

Agenda Item #2

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January 13, 2015

// A regular meeting of the Council of the City of Lynchburg was held on the 13th day of January, 2015, at 7:30 P.M. in the Council Chamber, City Hall, Michael Gillette, President, presiding. Vice Mayor Johnson gave the Invocation, followed by the Pledge of Allegiance led by Boy Scout Troops 118 and 128. The following Members were present:

Present: Foster, Helgeson, Johnson, Nelson, Perrow, Tweedy, Gillette

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Absent:

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// Mayor Gillette read a certificate presenting the Government Finance Officers Association Distinguished Budget Presentation Award to the City of Lynchburg, Virginia.

// Mayor Gillette recognized City Manager Kimball Payne for receiving the John D. Owen Memorial Award from the Lynchburg Historical Foundation (LHF). This award is for an individual who is dedicated to promoting Lynchburg's history and architecture and is a dedicated supporter of the LHF and the Lynchburg community.

// Mayor Gillette recognized two Mayor's Youth Council Members, Krista Hartmann, a senior at E.C. Glass and President of the Mayor's Youth Council and Kyler Thomas, a senior at Liberty Christian Academy and Vice President of the Mayor's Youth Council.

// Mayor Gillette made the following announcements:

- Miller Center Grand Opening at 301 Grove Street (Open House) will be on Saturday, January 24, 2015 at 10:00 a.m. – 3:00 p.m. (formal dedication at 10:00 a.m.) – Opening Concert from 6:00 p.m. to 10:00 p.m. – Tickets are \$15.00.
- Dr. Martin Luther King, Jr. 17th Annual Birthday Breakfast will be on January 19, 2015 - 8:00 AM – 10:00 AM – Tickets are \$30 – Keynote Speaker: Astronaut Leland Melvin – at the Holiday Inn Downtown.
- Finance Committee Meeting for January 27, 2015 has been cancelled.
- Council Budget Planning Session has been set for February 10, 2015.

// In the matter of Schools – General/Budget, Resolution #R-14-139 to amend the FY 2015 General Fund budget and appropriate \$100,000 with resources from the Heritage High School Furniture, Fixtures and Equipment (FFE) Committed Fund Balance Reserve for transfer to the FY 2015 Schools Capital Project Fund to purchase equipment for the Heritage High School athletic fields, laid over from the December 9, 2014 meeting, was again presented and read, and on motion of Council Member Foster, seconded by Vice Mayor Johnson, Council by the following recorded vote adopted the Resolution:

Ayes: Foster, Helgeson, Johnson, Nelson, Perrow, Tweedy, Gillette

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Noes:

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// In the matter of Schools – General/Budget, Resolution #R-14-140 to amend the FY 2015 General Fund budget and appropriate \$2,648,287 with resources from unexpended FY 2014 Schools Operating Fund appropriations for transfer to the FY 2015 Schools Operating Fund (\$130,000) and to the FY 2015 Schools Capital Fund (\$2,518,287) to fund needs as approved by the School Board, laid over from the December 9, 2014 meeting, was again presented and read, and on motion of Council Member Foster,

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seconded by Vice Mayor Johnson, Council by the following recorded vote adopted the Resolution:

Ayes: Foster, Helgeson, Johnson, Nelson, Perrow, Tweedy, Gillette

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Noes:

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// City Manager Kimball Payne introduced Jim Richards and Ed Craighill, representatives from the Lynchburg Regional Transportation Advisory Group (LRTAG). The LRTAG, which consists of local business representatives, under the direction of the Lynchburg Regional Chamber of Commerce and in coordination with Region 2000 and the City of Lynchburg, has discussed and advocated for significant transportation projects in this region. LRTAG representatives have met with the Secretary of Transportation and senior Virginia Department of Transportation (VDOT) staff and have spoken at public hearings. The goal of LRTAG has been to put forth a clear, consistent and coordinated message about the need for this region to get its fair share of transportation funding to improve safety, enhance transportation efficiency, and support economic development.

// In the matter of Public Works – General, a public hearing was held regarding City Council Report #4 on granting Appalachian Power Company an easement on city-owned property at 3020 Wards Ferry Road for the new Heritage High School. City Manager Kimball Payne gave an overview of the request. 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 item came before PDC and made a motion to approve the request. The motion did not require a second. Council by the following recorded vote adopted Resolution #R-15-001, as presented, granting Appalachian Power Company an easement on city-owned property at 3020 Wards Ferry Road for the new Heritage High School:

Ayes: Foster, Helgeson, Johnson, Nelson, Perrow, Tweedy, Gillette

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Noes:

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// In the matter of Public Works – General, a public hearing was held regarding City Council Report #5 on granting Columbia Gas of Virginia, Inc. an easement on city-owned property at 3020 Wards Ferry Road for the new Heritage High School. City Manager Kimball Payne gave an overview of the request. 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 item came before PDC and made a motion to approve the request. The motion did not require a second. Council by the following recorded vote adopted Resolution #R-15-002, as presented, granting Columbia Gas of Virginia, Inc. an easement on city-owned property at 3020 Wards Ferry Road for the new Heritage High School:

Ayes: Foster, Helgeson, Johnson, Nelson, Perrow, Tweedy, Gillette

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Noes:

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// In the matter of Housing Authority – General, a public hearing was held regarding City Council Report #6 authorizing the City Manager to sign a deed and any other documents that may be necessary to convey the lot at 915 2nd Street in Tinbridge Hill to the Lynchburg Redevelopment and Housing Authority (LRHA). City Attorney Walter Erwin gave an overview of the request to convey the lot at 915 2nd Street in Tinbridge

Hill to the Lynchburg Redevelopment and Housing Authority. 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 Nelson, Council by the following recorded vote adopted Resolution #R-15-003, as presented, authorizing the City Manager to sign a deed and any other documents that may be necessary to convey the lot at 915 2nd Street in Tinbridge Hill to the Lynchburg Redevelopment and Housing Authority:

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

Noes: 0

// In the matter of Community Development – Rezoning Amendments, City Council Report #7 was considered. City Planner Tom Martin gave a summary of the request to amend existing rezoning to increase parking and seating at Acorn Hill located at 2134 Old Forest Road. During Council discussion, several Council Members had concerns with the new site plan. The additional parking spaces would be located in the front of the building; this is a neighborhood and was designed for a small bed and breakfast not a hotel or restaurant; this is a great business but has grown too large for the neighborhood; and the lighting and parking pattern is still a great concern. Several other Council Members would not vote to deny the request because the petitioner has brought the site plan in compliance. The additional parking spaces have been approved and the proffers have been amended. Council Member Helgeson made a motion, seconded by Council Member Perrow to deny the request to amend previously approved proffers and the motion failed:

Ayes: Helgeson, Perrow, Gillette 3

Noes: Foster, Johnson, Nelson, Tweedy 4

After the above motion failed, Vice Mayor Johnson made a motion seconded by Council Member Nelson, to approve the request to amend previously approved proffers. Council by the following recorded vote adopted Ordinance #O-15-004, as presented, changing a certain area located at 2134 Old Forest Road from B-3C, Community Business District (Conditional) to B-3C, Community Business District (Conditional) to amend previously approved proffers:

Ayers: Foster, Johnson, Nelson, Tweedy 4

Noes: Helgeson, Perrow, Gillette 3

// In the matter of Public Works – General, City Council Report #8 was considered. Council Member Perrow, Chair of the Physical Development Committee (PDC) stated that this item came before PDC and made a motion to approve the request. The motion did not require a second. Council by the following recorded vote adopted Ordinance #O-15-005, as presented, authorizing the City Manager to execute Change Order No. 5, with AECOM in the amount of \$1,472,233.00, for Phase II Construction Administration, Quality Assurance/Quality Control Inspection and Project Controls Services for the Midtown Connector Project:

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

Noes: 0

// On motion of Council Member Foster seconded by Vice Mayor Johnson, 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, and Sister City Liaison; pursuant to Section 2.2-3711(A)(1), Code of Virginia (1950), as amended:

Ayes: Foster, Helgeson, Johnson, Nelson, Perrow, Tweedy, Gillette

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Noes:

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

// Council Member Nelson 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:

Ayers: Foster, Helgeson, Johnson, Nelson, Perrow, Tweedy, Gillette

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Noes:

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// In the matter of Appointments, and on nomination of Vice Mayor Johnson, seconded by Council Member Nelson, Council by the following recorded vote appointed Steven B. Wood, to serve as Liaison on the Lynchburg Sister City Plus organization for a term to expire December 31, 2017:

Ayes: Foster, Helgeson, Johnson, Nelson, Perrow, Tweedy, Gillette

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Noes:

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// The meeting was adjourned at 9:22 P.M.

Clerk of Council