

MINUTES

The Lexington City Council held its regular meeting in the Rockbridge Court Facility on June 15, 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

ABSENT: M. M. Elrod

There were seventy-seven people present.

PUBLIC HEARING

Interview with School Board applicant.

Aaron Bruce addressed Council and expressed his desire to be appointed to the Lexington City School Board. Several questions were asked by Council and it was explained that Council would be making the appointments later on the agenda of this meeting.

To receive public comment on a planned unit development, site plan and subdivision approval for a six unit condominium apartment building on Lexington Avenue.

Jeff Martin of Botetourt County, a developer, and Susan Perkins of Perkins and Orrison, Inc. summarized for Council the plans for this development. Ms. Perkins indicated that they are asking for a relaxed setback on the rear of this property from the current specified guidelines.

Robin Eddy, a County resident, who travels daily in this proposed area of development, requested that Council consider the current traffic volume in this area and remember that there have been several previously approved new subdivisions in this same area that will also impact on the traffic volume.

To receive public comment on the proposed future use of the Spotswood Drive property next to the Rescue Squad building.

City Manager Ellestad summarized how the property got to where it is today. He noted

that the property was originally purchased to be an extension of the Stonewall Jackson Cemetery. After that purchase Spotswood Drive was put down the middle of the property followed by a small parcel being used for the Rescue Squad Building. This leaves the remaining portion that is to be discussed. The issues to be discussed for usage of this land include: use property for cemetery, sell the property, use property for development purposes, business office development or housing development (affordable housing).

Councilman Smith, representative on the Planning Commission read from a letter from Carol Wheeler, Chairperson of the Planning Commission as follows:

“Other uses which have been proposed for this site are moderate density housing (perhaps for the elderly) and medically related offices. These would seem to be viable alternatives because of the proximity of the property to both the Hospital and the downtown. Both of these options would involve selling the property to a private developer who would construct a previously agreed upon project. These options would bring additional high value development to the City, add to the City’s tax base and bring additional people into the downtown and East Nelson Street commercial areas. For these reasons, this Plan endorses the concept of private, taxable development on this site.”

The Planning Commission continues to endorse this portion of the Comprehensive Plan but Councilman Smith also added that the Commission would also favor seeing the property developed as mixed use housing with the option of having a portion of the property set aside as affordable housing.

Mayor Knapp then commented that the Council is aware that the City is in the cemetery business; however, at some point the city will not be able to extend the cemetery and the question before Council now is whether to have the cemetery end at Spotswood Drive or extend it to the land across Spotswood Drive that is available.

Tom Litzenburg, 316 South Jefferson Street, addressed Council. He thanked the City Manager, Mayor and Councilman Smith for the summary of land use. He noted that given the original reason for the acquisition of this property, prior to Spotswood Drive coming through, if that land is turned over for other development there is no land for the cemetery to expand to. He stated that he feels the cemetery is important to the City, State of Virginia as well as the nation and he hopes that Council will take care of seeing that the Spotswood Drive property remain as land to be used for cemetery expansion.

Matt Paxton, county resident/city property owner, stated that the enlargement of the cemetery is not a bad investment for the City. He feels that this land was purchased for the purpose of cemetery expansion and he feels that would be the proper use of this property.

Bill Crapser, owner of 110 Houston Street, recommends that medical buildings be put on this property. He described the style of buildings that he proposes be placed on this property. He further stated that the hospital is interested in having more space available for medical

professionals. Councilman Golden asked Mr. Crapser about using property that the hospital currently owns for the medical expansion. Mr. Crapser noted that Carilion does not own the extra land—the extra property is still owned by the foundation from the Stonewall Jackson Hospital; however, he did note that he is scheduled to meet with this group soon.

Ron Laub, 219 Barclay Lane, noted that Houston Street is already overrun with vehicles and feels that adding commercial property at this location would compound the already existing problem and feels that using the land for cemetery expansion is the best use.

REGULAR MEETING

Mayor Knapp called the meeting to order at 8:30 pm. Councilman Smith delivered the invocation.

APPROVAL OF MINUTES

Councilman Broomall made the motion that the minutes of the June 1, 2006 meeting be approved as recorded. 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	Absent

The motion carried.

CITIZENS' REMARKS AND COMMENTS ON MATTERS NOT ON AGENDA

Dan Walz, 10 Edmondson Avenue representing Habitat, had been called out of the Public Hearing and asked that Council give permission for him to address the Spotswood Drive property at this time. He is recommending that the property be used for a residential development for affordable housing. Councilman Smith recommended that Mr. Walz work with the City Planner about giving a proposal for this development to the Planning Commission.

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 had met prior to this meeting for a continued discussion on the Jordan’s Point dam from a Physical Services Committee meeting on May 18th. At that time they posted the dam and directed City staff to do research and make suggestions as to how to make Jordan’s Point a safer place. The City Manager informed this Committee that he had looked at regulations in other states and also been in contact with Richmond and Danville about dams in their cities and ways that they had chosen to make their dams safer. He focused on the Pennsylvania laws and recommended to Council that they post additional warning signs around the dam warning about the currents and other obstructions. Those additional warning signs would be posted above and below the dam. The City Manager also recommended that they place a set of buoys about sixty feet above the dam stating and that this would require permission from the land owner on the opposite side of Jordan’s Point. This came as a motion from the Physical Services Committee that we direct city staff to put the warning signs up and purchase and install the booms. This now comes to Council in the form of a motion from the Committee.

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	Absent

The motion carried.

Councilman Gianniny also reported that they had heard from the City Planner, Bill Blatter, on research that he had been doing on what kinds of things Virginia and the federal government requires if in fact the City decides to remove the dam. This information was reviewed with Council. There was another motion from the Physical Services Committee to recommend that staff research other ways to continue to make the dam safer. 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

The motion carried.

Andrew Wolfe, 13 Jordan Street, spoke to Council. He noted that he had served on the Jordan’s Point Park Committee several years ago when the park was in the development stage. He indicated that water safety was discussed at that time. He has since talked with the City Manager and is glad to know that a buoy system is being put in place. In addition he feels that a guide wire and hand grips also needs to be installed. He feels that losing the dam will lower the water level about three to four feet which will change the water activities that have been held there previously but as a point of public safety all possible issues to provide more safety for this area need to be studies with cost not being the determining issue.

Bill Tanger of Roanoke, VA spoke to Council as a representative of an organization, Friends of the River. He stated that removing the dam is an option; however, he also indicated that he is familiar with other options for making the area safer. He offered his services of working with the City on this issue.

Charles E. Smith, a resident of Lexington, addressed Council on the issue of being able to save the dam. He talked about the importance that the dam had provided to the river in the past and feels that it is valuable to the river. He strongly feels that there are safety measures that could be addressed to make the dam area safer that would not require removal of the dam.

Dylan Fitzgerald, 4 Westside Court, spoke saying that it was his understanding that the dam was originally put there for power for the mill and now that the mill is gone the dam should go.

Mary Frances Cummings, a resident of Lexington, talked with Council about areas and “things” that had been saved in Lexington and the important part they played in the community after they had been restored and she felt that the dam should be on the list of places that should stay.

Judith Stock, a Rockbridge County resident, stated that to her it was obvious that there were those that value a dam over life but that the loss of life is a tragedy that you, Council, have the power to stop from happening again. She closed by saying “save lives and remove the dam”.

Cassie Benton, 325 Riverside Road, Buena Vista, stated that dams are killers. Warnings should have been put up earlier. The City should enforce the restrictions for everyone. She stated that the dam is a part of history directly related in death. She asked that the Council consider closing off this water area until a decision is made on the dam.

Stephanie Tyree, a resident of Fairfield, spoke about also losing relatives to the dam and asked for support in having the dam removed. Please do not use the financial issues in determining what is done to the dam. She is willing along with many others to do whatever it takes, raising money, etc. to help in seeing that the dam is removed.

Chuck Volpe, a Rockbridge County resident and father of Charles Volpe, also addressed Council stating that low head dams are killers and the only solution is to remove the dam. The dam is not a safe place. He feels that nothing was done by the City following the death of his son. He feels that the river area should be closed to swimming until further notice. He feels that all of the safety features that were discussed in the previous Physical Services Committee should be immediately put into place until the City decides what they are going to do about the dam. He strongly feels that the dam needs to be removed regardless of cost. He knows that there is community support for the dam removal. He expressed that the removal of the dam needs to be a community effort.

William O'Brien, a Rockbridge County resident, spoke as a friend of Chuck Volpe and a

rescue worker for the City of Lexington and Rockbridge County. He asked the question “Where do you go with your grief”? In his experience with EMS in Lexington it is hard to make sense of what happened and where do we go. He asked that we don’t let the dam break us as a community because there is a solution. The important issue is where do we go as a community? People took risks in the recovery and each of us as a community needs to make sense of where to go. He asks that people trust Council’s judgement in making the necessary decisions that will have to be made in the near future.

SOCIAL AND ECONOMIC SERVICES COMMITTEE

Councilwoman Elrod was not present at the meeting so there was no report.

Boards and Commissions

PLANNING COMMISSION

Consideration of the Lexington Avenue - planned unit development.

Councilman Smith moved that the application be approved. Councilman Gianniny 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	Absent

The motion carried.

RAEDC

Councilman Golden reported that this Commission met on June 13th. However, he did note that there was not a quorum for this meeting. They received an update for figures for employment. Since this was a combined meeting/retreat several issues were discussed about future items that will be before this Commission. He also noted that Steve Jewell has indicated that he will not serve on this Commission for another term and therefore Council will need to fill this vacancy.

Mayor Knapp thanked Councilman Golden and Councilman Gianniny for their service on this Commission.

CENTRAL SHENANDOAH PLANNING DISTRICT COMMISSION

Mayor Knapp reported that this Commission has not met.

REGIONAL TOURISM BOARD

Councilman Page noted that the Wagon Train had been postponed until the fall of 2007 pending funding issues. He also noted that the local Tourism Board had been in partnership with the City of Roanoke to implement some suggestions proposed by a consultant to attract repeat business, more tourists, etc.

MAYOR

Appointments to School Board.

Councilman Page made the motion that Aaron Bruce and Kirk Luder be appointed to serve a three year term on the Lexington City School Board. Councilman Golden 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	Recuse	M. M. Elrod	Absent

The motion carried.

Appointments to various other Boards and Commissions

Councilman Gianniny made the motion that Margo Kyle and Doris Porterfield be reappointed to the Threshold 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	Absent

The motion carried.

Mayor Knapp called attention to the fact that the Youth Services Board needs to have two appointments and that one appointment is needed for RAEDC. Councilman Smith also called attention to the fact that a new member is needed for the Planning Commission since Carol Wheeler has resigned effective the end of June, 2006.

CITY MANAGER

City Manager Ellestad indicated that he had received an email from Don Austin about the intergovernmental dinner to be held August 15th. The topic for the presentation is going to be from Dabney S. Lancaster Community College on expanding their services in the area.

CITY ATTORNEY

No report

UNFINISHED BUSINESS

None

NEW BUSINESS

None

ADJOURN

There being no further business, the meeting adjourned at 10:00 pm.