



**MINUTES OF THE REGULAR MEETING OF THE LAKE LURE TOWN COUNCIL
HELD TUESDAY, DECEMBER 14, 2021, 5:00 P.M. AT THE LAKE LURE MUNICIPAL
CENTER**

PRESENT: Mayor Carol C. Pritchett
Outgoing Mayor Pro Tem John W. Moore
Mayor Pro Tem David DiOrio
Commissioner Patrick Bryant
Outgoing Commissioner John Kilby
Commissioner Scott Doster
Commissioner Jim Proctor

William Morgan, Jr., Town Attorney
Olivia Stewman, Town Clerk / Interim Town Manager

ABSENT: N/A

I. CALL TO ORDER

Mayor Carol C. Pritchett called the meeting to order at 5:00 p.m. and Mayor Pro Tem John Moore gave the invocation. Council members led the pledge of allegiance.

II. APPROVE THE AGENDA

Commissioner Moore made a motion to add the 2022 Holiday Schedule to consent agenda. Commissioner made a motion to approve the Agenda, as amended. Commissioner Bryant seconded and the motion carried 4-0.

III. MAYOR'S COMMUNICATIONS

Mayor Carol C. Pritchett welcomed all and thanked all attendees. Mayor Pritchett expressed her appreciation for the outgoing Council members and welcomed the incoming council members.

IV. TOWN MANAGER COMMUNICATIONS

Interim Town Manager Olivia Stewman announced thanked staff for their support and announced that the manhole rehabilitation project is going according to schedule, the ER/EID had formally been approved and the sewer replacement project can move into the design build phase, Schnabel has begun the conceptual design for the dam rehabilitation project, and the Town should know about additional FEMA grant funding in January.

V. COUNCIL LIAISON REPORTS & COMMENTS

Commissioner DiOrio reported the activities of the Utilities Advisory Board.

Commissioner John Kilby reported the activities of the ABC Board and the Lake Advisory Board.

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

Commissioner Patrick Bryant reported the activities of the Parks and Recreation Board.

VI. PRESENTATIONS

A. AUDIT PRESENTATION

A representative of Martin and Starnes presented the annual audit report and detailed findings for FY 20-21.

VII. CHANGING OF THE GUARDS

A. AWARDS OF APPRECIATION TO OUTGOING COUNCIL MEMBERS – JOHN W. MOORE AND JOHN KILBY

Mayor Pritchett recognized and awarded John W. Moore for his service as a Town Commissioner from 2009 to 2021. Mayor Pritchett also recognized and awarded John Kilby for his service as a Town Commissioner from 2009 to 2021.

VII. CHANGING OF THE GUARDS

B. OATH OF OFFICE – MAYOR CAROL C. PRITCHETT

Town Clerk and Interim Town Manager Olivia Stewman administered the Oath of Office

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to newly re-elected Mayor Carol C. Pritchett.

VII. CHANGING OF THE GUARDS

C. OATH OF OFFICE – COMMISSIONER SCOTT DOSTER

Town Clerk and Interim Town Manager Olivia Stewman administered the Oath of Office to newly elected Commissioner Scott Doster.

VII. CHANGING OF THE GUARDS

D. OATH OF OFFICE – COMMISSIONER JIM PROCTOR

Town Clerk and Interim Town Manager Olivia Stewman administered the Oath of Office to newly elected Commissioner Jim Proctor.

VIII. FIFTEEN MINUTE RECESS

Mayor Pritchett called for a fifteen minute recess to celebrate the changing of the guards.

IX. PUBLIC COMMENT

Mayor Carol C. Pritchett invited the audience to speak.

Ronnie Wood, 355 Shady Grove Lane, detailed concerns regarding a neighbor exhibiting possible nuisances and disturbances. Mr. Wood was advised by Council to contact Community Development Director Michael Williams.

Debra Gardner, 137 Firefly Point, expressed concerns and questioned updated ambulance services and availability to Lake Lure residents.

X. CONSENT AGENDA

Mayor Carol C. Pritchett presented the Consent Agenda and asked if any other items should be removed before calling for action.

Commissioner made a motion to approve the Consent Agenda, as presented. Commissioner seconded. Therefore, the Consent Agenda incorporating the following items was unanimously approved and adopted:

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- A. Adopt the November 9, 2021 Regular Meeting Minutes and the December 1, 2021 Special Meeting Minutes
- B. Budget Amendment #318
- C. Dredging Grant Resolution No. 21-12-14
- D. Dredging Project No Conflict of Interest Certification
- E. 2022 Holiday Schedule

XI. NEW BUSINESS

A. ADOPTION OF THE 2022 TOWN COUNCIL MEETING SCHEDULE

Commissioner Jim Proctor made a motion to adopt the 2022 Town Council Meeting Schedule, as presented. Commissioner Scott Doster seconded and all voted in favor, approving the following 2022 meeting schedule:

DATE	LOCATION	TIME	TYPE
January 11, 2022	Lake Lure Municipal Center/Virtual	5:00 p.m.	Regular
January 26, 2022	Lake Lure Conference Room/Virtual	8:30 a.m.	Work Session
February 8, 2022	Lake Lure Municipal Center/Virtual	5:00 p.m.	Regular
February 23, 2022	Lake Lure Conference Room/Virtual	8:30 a.m.	Work Session
March 8, 2022	Lake Lure Municipal Center/Virtual	5:00 p.m.	Regular
March 30, 2022	Lake Lure Conference Room/Virtual	8:30 a.m.	Work Session
April 12, 2022	Lake Lure Municipal Center/Virtual	5:00 p.m.	Regular
April 27, 2022	Lake Lure Conference Room/Virtual	8:30 a.m.	Work Session
May 10, 2022	Lake Lure Municipal Center/Virtual	5:00 p.m.	Regular
May 25, 2022	Lake Lure Conference Room/Virtual	8:30 a.m.	Work Session
June 14, 2022	Lake Lure Municipal Center/Virtual	5:00 p.m.	Regular
June 29, 2022	Lake Lure Conference Room/Virtual	8:30 a.m.	Work Session
July 12, 2022	Lake Lure Municipal Center/Virtual	5:00 p.m.	Regular
July 27, 2022	Lake Lure Conference Room/Virtual	8:30 a.m.	Work Session
August 9, 2022	Lake Lure Municipal Center/Virtual	5:00 p.m.	Regular
August 31, 2022	Lake Lure Conference Room/Virtual	8:30 a.m.	Work Session
September 13, 2022	Lake Lure Municipal Center/Virtual	5:00 p.m.	Regular
September 28, 2022	Lake Lure Conference Room/Virtual	8:30 a.m.	Work Session
October 11, 2022	Lake Lure Municipal Center/Virtual	5:00 p.m.	Regular
October 26, 2022	Lake Lure Conference Room/Virtual	8:30 a.m.	Work Session
November 8, 2022	Lake Lure Municipal Center/Virtual	5:00 p.m.	Regular
November 23, 2022	Lake Lure Conference Room/Virtual	8:30 a.m.	Work Session

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December 13, 2022	Lake Lure Municipal Center/Virtual	5:00 p.m.	Regular
December 28, 2022	Lake Lure Conference Room/Virtual	8:30 a.m.	Work Session

<p style="text-align: center;">XI. NEW BUSINESS</p> <p style="text-align: center;">B. ASSIGNING COUNCIL LIAISONS</p>
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Commissioner Proctor made a motion to appointing the council liaisons as follows:

Commissioner David DiOrio will be the liaison for the Board of Adjustment/Lake Structure Appeals Board and the Lake Advisory Board.

Commissioner Patrick Bryant will be the liaison for the Parks and Recreation Board.

Commissioner Scott Doster will be the liaison for Zoning and Planning Board and the Utility Advisory Board.

Commissioner Jim Proctor will be the liaison for the ABC Board.

Commissioner DiOrio seconded and the motion carried 4-0.

<p style="text-align: center;">XI. NEW BUSINESS</p> <p style="text-align: center;">C. ADVISORY BOARD TERMS</p>
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Commissioner DiOrio made a motion to apply a two month extension to the existing advisory board terms. Commissioner Doster seconded and all voted in favor.

<p style="text-align: center;">XI. NEW BUSINESS</p> <p style="text-align: center;">D. APPOINTING MAYOR PRO TEM</p>
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Commissioner Bryant made a motion to appoint David DiOrio to serve as Mayor Pro Tempore. Commissioner Doster seconded and the motion carried 4-0.

<p style="text-align: center;">XI. NEW BUSINESS</p> <p style="text-align: center;">E. CELL TOWER GROUND LEASE AGREEMENT WITH TILLMAN INFRASTRUCTRE</p>
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Community Development Director Michael Williams provided an update regarding the cell tower. Director Williams noted that he met with representatives of Tillman Infrastructure and discussed an easement agreement and an option and lease agreement for the purpose of the tower.

Commissioner DiOrio made a motion to approve the Option and Lease Agreement proposed between the Town and Tillman Infrastructure, LLC., with five consecutive five year terms, initial rent of \$1,500 per month with monthly rent to increase by 10 percent each five year term, with other final details to be worked out by legal counsel as necessary, and to authorize the mayor to sign the finalized documents. Commissioner Doster seconded and the motion carried 4-0.

XI. NEW BUSINESS

F. TDA APPROPRIATION APPROVAL

Parks, Recreation, and Trails Coordinator Dana Bradley provided Council with details regarding TDA appropriation for the Morse Park Overlook and Trail work projects. Coordinator Bradley explained that a budget amendment will be needed for additional \$93,750 to be allocated by the Town to complete the projects. Coordinator Bradley requested that Council approve TDA appropriations and budget amendment #319 for the purpose of additional Town funding.

Commissioner DiOrio provided a brief explanation of the TDA and the projects that were discussed by Coordinator Bradley

Commissioner DiOrio made a motion to approve the appropriation of \$93,750 towards the matching funds for the TDA appropriation. Commissioner Proctor and all voted in favor

XI. NEW BUSINESS

G. SELECTION FOR DESIGN BUILD SERVICES – SUBAQUEOUS SANITARY SEWER REPLACEMENT PROJECT

Maurice Walsh, PE, with LaBella Associates explained the value of choosing a design build method to complete the subaqueous sanitary sewer replacement project. Mr. Walsh also explained that LaBella in partnership with Ruby Collins General Contractors submitted a Request for Qualifications for the design build services for the Subaqueous Sanitary Sewer Replacement Project and that the town reviewed the merits and qualifications which aligned with the Town's requirements.

Commissioner DiOrio made a motion to approve the selection of Labela in partnership with Ruby Collins General Contractors for the design-build services for the subaqueous sanitary sewer replacement project. Commissioner Proctor seconded and all voted in favor.

XI. NEW BUSINESS

H. GREEN SPACE NAME AND SIGNAGE REQUESTS

Parks, Recreation, and Lake Director Dean Givens provided a reminder that the municipal golf course will be closing on December 31st and that the Town will be taking over the property as a designated “Lake Lure Green Space” beginning in January 2022. Director Givens requested permission to remove golf course signage, install ‘no golfing’ signage, Parks, Recreation, and Lake Department and green space signage.

Commissioner Bryant made a motion to approve and permit the requests of the Parks, Recreation, and Lake Department, as presented. Commissioner DiOrio seconded and all voted in favor

XI. NEW BUSINESS

I. ORDINANCE NO. 21-12-14 - AN ORDINANCE AMENDING CHAPTER FOUR OF THE TOWN OF LAKE LURE CODE OF ORDINANCES FOR THE PURPOSE OF ADDING LAKE LURE GREENSPACE TO THE INVENTORY OF LOCATIONS SPECIFIED UNDER SECTION 4-2(C) IN WHICH THE TOWN REQUIRES DOGS TO BE PROPERLY RESTRAINED BY A LEASH

Director Givens explained that Ordinance No. 21-12-14 would allow for the addition of “Lake Lure Green Space” to the existing leash ordinance. Commissioner DiOrio explained that the Lake Lure Greenspace incorporation into the leash ordinance will allow the green space to be the same as existing town parks, such as Dittmer-Watts Park.

Commissioner DiOrio made a motion to adopt Ordinance No. 21-12-14 amending chapter four of the town of lake lure code of ordinances for the purpose of adding lake lure greenspace to the inventory of locations specified under section 4-2(c) in which the town requires dogs to be properly restrained by a leash. Commissioner Bryant seconded and the motion carried 4-0.

ORDINANCE NUMBER 21-12-14

AN ORDINANCE AMENDING CHAPTER FOUR OF THE TOWN OF LAKE LURE CODE OF ORDINANCES FOR THE PURPOSE OF ADDING LAKE LURE GREENSPACE TO THE INVENTORY OF LOCATIONS SPECIFIED UNDER SECTION 4-2(C) IN WHICH THE TOWN REQUIRES DOGS TO BE PROPERLY RESTRAINED BY A LEASH

WHEREAS, Chapter Four of the Town of Lake Lure Code of Ordinances Section 4-2(c) establishes that it shall be unlawful for any person owning, having possession, charge, care,

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custody or control of a dog to allow such dog to enter any town owned parcels, including, but not limited to, Lake Lure Town Hall, Washburn Marina, Morse Park, and DittmerWatts Nature Trail without being properly restrained by a leash;

WHEREAS, The Town of Lake Lure Parks, Recreation, and Lake Department is maintaining and operating the former municipal golf course solely as a greenspace;

WHEREAS, The greenspace has been formally named “Lake Lure Greenspace” via motion by Town Council; and

WHEREAS, It is within the best interest of the Town of Lake Lure and Lake Lure residents that Lake Lure Greenspace be specifically referenced under Chapter Four of the Town of Lake Lure Code of Ordinances Section 4-2(c) for the purpose of requiring dogs to be properly restrained by a leash while on the Lake Lure Greenspace property; now

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

SECTION ONE. Chapter Four of the Town of Lake Lure Code of Ordinances Section 4-2(c) is hereby amended as follows:

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

Sec. 4-2. Dangerous dogs; barking; leash requirements.

(c) It shall be unlawful for any person owning, having possession, charge, care, custody or control of a dog to allow such dog to enter any town owned parcels, including, but not limited to, Lake Lure Town Hall, Washburn Marina, Morse Park, DittmerWatts Nature Trail, and Lake Lure Greenspace without being properly restrained by a leash. This section shall apply to all dogs with the following exceptions:

- (1) Dogs used or being trained for law enforcement by law enforcement officials.
- (2) Service animals, as defined by the Americans with Disabilities Act, used by authorized persons and under the control of such persons.
- (3) Dogs in specified off-leash areas as designated by the town.
- (4) Dogs fulfilling a specific town or public purpose, per authorization from the town.

(Code 1989, § 81.02; Ord. of 9-11-2012; Ord. of 5-14-2019)

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SECTION TWO. This Ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect immediately from after the date of its final passage and adoption.

The Town of Lake Lure Town Council deems Ordinance No. 21-12-14 to be consistent with the Lake Lure comprehensive plan because it expands the existing leash law.

The Town of Lake Lure Town Council deems Ordinance No. 21-12-14 to be reasonable and in the public interest because it is relative to public safety.

X. CLOSED SESSION

Commissioner DiOrio made a motion to go into closed session in accordance with G.S. 143-318.11(a) (3) for the purpose of discussion attorney client privilege and in accordance with G.S. 143-318.11(a) (6) for the purpose of discussing personnel matters. Commissioner Bryant seconded and the motion carried 4-0.

During Closed Session, Council discussed legal matters and personnel matters.


Commissioner Proctor made a motion to return to open session. Commissioner DiOrio seconded and the motion carried 4-0.

After discussion in closed session, Commissioner DiOrio made a motion to accept the settlement of the Johnson litigation negotiated by the North Carolina League of Municipalities in the amount of \$87,500.00 paid by League and that the Mayor and Town Attorney are authorized to enter into a settlement agreement to that effect, and move the Town to move forward with sealing the alligator cracks on Burnt Ridge Road at a cost of \$5000. Commissioner Bryant seconded and all voted in favor.

XI. ADJOURN THE MEETING

With no further business, Commissioner Bryant made a motion to adjourn the meeting at 7:30 p.m. Commissioner DiOrio seconded and the motion carried 4-0.

ATTEST:


Olivia Stewman,
Town Clerk


Mayor Carol C. Pritchett