

// A regular meeting of the Council of the City of Lynchburg was held on the 22nd day of January, 2019, at 4:00 P.M. in the Council Chamber, City Hall, Treney Tweedy, President, presiding. The following Members were present:

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

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Absent:

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// Report from U.S. Census Bureau Representative on Census 2020. City Manager Bonnie Svrcek introduced Mr. Josue Figueroa, Partnership Coordinator with the U.S. Census Bureau. Mr. Figueroa provided information on the Census 2020. The Census begins April 2020. He shared the importance of a Complete Count, particularly regarding the impact of Federal fund allocations to localities. Mr. Figueroa focused on the Complete Count Committee (CCC) which is a mutually beneficial partnership at the highest level within each city. Committees consist of influential community leaders who are charged with developing a census awareness campaign that:

- Communicates the importance of the census through local messaging
- Raises awareness of the census throughout the city
- Motivates every household in the city to participate in the census by completing the questionnaire thoroughly and in a timely manner
- Increases the city's self-response rate

The size of the Complete Count Committee is determined by each city. In addition cities may allocate funding to support the activities of the CCC. Cities view this funding as a sound investment in the future. Failure to count residents could result in a substantial loss of revenue for the next decade. Complete Count Committee equals Education, Promotion and Motivation/Action:

- Education Phase – January 2018 – September 2019
- Promotion Phase – April 2019 – January 2020
- Motivation/Action Phase – February 2020 – June 2020

The 2020 Census will focus more on a survey administered via the internet rather than paper. Paper questionnaires will be available as well. Mr. Figueroa mentioned there would be part-time and full-time positions for persons interested in working for the 2020 Census. The website to apply for jobs is 2020census.gov/jobs. Council asked questions after the presentation about how are students counted who are in college away from home. Mr. Figueroa noted students would be counted as part of a group quartered enumeration. Council Member Helgeson mentioned how Census recorded information in the past. He asked whether the Census asks for U.S. citizenship. Mr. Figueroa stated The Department of Justice is reviewing a ruling in New York on this matter; for now, the citizenship question remains on the questionnaire. Mr. Figueroa read a brief statement suggesting such data is used especially when it comes to ensuring voting rights protections, but a decision from the Department of Justice is still pending for more details. Mayor Tweedy mentioned that reporting students under the age of 5 years old is important.

It is important that these inhabitants be included because they impact programs such as Head Start and future school enrollments. Council Member Nelson asked what is to prevent students who reside in Lynchburg but have family elsewhere from including these inhabitants on their Census outside the City. Mr. Figueroa stated the goal is to count everyone once and once only. When responding to the survey, the goal is to respond based on who resides in the house. There is quality control verification, but it is not conducted on each household. Ms. Svrcek stated that Assistant City Manager John Hughes will play an active role in the process of forming a committee to help with the 2020 Census.

// Recommendations regarding Implementation of Phase 1 of Citywide Salary Study. City Manager Bonnie Svrcek gave a report of the recommendations regarding Phase 1 implementation of the Citywide Salary Study. Ms. Svrcek gave background information stating City Council approved funding in the amount of \$100,000 for a Citywide Salary Study in FY 2018. The consultant chosen to perform the Study was Korn Ferry. The following background information was provided:

- In FY 2018 City Council approved the use of \$100,000 for a Citywide Salary Study
- Korn Ferry was chosen as the consultant to perform this study beginning in November 2017
- Korn Ferry presented their process and findings to City Council on September 25, 2018
- Council appropriated \$2,209,566 for Implementation of the Study recommendations into a Citywide Salary Study and Implementation Plan Reserve

Actions since September 25, 2018

- Analyzed the Data provided by Korn Ferry
- Developed a strategy to recommend Phase I implementation to City Council for appropriation
 - Bring employees to at least minimum of Pay Ranges
 - Department Directors identified most urgent needs for adjustments using recruitment, retention, compression, high performance, high potential, succession planning, tenure, acceptable performance and no more than a 5% increase beyond minimum as principles for adjustments
 - Evaluated proposals from Department Directors regarding highest priority needs based on the above principles. With few minor exceptions, Department requests were approved

Market Comparisons

- In September 2018, Council requested a more detailed list of comparisons used in the Salary Study. It was noted these comparisons were included in the September report. Copies were made of Appendix A and distributed to Council.
- Korn Ferry consultant Myriam Michaels provided some additional details on the Study.

Funding Needed to Fully Implement Salary Study

- Including Benefits (Virginia Retirement System, Life Insurance, Virginia Local Disability Plan, Social Security, Medicare) the total cost for Implementation is \$5,521,736 all Funds.
- The General Fund cost of Implementation is \$4,470,158.

- There is not enough money currently to fully implement the plan.
- Ms. Svrcek is asking for Council's approval that funds be appropriated for the remaining 5 months of Fiscal Year 2019.
- Out of 1200 employees, 737 are directly impacted in Phase I.
- The baseline of Phase I adjustments beyond the minimum is \$1.2 million annualized and \$513,000 for 5 months. The police department is receiving the majority of funding to address retention and recruitment.
- Ms. Svrcek asked that Council strike the information about the City Attorney. This item will be addressed at a later date.
- The breakdown of Phase 1 funding for the minimum of pay ranges for the other funds including the Water Fund, Sewer Fund, Storm Water Fund, Airport, and Juvenile Detention total \$311,000 annually and \$129,000 for 5 months. These funds do not require any additional Council action.
- Ms. Svrcek asked Council to adopt a resolution later this evening under General Business appropriating funding in FY 2019 from the Citywide Salary Study Implementation Plan Reserve for Phase 1 to get the City through June 30, 2019. Pending Council approval, adjustments will be effective for the February 28, 2019 pay date. The impact of these pay adjustments will be included in the FY 2020 proposed budget.

The following questions and concerns were raised by Council:

Council Member Perrow asked about the allocated funds and whether the enterprise funds were addressed in the budget. Council Member Perrow asked a question about slide 6 and the reoccurring monies (\$2.2 million ear-marked for salaries). What happens to the remaining monies? Ms. Svrcek stated the monies could potentially go to Pay As You Go Capital or the Health Insurance reserves. Council Member Nelson asked the City Manager whether the figures assume that there will be no increases at all to any staff positions throughout the City. Right now, Ms. Svrcek stated she does not anticipate any new position recommendations. He then asked whether this was a realistic assumption and she agreed it was a realistic assumption given her direction to staff to cut budgets by 5% for FY 2020. Council Member Helgeson asked a question about the packet distributed to Council during the current meeting. He asked why no local districts (Bedford County, Amherst Country, etc.) were included in the survey. Ms. Michaels from Korn Ferry stated this information was posted at the end of the survey report. He also asked how the cost of living was included in the study and how this information was gathered. Ms. Michaels explained the process to Council. Council Member Perrow asked the City Manager to explain more about the department proposals for funding. Ms. Svrcek explained how she gained this information from the Department Directors, who know their departments best. He also asked how does performance factor into the adjustments. Ms. Svrcek stated those workers on performance plans will not be recommended for any adjustments. These adjustments are based on the market. Council Member Dolan asked the City Manager whether these adjustments would bring people up to a living wage? Ms. Svrcek stated all

employees will be making more than the minimum wage. Mayor Tweedy asked Police Chief Zuidema to come forward to explain the process from his point of view. Police Chief Zuidema made the following remarks: This year the Police Department needed to fill 15 positions at the Criminal Justice Academy, but only 8 qualified candidates could be hired. The Manager's recommendation does not fix their compression issue, but it keeps it from getting worse. The other issue was retention and wanting to keep experienced officers and adjustments made to civilian staff. Council Member Wilder mentioned the City is working to get a better salary for our city employees. He also thanked the City Manager for empowering our Department Heads. Council Member Perrow mentioned that monies suggested during the past two years by Ms. Svrcek have set a precedent that made this decision and process less difficult. Ms. Svrcek noted City Council made difficult choices to appropriate such funds in the past. Council Member Wright expressed thanks for all City employees in attendance today. He mentioned this is a small step in the right direction. Council Member Nelson mentioned previous decisions regarding salaries involved sprinkling money. Yet, this new plan will make the City a much better place to live and incentivize employees. This is a very positive step undertaken in a very responsible way.

// Council Member Wright mentioned the tethering ordinance in the City and asked that City staff work to develop some type of Ordinance that is manageable for the Police Department and responsive to citizen concerns.

// Council Member Wilder mentioned the Martin Luther King, Jr. Breakfast with Superintendent Dr. Crystal Edwards as the keynote speaker for the event. He also mentioned that Mayor Tweedy spoke in Campbell County at their Martin Luther King, Jr. event.

// Council Member Nelson echoed citizens concerns regarding tethering. In addition, he mentioned that the creek bank next to Evergreen Drive has become a potential garbage dumpsite and asked if the City can do anything to deter this practice.

// City Manager Bonnie Svrcek mentioned the recruitment process for the Clerk of Council and that the Clerk of Council will retire June 30, 2019. Ms. Svrcek mentioned she had received some feedback from Council regarding the Clerk of Council position. She mentioned to Council that it is a Code requirement that the Clerk of Council reside within the City limits and such residency requirement would be included in the position advertisement.

// Mayor Tweedy mentioned a Resolution supporting the Equal Rights Amendment. She wanted to present a Resolution that can be discussed by Council at a future time.

Mayor Tweedy also mentioned the upcoming Bridges to Progress meeting to be held on Saturday, January 26, 2019 from 2:00 – 5:00 p.m. at the Miller Center. Lastly, the Mayor read the following statement: LSC will be closing its plant June 20, 2019, impacting 369 people. The Commonwealth of Virginia will employ its Rapid Response Team to help local employees impacted by this closure to get back to work through its efforts with the company and employees.

// On motion of Council Member Wilder, seconded by Council Member Wright, Council by the following recorded vote elected to hold a closed meeting for discussion and consideration of the conditions of

employment for the City Manager and the City Attorney, pursuant to Section 2.2-3711(A.)(1) of the Code of Virginia:

Ayes: Dolan, Helgeson, Nelson, Perrow, Wilder, Wright, Tweedy 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 Council Member Nelson, and Council by the following recorded vote adopted the motion:

Ayes: Dolan, Helgeson, Nelson, Perrow, Wilder, Wright, Tweedy 7

Noes: 0

// City Council recessed the meeting at 5:58 p.m.

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

The following Members were present:

Present: Dolan, Helgeson, Nelson, Perrow, Wilder, Wright, Tweedy 7

Absent: 0

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

// Copies of the minutes of the November 13, 2018 meeting, having been previously furnished Council, reading was dispensed with, and on motion of Council Member Wilder, seconded by Council Member Dolan, Council by the following recorded vote approved the minutes as presented:

Ayes: Dolan, Helgeson, Nelson, Perrow, Wilder, Wright, Tweedy 7

Noes: 0

// Copies of the minutes of the November 27, 2018 meeting, having been previously furnished Council, reading was dispensed with, and on motion of Council Member Wilder, seconded by Vice Mayor Dolan, Council by the following recorded vote approved the minutes as presented:

Ayes: Dolan, Helgeson, Nelson, Perrow, Wilder, Wright, Tweedy 7

Noes: 0

// In the matter of Airport, a public hearing was held regarding City Council Report #7 to execute an Air Traffic Control Tower Operations Agreement with the Federal Aviation Administration (FAA) which sets

forth the terms under which the FAA will provide Air Traffic Control (ATC) services at Lynchburg Regional Airport. Airport Director Mark Courtney provided a summary of the request to execute the agreement. This agreement now requires all airports receiving contract ATC services to provide the tower facility at no charge to the FAA. In addition, it also requires the airport to provide all utilities, custodial services, and ATC tower radios/equipment at no cost to the FAA. Since the new requirements specify that the ATC facility, utilities, radios, and equipment be provided by the airport at no cost to the FAA, the airport no longer receives approximately \$37,000 annually in rent. Additional annual expenses include approximately \$11,000 for radio and equipment contract maintenance services (less 80% state grant eligibility). 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 Nelson, Council by the following recorded vote adopted Resolution #R-18-005, as presented, to execute an Air Traffic Control Tower Operations Agreement with the Federal Aviation Administration (FAA) which sets forth the terms under which the FAA will provide Air Traffic Control services at Lynchburg Regional Airport:

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

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Noes:

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Mr. Courtney introduced the new Deputy Airport Director, Andrew Lagala.

// In the matter of the Fire Department, City Council Report #8 was considered to amend the FY 2019 City/Federal/State Aid Fund budget and appropriate \$87,019 with resources from the 2018 State Homeland Security Program (SHSP) grant from U.S. Department of Homeland Security (DHS) to fund equipment and training for the Fire Department's Technical Rescue Team. Fire Chief Wormser provided a summary of the report. Council Member Helgeson, Chair of the Finance Committee (FC) stated that this matter came before the FC, which recommended approval. This motion does not require a second. Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-19-006, as presented, to fund equipment and training for the Fire Department Technical Rescue Team:

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

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Noes:

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// In the matter of the Fire Department, City Council Report #9 was considered to amend the FY 2019 City/Federal/State Aid Fund budget and appropriate \$53,136 with resources of \$26,568 from the Virginia Office of Emergency Medical Services – Rescue Squad Assistance Fund (RSAF) and \$26,568 from the FY 2019 Fire Department's budget to purchase (1) Power Pro stretcher and (1) LifePak 15 for the Fire Department. Fire Chief Wormser provided a summary of the report. Council Member Helgeson, Chair of the Finance Committee (FC) stated that this matter came before the FC, which recommended approval. This motion does not require a second. Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-19-007, as presented, to purchase (1) Power Pro stretcher and (1) LifePak 15 for the Fire Department:

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

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Noes:

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// In the matter of the Greater Lynchburg Transit Company, City Council Report #10 was considered to provide commentary on the Virginia Department of Rail and Public Transportation Transit Funding Formula. Brian Booth, General Manager of the Greater Lynchburg Transit Company provided a summary of the request. On motion of Council Member Perrow, seconded by Council Member Nelson, Council by the following recorded vote adopted Resolution #R-19-008, as presented, to provide commentary on the Virginia Department of Rail and Public Transportation Transit Funding Formula:

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

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Noes:

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// In the matter of Council, City Council Report #11A was considered that the FY 2019 General Fund budget is amended and \$777,109 is appropriated with resources of \$743,271 from the Citywide Salary Study and Implementation Plan Reserve and \$33,838 from additional State revenue to support moving all employees to the minimum of the new pay ranges and address the highest priority market adjustments. Council Member Helgeson mentioned the original packet did not have the \$33,838. He recognizes the impetus behind the Salary Study. He mentioned there have already been seven officer deaths this year, which plays into the difficulty of hiring and retaining officers. Council Member Perrow asked about \$248,026 and \$513,593 (slide 6) equals \$761,619. He wonders how this number differs from the number presented during the presentation. Staff noted that this was the error mentioned earlier. On motion of Council Member Wright, seconded by Vice Mayor Dolan, Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-19-009, as presented, that the FY 2019 General Fund budget is amended and \$777,109 is appropriated with resources of \$743,271 from the Citywide Salary Study and Implementation Plan Reserve and \$33,838 from additional State revenue to support moving all employees to the minimum of the new pay ranges and address the highest priority market adjustments.

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

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Noes:

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// In the matter of Council, City Council Report #11B was considered that the FY 2019 General Fund budget is amended and \$4,976 is appropriated with resources from the Citywide Salary Study and Implementation Plan Reserve to support moving the City Manager closer to the minimum of the new pay range for such position. Council Member Helgeson focused on those at or below the minimum pay range. He does not support this resolution for the following reasons: 1) The City Manager did not make this request; 2) It is not appropriate at this time when we are trying to raise City employees to a minimum pay range. Given local job loss, recruiting, and retention issues, he cannot vote to pass this resolution. Council Member Dolan mentioned in defense of Council's decision this position was identified by the Salary Study as below the minimum and that is why Council chose to include it. Council Member Perrow states he takes a more pragmatic view on this issue. He believes given previous discussions, the amount Council agreed upon is small enough that it does not jeopardize Council's relationship with the manager. Mayor Tweedy thanked Council for their efforts, discussion, and decision-making during this time. She

also thanked all the City staff for their efforts throughout the City. On motion of Vice Mayor Dolan, seconded by Council Member Wilder, Council by the following recorded vote introduced and held over to a later meeting for final action Resolution #R-19-010, as presented, that the FY 2019 General Fund budget is amended and \$4,976 is appropriated with resources from the Citywide Salary Study and Implementation Plan Reserve to support moving the City Manager closer to the minimum of the new pay range for such position.

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

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Noes: Helgeson

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Ms. Svrcek thanked Council for passing the resolution and for their vote of confidence in her. She also expressed gratitude for Council's support of City employees through their action today in implementing Phase I of the Salary Study.

// The meeting was adjourned at 8:18 P.M.

Acting Clerk of Council