

MINUTES

The Lexington City Council held its regular meeting in the Rockbridge Court Facility on March 16, 2006.

PRESIDING: J. W. Knapp

OFFICERS: T. Jon Ellestad, City
Manager
S. Edwards, Clerk

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

ABSENT: L. A. Mann, Attorney

There were thirty-nine people present.

PUBLIC HEARING

To receive public comment on Ordinance 2006-4 establishing an inspection program for rental dwellings within the City.

Ms. Patricia Klages, 25 Fuller Street, addressed Council in favor of the inspection program for rental dwellings.

To receive public comment on Ordinance 2006-5 repealing Chapter 16 of the City Code - Plumbing.

No comments

To receive public comment on Ordinance 2006-6 repealing and reenacting Chapter 17 of the City Code on Police.

No comments

To receive public comment on Ordinance 2006-7 amending Section 18-9 of the City Code pertaining to cleaning of lots with an excessive growth of weeds.

Ms. Rosalya Mack Wiggins, 211 Massie Street, questioned how the present ordinance on cleaning of lots is addressed. City Manager Ellestad explained the ordinance as it is now, before the amendment, and explained that in the amendment they are simply changing some of the

wording as to how they administratively enforce the code. The question was raised about lots that the city owns. City Manager Ellestad stated that if there is a problem with any city property he should be contacted.

REGULAR MEETING

Mayor Knapp called the meeting to order at 8:15 pm. He delivered the invocation. He then informed those present that this is Sunshine Week. This is a week that is being observed over the entire state as openness in government.

APPROVAL OF MINUTES

Councilman Golden asked that the minutes of March 2, 2006, under the Rockbridge Regional Community Services Board have the wording changed to reflect that *A Council member is no longer on this Board.*

Upon motion of Councilman Broomall, seconded by Councilman Gianniny, the minutes of the March 2, 2006 meeting were approved with the noted revision. 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

Paul Ackerman, 516 Fairview Place, indicated that he had done some recent research on several ordinances and felt that it would be good to have the ordinances on the city web site. City Manager Ellestad indicated that the city is currently going over all ordinances and updating where there is a need and that once this updating is completed it is the goal to have this information on the website. Currently several companies have been contacted and we are gathering information and ideas on how to best accomplish this task.

REPORTS AND COMMUNICATIONS

City Council Committees

FINANCE COMMITTEE

Councilman Broomall reported that the Finance Committee had not met.

PHYSICAL SERVICES COMMITTEE

Councilman Gianniny reported that Physical Services Committee had not met.

SOCIAL AND ECONOMIC SERVICES COMMITTEE

Councilwoman Elrod reported that the Social and Economic Services Committee had not met.

Boards and Commissions

PLANNING COMMISSION

Councilman Smith reported that the Planning Commission had not met.

RAEDC

Councilman Golden reported that RAEDC had not met. Councilman Gianniny briefed Council on several meetings that had taken place regarding the negotiations to sell the industrial park property in Buena Vista.

CENTRAL SHENANDOAH PLANNING DISTRICT COMMISSION

Mayor Knapp reported that this group had not met. They are moving forward with the search for a new director.

REGIONAL TOURISM BOARD

Councilman Page reported that the Regional Tourism Board did meet. He noted that Jean Clark, Tourism Director, has been selected for the Lead Virginia Program. He noted that a letter had been sent to the Mayor regarding funding for this program. It was also noted that the Board has been working on cross-promotional activities for the area. The question of the budget and the dollars coming out of Richmond has yet to be resolved.

Mayor Knapp informed Council that he had received a letter from Brian Shaw, Chairperson for the Regional Tourism Board. The letter indicated that the Board had appropriated \$2,000 from their own reserve funds to be applied toward Jean Clark's tuition fee and that Ms. Clark will also be making her own commitment and she has asked City Council to consider matching the \$2,000 from the Tourism Board. After discussion by Council a motion was made by Councilman Gianniny to appropriate up to \$2,000 out of the reserve fund from the City and request that other jurisdictions be asked for funding. If funding is received from other jurisdictions the City's contribution would be reduced. Councilman Broomall seconded this motion. A Roll Call vote was taken and recorded below:

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.

MAYOR

Mayor Knapp announced that Ken Ruscio will be returning to Lexington to assume the role as the new President of Washington and Lee University.

Mayor Knapp also reminded Council that the Valley Conservation Council will be having a conference in Lexington on March 21st.

The Mayor also noted that there will be a function at the Horse Center celebrating the completion of a project for a homeless family that has relocated to Lexington from the hurricane area after people from this area donated housing and materials to complete the project.

The Mayor also reported that he did attend the YMCA meeting and thanked Councilwoman Elrod, Councilman Page and the City Manager for also attending this meeting. Councilwoman Elrod felt that this was a very worthwhile meeting. They heard ideas about groups working together and ideas from the YMCA as to where they are headed in the future.

Mayor Knapp along with Police Department representatives attended a Project Horizon Meeting–The Delta Program. This project is “calling upon the men of Rockbridge” in understanding the need for supporting the prevention of domestic violence. The City Manager will be contacted by this group.

Mayor Knapp also reported that a six-month extension had been given by the judge on the courthouse project so that Plan B, to look at architectural style for the courthouse, can take place.

The Mayor also noted that he will be traveling and will not be attending the April 6th Council meeting.

Councilwoman Elrod asked the Mayor for a meeting to discuss the status of the water in the City as discussed in a memo received in a previous package. It was decided that the best way to handle this meeting would be as a part of a Social and Economic Services Committee. It was determined that this meeting would take place on April 4th, 4 pm at City Hall in the Community Meeting Room.

CITY MANAGER

Consideration of approval for the Virginia Commission for the Arts Challenge Grant.

Upon motion of Councilman Smith, seconded by Councilman Gianniny, approval for the submittal of this grant application was given. The following vote was recorded.

L. W. Broomall	Recuse	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 approval for releasing the \$50,000 contribution for the indoor swimming pool.

There was discussion by Council concerning this. Several people present addressed with Council the need by the community for this pool. Upon motion of Councilman Gianniny, seconded by Councilman Broomall, it was recommended that the funding be released for this project. The following vote was recorded.

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

The motion carried with a five/one vote.

Consideration of a request from Hull's Angels to hold a parade down Main Street at 5:30 pm on April 1, 2006.

Upon motion of Councilman Broomall, seconded by Councilman Page, this request 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	Aye

This motion carried.

Consideration of Ordinance 2006-4 - Inspection of Rental Dwelling Units

Upon motion of Councilman Broomall, seconded by Councilman Smith, this ordinance was approved. 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.

(Insert ordinance in final copy)

Consideration of Ordinance 2006-5 - Plumbing

Upon motion of Councilman Smith, seconded by Councilman Gianniny, this ordinance 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	Aye

The motion carried.

(Insert ordinance in final copy)

Consideration of Ordinance 2006-6 - Police Department

Upon motion of Councilman Gianniny, seconded by Councilman Broomall, this ordinance 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	Aye

The motion carried.

(Insert ordinance in final copy)

Consideration of Ordinance 2006-7 - Refuse, Garbage, Trash and Weeds

Upon motion of Councilman Gianniny, seconded by Council Page, this ordinance 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	Aye

The motion carried.

(Insert ordinance in final copy)

Consideration of Resolution 2006-01 authorizing the City Manager to execute an easement with Washington and Lee University to use its property along Liberty Hall Road for a parking lot.

Upon motion of Councilman Gianniny, seconded by Councilman Broomall, this resolution 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	Recuse

The motion carried.

(Insert resolution in final copy)

CITY ATTORNEY

No report

UNFINISHED BUSINESS

None

NEW BUSINESS

None

EXECUTIVE SESSION

Upon motion of Councilman Gianniny, seconded by Councilman Broomall, 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 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.

MEETING RECONVENED

Council reconvened in open session at 10:03 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

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

ADJOURNMENT

There being no further business, the meeting adjourned at 10:05 pm.