

MINUTES

The Lexington City Council held its regular meeting in the Regional Court Facility on January 5, 2006.

PRESIDING: J. W. Knapp

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

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

There were thirteen people present.

REGULAR MEETING

Mayor Knapp called the meeting to order at 8:00 pm. Councilman Golden delivered the invocation.

APPROVAL OF MINUTES

Upon motion of Councilman Broomall, seconded by Councilman Gianniny, the minutes of the December 16, 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	Aye

CITIZENS' REMARKS AND COMMENTS ON MATTERS NOT ON AGENDA

Presentation and request for funding of Americas 400 Wagon Train

Andrew Wolfe of 13 Jordan Street gave a presentation to Council on Americas 400 Wagon Train. He explained in detail exactly how this event is scheduled to take place and what the benefits of this trip will be for all involved in the actual trip as well as spectators. It indeed will be a rewarding and learning experience. In addition he explained the financial obligations that this group will have as a result of this undertaking and asked if the Lexington City Council would make a donation of \$2,500 toward their expenses.

Upon motion of Councilman Golden, seconded by Councilwoman Elrod, it was asked that Council make this \$2,500 donation to the Americas 400 Wagon Train. The motion was approved and a Roll Call vote was taken.

ROLL CALL

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

Joe Grasso, representing Washington and Lee University appeared before Council, requesting that the University be allowed to extend the hours of work on the Art and Music Building to 7 pm Monday - Friday and 8 am until 5 pm on Saturday. He indicated that members of the Mitigation Committee had been consulted about this and that the University had not received any negative response. Council discussed with Mr. Grasso that some additional signage may be needed due to the extension of hours during the week and the fact that it gets dark earlier.

Upon motion of Councilman Gianniny, seconded by Councilman Broomall, it was recommended that the hours be extended on the Art and Music worksite at Washington and Lee University. 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	Abstain

REPORTS AND COMMUNICATIONS

City Council Committee

FINANCE COMMITTEE

Councilman Broomall informed Council that the Finance Committee had met with the auditors from Robinson, Farmer, Cox Associates and reviewed the Financial Report for the Year Ending June 30, 2005. Overall everything went smoothly with the audit. It was further pointed out in the Management Letter that there were minimal deficiencies noted and that it was an extremely clean report. Councilman Broomall indicated that the auditors commended the staff and he felt as a committee they wanted to thank publicly Mr. Higgins and his staff, the Commissioner of Revenue, the Treasurer and their staffs and the School Board staff for all of their fine work.

“In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of the City of Lexington, Virginia, as of June 30, 2005, and the respective changes in financial position and cash flows, were applicable, thereof for the year then ended in conformity with accounting principles generally accepted in the United States of America.”

On behalf of the Finance Committee, Councilman Broomall recommended that Council accept the Audit. 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	Aye

PHYSICAL SERVICES COMMITTEE

Councilman Gianniny reported that the Committee had not met.

SOCIAL AND ECONOMIC SERVICES COMMITTEE

Councilwoman Elrod reported that the Committee did meet and that they discussed the ordinance allowing chickens to be kept in the City. They did discuss some revisions to the ordinance that they were presented. After the discussion, the Committee did take a vote and they did not have a majority to move it to a Public Hearing. As a result, Councilwoman Elrod made a motion that this ordinance be moved ahead for a Public Hearing. Councilman Smith seconded the motion. The following vote was recorded.

L. W. Broomall	No	T. P. Golden	No
J. H. Page	No	R. W. Smith	Aye
J. E. Gianniny	No	M. M. Elrod	Aye

The motion failed.

Boards and Commissions

PLANNING COMMISSION

Councilman Smith reported that the Planning Commission had not met.

RAEDC

Councilman Golden reported that RAEDC did meet on December 19th. He reviewed the

unemployment figures for the area and noted that Lexington leads in this area. Under old business on their agenda Mead WestVaco came up again and with a five to three vote it was voted to move forward with the revised plan for Mead WestVaco. He further noted that the auto recyclers project continues to move forward.

Councilman Gianniny wished to thank Steve Jewell for representing the City and their interests in the Mead WestVaco negotiations.

CENTRAL SHENANDOAH PLANNING DISTRICT COMMISSION

Mayor Knapp reported that this group had not met.

REGIONAL TOURISM BOARD

Councilman Page noted that this Board had not met.

MAYOR

Appointments to Community Services Board

Upon motion of Councilman Golden, seconded by Councilman Gianniny, Councilwoman Elrod was appointed to serve on the Community Services Board for a three year term. 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	Recuse

It was further noted that this still leaves one remaining vacancy on this Board.

Mayor Knapp apologized for not mentioning the death of Jim Mays earlier. He stated that Mr. Mays had been a faithful member of Council for many years and always expressed an interest in various functions of the City.

Mayor Knapp also noted that Ken Hostetter, a long-time employee and retiree of the City was in the University of Virginia Hospital with serious medical issues.

Mayor Knapp discussed that he and City Manager Ellestad had attended an LDDA meeting and noted that LDDA has taken a position on the County sign ordinance. There was also a report on the Tier I Environmental Review of I-81.

Mayor Knapp also noted that he and Councilman Broomall had attended a meeting of the Chamber of Commerce. He reported that the Courthouse was discussed and that he had brought up the Joint Services Agreement in that the City had notified the County that it was time to talk about some of the matters. Councilwoman Elrod then commented that she was at this meeting

and wanted to note that she felt that Mayor Knapp had represented the City very well and especially appreciated the fact that he noted the non-governmental agencies that contribute so much to the effort.

Mayor Knapp also attended the ARB meeting this afternoon which concerned the Courthouse. There was a long discussion as to how the notes from this meeting would be reproduced. After a brief discussion with Council and the City Manager it was decided that the minutes of the meeting would be handled as normal and the tape would be available to anyone who needs to have it.

CITY MANAGER

City Manager Ellestad pointed out that the CIP booklet had been handed out. He suggested that City Council have a worksession on January 19th at 7 pm to discuss anything in the proposal that needed clarification.

City Manager Ellestad also referred to a handout that referred to various issues that need to be discussed by Council in worksessions and committee meetings. After some discussion and review of some possible meeting dates it was determined that the City Manager could come up with a schedule and distribute it to Council in the next City Manager's Report.

CITY ATTORNEY

Attorney Mann discussed the fact that the current VMI project requires a portion of what is now known as Ruff Lane and this will be advertised soon. He further noted they will be advertising the sale of the Brandon Parking Lot which needs to go to the County as part of the Courthouse project.

UNFINISHED BUSINESS

None

NEW BUSINESS

Councilman Gianniny again commended Public Works for the fine work they perform for the City noting that on Christmas morning before 5 am he heard the chemical truck going by putting chemicals on the main roads.

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Closed Session to discuss the sale of property

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. Councilman Broomall seconded the motion. 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	Aye

MEETING RECONVENED

Council reconvened in open session at 9:35 pm.

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 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

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

The motion carried.

ADJOURNMENT

There being no further business, the meeting adjourned at 9:43 pm.

