

**MINUTES OF THE REGULAR MEETING OF THE LAKE LURE TOWN COUNCIL
HELD TUESDAY, MAY 9, 2006, 7:00 P.M. AT THE LAKE LURE MUNICIPAL CENTER**

PRESENT: Mayor Jim Proctor
Commissioner Jeanine Noble
Commissioner Russ Pitts
Commissioner Dick McCallum

H. M. Place III, Town Manager
J. Christopher Callahan, Town Attorney

ABSENT: Commissioner Chuck Watkins

CALL TO ORDER

Mayor Proctor called the meeting to order at 7:00 p.m.

INVOCATION

Town Attorney Callahan gave the invocation.

APPROVE THE AGENDA

After discussion, Commissioner Noble made a motion to approve the agenda as amended by removing items 9 and 10 (public hearing - proposed amendments to the Lake Structures Regulations, Title IX, Chapter 94 and Ordinance No. 06-05-09B from the agenda for further study by the Lake Advisory Committee. Removed item 14 a from the agenda the item to consider a request from Lake Lure Tours to add a play structure at the far end of the beach adjacent to the water works. Bo Williams, General Manager of Lake Lure Tours requested that this item be removed from the agenda. Commissioner McCallum seconded the motion and the vote of approval was unanimous.

ADMINISTER OATH OF OFFICE TO ERIC HESTER AS POLICE CHIEF

The mayor administered the oath of office to Eric Hester as police chief.

**PUBLIC HEARING - CONSIDER AMENDMENTS TO THE TOWN OF LAKE LURE
ZONING REGULATIONS, TITLE IX, CHAPTER 92, RELATING TO SIGNS SUCH AS
BANNERS, PENNANTS, AND FLAGS FOR SPECIAL EVENTS**

Mayor Proctor opened the public hearing regarding the proposed Ordinance No. 06-05-09 amending the zoning regulations relating to signs such as banners, pennants, and flags for special events.

Page 2 -Minutes of the May 9, 2006 Regular Town Council Meeting

Community Development Director Shannon Baldwin gave a brief overview and answered questions pertaining to the proposed amendments regarding signs such as banners, pennants, and flags for special events.

Mayor Proctor invited citizens to speak during the public hearing. Town Manager Place requested to speak on behalf of the Hickory Nut Gorge Kiwanis Club with regards to banners.

After discussion, Commissioner McCallum made a motion to close the public hearing. Commissioner Noble seconded the motion and the vote of approval was unanimous.

ADOPT ORDINANCE NO. 06-05-09 AMENDING TITLE IX, CHAPTER 92 OF THE TOWN OF LAKE LURE ZONING REGULATIONS RELATING TO SIGNS SUCH AS BANNERS, PENNANTS, AND FLAGS FOR SPECIAL EVENTS

After discussion, Commissioner McCallum made a motion adopt Ordinance No. 06-05-09 as presented and direct the zoning and planning board to review types of activities for temporary signs. Commissioner Pitts seconded the motion and the vote of approval was unanimous. (Copy of Ordinance No. 06-05-09 attached).

PUBLIC HEARING - CONSIDER PETITION NUMBER RZ-06-01 REQUESTING AMENDMENTS TO THE TOWN OF LAKE LURE ZONING MAP TO REZONE 5 LOTS FROM R-4 (RESIDENTIAL OFFICE DISTRICT) TO CTC (COMMERCIAL TOWN CENTER DISTRICT)

Mayor Proctor opened the public hearing regarding the proposed Ordinance No. 06-05-09A amending the Town of Lake Lure zoning map to rezone 5 lots from R-4 (Residential Office District) to CTC (Commercial Town Center District).

Community Development Director Shannon Baldwin gave a brief overview and answered questions pertaining to the proposed amendments regarding petition number RZ-06-01.

Mayor Proctor invited citizens to speak during the public hearing. Tyrone Phillips and Bill Breen asked for a clarification on the zoning designation. Mr. Breen asked town council to go back and review the zoning maps for accuracy.

After discussion, Commissioner McCallum made a motion to close the public hearing. Commissioner Noble seconded the motion and the vote of approval was unanimous.

ADOPT ORDINANCE NO. 06-05-09A AMENDING THE ZONING MAP REGARDING REZONING PETITION NUMBER RZ-06-01 TO REZONE 5 LOTS FROM R-4 (Residential Office District) to CTC (Commercial Town Center District)

After discussion, Commissioner McCallum made a motion to table the adoption of Ordinance No. 06-05-09A for further review by town staff of the zoning designation of property. Commissioner Noble seconded the motion and the vote of approval was unanimous.

Community Development Director Shannon Baldwin agreed to review the zoning maps for accuracy and report back to town council.

PUBLIC FORUM

Mayor Proctor invited the audience to speak on any non-agenda item and the following requested to speak.

1. Veryle Lynn Cox, spoke briefly regarding citizens being rude and disrespectful to town council members and town staff members during town meetings. Ms. Cox urged citizens to be more respectful to others.
2. Paul Laque expressed his concerns about a power pole on Burnt Ridge being to close the road.

COUNCIL LIASON REPORTS

Commissioner McCallum reported on the activities of the Zoning/Planning Board.

Commissioner Noble reported on the activities of the Golf Course Committee and the Parks and Recreation Board.

Commissioner Pitts reported on the activities of the Lake Advisory Committee.

CONSENT AGENDA

Mayor Proctor presented the consent agenda and asked if any item should be removed before calling for action. Commissioner McCallum moved, seconded by Commissioner Pitts, to approve the consent agenda items as presented. Therefore, the consent agenda, incorporating the following items was unanimously approved:

- a. the minutes of April 11, 2006 (regular meeting);
- b. a budget amendment of \$13,602 from the contingency fund to the administration department to cover the cost of professional services as submitted by the finance director; (Attached is a copy of a memorandum dated May 3, 2006);
- c. a request from Bob Keith on behalf of the Lake Lure Lakefront Owner's Association to suspend the town's alcohol ordinance in order to serve beer and wine during their annual meeting inside the community hall of the Lake Lure Municipal Center on Saturday, June 10, 2006, from 4:00 p.m. until 7:00 p.m.;
- d. Resolution No. 06-05-09 Clean Water Bond for 2006 protecting the state's water resources for current use and future generations;

**Resolution No. 06-05-09
2006 Clean Water Bond**

WHEREAS North Carolina's continued prosperity depends on protecting the state's water resources for current use and future generations, and

Page 4 -Minutes of the May 9, 2006 Regular Town Council Meeting

WHEREAS North Carolina is expected to grow by 3.5 million people to exceed 12 million by the year 2030, placing pressures on the state's water resources and local water providers, and

WHEREAS North Carolina's businesses, traditional and emerging industries all depend on reliable supplies of clean water, reasonable utility costs and an attractive natural environment, and

WHEREAS the 1998 Clean Water Bonds delivered significant benefits to North Carolina communities and citizens, supporting 1,103 projects in 97 counties, which

- . helped create or retain 42,000 jobs
- . corrected major regulatory violations in 97 communities
- . addressed failing septic systems and contaminated wells in 59 counties
- . resulted in 50 communities receiving sewer service for the first time,
- . encouraged regional efficiencies, sound planning and conservation practices,

WHEREAS North Carolina's public water, sewer and stormwater utilities will require investments totaling \$16.63 billion to keep pace with necessary improvements and population growth over the next 25 years, including \$6.85 billion in investments within the next five years;

NOW THEREFORE BE IT RESOLVED that the Town of Lake Lure urges the North Carolina General Assembly to enact a \$1 billion bond bill in the 2006 session to fund construction and repair of urgently needed water, sewer and storm water facilities.

BE IT FURTHER RESOLVED that the Town of Lake Lure Town Council calls upon the Governor and the General Assembly to activate the State Water Infrastructure Commission to address the state's long-term water infrastructure needs with a visionary plan for sustained funding of water, sewer and stormwater system improvements

This the 9th day of May, 2006.

- e. a request from Camp Care (Camp for Children with Cancer) to waive the fees for three boat permits from July 1-8, 2006; and
- f. a fabric structure permit for Peter Hartwick on behalf of the Pediatric Brain Tumor Foundation "Ride for Kids" event.

End of Consent Agenda

UNFINISHED BUSINESS:

There was no unfinished business for discussion.

NEW BUSINESS:

a. Consider a Request from Randy Kunath for an Easement on Town Property

Eric Kunath answered questions on behalf of Randy Kunath for an easement on town property. (Attached is a copy of the letter dated April 25, 2006 regarding an easement).

After discussion, Commissioner Noble made a motion to approve a request from Randy Kunath for an easement on town property contingent upon Mr. Kunath paying for all associated

Page 5 -Minutes of the May 9, 2006 Regular Town Council Meeting

costs for this easement and obtaining required permits from the town and the Department of Transportation. Commissioner McCallum seconded the motion and the vote of approval was unanimous.

NEW BUSINESS:

b. Consider a Request from Frank Campbell on Behalf of the Hickory Nut Gorge Chamber of Commerce Regarding a Boat Parade and Fireworks Shows on Town Property

After discussion, Commissioner McCallum made a motion to approve a request from Frank Campbell on behalf of the Hickory Nut Gorge Chamber of Commerce to hold fireworks displays on town property (Memorial Pont) Tuesday, July 4, 2006 and Saturday, December 2, 2006 for an annual boat parade; waive boat permit fees, grant permission to hold a bon fire on the town beach, suspend the boat length restriction and suspend the peddling ordinance in order to sell concessions during the boat parade. Commissioner Pitts seconded the motion and the vote of approval was unanimous. (Attached is a copy of letter dated April 28, 2006 regarding boat parade and fireworks shows).

STAFF REPORTS

Town Manager Place read his report into the record dated May 9, 2006. (Copy of report is attached).

After discussion a motion was made by Commissioner McCallum to schedule a workshop meeting with town staff members on Thursday, May 11, 2006 at 1:00 p.m. in the council meeting room of the Lake Lure Municipal Center to review items on the capital improvements program for fiscal year 2006-2012. Commissioner Noble seconded the motion and the vote of approval was unanimous.

A motion was made by Commissioner McCallum to schedule a workshop meeting with town staff members to discuss preliminary budget items for fiscal year 2006-2007 on Tuesday, May 23, 2006 at 9:00 a.m. in the council meeting room of the Lake Lure Municipal Center. Commissioner Noble seconded the motion and the vote of approval was unanimous.

A motion was made by Commissioner Noble to schedule a special meeting on Thursday, June 8, 2006, at 9:30 a.m. in the council meeting room of the Lake Lure Municipal Center to hold a discussion regarding the Town of Lake Lure's sewer capacity. Commissioner Pitts seconded the motion and the vote of approval was unanimous.

COUNCIL COMMENTS

Council members expressed their concerns regarding the town's sewer capacity.

ADJOURNMENT

With no further items of discussion, Commissioner McCallum made a motion to adjourn the meeting at 9:30 p.m. Commissioner Noble seconded the motion and the vote of approval was unanimous.

Page 6 -Minutes of the May 9, 2006 Regular Town Council Meeting

ATTEST:

Mary A. Flack, MMC
Town Clerk

Mayor Jim Proctor