

# DIGEST OF CITY COUNCIL ACTION

## CITY OF LEXINGTON LEXINGTON, NORTH CAROLINA

CITY COUNCIL MEETING  
7:00 P.M.

JANUARY 11, 2010  
CITY HALL

I. CALL TO ORDER

Absent: None.

II. INVOCATION (Councilor Larry G. Beck)

III. PLEDGE OF ALLEGIANCE

IV. APPROVAL OF MINUTES

1. City Council Regular Meeting – December 14, 2009  
Approved.

V. PETITIONS FROM CITIZENS - Members of the public may address the City Council on items not listed on the printed agenda. Please state your name and address and observe the three-minute time limit.

Stan Leveratt, 613 Kildee Drive, stated that he was concerned about the way the ward boundaries were drawn as it seemed all the businesses were excluded from Wards 1 and 5. Ward 6 goes into Ward 5 behind Roses and Food Lion to Young Drive and goes into Ward 1 behind Lowes and Walmart at Fairway Drive. City Manager John Gray explained the voting wards were drawn as part of a court settlement and agreed to sit down with Mr. Leveratt to discuss them in more detail.

VI. ADOPT AGENDA

Amended agenda to Delete Item XI. Consent Agenda:

1. Call for Public Hearing and First Reading – Amendment to City’s Code of Ordinances, Chapter 20, Traffic, and Appendix D, Section 109, Restrictions for streets not constituting part of the state highway system 20 miles per hour speed limit, Section 110, Restrictions for streets not constituting part of the state highway system 25 miles per hour speed limit, and Section 111, Restrictions for streets not constituting part of the state highway system 35 miles per hour speed limit – Ordinance No. 10-19 – Public Works Department
2. Call for Public Hearing and First Reading – Amendment to City’s Code of Ordinances, Chapter 20, Traffic, and Appendix D, Section

**120, Installation of Traffic Control – Ordinance No. 10-20 – Public Works Department**

3. **Call for Public Hearing and First Reading – Amendment to City’s Code of Ordinances, Chapter 20, Traffic, and Appendix D, Section 101, Stop Streets; Intersections Where Stop Required – Ordinance No. 10-26 – Public Works Department**

**Adopted agenda as amended.**

**VII. RECOGNITIONS/PROCLAMATIONS**

1. Recognitions – Lexington Area Chamber of Commerce, Lexington City Schools and Uptown Lexington, Inc. Representatives  
**Recognized Chamber President Burr Sullivan, representing the Lexington Area Chamber of Commerce; Superintendent Rick Kriesky, representing the Lexington City Schools; and Executive Director Jo Ellen Edwards, representing Uptown Lexington, Inc.**
2. Proclamation – National Mentoring Month – January 2010  
**Mayor Walser read the proclamation and presented it to Ms. Christina Howell, Executive Director, Communities In Schools of Lexington/Davidson County.**
3. Proclamation – Dr. Martin Luther King, Jr. Day – January 18, 2010  
City Councilor Tonya Lanier read the  
**Councilor Lanier read the proclamation and presented it to Ms. Leila Williams, Davidson County Martin Luther King Planning Committee Chairperson and Rev. Keith Curry, President of the NAACP Lexington/ Davidson County Chapter.**

**VIII. PUBLIC HEARINGS**

1. Public Hearing and Second Reading – Amendment to City’s Code of Ordinances, Chapter 20, Traffic, with Reference to Appendix D, Section 112, School Zones at Greensboro Street and West Hemstead Street – Ordinance No. 10-18 – Public Works Department  
**Held Public Hearing.**  
**There were no speakers.**

**City Council adopted Ordinance No. 10-18 to amend the City’s Code of Ordinances, Chapter 20, Traffic, with reference to Appendix D, Section 112, pertaining to school zones, for the purpose of adding Greensboro Street, from Belair Street to a point approximately 250 feet north of the West Hemstead Street**

**intersection; and West Hemstead Street, from Greensboro Street to the US 29-70 Service Road from 7:00 a.m. until 8:30 a.m. and 2:30 p.m. until 4:00 p.m.**

2. Public Hearing and Second Reading – Amendment to City’s Code of Ordinances, Chapter 20, Traffic, Section 20-30, Operation of Tractor Trailer Trucks Restricted on Certain Streets – Erlanger Mill Village – Ordinance No. 10-27 – Public Works Department  
**Held Public Hearing.**  
**There were no speakers.**

**City Council adopted Ordinance No. 10-27 to amend the City’s Code of Ordinances, Chapter 20, Traffic, Section 20-30, Operation of tractor trailer trucks restricted on certain streets, by adding: Mill Street, from Park Circle to West 11<sup>th</sup> Street; Park Circle; and Park Circle Extension.**

## **IX. UNFINISHED BUSINESS**

1. Appointments to Lexington Boards and Commissions  
**Appointed Mary Bailey-Burns of 305 Kindley Street to serve on the Lexington Appearance Commission, representing Ward 1, to fill an unexpired three-year term, scheduled to expire December 2010.**

**Appointed Alan Bailey of 714 Brookgreen Drive to serve on the Lexington City Board of Education, representing Ward 2, to fill an expired term. Term is a three-year term scheduled to expire in December 2012.**

**Appointed Arlene Pinnix-Morrow of 102 Fairview Drive to serve on the Lexington Human Relations Commission, representing the City At Large (Klass), to fill an expired term. Term is a three-year term scheduled to expire in December 2012.**

**Councilor Ward deferred the At-Large appointment to the Lexington Human Relations Commission to the January 25, 2010, meeting.**

## **X. REGULAR BUSINESS**

1. Appointment of Deputy City Clerks  
**Appointed Senior Secretary Rebekah Gainey and Secretary Angel Lineberry as Deputy City Clerks in order to facilitate and expedite execution of official City records and documents.**

2. Set Date for 27<sup>th</sup> Annual Barbecue Festival – Saturday, October 23, 2010  
**Set Saturday, October 23, 2010, as the official date for the 27<sup>th</sup> Annual Barbecue Festival.**
3. Adopt Resolution in Support of the N.C. Department of Transportation (NCDOT) Rail Enhancement Projects of the Greensboro to Charlotte Segment of the Raleigh to Charlotte Railroad Corridor – Resolution No. 13-10 – Tourism Recreation Investment Partnership (TRIP) of Davidson County  
**Adopted Resolution No. 13-10 to support the NCDOT's rail enhancement projects and demonstrate the City's support of NCDOT's and the City's common goals of improving the Raleigh to Charlotte rail corridor and the establishment of an Amtrak station in Lexington.**
4. Adopt Annual Budget Schedule for Fiscal Year 2010-2011 – Finance Department  
**Adopted Annual Budget Schedule for Fiscal Year 2010-2011, which includes setting the dates for the City Council Budget Review Meetings for May 4-6, 2010, from 2:00 p.m. to 5:00 p.m. in the City Manager's Conference Room.**
5. Neighborhood Revitalization Program – Transfer Funds from Mayor and City Councilors for N.A.A.C.P. Martin Luther King, Jr. Banquet – Budget Ordinance No. 10-31  
**Adopted Budget Ordinance No. 10-31 to allocate Neighborhood Funds from the Mayor and City Council members for a total of \$500 to the Lexington/Davidson County Chapter of the N.A.A.C.P. for the Dr. Martin Luther King, Jr. Banquet.**
6. Authorize Transfer of Controlled Substance Funds for Equipment and Facility Renovations at Police Department – Budget Ordinance No. 10-29 – Finance and Police Departments  
**Adopted Budget Ordinance No. 10-29 to appropriate fund balance in the Controlled Substance Fund in the amount of \$65,600 to purchase computer software (\$13,000), encrypted base radio repeaters (\$42,000), density meter (\$6,100) and renovation of restroom facilities at the Police Department building (\$4,500).**
7. Authorize Submission of N.C. Parks and Recreation Trust Fund (PARTF) Grant Application for Green Needles Park – Resolution No. 11-10 – Recreation and Parks Department  
**Adopted Resolution No. 11-10 to support and authorize submission**

**of the N.C. Parks and Recreation Trust Fund (PARTF) grant application for the City of Lexington to develop the proposed Green Needles Park.**

8. Approve Second Amendment to Natural Gas Sales and Purchase Agreement for Firm Swing Supply Service with BP Energy Company – Natural Gas Department  
**Approved Second Amendment to the Gas Sales and Purchase Agreement for Firm Swing Supply Service with BP Energy Corporation as executed by the Mayor on December 31, 2009.**
9. Approve Neighborhood Stabilization Program (NSP) Contract with Partner Agencies – Community Development Department  
**Approved Neighborhood Stabilization Program contract with Lexington Housing Community Development Corporation (LHCDC) and Habitat for Humanity and authorized the Mayor to execute the contract, contingent upon approval by City Attorney Phyllis Penry.**
10. Accept and Record 2009 Community-Oriented Policing Services (COPS) 2009 Equipment Grant from the N.C. Governor’s Crime Commission – Budget Ordinance No. 10-32 – Finance and Police Departments  
**Adopted Budget Ordinance No. 10-32 to accept and record the Community Oriented Policing Services (COPS) 2009 equipment grant from the American Recovery and Reinvestment Act (ARRA), N.C. Department of Crime Control and Public Safety, Governor’s Crime Commission to the Lexington Police Department in the amount of \$3,999.**
11. Adopt Resolution in Support of Evaluating and Revising the North Carolina Transportation Equity Formula – Resolution No. 12-10  
**Adopted Resolution No. 12-10 to support evaluating and revising the North Carolina Transportation Equity formula to better meet the current needs of N.C. citizens, businesses and travelers.**

**XI. CONSENT AGENDA**

The following item(s) have either been reviewed or recommended by the Lexington Utilities Commission or require a call for public hearing. Consent Agenda item(s) will be enacted by one motion and one vote. There will be no separate discussion of item(s). If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

**Consent Agenda was deleted from the Agenda upon adoption.**

1. Call for Public Hearing and First Reading – Amendment to City’s Code of Ordinances, Chapter 20, Traffic, and Appendix D, Section 109, Restrictions for streets not constituting part of the state highway system 20 miles per hour speed limit, Section 110, Restrictions for streets not constituting part of the state highway system 25 miles per hour speed limit, and Section 111, Restrictions for streets not constituting part of the state highway system 35 miles per hour speed limit – Ordinance No. 10-19 – Public Works Department  
**Deleted.**
2. Call for Public Hearing and First Reading – Amendment to City’s Code of Ordinances, Chapter 20, Traffic, and Appendix D, Section 120, Installation of Traffic Control – Ordinance No. 10-20 – Public Works Department  
**Deleted.**
3. Call for Public Hearing and First Reading – Amendment to City’s Code of Ordinances, Chapter 20, Traffic, and Appendix D, Section 101, Stop Streets; Intersections Where Stop Required – Ordinance No. 10-26 – Public Works Department  
**Deleted.**

**XII. CITY MANAGER’S REPORTS**

1. Reminder – City Offices to Close for Dr. Martin Luther King, Jr. Holiday – Monday, January 18, 2009  
**For information only.**
2. Events Planned for Dr. Martin Luther King, Jr. Holiday  
**For information only.**
3. Uptown Lexington’s Sixth Annual GroundHawg’s Day – Monday, February 2, 2010, at 7:30 a.m. at the Square in Uptown Lexington  
**For information only.**
4. Reminder – 2010 City Council Annual Retreat – Wednesday and Thursday, February 17 and 18, 2010 - Lexington Municipal Club  
**For information only.**

XIII. **CLOSED SESSION**

In accordance with N.C. General Statute 143-318.11(a)(4) for the purpose of discussing matters relating to economic development.

**Recessed into Closed Session.**

XIV. **RECONVENE TO OPEN SESSION**

**Reconvened to Open Session.**

XV. **ADJOURNMENT**

**Adjourned.**