

## MINUTES

The Lexington City Council held its regular meeting in the courtroom of the Lexington-Rockbridge Joint Facility on October 20, 2005.

**PRESIDING:** J. W. Knapp

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

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

**ABSENT:** L. W. Broomall  
M. M. Elrod

There were six people present.

### **PUBLIC HEARING**

**To receive comment on an ordinance granting a cable television franchise to Global Acquisition Partners (Adelphia Cable Communications).**

David Coffey, 625 South Main Street, asked various questions about the proposed contract. It was explained by City Manager Ellestad that this was a renegotiation of the existing franchise and that several issues in the old franchise had been addressed and it is felt that this is a better agreement. It was also noted that the cable company would have to maintain a local (within the Rockbridge area) office.

**To receive public comment on the application from Washington and Lee University for a conditional use permit for student housing at 106 Lee Avenue.**

Mr. Blatter noted that this building was in a residential district and had previously been a fraternity house. The original ordinance had been amended to allow the University to use this building with an academic theme under a conditional use permit. This will be the third renewal of that application. He further noted that the Planning Commission had included some tighter operating conditions in this new request. They also shortened the use period from five to two years. Councilman Golden noted that he would like to have it noted in the final approval that there would be no regularly scheduled academic classes in this building.

### **REGULAR MEETING**

Mayor Knapp called the meeting to order at 8:12 pm and he delivered the invocation.

**APPROVAL OF MINUTES**

It was noted by Councilman Page that under Physical Services Committee it stated that he had made a comment about there not being a meeting. After not being able to determine who made the statement it was decided that the minutes would be changed to read *“It was noted”*

Upon motion of Councilman Gianniny, seconded by Councilman Golden, the minutes were then approved with the recorded change. The following vote was recorded.

L.W. Broomall	Absent	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**

None

**REPORTS AND COMMUNICATIONS**

**City Council Committees**

**FINANCE COMMITTEE**

**Discussion of Courthouse/Parking Deck financing plan**

City Manager Ellestad summarized what had been done to this point concerning paperwork for the financing of the project. It was noted that a public hearing had been advertised with an amount up to 13 million dollars. He noted that the City can choose any amount they want but it cannot exceed the advertised 13 million dollars. Discussion followed noting that construction costs are increasing rapidly. After this discussion it was recommended that the City would ask for the 13 million dollars.

**Discussion of rescue services billing policy**

City Manager Ellestad has talked with Carilion and they now believe that we can soft bill which means that no co-payments will have to be paid by residents. He further stated that after reviewing rates around this area it is his feeling that our rates are on the high end. His recommendation would be that we adopt a new resolution which establishes rates at a lower level. Discussion followed which noted that Lexington and Rockbridge County could use this type of billing but that Buena Vista could not be included because they do not pay taxes to support the operation. Councilman Gianniny recommended that the City Manager talk to Buena Vista about their contribution to participate. It was noted that rates and billing procedures will

be on the agenda for the next meeting.

The City Manager also requested that the Finance Committee set another meeting. This meeting will be held on Monday, November 7<sup>th</sup> at 4 pm at City Hall.

**PHYSICAL SERVICES COMMITTEE**

Councilman Gianniny reported that the committee had met. The Maury River Pedestrian Bridge was discussed and it was the recommendation of the Committee that the proposed plans be saved, but that Council make application to the state to be able to use the funds to move ahead with a loop that connects the trail by way of the Route 11 bridge. A motion was made by Councilman Gianniny to this effect. This motion was presented to Council and the following vote was recorded.

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

The second item that was discussed was the storm drainage project on McLaughlin Street. It was the feeling of the staff that the City should fund a new 15 inch line across McLaughlin Street and that Washington and Lee continue as they show on their site plan in the area of the Train Station and tie this into the new line that the City will install on McLaughlin Street. An estimated cost by the city staff for this project was \$4,000. It is the committee's motion that Public Works go ahead and proceed with this project with the City providing the \$4,000 in funding that would be needed and that Washington and Lee will be responsible for the work at the Train Station area to tie into this new line.

**ROLL CALL**

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

The motion carried.

The third item that was discussed was the condition of the East Nelson Street bridge. Several options for its repair were discussed by the committee and it was their feeling that the best solution would be to make short term repairs to the current bridge deck at a cost of approximately \$100,000 and give life to the bridge of between six to ten years. The City would then apply for a new highway project to have the bridge taken down and replaced. Some discussion followed about the shutdown of the bridge during the work on the bridge which is anticipated to be in the spring of '06.

**SOCIAL AND ECONOMIC SERVICES COMMITTEE - None**

## **Boards and Commissions**

### **PLANNING COMMISSION**

Councilman Smith reported that the commission had met and that they are recommending that Council approve the request from Washington and Lee University for the Conditional Use Permit for 106 Lee Avenue. This was moved by Councilman Smith and seconded by Councilman Gianniny. Councilman Golden offered an amendment to the motion by stating that he recommends that the list of conditions include the fact that no regularly scheduled academic classes could be held in this building. Councilman Gianniny seconded this amendment. Councilman Smith accepted this amendment. The following vote was recorded:

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

Councilman Smith also reported that they are working on the Comprehensive Plan.

### **RAEDC**

Councilman Golden reported that RAEDC met on October 11. They received a brief report on an ACCRA cost of living update. He also noted that it was announced today that DANA will be closing its facility in Buena Vista. Lexington was also reported as leading the unemployment figures. It was also discussed that Lexington made the list of top six perfect places to retire. Deer Park water which is locating in Botetourt County had contacted RAEDC to keep them informed of what the company has planned. The auto recycler that is locating in Buena Vista is still looking positive. It was also noted that the Regional IDA withdrew their zoning request for the MeadWestvaco. They now feel that they can use the property as it is currently zoned.

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

Mayor Knapp reported that the Commission met. The first item discussed was the All Hazards Plan. Mayor Knapp also reported that Bill Hamilton, Director of Economic Development for the City of Staunton, gave an overview of where they are and how they got to where they are on the revitalization of the downtown area since 1989.

Mayor Knapp also noted that the Commission, at the request of the Shenandoah Valley Partnership, voted to add an 18<sup>th</sup> issue to the Regional Strategic Initiatives dealing with the senior population.

### **ROCKBRIDGE REGIONAL COMMUNITY SERVICES BOARD - None**

**REGIONAL TOURISM BOARD**

Councilman Page reported that they had met. There will be a presentation from their marketing consultant on Monday, October 24<sup>th</sup> at 6 pm. He also noted the press release on Lexington being on the list of top six perfect places to retire.

**MAYOR**

Mayor Knapp reported that he has a nominee for the Social Services Board. Upon motion of Councilman Gianniny and seconded by Councilman Golden, Gabriella Youngblood, 602 Ross Road, was unanimously appointed to serve on this Board.

The Mayor further noted that there was the question of whether to have the Legislative Dinner. This was discussed among the Council members. The City Manager was asked to check with the other areas and see what their interests are.

Mayor Knapp also noted that the Chamber of Commerce Leadership sessions are going well.

**CITY MANAGER**

**Consideration of Ordinance 2005-13**

City Manager Ellestad asked that this be tabled until the November 3<sup>rd</sup> meeting. Councilman Gianniny made a motion that this issue be tabled. Councilman Page seconded this motion and it was unanimously approved.

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

**Consideration of Resolution 2005-09 adopting the Central Shenandoah Valley All Hazards Mitigation Plan**

**Resolution 05-09**

**RESOLUTION**

**Adoption of the Central Shenandoah Valley  
All Hazards Mitigation Plan**

**WHEREAS, the Disaster Mitigation Act of 2000, as amended, requires that local governments develop and adopt natural hazard mitigation plans in order to receive certain federal assistance, and**

**WHEREAS, the Central Shenandoah Mitigation and Planning Workgroup representing the City of Lexington, as well as the remaining 20 localities of the Central Shenandoah Planning District was convened in order to study the Region’s risks from and vulnerability to natural hazards, and to make recommendations on mitigating the effects of such hazards on the Region; and**

**WHEREAS, the Mitigation and Planning Workgroup was provided staff support by the Central Shenandoah Planning District Commission; and**

**WHEREAS, the efforts of the Mitigation and Planning Workgroup, the staff of the Central Shenandoah Planning District Commission and Virginia Tech’s Center for Geospatial Technology as well as members of the public, private and nonprofit sectors, have resulted in the development of a Natural Hazards Mitigation Plan for the Region.**

**NOW, THEREFORE, BE IT RESOLVED by the Lexington City Council that the Central Shenandoah Valley All Hazards Mitigation Plan dated September 2005 is hereby approved and adopted for the City of Lexington.**

**Adopted by the Lexington City Council this 20<sup>th</sup> day of October, 2005.**

**APPROVED:**

\_\_\_\_\_  
**John W. Knapp, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Sharon Edwards, City Clerk**

Upon motion of Councilman Gianniny, seconded by Councilman Smith, Resolution 2005-09 adopting the Central Shenandoah Valley All Hazards Mitigation Plan was approved.

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

## **CITY ATTORNEY**

Attorney Mann stated that he should be getting the final plat for the parking deck by the end of next week. The target presentation date with the ARB for the courthouse project is November 17<sup>th</sup>. The submittal to the Court will be next week. Mann also informed Council that they will be asking for an extension of time between the receipt of bids and award process. It was also stated that it will be very unlikely to have a feel for cost estimates until the actual bid process is complete.

## **UNFINISHED BUSINESS - None**

It was just noted that the County had received a bid to sell four buildings around Courthouse Square.

## **NEW BUSINESS - None**

## **ADJOURNMENT**

There being no further business, the meeting was adjourned at 9:14 pm.