

DIGEST OF CITY COUNCIL ACTION

CITY OF LEXINGTON LEXINGTON, NORTH CAROLINA

CITY COUNCIL MEETING
7:00 P.M.

AUGUST 8, 2011
CITY HALL

I. CALL TO ORDER

Absent: None.

II. INVOCATION (Mayor Pro-Tem Larry G. Beck)

III. PLEDGE OF ALLEGIANCE

IV. APPROVAL OF MINUTES

1. City Council Regular Meeting – July 11, 2011 *Approved.*

2. City Council Special Meeting – July 21, 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, address, and observe the three-minute time limit.

There were none.

VI. ADOPT AGENDA

Adopted.

VII. RECOGNITIONS

1. Recognitions – Lexington Area Chamber of Commerce, Lexington City Schools and Uptown Lexington, Inc. Representatives

Recognized.

2. Introduction of New Lexington Senior High School Principal and Update on Lexington City Schools by Lexington City Schools Superintendent Rick Kriesky

Superintendent Kriesky introduced new LSHS Principal Travis Taylor and updated City Council on school system goals and student test scores.

VIII. PUBLIC HEARINGS

1. Public Hearing – Lexington Traffic Separation Study – 7th and 15th Avenues Railroad Crossing Improvements – Public Works Department and N.C. Department of Transportation

Held Public Hearing.

Speakers: None.

Approved the preliminary recommendations of the 7th Avenue and 15th Avenue railroad crossings study based upon the following principles:

- Both crossings are vital and necessary
- Crossings to be maintained by either bridges or tunnels
- These improvements are in the long term planning
- Short term improvements to include closing one lane alley from 15th Avenue to 17th Avenue .

2. Public Hearing and Second Reading – Application for Zoning Map Amendment – Rezoning from Business District and Mixed Use District to Industrial District – Burgin Street – Johnson Concrete Company, Inc. and Others – Ordinance No. 12-01 – Community Development Department

Held Public Hearing.

Speakers in opposition of rezoning application:

1. Ray Williams, 509 Westside Drive, spoke against the rezoning application for Johnson Concrete Company, Inc. due to the noise and dust being caused by the company.
2. Patty Miller, 603 Westside Drive, spoke against the rezoning application for Johnson Concrete Company, Inc. due to the environmental impact that the industry is having on the neighborhood, such as increased truck traffic, dust, damage to neighborhood property, basement flooding at 600 block of Westside Drive. Ms. Miller encouraged Johnson Concrete to expand their business somewhere else and not in a residential area.

Speakers in favor of rezoning application:

1. Starling Johnson, Johnson Concrete Corporate Sales Manager, granddaughter of Johnson Concrete Founder. Ms. Johnson stated that the company was started in 1947 and to this day is a locally owned and operated business. Ms. Johnson stated that Johnson Concrete makes a positive contribution to this community, employs 40 full-time individuals, is a member

of the Chamber of Commerce, has donated products for Habitat homes, Eagle Scout projects. Ms. Johnson stated that every effort has been made and will continue to be made to address the concerns of the neighbors in the Westside Drive area.

2. Burr Sullivan, Executive Director of the Lexington Area Chamber of Commerce, spoke in favor of the rezoning and indicated that he believes Johnson Concrete is a pillar in this community and that every effort should be made to accommodate their business which has become a bright spot in Lexington's economy.

IX. REGULAR BUSINESS

1. Authorize Budget Amendment and Installment Financing Debt Agreement for Fire Pumper Truck – Finance and Fire Departments

A. Transfer Funds from General Administration to Debt Service for Installment Financing Debt Contract Payments – Resolution No. 02-12

Adopted Resolution No. 02-12 to transfer funds from the General Administration Fund to the Debt Service Fund in the amount of \$10,529 to cover the semi-annual debt payments proposed by BB&T beginning August, 2011, for the Fire Pumper Truck.

B. Award Bid for Installment Financing Debt Agreement – Resolution No. 03-12

Adopted Resolution No. 03-12 to award the \$460,402 installment financing agreement to BB&T at a rate of 2.19% for a 7-year semi-annual debt repayment schedule with payments to be made in advance, contingent upon City Attorney approval.

2. Year-End Encumbrances for Fiscal Year 2010-2011 – Budget Ordinance No. 12-03 – Finance Department

Adopted Budget Ordinance No. 12-03 to make necessary appropriations from various funds to cover expenditures encumbered in Fiscal Year Ended June 30, 2011, but finalized in the current Fiscal Year 2011-2012.

3. Authorize Submission of 2011 Grant Applications – Police Department
 - A. U.S. Department of Justice Edward Byrne Memorial Justice Assistance (JAG) Local Solicitation Grant
Authorized submission of the U.S. Department of Justice Edward Byrne Memorial Justice Assistance (JAG) Local Solicitation Grant application including all notification requirements necessary for receiving the grant.
 - B. N.C. Governor’s Crime Commission Project Safe Neighborhoods (PSN) Grant
Authorized submission of the N.C. Governor’s Crime Commission Project Safe Neighborhoods (PSN) Grant application including all notification requirements necessary for receiving the grant.

4. Allocate Funds from City Council Neighborhood Revitalization Program – Finance Department
 - A. Assistance for Drainage Pipe Installation Costs in Ward 3 at 413 Hillside Drive – Resolution No. 01-12 – Councilor Linwood Bunce
Adopted Resolution No. 01-12 to allocate \$667 from City Councilor Linwood Bunce’s allotment of Neighborhood Revitalization Funds to assist with one-third of the cost incurred for the installation of drainage piping at 413 Hillside Drive in Ward 3.
 - B. Donation to Hotdog Heaven Second Annual Back to School and Community Day Celebration at Washington Park Pool – Resolution No. 04-12 – Councilor Ronald Reid
Adopted Resolution No. 04-12 to allocate \$200 from City Councilor Ronald Reid’s allotment of Neighborhood Revitalization Funds as a donation to the Hotdog Heaven Second Annual Back to School and Community Day Celebration in order to help with food costs.

5. Approve Amendments to City’s Land Use Plan – Community Development Department
 - Properties along Cotton Grove Road between Harkey Street and Federal Street – Reclassify from Traditional Neighborhood to Neighborhood Center
 - Neighborhood Center Description for Businesses to Exclude Outdoor Operations and Storage

Approved the following two amendments to the City's Land Use Plan:

- Amended the Land Use Plan and Map by reclassifying properties located along Cotton Grove Road between Harkey Street and Federal Street from Traditional Neighborhood to Neighborhood Center; and
- Revised the description for Neighborhood Center by adding the following statement to the end of the paragraph: "Businesses should be limited to indoor uses with limited outdoor display and no outdoor storage, activity, or operational effects."

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. No items were removed for discussion.

1. Ratify Execution of N.C. Department of Transportation (NCDOT) Right-of-Way Encroachment Agreement for Abbotts Creek Bridge Replacement Project – East Center Street (SR 1243) – Public Works Department
Approved.
2. Call for Public Hearing and First 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
Public Hearing will be held on August 22, 2011, at 7:00 p.m. at City Hall.

XI. CITY MANAGER'S REPORTS

1. Set Date for 2012 City Council Annual Retreat
Date for 2012 Council Retreat will be Tuesday, February 7, 2012 and Wednesday, February 8, 2012.

2. Lexington City Schools Teachers and Support Staff Breakfast – Friday, August 19, 2011, at 8:00 a.m. at Charles England Cafeteria/Multi-Purpose Room

For information only.

3. 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 (6) for the purpose of discussing matters relating to attorney-client privilege and personnel.

Recessed into Closed Session.

XIII. RECONVENE TO OPEN SESSION

Reconvened into Open Session.

XIV. ADJOURNMENT

Adjourned.