



**MINUTES OF THE REGULAR MEETING OF THE LAKE LURE TOWN COUNCIL
HELD TUESDAY, SEPTEMBER 13, 2022, 5:00 P.M. AT THE LAKE LURE TOWN HALL**

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

William Morgan, Jr., Town Attorney
William Hank Perkins, Jr., Town Manager

ABSENT: N/A

I. CALL TO ORDER

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

II. APPROVE THE AGENDA

Commissioner Scott Doster requested to amend Section VIII Item F to reflect correct dates (October 15-16) for the Fall Lake Lure Arts and Crafts Festival requests.

Commissioner Doster made a motion to approve the agenda, as amended. Commissioner David DiOrio seconded and the motion carried 4-0.

III. MAYOR'S COMMUNICATIONS

Mayor Pritchett thanked attendees and informed them that on October 3rd Cycle NC is going to be using Lake Lure as a rest stop for their mountain to sea journey. Mayor Pritchett noted that additional details will be available on the website and that an estimated 700 cyclist will be on the road.

IV. TOWN MANAGER COMMUNICATIONS

Town Manager Hank Perkins reported his Manager's Report for August. Mr. Perkins noted that the citizen's app for registering public services work orders is now live on the Town website. It was noted that the dam automation is complete. Mr. Perkins reported that the Community Development Department was busy. Mr. Perkins detailed the Fire and Emergency management calls and training hours. It was noted that the Police Department participated in an active shooter training at the Lake Lure Classical Academy. Mr. Perkins announced the Parks, Recreation, and Lake Department volunteer hours for the month, as well as Communications social media outreach statistics. Mr. Perkins noted that the Town had received reimbursement from two FEMA grants. Mr. Perkins concluded the report with announcing that the Town received the permit for the HDD project, will be advertising for bids for completing the project, and that bids will take place in October.

V. COUNCIL LIAISON REPORTS & COMMENTS

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

Commissioner David DiOrio reported the activities of the Lake Advisory Board and the Board of Adjustment / Lake Structure Appeals Board. Commissioner DiOrio announced that the public hearing date for proposed Lake Use Regulations amendments was set for September 26 at 6:00 p.m.

Commissioner Jim Proctor reported the activities of the ABC Board.

Mayor Pritchett reported the Lake Lure Steering Committee did not meet.

VI. PRESENTATIONS

A. FOOTHILLS REGIONAL COMPREHENSIVE TRANSPORTATION PLAN – ALAN TONEY

Alan Toney, Transportation Planner with Foothills Regional introduced Andrew Bailey and Dominique Boyd with North Carolina Department of Transportation (DOT). Mr. Bailey and Mr. Boyd presented on details regarding the regional Comprehensive Transportation Plan (CTP) and how the plan might impact Lake Lure. Mr. Boyd explained the process and provided an overview of the history of the CTP. Mr. Bailey shared highway facility types and recommendations. Mr. Bailey also provided bicycle and pedestrian recommendations. It was requested that the Town of Lake Lure adopt and endorse the Foothills Regional Comprehensive Transportation Plan.

Mayor Pritchett thanked presenters and noted that the CTP fits many of the interests of the

Town.

Commissioner DiOrio asked about the bridge over the Lake Lure Dam and noted latest inspections identified the bridge as being in a fair position, but there is a DOT plan to replace the bridge within five years. A representative of the DOT noted that the bridge is not included in the CTP, but is in the State Transportation Improvement Program (STIP) and has already been funded and included in the plan for 2024. It was noted that the next step is for the DOT and the Town to hold discussion regarding construction. Commissioner DiOrio explained the existing correlation between the existing dam bridge and the dam replacement project.

Mr. Perkins asked what the DOT needed from the Town in terms of an adoption timeline and Mr. Toney explained that an endorsement for the Lake Lure portion of the Plan is requested. There was consensus to address the endorsement of the CTP during the October regular meeting and discuss it beforehand at September work session.

Commissioner Bryant asked if any other municipalities included in the Foothills Regional area have endorsed the plan. Mr. Bailey explained that most municipalizes have already expressed support.

Mr. Perkins asked about prioritization. Mr. Toney explained that prioritization is starting next year and noted that if the Town has portions of the project that they wish to prioritize he can relay prioritization requests to the DOT and submit for scoring.

Commissioner Proctor noted that Boys Camp Road and Old Sand Branch Road were owned by the Town and asked how that connects to the DOT. Mr. Bailey explained that there is no DOT authority for those roads, but the DOT can help with Powell Bill funding for them. Further conversation regarding Old Sand Branch Road were held and it was noted that future discussions could take place with the DOT in regard to questions about the Road.

VII. PUBLIC COMMENT

Mayor Carol C. Pritchett invited the audience to speak.

There was no comments from the public.

VIII. CONSENT AGENDA

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

Commissioner Doster made a motion to approve the Consent Agenda, as amended during the agenda adoption. Commissioner DiOrio seconded. Therefore, the Consent Agenda incorporating the following items was unanimously approved and adopted:

- A. Approval of the August 9, 2022 Regular Town Council Meeting Minutes, the August 23, 2022 Special Town Council Round Table Meeting Minutes, the August 24, 2022 Regular Town Council Work Session Minutes, and the August 25, 2022 Special Town Council Round Table Meeting Minutes
- B. Ordinance No. 22-09-13 Amending Code of Ordinances Section 4-2. Dangerous dogs; barking; leash requirements.
- C. Budget Amendment #340 - Additional Costs for Capital Items Related to Maintenance Equipment for the Public Services Department
- D. Budget Amendment #341 - Additional Costs for Contracted Services Related to WWTP Sludge Removal
- E. Budget Amendment #342 – Police Vehicle Repair
- F. Suspension of Chapter 8 Article II: “Peddlers” of the Code of Ordinances, Waiver of the Noise Regulation, Chapter 20 Article II, and approval for a road closure for Bottomless Pools Road between Memorial Highway and Arcade Street for Hickory Nut Gorge (HNG) Outreach 2022 Fall Lake Lure Arts and Crafts Festival scheduled for October 15-16, 2022 in front of the Arcade Building.

ORDINANCE NUMBER 22-09-13

**AN ORDINANCE AMENDING CODE OF ORDINANCES SECTION 4-2(C).
DANGEROUS DOGS; BARKING; LEASH REQUIREMENTS.**

WHEREAS, Section 4-2(c) of the Town of Lake Lure Code of Ordinances establishes that 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, Dittmer Watts Nature Trail and Lake Lure Greenspace without being properly restrained by a leash; and

WHEREAS, The Town of Lake Lure find it necessary to clarify a potential ambiguity in the interpretation of proper restraint by a leash; and

WHEREAS, It is within the best interest of the Town of Lake Lure and Lake Lure residents that proper restraint by a leash be described as being properly restrained by a visible leash not exceeding six feet in length;

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

SECTION ONE. 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, Dittmer Watts Nature Trail and Lake Lure Greenspace without being properly restrained by a visible leash not exceeding six feet in length. 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.

IX. UNFINISHED BUSINESS

There was no unfinished business to discuss.

X. NEW BUSINESS


A. REQUEST FROM PROPERTY OWNER, JOSH SKUDLARICK, OF 315 LAKEVIEW ROAD FOR WRITTEN APPROVAL FROM TOWN COUNCIL FOR ADDING FILL AT OR BELOW THE LAKE SHORELINE. (PARCEL #225319)

Community Development Director Michael Williams explained that there was an issue with a report of sand being filled-in on an existing beach, which violates Town Code. Director Williams explained that the purpose of the Code is to prevent additional fill from entering the Lake. Director Williams provided Council with a timeline of communications with Mr. Skudlarick, the property owner. Director Williams explained that he discussed with Mr. Skudlarick the Ordinance violation and fines accrued. Mr. Skudlarick requested Town Council approval to keep the fill. Director Williams explained his recommendation that Mr. Skudlarick obtain permitting approval from North Carolina Department of Environmental Quality and the Army Corp of Engineers prior to the Town's consideration. There was Council consensus to proceed with Director Williams' recommendation.

IX. ADJOURNMENT

With no further business, Commissioner Proctor made a motion to adjourn the meeting at 5:51 p.m. Commissioner DiOrio seconded and the motion carried 4-0.

ATTEST:


Olivia Stewman, Town Clerk


Mayor Carol C. Pritchett

