

DIGEST OF CITY COUNCIL ACTION

**CITY OF LEXINGTON
LEXINGTON, NORTH CAROLINA**

CITY COUNCIL MEETING
7:00 P.M.

AUGUST 22, 2011
CITY HALL

- I. **CALL TO ORDER**
Absent: Councilor Becky Klass (arrived at 9:20 p.m. in Closed Session).
- II. **INVOCATION** (Mayor John T. Walser, Jr.)
- III. **PLEDGE OF ALLEGIANCE**
- IV. **APPROVAL OF MINUTES**
 1. City Council Regular Meeting – August 8, 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.
There were none.
- VI. **ADOPT AGENDA**
Adopted.
- VII. **RECOGNITIONS/PROCLAMATIONS/PRESENTATIONS**
 1. Recognitions – Lexington Area Chamber of Commerce, Lexington City Schools and Uptown Lexington, Inc. Representatives
Recognized Board Member Reynolds Shoaf representing Lexington Area Chamber of Commerce; Board Member Bennett Miller representing Lexington City Schools; and Executive Director Jo Ellen Edwards representing Uptown Lexington, Inc.
 2. Proclamation – 10th Anniversary of 9/11 National Day of Service and Remembrance – September 11, 2011
Mayor Walser read proclamation and presented it to Fire Chief Phil Hartley.

3. Proclamation – Hunger Action Month – September 2011
Councilor Alley read proclamation and presented it to Clyde Fitzgerald, Executive Director, of Second Harvest Food Bank of Northwest North Carolina
4. Presentation – Regional Transit Development Plan – Mark E. Kirstner, AICP, Senior Transportation Planner, Piedmont Authority for Regional Transportation
For information only.

VIII. PUBLIC HEARING

1. Public Hearing and Second Reading – Amendment to City’s Code of Ordinances, Appendix A, Land Use Ordinance, to include Chapter 16, Airport Height Restrictions – Ordinance No. 12-02 – Community Development Department
Held Public Hearing.
There were no speakers.
Adopted Ordinance No. 12-02 for the purpose of amending the City’s Code of Ordinances, Appendix A, Land Use Ordinance, to reinstate Chapter 16, Airport Height Restrictions.

IX. REGULAR BUSINESS

1. Accept and Record Third and Final Year Funding for Traffic Safety Grant from the N.C. Governor’s Highway Safety Program – Resolution No. 06-12 and Budget Ordinance No. 12-05 – Finance and Police Departments
Adopted Resolution No. 06-12 to authorize Sergeant Matthew Page to file, on behalf of the Lexington Police Department, an application contract with the N.C. Governor’s Highway Safety Program for the third and final year federal grant funding in the amount of \$26,742, and to appropriate the cash contribution of \$26,742 as required by the project contract, for a total grant amount of \$53,484.

Adopted Budget Ordinance No. 12-05 to accept and record the third and final year funding for a Traffic Safety Grant from the N.C. Governor’s Highway Safety Program in the amount of \$26,742 and transfer matching funds from the Controlled Substance Fund in the amount of \$26,742, for a total of \$53,484.

2. Approve Municipal Agreement with N.C. Department of Transportation for Bridge Inspections – Resolution No. 05-12 – Public Services Department
Adopted Resolution No. 05-12 to enter into a Municipal Agreement for Option C between the City of Lexington and the N.C. Department of Transportation for inspection of City-maintained bridges under the Federal-Aid Highway Bridge Replacement and Rehabilitation Program to occur every two years for a period of 10 years, expiring in 2021, contingent upon City Attorney approval of the Municipal Agreement.
3. Appropriate Controlled Substance Funds to Install Fiber Network at the Lexington Police Training Center – Budget Ordinance No. 12-08 – Finance and Police Departments
Adopted Budget Ordinance No. 12-08 to appropriate Controlled Substance funds in the amount of \$51,386 to install a fiber network to the Lexington Police Training Center at 415 Lee Smith Road.

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 approved by one vote.

1. Call for Public Hearing and First Reading – Amendment to City’s Code of Ordinances to Delete Chapter 5, Animals and Fowl, in its Entirety and Replace with Chapter 5, Animal Protection and Control – Ordinance No. 12-04 – Police Department
First Reading held and Public Hearing called for September 12, 2011, at 7:00 p.m. at City Hall.
2. Call for Public Hearing and First Reading – Zoning Map Amendment to City’s Land Use Ordinance – Rezoning of 420 Cotton Grove Road from Traditional Neighborhood District to Mixed Use District – Willie Byerley – Ordinance No. 12-06 – Community Development Department
First Reading held and Public Hearing called for September 12, 2011, at 7:00 p.m. at City Hall.

XI. CITY MANAGER'S REPORTS

1. United Way of Davidson County's 2011 "Week of Caring" Campaign – August 29 through September 2, 2011
For information only.
2. City Offices to Close for Labor Day – Monday, September 5, 2011
For information only

XII. CLOSED SESSION

In accordance with N.C. General Statute 143-318.11(a)(3) and (5) for the purpose of discussing matters relating to attorney-client privilege (*Ralph Ashley, et. al. vs. City of Lexington, Case #8CVS03633; Elaine Alexander, et. al. vs. City of Lexington, Case #8CVS03634; and Soy Khoun, et. al. vs. City of Lexington, Case #8CVS03635*) and acquisition of property (*Property owner: Tony Bivens; Location: 493 Lee Smith Road; Purpose: additional land for buffer and improvements at Lexington Police Training Center.*)
Recessed into Closed Session.

XIII. RECONVENE TO OPEN SESSION

Reconvened to Open Session.

XIV. ADJOURNMENT

Adjourned.