

MINUTES

The Lexington City Council held its regular meeting in the courtroom of Lexington-Rockbridge Joint Facility on November 17, 2005.

PRESIDING: J. W. Knapp

OFFICERS: T. J. Ellestad, City Manager
L. A. Mann, City Attorney
S. Edwards, City Clerk

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

ABSENT: M. M. Elrod

There were sixteen people present.

PUBLIC HEARING

To receive public input on Resolution 2005-3A amending the FY 2006 Budget

No comment

REGULAR MEETING

Mayor Knapp called the meeting to order at 8:03 pm and delivered the invocation.

APPROVAL OF MINUTES

Upon motion of Councilman Gianniny, seconded by Councilman Smith, the minutes of November 3, 2005 meeting were approved. The following vote was recorded.

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

CITIZENS' REMARKS AND COMMENTS ON MATTERS NOT ON AGENDA

Mr. Edward Claiborn, representing the Rockbridge Volunteers Chapter of the Sons of the American Revolution, presented a Certificate of Commendation to the City of Lexington and the Lexington Garden Club for the beautiful display of flags that are displayed on the Veterans Memorial Bridge on patriotic holidays. Mayor Knapp accepted this commendation on behalf of

the City and also thanked the Lexington Garden Club for the part they played in making the displays possible.

Robert Klussmann, 15 Poyntz Place, Lexington, spoke on behalf of a letter that he had written to Council about the Moore's Creek Property. He is suggesting that before decisions are made on the property that a pre-assessment from the State Forestry Department be done. The Forestry Department has indicated that this is a free report and it seems that from previous reports from other areas that, with proper management, these types of properties can be turned from a financial burden into an asset.

Upon motion of Councilman Smith, seconded by Councilman Broomall, it was recommended that the City contact the Forestry Service and make arrangements to have the pre-assessment done for the Moore's Creek property. The motion was unanimously approved and the following vote was recorded.

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

REPORTS AND COMMUNICATIONS

City Council Committees

FINANCE COMMITTEE

Councilman Broomall reported that the committee met on November 7th. He noted that several items were heard at the meeting. The first item was the first quarter financial report. He noted that Monty Higgins, Finance Director, did a very nice comprehensive job in reviewing the report. Mr. Higgins did mention to the group that he thought the interest rate environment seemed to be improving from an investment interest income perspective though it is of some concern as Council thinks about bond issues and such. A few of our income items are actually ahead of schedule; however, we have a number of expenses that the expenditure line items, particularly in utilities, appear to be headed beyond their budgeted levels. Overall, Mr. Higgins suggested that there are some challenges there. He recommends keeping a tight watch on it and he thinks that we will be in balance as we go through the year but that it is going to be a very tight year with the possibility that next year will be even tighter.

Upon motion of Councilman Broomall, seconded by Councilman Gianniny, it was recommended that Council accept the first quarter financial report. The following vote was recorded.

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

Councilman Broomall also reported that the Finance Committee had reviewed the Appropriation Resolution 05-3A. After reviewing this resolution with Council, Councilman Broomall made the motion that Council approve Resolution 05-3A. The motion was seconded by Councilman Gianniny. Councilman Golden asked for a clarification on the \$50,000 grant to the swimming pool. He questioned whether the City would transfer this money after the approval of the Resolution. City Manager Ellestad indicated that the understanding at the time Council made the motion was that the funds would only be authorized by the City Council once numerous questions were answered about the building of the pool, the operation of the pool, etc. The approval of this Resolution is not authorization to spend. After this discussion the following vote was recorded and the motion was approved.

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

Resolution 05-3A

APPROPRIATION RESOLUTION

WHEREAS, the City Manager has presented a recommended budget for fiscal year 2006 ("FY 2006"), and

WHEREAS, the Lexington City Council has considered budgetary needs for FY 2006, has conducted public hearings prescribed by City Charter Section 28 and applicable laws of the Commonwealth of Virginia, and has adopted ordinances imposing taxes necessary to fund FY 2006 appropriations, and

WHEREAS, on May 5, 2005, the City Council formally adopted the City Manager's recommended budget for FY 2006, including all funds operated by the City of Lexington, and

WHEREAS, City Council approved \$1,201,819 for certain ongoing projects and activities to be designated against fund balances for June 30, 2005 to be later appropriated in the first appropriation resolution for amendment of the FY 06 budget, and

WHEREAS, the City needs to appropriate from the General Fund surplus funds \$64,050 for court-ordered security at the Rockbridge circuit courtroom, \$78,233 for additional equipment replacement funds for a fire truck costing \$578,233, \$50,000 as a contribution for an indoor swimming pool, and \$531,300 of equipment replacement reserve funds to collapse the equipment replacement fund budget into the General Fund, and

WHEREAS, certain estimated revenues to be reserved for equipment replacement need to be added to the General Fund to include \$25,000 for general contributions, \$17,200 for Rockbridge County contributions, \$2,500 for salvaged equipment, \$50,000 for a Rural

Development U.S.D.A. Grant for the new fire truck, and

WHEREAS, the Equipment Replacement Fund estimated revenues and appropriations will be reduced to zero and collapsed into the General Fund to meet independent auditor recommendations, and

WHEREAS, City Council needs to transfer funds from Council's contingency account to allocate \$10,700 to support joint service costs for a new deputy clerk of circuit court position, \$15,000 to meet increased regional jail contract costs, \$3,300 for paving Davidson Street and Marble Lane, \$11,360 to cover administrative costs ineligible for VJCCCA Services grant funding that needs to be appropriated under the Youth Services Administration departmental budget, and

WHEREAS, the VJCCCA Services grant revenue will be reduced by \$11,360 in anticipation of needing to return unexpended funds to the State at fiscal year end, and

WHEREAS, the Police Department needs to appropriate \$1,135 of DCJS grant funds for two Police cruiser console units, \$731 of restitution funds from Rockbridge Square Associates and \$100 of miscellaneous contributions for crime prevention supplies, \$15,880 for a Law Enforcement Terrorism Prevention Grant from the U.S. Department of Homeland Security to assist the Police Department in developing capabilities for detecting, deterring, disrupting, and preventing acts of terrorism, and

WHEREAS, the Police Department needs to appropriate \$20,981 for a State Homeland Security Program Grant from the Office of State and Local Government Coordination and Preparedness, United States Department of Homeland Security to provide equipment, training, planning, and exercises for first responders to develop better preparedness to prevent, respond, and recover from potential acts of terrorism, and

WHEREAS, the Police Department needs to appropriate \$1,100 for a Department of Motor Vehicles Checkpoint Strike Force Mini-Grant to cover overtime of police officers participating under this law enforcement program, and

WHEREAS, the Cemeteries Maintenance budget needs an additional transfer of \$10,844 from the Cemetery Trust Perpetual Care Fund as an appropriation to cover excess paving costs for roadways within both of the City cemeteries, and

WHEREAS, the Tree Board needs to appropriate contributions of \$1,100 from the Historic Lexington Foundation (HLF) Tree Fund and \$100 from the HLF Gentry Fund to purchase agricultural supplies, and

WHEREAS, the City received a \$9,000 Department of Forestry Grant and needs to appropriate same to promote watershed education and improve water quality management, and

WHEREAS, the City needs to appropriate \$1,750 of Virginia Municipal League Insurance Programs Matching Safety Grant funds to match \$1,750 of local funds previously appropriated to provide \$1,500 for traffic cones, \$1,000 for type II barricades, and \$1,000 for a confined space entry system to include a tripod system, blower, gas monitor, harness, and calibration of the monitor, and

WHEREAS, Washington & Lee University is due a \$364,019 refund for overpayments made on its power plant utility billing account for overcharges from erroneous meter readings after installing a new meter in August 1998 and further the City needs to approve a refund appropriation for \$364,019 from the nondepartmental division of expenditures, and

WHEREAS, the School Board approved budget appropriations and requests City Council’s appropriation of \$4,103 of miscellaneous revenue for therapeutic listening devices, \$11,857 of Title I Federal funds for reading and language arts instruction, \$33,248 of Title II Federal funds for teacher and principal training and recruiting, \$1,576 of Title II Federal Literacy Challenge funds allocating 75% for technology in the classroom and 25% for professional development, \$1,338 of Title V Federal funds for books in the Waddell Elementary School Media Center, \$133,425 of Title VIB Federal funds for Preschool and Assistive technology, \$19,139 of Sliver Federal funds to cover costs exceeding inflation for students with disabilities, \$414 of Title IV Federal funds for resource materials to teach principals and guidance counselors how to establish character-based learning and values in the school setting, \$1,390 of State funding for scientific calculators and batteries for classroom instruction and support, and

WHEREAS, the School Board requests the reclassification of \$13,753 in appropriations for leases and rentals from the instruction and administration, attendance, and health divisions of expenditures into the technology division of expenditures to be in compliance with the Department of Education’s Annual School Report filing requirements, and

WHEREAS, the City needs to appropriate a Virginia Department of Transportation TEA-21 Grant for \$100,000 to increase funding for Jordan’s Point Park Improvements,

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the City of Lexington that the budget for FY 2006 be enacted as follows:

I. GENERAL FUND

A. Expenses: Appropriations shall be as follows:

<u>Division</u>	<u>Current Appropriation</u>	<u>Amend To:</u>	<u>Increase/ (-)Decrease</u>
General Government Administration	\$ 1,051,120	\$ 1,081,573	\$ 30,453
Judicial Administration	112,235	175,625	63,390
Public Safety	2,229,310	2,308,876	79,566
Public Works	2,503,248	2,632,539	129,291
Health, Education & Welfare	810,654	823,231	12,577

-Too far from curb	15.00
-In restricted zone	15.00
-Too close to intersection	15.00
-In same space more than 5 days	15.00
-Blocking driveway or sidewalk	15.00
-Improperly	15.00
-Within 15' of fire hydrant	25.00
-So as to obstruct traffic	25.00
-Without decal in handicap space	100.00
Abandoned vehicle	25.00
Expired or no City decal	20.00
Administrative fee	10.00
Expired or no State license	20.00
Boot Removal Fee	50.00
Failure To Wear Protective Helmet at Skateboard Park While Using Facility	50.00

5. The following fees shall be established:

<u>Service</u>	<u>Fee</u>
Seasonal hunting permit	\$ 15.00
Seasonal fishing permit	15.00
Dangerous Dog License Fee	50.00
Dog License Fee (Unsexed, Male & Female)	10.00
Daily fishing permit	1.00
Moped Registration	5.00
Motorcycle Registration	14.00
Automobile Registration	20.00
Amendment to zoning ordinance	75.00
Application for rezoning	125.00
Zoning variance	75.00
Zoning appeal	75.00
Subdivision Reviews	
Preliminary Plat	\$100 + \$50 per each additional lot created
Final Plat	\$100 + \$50 per each additional lot created
Conditional use permit	100.00
Conditional use cell tower permit	2,000.00
Sign Permits	10.00
Application for tradesman certification	12.00
Banner installation (each)	70.00
Commercial refuse fees (per month)	
Class I	16.50
Class II	27.50
Class III	38.50
Class IV	55.00
Class V	44.00
Class VI	55.00
Class VII	66.00
Community Center Rental	
-Commercial and Religious per 4 hour block	10.00
Summer Fun Program	
-1st child	75.00
-Additional siblings	65.00

-Each additional Non-City resident	10.00
Snow plowing minimum (or actual cost)	30.00
Special brush pick-up (per half truck)	40.00
Special refuse collection (per month)	
-Within 50' of City Street	20.00
-Each additional 50' from City Street	6.00
Special brush collection (per month)	
-Within 50' of City Street	10.00
-Each additional 50' from City street	3.00
Non-resident refuse (per month)	20.00
Water leak test	15.00
Tour guide (per hour)	12.00
Finance Charge for Miscellaneous	1.5% per mo. plus \$5
Past Due Accounts Receivable	for 2nd & 3rd notices
Returned Checks	20.00
Special leaf pick-up	Actual Cost plus
(per half truck)	10%, (\$50.00 min.)
All other services	Actual Cost

6. The following building permit fees shall apply:

<u>Basis of Payment</u>	<u>Fee</u>
Building, Electrical, Mechanical, Plumbing, and Demolition Permits:	
Residential:	0.30% of construction costs
Except modular houses:	0.25% of construction costs
Minimum Fee:	\$25.00
Commercial:	0.60% of construction costs
Minimum Fee:	\$25.00
Other Construction Permits:	
Excavation permit:	\$25.00
Moving Building:	\$50.00
Land Disturbing Permit:	
Residential:	0.30% of construction costs
Commercial:	0.60% of construction costs
Minimum Fee:	\$25.00

7. The following fees will be charged for cemetery services:

<u>Service</u>	<u>Week Day</u>	<u>Weekend</u>
Opening & Closing	\$ 400	\$ 525
Cremation burial	250	275
Infant Burial	140	200
Installation		
-markers	32	37

-corner post	11	13
-flower base	32	37
-foundation	Actual Cost + 20%	
-use of City equipment	100	100
	City	
<u>Lot sales</u>	<u>Resident</u>	<u>Non-Resident</u>
Either cemetery: Single space	\$ 650	\$ 1,300

8. The Utility Consumers' Tax shall be in accordance with ordinance 2000-10 as follows:

Residential Consumers:

Electric Utility:	1.40 plus the rate of \$0.01509 on each kwh delivered monthly to consumer not to exceed \$3.00 per month
Gas Utility:	\$2.45 plus the rate of \$0.183 on each CCF delivered monthly to consumer not to exceed \$3.00 per month
Telephone Utility:	20% of first \$15 billed

Non-Residential Consumers:

Electric Utility:	\$1.15 plus the rate of \$0.006739 on each kwh not to exceed \$100 per month
Gas Utility:	\$2.45 plus the rate of \$0.05 on each CCF delivered monthly to consumer not to exceed \$100 per month
Telephone Utility:	10% of first \$1,000 billed

Residential and Non-Residential Consumers:

Mobile Telephone Utility:	10% of first \$30 billed
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9. Memberships for the Lexington Municipal Pool shall be \$100.00 for an individual and \$150.00 for a family of two, with an additional \$10.00 per family member, not to exceed \$200.00. Daily pool passes for non-members shall be \$3.00 for adults over 18 years of age and \$2.00 for children. Infants two (2) years of age and under are no charge.

II. SCHOOL FUND

A. **Expenses:** School Fund expenditures shall be appropriated as follows and be subject to classifications prescribed by the Virginia Board of Education.

<u>Division</u>	<u>Current Appropriation</u>	<u>Amend To:</u>	<u>Increase/ (-)Decrease</u>
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Instruction	\$ 4,145,692	\$ 4,181,819	\$ 36,127
Administration, Attendance & Health	369,690	368,090	-1,600
Operations & Maintenance	435,699	435,699	0
Cafeteria	156,222	156,222	0
Capital Projects	20,000	20,415	415
Nondepartmental	442,308	442,308	0
Federal Programs	157,839	358,836	200,997
Technology	<u>352,609</u>	<u>366,362</u>	<u>13,753</u>
Total School Fund Expenses	<u>\$ 6,080,059</u>	<u>\$ 6,329,751</u>	<u>\$ 249,692</u>

B. Revenues:

1. The total authorized School Fund budget shall be **\$6,329,751** of which \$ 3,911,809 shall be State, Federal and other non-City revenue and of which \$ 2,417,942 shall be the Lexington City Council appropriation; provided however that the appropriation of City Council shall be reduced by the amount that all other combined sources of school revenue (State, Federal, etc.) exceed \$ 3,911,809; provided further, that it is not intended that specific categorical Federal funds be used to offset local and/or State funds when prohibited by law.
2. The Lexington City School Board shall establish its accounting and related procedures in accordance with acceptable accounting and business management standards approved or promulgated by the City Manager and any addition to the School Board budget shall be approved by resolution of City Council to insure the local appropriation of \$ 2,417,942 shall not be exceeded.

III. UTILITY FUND

A. Expenses: Appropriations shall be as follows:

<u>Division</u>	<u>Current Appropriation</u>	<u>Amend To:</u>	<u>Increase/ (-)Decrease</u>
Administration	\$ 123,553	\$ 123,553	\$ 0
Water Operations	1,370,472	1,370,472	0
Wastewater Operations	2,333,578	2,333,578	0
Capital Projects	144,700	208,923	64,223
Nondepartmental	<u>375,011</u>	<u>739,030</u>	<u>364,019</u>
Total Utility Fund Expenses	<u>\$ 4,347,314</u>	<u>\$ 4,775,556</u>	<u>\$ 428,242</u>

B. Revenues: Revenue sources shall be as follows:

<u>Source</u>	<u>Current Appropriation</u>	<u>Amend To:</u>	<u>Increase/ (-)Decrease</u>
Operating Revenues	\$ 4,230,200	\$ 4,230,200	\$ 0
Appropriated Fund Balance	<u>117,114</u>	<u>545,356</u>	<u>428,242</u>
Total Utility Fund Revenues	<u>\$ 4,347,314</u>	<u>\$ 4,775,556</u>	<u>\$ 428,242</u>

1. Utility rates for water and sewer fees based on cubic feet of water metered shall be imposed as allowed under

Sections 26-29 and 26-46 of City Code as follows:

UTILITY RATES
(per c.f.)

<u>Tiers</u>	<u>Water</u>	<u>Sewer</u>	<u>Combined</u>
0 - 2,500	.0188	.0442	.0630
2,501 - 5,000	.0248	.0577	.0825
5,001 - 10,000	.0280	.0650	.0930
10,001- 15,000	.0313	.0719	.1032
15,001- 25,000	.0372	.0867	.1239
25,001- 50,000	.0416	.0974	.1390
50,001- & over	.0434	.1011	.1445

2. Also, the following fees will be charged in accordance with services provided under Chapter 26 of the City code:

<u>Code Section</u>	<u>Service</u>	<u>Fee</u>
26-12	Water and/or Sewer Connection	\$500.00 minimum or actual costs whichever is greater
26-14	Utility Service	\$20.00
26-16	Penalties for nonpayment of utility bills for service	\$5.00 or 1.5% of balance due whichever is greater
26-17	Utility service reconnection after discontinuance of water service for nonpayment of bills	\$20.00
26-28	Testing meter	\$15.00

IV. CAPITAL PROJECTS FUND

- A. Expenses:** Appropriations shall be as follows:

<u>Division</u>	<u>Current Appropriation</u>	<u>Amend To:</u>	<u>Increase/ (-)Decrease</u>
Parks & Cemeteries	\$ 70,000	\$ 780,692	\$ 710,692
Streets, Parking, & Sidewalks	63,000	168,375	105,375
Municipal Facilities	<u>1,530,000</u>	<u>1,575,011</u>	<u>45,011</u>
Total Capital Projects Fund Expenses	<u>\$ 1,663,000</u>	<u>\$ 2,524,078</u>	<u>\$ 861,078</u>

- B. Revenues:** Revenue sources shall be as follows:

<u>Source</u>	<u>Current Appropriation</u>	<u>Amend To:</u>	<u>Increase/ (-)Decrease</u>
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Federal Categorical Aid	\$ 0	\$ 666,255	\$ 666,255
Transfer from General Fund	1,663,000	1,663,000	0
Appropriated Fund Balance	<u>0</u>	<u>194,823</u>	<u>194,823</u>
Total Capital Projects Fund Revenue	<u>\$ 1,663,000</u>	<u>\$ 2,524,078</u>	<u>\$ 861,078</u>

V. **EQUIPMENT REPLACEMENT FUND:**

A. **Expenses:** Appropriations shall be as follows:

<u>Division</u>	<u>Current Appropriation</u>	<u>Amend To:</u>	<u>Increase/ (-)Decrease</u>
Transfer To General Fund	\$ <u>626,000</u>	\$ <u>0</u>	\$ <u>-626,000</u>
Total Equip. Replacement Fund Expenses	<u>\$ 626,000</u>	<u>\$ 0</u>	<u>\$ -626,000</u>

B. **Revenues:** Revenue sources shall be as follows:

<u>Source</u>	<u>Current Appropriation</u>	<u>Amend To:</u>	<u>Increase/ (-)Decrease</u>
Charges For Services	\$ 239,372	\$ 0	\$ -239,372
Miscellaneous Revenue	44,700	0	-44,700
Federal Categorical Aid	50,000	0	-50,000
Appropriated Fund Balance	<u>291,928</u>	<u>0</u>	<u>-291,928</u>
Total Equip. Replacement Fund Revenues	<u>\$ 626,000</u>	<u>\$ 0</u>	<u>\$ -626,000</u>
TOTAL ALL FUNDS	<u>\$ 25,494,286</u>	<u>\$ 26,984,268</u>	<u>\$ 1,489,982</u>

Resolved: _____

John W. Knapp, Mayor

Sharon Edwards, Clerk

City Manager reviewed a memo that he had distributed to Council concerning Courthouse/Parking Deck Financing. It was the recommendation of the City Manager that Council may want to consider reducing the loan amount to \$12 million and make an interest only payment the first year. Councilman Broomall made the motion that the City Manager's recommendation of reducing the financed amount to \$12 million and making an interest only payment for first year be accepted. Councilman Gianniny seconded the motion. The motion was approved. The following vote was recorded.

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

PHYSICAL SERVICES COMMITTEE

Councilman Gianniny reported that this committee had not met.

SOCIAL AND ECONOMIC SERVICES COMMITTEE

Committee has not met.

Boards and Commissions

PLANNING COMMISSION

Councilman Smith reported that the commission had met and that they reviewed, approved and will recommend to Council a subdivision at 13 Edmondson Avenue and 15 Westside Court. They also looked at a sign proposal at 722 South Main Street and this was tabled because there was no representative there for this address and the commission had questions. They also discussed the workshop that the Planning Commission is having with Mike Chandler and he noted that the workshop will be held on December 13th from 4:30 pm until 8:30 pm in the Outing Club Room at the Elrod Commons. He further noted that the Commission continued to work on the Comprehensive Plan. They looked at the population chapter and began discussion on land use.

RAEDC

Councilman Golden reported that RAEDC had met on November 15th at the Buena Vista Municipal Building. They welcomed two new members at this meeting. The new members were Todd Jones and Frank Rader. The main item of discussion at this meeting was the request from Buena Vista City Council for RAEDC to rescind its offer to Mead WestVaco to put a distribution center in the Rockbridge Regional Industrial Park in Buena Vista. By a vote of 5 to 4 the motion to rescind the invitation was approved. Councilman Golden also noted that

RAEDC will not be meeting in December. He also noted that they are tentatively trying to schedule another retreat in either January or February.

CENTRAL SHENANDOAH PLANNING DISTRICT COMMISSION

No report - had not met.

ROCKBRIDGE REGIONAL COMMUNITY SERVICES BOARD

City Manager Ellestad noted that this Board had not met. They will be doing a presentation on December 1st at 7:30 pm to Council.

REGIONAL TOURISM BOARD

Councilman Page reported that this Board had met. On November 29th their marketing consultants report will be presented at 2 pm and 6 pm in the Marshall Museum in the auditorium.

MAYOR

Appointment to the TAP Board

City Manager Ellestad reported that Harlan Beckley had recommended Aubrey Shinofield. A brief discussion followed about Mrs. Shinofield's availability to serve on this board. Upon motion of Councilman Broomall, seconded by Councilman Gianniny, Mrs. Shinofield was unanimously approved for appointment to this Board. The vote was as follows.

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

Mayor Knapp reported that he and City Manager Ellestad had both attended the Board of Supervisors on Monday and heard a report from the consultants on solid waste. He further reported that City Manager Ellestad had attended a meeting on Tuesday in Augusta County concerning I-81. He further noted that he attended the first town meeting in Roanoke that the new Governor-Elect Kaine had held on the subject of transportation.

The Mayor also noted that he attended the ARB meeting. The architects made their presentation and they heard comments from the public. The ARB has sixty days to act on this application.

CITY MANAGER

Consideration of Resolution 2005-13 adopting the Central Shenandoah Valley Bicycle Plan

Upon motion of Councilman Gianniny, seconded by Councilman Page, Resolution 2005-13 was approved. The vote was as follows.

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

Resolution 2005-13

RESOLUTION

Approval of the Central Shenandoah Valley Bicycle Plan

WHEREAS, federal regulations implemented as a result of the Transportation Equity Act for the 21st Century encourage local communities to include bikeway planning as a part of their intermodal planning activities, and

WHEREAS, the Virginia Commonwealth Transportation Board adopted a policy for integrating bicycle and pedestrian accommodations into roadway projects on March 18th, 2004, and

WHEREAS, the Central Shenandoah Planning District received funding from the Virginia Department of Transportation through its Rural Transportation Planning Assistance Program and matched with local funds to develop a regional bicycle facilities plan, and

WHEREAS, the local jurisdiction of the Central Shenandoah Planning District established a regional Bicycle Advisory Committee and appointed representatives to serve on the Central Shenandoah Bicycle Advisory Committee to oversee the development of the regional bicycle facilities plan, and

WHEREAS, the Bicycle Advisory Committee recognizes the potential transportation, health, recreation, tourism and economic benefits of bicycling, and accordingly advocate to make roads in the Central Shenandoah Valley safer for persons who bicycle, including children, families and commuters as well as for motorists, and

WHEREAS, the Bicycle Advisory Committee was provided staff support by the Central Shenandoah Planning District Commission and provided transportation planning services by Toole Design Group, and

WHEREAS, the efforts of the Bicycle Advisory Committee, the staff of the Central

Shenandoah Planning District Commission and Toole Design Group as well as members of the public, private and nonprofit sectors, have resulted in the development of the Central Shenandoah Valley Bicycle Plan, and

WHEREAS, the Bicycle Advisory Committee thoroughly reviewed and approved the recommendations included in the Central Shenandoah Valley Bicycle Plan.

NOW, THEREFORE BE IT RESOLVED, that the City Council of Lexington does hereby approve the Central Shenandoah Valley Bicycle Plan.

John W. Knapp, Mayor

Sharon Edwards, Clerk

November 17, 2005

CITY ATTORNEY

Attorney Mann reported that he has a revised plat for the courthouse footprint. He indicated that he had begun negotiations with one of the property owners and he will beginning negotiations with Washington and Lee University soon.

UNFINISHED BUSINESS

Councilman Gianniny expressed his concern that the City Manager may need to talk with the School Superintendent to get answers to the questions that Council raised in the work session on November 3rd before the School Board is ready to go with a full study. City Manager Ellestad will be talking with the Superintendent. Council will make plans to meet and discuss their concerns before meeting again with the School Board.

NEW BUSINESS

None

ADJOURNMENT

There being no further business, the meeting was adjourned at 9:15 pm.