

DIGEST OF CITY COUNCIL ACTION

CITY OF LEXINGTON LEXINGTON, NORTH CAROLINA

CITY COUNCIL MEETING
7:00 P.M.

FEBRUARY 9, 2009
CITY HALL

- I. **CALL TO ORDER**
Absent: None.
- II. **INVOCATION** (Councilor Tonya A. Lanier)
- III. **PLEDGE OF ALLEGIANCE**
- IV. **APPROVAL OF MINUTES**
 1. City Council Regular Meeting – January 26, 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/PRESENTATIONS**
 1. Recognition – Representatives from Lexington Area Chamber of Commerce, Lexington City Schools, and Uptown Lexington, Inc.
Recognized Executive Director Jo Ellen Edwards representing Uptown Lexington, Inc.

Chamber Board Member Kim Rash, representing the Lexington Area Chamber of Commerce, and School Board Member Bennett Miller representing the Lexington City Schools, were absent.
 2. Recognition – Introduction of New Lexington YMCA Executive Director Phillip Bryant
Recognized.

3. Proclamation – Boy Scout Week – February 8 - 14, 2009
Councilor Ward read the proclamation and presented it to Webb Athay, representing Troop 230. Other Scout Troops in attendance were 225 and 238.

Mayor recognized the Boy Scouts who were in attendance at the meeting.
4. Proclamation – Human Relations Month – February 2009
Councilor Lanier read the proclamation and presented it to Jean Thompson, staff support for the Lexington Human Relations Commission.
5. Proclamation – Black History Month – February 2009
Councilor Miller read the proclamation and presented it to Jean Thompson, staff support for the Lexington Human Relations Commission.
6. Presentation – The Pastor’s Pantry – Jo Ann Poston, Executive Director
For information only.

VIII. **REGULAR BUSINESS**

1. Make Appointment to Lexington Appearance Commission for Unexpired Term
Appointed Elizabeth Callicutt of 31 Hillside Drive to serve an unexpired term on the Lexington Appearance Commission representing Ward 3, due to the resignation of Harold Caudle. Term will expire in December 2011.
2. Authorize Expansion of Lexington Passenger Rail Advisory Committee to Include Davidson County Representatives under the General Direction of Tourism Recreation Investment Partnership for Davidson County Foundation
Authorized expansion of the Lexington Passenger Rail Advisory Committee as follows: 1) become a standing committee of the Tourism Recreation Investment Partnership (TRIP) for Davidson County Foundation under the direction of Executive Director William Deal; 2) rename the Committee to *Davidson County Passenger Rail Advisory Committee*; and 3) expand the membership to include members representing Davidson County as appointed by the Davidson County Commissioners.

3. Authorize Memorandum of Understanding with N.C. Division of Pollution Prevention and Environmental Assistance (DPPEA) for Curbside Recycling Outreach Grant Project – Sanitation Department **Authorized City to enter into a Memorandum of Understanding with the N.C. Division of Pollution Prevention and Environmental Assistance (DPPEA) for the \$1,000 public awareness recycling advertising reimbursement.**

IX. **CONSENT AGENDA**

The following item(s) have either been reviewed and 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 by one vote. No items were removed for discussion.

1. Ratify Execution of N.C. Department of Transportation (NCDOT) Right-of-Way Encroachment Agreements for Natural Gas Line Extensions – Natural Gas Department
 - A. City Lake Road Extension – Ridge Road (SR 1813), City Lake Road (SR 1841) and Pilgrim Reformed Church (SR 1843)
 - B. JL Temple Road Main Extension – Helmstetler Road (SR 1205/SR 1208) and JL Temple Road (SR 1211)
 - C. Rockway Drive Extension – Rockway Drive (SR 1424) for Tuscany Subdivision

Ratified execution of the N.C. Department of Transportation Right-of-Way Encroachment Agreements for the following extensions:

- A. **City Lake Road Extension – Ridge Road (SR 1813), City Lake Road (SR 1841) and Pilgrim Reformed Church (SR 1843);**
 - B. **JL Temple Road Main Extension – Helmstetler Road (SR 1205/SR 1208) and JL Temple Road (SR 1211); and**
 - C. **Rockway Drive Extension – Rockway Drive (SR 1424) for Tuscany Subdivision.**
2. Approve N.C. Department of Transportation (NCDOT) Utility Relocation Agreement – Old Salisbury Road at Potts Creek (Bridge 405) – Natural Gas Department

Ratified execution of the N.C. Department of Transportation Utility Relocation Agreement for Old Salisbury Road at Potts Creek (Bridge 405).

3. Ratify Execution of N.C. Department of Transportation (NCDOT) Three Party Right-of-Way Encroachment Agreement for Lexington Shopping Center Unit II, LLC – N.C. Highway 8 (Cotton Grove Road) – 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, Lexington Shopping Center Unit II, LLC and the City of Lexington for sewer line extension along the west side of N.C. Highway 8 (Cotton Grove Road) in order to service a new retail development.
4. Ratify Execution of N.C. Department of Transportation (NCDOT) Three Party Right-of-Way Encroachment Agreement for Scott Sink Sewer Improvements Project – Old Highway 64 West (SR 1192) – 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, Scott Sink and the City of Lexington for sewer improvement project to serve a car wash and store along Old Highway 64 West (SR-1192).
5. Adopt Water Conservation Education Program – N.C. League of Municipalities (NCLM) Green Challenge – Water Resources Department
Adopted the Water Conservation Education Program in order to meet the first of three actions required of the N.C. League of Municipalities Green Challenge Program’s first level.
6. Call for Public Hearing and First Reading – Amendment to City’s Code of Ordinances, Chapter 21, Utilities, Article II, Sewers and Sewage Disposal, Divisions 1-6, City of Lexington’s Pre-Treatment Ordinance – Ordinance No. 09-19 – Water Resources Department
Public Hearing will be held on February 23, 2009, at 7:00 p.m. at City Hall to receive citizen input on the adoption of Ordinance No. 09-19 to amend the City’s Code of Ordinances Chapter 21, Utilities, Article II, Sewers and Sewage Disposal, to delete Divisions 1-6 in its entirety and replace with Divisions 1-14 to revise the City’s Pre-treatment Ordinance, thereby, complying with provisions of the National Pollutant Discharge Elimination System (NPDES) Permit which regulates pollutants discharged

into the City's sanitary sewer system, contingent upon City Attorney approval.

X. **CITY MANAGER'S REPORTS**

1. City Employee Service Award Luncheon – February 19, 2009, at 11:30 a.m. – Lexington Municipal Club
For information only.
2. Lexington Area Chamber of Commerce Annual Meeting – February 19, 2009, at 6:00 p.m. at the Lexington Municipal Club
For information only.

XI. **CLOSED SESSION**

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

Recessed into Closed Session.

XII. **RECONVENE TO OPEN SESSION**

Reconvened to Open Session.

XIII. **ADJOURNMENT**

Adjourned.