

## MINUTES

The Lexington City Council held its regular meeting in the courtroom of the Lexington -Rockbridge Joint Facility on February 3, 2005.

**PRESIDING:** J.W. Knapp, Mayor

**OFFICERS:** T.J. Ellestad, City Manager  
L.A. Mann, City Attorney  
C. Irby, Asst. City Clerk

**MEMBERS:** T. P. Golden  
J. H. Page  
J. E. Gianniny  
L. W. Broomall  
R. W. Smith

**ABSENT:** M.M. Elrod

There were 19 people present.

### **PUBLIC HEARING**

**To receive public comment on Resolution 2004-3B amending the FY2005 Budget**

No comment

### **REGULAR MEETING**

Mayor Knapp called the regular meeting to order at 8:02 p.m. and delivered the invocation.

### **APPROVAL OF MINUTES**

Councilman Gianniny moved that the minutes of January 20, 2005 be approved as presented. Councilman Broomall seconded the motion and the following vote was recorded:

T.P. Golden	Aye	R. W. Smith	Aye
J.H. Page	Aye	J.E. Gianniny	Aye
L.W. Broomall	Aye	M.M. Elrod	Absent

The motion carried.

### **CITIZENS' REMARKS AND COMMENTS ON MATTERS NOT ON AGENDA**

None

### **REPORTS AND COMMUNICATIONS**

## **City Council Committees**

### **FINANCE COMMITTEE**

Councilman Broomall reported that the finance committee met on February 3, 2005, at which time they discussed the request for tax exemption by the Rockbridge Historical Society. The consensus of the committee was that, while they empathize with the predicament of the Rockbridge Historical Society, the change in State code necessitates that they treat every organization equally and say no to such requests, given the impact of lost revenue on the city.

A meeting was scheduled for February 17, 2005 to consider Resolution 2004-3B.

### **PHYSICAL SERVICES COMMITTEE**

Councilman Gianniny reported that the committee met in conjunction with the Capital Improvements Plan meeting. Mr. Blatter reported on the progress of the pedestrian bridge at Jordan's Point.

### **SOCIAL AND ECONOMIC SERVICES COMMITTEE**

No report

#### **Boards and Commissions**

### **PLANNING COMMISSION**

Councilman Smith reported that the planning commission met on January 27<sup>th</sup> and February 3<sup>rd</sup>, 2005. At the meeting of January 27<sup>th</sup>, they met with Dean Watkins, of Washington and Lee University. The purpose was to establish the university's position with respect to students living off campus, and issues concerning conditional use permits. She has proposed a task force between the city and university to discuss these types of issues. Darryl Crawford, of the Central Shenandoah Planning District Commission, met with the committee to discuss its role in developing the Comprehensive Plan. City Manager Ellestad gave a presentation on the Capital Improvements Plan. Carol Wheeler was elected as the committee chairman and David Coffey will serve as the Vice Chairman.

The meeting of February 3<sup>rd</sup> served as a "kick off" of the Comprehensive Plan. Committee would like to condense the schedule for implementation of the plan to complete it as soon as possible.

### **THRESHOLD**

No report

### **CENTRAL SHENANDOAH PLANNING DISTRICT COMMISSION**

No report

**ROCKBRIDGE REGIONAL COMMUNITY SERVICES BOARD**

No report

**MAYOR**

**Appointment to the Rockbridge Regional Jail Commission**

Councilman Gianniny moved for the appointment of the honorable Jon Ellestad as the representative to the Rockbridge Regional Jail Commission. Councilman Broomall seconded the motion and the following vote was recorded:

T.P. Golden	Aye	R. W. Smith	Aye
J.H. Page	Aye	J.E. Gianniny	Aye
L.W. Broomall	Aye	M.M. Elrod	Absent

The motion carried.

Mayor Knapp attended a VML Legislative Committee meeting today in Richmond. He reported that the “flush tax”, the utility of a constitutional amendment that would put a 2% cap on real estate assessments yearly, as well as cable television services were matters of discussion.

Mayor Knapp mentioned that he had lunch with the presidents of the two educational institutions to discuss planning issues.

**CITY MANAGER**

**Consideration of request from SADD for a contribution**

Councilman Gianniny moved that \$250 be contributed to the Rockbridge County High School chapter of SADD. Councilman Golden seconded and the following vote was recorded:

T.P. Golden	Aye	R. W. Smith	Aye
J.H. Page	Aye	J.E. Gianniny	Aye
L.W. Broomall	Aye	M.M. Elrod	Absent

The motion carried.

**Consideration of adoption of the FY2006-2010 Capital Improvements Plan**

Councilman Broomall moved that council adopt the FY 2006-2010 Capital Improvement Plan. Councilman Smith seconded and the following vote was recorded:

T.P. Golden	Aye	R. W. Smith	Aye
J.H. Page	Aye	J.E. Gianniny	Aye
L.W. Broomall	Aye	M.M. Elrod	Absent

The motion carried.

City Manager Ellestad commented on the financial position of the Rockbridge Regional Jail and possible plans for the future.

#### **CITY ATTORNEY**

City Attorney Mann reported that a status conference will be held with Judge Martin on February 11, 2005 at 9:30 a.m. in the Circuit Court Courtroom.

#### **UNFINISHED BUSINESS**

None

#### **NEW BUSINESS**

None

#### **MOTION FOR CLOSED SESSION**

Councilman Gianniny moved that Lexington City Council convene in Closed Session in accordance with Section 2.2-3711, Subsection A, of the Code of Virginia, as amended, in order to discuss matters identified as exempt pursuant to Section 2.1-344, Subsection A, Paragraph 5 . The subjects to be addressed shall be a prospective business or industry. The motion was seconded by Councilman Broomall.

#### **ROLL CALL**

T.P. Golden	Aye	R. W. Smith	Aye
J. H. Page	Aye	J.E. Gianniny	Aye
L.W. Broomall	Aye	M.M. Elrod	Absent

The motion carried.

Council went into closed session at 8:35 p.m.

#### **MEETING RECONVENED**

Council reconvened in open session at 9:08 p.m.

#### **RESOLUTION**

**WHEREAS**, the Lexington City Council has convened a closed meeting on this date pursuant to an affirmative vote in accordance with the provisions of the Virginia Freedom of Information Act, specifically Section 2.2-3711, Subsection A, Paragraph 5, to discuss a prospective business or industry; and

**WHEREAS**, Section 2.2-3711 of the Code of Virginia requires a certification by this City Council that such closed meeting was conducted in conformity with Virginia law;

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the City of Lexington, Virginia, that the Council hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (2) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Lexington City Council.

**ROLL CALL**

T.P. Golden	Aye	R. W. Smith	Aye
J.H. Page	Aye	J.E. Gianniny	Aye
L.W. Broomall	Aye	M.M. Elrod	Absent

The motion carried.

**ADJOURNMENT**

The meeting adjourned at 9:09 p.m.