

DIGEST OF COUNCIL ACTION

**CITY OF LEXINGTON
LEXINGTON, NORTH CAROLINA**

**CITY COUNCIL MEETING
7:00 P.M.**

**OCTOBER 10, 2011
CITY HALL**

I. CALL TO ORDER

Absent: None. (Councilor Becky Klass arrived at 7:20 p.m.)

II. INVOCATION (Councilor Ronald F. Reid)

III. PLEDGE OF ALLEGIANCE

IV. APPROVAL OF MINUTES

1. City Council Regular Meeting – September 26, 2011
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.
Citizens spoke in opposition to N.C. Department of Transportation's proposal to remove service road connection to Interstate 85 Business Loop South to U.S. Highway 64 West near Lexington Barbecue and the Knob Hill Vista subdivision.**

There were 28 citizens present and the following residents spoke:

1. **George Hunt, 102 Park Lane, stated that he is concerned with the residents' well-being during inclement weather conditions and for emergency response issues when there is only one way in or out of a subdivision. There were are 66 homes at risk if this closure occurs.**
2. **Douglas Blackburn, 109 Royal Avenue, presented a proposal for the widening of the ramp to allow for two lanes coming off Business 85, one left lane for straight traffic and one right turn lane onto Kinlucky Drive into the Knob Hill subdivision, with the installation of a caution light as needed.**

3. Jim Lee, 107 Broadview Avenue, presented a proposal for a right hand turn lane along ditch line of US 64 ramp for access onto Kinlucky Drive.
4. Larry Ward, 307 Westdale Avenue, stated that his primary concern is for emergency responders to have the most efficient access into the area.
5. Doris Jacobs, 102 Westdale Avenue, stated that she had never known of any wrecks occurring at this location and during the BBQ Festival it is nearly impossible to get around the traffic to even get up the hill beside Lexington Barbecue #1 to gain access to the neighborhood.
6. John Myers, 201 Broadview Avenue, stated that he felt it is more dangerous to have only one access into the neighborhood than to keep the ramp open to the neighborhood.

Assistant City Manager Alan Carson stated that the citizens' concerns would be forwarded to Division Engineer Pat Ivey with the N.C. Department of Transportation with a recommendation that NCDOT conduct a traffic study of this area to determine possible solutions to the citizens' concerns expressed at the meeting.

VI. ADOPT AGENDA
Adopted.

VII. RECOGNITIONS/PROCLAMATIONS/PRESENTATIONS

1. Recognitions – Lexington Area Chamber of Commerce, Lexington City Schools, and Uptown Lexington, Inc. Representatives Chamber Board Member Jenny Varner representing the Lexington Area Chamber of Commerce, School Board Member Lee Davis representing the Lexington City Schools, and Executive Director Jo Ellen Edwards representing Uptown Lexington, Inc.
2. Recognition – Lexington Utilities – Recipients of 2011 Public Power Awards of Excellence – ElectriCities of N.C., Inc. Mr. Matt Schull, Director of N.C. Municipal Power Agency #1 Operations, officially presented the following awards in:
 - Competitive Business Environment
 - Energy Efficiency
 - Financial Stability
 - Legislative Involvement
 - Service Excellence

3. Proclamation – *Lights On After School Day* – October 20, 2011
Councilor Alley read the proclamation and presented it to Justin Dougald, Unit Director at the Salvation Army Boys and Girls Club of Davidson County, Lexington Unit.
4. Presentation – Lexington Tourism Authority Annual Report – Robin Bivens, Executive Director
For information only.

VIII. PUBLIC HEARINGS

1. Public Hearing and Second Reading – Zoning Map Amendment to Rezone Property located along Burgin Street from Business District to Industrial District and from Mixed Use District to Industrial District – Johnson Concrete Company and Others – Ordinance No. 12-01 – Community Development Department
Held public hearing.
There were no speakers.

Adopted the following statement of consistency: “The description for Regional Employment Centers matches the subject property closer than the description for Local Commerce Centers in the Lexington Land Use Plan. The manufacturing uses on this property are better regulated by the corresponding Industrial District, rather than the Business District or Mixed Use District. The rezoning of the subject property allows for expansion of an existing industrial business in an appropriate location. The subject property is suitable for industrial zoning, and therefore rezoning the property from Business District to Industrial District and Mixed Use District to Industrial District, is consistent with the intent of the Lexington Land Use Plan.”

Adopted Ordinance No. 12-01 to amend the City’s Land Use Ordinance Zoning Map to rezone several adjacent parcels of land owned by Johnson Concrete, Inc., Ms. June B. Craver, and the Lexington Housing Community Development Corporation, which are located along Burgin Street at the Johnson Concrete, Inc. plant, from Business District to Industrial District and from Mixed Use District to Industrial District.

IX. REGULAR BUSINESS

1. Accept and Record U.S. Department of Transportation Federal Railroad Administration Transportation Investment Generating Economic Recovery (TIGER II) Planning Grant for Transportation

Station Area Plan – Budget Ordinance No. 12-11 – Finance and Community Development Departments

Adopted Budget Ordinance No. 12-11 to accept and record the Transportation Investment Generating Economic Recovery (TIGER II) Planning Grant for a Transportation Station Area Plan in the amount of \$700,000 from the U.S. Department of Transportation Federal Railroad Administration.

2. Approve Acquisition of 2.6 Acres Adjacent to the Lexington Police Training Center at 493 Lee Smith Road and Authorize Transfer of Controlled Substance Funds to Purchase the Property – Budget Ordinance No. 12-07 – Finance and Police Departments

Approved the acquisition of 2.6 acres adjacent to the Lexington Police Training Center at 493 Lee Smith Road from the property owner, Mr. Tony Bivens, contingent upon City Council approval.

Adopted Budget Ordinance No. 12-07 to appropriate \$21,424 in controlled substance funds to acquire 2.6 acres of land at 493 Lee Smith Road adjacent to the Lexington Police Training Center.

3. Neighborhood Revitalization Program – Allocate Funds from Councilor Linwood Bunce’s Neighborhood Funds for Installation of Gravel Driveways at Three Properties in the Erlanger Revitalization Project Area – Budget Ordinance No. 12-12 - Finance Department

Adopted Budget Ordinance No. 12-12 to appropriate \$192 in fund balance from prior years’ neighborhood funds and transfer \$333 available in current year neighborhood funds for a total donation of \$525 from Councilor Linwood Bunce to reimburse the Street Department for the materials necessary to complete installation of three gravel drives on Park Circle.

X. **CONSENT AGENDA**

The following item(s) have either been recommended by the Lexington Utilities Commission, require a call for public hearing or are routine, non-controversial items. 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.

All items under the Consent Agenda were unanimously voted on by one vote. No items were removed for discussion.

1. Wastewater Sewer Connection for Norfolk Southern Railway – Public Services Department
 - A. Approve Wastewater Sewer Connection for Linwood Yard Facility Located off Belmont Road (SR 9159)
Approved the wastewater sewer connection for Norfolk Southern Railway by accepting the flow from the Linwood Yard facility located off Belmont Road (SR 9159).
 - B. Approve North Carolina Department of Transportation (NCDOT) Three-Party Right-of-Way Encroachment Agreement
Approved the N.C. Department of Transportation Three-Party Right-of-Way Encroachment Agreement between N.C. Department of Transportation, Norfolk Southern Railway and the City of Lexington and authorize the Mayor to execute the agreement upon receipt, contingent upon City Attorney approval.
2. Approve North Carolina Department of Transportation (NCDOT) Right-of-Way Encroachment Agreement for Natural Gas Line Extension – Barbry Avenue (SR 1618) – Natural Gas Department
Approved the N.C. Department of Transportation Right-of-Way Encroachment Agreement for natural gas line extension along Barbry Avenue (SR 1618).

XI. CITY MANAGER'S REPORTS

1. Ribbon Cutting and Grand Re-Opening – Lanier True Value Hardware, 218 South Main Street – Friday, October 14, 2011, at 12:00 Noon until 1:00 p.m.
For information only.
2. 2011 Municipal Candidates Forum hosted by Lexington Area Chamber of Commerce – Tuesday, October 18, 2011, at 7:00 p.m. at Lexington Senior High Auditorium
For information only.
3. Reminder – *Lights On After School* Celebration – Thursday, October 20, 2011, from 3:00 p.m. until 6:00 p.m. at The Salvation Army Boys and Girls Club, 301 West Ninth Avenue
For information only.

4. Reminder – 28th Annual Lexington Barbecue Festival Opening Ceremonies – Saturday, October 22, 2011, at 9:00 a.m. at Grandstand
For information only.
5. Ribbon Cutting – Well’s Fargo Bank, 100 South State Street – Monday, October 28, 2011 at 8:30 a.m.
For information only.
6. City Offices to Close for Veterans’ Day – Friday, November 11, 2011
For information only.
7. Veterans’ Day Parade – Friday, November 11, 2011, at 4:00 p.m.
For information only.

XII. **CLOSED SESSION**

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

Recessed into Closed Session.

XIII. **RECONVENE TO OPEN SESSION**

Reconvened to Open Session.

XIV. **ADJOURNMENT**

Adjourned.