// A regular meeting of the Council of the City of Lynchburg was held on the 13th day of February, 2024, at 4:00 p.m. in the Council Chamber, City Hall, Stephanie Reed, President, presiding. The following Members were present:

Present: Stephanie Reed, Chris Faraldi, MaryJane Dolan, Jeff Helgeson, Martin Misjuns, Larry Taylor, Sterling A. Wilder 7

Absent: 0

// In the matter of Greater Lynchburg Transit Company, Agenda Item #1, Council received a presentation from General Manager of GLTC Josh Moore providing Council with an overview of the work it has completed in 2023 and an update on its plans for 2024. This included updates on projects both completed and in process as well as updates on ridership and strategic planning completed by the Board of Directors.

Councilmember Wilder asked how they were partnering with other organizations to meet all the needs of riders. Mr. Moore said that they partnered with organizations in various ways. He said that one way was by providing pass discounts to organizations. He said the new mobile fare collection system granted better control, and they were able to extend the discounts to more individuals. He said that smaller organizations helped to connect the City's systems to other jurisdictions, and they acted as a passthrough party for state funds for vanpools.

// In the matter of Water Resources, Agenda Item #2, Council received a presentation on the Water System Master Plan Status Report from Director of Water Resources Tim Mitchell. The Department of Water Resources contracted with Whitman, Requardt and Associates (WRA), a national engineering firm, to assess our water system's condition, prioritize water system replacement projects, and develop strategies to accommodate growth through 2050. Priority projects were based on pipes that are undersized, made of inferior material, over 100 years old, with a high break history, and that match up with other utility projects. Additionally, the Master Plan projected future growth in the City and identified projects needed to meet the associated water demands. Staff will provide an overview of the Master Plan findings and associated recommendations to "catch-up" to a 100-year replacement cycle and meet future water needs.

// In the matter of Planning, Agenda Item #3, Council was briefed on the Monument Terrace Memorials. Mayor Reed stated that the item would appear before Council for action on February 27, 2024. Community Development Director Tom Martin provided a summary of the item to Council. The Virginia Piedmont Chapter of the Military Order of the World Wars (MOWW) and the Lynchburg Area Veterans Council (LAVC) wish to recognize the next major American conflicts after the Vietnam War on Monument Terrace: the Gulf War (1990–1991) and Global War on Terror (2001–). The organizations are proposing a 36” x 24” bronze plaque to be installed on the northwest wall of the Purple Heart terrace. MOWW and LAVC would raise the necessary funds to purchase the memorial plaque. If Lynchburg citizens are identified who died in these conflicts, their names can be engraved on the limestone blocks of the surrounding wall.

The Lynchburg Chapter of the Military Order of the Purple Heart (MOPH) also wishes to install a “Soldier’s Battlefield Cross” memorial sculpture in the landscaped area between the World War I terrace of Monument Terrace and the Monument Terrace building. The bronze sculpture, measuring 19” x 19” x 51”, is a recognized symbol of the ultimate sacrifice among the armed forces. The MOPH has already raised the funds necessary to purchase the sculpture.

Lastly, the MOPH wishes to install a bench for the convenience of visitors on the Purple Heart terrace of Monument Terrace. The black, powder-coated, metal bench bears the purple heart emblem in color on the seat back and measures approximately 48” wide. It would be placed on the northeast wall of the terrace, between the steps and the north corner.

All additions or modifications to Monument Terrace must be approved by City Council. The last time an addition was made was the Desmond Doss interpretive marker on the World War II terrace in 2017. The Monument Terrace Advisory Committee has reviewed the three new proposals with their sponsors and recommends them to City Council for adoption.

// In the matter of CASA of Central Virginia, Agenda Item #4, Council was briefed on the CASA Lease Agreement. Mayor Reed stated that the item would appear before Council for action on February 27, 2024. Director of Public Works Gaynelle Hart provided a summary of the item to Council. Court Appointed Special Advocates (CASA) of Central Virginia and the City of Lynchburg have an existing agreement to lease office space at 901 Church Street. CASA currently occupies 3,218 square feet of space for its offices on the first floor.

At the time the lease was first approved in October 2012, CASA agreed to pay for $20,000 of improvements to the space and the City agreed to waive rent payments in lieu of a $12,000 annual contribution to CASA. The lease was last renewed on September 10, 2019 at which time 888 square feet of space that was formerly occupied by the City's Health Nurse was added to the lease. However, 136 square feet of that office space currently being used by CASA was not accounted for in the renewal. The attached lease incorporates all the office area currently in use.

Councilmember Helgeson asked how they distinguished CASA from other non-profits which received funding from the City. Ms. Hart said that CASA had been a tenant since 2012, and Council had budgeted funds for CASA since before that. She said that in lieu of providing funds, the City provided the organization space. Councilmember Helgeson said he did not think this was a good way to do it, since it was reviewed every five years rather than every year. He said there were other non-profits with needs for space. He suggested that they could rent the space at market value or sell it instead. Mr. Benda said that a large portion of the building was filled by municipal services, so he would not recommend selling only a portion of the building. He said that Council could structure an RFP that would be released for bid, and staff could present the proposed rates. He said that he was unsure whether CASA was prepared to move to another space, but Council could consider structuring a shorter lease agreement allowing all parties time to consider other options. Councilmember Helgeson said that would be a better option. Mr. Benda said that he would come back to Council with options as well as with a layout of the building to provide context.

City Attorney Mr. Matthew C. Freedman asked whether Council would like the lease to be amended and for the item to come back to Council with a lease-term of one year with the option to renew for up to five-year terms. Councilmember Wilder said he preferred the item as presented. Mayor Reed said she preferred the five-year lease agreement. She said the current location of CASA was prudent for the services it provided, and she did not support changing the lease agreement. Councilmember Misjuns said he would like to see options. Mr. Freedman said he was looking for Council guidance because if the Council took action at the February 27 meeting, they would have to advertise for a public hearing. He said that the advertisement currently stipulated a five-year term, but they could pull the current advertisement. He said that if Council wanted to consider options, he would return at the next meeting with options and postpone the public hearing. Councilmember Dolan said she preferred the five-year lease option. Councilmember Taylor said he preferred the plan with the five-year lease. Mr. Freedman said that there appeared to be four councilmembers in favor of keeping the five-year lease, so he would leave the lease and advertisement as submitted.

// In the matter of Roll Call, Councilmember Wilder said that the NAACP held a forum in reference to the hateful flyers which had been distributed in the City. He said that they wanted to express love in the community and show it was not a place for hatred. He said that a unity walk would be held on Saturday at 10 p.m. on 5th Street. He said there was a shooting on Friday resulting in the death of Carroll Mack. He said that there was no place for hatred or gun violence in their community. He said that a memorial service would be held on Saturday in remembrance of Carroll Mack. He said that a longtime resident of Ward II, Delores Key, passed away on Sunday at the age of 90. He said that Ms. Key and her husband were strong supporters of the Ward II community.

Councilmember Taylor said that he condemned the racist flyers which were distributed through the City. He said that it took a coward to take such actions at 2 a.m. He said that he stood with the community. He said that the City was above such prejudices, and whoever was leaving the flyers needed to stop.

Mayor Reed acknowledged the work and contributions to the City of the Lynchburg Police Department. Mayor Reed also said that on Christmas Eve and again a few weeks prior, hateful flyers were distributed throughout City neighborhoods. She said that she addressed the matter at a meeting with the Chief of Police and Commonwealth's Attorney where they discussed options to address the flyers. She said that the City Attorney had researched possible ordinances to enact, however, there were few options available to the City that were not already addressed at the state level. She said that the community could stand together, and she extended her apologies to those who had been targeted by the racist and antisemitic flyers. She said that they would not let the flyers divide the City by zip code, race, or religion. She said that the community would stand together and love their neighbors.

// On the motion of Councilmember Helgeson, seconded by Councilmember , by the following recorded vote, Council elected to enter into a closed meeting to discuss appointments for vacancies to the following Boards and Commissions: Lynchburg Regional Airport Commission, Greater Lynchburg Transit Company Board of Directors, Lynchburg Redevelopment & Housing Authority Board of Directors, Planning Commission, Parking Authority, and Towing Advisory Board, and; to discuss the performance of specific membership of the City's Youth Services Advisory Board, in relations to the operations of the City, pursuant to Section 2.2-3711(A.)(1) of the Code of Virginia, 1950, as amended.

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

Ayes: Reed, Faraldi, Dolan, Helgeson, Misjuns, Taylor, Wilder	7
Noes:	0

// The meeting was reopened to the public.

// Councilmember 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 Councilmember Wilder, and Council, by the following recorded vote, adopted the motion:

Ayes: Wilder, Dolan, Helgeson, Reed, Faraldi, Taylor, Misjuns	7
Noes:	0

// On motion of Vice Mayor Faraldi, seconded by Councilmember Helgeson, Council by the following recorded vote appointed the following members to the respective boards and commissions:

Lynchburg Redevelopment and Housing Authority: Councilmember MaryJane Dolan; new term expiring September 30, 2027. Dr. Owen Cardwell; unexpired term ending September 30, 2026.

Ayes: Wilder, Dolan, Helgeson, Reed, Faraldi, Taylor, Misjuns 7

Noes: 0

Lynchburg Parking Authority: Scott Campbell; new term expiring October 31, 2025. Thorne McCraw; Council asked that Mr. McCraw holdover his position until a replacement can be named.

Ayes: Wilder, Dolan, Helgeson, Reed, Faraldi, Taylor, Misjuns 7

Noes: 0

Towing Advisory Board: Robert Taylor, Jr.; new term expiring December 31, 2028. Kelly Currier; new term expiring December 31, 2028.

Ayes: Wilder, Dolan, Helgeson, Reed, Faraldi, Taylor, Misjuns 7

Noes: 0

Planning Commission: Nancy Marion; Council asked Ms. Marion to holdover her position until her replacement can be named.

Ayes: Wilder, Dolan, Helgeson, Reed, Faraldi, Taylor, Misjuns 7

Noes: 0

Greater Lynchburg Transit Company Board of Directors: Gary Dupriest; new term ending October 31, 2026. Tabatha Sprouse; unexpired term ending October 31, 2025. Deputy City Manager Greg Patrick; new term expiring October 31, 2026. Brian Landergan; new term expiring October 31, 2026.

Ayes: Wilder, Dolan, Helgeson, Reed, Faraldi, Taylor, Misjuns 7

Noes: 0

Lynchburg Regional Airport Commission: Jones Stanley; new term expiring December 31, 2026.

// On motion of Councilmember Helgeson, seconded by Councilmember Misjuns, Council by the following recorded vote appointed the following members to the respective boards and commissions:

Lynchburg Regional Airport Commission: Ryan Campbell; unexpired term ending December 31, 2026.

Ayes: Wilder, Dolan, Helgeson, Taylor, Misjuns 5

Noes: Reed, Faraldi 2

// The meeting was recessed at 5:24 p.m.

// City Council reconvened the meeting at 7:00 p.m. The following members were present:

Present: Stephanie Reed, Martin Misjuns, Jeff Helgeson, Larry Taylor, MaryJane Dolan, Sterling A. Wilder, Chris Faraldi 7

Absent: 0

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

// In the matter of the Consent Agenda, Agenda Item #1, Council conducted a second reading and adopted Resolution #R-24-009 amending the FY 2024 City/Federal/State Aid Fund budget and appropriating $225,692 for the 2023 US Department of Justice COPS Hiring Program Grant. On motion of Councilmember Dolan, seconded by Councilmember Wilder, Council by the following recorded vote approved the adoption:

Ayes: Wilder, Dolan, Helgeson, Reed, Faraldi, Taylor, Misjuns 7

Noes: 0

// In the matter of the Consent Agenda, Agenda Item #2, Council conducted a second reading and adopted Resolution #R-24-010 amending the FY 2024 City/Federal/State Aid Fund budget and appropriating $400,000 for the implementation of a mental health co-responder model. On motion of Councilmember Dolan, seconded by Councilmember Wilder, Council by the following recorded vote approved the adoption:

Ayes: Wilder, Dolan, Helgeson, Reed, Faraldi, Taylor, Misjuns 7

Noes: 0

// In the matter of the Consent Agenda, Agenda Item #3, Councilmember Dolan requested to pull the November 28, 2023, meeting minutes from Consent Agenda Item #3 to make a correction. Councilmember Dolan motioned, seconded by Councilmember Wilder, to approve the meeting minutes from the following City Council meetings: February 10, 2023; June 20, 2023; June 21, 2023; June 27, 2023; November 14, 2023; and December 1, 2023.

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

Ayes: Reed, Faraldi, Dolan, Helgeson, Misjuns, Taylor, Wilder 7

Noes: 0

// In the matter of Water Resources, Agenda Item #4, Council held a public hearing and considered adopting Resolution #R-24-013 repealing Resolution #R-23-59 adopted by City Council on June 13, 2023, and approving the Virginia Department of Health Drinking Water State Revolving Fund FY 2022 Bipartisan Infrastructure Law Lead Service Line Inventory Funding. Director of Water Resources Tim Mitchell provided Council with a summary. On January 15, 2021, the Environmental Protection Agency (EPA) published the Lead and Copper Rule Revisions, which later took effect on December 16, 2021. These revisions laid out a series of new actions for all water utilities in the United States, some of which are to be completed by October 16, 2024. The goal of this initiative is to identify lead sources in a water system, implement and/or optimize corrosion control treatment, and establish a plan to eliminate all sources of lead in the water supply system. While the Water Resources Department has been replacing lead service lines on the public side for decades, this current effort focuses on the development of a formal Lead Service Line (LSL) Inventory and Replacement Plan that must be submitted to the State by the regulatory deadline of October 16, 2024. The LSL Inventory must identify all service line materials on both the public side and the private side. This is accomplished through a combination of historical record review and field investigation. Any service line that is an unknown material must be assumed to be lead and treated as lead until the material is confirmed. On November 7, 2022, the City was awarded funding by the Virginia Department of Health (VDH) through the Virginia Drinking Water State Revolving Fund FY 2022 Bipartisan Infrastructure Law Lead Service Line Inventory program in the total award amount of $500,000. This was presented at a Public Hearing on June 13, 2023 along with an amendment to the Water Capital Fund. Since then on October 24, 2023 the VDH has amended the offer adding an additional $750,000 for a total award of $1,250,000, This award is comprised of $475,000 in a principal forgiveness grant and at least a $775,000 20 year, 1.0% interest loan. The current expected cost for the LSL Inventory is $1.45 million. As a result, we will be asking Council to rescind the original resolution and adopt a new resolution reflecting the new award amount and the most current cost of the LSL Inventory.

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.

Councilmember Taylor motioned, seconded by Councilmember Wilder, to adopt Resolution #R-24-013.

Councilmember Taylor asked whether they were receiving federal funds. Mr. Mitchell said that $475,000 in principal forgiveness was through the bipartisan infrastructure law funding. He said that the program was required regardless of the source of the funds, but this was the lowest cost funding they could secure at this point.

Councilmember Wilder asked whether the resolution was modifying what had been approved last year. Mr. Mitchell said that last year, Council approved a lesser amount for principal forgiveness, a lower loan amount, and a shorter repayment period. He said the resolution provided additional funding to complete the program.

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

Ayes: Reed, Dolan, Helgeson, Misjuns, Taylor, Wilder	6
Noes: Faraldi	1

// In the matter of Schools, Agenda Item #5, a second reading was conducted and Council considered adopting Resolution #R-24-012 amending the FY 2024 Adopted Schools Operating Budget and appropriating $15,000 from the City of Lynchburg's General Fund Reserve for Contingencies to Instruction with the FY 2024 Adopted Schools Operating Budget.

Vice Mayor Faraldi motioned, seconded by Councilmember Taylor, to adopt Resolution #R-24-012.

Councilmember Helgeson stated that reserve for contingency fund should not be spent especially when the request was out of the blue even though it’s for a good cause. He stated he would support this if it came from LCS’ contingency fund and not the City’s.

Councilmember Dolan stated that she would be voting in favor of the proposal, however, she cautioned it sets a bad precedent and could possibly open the City up for future groups to ask for funding. She stated that this would be the only proposal of this nature that she would support.

Councilmember Misjuns made a substitute motion, seconded by Councilmember Helgeson, to amend the resolution to draw funds from the LCS classification budget contingency reserve rather than drawing funds from the City's reserve for contingencies.

Councilmember Misjuns said that they should not set a precedent of distributing City reserve funds to groups. He said that there was $1.6 million set aside for LCS which should be used instead.

With no further discussion from the Council, the following vote was recorded on the substitute motion:

Ayes: Helgeson, Misjuns, Taylor 3

Noes: Reed, Faraldi, Dolan, Wilder 4

With no further discussion from the Council, the following vote was recorded on the original motion:

Ayes: Reed, Faraldi, Dolan, Wilder 4

Noes: Helgeson, Misjuns, Taylor 3

// The meeting adjourned at 7:17 p.m.

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Clerk of Council