

// A regular meeting of the Council of the City of Lynchburg, was held on the 26th day of February, 2019, at 4:00 P.M. in the Council Chamber, City Hall, Treney Tweedy, President, presiding. The purpose of the meeting was to conduct a work session regarding several items. The following Members were present:

Present: MaryJane Dolan, Jeff S. Helgeson, J. Randy Nelson, E. J. Turner Perrow, Sterling A. Wilder, Treney Tweedy

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Absent: Beau Wright

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// Mayor Tweedy and Vice Mayor Dolan recognized Heritage High School's Class 3, 2018-2019 State Championship Football Team. The team and coaches were presented with City of Lynchburg lapel pins as a symbol of support.

// In the matter of Public Works – refuse, Council Report #1 was considered to provide feedback regarding staff recommendations to establish flat fees to better address bulk waste related to landlord eviction set outs. Deputy City Manager Reid Wodicka provided background related to improvements to the solid waste system. Public Works Director, Gaynelle Hart provided a brief presentation on Landlord Setout Program Recommendations. Councilmembers Helgeson and Perrow questioned the cost structure and recommended higher fees for disposal if the City performs this service. Councilmember Wilder asked for clarification concerning the punishment for non-compliance, time limits for pickup, and unintended consequences for citizens who may set items out. Councilmember Nelson noted a concern related to the tenant's "right to retrieve their tangible personal property" within guidelines set forth in the law. City Attorney, Walter Erwin address this comment by paraphrasing State code related to landlord-initiated evictions. Mr. Erwin advised Council that tenants have 24 hours to claim property set in the public right of way. After this 24 hour period, the landlord has 48 hours to remove the items. Councilman Nelson further observed that landlords could be at risk for citations by the City if a contracted private company doesn't follow through on pickup of items in the right of way. Ms. Hart stated that Public Works will determine a work flow for that question and advise Council at a later date. Vice Mayor Dolan agreed that a private option for landlords would be best. Councilmember Perrow asked if City requirements on landlord set outs could be handed out in the courts. City Attorney Erwin answered in the affirmative, stating that the City could ask the Clerk of the Court to hand out any related pamphlets once prepared. Deputy City Manager Reid Wodicka summarized the overall requests for Council on this matter as: to be more aggressive on fees, consider potential rental fee for dumpsters, create a safety valve for third party private haulers and to have eviction/landlord set out information available for distribution in the court. Mayor Tweedy mentioned that she is in favor of increasing fees for City pickup of landlord set out items, and distribution of information through the courts.

// In the matter of City Assessments, Council Report #2 was considered to hear a presentation from the City Assessor regarding 2019 Real Estate Assessments. Mr. Jeff Bandy, City Assessor provided a brief presentation on 2019 Proposed Real Estate Assessment Changes to Council. Councilmember Perrow noted that the community wealth appears to be growing per the rise in assessment value. Councilmember Perrow also commented that 24% of the City's total assessed real estate value consists of exempt

properties. Mr. Bandy responded that this is not an uncommon occurrence in localities. Councilmember Perrow asked that staff consider investigating the best practices of other localities that have a similar percentage of tax exempt property. Councilmember Helgeson noted that City property is also tax exempt. Councilmember Nelson commented on the benefits that tax-exempt entities bring to the City and the increased tax revenue from downtown revitalization.

// In the matter of Roll Call, Council Report #3 was considered. Councilmember Wilder noted that he attended a Black Panther event at the Academy over the weekend and another for the Legacy Museum that celebrated firsts in local African American History at the Aviary. Councilmember Helgeson addressed the need for a logical answer to parking downtown for those who pay for parking spaces. Also, Councilmember Helgeson commented that the City charges business owners more for parking than downtown residents. Vice Mayor Dolan attended the Mayor's Youth Council Breakfast and the Mayor's Youth Council Budget session as well as the Community Action Network Black History Month health event. Councilmember Wilder recalled attending the Lynchburg Regional Detention Home Spelling Bee and was very impressed with caliber of students in that contest. Mayor Tweedy mentioned attending the Legacy Museum event, a Ladies Empowerment event at the All Nations church, and the Empowering Female Veterans event at the American Legion Hall. Mayor Tweedy also went to Dunbar Middle School today and participated on a panel with The Lynchburg City Schools Superintendent and a Captain from the Lynchburg Fire Department for students.

// [Council report #4] On motion of Council Member Helgeson, seconded by Council Member Wilder, Council by the following recorded vote elected to hold a closed meeting for the discussion and consideration of prospective candidates for the position of Clerk of Council, pursuant to Section 2.2-3711(A)(1) of the Code of Virginia, 1950, as amended:

Ayes: Dolan, Helgeson, Nelson, Perrow, Wilder, Tweedy	6
Noes:	0
Absent: Wright	1

// 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 Council Member Wilder, and Council by the following recorded vote adopted the motion:

Ayes: Dolan, Helgeson, Nelson, Perrow, Tweedy, Wilder	6
Noes:	0
Absent: Wright	1

// City Council recessed the meeting after the closed session.

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

// Vice Mayor Dolan gave the Invocation, followed by the Pledge of Allegiance. The following Members were present:

Present: Dolan, Helgeson, Nelson, Perrow, Wilder, Tweedy	6
Absent: Wright	1

// Mayor Tweedy recognized the Bonner Leaders group from the University of Lynchburg that were attending City Council meeting.

// [Council Report #5, #6, #7, #8, #9] Copies of the minutes of the December 11, 2018, January 8, 2019, January 22, 2019, and January 12, 2019 meeting, having been previously furnished Council, reading was dispensed with, and on motion of Councilmember Nelson, seconded by Councilmember Wilder, Council _____ by the following recorded vote approved the minutes as presented and an additional item Resolution #R-19-014 as follows:

Ayes: Dolan, Helgeson, Nelson, Perrow, Wilder, Tweedy	6
Noes:	0
Absent: Wright	1

// In the matter of Public Comment, Council Report #10 was considered. Citizen Natalie Jones was scheduled to speak before Council. Ms. Jones was not present for the Public Comment.

// In the matter of Finance – General, Council Report #11 was considered regarding introducing a Resolution to appropriate \$163,204 to the FY 2019 City-Federal-State Aid Budget for the Temporary Assistance for Needy Families (TANF) Community Wealth Building (CWB) Grant. Assistant City Manager John H. Hughes, IV provided a brief presentation on this matter. Councilmember Jeff Helgeson, Chair of the Finance Committee, stated that the request was considered by the Finance Committee earlier in the day and moved for approval of the Resolution. The motion did not require a second. Councilmember Perrow commented that this was the first time he had witnessed a presentation from the Clerk of Council's seat and commended Assistant City Manager Hughes on the presentation and for assuming the role of Acting Clerk of Council. Councilmember Perrow noted that this appropriation is a primary legislative goal of Virginia First Cities. Councilmember Wilder remarked that better employment is a crucial step for our City to give citizens better opportunities. Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-19-015, as presented to amend the FY 2019 City Federal State Aid budget and appropriate \$163,204 with resources from the Commonwealth of Virginia Department of Social Services (VDSS) through the Employment for TANF Participants Grant:

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Ayes: Dolan, Helgeson, Nelson, Perrow, Wilder, Tweedy

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Noes:

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Absent: Wright

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// In the matter of Finance – General, City Council Report #12 was considered regarding introducing a Resolution to amend the FY 2019 City Capital Fund budget and appropriate \$1,000,000 with resources from the Virginia Department of Transportation (VDOT) State of Good Repair Grant to pave sections of Wards Road and Fort Avenue. Joseph Lee Newland, City Engineer, provided a brief presentation on this matter. Councilmember Helgeson, Chair of the Finance Committee stated that this matter was considered by the Finance Committee earlier in the day and moved for approval of the Resolution. The motion did not require a second. Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-19-016, as presented, to amend the FY 2019 City Capital Fund budget and appropriate \$1,000,000 with resources from the Virginia Department of Transportation State of Good Repair Grant to pave sections of Wards Road and Fort Avenue:

Ayes: Dolan, Helgeson, Nelson, Perrow, Wilder, Tweedy

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Noes:

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Absent: Wright

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// The meeting was adjourned at 7:44 P.M. until March 6, 2019 at 1 P.M. to conduct closed meetings throughout the day for interviews with and discussions of prospective candidates for the position of Clerk of Council, pursuant to Section 2.2-3711(A.)(1) of the Code of Virginia.

Acting Clerk of Council