

March 22, 2022

// A joint meeting of the Council and the School Board of the City of Lynchburg was held on the 22nd day of March, 2022, at 4:00 P.M. at the Lynchburg Regional Business Alliance, MaryJane Dolan, President, presiding. The following Members of Council were present:

Present: MaryJane Dolan, Beau Wright, Jeff Helgeson, J. Randy Nelson, Treney Tweedy, Sterling A. Wilder, Chris Faraldi 7

Absent: 0

The following Members of the School Board were present:

Present: James E. Coleman, Sharon Y. Carter, Robert O. Brennan, Susan D. Morrison, Randy T. Trost, Gary E. Harvey, Kimberly A. Sinha, Atul Gupta, Michael J. Nilles 9

Absent: 0

// In the matter of Introductions, Agenda Item #1, Mayor Dolan gave opening remarks and welcomed City staff and School Board Members. Lynchburg City Manager, Mr. Wynter C. Benda, gave an introduction and asked Ms. Donna Witt, Chief Financial Officer, to provide an overview on the increases from the 2021 budget to the 2022 budget.

Ms. Witt provided a brief summary of the proposed budgets. The City's full budget is \$595,000,000 and within this amount is the Lynchburg City School's full budget. The increase of 37% from the 2021 budget includes the City capital of \$79,000,000 which includes the City's and the Schools buildings and/or assets. \$32,000,000 of this is a part of the City's ARPA funds that has supported the capital fund. \$55,000,000 of the City capital is from the City's Water Resources capital funds. Of this, \$25,000,000 is ARPA funds and another \$25,000,000 is the Virginia Clean Water Revolving Loan Fund. \$8,000,000 is in the general fund and goes towards the City's public safety. \$28,000,000 is a part of the Lynchburg City Schools component union. Ms. Witt concluded by clarifying to Councilmembers and School Board Members that a part of this 37% increase is going towards Lynchburg City Schools budget.

// In matter of Budget, Agenda Item #2, Dr. James E. Coleman, Chair of the Lynchburg City School Board, made opening remarks and summarized the importance of the resources for Lynchburg City Schools in the comprehensive development of the children of Lynchburg City. Dr. Coleman introduced Dr. Crystal Edwards, Superintendent of Schools.

Dr. Edwards summarized the schools and programs that Lynchburg City Schools offer. She provided statistics on demographics of Lynchburg City Schools as well as the demographics of the City of Lynchburg. Dr. Edwards noted the declining enrollment of Lynchburg City Schools, particularly in students entering Kindergarten. There are studies that have been done as well as studies that are currently underway in trends in declining enrollment. The proposed operating budget requests for Early Childhood Education include funds for additional PreK-3 and 4 teachers, assistants, training, materials, and resources to continue to support trauma-informed practices for early education.

The budget requests for Elementary School include an Elementary Library Assistant, Testing Coordinators, Gifted Education Teacher, English Language Learner Assistant, training, materials, and resources to continue to support balance literacy.

The budget requests for Middle School include funding for a Middle School Math Interventionist, Middle School Reading Specialist, and a School Counselor.

The budget requests for High School include funding for 6 additional seats for the Government School, 20 seats for the CVCC Regional CTE Academy, 10 seats for the University of Lynchburg DE Education, an ISAEP teacher to support the GED program, funding for School Counselors to work additional months of the year as well as funding for the Special Education Chair to work additional months of the year.

The budget requests for all schools and community include Partners in Education Liaison, a Special Education Supervisor, a Restorative Justice/Practices Coordinator, a Network Engineer, a Grants Specialist, and a Social Worker.

The budget requests for faculty and staff include continued tuition assistance, background checks paid by Lynchburg City Schools, recertification fees paid for by Lynchburg City Schools, increased bereavement days from 3 days to 5 days, increased sick day pay out at retirement from 90 days to 110 days, and an increase in pay for substitute teachers, nurses, bus drivers, assistants, secretaries, and custodians.

Dr. Edwards noted that despite level funding and cut funding in past years budgets, the bus driver pay has increased each year, showing as far back as 2018.

Information was given on the average starting salary for a 10-month teacher on Step 5 in the City of Lynchburg as opposed to surrounding counties. This showed the City of Lynchburg being lower than surrounding counties. Average salary information was also given from the state of Virginia and the United States.

Councilmember Nelson asked City Manager, Mr. Wynter C. Benda, what the impacts would be on the City's proposed budget with the addition of the Lynchburg City Schools proposed budget. Mr. Benda stated that the General Wage Increase of 3% to all City employees could not happen, there would be no funds to tackle compression issues within the organization, and staff would be unable to accomplish the recruitment and retention plan in the Fire Department. Councilmember Nelson asked what the sources of revenue would be to fund these items; Mr. Benda replied they would come from the General Fund. Councilmember Nelson asked if there are resource available to fund these items without using the General Fund; Mr. Benda replied that there are none. Councilmember Nelson asked what the average fund balance that has accrued within the LCS budget in the last 4 years. Mr. Benda replied approximately \$3,000,000 on average.

Councilmember Helgeson asked if staff had looked at less SOQs to fund raises. Dr. Edwards replied that this was looked at previously with bus drivers but it is not sustainable for all positions because the staff members are overworked. Councilmember Helgeson asked Mr. Benda if he had looked at increased state funding when formulating the budget. Mr. Benda replied there are only so many ways to divide those funds, with emphasis on public safety, infrastructure, economic development.

Councilmember Tweedy asked how much it costs to operate a smaller neighborhood elementary school. Dr. Edwards replied there is a base cost and she will get an exact number.

Councilmember Wilder asked what part COVID has played in the formulation of this budget, specifically how has the poverty rate factored into the challenge of educating students. Dr. Edwards replied that due to COVID there has been a lot of learning loss, specifically in math. Student trauma and quarantine has also impacted students and staff.

Councilmember Faraldi asked what assurance Councilmembers can have that their concerns will be addressed by the School Board. School Board Member Dr. Coleman replied that they will respond to any emails promptly and with as much information as possible. Councilmember Faraldi noted the lack of

engagement from the School Board in regards to email. School Board Member Dr. Coleman noted himself and another member of the School Board have met with Councilmember Faraldi to respond to questions.

Mayor Dolan noted that the City Manager did put a callout to get questions asked and answered prior to this meeting.

Vice Mayor Wright asked for clarification that if the City does not provide \$966,000 then \$1.6 million in SOQ funding will not be allocated to Lynchburg City Schools; Dr. Edwards replied this is correct. // In the matter of the Facility Studies, Agenda Item #3, Dr. Crystal Edwards, Superintendent of Schools, and Mr. Blair Smith of Dominion 7 Architects, gave a presentation of the LCS Facility Needs Study. Mr. Blair Smith stated this study looked at seventeen Lynchburg City Schools. Generally speaking, there are too many schools based on demographics. He stated that enrollment is declining and a challenge is the location of the schools in relation to the population. Another problem is there is not enough money or manpower to take care of the buildings and properties of LCS. Lynchburg City Schools owns 331 acres of land with 41 acres of school buildings.

Mr. Smith reviewed the demographics which showed enrollment has been declining since the mid-1960s with the last annexation in 1976. At this time there were 12,000 students. COVID has had an impact on the demographics of all school systems. Mr. Smith showed comparisons of decreasing enrollment to surrounding counties. On average, LCS elementary schools at 75% full. The schools that are most full are the schools in the western part of the city. The least full schools are special functioning schools. LCS must maintain a racial makeup in their schools thus, students from other parts of the city are being sent to further out schools.

Mr. Smith reviewed the facility condition assessment. The average age of LCS schools is 63 years old. Several schools do not have hot water in their classrooms. There must be an emphasis on ventilation in the schools. There are old HVAC systems that are present difficulties in maintenance. Looking at consolidation the logical outcome would be to close a school and expand an existing school. - The Department of Education states that if renovating your school will cost 50% of what it would take to build a new school, the school system should build a new school.

Mr. Smith reviewed the educational programming. Only four elementary schools have the minimum capacity that the Department of Education guidelines have. Bigger classrooms are a need so that classrooms can be flexible. LCS must take note of the scale of classrooms and the students that are utilizing those classrooms. LCS also needs outside areas such as gyms as well as extended learning areas.

Mr. Smith stated that since the year 1871, forty-seven schools have been built, sixteen have been demolished, eleven have had minor additions, four older schools have never had a major renovation, four schools serve as apartments, one school is part of the federal courthouse, one school is a privately-owned business, and two schools are owned by the City and leased. He offered the following potential options:

- Option 1: Focus on operational efficiency. This will entail building new larger elementary schools or renovating and adding onto some schools.
- Option 2: Middle ground: Build at least one additional school
- Option 3: Focus on existing facilities. Renovate or add additions to multiple schools but not build any new schools.

Councilmember Wilder asked if there are less students but too many schools, are there several spaces available in the classrooms. Mr. Smith replied that the issue is that the capacity of a classroom could be twenty-three but only have eighteen students the capacity of schools is considered by core classrooms rather than special education classrooms. Councilmember Wilder asked if they have considered special education or in school suspension classrooms. Mr. Smith replied that redesigning a school will need to have space for special needs classrooms. Dr. Edwards stated that class size reduction funding is accepted but some classrooms but have to be at a certain number to keep these funds. If this is deviated then it will trade the funding in.

School Board Member Dr. Gupta stated he hopes that they will not leave the socially and economically deprived schools behind. Mr. Smith replied they have looked at which schools fall into which Wards/Districts and there is much overlap.

School Board Member Nilles asked what the constraints are in redistricting with federal regulations in regards to the desegregation court order. Mr. Smith stated they have not looked at this yet.

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He noted there are a variety of aspects that must be considered when deciding how to move forward with the information presented. The desegregation court order being one of those.

Councilmember Tweedy stated that they have enough information at this point to shoulder the burden of making these decisions, with the input of the community.

School Board Member Trost asked if they can utilize the GIS and create a perimeter system, such as government mandates, within that system to determine where is most efficient for students to attend school based on those regulations. Mr. Smith replied that every student has a number that shows their race, gender, age, school district, and school of attendance. He stated the demographer can help with these recommendations. School Board Member Trost replied that the next step would be to superimpose the demographics and include any federal mandates upon what was given in the study. Mr. Smith stated he was not sure if they are meeting federal mandate standards currently.

Councilmember Helgeson stated that more school aged children have been homeschooled, gone to private school, or to a county school and the demographics need to reflect this. Mr. Smith stated that Crawford GIS uses a separate set of matrices to formulate their projections than does Weldon Cooper. This allows for a second opinion/viewpoint. Councilmember Helgeson stated that they must look at what the demographics are of students using the public-school vs paying for private school.

School Board Member Harvey stated he wants reassurance that the citizens from each district will be involved. He asked how they would be getting feedback from the community. Dr. Edwards stated that several community conversations will be had to discuss topics like consolidation, zoning, closures, etc.

School Board Member Dr. Carter stated all the schools highlighted to potentially close are in Ward 2. She further stated that they must look at the cost and needs of the schools.

Councilmember Helgeson asked which capacity figures were used in this study. Mr. Smith replied the industry standard.

// In matter of the Future of Education Task Force PreK-12 and Beyond (Task Force), Agenda Item #4, Dr. James E. Coleman, School Board Chair, provided Council with an overview of the action the school board has taken regarding the Task Force. On March 15, 2022 a motion was made to relieve the Task

Force on the Future of Education of their duties expressed in their charter, but the motion failed 4-4 with one abstention.

School Board Member Trost stated there is a need for the Task Force. He noted that there are available individuals to develop strategic plans for the school system and based on what was presented in the Dominion 7 study, the Task Force would be of great value at this time.

Councilmember Faraldi stated that if any members are voting to disband the Task Force, then they should no longer serve on the Task Force.

Councilmember Nelson stated the Task Force is comprised of more than three dozen members who possess expertise and qualifications in the topics identified in the Task Force charter. The group is modeled after the Heritage High School Task Force, which produced a high-quality product. He reiterated his support of the Task Force.

Dr. Coleman replied that the School Board and City Council can do their part, with full community input. He spoke of the favorable outcomes that can come from the two working together.

Councilmember Helgeson spoke in favor of the Task Force, commenting on the assistance that they can provide and the asset that it has been to LCS.

// The meeting was recessed at 5:51 p.m.

// City Council reconvened the meeting at 7:00 p.m. in the Council Chamber, City Hall, MaryJane Dolan, President, presiding. The following members were present:

Present: MaryJane Dolan, Beau Wright, Jeff S. Helgeson, J. Randy Nelson, Treney Tweedy,
Sterling A. Wilder, Chris Faraldi 7

Absent: 0

// In the matter of the Proposed FY 2023 Operating Budget and FY 2023 – 2027 Capital Improvement Program, a public hearing was held for the benefit of receiving citizen input.

City Manager Mr. Wynter C. Benda provided an overview of the development of the proposed budgets. Citizens were recognized in the order in which they signed up to speak; afterward, the floor was opened for any additional persons who wished to speak who did not sign up.

Mr. Richard Loving, representative of the Lynchburg Police Foundation, stated that effective law enforcement is contingent on support from citizens and businesses. Quality staffing and salaries support

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recruitment and retention of personnel. He noted his support for the Lynchburg Police Department paid progression plan which he stated will help attract new officers and also retain quality personnel.

Mr. Karl Loos, representative of Lynchburg Education Association, spoke in favor the Lynchburg City Schools proposed budget increases. He stated that Lynchburg City Schools staff must feel supported by the community around them as well as receive adequate compensation or they will move to other divisions.

Ms. Kim Gregory, representative of Bridges to Progress Early Childcare and Education Committee, spoke in favor of continued support of Lynchburg City Schools Early Childhood budget and of the expansion of programming. She stated children must be prepared for school and gave statistics of child readiness for school and access to public preschool.

Mr. Jeffery Wooters, a senior at E.C. Glass High School, stated his gratefulness to Lynchburg City School's staff. He shared the stories of several teachers that have been impactful within LCS. He spoke in favor of increasing the LCS budget as suggested by the School Board.

Mr. Patrick Frankfort, a math teacher at E.C. Glass High School, spoke of the staffing shortage within LCS. He spoke in favor of fully funding the LCS budget to send a message that staff is supported by the City and to potential employees that they will be supported and taken care of.

Mr. Jacob Heidorn, a PE teacher at Heritage Elementary School, voiced the need for a gymnasium and better facilities for the school. He spoke in favor of the LCS proposed budget.

Mr. Andrew Glover spoke in opposition to the budget due to the increase in citizen taxes. He outlined the various ways in which he saw tax increases within the proposed budget.

Ms. Leilani Sanchez, Secretary III at an LCS elementary school, stated her support of the LCS budget increase and expressed her concern for the staff who are underpaid for their services.

Ms. Claire Klein, an English teacher at Linkhorne Middle School, stated that the LCS salary is not a competitive salary and noted the various other districts that have higher pay and more days off than that of LCS. She encouraged Council to value LCS staff to ensure staff retention.

Mr. Phil Stump, representative of Virginia Organizing, spoke in support of the LCS proposed budget. He stated that many teachers have to pay for their own teaching supplies and noted that this is not a sustainable practice. He outlined the consequences of the lack of implementation of the proposed

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raise. He asked Council to fund the schools full budget request and increase it by an additional two million dollars to increase LCS staff salaries by 10%. He asked Council to fund the Restorative Practices Coordinator.

Mr. Keith Thompson, representative of Lynchburg Little League, noted his support of the Parks and Recreation improvements in the budget such as the safety and security in the municipal parks within the City.

Ms. Kimberly Dyke-Harsley noted her support of the pre-K teachers in the community. She referenced the City's charter stating that the Council has a duty to support and aid the schools. She stated her support of increased pay for teachers and substitute teachers and asked Council to fund a Restorative Practices Coordinator position.

Mr. Jamie Maxwell, representative of the Lynchburg Firefighters Association, stated that in 2020, the fire department worked 19,276 hours of overtime. In 2021, the fire department worked 33,000 hours of overtime. He highlighted the lack of staffing within the department.

Mr. Wendall Walker stated that utilities will be a large part of the increase in the budget. The proposed budget must impose options for tax relief for citizens. He stated citizens are looking to move out of the City. He noted the state is working towards better pay for emergency services and teachers and that the only solution will be the state and city working together.

Ms. Verna Lamb, representative of Friends of Lynchburg Public Library, stated her support of the assistant library manager position in the proposed budget. She noted that the support of the new branch library should be considered but not at the expense of the downtown library.

Ms. Karissa Riley spoke in support of the City's libraries and asked that Council would not forget those who have access to and utilize its services.

// The meeting was recessed at 8:03 p.m.

// City Council reconvened the meeting at 8:10 p.m. The following members were present:

Present: MaryJane Dolan, Beau Wright, Jeff S. Helgeson, J. Randy Nelson, Treney Tweedy,

Sterling A. Wilder, Chris Faraldi 7

Absent: 0

Councilmember Wilder gave the Invocation, followed by the Pledge of Allegiance.

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// In the matter of Recognitions, Mayor Dolan recognized two members of the Mayor's Youth Council who were in attendance; Miss Timi Oluwaji, Junior at E.C. Glass High School, and Miss Wendi Oluwaji, Freshman at E.C. Glass High School.

Mayor Dolan also proclaimed the month of March as Social Work Month. Mr. Preston Sellers, Director of Human Services, was in attendance to accept the proclamation.

// In the matter of Community Development, Agenda Item #1, a public hearing was held for the consideration of adopting Resolution #R-22-022 approving the allocation of FY 2023 Community Development Block Grant (CDBG) and HOME Program funds and incorporating into the Program Year 2022 Annual Action Plan. The Community Development Advisory Committee (CDAC) met on February 23, 2022 and reviewed the applications that were submitted and the following lists of projects have been recommended for funding by the CDAC:

CDBG PROJECTS RECOMMENDED FOR FUNDING BY CDAC*:

PROJECT	CDAC RECOMMENDATION
City Administration	\$137,090.00
Jefferson Park Revitalization Improvements	\$240,000.00
Tinbridge Hill Neighborhood Pedestrian Improvements-Phase 2	\$125,000.00
Diamond Hill Neighborhood Plan and Improvement Project	\$87,602.40
Lynchburg Redevelopment & Housing Authority (LRHA) – Enhance & Preserve (LEAP) Rehabilitation	\$100,000.00
LRHA – Rental Rehabilitation Program	\$30,000.00
Miriam's House/CVCoC Coordinated Homeless Intake and Access (CHIA)	\$65,000.00
Boy Scouts of America – blue Ridge Mountain Council-Scoutreach	\$15,440.00
Total – CDBG	\$800,132.40

*NOTE: DUE TO THE FACT THAT HUD HAD NOT PROVIDED THE FINAL ENTITLEMENT ALLOCATIONS FOR THE ANNUAL ACTION PLAN FOR FEDERAL FISCAL YEAR (FY) 2022; IT WAS THE RECOMMENDATION OF CDAC THAT ANY INCREASE IN THE ACTUAL FEDERAL FY 2022 CDBG ENTITLEMENT AMOUNT WOULD BE APPLIED TO THE DIAMOND HILL NEIGHBORHOOD PLAN AND IMPROVEMENT PROJECT; AND ANY DECREASE IN THE ACTUAL FEDERAL FY 2022 CDBG ENTITLEMENT AMOUNT WOULD BE APPLIED TO THE DIAMOND HILL NEIGHBORHOOD PLAN AND IMPROVEMENT PROJECT.

HOME PROJECTS RECOMMENDED FOR FUNDING BY CDAC**:

PROJECT	CDAC RECOMMENDATION
City Administration	\$33,000.00
Rush Lifetime Homes - Florida Terrace Rental Housing (CHDO)	\$200,000.00
Habitat for Humanity - Knott Street Development	\$152,865.00
LRHA- HOME for Good	\$ 86,840.21
Total – HOME	\$472,705.21

****NOTE: DUE TO THE FACT THAT HUD HAD NOT PROVIDED THE FINAL ENTITLEMENT ALLOCATIONS FOR THE ANNUAL ACTION PLAN FOR FEDERAL FISCAL YEAR (FY) 2022; IT WAS THE RECOMMENDATION OF CDAC THAT ANY INCREASE IN THE ACTUAL FEDERAL FY 2022 HOME ENTITLEMENT AMOUNT WOULD BE APPLIED TO THE LRHA HOME FOR GOOD PROJECT; AND ANY DECREASE IN THE ACTUAL FEDERAL FY 2022 HOME ENTITLEMENT AMOUNT WOULD BE DIVIDED EQUALLY TO THE FLORIDA TERRACE RENTAL HOUSING AND KNOTT STREET DEVELOPMENT PROJECTS.**

There was no one to speak in favor or opposition, either by phone, email, or in-person, so the public hearing was closed and the matter rested with Council.

As Chair of the CDAC, Vice-Mayor Wright made a motion to approve the resolution, seconded by Councilmember Wilder, Vice-Chair of the CDAC.

As former Chair of the CDAC, Councilmember Nelson thanked Ms. Melva Walker, Grants Manager, for her efforts with this item. He also thanked both the members who serve on the CDAC and the community groups who submit applications for funding for their creative and collaborative efforts to ensure all funds are distributed appropriately.

With no other discussion from Council, the following vote was recorded:

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

Noes: 0

// In matter of the Airport, Agenda Item #2(A), Council received a briefing on a franchise agreement.

Freedom Aviation would like to construct a 19,000 square foot aircraft storage hanger and consolidate both existing leases. Mr. Andrew LaGala, Airport Director and the responsible party for negotiating and administering airport leases, provided Council with a summary of the request. Freedom Aviation has been operating as a fixed base operator (FBO) and tenant at Lynchburg Regional Airport (LYH) since acquiring Falwell Aviation in 2011. In 2014, Freedom Aviation purchased the airport's other FBO, Virginia Aviation, and was subsequently awarded a separate lease by City Council effective October 1, 2015. Since that time, Freedom Aviation has operated under two separate agreements: the original 20-year, six-

month Falwell Aviation franchise agreement with an expiration of December 2027 and a revised Virginia Aviation lease set to expire in June 2023. Consequently, in order to consolidate its operations and to accommodate growing demand for its aviation services, Freedom Aviation desires to expand its aeronautical facilities through the construction of a new 19,600 square-foot aircraft hangar at LYH, while combining its current facilities contained in its two existing agreements under one franchise ordinance. This Franchise consists of two terms; Term One is 20-year, six months for certain facilities (shown in the presentation) and Term Two is for 5 years with a 5-year option for the remaining facilities. Based on the terms proposed under the franchise, Virginia law requires advertising for bids and a public hearing before voting on whether to adopt the franchise and grant proposed. The Lynchburg Regional Airport Commission has been briefed throughout the negotiation process and has expressed its support; a formal recommendation to City Council regarding the proposed franchise ordinance is scheduled for its next meeting on April 18, 2022. This will appear before Council for action at its April 26, 2022 meeting.

Councilmember Faraldi asked if both parties were agreeable to the arrangement; Mr. LaGala replied yes, and mentioned that representatives from Freedom Aviation were in attendance in show of support.

Councilmember Helgeson commended Freedom Aviation and Liberty's Aviation School for having so much activity which has caused growth to the Lynchburg airport.

//In matter of Finance, Agenda Item #2(B), Council was briefed on a request for a release of surplus funds. Ms. Donna Witt, Chief Financial Officer, gave an overview of this request. The City received a letter from Robert E. Evans, Esq., dated February 1, 2022 requesting, on behalf of his client, Robert L. Crews, Sr., the release of surplus funds received by the City from the delinquent tax sale of his property at 1119 Wise Street in the City. Mr. Crews was the former owner of that property prior to the sale confirmed May 20, 2019. The property sold for \$25,000 and the Lynchburg Circuit Court entered an Order on June 6, 2019 confirming the distribution of the sales price in three checks, \$7,702.44 to the City of Lynchburg, \$3,300 to James W. Elliott, Special Commissioner, and \$13,997.56 to be held by the General Receiver for the City, Leighton Houck, pursuant to § 58.1-3967 of the Virginia Code. Such code section provides a two-year period following the sale for unknown creditors or the former owner to come forward and claim the surplus funds, but Mr. Crews was unaware that he could make a claim for those funds until late 2021.

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On September 23, 2021, the Lynchburg Circuit Court entered an Order directing the General Receiver to pay the surplus funds to James W. Elliott, attorney for the City. After deducting his fees from the \$13,997.56, Mr. Elliott forwarded the balance of \$12,794.18 to the City. § 58.1-3967 of the Virginia Code also provides that following payment of surplus funds to the City and “[u]pon request of the former owner . . . and after a showing of a prior entitlement thereto, the governing body of any county or city which has received such surplus funds may, in its discretion, grant relief, by ordinance, to such former owner . . . and pay over such amount as the governing body may deem appropriate to such former owner . . . and pay over such amount as the governing body may deem appropriate” As Mr. Crews had outstanding debt to the City in the amount of \$1,252.13, he has agreed that the City may deduct that amount from the \$12,794.18 leaving the total remaining surplus funds which he is requesting to be \$11,542.05. This item will appear before Council for action at its April 12, 2022 meeting.

Councilmember Nelson asked if this was a competitive bid that generated the substantial surplus above the amount that the city was owed; Ms. Witt replied, yes.

//In the matter of Planning, Agenda Item #1(C), Council was briefed on an alley vacation for an unnamed alley. Mr. Kent White, Community Development Director, gave an overview of the request of Mark and Kristen Bushing to vacate an alley between their two properties at 101 and 103 Linden Avenue. The alley vacation is proposed to allow the combination of their properties. The total area of the proposed vacation is approximately thirty-one thousandths (0.031) of an acre. The area to be vacated contains a fence but is otherwise unimproved. The vacation would not impact vehicle or pedestrian access. The Technical Review Committee, and internal working group, reviewed the petition and their comments have been addressed. Based on the zoning of the adjacent lots and property frontage, the value of the property is anticipated to be approximately \$440.00 - \$816.00. This item will appear before Council for action at its April 12, 2022 meeting.

// The meeting adjourned at 8:39 p.m.

Clerk of Council