

MINUTES

The Lexington City Council held its regular meeting in the Rockbridge Court Facility on June 1, 2006.

PRESIDING: J. W. Knapp

OFFICERES: 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 eleven people present.

PUBLIC HEARING

To receive public comment on a requested renewal of a large capacity house conditional use permit at 205 N. Randolph Street.

Tammy Hickman of Remax, representing her client Paul Pennick, asked Council to consider issuing a five-year conditional use permit instead of the proposed two-year permit. Bill Blatter added that the Planning Commission had made the change from the five-year conditional use permits to making them all two-year permits and therefore this particular one was not being handled any different from previous requests.

To receive public comment on applicants for the City School Board.

Councilman Gianniny noted that because he is an employee of the Lexington City School System that he will not be participating in this selection process.

Chris Gavalier and Kirk Luder each addressed Council and expressed their desire to be appointed to the School Board. Several questions were asked by Council and it was explained that Council would not be making their appointments until the June 15th meeting.

REGULAR MEETING

Mayor Knapp called the meeting to order at 8:15 pm. Councilman Broomall delivered the invocation.

APPROVAL OF MINUTES

Councilman Broomall made the motion that the minutes of the May 18, 2006 meeting be approved as recorded. Councilwoman Elrod seconded this 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

The motion carried.

CITIZENS' REMARKS AND COMMENTS ON MATTERS NOT ON AGENDA

None

REPORTS AND COMMUNICATIONS

City Council Committees

FINANCE COMMITTEE

Councilman Broomall reported that this Committee had not met.

PHYSICAL SERVICES COMMITTEE

Councilman Gianniny reported that this Committee met at 7:00 pm prior to the Council meeting. Traffic in various parts of the City was discussed. Those areas were Ross Road, Houston Street and Jackson Avenue.

The Ross Road discussion was about traffic as well as sight distance. It was the recommendation of the Committee that a speed table be installed in the area where Ross Road enters the City limits. The following vote from Council 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

The motion carried.

Jackson Avenue was then discussed. It was of particular concern of the Committee for the safety of the children in the Waddell School using Jackson Avenue. There was also the feeling that Jackson Avenue should be more pedestrian and auto traffic safer. Councilman Gianniny also indicated that they had correspondence from a City resident asking that the entire

City be made more safe for walkers. He also noted that a sidewalk is currently planned to be built from Edmondson Avenue to Ross Road. The Committee recommended that the staff review the traffic information for Jackson Avenue and determine the proper location to locate a traffic calming device.

Houston Street was discussed as well as Walker Street where it was noted that there are no sidewalks on Walker Street for pedestrian traffic. It was again requested that staff review the information on traffic for Houston and Taylor and determine the proper location to locate a traffic calming device in this area.

Councilman Smith commented that they did have citizen input at this Committee meeting and noted that they are always welcome to attend.

SOCIAL AND ECONOMIC SERVICES COMMITTEE

Councilwoman Elrod reported that this Committee had not met.

Boards and Commissions

PLANNING COMMISSION

Consideration of the conditional use permit of 205 N. Randolph Street.

Councilman Smith made the motion that the conditional use permit be approved as recommended by the Planning Commission for this 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

The motion carried.

Councilman Smith did report that the Land Use Forum that was held recently at Waddell Elementary School went very well. Bill Blatter also reported that they will be doing a summary of this meeting soon which will be distributed to Council.

RAEDC

Councilman Golden reported that this Commission had not met.

CENTRAL SHENANDOAH PLANNING DISTRICT COMMISSION

Mayor Knapp reported that this Commission had not met.

REGIONAL TOURISM BOARD

Councilman Page reported that this Board had not met.

MAYOR

Appointments to various Boards and Commissions

Councilman Gianniny made the motion to reappoint Chris Howison to the Architectural Review Board for a four year term. Councilman Golden 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

The motion carried.

Councilman Gianniny made the motion to appoint Ann Waller to a four year term on the Rockbridge Regional Library Board. Councilman Smith 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

The motion carried.

Councilman Gianniny made the motion to reappoint Wane Schreier to a four year term on the Maury Service Authority Board. Councilman Golden 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

The motion carried.

Councilman Golden made the motion to reappoint Jon Ellestad to a two year term on the Shenandoah Valley Partnership. Councilman Gianniny seconded the motion. The following vote was recorded.

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

The motion carried.

Councilman Smith made the motion that Jim Gianniny be appointed to a four year term as Council's representative on Threshold. 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

The motion carried.

Councilman Broomall made the motion that Arthur Bartenstein be reappointed to a three year term on the Tree Board and that Trina Welsheimer, subject to her agreement to serve, be reappointed to a three year term on this same Board. Councilwoman Elrod 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

The motion carried.

Upon a motion by Councilwoman Elrod, seconded by Councilman Smith, it was recommended that Evan Atkins be appointed to the Board of Equalization. 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

The motion carried.

City Manager Ellestad informed Council that Louise Moore, who had previously been appointed to serve on this same Board had notified him that as of July 1, 2006 she is moving into the County. City Attorney Mann will look into how this will affect her appointment to serve.

Summer Meeting Schedule

It was the recommendation by Councilman Gianniny that Council keep all of the summer meetings on the schedule; however, each member should notify City Manager Ellestad if

something would come up that would prevent them from attending any particular meeting.

CITY MANAGER

Consideration of Resolution 2006-03 appropriating funds for the FY2007 budget and setting the tax rate.

It was noted by the City Manager that if this Resolution is approved it will set the tax rate at fifty-six cents per one hundred dollars of assessed property value.

Upon motion of Councilman Broomall, seconded by Councilman Gianniny, it was recommended that that Resolution 2006-03 be approved. Councilman Gianniny seconded this 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

The motion carried.

Consideration of adopting guidelines for the PPEA procurement process.

Councilman Broomall made the motion that these guidelines be approved as presented. Councilwoman Elrod seconded the motion. Peter Sils raised the question about the \$25,000 Proposal Review Fee that was stated in these guidelines. It was his feeling that this amount was high. Discussion followed and the previous motion was amended.

Councilman Broomall made the amended motion that these guidelines be approved with the \$25,000 fee being reduced to \$15,000. Councilwoman Elrod seconded the amended 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	Nay	M. M. Elrod	Aye

The motion carried 5/1.

It was noted that this amount could be amended at any time with approve of Council and that staff will be looking into this amount to determine what is appropriate.

Consideration of Resolution 2006-7 Designating The Applicants Agent

Upon motion of Councilman Gianniny, seconded by Councilman Smith, it was moved that this Resolution be 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

City Manager Ellestad also noted that the new tax assessment notices will be mailed out on Friday, June 2, 2006.

CITY ATTORNEY

No report.

City Attorney Mann did note that the closing date on the sale of the Regional IDA Industrial Park property in Buena Vista has not been set.

UNFINISHED BUSINESS

None

NEW BUSINESS

None

CLOSED SESSION

Upon motion of Councilman Gianniny it was 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 2.1-344, Subsection A, Paragraph 5. The subject to be addressed shall be a prospective business or industry. The motion was seconded by Councilman Golden. 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

The meeting convened back into regular session at 9:38 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 5, to discuss a prospective business or industry; and

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 resolution 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 VOTE:

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

ADJOURN

There being no further business, the meeting adjourned at 9:40 pm.