

DIGEST OF CITY COUNCIL ACTION

CITY OF LEXINGTON LEXINGTON, NORTH CAROLINA

CITY COUNCIL MEETING

AUGUST 11, 2008

7:00 P.M.

CITY HALL

I. CALL TO ORDER

Absent: Councilors Larry G. Beck, Becky P. Klass and Donald K. McBride, and City Attorney R. B. Smith, Jr.

II. INVOCATION (Councilor Edward B. Ward)

III. PLEDGE OF ALLEGIANCE

IV. APPROVAL OF MINUTES

1. Council Regular Meeting - July 14, 2008 Approved.
2. City Council Special Meeting – July 21, 2008 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.

There were none.

VI. ADOPT AGENDA

Adopted.

VII. RECOGNITIONS/PRESENTATIONS

1. Recognition – Lexington Area Chamber of Commerce and Lexington City School Board Representatives
Recognized Lexington City Schools Board Member Lance Barrett.
Lexington Area Chamber of Commerce Representative Larry Link was absent.
2. Recognition – Certificate of Achievement for Excellence in Financial Reporting for Fiscal Year Ending June 30, 2007 – Finance Department
Recognized Finance Director Terra for achieving the Certificate of Achievement for Excellence in Financial Reporting for the City of

Lexington's Comprehensive Annual Financial Report for the fiscal year ending June 30, 2007, for the 16th consecutive year.

3. Presentation – Davidson County Branding and Marketing Project – Newell Clark, Facilitator
Received presentation from Chairman Newell Clark of the Davidson County Branding and Marketing project, a division of the Tourism Recreation Investment Partnership (TRIP) for Davidson County.

VIII. REGULAR BUSINESS

1. Accept and Record Donation to Construct Shelter at Finch Park in Memory of Walter G. Finch – Budget Ordinance No. 09-08 – Recreation and Finance Departments
Adopted Budget Ordinance No. 09-08 to accept and record a memorial donation in the amount of \$21,000 from Ms. Mary Finch Freeman, who was present for the meeting, towards the construction of a shelter at Finch Park in memory of her father, Mr. Walter G. Finch.
2. Year-End Encumbrances for Fiscal Year 2007-2008 – Budget Ordinance No. 09-06 – Finance Department
Adopted Budget Ordinance No. 09-06 to make necessary appropriations from various funds to cover expenditures encumbered in Fiscal Year Ended June 30, 2008, but finalized in the current Fiscal Year 2008-2009.
3. Resolution of Intent for Reimbursement by Installment Purchase Debt – Resolution No. 04-09 – Finance Department
Approved Resolution No. 04-09 to declare official intent of the City to reimburse expenditures under U.S. Department of Treasury Regulations with proceeds of debt to be incurred by the City prior to payment of the expenditures to be reimbursed, which are estimated to be \$880,800.
4. Bid – Natural Gas System Expansion Project for Southmont Area Phase VII – Finance and Natural Gas Departments
Awarded bid for Phase VII of the Southmont Natural Gas System Expansion project to A&B Trenching of Denver, NC, for a total contract price of \$354,851, which is within budget requirements.

5. Declare Motor Pool (MP1) 1995 Ford Crown Victoria Surplus and Authorize Donation to Davidson County Rescue Squad – Resolution No. 05-09 – Police and Finance Departments
Adopted Resolution No. 05-09 which will declare Motor Pool (MP1), a 1995 Ford Crown Victoria (VIN# 2FALP71W4S-X151759), surplus to the needs of the City of Lexington and authorize donation to Davidson County Rescue Squad to be used by Rescue Squad personnel for traveling purposes to training and special events.
6. Authorize Exemption and Funding for Engineering Services for 2009 Sewer Construction in the Annexation Areas – Finance and Public Works Departments
 - A. Authorize Exemption of Engineering and Surveying Services from the Qualifications Based Process (QBP)
Authorized the exemption of the engineering and surveying services for the Annexation Sewer Construction Project from the Qualifications Based Process (QBP) as permissible under N.C. General Statute 143-64.32.
 - B. Establish 2009 Annexation Sewer Project and Fund Preliminary Engineering Design and Bond Counsel Costs – Budget Ordinance No. 09-07
Adopted Budget Ordinance No. 09-07 to amend the City’s Annual Budget for Fiscal Year 2008-2009 by transferring \$400,000 from Water and Sewer Fund Contingency to Water and Sewer Construction in Progress Fund to establish the 2009 Annexation Sewer Project.
7. Authorize City Manager to Exempt Architectural, Engineering and Surveying Services for Projects Less Than \$30,000 – Resolution No. 03-09 – Finance Department
Approved Resolution No. 03-09 authorizing the City Manager to exempt certain architectural, engineering and surveying services from the qualification based process where the estimated fee is less than \$30,000 in accordance with N.C. General Statute 143-64.31.
8. Ratify Execution of N.C. Department of Transportation (NCDOT) Three-Party Right-of-Way Encroachment Agreement for Tuscany Subdivision – Intersection of Rockway Drive (SR 1424) and West Center Street Extension (SR 1242) – Public Works Department
Ratified execution of the N.C. Department of Transportation

Three-Party Right-of-Way Encroachment Agreement between the N.C. Department of Transportation, Kathy and Roger Lawson, and the City of Lexington near the intersection of Rockway Drive (SR 1424) and West Center Street Extension (SR 1242) for Tuscany Subdivision.

9. Approve Contract for Administrative Services with Hobbs, Upchurch and Associates, PA, as Grant Administrator for Capacity Building Community Development Block Grant
Approved Contract for Administrative Services with Hobbs, Upchurch and Associates, PA, as Grant Administrator for the Capacity Building Community Development Block Grant and authorized the Mayor to execute the document, contingent upon City Attorney approval.
10. Ratify Engagement of Anthony Fox and Parker Poe Law Firm to Represent City in Annexation Legal Matters.
This item was added to the agenda following Closed Session. City Council ratified the engagement of Attorney Anthony Fox and Parker Poe Law Firm of Charlotte, NC, to represent the City in any annexation legal matters.

IX. CITY MANAGER'S REPORTS

1. City Offices to Close for Labor Day – Monday, September 1, 2008
For information only.
2. City Councilors Designated to Serve on Design Guidelines Advisory Committee to the Lexington Historic Preservation Commission
Mayor Walser designated Councilmembers Victor Kiger, Tonya Lanier and Ed Ward to serve on the Design Guidelines Advisory Committee. All three Councilmembers volunteered to serve.
3. Introduction of the N.C. League of Municipalities Green Challenge
For information only.

X. RECESS TO CONFERENCE ROOM AT CITY MANAGER'S OFFICE FOR CLOSED SESSION

In accordance with N.C. General Statute 143-318.11(a)(3) and (4) for the purpose of discussing matters relating to attorney-client privilege and economic development.

Recessed into Closed Session.

XI. **RECONVENE TO OPEN SESSION**

Reconvened to Open Session.

AMENDED AGENDA TO ADD ITEM

Under Regular Business, VIII-10, **Ratify Engagement of Anthony Fox and Parker Poe Law Firm to Represent City in Annexation Legal Matters.**

XII. **ADJOURNMENT**

Adjourned.