

// A regular meeting of the Council of the City of Lynchburg was held on the 23rd day of March, 2010, at 4:00 P.M. in the Council Chamber, City Hall, Joan F. Foster, President, presiding. The following Members were present:

Present: Dodson, Gillette, Helgeson, Nelson, Perrow, Foster 6

Absent: Johnson 1

// Mayor Foster stated that Council Member Johnson would not be attending today's meeting because he was in Mississippi due to family emergency.

// Deputy City Manager Bonnie Svrcek, responding to a request from Vice Mayor Dodson regarding the Stakeholders' Meeting, which was held on March 18, 2010, explained the proposed Institutional Overlay District for non profit institutions and campus-like institutions. Ms. Svrcek stated that the purpose of the meeting was to explore ways the City could support the growth of its campus-like institutions while mitigating the need for Conditional Use Permit (CUP) approval. Ms. Svrcek went on to say that the City Manager outlined three items during the meeting regarding the Institutional Overlay District concept.

These items are:

- 1) Impact of institutions on surrounding area
- 2) Respect for the institutional master plans
- 3) Enforcement of environmental regulations

Ms. Svrcek explained the current Zoning CUP approvals for each institution.

// City Manager Kimball Payne completed the presentation of the FY 2011 Operating Budget which include the following items:

- External Service Providers
- Component Units
- Various Funds

During Mr. Payne's presentation Council raised two questions requiring staff follow up. Council Member Perrow asked for a report of the City's debt load over the past 5 years by Fund as well as how much had been retired and Vice Mayor Dodson asked for more information on Liberty University's contract agreement with Greater Lynchburg Transit Company (GLTC).

// City Manager Kimball Payne stated that staff was present to answer questions regarding the following items which was previously identified by Council for further discussion:

- Information Technology
- Animal Control
- Public Works – Brush & Bulk Collection
- Library
- Museum
- Parks and Recreation
- City Market

During the staff presentation Council raised two questions requiring follow up: Vice Mayor Dodson requested that Public Works provide a cost estimate on each of the following services:

- loose leaf removal
- bulk/brush pick-up
- trash removal from the Expressway
- trash removal from Boonsboro Road to the James River

Council Member Helgeson asked if The Friends of the Library would be willing to donate \$10,000 to assist with youth programming if the downtown branch library remained closed.

// Communications and Marketing Director JoAnn Martin gave a brief report regarding the 2010 Citizens Survey. Ms. Martin stated that the City had conducted a Citizens Survey every two years beginning in 2004 which was administered by the National Research Center (NRC) and endorsed by the International City/County Management Association (ICMA). Ms. Martin went on to say that Council identified citizen engagement as an area of importance during the budget retreat and the Citizens Survey was a useful tool in continuing efforts in civic engagement and participation. The Survey also provided important service measures and benchmark data that are especially critical in a challenging economic environment. Ms. Martin explained that the NRC is offering a discount of up to \$1,100 to returning clients if an agreement is signed before April 2010. During discussion, Council Members raised concerns regarding the Citizens Survey due to budget challenges and constraints and Council decided not to fund the Citizens Survey this year but committed in doing the survey again in the future.

// There were no items for roll call.

// City Council recessed the meeting at 7:00 p.m.

// City Council reconvened the meeting at 7:30 p.m. Vice Mayor Dodson gave the Invocation, followed by the Pledge of Allegiance.

// Mayor Foster recognized Katie Nylund, a member of the Mayor's Youth Council.

// Copies of the minutes of the March 9, 2010 meeting, having been previously furnished Council, reading was dispensed with, and on motion of Council Member Gillette, seconded by Council Member Helgeson, Council by the following recorded vote approved the minutes as presented:

Ayes: Dodson, Gillette, Helgeson, Nelson, Perrow, Foster	6
Noes:	0
Absent: Johnson	1

// Copies of the minutes of the March 16, 2010 meeting, having been previously furnished Council, reading was dispensed with, and on motion of Council Member Gillette, seconded by Council Member Helgeson, Council by the following recorded vote approved the minutes as presented:

Ayes: Dodson, Gillette, Helgeson, Nelson, Perrow, Foster	6
Noes:	0
Absent: Johnson	1

// In the matter of Fire – General, Resolution #R-10-017 amending the FY 2010 City/Federal/State Aid Fund budget and appropriating \$33,500, with \$26,800 reimbursement, to purchase an upgrade to the

Plymovent system for Station No. 2 on Grace Street and a fire alarm system for Station No. 6 on Fort Avenue, laid over from the March 9, 2010 meeting, was again presented and read, and on motion of Council Member Gillette, seconded by Council Member Helgeson, Council by the following recorded vote adopted the Resolution:

Ayes: Dodson, Gillette, Helgeson, Nelson, Perrow, Foster	6
Noes:	0
Absent: Johnson	1

// In the matter of Public Works - General, Resolution #R-10-018 amending the FY 2010 City/Federal/State Aid Fund budget and appropriating \$298,000, with \$240,000 reimbursement, to convert traffic signals, message boards, and some street lights to energy efficient light-emitting diode (LED) technology, laid over from the March 9, 2010 meeting, was again presented and read, and on motion of Council Member Gillette, seconded by Council Member Helgeson, Council by the following recorded vote adopted the Resolution:

Ayes: Dodson, Gillette, Helgeson, Nelson, Perrow, Foster	6
Noes:	0
Absent: Johnson	1

// In the matter of Community Development - General, City Council Report #10 regarding amending the FY 2010 City/Federal/State Aid Fund budget and appropriating \$106,488, fully reimbursable, to provide 13 units of tenant-based rental assistance and associated supportive services. Council Member Helgeson, Chair of the Finance Committee, stated that the item came before the Finance Committee and made a motion to approve the request. No second was needed, and Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-10-020, as presented, amending the FY 2010 City/Federal/State Aid Fund budget and appropriating \$106,488, fully reimbursable, to provide 13 units of tenant-based rental assistance and associated supportive services:

Ayes: Dodson, Gillette, Helgeson, Nelson, Perrow, Foster	6
Noes:	0
Absent: Johnson	1

// In the matter of Housing Authority, a public hearing was held regarding City Council Report #11 regarding a request from the Lynchburg Redevelopment and Housing Authority (LRHA) for authorization to pursue acquisition of blighted property at 234 Stoneridge Street under Section 36-19.5 of the Code of Virginia. LRHA Manager Connie Snavelly provided a brief summary regarding the request. There was no one else present who wished to speak to this item, and the public hearing was closed. On motion of Council Member Perrow, seconded by Council Member Helgeson, Council by the following recorded vote adopted Resolution #R-10-021, as presented, approving a request from the Lynchburg Redevelopment and Housing Authority for authorization to pursue acquisition of blighted property at 234 Stoneridge Street under Section 36-19.5 of the Code of Virginia:

Ayes: Dodson, Gillette, Helgeson, Nelson, Perrow, Foster	6
Noes:	0
Absent: Johnson	1

// In the matter of Housing Authority, a public hearing was held regarding City Council Report #12 regarding a request from the Lynchburg Redevelopment and Housing Authority (LRHA) for authorization to pursue acquisition of blighted property at 1005 Pansy Street under Section 36-19.5 of the Code of Virginia. LRHA Manager Connie Snavelly provided a brief summary regarding the request. Ms. Barber, the property owner, addressed Council stating that she was in the process of remodeling the property at 1005 Pansy Street and would like Council to give an extension to have the repairs done. Mr. Merle Calendar spoke stating that he had been hired to remodel and bring the property at 1005 Pansy Street up to code. There was no one else present who wished to speak to this item, and the public hearing was closed. Council Member Gillette made a motion to deny this request. Council Member Helgeson seconded the motion with a friendly amendment to table the item for 30 days. Council Member Gillette would accept the friendly amendment for 60 days instead of 30. Council Member Helgeson accepted the changes to his friendly amendment and the motion was seconded. City Attorney Walter Erwin suggested to Council that they could postpone the item indefinitely, that way it would not come back to Council unless the Housing Authority notifies the City that no progress was being made. Council Member Helgeson amended his friendly amendment to table this item indefinitely and Council Member Gillette accepted the friendly amendment. After further discussion Council by the following recorded vote tabled this item indefinitely:

Ayes: Dodson, Gillette, Helgeson, Nelson, Perrow, Foster	6
Noes:	0
Absent: Johnson	1

// In the matter of Housing Authority, a public hearing was held regarding City Council Report #13 regarding a request from the Lynchburg Redevelopment and Housing Authority (LRHA) for authorization to pursue acquisition of blighted property at 2221 Campbell Avenue under Section 36-19.5 of the Code of Virginia. LRHA Manager Connie Snavelly provided a brief summary regarding the request. Ms. Snavelly stated that Bank representatives stated that they were in the process of foreclosing on the property and are looking for a potential buyer. There was no one else present who wished to speak to this item, and the public hearing was closed. Council Member Perrow stated that he did not see a need to take any action on this item. On motion of Council Member Perrow, seconded by Council Member Gillette, Council by the following recorded vote tabled this item indefinitely:

Ayes: Dodson, Gillette, Helgeson, Nelson, Perrow, Foster	6
Noes:	0
Absent: Johnson	1

// In the matter of Housing Authority, a public hearing was held regarding City Council Report #14 regarding a request from the Lynchburg Redevelopment and Housing Authority (LRHA) for authorization to pursue acquisition of blighted property at 407 Pine Street under Section 36-19.5 of the Code of Virginia. LRHA Manager of Connie Snavelly provided a brief summary regarding the request. There was no one else present who wished to speak to this item, and the public hearing was closed. On motion of Council Member Perrow, seconded by Council Member Helgeson, Council by the following recorded vote adopted

Resolution #R-10-022, as presented, approving the request from the Lynchburg Redevelopment and Housing Authority for authorization to pursue acquisition of blighted property at 407 Pine Street under Section 36-19.5 of the Code of Virginia:

Ayes: Dodson, Gillette, Helgeson, Nelson, Perrow, Foster

6

Noes:

0

Absent: Johnson

1

// In the matter of Housing Authority, a public hearing was held regarding City Council Report #15 regarding a request from the Lynchburg Redevelopment and Housing Authority (LRHA) for authorization to pursue acquisition of blighted property at 416 Pine Street under Section 36-19.5 of the Code of Virginia. LRHA Manager Connie Snavelly provided a brief summary regarding the request. Ms. Snavelly stated that the Housing Authority had received correspondence from the property owner in which he indicated that he would take one of the following actions concerning his property, (1) make repairs and secure funds according to the deficiencies outlined in the 60 day notice by October 1, 2010; (2) sell the property to the Authority; or (3) sell the property to a buyer on the open market. After receiving this information, staff spoke with the owner to obtain clarification concerning his plans. His response was that he would do one of the three actions listed above by October 1, 2010. Ms. Snavelly also stated that the owner called Authority staff after receiving notice of the public hearing to ask about the public hearing. The owner stated that he came to Lynchburg in November 2009 and spoke with someone about the property. He couldn't remember the names of the people he spoke with but he indicated that the office was on Church Street. The property owner also indicated that these individuals told him that they did not have a case open on the property. Therefore since he lost the 60 day notice that was sent to him by the Authority, and did not remember the name of the agency that sent the letter and after speaking with City staff, he assumed nothing else needed to be done. There was no one else present who wished to speak to this item, and the public hearing was closed. On Motion of Council Member Perrow to continue this item to the April 27th Council meeting, seconded by Council Member Helgeson, Council by the following recorded vote continued the item for 30 days:

Ayes: Dodson, Gillette, Helgeson, Nelson, Perrow, Foster

6

Noes:

0

Absent: Johnson

1

// In the matter of Housing Authority, a public hearing was held regarding City Council Report #16 regarding a request from the Lynchburg Redevelopment and Housing Authority (LRHA) for authorization to pursue acquisition of blighted property at 1816 -1818 Vine Street under Section 36-19.5 of the Code of Virginia. LRHA Manager Connie Snavelly provided a brief summary regarding the request. There was no one else present who wished to speak to this item, and the public hearing was closed. On motion of Council Member Helgeson, seconded by Council Member Gillette, Council by the following recorded vote adopted Resolution #R-10-023, as presented, approving a request from the Lynchburg Redevelopment

and Housing Authority for authorization to pursue acquisition of blighted property at 1816-1818 Vine Street under Section 36-19.5 of the Code of Virginia:

Ayes: Dodson, Gillette, Helgeson, Nelson, Perrow, Foster 6

Noes: 0

Absent: Johnson 1

// In the matter of Public Works – Sewer/Water, City Council Report # 17 to approve the request of Habitat for Humanity to waive the charges for water and sewer availability fees for 1613 Monsview Place and to reimburse the monies already paid for such fees was considered. Council Member Perrow made a motion to deny this request seconded by Council Member Helgeson. After further discussion, Vice Mayor Dodson made a substitute motion, seconded by Council Member Nelson to table this item to receive additional information. Council by the following recorded vote postponed this item to April 13th Council meeting:

Ayes: Dodson, Gillette, Helgeson, Nelson, Foster 5

Noes: Perrow 1

Absent: Johnson 1

// In the matter of Police - General, City Council Report #18 regarding amending the FY 2010 City/Federal/State Aid Fund budget and appropriating \$285,000, fully reimbursable, to purchase a Chemical Biological Radiological Nuclear Explosive (CBRNE) Armored Incident Response Vehicle and CBRNE Personal Protective Equipment for the Police department. Council Member Helgeson, Chair of the Finance Committee, stated that the item came before the Finance Committee and made a motion to approve the request. No second was needed, and Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-10-024, as presented, amending the FY 2010 City/Federal/State Aid Fund budget and appropriating \$285,000, fully reimbursable, to purchase a Chemical Biological Radiological Nuclear Explosive (CBRNE) Armored Incident Response Vehicle and CBRNE Personal Protective Equipment for the Police department:

Ayes: Dodson, Gillette, Helgeson, Nelson, Perrow, Foster 6

Noes: 0

Absent: Johnson 1

// In the matter of City Code, City Council Report # 19 was considered. On motion of Council Member Gillette, seconded by Council Member Perrow, Council by the following recorded vote adopted Ordinance #O-10- 025, as amended, to amend the City Code relating to certain domestic animals and fowl going at large within the City:

Ayes: Gillette, Helgeson, Nelson, Perrow, Foster 5

Noes: Dodson 1

Absent: Johnson 1

// The meeting was adjourned at 9:02 P.M.