// A regular meeting of the Council of the City of Lynchburg was held on the 28th day of January, 2014, at 4:00 P.M. in the Council Chamber, City Hall, Michael Gillette, President, presiding. The following Members were present:

Present: Cary, Foster, Johnson, Nelson, Perrow, Gillette 6

Absent: Helgeson 1

// Council Member Helgeson arrived at 4:06 p.m.

// Council Member Perrow made the following statement "I have a personal interest in Liberty University and according to the Conflict of Interest Act I have a conflict and I should abstain on discussing and voting on this item."

// City Manager Kimball Payne provided information and stated on November 26, 2013 Council authorized the drafting of a franchise agreement with Liberty University granting access to Treasure Island. Mr. Payne further stated that during the November 26, 2013 meeting, Council heard of Liberty University's interest in regaining access to Treasure Island via the abandoned roadway adjacent to Riverside Park. Mr. Payne went on to say that City Attorney Walter Erwin has advised that there are two options for providing the desired access: 1) create a permanent public right of way, or 2) grant a franchise to Liberty University that would provide access for up to 40 years. Council authorized City staff to explore the latter option with Liberty University. Mr. David Corey, Legal Counsel for Liberty University gave a presentation on why the possible franchise agreement would be the best possible option. Following Council discussion, Mayor Gillette explained if this access is approved Liberty University is requesting that this route become a public street, build out the road and maintain the road by bringing the road up to current standards and build a bridge.

// The report on the Analysis of Impediments to Fair Housing was moved to the 7:30 p.m. meeting for discussion and adoption of a Resolution.

// Fire Chief Brad Ferguson gave an overview on the Non-Emergency Ambulance Transport. Mr. Ferguson explained that the Fire Department wants to stop providing non-emergency ambulance transports within the City limits and concentrate its resources on emergency responses.

Mr. Ferguson further stated in Fall of 1976 the Lynchburg Fire Department assumed responsibility for the provision of emergency medical services and ambulance transport when the private company that was doing these refused to continue. In the spring of 1977 the Fire Department also became the provider of non-emergency transports when this same private company went out of business. Mr. Ferguson went on to say they would like to pursue the issuance of Certificates of Convenience and Necessity to agencies interested in providing non-emergency ambulance transports within the City limits, and that said agencies must meet the requirements set forth in the State Code. On motion of Council Member Helgeson, seconded by Council Member Cary, Council by the following recorded vote approved a Certificate of Convenience and Necessity:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7

Noes: 0

// Due to time constraints the Medicare Eligible Retiree Medical Coverage Follow-Up was moved to a future work session.

// During roll call Council Member Perrow stated he had received several noise complaints from citizens living around Riverside Park, and he inquired about the possibility of some type of plan for screening around the Sprayground and Playground.

// On motion of Council Member Helgeson, seconded by Council Member Foster, Council by the following recorded vote elected to hold a closed meeting to consider appointment to Council-appointed Boards and Commissions, i.e., Planning Commission; pursuant to Section 2.2-3711(A)(1), Code of Virginia (1950), as amended:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7
Noes: 0

// 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 Vice Mayor Johnson, and Council by the following recorded vote adopted the motion:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7
Noes: 0

// In the matter of Appointments, and on nomination of Council Member Helgeson, seconded by Council Member Perrow, Council by the following recorded vote appointed Robert C. Light, Jr., to serve on the Planning Commission Board for a term to expire December 31, 2016:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7
Noes: 0

// City Council recessed the meeting at 6:15 p.m.

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

The following Members were present:

Present: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7
Absent: 0

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

// In the matter of City Council, Resolution #R-14-005 amending the FY 2014 City Capital Fund budget and appropriating $44,241 to fund equipment replacement and maintenance needs at the City Baseball Stadium, laid over from the January 14, 2014 meeting, was again presented and read, and on motion of Council Member Foster, seconded by Council Member Cary, Council by the following recorded vote adopted the Resolution:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7
Noes: 0

// In the matter of Parks and Recreation – General, Resolution #R-14-006 amending the FY 2014 General Fund budget and appropriating $250,000, for the purpose of renovating the gymnasium at 1721 Monsview Place (the old Armstrong School) for Parks and Recreation Department programs, laid over from the January 14, 2014 meeting, was again presented and read, and on motion of Council Member Foster, seconded by Council Member Cary, Council by the following recorded vote adopted the Resolution:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7
Noes: 0

// In the matter of Community Development – General, a public hearing was held regarding City Council Report #8 regarding the draft Analysis of Impediments to Fair Housing Choice (AI) and adopting a Resolution endorsing the (AI) for submittal to the U.S. Department of Housing and Urban Development. Kevin Henry, Planner II, provided a presentation of the Analysis of Impediments to Fair Housing Choice (AI) and asked for approval of this 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 Vice Mayor Johnson, Council by the following recorded vote adopted Resolution #R-14-007, as presented, to endorse the Analysis of Impediments to Fair Housing Choice (A1):

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7
Noes: 0

// City Manager Kimball Payne introduced Tim Trent, Administrator, and Matt Marsteller, Assistant Administrator, of the Blue Ridge Regional Jail. Mr. Trent gave a presentation on the activities of the Blue Ridge Regional Jail system.

// In the matter of Library – General, City Council Report #10 was considered. Council Member Cary, Chair of the Finance Committee (FC) stated this matter came before the FC, which recommended approval. This motion does not require a second, and Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-14-008, as presented, to amend the FY 2014 City Capital Projects Fund budget and appropriate $256,000 with resources from a donation from the Friends of the Lynchburg Public Library to build a dedicated Story Time Room at the Lynchburg Public Library:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7
Noes: 0

// In the matter of Public Works – General, City Council Report #11 was considered. Council Member Perrow, Chair of the Physical Development Committee (PDC) stated this matter came before the PDC, which recommended approval. This motion does not require a second, and Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-14-009, as presented, to amend the FY 2014 City Capital Projects Fund budget and appropriate $131,575, with resources from the sale of property at 2400 Lakeside Drive for the design of improvements to transportation infrastructure:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7

Noes: 0

// In the matter of Police – General, City Council Report #12 was considered. Council Member Cary, Chair of the Finance Committee (FC) stated this matter came before the FC, which recommended approval. This motion does not require a second, and Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-14-010, as presented, amending the FY 2014 Forfeited Asset Fund budget and appropriating $180,274 with resources from the 2014 Federal Asset Forfeiture program for the Crisis Intervention Team, to purchase public safety vehicles and equipment, and for additional public safety needs:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7

Noes: 0

// In the matter of Public Works – General, City Council Report #13 was considered. On motion of Council Member Perrow, seconded by Council Member Foster, Council by the following recorded vote adopted Resolution #R-14-011, as presented, requesting the Virginia Department of Transportation (VDOT) to increase the official record of the City's street lane mileage for reimbursement of highway maintenance funds:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7

Noes: 0

// In the matter of Public Works – Refuse, City Council Report #14 was considered. Council Member Helgeson stated he would be voting against this item stating this would be another added burden on the citizens. On motion of Council Member Foster, seconded by Vice Mayor Johnson, Council by the following recorded vote adopted Ordinance #0-14-012, as amended, relating to the collection of Solid Waste within the City:

Ayes: Cary, Foster, Johnson, Nelson, Perrow, Gillette 6

Noes: Helgeson 1

// The meeting was adjourned at 9:34 P.M.

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Clerk of Council