

MINUTES

The Lexington City Council held its regular meeting in the courtroom of the Lexington-Rockbridge Joint Facility on May 19, 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
R. W. Smith
L. W. Broomall

ABSENT: M.M. Elrod

There were 14 people present.

PUBLIC HEARING

To receive public comment on the application by W&L University to amend their master plan to locate a parking lot at the northeast corner of Nelson Street and Liberty Hall Road

Mr. Blatter explained that this application is for land use authorization only, and that site plan review will still be required by the Planning Commission and City Council. Tom Contos, architect for the university, explained that this parking lot is meant to address adequacy of parking for the new arts complex and also the college as a whole. The objective of the parking lot is to take pressure off the parking garage. Councilman Golden questioned the light standard for the parking lot and Councilman Gianniny expressed landscaping concerns. These issues will be addressed during site review.

To receive public comment on the application by Nextel Partners for a conditional use permit to erect a wireless telecommunications antenna on the roof of the R.E. Lee building

Mr. Blatter noted that the Architectural Review Board had reviewed and approved the antenna. Carl Taskes, of Nextel, appeared before council and explained that the antenna is intended to improve "in building" coverage. He presented several photographs and coverage maps to the council members. He also presented a collocation interference study showing that the potential for harmful interference is extremely remote.

REGULAR MEETING

Mayor Knapp called the meeting to order at 8:10 p.m. and Councilman Gianniny delivered the invocation.

APPROVAL OF MINUTES

Councilman Golden moved that the minutes be approved as presented. Councilman Gianniny 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.

CITIZENS' REMARKS AND COMMENTS ON MATTERS NOT ON AGENDA

Mark McManus, of 901 Bowyer Lane requested that council make an exception to its animal ordinance to allow him to keep three chickens at his residence. He presented pictures of the chicken house and explained that they are pets and does not intend to add more. Bernard Natkin, of 903 Bowyer Lane, appeared before council to speak on Mr. McManus's behalf. He noted that, as a neighbor, the chickens were not a problem. It was also noted that no complaints had been received. City Manager Ellestad said that council will continue to consider its options and that no enforcement will be made while the issue is being considered, unless complaints are received in the interim.

The representatives from W&L who presented a study about the benefits of LPFM (low power FM radio) returned to answer any of council's questions. City Manager Ellestad noted that they had requested that City Council adopt a resolution supporting bill S 312 which is now before congress, to implement the recommendations of the Federal Communications Commission report to the Congress regarding low-power FM service. The City Manager will draft the resolution given the recommendation of council and it will appear on the June 2, 2005 agenda.

REPORTS AND COMMUNICATIONS

City Council Committees

FINANCE COMMITTEE - No report

PHYSICAL SERVICES COMMITTEE

Councilman Gianniny reported that the committee has scheduled a meeting for May 31, 2005 to address a letter from a resident concerning traffic patterns on Jefferson Street.

SOCIAL AND ECONOMIC SERVICES COMMITTEE - No report

Boards and Commissions

PLANNING COMMISSION

Consideration of amendment to W&L University's Master Plan

Councilman Smith moved that the application be approved to amend the Master Plan to authorize the construction of a 23 car parking lot at the northeast corner of the Nelson Street and Liberty Hall Road intersections. 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	Absent

The motion carried.

Consideration of the conditional use permit for Nextel Partners

Councilman Smith noted that the Planning Commission made one change to the request by Nextel. Under item two, the fourth bullet, the word “obsolete” should be changed to “non-operational”. He also noted that a member of the commission felt that a time limit should be attached to the conditional use permits. Mr. Blatter noted that the stipulation of removing non-operational equipment provided a time limit. Councilman Smith then moved that the conditional use permit be approved to erect a wireless telecommunications antenna and related equipment on the roof of the R.E. Lee building at 20 South Main Street. Councilman Broomall seconded 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	Absent

The motion carried.

RAEDC

Councilman Golden reported that RAEDC met on May 10, 2005. Unemployment figures for March were presented, the changes to the bylaws were approved, and a performance agreement with Mead-Westvaco regarding improvements and increased jobs was discussed.

CENTRAL SHENANDOAH PLANNING DISTRICT COMMISSION

Mayor Knapp reported that the commission met on Monday, May 16, 2005. At that time, the commission agreed on a procedural change, allowing them to go forward with grant applications without a quorum present. Additionally, the requirement that every locality prepare a water supply plan was discussed. It has yet to be decided if this should be done jointly or on an individual basis.

ROCKBRIDGE REGIONAL COMMUNITY SERVICES BOARD - No report

MAYOR

The summer meeting schedule was set. Council will meet only once in July and August. Those dates will be July 7 and August 4. Councilman Gianniny moved that the schedule be adopted and Councilman Page seconded. 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 also reported that Councilwoman Elrod was attending a Lead Virginia seminar. He noted that this seminar will meet in the Shenandoah Valley June 23-June 25, 2005.

CITY MANAGER

Consideration of Resolution 2005-5 designating Lt. Steve Crowder the City’s representative for applying for funding under the National Domestic Preparedness Grant Program

City Manager Ellestad noted that this designation is necessary to apply for Homeland Security funding. Councilman Golden moved that Lt. Crowder be designating the city’s representative. Councilman Gianniny 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.

Resolution 2005-5

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEXINGTON, VIRGINIA
DESIGNATING THE APPLICANTS AGENT**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LEXINGTON THAT LIEUTENANT STEVEN E. CROWDER, EMERGENCY SERVICE COORDINATOR

Is hereby authorized to execute for and in behalf of the City of Lexington, a public entity established under the laws of the State of Virginia, this application and to file it in the appropriate State Office for the purpose of obtaining certain Federal financial assistance under the OJP, National Domestic Preparedness Office Grant Program(s), administered by the Commonwealth of Virginia.

That, the City of Lexington, a public entity established under the laws of the Commonwealth of Virginia, hereby authorizes its agent to provide to the Commonwealth and to the Office of Justice Programs (OJP) for all matters pertaining to such Federal financial assistance any and all information pertaining to these Grants as may be requested.

Adopted this day: _____

John W. Knapp

Deborah Desjardins, Clerk of Council

CITY ATTORNEY

City Attorney Mann reported that he is studying additional property acquisition and fine tuning the plat and footprint of the structure. The peer review process is moving forward.

UNFINISHED BUSINESS

On June 7, 2005 at 7:00 pm an affordable housing meeting will be held at Rockbridge County High School.

NEW BUSINESS - None

ADJOURNMENT

There being no further business, the meeting was adjourned at 8:55 p.m.