

MINUTES

The Lexington City Council held its regular meeting in the Rockbridge Court Facility on May 4, 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 twenty-seven people present.

PUBLIC HEARING

To receive public comment on Resolution 2005-B amending the FY2006 budget.

City Manager Ellestad stated that this Resolution was advertised earlier than expected and he requested that Council hold the public hearing tonight but schedule a committee meeting for a future date and act on this Resolution at a future Council Meeting. There was no public comment.

To receive public comment on a Conditional Use Permit to operate a museum at 122 S. Main Street.

No comments

To receive public comment on a proposed subdivision of the Beebe property bounded by Oakview Drive, Plunkett Street and Barger Drive.

Scott Beebe, 2860 S. Lee Highway, Glasgow, addressed Council representing his father who owns this property on Barger Drive. The conditions placed on this property were briefly discussed by Council and Mr. Beebe believes that all of the requests placed by the Planning Commission are reasonable and have been agreed to. There were no further comments.

To receive public comment on a Conditional Use Permit to keep four modular buildings in the parking lot adjacent to the Heating Plant on Denny Circle.

Tom Contos representing Washington and Lee University spoke about the need for parking at the University and further stated that the University is comfortable with the Planning Commission's recommendation of issuing this permit for eighteen months.

REGULAR MEETING

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

APPROVAL OF MINUTES

Councilman Broomall made the motion that the minutes of the April 20, 2006 meeting be approved as recorded. Councilman Page 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

Erin Fitzgerald, representing Heritage Hall Health and Rehabilitation Center, invited Council members to a cookout on May 17th to celebrate National Nursing Home Week.

REPORTS AND COMMUNICATIONS

City Council Committees

FINANCE COMMITTEE

Councilman Broomall reported that this Committee had not met but indicated that they need to schedule a meeting. City Manager Ellestad indicated that Physical Services also has an issue that is going to require a meeting. It was agreed that the Finance Committee would meet on May 18th prior to the regular Council Meeting at 7:00 pm and Physical Services Committee would meet on the same night at 7:30 pm. These meetings will be held in the Regional Court Facility.

PHYSICAL SERVICES COMMITTEE

Councilman Gianniny had no report.

SOCIAL AND ECONOMIC SERVICES COMMITTEE

Councilwoman Elrod reported that this Committee had not met but that their next scheduled meeting would be on May 9th at 4:30 pm in City Hall.

Boards and Commissions

PLANNING COMMISSION

Councilman Smith reported that this Commission had met. There were three items that need action.

Councilman Smith moved that the Conditional Use Permit to operate a museum at 122 S. Main Street be approved. The motion was seconded by Councilman Broomall. 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 moved that the proposed subdivision on Oakview Drive, Plunkett Street and Barger Drive be approved. The motion was seconded by Councilman Broomall. 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 moved that the Conditional Use Permit to keep four modular buildings in the parking lot adjacent to the Heating Plant on Denny Circle be approved for a period of eighteen months. The motion was seconded by Councilman Broomall. 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.

Councilman Smith also noted that the Planning Commission had reviewed the Transportation section of the Comprehensive Plan. Councilman Smith also noted that there is a scheduled community forum on May 23, 6:30 - 8:30 pm at Waddell Elementary School for

discussion on land use issues and planning. He encouraged members of Council as well as interested citizens to attend this meeting. Postcards are being sent to every resident of Lexington about this forum.

RAEDC

Councilman Golden reported that this Commission had not met but that they will be having a meeting on May 9th in City Hall. He requested that the meeting location be changed on the City calendar to show that this meeting will be in City Hall and not Buena Vista. He also reminded Council members about the dinner on May 16th.

Councilman Gianniny indicated to Council that an Escrow Agreement had been passed out to each of them prior to the meeting. This agreement is for the sale of the old Blue Bird property. There was some discussion among Council that they felt they needed time to review this agreement before it was approved. Council agreed to review this document and place it on the agenda for the May 18th Council meeting.

CENTRAL SHENANDOAH PLANNING DISTRICT COMMISSION

Mayor Knapp reported that this Commission had not met. They will be meeting on May 15th. He noted that the Executive Committee has been meeting and working on personnel matters.

REGIONAL TOURISM BOARD

Councilman Page noted that this Board had met. The following items were mentioned:

1. Tourism Director was pleased with first meeting of Lead Virginia group and is looking forward to addressing Council at some point about this experience.
2. Many springtime publications are filled with information on Lexington.
3. Buena Vista City Council voted to put Tourism back in their budget.

MAYOR

Mayor Knapp had no report; however he did remind Council that the Equalization Board members need to be appointed at the next Council meeting and that there is a need for one additional person to serve on this Board.

CITY MANAGER

Consideration of Resolution 2006-04 authorizing up to \$45 million in Industrial Revenue Bonds to the VMI Development for various projects.

Renee Fain, of McGuire Woods, addressed Council as the Bond Council for the IDA. She summarized how this process works and explained that all of these funds will be used for projects on VMI post. She further indicated that action on this issue in no way makes the City of Lexington liable to any repayment. VMI Foundation will be the responsible party for making payments on these bonds.

Councilman Broomall asked General Green as to whether the Master Plan for VMI had been changed recently. General Green responded that there had been some changes to the Master Plan and that the IDA had been presented the most recent plan. He further indicated that parking is the major change in the most recent Master Plan proposal. Councilman Broomall expressed his concern that there had been changes to the Master Plan that were given to the IDA as a part of the borrowing process but that these changes had not been explained to City Council at any point prior to this meeting.

Councilwoman Elrod also expressed her concern about parking changes and the impact that some of these changes will have on Woods Creek.

Lisa Tracy, 1 Pendleton Place, spoke to Council about her concern for residents on Diamond Hall, south post at VMI and residents of the City of Lexington in regard to parking; however, her major concern is the impact that the changes in the Master Plan will have on Woods Creek. She summarized her concerns and asked that Council to rethink the design of the north post at VMI and delay decision on the bond issue until that happens.

Lee Merrill, representing the Rockbridge Area Conservation Council, also stated that this organization has alarm with the Master Plan and asked Council to pause on acting on the bond issue until VMI enters into a more collaborative partnership with the City.

There was further discussion on the Master Plan and following that upon motion of Councilman Smith, seconded by Councilman Broomall, it was moved that the vote on this proposed Resolution be tabled for two weeks. The following vote was recorded.

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

The recorded vote was 3 Aye, 1 Nay, 2 Recuse. The motion carried.

Consideration of adoption of FY2007 Budget

Upon motion of Council Gianniny, seconded by Councilman Broomall, it was moved to amend the previous budget as presented. 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 motion of Councilman Golden, seconded by Councilman Broomall, it was moved to adopt the amended budget. Councilman Gianniny did note that the increase in the tax increase is a result of courthouse financing. 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 unanimously.

City Manager Ellestad reported that he had received a letter from the Rockbridge Community Festival requesting the closure of Main Street on August 26, 2006 for the Rockbridge County Festival. Upon motion of Councilman Smith, seconded by Councilwoman Elrod, it was moved to grant this request for the street closing. 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 also indicated that the issue of the purchase of additional land next to Brewbaker Field will be discussed at the Physical Services Committee meeting.

CITY ATTORNEY

City Attorney did refer to the Escrow Agreement that had been given out to Council which states that the three attorneys for the three jurisdictions serve as escrow agents so he asked that when Council can that they act on this Agreement.

UNFINISHED BUSINESS

None

NEW BUSINESS

Mayor Knapp indicated that he has been contacted by numerous citizens about safety at Jordan's Point. Councilman Gianniny recommended that this issue be referred to the Physical Services Committee and have them come back with suggestions as to how safety can be

addressed.

ADJOURN

There being no further business the meeting adjourned at 9:10 pm.