

DIGEST OF CITY COUNCIL ACTION

CITY OF LEXINGTON LEXINGTON, NORTH CAROLINA

CITY COUNCIL MEETING

SEPTEMBER 14, 2009

7:00 P.M.

CITY HALL

- I. **CALL TO ORDER**
Absent: Mayor John T. Walser, Jr.

- II. **INVOCATION** (Councilor D. Linwood Bunce, II)
Condolences were expressed in memory of former City Councilor and Police Chief Leroy Pearson who passed away on September 12, 2009.

- III. **PLEDGE OF ALLEGIANCE**

- IV. **APPROVAL OF MINUTES**
 1. City Council Regular Meeting – August 24, 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.
There were none.

- VI. **ADOPT AGENDA**
Adopted.

- VII. **RECOGNITIONS/PROCLAMATIONS**
 1. Recognition – Representatives from Lexington Area Chamber of Commerce, Lexington City Schools, and Uptown Lexington, Inc.
Recognized Chamber Board Member Alan Bailey representing the Lexington Area Chamber of Commerce, School Board Member Bennett Miller representing the Lexington City Schools, and Executive Director Jo Ellen Edwards representing Uptown Lexington, Inc.

2. Recognition – Lexington Utilities – Recipients of 2009 Public Power Awards of Excellence – ElectriCities of N.C., Inc.
Economic Development Manager Brenda Daniels with ElectriCities of N.C., Inc. presented the following 2009 Public Power Awards of Excellence from ElectriCities of N.C., Inc.
 - **Grassroots/Building Political Strength**
 - **Economic Development**
 - **Customer Service**
 - **Energy Efficiency**
 - **Communications**
 - **Key Accounts**
 - **Training**
3. Proclamation – Fall Litter Sweep – September 19 - October 3, 2009
Councilor Lanier read proclamation and presented it to Captain Jimmy Truell with the Lexington Police Department.
4. Proclamation – Employ the Older Worker Week – September 20 - 26, 2009
Councilor Miller read proclamation and presented it to Pat Hilliard, Manager of the Employment Security Commission.
5. Proclamation – Adult Day Services Week – September 20 - 26, 2009
Councilor McBride read proclamation and presented it to Carolyn Sidwell, Executive Director of the Life Center of Davidson County.

VIII. **REGULAR BUSINESS**

1. Make Appointments to Lexington Redevelopment Commission

The following appointments were made:

- Robin Team, 102 Acacia Circle, representing At-Large (Ward).
- Beth Bunce, 304 Country Club Drive, representing At-Large (Klass)
- Curtis Leonard, 706 Evergreen Avenue, representing Ward 2 (McBride)
- Jon Myers, 322 Western Boulevard, representing Ward 3 (Bunce)
- Bill McMurray, 139 West First Avenue, representing Ward 4 (Alley)
- Patsy Matthews, 800 Holt Street, representing Ward 5 (Lanier)
- Tom Smith, 309 Balsam Drive, representing Ward 6 (Beck)

Mayor and Ward 1 Appointments were deferred until next City Council meeting scheduled for September 28, 2009.

2. Neighborhood Revitalization Program – Transfer Neighborhood Funds

from City Councilors Lanier and Miller for Various Projects – Finance Department

- A. Ward 5 Neighborhood Clean-Up Day – Resolution No. 06-10
Adopted Resolution No. 06-10 to allocate \$200 in neighborhood funds towards the Ward 5 Neighborhood Clean-Up Day to be held on October 3, 2009, as requested by Councilor Tonya Lanier.
- B. South Lexington Elementary School Development Wing for First Grade Education Field Trip to Uptown Lexington – Resolution No. 07-10
Adopted Resolution No. 07-10 to allocate \$150 in neighborhood funds to South Lexington Elementary School Development Wing for a First Grade education field trip to Uptown Lexington, as requested by Councilor Louise Miller.
3. Approve Donation of Temporary Drainage Easement to N.C. Department of Transportation – Construction of I-85/Yadkin River Bridge Replacement – Public Works Department
Approved donation of a temporary drainage easement to the N.C. Department of Transportation for construction of the I-85/Yadkin River bridge replacement and authorized the Mayor to execute the document.
4. Accept and Record 2009 Byrne Justice Assistant Grant (JAG) from the U.S. Department of Justice – Local Solicitation Grant Program – Budget Ordinance No. 10-12 – Police and Finance Departments
Adopted Budget Ordinance No. 10-12 to accept and record a 2009 Byrne Justice Assistant Grant (JAG) from the U.S. Department of Justice, as part of the Local Solicitation Grant Program, in the amount of \$22,845.
5. Design Phase of Relocated Fire Station 2 Construction Project at Davidson County Airport – Finance and Fire Departments
 - A. Transfer Funds from General Fund for Fire Station 2 Project – Budget Ordinance No. 10 -14
Adopted Budget Ordinance No. 10-14 to appropriate \$140,000 from fund balance to provide preliminary funding for the design and site costs related to the relocation of Fire Station 2 at the Davidson County Airport.
 - B. Authorize Exemption of Engineering and Design Services from

the Qualifications-Based Selection Process

Authorized Exemption of Garner & Brown Architects from the Request for Qualifications (RFQ) from the Qualifications-Based Selection Process for engineering and design services for the relocated Fire Station #2 project.

- C. Approve Architectural and Engineering Services with Garner & Brown Architects, Charlotte, NC
Approved Architectural and Engineering services with the firm of Garner & Brown Architects, Charlotte, NC, for a contract price of \$121,750 (includes a \$6,250 credit from a portion of work already accomplished with the site plan) with the contract cost representing 6.8% of the total preliminary estimated project cost of \$1.8 million, which is in line with design costs for a project of this type.
- D. Approve Site and Floor Plans for Fire Station 2 Project
Approved Site and Floor Plans from Garner & Brown Architects of Charlotte, NC, as presented.

IX. **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 items will be enacted by one motion and one vote. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

All items under the Consent Agenda were approved unanimously by one vote.

1. Ratify Execution of N.C. Department of Transportation (NCDOT) Right-of-Way Encroachment Agreement and N.C. Department of Environment and Natural Resources (NCDENR) Sedimentation Control Permit – Tyro Natural Gas Expansion Project – Natural Gas Department
Ratified.
2. Appropriate Interest Earned on Installment Financing Debt Proceeds and Increase Budget in the 2007 Electric System Improvements Project – Budget Ordinance No. 10-08 – Finance Department
Approved Budget Ordinance No. 10-08 to appropriate \$63,750 in interest earned from installment financing debt proceeds and

increase the budget in the 2007 Electric System Improvements Project.

3. Amend Lexington Utilities Customer Service Policy Manual – Deleting Appendices A, B, and C, Fee Schedules for Utilities Services – Customer Service Department
Amended the Lexington Utilities Customer Service Policy Manual by deleting Appendices A, B, and C, Fee Schedules, effective October 1, 2009, with Appendices A, B, and C reserved for future use.

4. Bid – Trommel Screen for Compost Facility at the Waste Treatment Plant – Finance and Water Resources Departments
Awarded the bid of the trommel screen for the compost facility at the Waste Treatment Plant to Powerscreen Mid-Atlantic, Kernersville, North Carolina, for a total contract price of \$186,330, which is within the budgeted amount of \$194,500.

5. Call for Public Hearing – Application for Major Development Permit – Jerry Hunt – Commercial Auto Repair Building – 961 South Main Street – Community Development Department
Public Hearing will be held on September 28, 2009, at 7:00 p.m. at City Hall.

6. Call for Public Hearing and First Reading – Amendment to City’s Code of Ordinances, Chapter 20, Section 115, Parking Prohibited or Restricted on Certain Streets or Certain Locations – Cornelia Street, from Talbert Boulevard to Shopping Center Commercial Driveway – Ordinance No. 10-13 – Public Works Department
Public Hearing will be held on September 28, 2009, at 7:00 p.m. at City Hall.

X. **CITY MANAGER'S REPORTS**

1. Elected Officials Dinner Meeting – Thursday, September 17, 2009, at 6:00 p.m. at *The Classic* Restaurant – Hosted by Town of Denton
For information only.

2. Reminder – Davidson County Fair Luncheon – Monday, September 21, 2009, at 11:30 a.m. at Lexington YMCA – Lexington Kiwanis Club
For information only.

3. Reminder – Lexington Area Chamber of Commerce “*State of the*

Community” Annual Event – Thursday, September 24, 2009, at 8:00 a.m. at The City Club

For information only.

4. 26th Annual Lexington Barbecue Festival Media Luncheon – Tuesday, September 29, 2009, at 11:30 a.m. at RCR Racing

For information only.

XI. **CLOSED SESSION**

In accordance with N.C. General Statute 143-318.11(a)(3) and (6) for the purpose of discussing matters relating to attorney-client privilege and personnel.

Recessed into Closed Session at the City Manager’s Conference Room.

XII. **RECONVENE TO OPEN SESSION**

Reconvened to Open Session.

XIII. **ADJOURNMENT**

Adjourned.