

MINUTES

The Lexington City Council held its regular meeting in the courtroom of the Lexington - Rockbridge Joint Facility on January 20, 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
M. M. Elrod
J. E. Gianniny
L. W. Broomall
R. W. Smith

There were 27 people present.

PUBLIC HEARING

1. To receive public comment on a proposed subdivision of the property at 30 South Main Street.

Tom Higgins, the county's engineer, explained that the purpose of the subdivision of this property, located behind the Robert E. Lee Hotel, is to provide handicapped parking and parking for judges for the proposed courthouse site on Main Street. The purchase of this property is also necessary in order to be contiguous with the property on Randolph Street, the alternate proposed courthouse site.

2. To receive public comment on an application by Red Hammer, LLC for a planned unit development to construct 26 duplex units at the southeastern corner of Thornhill and Birdfield roads.

Bill Blatter explained that this property is properly zoned for what is being proposed, however the applicant is looking to cluster the units on smaller lots, in order to aggregate the open space; and secondly to have a private road rather than a dedicated city street. Both require planned unit development approval. If this action is approved, there will still be subdivision and landscaping plans submitted.

Susan Perkins, of Perkins and Orrison, appeared before council with her partner Russ Orrison and Jeb Brown, a representative of Red Hammer LLC and the applicant. They asked that city council grant a zoning map amendment by allowing Red Hammer to overlay the planned unit development on top of parcel 6, 6b, and 7 as delineated on Lexington City tax map 39. Plans for the proposed Weatherburn development were presented and it was noted that the proposed units fall below the maximum density allowed for the planned unit development district. Additionally, the developer, proposes a left turn lane from Thornhill Road to allow for

stacking of vehicles turning into Weatherburn and to minimize the backup of traffic on Route 251. They also propose a 15 foot full frontage dedication on Thornhill Road to accommodate any future improvements to Route 251. Councilman Gianniny questioned if the width of the road would accommodate emergency vehicles. Councilman Broomall questioned if the left turn lane would be the responsibility of the state. Mr. Blatter clarified that the construction would be responsibility of the developer, but it would have to meet State standards.

Joan Manley, of 532 Fairview Place, appeared before council to request that, with the development of new housing, council and developers consider the concept of universal design to allow for more structures that are accessible to all people. Additionally, she presented council with information on “visitability” issues, which addresses minimum accessibility features as a way to make the concept more appealing to the general public. Jeb Brown, a representative of the developer, Red Hammer LLC expressed the developer’s desire to be sensitive to these issues and to incorporate features where feasible, while maintaining the homes appeal to the mass market. Councilman Smith noted that providing a ramp in the garage would help meet the visitability standard. Mr. Brown explained that the issue was being considered.

REGULAR MEETING

Mayor Knapp called the regular meeting to order at 8:25 p.m. and Councilman Golden delivered the invocation.

APPROVAL OF MINUTES

Councilwoman Elrod moved that the minutes of January 6, 2005 be approved as presented. Councilman Golden 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	Aye

The motion carried.

CITIZENS’ REMARKS AND COMMENTS ON MATTERS NOT ON AGENDA

1. Presentation on status of fundraising effort for a covered pool

Leslie Ayers, of 323 Old Farm Road, appeared to update council on the fundraising efforts that have been planned for a new covered pool. A pool-a-thon is scheduled for January 29, 2005. Combined with other ongoing fundraising efforts, they are hoping to reach a goal of ~\$65,000. Councilman Golden asked Ms. Ayers about the total cost of the pool, maintenance costs, and the amount of support expected from the city, as well as what would be provided by the county. Additionally, he expressed concern as to additional funding necessary to break ground this spring.

Chris Windham, executive director of the Rockbridge Area YMCA, provided information about the long range plans of the YMCA. The YMCA recognized the importance of

providing more year round pool space for swim teams and other aquatic activities. Secondly, the YMCA stated its support of the efforts of team swimming groups to raise money to build a pool, and finally noted that aquatic programs are included in the YMCA plan for growth over the next few years. He noted that the YMCA board is in the midst of strategic planning for a full facility YMCA, and is in the process of obtaining a feasibility study. They plan to start a capital campaign in approximately six months. They hope to be in a new facility in the next three to five years. When asked by Golden if the fundraising for a pool would detract from fundraising for the YMCA, Windham responded that the feasibility study would help determine this, and that timing would be a determinant.

Councilman Gianniny thanked Ms. Ayers for taking the initiative to fulfill a need within the community.

2. Presentation on formation of a Special Service District by the Lexington Downtown Development Association

Victoria Pennell, of 519 South Main Street, and president of the Lexington Downtown Development Association, spoke to council concerning the formation of a Special Service District. This is designed to be a possible revenue opportunity to benefit downtown. Steve McAllister, of 3 Ringneck Road, highlighted LDDA's accomplishments during the last four years and described the benefits that creating a special service district would provide. H. E. Derrick, Jr., of 206 Paxton Street, expressed the need for additional support for LDDA to continue to serve the needs of downtown Lexington.

Susan Perkins, of 110 North Randolph Street, questioned whether some of the revenues generated from a Special Service District tax could be used by the city to make improvements that only the city could initiate.

Councilman Gianniny asked to see information concerning the strategic plan of LDDA, to include membership numbers and the structure of membership dues.

Otis Mead, of 311 South Jefferson Street, noted that the city and its citizens are already participating in activities of other organizations. These organizations, such as the Visitors' Bureau and the Chamber of Commerce also have activities that directly affect the success of LDDA. He expressed hope that any public properties that might be created by a special services district might coordinate with these other organizations.

REPORTS AND COMMUNICATIONS

City Council Committees

FINANCE COMMITTEE

Councilman Broomall reported that the finance committee met on January 20, 2005, to

review the FY2004 audit. He presented highlights from the audit report and moved that council accept the FY2004 audit. 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	Aye

The motion carried.

A meeting was scheduled for February 3, 2005 at 6:45 p.m. to review a tax exemption request.

PHYSICAL SERVICES COMMITTEE

Councilman Gianniny scheduled a meeting for February 3, 2005 at 6:30 p.m. to review progress on the Jordan’s Point Park project.

SOCIAL AND ECONOMIC SERVICES COMMITTEE

No report

Boards and Commissions

PLANNING COMMISSION

Councilman Smith reported that the planning commission met on January 13, 2005. The first order of business was a site plan review for construction of the new courthouse facility. The county withdrew its application, so no action was taken. Joan Manley delivered a presentation on the universal design concept and visitability. The commission reviewed the South Lexington Planning Committee final report, and discussed the use of the Central Shenandoah Planning District Commission to help with the comprehensive plan.

Councilman Smith moved that the proposed subdivision of the property at 30 South Main Street be approved. Councilman Gianniny seconded the motion and the following vote was recorded:

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	Aye

The motion carried.

Councilman Smith moved that the application by Red Hammer, LLC for a planned unit development to construct 26 duplex units at the southeastern corner of Thornhill and Birdfield roads be approved. Councilman Gianniny seconded the motion, noting that the proposal represents a less dense use of the property than the city’s comprehensive plan would have allowed. Councilman

Broomall asked that the developer pursue the feasibility of including visitability concepts proposed by Joan Manley as part of the motion. The following vote was recorded:

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	Aye

The motion carried.

RAEDC

Councilman Golden reported that RAEDC met on January 13, 2005. He presented figures reported from that meeting.

CENTRAL SHENANDOAH PLANNING DISTRICT COMMISSION

No report

ROCKBRIDGE REGIONAL COMMUNITY SERVICES BOARD

No report

MAYOR

Mayor Knapp reported that on January 19, 2005 he had the pleasure of signing, on behalf of the city, an agreement to create a triad community in the Lexington area. Triad stands for the tripartite effort by the attorney general's office in putting together sheriffs and/or chiefs of police, AARP, and some organized community group to look at the welfare of citizens, reducing crime across the state.

The Mayor announced that there would be a ceremony on January 21, 2005 at 12:00 p.m. at the Wastewater Treatment Plant to name the road into the plant for Bob Akins.

Councilman Gianniny moved that Rosa Wiggins and Mary Harvey be appointed to the Board of Zoning Appeals to fulfill the terms of Gail McLeod and Camille Miller respectively. Councilman Golden 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	Aye

The motion carried.

CITY MANAGER

Councilman Broomall moved for the approval of Council’s long range goal and 2005-6 workprogram. Councilwoman Elrod 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	Aye

The motion carried.

City Manager Ellestad scheduled a meeting with the School Board to review the master schools facility plan for February 3, 2005 at 7:00 p.m.

CITY ATTORNEY

City Attorney Mann stated that his report would be given during closed session.

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 2.2-3711, Subsection A, Paragraph 3 . The subjects to be addressed shall be the acquisition, disposition, or use of property. The motion was seconded by Councilman Smith.

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

The motion carried.

Council went into closed session at 9:36 p.m.

MEETING RECONVENED

Council reconvened in open session at 9:54 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 3, to discuss the acquisition, disposition, or use of property.

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	Aye

The motion carried.

ADJOURNMENT

The meeting adjourned at 9:55 p.m.