

DIGEST OF CITY COUNCIL ACTION

**CITY OF LEXINGTON
LEXINGTON, NORTH CAROLINA**

CITY COUNCIL MEETING
7:00 P.M.

APRIL 27, 2009
CITY HALL

I. **CALL TO ORDER**
Absent: None.

II. **INVOCATION** (Councilor Becky P. Klass)

III. **PLEDGE OF ALLEGIANCE**

IV. **APPROVAL OF MINUTES**

1. City Council Regular Meeting – April 13, 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.

1. Dennis Hutchins, 304 Oak Avenue, stated that he would like City Council to consider changing the School Board Members as Elected Board Members instead of Appointed Board Members.

2. Don Myers, 4055 Old Salisbury Road, stated that he would like City Council to consider delaying Item 7.C. Order of Demolition for 57 Robbins Circle. Mayor Walser advised Mr. Myers that his concerns would be addressed at the appropriate time as printed on the agenda.

VI. **ADOPT AGENDA**

Amended Agenda as follows:

1) Deleted Item 7.B. under VIII. REGULAR BUSINESS, Order Demolition and Removal of Dwelling at 419 North Pugh Street – Ordinance No. 09-36

2) Deleted XI. CLOSED SESSION

Adopted as Amended.

VII. RECOGNITIONS/PROCLAMATIONS/PRESENTATIONS

1. Recognition – Representatives from Lexington Area Chamber of Commerce, Lexington City Schools and Uptown Lexington, Inc.
Recognized Board Member Stephen Grimes representing the Lexington Area Chamber of Commerce, Board Member Miles Cleckley representing the Lexington City Schools, and Executive Director Jo Ellen Edwards representing Uptown Lexington, Inc.
2. Recognition – 2009 Lexington Area Crimestoppers Officer of the Year – Police Captain Jimmy Truell
Recognized.
3. Proclamation – Mental Health Month – May, 2009
Councilor McBride read proclamation and presented it to Bill Pickett who accepted the proclamation on behalf of Stephanie Saincing, Executive Director of Mental Health Association of Davidson County.
4. Proclamation – Drinking Water Week – May 3 - 9, 2009
Councilor Miller read proclamation and presented it to Water Plant Supervisor James Gray.
5. Proclamation – National Train Day – May 9, 2009
Councilor Ward read proclamation and presented it to William Deal, with Tourism-Recreation Investment Partnership and Chairman of the Davidson County Passenger Rail Advisory Committee.
6. Presentation – Davidson County Rescue Squad – Larry Morgan, Board President
For information only.

VIII. REGULAR BUSINESS

1. Resolution Opposing Senate Bill 839/House Bill 768 – Modernization of the Alcoholic Beverage Control (ABC) System – Resolution No. 27-09
Attorney Roger Tripp and Chairman of the Alcoholic Beverage Control Board spoke in favor of City Council adopting Resolution No. 27-09 to oppose any state mandate to merge ABC Boards, mandate the merger or closing of ABC stores and to oppose the

establishment of agency stores, as it relates to *Senate Bill 839/House Bill 768 -- Modernization of the ABC System.*

Adopted Resolution No. 27-09 to declare that the establishment and operation of the City of Lexington ABC stores through the control system should remain a local decision and that the Lexington City Council opposes any state mandate to merge ABC Boards, mandate the merger or closing of ABC stores and opposes the establishment of agency stores, as it relates to *Senate Bill 839/House Bill 768 -- Modernization of the ABC System.*

2. Transfer Funds from Lexington Human Relations Commission to Recreation and Parks Department for Multi-Cultural Festival – Resolution No. 28-09 – Finance Department
Adopted Resolution No. 28-09 to transfer \$750 from the Lexington Human Relations Commission to the Recreation and Parks Department for funding support of the 2009 Multi-Cultural Festival.
3. Approval of Site and Floor Plans for Police Training Facility at Police Academy – 415 Lee Smith Road – Police and Finance Departments
Approved Site and Floor Plans prepared by Moser Mayer Phoenix Associates (MMPA) for the proposed Police Training Facility.
4. Approve Contract Between City of Lexington and Bishop Peter J. Jugis, Roman Catholic Diocese of Charlotte, North Carolina – Lease to Continue City Park at Former Charles England School Property on Smith Avenue – Recreation and Parks Department
Approved park lease agreement as proposed between the City of Lexington and Bishop Peter J. Jugis, Roman Catholic Diocese of Charlotte, North Carolina, for a five-year renewable lease agreement to continue the City Park at the former Charles England School property on Smith Avenue.
5. Approve Lease Agreement between City of Lexington and Davidson County Airport Authority for Construction of a Fire Station on Airport Property at Hargrave Road and Airport Access Road
Approved lease agreement between the City of Lexington and the Davidson County Airport Authority for .838 acres of land located near the corner of Hargrave Road and Airport Access Road (also known as Aviation Way) for the purpose of relocating Fire Station #2 effective July 1, 2009, and authorized the Mayor to execute the agreement.

6. Request from Uptown Lexington, Inc. to Close West Second Avenue from Greensboro Alley to Main Street and Northeast and Southeast Court Squares for Summer Strolls – Public Works Department
Approved closure of West Second Avenue from Greensboro Alley to Main Street and Northeast and Southeast Court Squares on May 22, June 19, August 7, and September 11 from 4:45 p.m. until 8:15 p.m. for Uptown Lexington, Inc. Summer Strolls.

7. Order Demolition and Removal of Dwellings – Community Development Department

A) 12 Linwood Road – Ordinance No. 09-35

Adopted Ordinance No. 09-35 to order the owner, Ms. Angela Denise Smith, to demolish and remove the house located at 12 Linwood Road within 90 days. At the end of the 90 days, or if the 90 day time period is waived, and the house has not been demolished, the ordinance furthermore orders the Director of Community Development to proceed with demolition.

B) 419 North Pugh Street – Ordinance No. 09-36

This item was removed from the agenda at the time of the Agenda Adoption.

C) 57 Robbins Circle – Ordinance No. 09-37

Mr. Don Myers, 4055 Old Salisbury Road, requested the City Council delay action on adoption of Ordinance No. 09-37 to allow him at least 6 months to complete renovations to the property in order to make it habitable.

Adopted Ordinance No. 09-37 to order the owners, Donnie and Anne Owens Myers, to demolish and remove the house located at 57 Robbins Circle within 90 days. At the end of the 90 days, or if the owners choose to waive the 90 day period, and the house has not been demolished, the ordinance furthermore orders the Director of Community Development to proceed with demolition.

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.

Items under Consent Agenda were approved by one vote.

1. Call for Public Hearing and First Reading – Amendment to City’s Code of Ordinances – Chapter 20, Traffic, Division 2, Passenger and Freight Curb Loading Zones, Section 119 - Designation of Freight Curb Loading Zone on East 1st Street – Ordinance No. 09-33 – Public Works Department
Public Hearing to be held on May 11, 2009, at 7:00 p.m. at City Hall.
2. Call for Public Hearing – Application for Major Development Permit for Kimberly Watson – Office/Retail Building – 1625 South Main Street – Community Development Department
Public Hearing to be held on May 11, 2009, at 7:00 p.m. at City Hall.

X. **CITY MANAGER’S REPORTS**

1. Reminder – Thirteenth Annual Multi-Cultural Festival – May 2, 2009, from 10:00 a.m. to 5:00 p.m. at Finch Park
For information only.
2. Reminder – City Council Budget Work Sessions – May 4, 5, and 7, 2009, from 2:00 to 5:00 p.m. – City Manager’s Conference Room
For information only.
3. 2009 Davidson County and Lexington City Employees Sponsored Blood Drive – May 5, 2009, from 10:00 a.m. until 2:30 p.m. at Lexington Municipal Club
For information only.
4. Reminder – 2009 N.C. League of Municipalities Town Hall Day – May 6, 2009, at 10:00 a.m. at Quorum Center, Raleigh, NC
For information only.
5. Dedication Ceremony for Walter G. Finch Picnic Shelter at Finch Park – May 9, 2009, at 11:00 a.m. at Finch Park
For information only.

XI. **CLOSED SESSION**

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

This item was removed from the agenda at the time of the Agenda Adoption.

XII. **ADJOURNMENT**

Adjourned.