



**MINUTES OF THE REGULAR MEETING OF THE LAKE LURE TOWN COUNCIL  
HELD TUESDAY, SEPTEMBER 12, 2023, 5:00 P.M. AT THE LAKE LURE MUNICIPAL  
CENTER**

**PRESENT:** Mayor Carol C. Pritchett  
Mayor Pro Tem David DiOrio  
Commissioner Scott Doster  
Commissioner Patrick Bryant  
Commissioner Jim Proctor

William Morgan, Jr., Town Attorney  
William Hank Perkins, Jr., Town Manager  
Laura Krejci, Communications Director  
Dana Bradley, Parks, Recreation, and Trails Coordinator  
Rick Carpenter, Development and Environmental Review Specialist  
Stephen Ford, Finance Director

**ABSENT:** N/A

**I. CALL TO ORDER**

Mayor Carol C. Pritchett called the meeting to order at 5:00 p.m. Council members led the pledge of allegiance and Commissioner Patrick Bryant led invocation.

**II. APPROVE THE AGENDA**

Commissioner Jim Proctor made a motion to approve the agenda, as presented. Commissioner David DiOrio seconded and the motion carried 4-0.

**III. MAYOR'S COMMUNICATIONS**

Mayor Pritchett thanked all individuals in attendance.

Mayor Pritchett explained that the Town had an emergency repair during Labor Day Weekend that impacted lake level and thanked public works for resolving the issue in a timely manner. Mayor Pritchett noted that the sewer system and some retain walls are old and it is not uncommon for issues to arise, but the Town tries to preemptively make improvements. Mayor Pritchett also noted that one thing that the Town strives to improve in these situations is communications. Communications Director Laura Krejci explained that the Town uses Everbridge to communicate emergency situations and that you can contact her for any assistance registering for Everbridge. Director Krejci noted that the Town currently has close to 1,500 residents registered. It was detailed that registration is available at the bottom of the Town's website. Mayor Pritchett expressed appreciation for Town staff.

#### **IV. TOWN MANAGER COMMUNICATIONS**

Town Manager Hank Perkins summarized highlights from his Manager's Report for August (available in the meeting packet).

#### **V. COUNCIL LIAISON REPORTS & COMMENTS**

Commissioner Scott Doster reported the activities of the Zoning and Planning Board and the ABC Board.

Commissioner David DiOrio reported the activities of the Lake Advisory Board and noted that the Board of Adjustment / Lake Structure Appeals Board met. Commissioner DiOrio noted that the Lake Use Regulations were amended during the Marine Commission meeting.

Commissioner Jim Proctor reported the activities of the Parks and Recreation Board.

Commissioner Patrick Bryant detailed that all boards are rotated annually and noted that those looking to join a Town board can find applications online or can contact the Town Clerk or Communications Director. Commissioner Bryant expressed thanks and encouraged attendees apply for Boards. Mayor Pritchett agreed.

#### **VII. PUBLIC COMMENT**

Mayor Carol C. Pritchett invited the audience to speak.

Mayor Pritchett noted that the Town Clerk received a number of comments that will be recorded into the minutes.

Bob Mitchell, 332 Snug Harbor Circle, expressed concern regarding bears getting into garbage and asked for advice on how to keep the area more cleanly to avoid this issue. Mr. Mitchell noted that he has had frequent visits from bears in Lake Lure. Mr. Mitchell explained that his solution is to take his garbage to Spartanburg because he lives there full-time. Mr. Mitchell added that he also visits the Bills Creek facility and it is very nice, but it is distant. Mr. Mitchell questioned the possibility of placing a bin on the South Side of the Lake near Ingles or Dittmer-

Watts. Mr. Mitchell stated that he has noticed that the biggest issues with garbage are vacation rentals and expressed the need to resolve this issue.

Reverend Alex Heafner, 297 Boys Camp Road, spoke regarding the Lakeside Chapel. Reverend Heafner expressed support for Parks and Recreation and the Council members who commented on preserving the Chapel.

John Moore, 123 Firefly Cove, thanked Council for their dedication to the Town and expressed that it is a big commitment that he knows firsthand as a former commissioner. Mr. Moore advised people to attend Chimney Rock Baptist Church's lakeside services, which have been taking place for 60 years. Mr. Moore detailed that set-up for services is at 8:30 a.m. and the service starts at 9:30. Mr. Moore emphasized that everyone is welcome to attend and noted that it is a great event with a laid back and welcoming environment. Mr. Moore added that attendees are careful not to block the boat ramp or police access. Mr. Moore thanked Council.

Helen Jones, 123 Ridgeview Circle, noted that she moved here in 1970 and drove the first showboat. Ms. Jones recalled the excitement that took place when passing the Lakeside Chapel while riding the boats. Ms. Jones explained that Lake Lure Baptist Church have both a tourist and resident ministry and thanked council for considering the Lakeside Chapel.

Barbara Searcy, 201 Havnaers Point Circle, expressed that the increase of people visiting Lake Lure has resulted in more traffic and that she is concerned about speeding on side streets. Ms. Searcy noted that it is a safety issue and asked that the Town address speed limits on the Lake Lure side roads. Ms. Searcy thanked the Commission for the regulations put in place on the Lake. Ms. Searcy also expressed that many community members would like to have a community center in Town again.

Tracy Cjzcoski, 139 Vance Place, noted she had been a resident for 17 years and thanked Council for the ability to comment. Ms. Cjzcoski expressed that she would like to comment on lease of old ABC Store and Pool Creek Park. Ms. Cjzcoski noted that she just found out that the Lakeside Chapel would not be impacted and expressed support for that aspect as she considers the Church to be a treasured experience. Ms. Cjzcoski expressed that the Town needs to protect green spaces and requested that Pool Creek Picnic Park remain as is. Ms. Cjzcoski asked that if the lease of the former ABC Store needs to be a commercial enterprise, that council limit it to the commercial building alone. Ms. Cjzcoski thanked Council.

Doug Phillips, Crystal Road in Chimney Rock, stated that he is an 8<sup>th</sup> generation local from soldiers who settled in this area and is the grandson of the first man to settle on Chimney Rock. Mr. Phillips expressed that the beauty of the area is what makes it so special and that he thinks that green spaces should remain as green spaces. Mr. Phillips expressed dissatisfaction for having food trucks in Pool Creek Park. Mr. Phillips stated that the Council is a steward of the area and asked that Council members use that title wisely. Mr. Phillips also expressed concern with speed limits and suggested lowering the speed limit from the Welcome Center to Chimney Rock in order to keep the area safe. Mr. Phillips thanked Council.

Debi Warren, 138 Yacht Island Drive, explained that she chairs the Lake Lure Olympiad Committee and that they recently held the 19<sup>th</sup> annual running of the Olympiad. Ms. Warren thanked the 107 volunteers, Chimney Rock, Rumbling Bald, public safety, Chimney Rock State

Park, Lake Lure. Ms. Warren noted that it could not have happened without help. Ms. Warren added that there were 750 participants. Ms. Warren expressed appreciation and noted that next year will be the 20<sup>th</sup> annual event and she is looking forward to it.

David Lusk, 217 Sunset Cove, thanked the Town for resurfacing the Sunset Cove road and thanked public works for improving ditches with riprap and gravel.

Susan Heafner, 297 Boys Camp, explained that she is a member of Chimney Rock Baptist and is the sound operator for the Lakeside Chapel. Mrs. Heafner detailed how Lake Lure is unique in many ways and has many unique features including the dance festival, the Flowering Bridge, a beach in the mountains, and Canadian geese. Mrs. Heafner noted that elected officials had helped in creating this uniqueness throughout the years. Mrs. Heafner noted that people in the community have many different interests. Mrs. Heafner emphasized that each activity and event is unique and that Lakeside Chapel is no different. Mrs. Heafner detailed the uniqueness and use of the Chapel and expressed that people really enjoy the Chapel. Mrs. Heafner expressed that she has no issues with the Town continuing to consider uniqueness and trusts that Town Council will listen to concerns and leave Lakeside Chapel as is.

Sonny Clark, 137 Seawish Way, expressed concern regarding the rescinded proposal for of the ABC Store and that the proposal extended to Pool Creek Park. Ms. Clark expressed the need to support local restaurants and noted that people really enjoy the use of Pool Creek Park. Ms. Clark added that food trucks do not promote the area, but nature does, and expressed that if anything is extended into Pool Creek Park it should be something to beautify the area. Ms. Clark thanked the Town for resurfacing the pickle ball courts.

Deborah Gardner, Firefly Cove, noted that she wanted to discuss contracts. Mrs. Gardner stated that all contracts that are entered into should be available for the public to view and recommended adding contracts to the Town website. Mrs. Gardner expressed concern with the latest Lake Lure Tours Concession Agreement. Mrs. Gardner asked if there is a policy that the Town has regarding contracts. Mrs. Gardner expanded that she is concerned about the extension of the Lake Lure Tours Concession Agreement and the fact that it was not re-bid. Mrs. Gardner noted that another issue that she notices in the agreement are the established hours of the beach for public use. Mrs. Gardner added that an additional issue with the agreement is that it states that merchandise, food, and service pricing should be comparable to those charged by the local market and asked why gas is not included in this. Mrs. Gardner expressed that Lake Lure Tours is price gauging and that the Town has some control over the prices set by Lake Lure Tours.

Richard Green, 155 Quail Cove Blvd., expressed that he agrees with comments regarding maintain the Pool Creek Park and the Lakeside Chapel. Mr. Green also expressed that he thinks that the Town needs to support local business rather than food trucks. Mr. Green thanked Council.

There were no further in-person comments from the public.

The following comments were emailed to the Town Clerk prior to the meeting:

**From Marcia Evans:**

We have owned our cabin for 46 years and have loved the quaintness of Lake Lure. Every summer we also enjoy going to the Lakeside Chapel on Sundays. It is an added plus to the lake.

Please consider this as you are considering buyers for the property that is close to the Lakeside Chapel. The lake definitely would not be the same without this.

Thank you for your help in saving the Lakeside Chapel!!!

**From Marlene and Harold Wilson:**

We are hearing that our Lakeside Chapel may be eliminated so that the property along that side of the lake (including the closed ABC building) may be used for some other purpose. It has been there since the 1960's for tourists as well as local residents. We urge you to not do away with our Chapel.

Marlene and Harold Wilson

**From Janice and Wayne Lawson:**

I want to voice my opinion concerning the upcoming discussion about the lease of the property of the previous ABC store. Please be very considerate of the surrounding property there. My husband and I own the property at 331 Asa Gray Drive. This is our secondary home and the little Lakeside Chapel adjacent to the old ABC store is our church away from home. This place is very dear to us along with our children, grandchildren and friends. When we are in town on a Sunday we attend church there. This is a very good and positive thing. Please do not take this away from your residence and visitors. We don't care if you lease the building but please leave the surrounding property as is.

It breaks my heart to see what has already been done there with the expansion of the marina. The natural beauty has been given away for greed of money. We have owned our home there for the past 10 years and pay dearly in taxes and water bill for much of nothing in return.

I know that we do not have voting rights since this is not our primary residence but please, I beg of you, do not let the Chapel and Sunday parking be obliterated.

Asking for your consideration,

Janice and Wayne Lawson

**From Joseph Mazur:**

Good afternoon Olivia,

I understand that you are receiving comments from concerned citizens and businesses regarding the food truck proposal.

I will be out of town and unable to attend the town meeting.

Our concerns are as follows:

First and foremost, they be cluttering the lake view which was the main feature in selecting our location when it was built in 2005.

Noise and potential smoke from the exhaust fans, generators, refrigeration compressors will be a negative factor impacting our patio guests, keeping in mind that we seat 88 guests on the patio and seating there is typically in very high demand due to the view.

We take no issue with the introduction of food trucks in another appropriate location, perhaps on the paved area between the Arcade and the Inn however, the location should not be to the detriment of the lake view and established community businesses and residences.

Respectfully,  
Joe Mazur  
Owner Partner  
La Strada at Lake Lure  
Family Owned and Operated  
Proudly Serving N.C for nearly 50 Years

**From Susan King:**

Addressed to all of the leaders of the Town of Lake Lure:

My family and I are against the planned usage of the Pool Creek Park as a Food Truck Park. Surely our officials can secure a better use that would be supported by the local community, as this one is NOT supported by most ALL of us.

We understand the need to create revenue for the town so that we can afford the services we all want and need. The enlargement of our marina a couple of years ago was a win/win as it provides revenue and additionally benefited the local and surrounding communities with slips and access to our beautiful lake. Most of these people cannot afford to have a home on the lake itself and this has provided them with the ability to enjoy the immense beauty of the lake and mountain vistas.

Tell me please, of what benefit will it be to the towns people to destroy the amazing view of our lake and beach front as they enter what is officially our gateway to our town? Even those who vacation here are always awestruck as they enter town after traveling a number of miles on a winding and wooded road to have it suddenly open up to a panoramic view of towering mountains and beach front! Instead we will all see trucks painted in a loud and garish way advertising their food. The many people who enjoy walking along that stretch will find the natural beauty tarnished, and those that frequented it for family picnics and grilling will no longer have the same experience they once had. Our public picnic area near the tennis courts does not provide the same "lakeside" picnic experience, and is more geared for families needing a playground.

Many in this area over the years have made this their meeting spot for large family get togethers for special occasions and memory making beside the lake. Not everyone can

afford or wishes to partake in the beach, nor owns a boat.....this is their only way to enjoy our lake.

The benefit to accommodate vacationers with additional food sources when we have numerous and a variety of established restaurants here is not necessary, and I do not care what anyone says, for it will impact their business when some of it is deflected to food trucks. There is no benefit here for any of us who call this home, only loss on so many fronts. Yes, seek revenue with the lease of the ABC building and perhaps some of its adjoining land, but leave the Pool Creek Park alone and be satisfied with revenues of the \$2500 or so that can be secured with another usage.....but let us not be greedy to accept \$5000 and destroy the charm and ambiance of our town center!

Respectfully,  
Susan King

**From Cindy and Robert Lummus:**

Please don't lease Pool Creek Picnic Park! That park belongs to the people - to enjoy a free view of the beauty of Lake Lure and our incredible mountains. Pool Creek Picnic Park is Perfect as is!

Cindy & Robert Lummus  
772 Luther Burbank

**From Larry Czajkoski:**

Hello,

My name is Larry Czajkoski.

I live at 139 Vance Place in Lake Lure.

I have lived there and been a resident of Lake Lure for 17yrs now.

I am a current volunteer member of the ToLL Parks & Recreation Board and have been a volunteer member of that Board for over 14yrs.

I would like to THANK Town Council for the opportunity to comment on matters important to the Community. The specific reason I am sending this email to Town Council today (for inclusion to the Tuesday, Sept 12th 2023 Town Council Meeting) is to comment on the 'Building Lease Proposal Request of the former ABC building and the surrounding area....including Pool Creek Picnic Park and the parking lot and Lakeside Chapel area in between the park and the building.'

Regarding the Lakeside chapel. I am member of Chimney Rock Baptist Church. My family has been attending the Lakeside Chapel Sunday morning service in-season regularly since 2014. We consider it a treasured institution in and for Lake Lure that not only church members enjoy every Sunday morning In-Season...But Also, anybody from the community including visitors to our beautiful Town can partake and enjoy church service in an incredibly beautiful outdoor amphitheater with the Lake and the Mountains as our backdrop. It truly is a beautiful experience and one that so many people enjoy regularly in-season....It is part of the attraction and charm of Lake Lure.

Regarding the proposal to lease out the former ABC building, I respectfully request that Town Council take into consideration the usage of the parking area and Lakeside Chapel

by Chimney Rock Baptist Church and allow the church to continue their ministry of Sunday morning lakeside service at the current location regardless of what entity or organization or business eventually leases out the former ABC building. Regarding Pool Creek Picnic Park. As a proud citizen of The Town of Lake Lure, I strongly feel we as a community need to protect and make available to our citizenry and visitors as much green space and parkland as possible for recreation and outdoor activities. So, I respectfully request that Pool Creek Picnic Park remain as is....That is to say, it should remain a green space public park for all to enjoy with no intrusion from any new entity or commercial enterprise that may lease out the former ABC building.

Lastly, Perhaps the former ABC building could be utilized by another Town of Lake Lure Department. But, IF the new entity to lease out the former ABC building needs to be a commercial enterprise....I would encourage Town Council to limit the commercial impact to the building alone and leave the surrounding area including the parking lot, the waterfront, Lakeside Chapel, And Pool Creek Picnic Park untouched and as is for all our community residents and visitors to enjoy. More specifically, I would respectfully suggest Town Council refrain from any impact to the view along the shoreline/waterfront from the current boathouse all the way to the hwy 64 overpass over Pool Creek. The Bay already 2 has enough clutter and view disruption as is....I strongly feel the Town of Lake Lure, its residents, and our visitors would be much better served by leaving the remaining shoreline of Pool Creek Picnic Park all the way to the current boathouse untouched and as is.

Thank You Very Much for your time and attention...  
Larry

**From Mike and Ellen Huber:**  
For the Town Clerk:

We have been part-time residents in Lake Lure since 1981. Over the recent several years, we have enjoyed attending the Lakeside Workshop Services (a.k.a. "Boat Church"), and we feel that this venue is very appealing. To be able to worship in this beautiful setting with the lake and the mountains surrounding you, is a very unique and special experience. Part of the charm of Lake Lure is the opportunity to attend worship services outdoors by the lake.

As you consider new tenants in the old ABC store, please allow this long and very special tradition to continue.

Thank you for your consideration,  
Mike & Ellen Huber  
227 Sunset Cove  
Lake Lure

**From Beth Bryant:**  
Planning Council-

I wish to ask for your support in keeping Chimney Rock Baptist Church as part of the lakeside plan being discussed in Lake Lure. My husband and I first saw the small sign for



this group while visiting Lake Lure on Memorial Day, 2022. We came back on the following Sunday and have attended church there ever since.

The fact that your town has seen fit to keep such a venue available is admirable in a time where commitment to financial benefit gains seem to dominate most planning discussions. Each Sunday brings a peaceful reminder of the harmony of nature and faith as we can gather at the lakeside location.

I urge you to keep us meeting in this location as you make plans for your town. The simple value of carving out a place to meet and worship is certainly part of the “lure” of your town.

Thank you for your consideration. Beth Bryant.

**From Barbara Ball:**

To Whom It May Concern:

I am writing to express my strong opposition to the proposed installation of food trucks in the green space area known as Pool Creek Park.

I have several concerns that I believe need to be addressed. The constant noise emitted from the generators would be a major annoyance, disturbing the tranquility of the area and negatively impact the experience for residents and visitors alike. From a property owners point of view, this could devalue my property as well as others nearby. Has any consideration been given to mitigating this potential issue?

Additionally, the smoke and smells emitted from MULTIPLE food trucks may have a detrimental effect on the quality of air in the vicinity. Has an assessment been conducted to determine the potential impact on the environment?

Furthermore, the increased traffic flow and lack of sufficient parking spaces (which is already an issue) for food truck customers and those wishing to picnic in the little remainder of greenspace could lead to congestion and frustration.

Another significant worry is the potential negative impact on the local restaurant industry. Has a thorough analysis and consideration been conducted to assess the potential economic consequences for these establishments?

Lastly, the prescence of food scraps (you can't get them all up) and leftover smells in the air could attract even more bears to the area.

I urge you to carefully consider these concerns and thoroughly evaluate the consequences of a decision to install food trucks in this beautiful greenspace area overlooking and adjacent to the lake. Serenity and peace, picnicking families their children's laughter, the glorious vista is what this space is all about now and should remain this way. Please don't blight this amazing space.

Thank you for your attention to this matter.

Barbara (Bobbie) Ball  
2687 Memorial Hwy.  
Lake Lure, NC. 28746

**From Lisa Ashlin:**

Dear Lake Lure Town Council,

I was raised in Lake Lure, currently a property owner, and hope to retire to Lake Lure one day. I am extremely concerned about potential plans for the old ABC store building and the surrounding green space. I am mostly concerned about the Chimney Rock Baptist Church chapel. This chapel has ministered to locals and visitors since the late 60s. In your decision, I urge you to consider the impact this chapel has had and will have on many lives and how much it means to us. Our small town is beautiful just as it is and some of the changes that have been made and potential new changes are altering what makes this little piece of heaven on Earth so special. At some point it just becomes too much. Please consider the residents of Lake Lure in your decisions. Please consider the reason people want to move here and please keep the natural beauty of Lake Lure. Most importantly please allow our sacred Chapel to remain. Thank you.

Sincerely,

Lisa Ashlin

**From Dale and Dianne Burgett:**

Dear Mayor Pritchett and Town Council Members,

Thank you for serving our town and community!

It is my understanding that there is discussion on possibly making changes to the area adjacent to the former ABC store. My wife and I are unable to attend the meeting today and would like to present our thoughts on this subject via this letter.

We have attended the Chimney Rock Baptist Church Lakeside Service for many years now and have grown to love the beautiful setting, the fellowship, and teachings we receive each Sunday. Dianne and I respectfully ask that in any upcoming decisions regarding this area, you would not eliminate nor alter our meeting place.

Thank you for your consideration with this matter.

Sincerely,

Dale & Dianne Burgett

308 Summit Ct.  
Lake Lure, NC

**From Bill Curtis:**

One of the things that make lake lure/chimney rock a tourist destination is its friendly tolerant atmosphere where things are offered that may not be in every community. Offering

an outdoor service for visitors and residents alike is a unique and small town friendly gift and a place to meet.

I hope we will continue to provide this use of a small part of your plan for the area.

**From John Lingenfelter:**

To the Attention of the Lake Lure Town Council,

For over 50 years Chimney Rock Baptist Church has enjoyed the privilege of conducting Sunday morning Services at Lake Lure. These services have been instrumental in providing the citizens of Lake Lure, other local towns and even families from other states, to have an enjoyable outdoor worship experience.

We are truly thankful to the landowners for this unique and blessed opportunity. We hope that an amicable solution apart from terminating morning services can be reached. The church only needs to utilize the parking spaces for a short period of time during the months of lakeside services. Perhaps renting to a coffee shop, bakery, breakfast shop or luncheonette would be a viable solution. Congregants could even support these types of businesses before and after services.

Once again we thank all the public officials, past and potential tenants, and the land owners for allowing Chimney Rock Baptist Church to use this small space for Lakeside Community service and we hope that God's will be done and that this unique and blessed worship experience could continue.

Thank you and God bless you for your attentive ear regarding this matter and may God continue to bless our community,

Sincerely,  
John Lingenfelter

**From Charlie Ellis, Vice Chair for the Zoning and Planning Board:**

TO: Madam Mayor, members of Town Council

On October 28, 2020, Town Council adopted Resolution No. 20-10-28A Reaffirming The Adoption Of The 2014 Lake Lure Town Center Small Area Plan. The ending of the Resolution "reaffirms the adoption of the 2014 Lake Lure Town Center Small Area Plan to serve as a guide for the development of the Lake Lure Town Center over the long term. As well to provide historical context and guidance during the consideration of future alternative Town Center plans."

After many years of discussion, the ABC board recently relocated their store and created a long-awaited opportunity to bring much needed new business into their former location. The Town Center Small Area Plan anticipates a continued commercial use of that building, along with a redevelopment of the lakefront land area behind the former ABC which is currently used for Town-owned boats, construction staging, etc. As the Town continues to market these properties to prospective tenants, those efforts should not include any of the grassy lakefront property currently known as Pool Creek Picnic Park.

Both the Town Center Small Area Plan and the 2007-2027 Comprehensive Plan show this area will remain as Open Space to be used for Park & Recreational Areas. In fact the original 1926 plan for the creation and development of Lake Lure by noted architect E.S. Draper also shows the entire area around Marina Bay as a beach and open space. Far from being "antiquated", as one commissioner recently characterized the Town Center Small Area Plan, it consistently supports the same objectives for open space, parks and recreational uses that have been in place for almost 100 years.

Should this Town Council feel that the 2014 Lake Lure Town Center Small Area Plan needs to be updated, despite its recent reaffirmation less than 3 years ago, then that land use policy should be changed only after a deliberate and public process. Far too much time, money and citizen input has gone into our current land use plans for these to be disregarded by individuals who are perhaps unfamiliar with them or who may harbor development plans which are contrary to our adopted public objectives.

Thank you for your attention to this important matter.

There were no further written comments received prior to the meeting.

## **VII. CONSENT AGENDA**

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

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

- A. Approval of the August 8, 2023 Regular Town Council Meeting Minutes, the August 16, 2023 Town Council Work Session Meeting Minutes, and the September 6, 2023 Special Town Council Meeting Minutes
- B. Approval of Suspension and Waiver Requests for the Hickory Nut Gorge Outreach Fall Arts and Crafts Festival Taking Place October 21, 2023 through October 22, 2023
- C. Approval of Requests for the Lake Lure Community Independence Celebration with Fireworks on July 6, 2024

## **VIII. UNFINISHED BUSINESS**

There was no unfinished business to discuss.

## **IX. NEW BUSINESS**

**A. HEARING: REQUEST TO APPEAL NOV 2023033 AND CITATIONS ISSUED  
BY THE COMMUNITY DEVELOPMENT DEPARTMENT IN RELATION TO 121  
ANGLERS WAY**

Allison Laken, 121 Anglers Way, explained that she had received five violations and citations including one that she was unaware of. Mrs. Laken expressed concern that there is not a form to make an appeal for these citations. Mrs. Laken explained that her house burnt down in 2020 and that there was no way to get permits to rebuild when the Town was closed down during COVID. Mrs. Laken noted that she worked with various staff including Michael Williams, Garrett Murphy, Mitchell Anderson, and Rick Carpenter. It was also noted that Rick Carpenter had issued the citations. Mrs. Laken detailed that the citations are \$200 a day. Mrs. Laken noted that her husband lost his leg a year ago and they could no longer be on site to rebuild and had to hire people to rebuild for them. Mrs. Laken stated that many builders did not want to come here because they did not want to deal with Town of Lake Lure. Mrs. Laken also stated that the notice she received says they received four citations and claimed that was not true. Mrs. Laken explained that she had been informed by Mr. Mitchell Anderson that they were in violation of the trout buffer and that the first violation was issued, but no citation. Mrs. Laken noted that they have now installed a steel barrier rather than the silt fence. Mrs. Laken expressed that all of the required changes could not be done in 10 days because of lack of workers and materials, and reiterated that she was charged \$200 per day. Mrs. Laken claimed that she never received any citation other than the trout buffer from Mr. Anderson. Mrs. Laken expressed that she thinks that it is ridiculous and that she does not feel that the citations should be executed upon her and her husband. Mrs. Laken expressed she wants to know where the other four violations were and noted that her husband was given one in May in regard to erosion control. Mrs. Laken further expressed that sediment has not been an issue on their property. Mrs. Laken stated that it is impossible to put fencing up and that she is being cited for things that are being done appropriately. Mrs. Laken expressed that she has applied all the rules and did not feel like 10 days was enough to fix issues.

Council asked for staff's input. Commissioner DiOrio asked about the total number of fines and costs. Development and Environmental Review Specialist Rick Carpenter provided the Council with photos of the site conditions. Specialist Carpenter explained that the number of fines had increased because each one had to be cited as a different violation. Specialist Carpenter noted that he has been working with the property owners for about a year and has tried to give them leniency. Specialist Carpenter expressed that he understands that there were personal circumstances, but conditions were not being met and the property is out of compliance. Specialist Carpenter explained that his goal in issuing the violations and fines is not punishment, but to encourage compliance. Specialist Carpenter further explained that these are state violations related to sediment and erosion control and that all fine money goes to the state. Specialist Carpenter added that he visited the property today and the property owners installed a new fence that does seem to be holding appropriately. Commissioner DiOrio asked if they are in compliance today and Specialist Carpenter answered no. Specialist Carpenter noted that if the citations are waived by Council, NOV2023033 would still be applicable. Specialist Carpenter noted that the property owners seem to have a plan to fix the issues, but have not provided a timeline for action. Specialist Carpenter added that he will continue to work with the property owners to resolve issues.

Commissioner DiOrio asked the Mrs. Laken why the property is still not in compliance and she expressed that she thinks that it is in compliance.

Commissioner DiOrio made a motion to defer any additional deliberation, allow the property owners to try to get in compliance, and revisit the request when compliance is met. Commissioner Doster seconded and all voted in favor.

**IX. NEW BUSINESS**

**B. ORDINANCE NO. 23-09-12 CHAPTER 30 ("TRAFFIC AND VEHICLES")  
ARTICLE III ("PARKING VIOLATIONS: ENFORCEMENT") SECTION 30-57  
("STOPPING, STANDING, OR PARKING PROHIBITED IN SPECIFIED PLACES")  
SECTION 30-62 ("PARKING AND USE OF ELECTRIC VEHICLE CHARGING  
STATIONS") AND SECTION 30-63 ("PENALTIES") OF THE TOWN OF LAKE LURE  
CODE OF ORDINANCES**

Coordinator Bradley explained that this because the ordinance did not allow LE to enforce and submitted to have it updated. It was noted that three sections would be updated if the ordinance is adopted. Commissioner Doster asked if there was sufficient signage and Coordinator Bradley answered yes.

Commissioner Doster made a motion to adopt Ordinance No. 23-09-12 Chapter 30 ("Traffic and Vehicles") Article III ("Parking Violations: Enforcement") Section 30-57 ("Stopping, Standing, or Parking Prohibited in Specified Places") Section 30-62 ("Parking and Use of Electric Vehicle Charging Stations") and Section 30-63 ("Penalties") of the Town of Lake Lure Code of Ordinances. Commissioner Bryant seconded and all voted in favor. Ordinance No. 23-09-12 was adopted as follows:

**ORDINANCE NO. 23-09-12**

**AN ORDINANCE AMENDING CHAPTER 30 ("TRAFFIC AND VEHICLES") ARTICLE III  
("PARKING VIOLATIONS: ENFORCEMENT") SECTION 30-57 ("STOPPING, STANDING,  
OR PARKING PROHIBITED IN SPECIFIED PLACES") SECTION 30-62 ("PARKING AND  
USE OF ELECTRIC VEHICLE CHARGING STATIONS") AND SECTION 30-63  
("PENALTIES") OF THE TOWN OF LAKE LURE CODE OF ORDINANCES**

**WHEREAS**, Town staff has identified three issues within the Town's parking regulations that need to be addressed in the Town Code of Ordinances and has made recommendations to the Board of Commissioners on how the two issues should be addressed; and,

**WHEREAS**, the Board of Commissioners has considered the issues and the Town staff's recommendations and has determined that the Staff's recommendations are well-founded;

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS FOR THE TOWN OF LAKE LURE:**

**Section 1.** Section 30-57 ("Stopping, Standing, or Parking Prohibited in Specified Places") is amended by the inclusion of a new subsection (11) and Section 30-57 shall now read as follows:

Sec. 30-57. Stopping, standing, or parking prohibited in specified places.

No person shall stop, stand, or park a vehicle except when necessary to avoid conflict with other

traffic, or in compliance with the direction of a police officer or a traffic control device in any of the following places:

- (1) On the sidewalk.
- (2) Within an intersection.
- (3) On a crosswalk.
- (4) Within 30 feet of any flashing beacon, stop sign, or traffic control signal located at the side of a street or roadway.
- (5) Alongside or opposite any street excavation or obstruction, when such stopping, or standing, or parking would obstruct traffic.
- (6) Upon any bridge or other elevated structure, or within any underpass.
- (7) Within 15 feet in either direction of the entrance to a hotel, theater, hospital, sanatorium, or other public building.
- (8) Upon any area designated as a no parking area when said areas are appropriately marked.
- (9) Upon any town property between the hours of 10:00 p.m. and 8:00 a.m. without permission to do so.
- (10) Upon any town property at any time for the purpose of camping, unless prior written permission is secured from the board of commissioners.
- (11) In a parking space designated for a specific purpose, (e.g., “vehicles with trailers only”) unless it is being used for the designated purpose.

**Section 2.** Section 30-62 (“Parking and Use of Electric Vehicle Charging Stations”) subsection (d) (“Enforcement”) is amended to read as follows:

(d) Enforcement. A violation of this section shall be enforceable pursuant to the procedures for penalties in section 30-63 ~~68~~.

**Section 3.** Section 30-63 is amended to read as follows:

Sec. 30-63. Penalty.

Any person, firm, or corporation violating any of the provisions of this article or failing or neglecting or refusing to comply with same, shall be issued a civil penalty citation in an amount not to exceed \$50.00, as set by the Town Council, payable at the Lake Lure Town Hall within thirty (30) days of issuance. Each day that any of the provisions of this article are violated shall constitute a separate offense. Civil penalty citations become past due if not paid within thirty (30) calendar days of the issuance of the citation, and the offender shall be assessed an additional penalty of \$25.00 and thereafter, every 30 day period the citation remains will result in an additional assessment of \$50.00. Citations and corresponding late fee(s) that remain unpaid after 30 days of issuance may be recovered by the Town in a civil action in the nature of a debt. Parking in violation of any or the provisions of this article shall make the vehicle and/or other property left thereon subject to towing.

(Code 1989, § 71.99; Ord. of 7-9-1974; Ord. of 12-13-2022)

**Section 4.** All ordinances, resolutions, or policies of the Town in conflict with the amendments herein adopted are void to the extent of the conflicts.

**Section 5.** This Ordinance shall become effective upon adoption

## **IX. NEW BUSINESS**

### **C. CONSIDER APPROVAL OF ADVANCED DATA NETWORK SOLUTIONS (ADNS) UPDATED AGREEMENT**

Finance Director Stephen Ford explained that this topic was discussed at the August work session meeting. Director Ford added that Advanced Data Network Solutions (ADNS) is proposing an amendment to their agreement with the Town and that ADNS provides IT services and business solutions. Director Ford noted that the amended agreement would mainly update terms regarding business solutions. Commissioner Doster asked if staff is pleased with the services provided by ADNS and it was answered yes.

Commissioner DiOrio made a motion to approve Advanced Data Network Solutions (ADNS) updated agreement. Commissioner Bryant seconded and all voted in favor.

**IX. NEW BUSINESS**

**D. RESOLUTION NO. 23-09-12A APPOINTING HANK PERKINS AS DEPUTY FINANCE OFFICER**

Manager Perkins explained that Director Ford is the Finance Officer for the Town and that the Finance Officer has specific statutory abilities. Manager Perkins expanded that Resolution No. 23-09-12A would appoint him as Deputy Finance Officer and would authorize him to act on the Finance Officer's statutory abilities in the event that Director Ford is unavailable.

Commissioner Bryant made a motion to adopt Resolution No. 23-09-12A Appointing Hank Perkins as Deputy Finance Officer. Commissioners DiOrio seconded and all voted in favor. Resolution No. 23-09-12A was adopted as follows:

**RESOLUTION NO. 23-09-12A  
APPOINTING HANK PERKINS DEPUTY FINANCE OFFICER**

**WHEREAS**, a Finance Officer has certain statutory duties including as detailed in North Carolina General Statute § 159-25; and

**WHEREAS**, from time to time the Finance Officer must be absent from town hall and during the Finance Officer's absence various duties must be performed; and

**WHEREAS**, the Town Council may appoint a Deputy Finance Officer for the purpose of ensuring that someone is present in town hall with authority to perform actions statutorily assigned to the appointed Finance Officer during the Finance Officer's absence; and

**NOW, THEREFORE BE IT RESOLVED** that on behalf of the Lake Lure Town Council and the citizens of the Town of Lake Lure, the Lake Lure Town Council appoints William H. Perkins, Jr. as the Deputy Finance Officer. This Resolution shall become effective upon the date of adoption.

**READ, APPROVED AND ADOPTED**, this 12<sup>th</sup> day of September, 2023

**IX. NEW BUSINESS**



**E. UPDATE REGARDING LAKE LURE TOURS PROPOSAL FOR THE LEASE OF THE FORMER ABC STORE PROPERTY**

Manager Perkins explained that there had been a lot of discussion regarding Lake Lure Tours' (LLT) proposals for the lease of the former ABC Store property. Manager Perkins announced that LLT proposal had been rescinded. Manager Perkins referred Council to the meeting packet page containing the letter from LLT rescinding their proposal.

Commissioner DiOrio thanked all in attendance and recognized that most attendees were there for this item. Commissioner DiOrio noted that the next step is to continue reviewing proposals which are still open for acceptance. Commissioner DiOrio also noted that there has been some guiding principles based on criteria. Commissioner DiOrio expressed that it has always been the intent of the Town to create an area that would provide opportunity for activities that benefit the community. Commissioner DiOrio expanded that another criteria that the Town is looking at during their review of proposals is financials and the opportunity to increase revenues through rent. Commissioner DiOrio stated that Lakeside Chapel will not be interfered with and that he would also like to preserve Pool Creek Park. Commissioner DiOrio noted that the entire parcel is zoned commercial and suggested that the Zoning and Planning Board could look at recommendations for re-zoning the parcel to codify the park. Commissioner DiOrio also noted that the food trucks will not be operating in Pool Creek Park, but the Town is finding that there may need to be a dedicated area somewhere in the Town with electric and wastewater collection features to allow for food trucks. Commissioner DiOrio reiterated that Council will continue review of proposals and proceed as necessary.


Commissioner Proctor noted that there is a Town Center Master Plan that was adopted in the past which displays the Pool Creek Park area with trees, no chapel, and a building behind the former ABC Store building. Commissioner Proctor expanded that the conceptual plan shows almost 300,000 extra sq. ft. of commercial property. Commissioner Proctor suggested that as the Town moves forward, the Town Center Master Plan needs to be revisited. Commissioner Bryant noted that the Town's Comprehensive Master Plan will expire in 2027 and will need to be replaced with a revised plan in the near future.

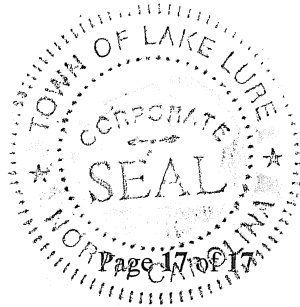
Commissioner Bryant noted that no one had access to Pool Creek Park until 2014, but for the last 10 years it has been used for recreation. Commissioner Bryant expressed support for reviewing the possibility of the rezoning of the property to codify the park.

**X. ADJOURNMENT**

With no further business, Commissioner DiOrio made a motion to adjourn the meeting at 6:27 p.m. Commissioner Doster seconded and the motion carried 4-0.

ATTEST:

  
Olivia Stewman, Town Clerk



  
Mayor Carol C. Pritchett