// A regular meeting of the Council of the City of Lynchburg was held on the 13th day of March, 2012, at 4:00 P.M. in the Council Chamber, City Hall, Joan F. Foster, President, presiding. The following Members were present:

Present: Helgeson, Nelson, Perrow, Foster 4

Absent: Cary, Gillette, Johnson 3

// City Manager Kimball Payne reviewed the budget calendar and discussed one possible change in the calendar. Mr. Payne began the Review/Walk-through of the FY 2013 Proposed Budget document with the following department presentations.

- Council/Manager Offices – Deputy City Manager Bonnie Svrcek
- City Assessor – Deputy City Manager Bonnie Svrcek
- City Attorney – City Attorney Walter Erwin
- Commissioner of the Revenue – Commissioner Mitch Nuckles
- Communications and Marketing – Communications and Marketing Director JoAnn Martin
- Financial Services – Financial Services Director Donna Witt
- Human Resources – Human Resources Director Margaret Schmitt
- Information Technology – Information Technology Director Mike Goetz
- Treasurer – City Manager Kimball Payne
- Office of the Commonwealth's Attorney – Commonwealth Attorney Michael Doucette

Mr. Payne stated the remaining budget presentations would be presented at the March 20 work session starting at 3:00 p.m.

// During roll call Council Member Helgeson commented on the different items that were presented by the departments and the issues facing the City. Council Member Helgeson was concerned that he had read in the paper about an opening that was advertised for a Personnel Director for the Schools. Mr. Helgeson believes that this should have been one of the consolidation efforts between the Schools and the City and went on to say that he believes the Principals of the schools should be doing the hiring for this position because they are the ones that are held accountable if their school does not make the grade.

// On motion of Council Member Nelson, seconded by Council Member Perrow, Council by the following recorded vote elected to hold a closed meeting for consultation with legal counsel and briefings by staff members about specific legal matters (1) the operation of the fuel farm at the Lynchburg Regional Airport and (2) the operation of the public transportation system by the Greater Lynchburg Transit Company, pursuant to Section 2.2-3711(A.)(7) of the Code of Virginia, 1950, as amended:

Ayes: Helgeson, Nelson, Perrow, Foster 4

Noes: 0

Absent: Cary, Gillette, Johnson 3

// The meeting was re-opened to the public.

// Council Member Helgeson made the following motion:

WHEREAS, the Council of the City of Lynchburg has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by City Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Lynchburg certifies that, to the best of each member's knowledge, (i) 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 (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by Council.

The Motion was seconded by Mayor Foster, and Council by the following recorded vote adopted the motion:

Ayes: Helgeson, Nelson, Perrow, Foster	4
Noes:	0
Absent: Cary, Gillette, Johnson	3

// City Council recessed the meeting at 6:45 p.m.

// City Council reconvened the meeting at 7:30 p.m.

The following Members were present:

Ayes: Cary, Helgeson, Nelson, Perrow, Foster	5
Noes:	0
Absent: Gillette, Johnson	2

Council Member Perrow gave the Invocation, followed by the Pledge of Allegiance.

// Mayor Foster and Council Member Perrow presented Certificates of Recognition to the E. C. Glass 2012 State Champion Track Team.

// Copies of the minutes of the February 28, 2012 meeting, having been previously furnished Council, reading was dispensed with, and on motion of Council Member Nelson, seconded by Council Member Perrow, Council by the following recorded vote approved the minutes as presented:

Ayes: Cary, Helgeson, Nelson, Perrow, Foster	5
Noes:	0
Absent: Gillette, Johnson	2

// Copies of the minutes of the March 6, 2012 meeting, having been previously furnished Council, reading was dispensed with, and on motion of Council Member Nelson, seconded by Council Member Perrow, Council by the following recorded vote approved the minutes as presented:

Ayes: Cary, Helgeson, Nelson, Perrow, Foster	5
Noes:	0
Absent: Gillette, Johnson	2

// In the matter of Public Works – General, Resolution #R-12-023 selling approximately six and three hundred seventy-eight thousandths (6.378) acres of City owned property located at 3901 Old Forest Road (Tax Parcel #23102001) and between Whitehall Road and Lakeside Drive to S. J. Collins Enterprises, LLC., for proposed retail development, laid over from the February 28, 2012 meeting, was again presented and read, and on motion of Council Member Nelson, seconded by Council Member Perrow, Council by the following recorded vote adopted the Resolution:

Ayes: Cary, Helgeson, Nelson, Perrow, Foster	5
Noes:	0
Absent: Gillette, Johnson	2

// In the matter of Police – General, City Council Report #6 was considered. On motion of Council Member Nelson, seconded by Council Member Perrow, Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-12-024, as presented, amending the FY 2012 City/Federal/State Aid Fund budget and appropriating $10,492, fully reimbursable, to purchase gas masks for use in critical incident response and related fit testing equipment for routine inspection of gas mask reliability:

Ayes: Cary, Helgeson, Nelson, Perrow, Foster	5
Noes:	0
Absent: Gillette, Johnson	2

// In the matter of Police – Emergency Services, City Council Report #7 was considered. On motion of Council Member Nelson, seconded by Council Member Perrow, Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-12-025, as presented, amending the FY 2012 City/Federal/State Aid Fund budget and appropriating $75,000, fully reimbursable, to replace the Computer-Aided Dispatch application server located in the Emergency Communications Center:

Ayes: Cary, Helgeson, Nelson, Perrow, Foster	5
Noes:	0
Absent: Gillette, Johnson	2

// In the matter of Human Services – General, City Council Report #8 was considered. On motion of Council Member Nelson, seconded by Council Member Perrow, Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-12-026, as presented, amending the FY 2012 City/Federal/State Aid Fund budget and appropriating $139,332, fully reimbursable, to help reduce the number of alcohol-related vehicle crashes involving drivers between 15 and 24 years of age:

Ayes: Cary, Helgeson, Nelson, Perrow, Foster	5
Noes:	0
Absent: Gillette, Johnson	2

// In the matter of Economic Development – General, City Council Report #9 was considered. On motion of Council Member Nelson, seconded by Council Member Perrow, Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-12-027, as presented, amending the FY 2012 City/Federal/State Aid Fund budget and appropriating $151,200, to remediate and stabilize ten parcels along Fifth Street:

Ayes: Cary, Helgeson, Nelson, Perrow, Foster	5
Noes:	0
Absent: Gillette, Johnson	2

// In the matter of Fire – General, City Council Report #10 was considered. On motion of Council Member Nelson, seconded by Council Member Perrow, Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-12-028, as presented, amending the FY 2012 City/Federal/State Aid Fund budget and appropriating $491,760, to purchase replacement Self-Contained Breathing Apparatus (SCBA) for the Fire Department:

Ayes: Cary, Helgeson, Nelson, Perrow, Foster	5
Noes:	0
Absent: Gillette, Johnson	2

// In the matter of Community Planning - Zoning Amendments, a public hearing was held regarding City Council Report # 11 outlining the petition of Clarion Investments, LLC, to rezone approximately 1.183 acres located at 2625 Lakeside Drive to allow the use of the property for automobile sales. Kent White, Director of Community Development, gave a summary of the request and stated the Planning Commission recommended approval of the rezoning petition. Mr. Norman Walker, Representative for Clarion Investment, LLC gave a summary of the request asking approval for the rezoning petition. 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 Cary, Council by the following recorded vote adopted Ordinance #0-12-029, as presented, to rezone approximately 1.183 acres located at 2625 Lakeside Drive to allow the use of the property for automobile sales:

Ayes: Cary, Helgeson, Nelson, Perrow, Foster	5
Noes:	0
Absent: Gillette, Johnson	2

// In the matter of Community Planning - CDBG, a public hearing was held regarding City Council Report #12 regarding the FY2012/13 Allocation of Community Development Block Grant (CDBG) and HOME Program Funds. Grants Manager Melva Walker gave a summary of the FY 2012/13 allocations for CDBG and HOME Program Funds with recommendations from Community Development Advisory Committee (CDAC). Nine individuals spoke and thanked Council for their past support and asked Council to continue supporting their programs. There was no one else present who wished to speak to this item, and the public hearing was closed. No action was required at this time. This item will be discussed at the March 27, 2012 Work Session.

// In the matter of Public Works – Street Vacation, a public hearing was held regarding City Council Report #13 regarding the vacation of Right-of-Way on Candlers Mountain Road. Kent White, Director of Community Development, gave a summary of the request regarding the vacation of Right-of-Way on Candlers Mountain Road. There was no one else present who wished to speak to this item, and the public hearing was closed. Council Member Perrow, Chair of the Physical Development Committee (PDC), stated that this matter came before the PDC and they recommended approval of the vacation of Right-of-Way on Candlers Mountain Road. This motion does not require a second, and Council by the following recorded vote adopted Ordinance #O-12-030, as presented, vacating the Right-of-Way on Candlers Mountain Road:

Ayes:	Cary, Helgeson, Nelson, Perrow, Foster	5
Noes:		0
Absent:	Gillette, Johnson	2

// The meeting was adjourned at 8:20 P.M.

Clerk of Council