

**MINUTES**

The Lexington City Council held its regular meeting in the courtroom of the Lexington -Rockbridge Joint Facility on July 7, 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  
R. W. Smith  
L. W. Broomall  
M.M. Elrod

**ABSENT:** J. H. Page  
J. E. Gianniny

There were 9 people present.

**PUBLIC HEARING**

**To receive public comment on a proposed subdivision of the Stewart property located between Marshall Street extended and Ross Road.**

Bill Blatter explained that there is a deed restriction limiting development on the parcel being created. He also noted that City Attorney Mann reviewed the subdivision and added that it is not the job of the city to enforce private deed restrictions, but to enforce zoning and subdivision regulations.

**REGULAR MEETING**

Mayor Knapp called the meeting to order at 8:04 and Councilman Golden delivered the invocation.

**APPROVAL OF MINUTES**

Councilman Broomall moved that the minutes 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	Absent	J.E. Gianniny	Absent
L.W. Broomall	Aye	M.M. Elrod	Aye

The motion carried.

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

No comment

**REPORTS AND COMMUNICATIONS**

**City Council Committees**

**FINANCE COMMITTEE** - No report

**PHYSICAL SERVICES COMMITTEE** - No report

**SOCIAL AND ECONOMIC SERVICES COMMITTEE** - No report

**Boards and Commissions**

**PLANNING COMMISSION**

**Consideration of the Stewart subdivision**

Councilman Smith corrected the memorandum distributed to council. The “New Parcel” consists of 0.451 acres rather than 01.451. He then moved, based on the planning commission’s recommendation that the application be approved. Councilman Broomall seconded and discussion followed. Councilman Golden clarified that the application was being approved with the understanding that it is not the responsibility of council to enforce the deed restriction. Mayor Knapp asked if the restriction would carry forever. Mann clarified that it can be extinguished if all those parcels that would benefit from the restriction agree to release it, or if, after a period of time, the reason for the restriction becomes unnecessary. After discussion, the following vote was recorded:

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

The motion carried.

Councilman Smith reported that the commission met on June 23, 2005. They reviewed seven applications for large capacity housing. All but one, at 107 Henry Street, have been extended for a two year period of time. The commission also approved a sign for the new University Cleaners building. They complimented Jay Melvin for the improvements to this building which sits on a major entrance corridor to the city.

**Consideration of change to the Planning Commission by-laws**

It was explained that these changes were technical in nature, to correct inconsistencies between the bylaws and state law, related to conflict of interest. Councilman Smith moved that the changes to the by-laws

be adopted as presented. Councilman Golden seconded the motion and the following vote was recorded:

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

The motion carried.

**RAEDC - No report**

**CENTRAL SHENANDOAH PLANNING DISTRICT COMMISSION - No report**

**ROCKBRIDGE REGIONAL COMMUNITY SERVICES BOARD**

**Consideration of request for the Community Services Board to act as their own fiscal agent**

Councilman Broomall moved that the Rockbridge Area Community Services Board be authorized to act as its own fiscal agent and that it receive state and federal funds directly from the Department of Mental Health, Mental Retardation, and Substance Abuse Services in accordance with VA code 37.1-197.A17. Councilwoman Elrod seconded the motion and the following vote was recorded:

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

The motion carried.

**Consideration of approval of the Community Services Board FY06 performance contract**

Councilman Golden moved for the approval of the contract. Councilman Smith seconded and the following vote was recorded:

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

The motion carried.

**MAYOR**

Mayor Knapp welcomed Councilwoman Elrod back from her participation in the Lead Virginia seminars. He reported that he and the city manager had attended a meeting with the architects of the new courthouse and briefed our general assembly delegate. The Architectural Review Board also met today to review the design concept. The next meeting will be July 21<sup>st</sup>.

He reported that Winston Churchill's granddaughter, Celia Sandys, had been in Lexington over the past week, attending a seminar on Winston Churchill at Washington and Lee's Alumni College. He had presented her with a key to the city and a proclamation.

**CITY MANAGER**

**Consideration of request for Washington & Lee University to close a section of Washington Street at various times**

Councilman Golden moved that the requests be approved as listed in a letter presented to council. Councilman Smith seconded the motion and the following vote was recorded:

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

The motion carried.

**Consideration of appointment of Sharon Edwards as City Clerk**

Councilman Broomall moved the approval of the appointment. Councilwoman Elrod seconded the motion and the following vote was recorded:

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

The motion carried.

**CITY ATTORNEY**

City Attorney Mann reported that he had met with architect Chuck Wray and Perkins & Orrison to set the time frame for development of the final plats for land acquisition.

**UNFINISHED BUSINESS** - None

**NEW BUSINESS** - None

**ADJOURNMENT**

There being no further business, the meeting adjourned at 8:27 p.m.