// A special Tour of Lynchburg Regional Airport and a briefing on Implementation of the Airport Master Plan was held on the 14th day of January, 2014, at 1:00 P.M. The following Members were present:

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

Noes: 0

Absent: Nelson 1

// Airport Director Mark Courtney provided an update to Council on the airport operations and then provided a tour of the facility, including both the commercial and general aviation operations areas.

// A regular meeting of the Council of the City of Lynchburg was held on the 14th 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, Helgeson, Johnson, Nelson, Perrow, Gillette 7

Absent: 0

// Schools Assistant Superintendent for Operations and Administration Ben Copeland provided a presentation to Council on the value engineering process for Heritage High School and the latest cost estimate. Several Council members stated some concerns with the additional architects cost, the signing of the contract, the retaining wall structure, the actual construction cost per foot, and continue to keep cost down. Mr. Copeland further stated that the request for bids would be sent out on February 5th with the return of the bids by March 12th and the groundbreaking ceremony at Heritage High School is proposed for early April.

// City Planner Tom Martin presented the Comprehensive Plan 2013-2030 as an update to the Comprehensive Plan 2003-2020. Mr. Martin went on to say that the draft Comprehensive Plan 2013-2030 is the culmination of numerous public forums and work sessions with Planning Commission and City Council focusing on our City's future growth and development. The goals and policies of the plan form a long term basis for allocating limited resources, guide decisions that affect land use, community character, economic development, natural systems, service delivery, and mobility and provide an implementation matrix to achieve the City's vision of being "A Great Place to Live, Work and Play." Mr. Martin stated during the December 10, 2013 public hearing the following were topics for discussion:

- Connectivity
- Density
- Residential Uses in Commercial/Industrial Areas
- Protecting Neighborhoods
- Future Land Use Designation at Boonsboro and Coffee Roads
- Food Desert

Mr. Martin further stated that this draft serves as a refinement to the existing Plan. It also establishes and reaffirms important themes that will be valuable as the City works toward rewriting the Zoning Ordinance in 2014.

Following discussion and on motion by Council Member Helgeson, seconded by Council Member Cary, Council by the following recorded vote adopted Resolution #R-14-001, as amended, adopting the City of Lynchburg Comprehensive Plan 2013 – 2030. The amendments include 1) removal of the proposed high density residential land use on Leesville Road; 2) Page 2, 4th Bullet: Removed the words "Leesville and", "Liberty University", "along" and "near Lynchburg College"; and 3) Added the following statement: "During the preparation of the plan, an additional high density area was considered on the eastern side of the 600 Block of Leesville Road. Council removed this area from the adopted plan with anticipation that the land use of the entire corridor would be considered in the future after roadwork is completed on Greenview Drive or as part of a land use study and indicated on the Area and Corridor Plan Status Map":

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

// During roll call Council Member Cary stated he had three items of concern; 1) Received a letter from a citizen regarding garbage tags and decals not being removed which has expired; 2) Spoke with Earl Dickerson of Hurt & Proffitt who stated that Roanoke was using Virginia Department of Transportation (VDOT) Revenue Sharing Program for street upgrades and he wondered if the City has thought about this program for street upgrades. City Manager Kimball Payne replied that we have used the Revenue Sharing Program but you have to match dollar for dollar in this program; and 3) concern with the water runoff on Coffee Road.

// Council Member Foster asked for an update on war memorials on Monument Terrace.

// Council Member Perrow was interested in contributing to the Water Boy project on Monument Terrace and also in the restoration of the Clay Street Reservoir.

// Vice Mayor Johnson reminded Council that the Martin Luther King, Jr. Breakfast would be held on Monday, January 20, 2014 at the Holiday Inn on Main Street.

// Mayor Gillette made the following announcements:

Council Budget Retreat would be held on January 21, 2014 – 2nd Floor Training Room in City Hall from 9:00 a.m. to 1:00 p.m.

There is a problem with the traffic light at Lakeside Drive and Forest Brook Road when you exit from the medical office, and he mentioned his computer glass was not properly in place.

// On motion of Council Member Foster, seconded by Council Member Perrow, Council by the following recorded vote elected to hold a closed meeting to consider appointments to Council-appointed Boards and Commissions, i.e., Planning Commission, Horizon Behavioral Health and Lynchburg Regional Airport Commission; and for consultation with legal counsel and staff members about a specific legal matter, the Lynchburg Life Saving Crew's decision to stop providing emergency services within the City of Lynchburg, pursuant to Section 2.2-3711(A) (1) and (7), respectively, of the 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 Council Member Cary, 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 Vice Mayor Johnson, seconded by Council Member Cary, Council by the following recorded vote appointed Betty H. Brickhouse to serve on the Horizon Behavioral Health Board to fill an unexpired term ending December 31, 2016:

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

On nomination of Vice Mayor Johnson, seconded by Council Member Cary, Council by the following recorded vote appointed Debra Allen to serve on the Lynchburg Regional Airport Commission 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 6:54 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

Vice Mayor Johnson gave the Invocation, followed by the Pledge of Allegiance.

// Copies of the minutes of the December 10, 2013 meeting, having been previously furnished Council, reading was dispensed with, and on motion of Council Member Perrow, seconded by Council Member Nelson, Council by the following recorded vote approved the minutes as presented:

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

// In the matter of Court, Resolution #R-13-132 amending the FY 2014 General Fund budget and appropriating $10,747 with resources from the State Compensation Board, Technology Trust Fund fees to support information technology needs in the Office of the Circuit Court, laid over from the December 10, 2013 meeting, was again presented and read, and on motion of Council Member Perrow, seconded by Council Member Nelson, Council by the following recorded vote adopted the Resolution:

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

Noes: 0

// In the matter of Public Works – Sewer, Resolution #R-13-138 amending the FY 2014 Sewer Capital Projects Fund budget and appropriating $30,000,000 with resources from the Virginia Public Building Authority to accelerate completion of the Combined Sewer Overflow (CSO) Program, laid over from the December 10, 2013 meeting, was again presented and read, and on motion of Council Member Perrow, seconded by Council Member Nelson, Council by the following recorded vote adopted the Resolution:

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

Noes: 0

// In the matter of Schools, Resolution #R-13-139 amending the FY 2014 General Fund budget and appropriating $507,487 for transfer to the School Operating Fund with resources from unexpended FY 2013 School Operating appropriations to fund maintenance and security needs as well as the replacement of students records software, laid over from the December 10, 2013 meeting, was again presented and read, and on motion of Council Member Perrow, seconded by Council Member Nelson, Council by the following recorded vote adopted the Resolution:

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

Noes: 0

// In the matter of Schools, Resolution #R-13-140 amending the FY 2014 Schools Capital Project Fund budget and appropriating $589,731 with resources from the General Fund Heritage High School Committed Fund Balance for architectural services, laid over from the December 10, 2013 meeting, was again presented and read. This item was pulled from the Consent Agenda because it was not a unanimous vote. Council Member Helgeson stated that this is still a burden on the citizens to fund the FY 2014 Schools Capital Project Fund budget and stated he would be voting against this request. On motion of Council Member Foster, seconded by Council Member Nelson, Council by the following recorded vote adopted the Resolution:

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

Noes: Helgeson 1

// In the matter of Police – General, Resolution #R-13-141 amending the FY 2014 City/Federal/State Aid Fund budget and appropriating $34,800 with resources from the 2013 State Homeland Security Program (SHSP) Grant to purchase 15 gas masks, 200 gas mask filters, and 180 helmets for officer safety, laid over from the December 10, 2013 meeting, was again presented and read, and on motion of Council

Member Perrow, seconded by Council Member Nelson, Council by the following recorded vote adopted the Resolution:

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

Noes: 0

// In the matter of Water Resources – General, Resolution #R-13-142 amending the FY 2014 Stormwater Capital Projects Fund budget and appropriating $600,000 with resources from the FY 2014 Stormwater Operating Fund budget to provide necessary funding for initial master planning efforts to comply with Federal and State mandates and provide matching resources for grant funds available from the Virginia Stormwater Local Assistance Fund, laid over from the December 10, 2013 meeting, was again presented and read, and on motion of Council Member Perrow, seconded by Council Member Nelson, 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 – CDBG, a public hearing was held regarding City Council Report #11 regarding receiving citizen comments regarding the goals for the development of the 2014-2015 Annual Action Plan and adopt a Resolution approving the goals. Grants Manager Melva Walker gave a summary of the goals for the development of the 2014-2015 Annual Action Plan. 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 Resolution #R-14-002, as presented, approving the goals for the development of the 2014-2015 Annual Action Plan:

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

Noes: 0

// In the matter of Community Development - Zoning, a public hearing was held regarding City Council Report #12 outlining the petition of Marsh Memorial United Methodist Church for a Conditional Use Permit (CUP) in an R-1, Low Density, Single-Family Residential District to allow the operation of a daycare center for up to sixty (60) children and to allow the installation of a digital sign at 804 Leesville Road. City Planner Tom Martin gave a summary of the request and stated that the Planning Commission recommended approval of the CUP. Marsh Memorial United Methodist Church representative Ms. Shelly Burleight asked Council for approval of the CUP. There was no one else present who wished to speak to this item, and the public hearing was closed. On motion of Vice Mayor Johnson, seconded by Council Member Helgeson, Council by the following recorded vote adopted Resolution #R-14-003, as presented, granting the Conditional Use Permit:

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

Noes: 0

// In the matter of Community Development - Zoning, a public hearing was held regarding City Council Report #13 outlining the petition of AT&T Mobility for a Conditional Use Permit (CUP) in an R-1, Low

Density, Single-Family Residential District to allow the construction of a one hundred forty-five (145) foot telecommunications tower and associated equipment at 1721 Langhorne Road. City Planner II Kevin Henry gave a presentation regarding the CUP. Mr. Henry stated that the Planning Commission recommended denial of the CUP.

Council Member Perrow made the following statement “I own stock in AT&T. As someone who owns shares of AT&T stock, I am a member of a group of individuals and businesses that have an interest in AT&T. Even though I own shares of AT&T stock, I am able to participate in this matter fairly, objectively and in the public interest. Therefore, I will participate in the City Council’s consideration of AT&T’s petition for a Conditional Use Permit (CUP) to allow the construction of a communications tower at 1721 Langhorne Road.”

Mr. Max Wiegard of the law firm Gentry, Locke, Rakes and Moore, represented the petitioner and asked Council to approve the CUP. One individual spoke in favor of the CUP. Six individuals spoke in opposition of the CUP with several concerns, i.e., property value would go down, health problems, save the neighborhood, poor coverage, height of the tower, and find other commercial property in the area for the tower. There was no one else present who wished to speak to this item, and the public hearing was closed. Following Council discussion of the CUP several concerns were raised: were the neighbors contacted regarding this CUP, what would be the height of the tower, gap in service in that area, and were there other commercial properties in the area that could be considered for the tower. A motion was made by Council Member Perrow, seconded by Vice Mayor Johnson to postpone this item until such time some of the concerns could be addressed. Council by the following recorded vote agreed to postpone this item indefinitely:

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 #14 regarding adopting the Wards Ferry Road Corridor Study as part of the City of Lynchburg Comprehensive Plan 2002-2020. Planner Anne Nygaard introduced Mr. Bill Cashman with URS Corporation who gave a presentation on the Wards Ferry Road Corridor Study. During the presentation, Mr. Cashman explained the corridor issues, proposed improvements, project phasing, and project funding. 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-14-004, as presented, adopting the Wards Ferry Road Corridor Study as part of the City of Lynchburg Comprehensive Plan 2002-2020:

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

// In the matter of City Council, City Council Report #15 was considered. Council Member Cary, Chair of the Finance Committee (FC) stated that 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-14-005, as presented, amending the FY 2014 City

Capital Fund budget and appropriating $44,241 to fund equipment replacement and maintenance needs at the City Baseball Stadium:

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

Noes: 0

// In the matter of Parks and Recreation – General, City Council Report #16 was considered. Council Member Cary, Chair of the Finance Committee (FC) stated that 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-14-005, as presented, 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:

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

Noes: 0

// The meeting was adjourned at 10:16 P.M.

Clerk of Council