

**MINUTES OF A REGULAR MEETING
OF THE TOWN COUNCIL OF THE
TOWN OF LAUREL PARK, N.C.
SEPTEMBER 15, 2009
9:30 A.M.**

The Laurel Park Town Council held its regular meeting in the Laurel Park Town Hall on September 15, 2009 at 9:30 a.m. The following members were present: Mayor Henry T. Johnson, Commissioners Dona M. Mennella, Richard P. Cooke, Robert O. Vickery, and Keith A. Maddox. Town Manager Jim Ball were also present. Town Attorney Sam Neill was absent.

Mayor Johnson opened the regular meeting and led the Pledge of Allegiance.

APPROVAL OF AGENDA

Mayor Johnson asked for any additions and/or deletions to the agenda; there was none. Commissioner Mennella moved to approve the agenda. Mayor Johnson asked for discussion; there was none. The vote was unanimous in favor of the motion.

APPROVAL OF THE CONSENT AGENDA

- a) Minutes from the August 18, 2009, Council Regular Meeting
- b) Minutes from the August 18, 2009, Council Closed Session
- c) Minutes from the August 18, 2009, Council Special Work Session – Town Ordinances
- d) Minutes from the September 10, 2009, Council Work Session
- e) Tax Release \$16,800 value/\$89.16

Commissioner Maddox moved to approve the Minutes from the August 18, 2009, Council Regular Meeting. Mayor Johnson asked for discussion; there was none. The vote was unanimous in favor of the motion.

Commissioner Maddox moved to approve the Minutes from the August 18, 2009, Council Closed Session. Mayor Johnson asked for discussion; there was none. The vote was unanimous in favor of the motion.

Commissioner Maddox moved to approve the Minutes from the August 18, 2009, Council Work Session – Town Ordinances. Mayor Johnson asked for discussion; there was none. The vote was unanimous in favor of the motion.

Commissioner Maddox moved to approve the Minutes from the September 10, 2009, Council Work Session. Mayor Johnson asked for discussion; there was none. The vote was unanimous in favor of the motion.

Commissioner Maddox moved to approve the Tax Release \$16,800 value/\$89.16. Mayor Johnson asked for discussion; there was none. The vote was unanimous in favor of the motion.

PUBLIC HEARINGS

There was none.

OLD BUSINESS

CHAPTER 7, ARTICLE 2. CONCEALED WEAPONS ON MUNICIPAL PROPERTY

Mayor Johnson stated Council was continuing the process of reviewing all Town Ordinances during the special work sessions after each Council regular meeting. Council's goal was to review the ordinances for clarity, applicability, and formatting. As Mayor Johnson stated in previous Town Meetings, some of the ordinances were several years old and needed to be updated or eliminated. As each ordinance was revised and updated, a copy would be available for public inspection during normal operating hours in the Town Office, as well as posted to the Town's web site.

Mayor Johnson stated the ordinance to be considered was the Concealed Weapons on Municipal Property Ordinance. Upon Council review of the ordinance, the following two areas were clarified along with standardizing the ordinance format: the general statute references and where concealed weapons would be prohibited.

Commissioner Vickery moved to approve Chapter 7, Article 2, Concealed Weapons on Municipal Property Ordinance. Mayor Johnson asked for discussion. Commissioner Maddox stated, "I am opposed to the ordinance because the only people it affects are those who legitimately carry concealed weapons and those are not the people you're trying to control. This is an example of government trying to control something by putting a burden on law abiding citizens

hoping that the illegal's will ignore it; it serves no purpose." Mayor Johnson asked for further discussion; there was none. Mayor Johnson asked for the vote on Chapter 7, Article 2, Concealed Weapons on Municipal Property Ordinance – Commissioner Vickery voted in favor of the ordinance and Commissioners Maddox, Mennella, and Cooke voted against the ordinance. Therefore, Chapter 7, Article 2, Concealed Weapons on Municipal Property Ordinance was not approved.

Mr. Ball stated that due to Chapter 7, Article 2, Concealed Weapons on Municipal Property Ordinance not being approved, Council would now need to consider revoking the existing Chapter 7, Article 2, Concealed Weapons Ordinance. After discussion, it was the consensus of Council to add to the October 20, 2009 Council Regular Meeting Agenda - Revoking Chapter 7, Article 2, Concealed Weapons Ordinance.

NEW BUSINESS

CONSIDERATION, A PROCLAMATION OF SEPTEMBER 25, 2009, AS LOUISE BAILEY DAY

Mayor Johnson stated that on September 25 – 27, 2009, a two-act play featuring stories of the history and heritage of Henderson County would be performed in the Bo Thomas Auditorium at Blue Ridge Community College as a benefit for the nonprofit Henderson County Heritage Museum. The play, *Reflections – from the Mirror of Her Mind*, is based on the life and writings of 94-year old Louise Howe Bailey, beloved county matriarch, and author of several books on the heritage of Henderson County, and whose weekly column, *Along the Ridges*, has appeared in the *Hendersonville Times-News* for forty-two years. The play was written by Tom Orr, local playwright and retired English and drama teacher at Hendersonville High School.

Mayor Johnson also stated the Friday evening performance of the play would be preceded by a reception honoring Louise Bailey for her many contributions to the community, which includes the preservation of the oral history of Henderson County. As part of the tribute to the local treasure, the Henderson County Board of Commissioners plan to proclaim Friday, September 25, 2009, as Louise Howe Bailey Day in Henderson County. The board of directors of the Henderson County Historic Courthouse Corporation has asked that the councils of the five Henderson County municipalities join in that proclamation as a tribute to Louise Bailey.

He stated Council had a copy of the proclamation proclaiming Friday, September 25, 2009, as Louise Howe Bailey Day in Henderson County.

Commissioner Maddox moved to approve a Proclamation of September 25, 2009, as Louise Bailey Day. Mayor Johnson asked for discussion; there was none. The vote was unanimous in favor of the motion.

CONSIDERATION, CHAPTER 5, ARTICLE 1, STREETS AND SIDEWALKS

Mayor Johnson stated the next ordinance for Council consideration was Chapter 5, Article 1, Streets and Sidewalks. Upon Council review of the ordinance, the following two areas were addressed along with standardizing the ordinance format. First, he stated the ordinance added a section that required a special street event permit, which addressed the procedures to be followed if a neighborhood desired to use a public street for a group event. Second, Mayor Johnson stated the ordinance combined the contents of Chapter 5, Article 2, Encroachment on Street Right-of-Way into its text. Both, Chapter 5, Article 1, Streets and Sidewalks and Chapter 5, Article 2, Encroachment on Street Right-of-Way were very similar in content and Council felt combining the two was appropriate.

Commissioner Mennella moved to approve the combining of Chapter 5, Article 1, Streets and Sidewalks and Chapter 5, Article 2, Encroachment on Street Right-of-Way. Mayor Johnson asked for discussion; there was none. The vote was unanimous in favor of the motion.

CONSIDERATION, REVOKE ORDINANCE ENCROACHMENT ON STREET RIGHT-OF-WAY

Mayor Johnson stated the next ordinance for Council consideration was revoking Chapter 5, Article 2, Encroachment on Street Right-of-Way. As addressed in updating Chapter 5, Article 1, Streets and Sidewalks, the contents of Chapter 5, Article 2, Encroachment on Street Right-of-Way was incorporated into its text.

Commissioner Vickery moved to Revoke Ordinance Encroachment on Street Right-of-Way. Mayor Johnson asked for discussion; there was none. The vote was unanimous in favor of the motion.

RESOLUTION, DECLARING SATURDAY, SEPTEMBER 26, 2009 AS BIG SWEEP DAY

Mayor Johnson stated that North Carolina Big Sweep was a statewide community effort to retrieve trash from waterways. The resolution supported the concept of cleaning the state waterways by declaring Saturday, September 26, 2009 as Big Sweep Day and encouraged citizens to participate in cleaning the lakes and streams. He stated that, as had typically been done for the past several years to support the program, the Town's Public Works personnel would clean the portions of Wash Creek that were in the vicinity of Laurel Green and the First Congregational Church.

Commissioner Cooke moved to approve a Resolution, Declaring Saturday, September 26, 2009 as Big Sweep Day. Mayor Johnson asked for discussion; there was none. The vote was unanimous in favor of the motion.

TOWN MANAGER'S REPORT

Mr. Ball had no comments.

Lieutenant Grayson Mullen gave the following police statistics for the month of August: 143 residence checks, 9 arrests, 1 accident, 66 foot patrols, 18 citations, 203 business checks, and 1,202 area security checks for a total of 1,518 service events for the month.

OTHER ITEMS TO BE BROUGHT BEFORE THE TOWN COUNCIL

There were none.

MAYOR AND COMMISSIONER'S COMMENTS

MAYOR JOHNSON – Mayor Johnson had no comments.

COMMISSIONER MENNELLA – Commissioner Mennella had no comments.

COMMISSIONER MADDOX – Commissioner Maddox had no comments.

COMMISSIONER COOKE – Commissioner Cooke had no comments.

COMMISSIONER VICKERY – Commissioner Vickery had no comments.

There being no further business, Commissioner Maddox moved to adjourn the regular meeting. Mayor Johnson asked for discussion; there was none. The vote was unanimous in favor of the motion.

Attest:

Henry T. Johnson, Mayor

Kimberly B. Hensley, CMC
Town Clerk

Date