought to their attention.

Persons who spoke were as follows:

Nancy McNary -- reported that she has had very good experiences with the current cable operator.

Paul Yoder -- reported that he is not happy with the service he has received with the current cable operator. He reported that prior to two months ago he could get better stations. Mr. Yoder had also heard rumor of a price increase.

Melvin Schwartz -- reported that it took Pierpoint three months to have cable installed. It has been approximately 1-1/2 years since the cable was installed, and the cable is still not buried. Mr Schwartz also said he could not get channel 9.

Dick Lorenzen -- reported that the cables at Quail Cove in Fairfield have never been placed underground. At present, the television lines are coming into the cable boxes from behind the condominiums. Mayor Lehner also commented that his neighbor on West Lake Drive also has a cable that needs burying.

Donald Piers -- owns subdivision at Pierpoint and gave Chuck Himelrick a sketch of the Pierpoint area detailing the cables that are not buried at this time.

Phyllis Maze -- lives on Washburn Road and reported that she is very dissatisfied with her cable. Ms. Maze explained that her cable is constantly cutting off.

John Bittle -- lives at Fairfield Golf Estates II and reported that he feels the cable service is poor. However, Mr. Bittle explained that the service technicians have always been very polite with a positive attitude. Mr. Bittle also inquired whether there is any kind of expansion planned for the Lake Lure area.

Walter Nelson -- lives on Cutaway Road and questioned when cable will be coming into his area.

Jack Powell -- lives on Tanner Drive and reported that there is cable in his

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area that needs burying.

Commissioner Donovan said that he would like to see better communication. When you pay for cable by the year instead of on a monthly basis, you do not get the information which is included with the monthly statement.

Doris and Russ Lloyd -- live in the Lurewoods Landing area and would like to see if cable can be installed in that area.

Mayor Lehner requested that the Town Clerk incorporate two letters into the minutes regarding cable. The letters read as follows:

Dear Mr. Strutner:

I will not be able to attend the October 24th Public Hearing regarding cable T.V. so I am writing to you to express my dissatisfaction with the current provider.

Construction was completed on my Road 51 residence in January of 1994. Phoenix Cable brought an unburied line to my house at that time. We have requested that it be buried ever since, and it is still laying on the ground across our paved driveway. They had five months to bury the cable before we paved the driveway, but they never did do it.

I have also found that the reception is not good on all channels offered. Some of them can be quite fuzzy (especially the higher channels).

I think the Town should seriously consider a new cable provider.

Sincerely yours,

David W. Cecil, II
216 East Henry Street
Post Office Box 1747
Spartanburg, SC 29304

Gentlemen:

The Lake Lure Newsletter for October 1995 reports that a public meeting on Cable T.V. service will be held at the regular Town Council Meeting on October 24, 1995. I am a resident of Lake Lure who is temporarily absent from the area and, while I will be unable to officially attend that meeting in person, I do wish to make my views about Cable T.V. service known.

My home is at the Lake Lure Village Resort at the end of Boy's Camp Road. The home is situated at the base of a hill and TV reception by antenna is very limited. My wife and I enjoy TV very

much and would like to have good TV viewing, particularly for sports (baseball, football, golf, etc.)

When we moved into our home in mid 1988 we began looking into ways to improve TV reception. I contacted the Mountain Cable office on Route 64 and was told that the only way we could get cable out there was to get a group of at least 20 homes in the area to sign up for cable. During the ensuing seven plus years I have not received any information or advertising from the cable company trying to get more subscribers in our area. Recently I contacted Phoenix to ask if they were considering extending their service out our way and was told they were not interested in doing so. I got the impression that they wanted me to do their work of trying to obtain new customers. That did not seem like a business attitude.

I have considered putting in a satellite dish and have contacted two or three firms about it. However, one of my neighbors tried to do the same thing and found it not possible due to the high hill and tall trees immediately behind our homes to the south from where the reception would come.

I would like to see the franchise awarded to a company who would investigate on their own from time to time the feasibility to extending service out to our area. Is there any possibility that the telephone company will be able to offer this service in the future? I am told that new laws would permit this.

My wife and I will be returning to Lake Lure permanently sometime during the summer of 1996 and would appreciate some good TV reception.

Thank you for considering these remarks. I feel confident that there are more owners in our area that feel the same about obtaining cable service.

Sincerely,

Gerald and Dorothy Minion
Rt. 2, Box 26
Lake Lure, NC 28746

With no further items of discussion, Commissioner Donovan moved, seconded by Commissioner Bush, to come out of the public hearing and re-enter the regular session of the Council Meeting.

The vote of approval was unanimous. Mayor Lehner thanked all persons for attending the public hearing.

**PUBLIC HEARING -- PROPOSED AMENDMENTS TO THE TOWN
OF LAKE LURE ZONING ORDINANCE AND MAP TO INCLUDE
AN R/O RESIDENTIAL/OFFICE DISTRICT**

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A public notice was advertised that the Lake Lure Town Council would consider a recommendation by the Lake Lure Zoning and Planning Board regarding amendments to the Zoning Ordinance and the Official Zoning Map of the Town of Lake Lure.

The proposed amendments would create a new zoning district, the R/O Residential Office District, which would allow limited office-type uses in many of the residential areas directly abutting U.S. Highway 64/74A. In addition, Section 1311 (1) (c) regarding signs for non-residential uses in residential districts, would be amended to apply to the R/O District. Article VII of the Zoning Ordinance, the Building Site Minimum Dimensional Requirements, would be amended to reflect the setbacks, minimum lot size, etc. for the R/O District.

Changes to the Official Zoning Map would include the rezoning of residential districts (except for areas zoned R-2 and R-3) along Highway 64/74A to the R/O zoning for the depth of one lot (up to approximately 300 feet from the highway). Copies of the proposed amendments and a map showing the proposed new zoning district and boundaries were and are available for viewing at the Town Hall.

As provided by North Carolina General Statutes, a formal protest petition of this proposed amendment was allowed to be filed if submitted to Town Hall by October 19, 1995.

Mary Lynne Hayes explained the proposed changes and was available to answer any questions and concerns.

Commissioner Bush moved, seconded by Commissioner Church, to enter into the public hearing regarding the 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.

Persons who spoke were as follows:

Dorothy Beasley -- reported that she was against the change.

John Bittle -- stated that he felt the Zoning and Planning Board needed to be congratulated for their hard work on this matter.

Dick Washburn -- as Zoning and Planning Board Chairman, explained that businesses in this area, at present, cannot be altered, enlarged, etc. Therefore,

these businesses may become an eyesore over the years. This proposed change is to try to improve the area for the better.

Phyllis Maze -- reported that she would not like a business to be allowed in her back yard.

With no further items of discussion, Commissioner Donovan moved, seconded by Commissioner Schichtel, to come out of the public hearing and re-enter the regular session of the Council Meeting. The vote of approval was unanimous.

It was the consensus of Council that no action be taken on the proposed zoning change at this time. However, the issue will be discussed at a future meeting.

It was the consensus of Council to hold a fifteen minute break.

Mayor Lehner called the meeting back to order at approximately 9:05 p.m.

AUDIENCE OF CITIZENS

Jack Powell signed up to speak under the audience of citizens. Mr. Powell spoke on the upcoming election.

Mayor Lehner stated that the Town's election is not and will not be a Town function and that no candidates will be endorsed by Council.

OLD BUSINESS

There was no old business for discussion.

NEW BUSINESS:

a. Acceptance of Computer Software Bids

The Town solicited bids for both computer hardware and software for both the Administrative and Police components of the municipal organization. The bid

specifications were prepared by the Town's computer consultant, Mr. Jim Foster of ICS Computer Systems, Inc., under a contract previously approved during the regular Town Council meeting on May 23, 1995. The solicitation for bids was publicly advertised per the provisions of applicable state law. In addition, individual solicitations were sent to a large number of vendors. Bids were publicly opened on September 5, 1995. Upon reviewing the bids received (one for Police and two for Administrative) it was the unanimous decision of both the Computer Advisory Committee and the staff that all hardware bids should be declined. It was felt that the Town could purchase better quality and less expensive hardware components under the state contract program. The hardware acquisition is presently being investigated.

Following the bid opening and after analysis of the bids, it was decided that two bidders on the Administrative software be invited to visit and set up an on-site demonstration of their products. Those demonstrations took time to arrange and execute due to both the vendors' and staff schedules. Assistant Police Chief Timothy Ezell reviewed the bid submitted by Vision Software, Inc. for the Police software and visited the Rutherfordton Police Department which uses many of the same Vision software applications that Vision bid in response to the Town's bid solicitation. Officer Ezell reported that he is quite satisfied with the Vision bid.

As far as the Administrative software bids are concerned, it was the unanimous decision of the four staff members who will utilize 90% of the software applications, that the software package of Specialized Data Systems, Inc. (SDS) should be selected. It was noted that SDS is the Town's current software provider.

The bid tabulations were as follows:

A. POLICE SOFTWARE

1.	Vision Software	--	\$12,295.00
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B. ADMINISTRATIVE SOFTWARE

1.	ICS Computer Systems, Inc.	\$34,193.44
2.	SDS, Inc.	\$21,898.44

SDS has agreed to provide consulting services at no charge to insure the

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compatibility of the Administrative software and hardware. They have also agreed to "stage" our hardware components at their facilities (i.e. test the hardware), load all software, and deliver and install all components at no additional charge.

Therefore, it was the recommendation of the Town Manager that Council accept the bid submitted by Vision in the amount of \$12,295 and to accept the bid submitted by SDS, Inc. in the amount of \$21,898.44.

With no further items of discussion, Commissioner Bush moved, seconded by Commissioner Schichtel, to accept the Town Manager's recommendation accepting the bid of Vision and SDS by authorizing him to execute the necessary software agreements. The vote of approval was unanimous

**NEW BUSINESS:
b. Tax Releases**

Commissioner Bush requested that Council excuse him from voting on the tax releases since it involved Lake Lure Village Resort where he is a resident. Therefore, Commissioner Schichtel moved, seconded by Commissioner Church, to excuse Commissioner Bush from voting upon this issue. The vote of approve was unanimous.

Council reviewed the list of tax releases as provided by the Tax Collector. Commissioner Schichtel moved, seconded by Commissioner Church to approve the releases as presented. Commissioner Bush was excused from the vote, Commissioner Donovan voted yes. Therefore the vote to accept the tax releases was passed. The tax releases were as follows:

TAX RELEASES

<u>Name</u>	<u>REASON</u>	<u>YEAR</u>	<u>AMOUNT</u>
Susan Ella Anderson Heirs	Reduction of Assessment by County	1995	\$ 19.50
Edward L. Foshie	Reduction of Assessment & Double Billing	1995	\$112.58
John R. Hutchinson	Double Billing	1995	\$145.86

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Lake Lure Village Resort	Tax Exempt	1995	\$102.44
Lake Lure Village Resort	Reduction of Assessment by County	1995	\$ 36.40
Lake Lure Village Resort	Tax Exempt	1995	\$117.00
Lake Lure Village Resort	Tax Exempt	1995	\$103.48
Lake Lure Village Resort	Tax Exempt	1995	\$ 19.50
Roger D. Lee	Reduction of Assessment 50% Complete	1995	\$ 88.40
Vista N. C. Ltd.	Out of Town	1995	\$ 21.84
" "	Out of Town	1995	\$ 30.42
" "	Out of Town	1995	\$ 9.10
" "	Out of Town	1995	\$ 7.80
" "	Out of Town	1995	\$ 7.80
" "	Out of Town	1995	\$ 7.80
" "	Out of Town	1995	\$ 9.10
" "	Out of Town	1995	\$ 9.10
" "	Out of Town	1995	\$ 17.42
TOTAL TAX RELEASES			\$865.54

<p>NEW BUSINESS c. Other New Business</p>
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There was no other new business for discussion.

STAFF REPORTS

Town Manager Strutner reported that the scheduled completion date for the Government Center is November 9th. The furniture is currently on order. Phone installation is on schedule and will begin within the next week. The Town cannot take over the building until the Certificate of Occupancy is signed.

Finance Director, Sam Karr, reported that all expenditures and revenues are on schedule. Estimates for dredge repair are being submitted by vendors. It was the consensus of Council that no action be taken on the dredge repair until all costs are submitted.

Town Manager Strutner, for the record, stated that the dredge will be relocated to another area.

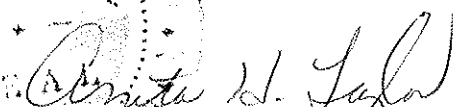
COUNCIL COMMENTS

There were no Council Comments for discussion.

ADJOURNMENT

Commissioner Church moved, seconded by Commissioner Schichtel, to adjourn. The vote of approval was unanimous.

ATTEST:


Anita H. Taylor, CMC/AAE
Deputy Town Clerk


Mayor Max E. Lehner