

// A regular meeting of the Council of the City of Lynchburg was held on the 14th day of April, 2020, at 4:00 p.m. in the Council Chamber, City Hall, Treney Tweedy, President, presiding. The following members were present:

Present: Mary Jane Dolan, Jeff Helgeson, J. Randy Nelson, E. J. Turner Perrow, Sterling A. Wilder,

Beau Wright, Treney Tweedy 7

Absent: 0

// In the matter of Budget, Ms. Bonnie Svrcek remarked that Council has been provided with answers to its questions from the April 7th meeting. Mayor Tweedy asked if she received the amount of overtime spent on the Fire Department. She mentioned that she might have sent the request by email. Ms. Svrcek said she would get that information to Council.

Dr. Crystal Edwards, the Superintendent of Lynchburg City Schools (LCS) came forward to present its budget. She thanked her staff and everyone who has helped since things changed dramatically on March 13, 2020. She acknowledged she works with amazing people and you get the measure of people when a crisis happens. The entire staff stepped up and is continuing to provide for the students.

She has provided them with the pre-COVID-19 budget, although it does have some adjustments in it. She said that things change daily and they will not have the final numbers until the governor's budget goes to the General Assembly on April 22. At this point, she has made some guesstimates based on what she thinks might happen not what is factual.

She has provided them with their state and federal revenues, as well as their request for flat funding from the City. She has provided them with their pre-COVID expenditures for FY2021 and the highlights from the General Assembly from March. She commented that she had received some questions from Councilmembers and has provided answers in her summary. It includes all the priorities, such as raises built into the governor's budget and any local match for non SOQ funded positions.

Councilmember Wright asked to what the loss of \$645,000 in federal funds is attributed. Ms. Laconish from LCS explained that \$600,000 of it is for non-center based tuition. Some of the students are not based on site with Laurel and are still in their base schools. With the old model, in order for them to go through as a special education student, they would be billed through Laurel. LCS would bill the cost of the instructor to Laurel and then Laurel would bill LCS. It was sort of a wash through. You will see a reduction in the revenue as well as a reduction in the expenditure because the state has completely revamped the special education model. Councilmember Wright asked if it is a "pass through" that is no longer on the books and she indicated yes.

Dr. Edwards explained that the General Assembly put forth a 2 percent salary increase for SOQ funded positions. In order for LCS to accept any funds associated with it, they have to have the local match for the non-SOQ positions. The amount for the local match is included in the flat funding request. The budget proposed a new position for a counselor at R S Payne, but they will have to wait and see what happens with state funding. This applies to teachers and aides for two additional pre-K classes at Perrymont Elementary. These requests did not require any additional funding from the City. She mentioned that the budget includes a living wage increase to the minimum wage to \$11.28 an hour. It did not include all the substitute positions though and the flat funding request would allow them to look at also increasing those to \$11.28 an hour.

Dr. Edwards outlined some of the goals she would like to achieve with the flat funding request. One is to provide additional special education support at the alternative programs. They heard from staff and the community that there was a need to do that. Another goal is supporting field trips at all the schools.

She mentioned some highlighted goals that they will go back and reevaluate once they receive their final revenue numbers. There are a lot of student centered goals in those highlighted. She outlined all the positions she hopes to be able to fill with the flat funding requests and state funds. With the flat funding request, they will also be able to make some salary adjustments and start a tuition reimbursement program. On hold is demographic and enrollment software.

She mentioned that they also figured out a way to make the bus driver positions eight hour positions. It is very hard to hire enough bus drivers and they hope this will make the positions more attractive.

She highlighted her answers to Councilmember Helgeson's questions that are contained in her summary and covered the decreased expenses they are seeing from the school closure.

Mayor Tweedy asked if she knew how schools will reopen in the fall, especially in light of how education is being delivered very differently currently. Dr. Edwards does not know when they will go back to brick and mortar learning but they are doing continuity of learning. They have online services and are also delivering paper copies to families that do not have internet. The teachers have been doing a lot of exciting learning tools and have been reaching out to families to make sure they are well served. All the teachers are working collaboratively within a grade instead of having separate elementary, middle and high schools. They know from the tracking that the IT department is doing that they have hits from all over the world accessing its curriculum.

Councilmember Wilder thanked her and her staff for the great work they are doing, especially with feeding the children. Councilmember Perrow thanked her as well. He thought it was very well handled and thanked her the updates she has been sending. He thinks the way they have handled everything is a real "feather" in her whole team's cap. He commended her on the reorganization of the teachers and schools. That is really adaptive thinking and makes a lot of sense.

Councilmember Perrow asked her if they have a sense of how many students are connecting. She said she has a meeting with the Family Connect team on Friday and will have a better sense of how many are accessing the materials. They are trying to connect by phone or mail with any student who has not checked in. The anecdotal information she has been receiving from families and students has been very positive. Councilmember Perrow noted that he has been receiving feedback from teachers that it is more like work now. It is very challenging and they are not getting the reward of engaging with the students on a daily and personal basis. Dr. Edwards acknowledged the teachers are missing their students and the students are missing their teachers. The teachers have been trying to reach by Zoom and by phone.

Councilmember Perrow asked how they will know where to place children when they are able to return and what classes to enroll them in. Dr. Edwards said they will assess their skill level and will make sure they have gap filler lessons. The first part of the year will be to assess them and see what they can do once you can do some face-to-face learning. The teachers are doing everything they can do to make sure the students are ready for the next level.

Councilmember Perrow asked if there is any talk about extending the school year next year because that could cause them to incur more costs. Dr. Edwards said everything is on the table right now as far as possibilities.

Councilmember Helgeson thanked Dr. Edwards for providing him the information he requested. He noted there are 271 less children enrolled than 2019. He acknowledged this year's budget is slightly down. He realizes she has not been in her position very long and has been working to clean things up. He noted that the state is funding a lot of the instructional positions. He said it looks like our local taxpayers are funding 100 extra instructional positions. She said that is correct. He said he has a problem with the support positions. 138 of those positions are funded by the state but there are 313 support positions. He thinks it is getting away from the goal of actually educating the students. He sees more positions that are bureaucratic or administrative positions but does realize it takes lots of things to keep the schools running. He asked her to help him understand the swing.

Dr. Edwards said she is trying to find a division that is only SOQ funded. She has studied all the divisions because this is a Virginia thing and she was trying to understand the intent and philosophy? Is it possible for schools to run on SOQ with limited additional funding? She has not found one that fits that model. She sees the police out every day and understands they direct service they do. But there is a dispatcher to answer the phone who might not be a first responder. Schools has a similar situation. The school secretary might be the face you see when you go to school. They are not teaching a child but they provide a valuable service. The school system is like a little mini city. She needs people to fix busses and process payroll and benefits.

Councilmember Helgeson said he can appreciate the service but not the magnitude. The non-instructional positions are two and a half times the instructional positions. He noted that it is troubling to him. There are some schools that need an assistant principal but he does not think all of them need one. He noted that the composite index is 33 percent and local taxpayers are funding 41 percent of the school system. The difference would be about \$8 million if we gave according to the composite index. The student population has gone down about 6.5 percent since 2010 and staffing has gone up 14 percent. The numbers for police and fire have stayed the same and the population they have to serve has gone up. Councilmember Helgeson noted that our revenues are declining from the pandemic and we need to figure out some administrative positions that can be cut.

Dr. Edwards said she is seeing a decrease in 32 students for next year and they asked for flat funding. She noted that Councilmember Helgeson said there are a lot of people unemployed. Dr. Edwards said that has a way of manifesting with children and how they perform and what their needs are. Some of the people that meet those children's needs provide a service but are not a direct teacher in the classroom. They have people who help the children socially, emotionally and behaviorally. She would ask him to consider what the families and children are going to need from the system to recover from what is occurring right now. She does not know what the children will need but believes they need to be ready. She believes the City and the school system will need to repair and build up whatever could be breaking apart right now in their families. The child might have had internet until their parents lost their jobs or have had to start working from home and the computer is not available to the child until late at night.

She mentioned the social workers, psychologists, school nurses and assistant teachers who are all considered support staff. There is a lot more that goes on than just what goes on in the classroom and all these positions have a

major impact on the children. She would not bring them a “fluff and stuff” budget. She is very transparent and is not trying to overstaff her departments but she will fight hard for the needs of kids. She does want them to suffer as a result of the pandemic and wants them to bounce back and even have more skills such as ingenuity and flexibility and be better than they were before this.

Councilmember Helgeson noted they need to sharpen their pencils because of the governor’s orders to close nonessential things. He asked Dr. Edwards if she will be coming back to them with something after it is presented to the school board. Dr. Edwards said that is correct and why you see items that are highlighted. Dr. Edwards does not think the governor closes things that are nonessential. He has to make priorities and she is hearing that things will be suspended. He worked hard to put together a budget pre-COVID and it was very valuable. Value does not go down now because of the pandemic. It may be moved aside or delayed but the value of what was in that budget did not change because of COVID-19. Everything in the budget was essential for kids and is still essential. She does not want to call anything nonessential due to COVID-19.

Councilmember Helgeson asked if the raises were gone and Dr. Edwards said they are suspended. Councilmember Helgeson said that would free up a lot of local match funds. Dr. Edwards said it could but mentioned that their revenues are also affected by sales tax. They have put in a spending freeze and are trying to do thoughtful planning for the unknown. Councilmember Helgeson noted that is why he brought up administrative positions as opposed to those on the front lines teaching. Hopefully, as those numbers come in, LCS will be able to adapt.

Councilmember Nelson applauded Dr. Edwards, her staff and administration—everyone that is working to get the meals and lessons out. It has been a very creative and innovative approach to deal with something they have never seen before. He had seen an idea presented at a March 25, 2020 meeting where they might need to have a summer program to help students that were struggling and they would need a salary reserve for that program. He asked if that program has crystalized any in the last three weeks. She said it has not been crystalized yet. She asked for flexibility for a salary reserve with the stiff parameter that she would let the board know before doing anything. There will likely be more children enrolled in a summer program or they might need to offer services on the weekends. She would need to pay her staff but it is not something she would ever do without going over it thoroughly with the school board.

Councilmember Nelson noted that experts are saying we should not have large gatherings until maybe next spring, which would apply to schools. He asked if the board or administration is conceptualizing how that would work if schools cannot open in the fall. He heard that public radio and television have offered to provide a median to provide education. That might drastically change the school budget or force it to adapt. It is of concern to him to begin planning for that because it may be a reality and not just a hypothetical. Dr. Edwards said she is always thinking about the “what if” and what the future might hold. She and the Mayor have talked about it in terms of an opportunity for innovation. She commented they might not be able to have a brick and mortar school if they can only have groups of ten in a classroom. They are collaborating with others to share best ideas. She is always thinking forward and staying present working with what we have now.

Councilmember Perrow noted that he and Councilmember Helgeson have seen the same thing year after year and they struggle with how they can affect it in some way. For every four instructional positions, there are more than three support positions. It is closer to ten instructional positions to eight support positions. That seems to be top heavy or not the right ratio of support to production. He would like to know if there is a consistent ratio among other school systems and how we compare to that ratio. Dr. Edwards said they all differ and you have to consider the demographics. Lynchburg has a very high poverty rate. All of our schools qualify for free and reduced lunches. She also did not want anyone to misunderstand that a support position is not just an assistant principal or secretary. Psychologists, social workers, behavioral coaches and nurses are all support positions. She does not want the community to think that support positions are people sitting behind a computer and not doing anything meaningful for kids because that is definitely not the case.

Councilmember Perrow thinks that talking about specific positions is out of their purview. He thinks the ratio should probably be less and he would not presume to deem any positions as less critical. He thinks bringing the ratio down a little bit would certainly help and Dr. Edwards indicated that point was duly noted.

Councilmember Wright would like to see what the ratio is in other school systems just as it is helpful to know the per pupil cost. It is his understanding that Lynchburg does not stack up as well against other localities, especially against other cities our size in Virginia. Dr. Edwards said that is correct. Councilmember Wright asked if it is an imperfect proxy for community support. Dr. Edwards indicated it is and you cannot do that in isolation without looking at the communities. She tries not to compare our communities to other communities and say we are doing better because that seems disingenuous. She tries to focus on the needs of our community, particularly those created by the poverty impact. The poverty impact creates challenges and requires more support positions. She looks at all the positions every year and makes the best decisions because she wants to be a good steward of the taxpayers' money and do the best for the children. For example, they have had people retire and they have not filled the position because they were able to regroup and retool the duties and do without the position.

Councilmember Wright asked for the projected increase in full-time employees. Dr. Edwards said she does not have that information, especially since she may have to adjust some things. Councilmember Wright would note that the idea that the ratio of support to instructional positions is out of whack would only be accurate if we had accurate support positions to begin with. In other words, we have an evolving need and it might not be that the ratio is off but that the ratio needs tweaking because our students have different needs than they did ten or twenty years ago. Dr. Edwards said that is true and pointed out that sometimes the state mandates something like adding more guidance counselors. That is out of her control. She also reminded them that she is able to add some full time employees and is not asking for any more money from Council in order to do so.

Councilmember Wright wished to echo the comments of others and thank her and her staff for the tremendous work they have been putting in over the past month to keep our kids safe and healthy and educated. He wondered if they might see an increase in students because parents might not be able to afford private schools. Dr. Edwards said the online registration for next year is just starting, so she has no indication of that just yet.

Mayor Tweedy commented that the world as we knew it has been reset from our economic system, our education system and our individual households. She thinks that a lot of people would be comfortable if we went back to kind of the norm. There were things we should have been trying to figure out years ago for the people that had the least or did not have access and all of that and now we are having to figure it out in order to just deliver the basic. This is a reset opportunity. They have been working on the issues that affect poverty for several years such as education, workforce, childcare, food, housing and shelters. We are now in the unknown for every single one of them. We do not know if we have enough child care for even our essential healthcare workers.

She has learned that the business industry will find a way to reset itself. If you were working at a service industry and they can find a more efficient way to deliver their service, your services will no longer be needed. Children are in homes with adults that will have to reset as well. Mayor Tweedy would like them all to take a look at a reset on education and the question of poverty, which persons we include in our education and what the delivery looks like. We need to build a system that is more around the social, emotional, educational and financial aspects of what families and students need, which is a total reset from the traditional norm. This has now all been reset for them to do the right thing for people, in her opinion. It may not be a comfortable message for a lot of people. It may mean we become more efficient and things look a lot different. This is an opportunity for discovery and business internships. We could do school year round or create blended options year round. Let's see how people can advance in opportunity and not just how we meet the basic needs of people. If we come with the same questions she has heard for 15 years, then we are missing an opportunity to reset as a City, an education system, a workforce system and even in some cases, neighborhoods. She hopes someone tells the State that, which is why she is taking the opportunity now to say it. She thanked Dr. Edwards for her presentation.

// In the matter of Budget, Dr. Reid Wodicka presented an overview of the FY2021 – 2025 Capital Improvement Program. Councilmember Helgeson asked if it has been reworked. Dr. Wodicka said he doubts there would be huge changes because pay-as-you-go is based on last year's money and bond funding for the future and that sort of thing.

Dr. Wodicka noted that these projects really help define and articulate what we want our City to look like. They greatly affect the quality of life in the City and make commerce happen, so they are very important. He also mentioned that the schools task force is continuing its work and there may be changes as a result of its recommendations, but they are not ready to say what those are just yet because they have not received its recommendations.

We have approximately \$346 million in the five year budget; \$32 million of it is in FY2021. In the General Fund for FY2021, it is approximately \$15.1 million.

Dr. Wodicka began outlining each project. Councilmember Perrow asked if the \$50,000 for the code foundation and foundation drains at the aviary is critical. Mr. Clay Simmons came up to answer the question and Councilmember Perrow asked if any of the projects could be deferred to a later time. Mr. Simmons said they found there were water penetration issues at the aviary when they rebuilt the floors last year. They are really trying to protect the building with this project. In terms of the floors and plumbing fixtures at Fire Station 1, those are really a quality of life question for the firemen. He is sure they will see them as very important. Dr. Wodicka said he

thinks it is important that they continue to make progress on fire station improvements. We do not want to allow the fire stations to continue to degrade. He also noted that when they were balancing the pay-as-you-go money, they probably dropped about a half a million dollars in necessary projects until next year. Councilmember Perrow said if it is pay-as-you-go money, then never mind. He is looking at debt service cost going forward primarily.

Councilmember Nelson asked if staff wanted Council's input as to what they feel is not essential knowing that staff will go through it and have their own opinion based on the department heads' input. Dr. Wodicka said they are happy to receive the feedback and they will rework it some but he is not sure how much of it is going to change because how these projects are funded are not necessarily related to the economic issues we have today. Ms. Svrcek stated that certainly would apply to any new debt service, but we have existing debt service. Any comments Council has that could further inform them as they recreate this budget would be helpful. Councilmember Perrow clarified that the pay-as-you-go money is from FY2019 and is one-time money earmarked for capital projects. That makes sense to him to spend it because it is not costing us anything and according to policy, we cannot use it for recurring expenses. Dr. Wodicka said that is correct.

With regard to Fifth Street Improvements Phase IV, Councilmember Perrow noted that we will have to borrow money for it. He asked Mr. Newland if the state revenue sharing money been allocated yet. Mr. Newland said part of the money has been allocated and they have applied for another round of revenue sharing that should come out this spring. They have heard preliminarily that it has been approved. Once they receive money for a project and transfer it to another project or decide not to use it on that project, they can no longer apply for revenue sharing for that project. Councilmember Perrow asked for clarification that this would be their "one bite of the apple" for this Fifth Street project and Mr. Newland said that is correct.

Councilmember Perrow asked why culvert replacement is not paid for with the stormwater fund. Mr. Tim Mitchell explained that the stormwater fund includes the pipes and the inlets. The culverts stayed in the general fund because they are more like a bridge than a stormwater conveyance channel.

Councilmember Perrow noted that the Florida Avenue sidewalk project started out at \$10 million and now appears to be \$2.5 million. Dr. Wodicka said it is \$6.8 million in total. Mr. Newland said their meeting with the railroad was canceled due to the pandemic and they need to meet with the railroad to discuss the trestle. Councilmember Perrow asked for clarification that the \$6.8 million is spent over five years and Dr. Wodicka said that is correct. Councilmember Nelson asked if it is still the plan to do the railroad trestle portion of the project first before the sidewalk. Mr. Newland said everything is on hold until they can meet with the railroad. They have to see what the railroad will allow them to do to open up the trestle enough to get the sidewalk under it. Mr. Newland clarified for Councilmember Nelson that it is still their intention to make the underpass safer during the first phase rather than a later phase.

Councilmember Helgeson noted that there is \$4.3 million sitting there appropriated for this project. Dr. Wodicka said that was done because revenue sharing money had to be appropriated. Dr. Wodicka explained that we have not borrowed that yet from the line of credit. If it as pay-as-you-go money, it would be sitting there. This is an appropriation. Councilmember Helgeson asked why there is \$500,000 in line of credit money showing then for this year. Mr. Newland said they are spending money on preliminary engineering expenses. Councilmember Perrow

asked why there would be an appropriation for this project in FY2021. Dr. Wodicka said it is because there are two phases to the project and you have to plan out for future years. Councilmember Perrow asked if previous appropriations are being shown as cash flow projections and Ms. Witt said that is correct. We are appropriating money in FY2023 and spending previously appropriated monies in FY2021 and 2022. He said that makes better sense.

Councilmember Wright asked for clarification that the total project is expected to cost \$6.8 million instead of the \$10 million originally estimated. Mr. Newland said that is correct. Councilmember Wright asked if they should be using this amount when they having conversations with this public because this is still a hot topic. Dr. Wodicka and Mr. Newland both said to use this number in conversations.

Councilmember Perrow noted that with good engineering and staff work, they were able to get the cost down to \$6.8 million. He noted that is still extraordinarily expensive but less expensive that it was and he appreciates them saving the taxpayer dollars to the extent to which they were able. Dr. Wodicka clarified that \$2.8 is local taxpayer money and the rest is revenue sharing money.

Mayor Tweedy noted that staff had put the \$9.9 million figure in the budget as a preliminary estimate until the engineering and pre-work had been done. She noted that staff had stated that last year during the budget discussion. She thanked staff for getting them to this point.

Councilmember Wright noted that the term “a sidewalk to nowhere” is a phrase that is tossed around as a way to denigrate this project. He would like to know how many households will be served by this project and staff said they can get that information. Councilmember Helgeson noted that many cars park on the existing sidewalk on Florida Avenue. Dr. Wodicka pointed out that shows the importance of appropriate street design for the urban setting. Mayor Tweedy noted that Florida Avenue is a heavily traveled corridor on that side of the City, especially in order to get to and from downtown. Councilmember Wilder noted that a major business, KDC, is located and their trucks have to turn around there. There are also a lot of blind spots. Anything they can do to support making this corridor safer will be appreciated by Ward II. Councilmember Nelson commented that this topic is not up for re-debate or reconsideration. To argue the merits of this project one way or the other seems to be not a good use of their time.

Mayor Tweedy asked how the McConville Road and Wyndale Drive realignment project will play into the Forestbrook Road work. Mr. Newland said this project takes McConville Road where it comes out at Lakeside Drive and moves it back away from Forestbrook Road. Both of those intersections are close together and there is not enough room between them for it to operate efficiently. It will move the light rather than adding another light.

With regard to the bridge on Timberlake Road, Councilmember Perrow said he feels like they have been forever making repairs to that bridge. Mr. Newland said there are two bridges at Logans Lane and Wards Ferry Road. He said it was hit one year and it was fixed but there were other issues that needed to be addressed. It has been in the fifth year for quite a few years. Councilmember Perrow asked how the Mayor how the traffic is moving through there now with the turn lane finished. She said traffic is moving wonderfully and traffic is not backing up onto the expressway. She said sometimes in recent weeks the traffic has been backing up in front of Heritage Elementary School. It is not often, so she thinks it might be related to work being done near the traffic light.

Mr. Newland said it the next phase will be deck and super structure work. Councilmember Perrow asked if there will be land closures and Mr. Newland said most likely. Construction will be in 2024.

With regard to the rest of the projects, Council asked staff to outline the projects for this upcoming fiscal year and not all years.

With regard to the stadium capital maintenance reserve fund, Councilmember Wright asked if the \$25,000 they are to receive from their agreement with Bank of the James will go into this fund or into their operating budget. The City Manager said that after year one, it could be used toward the \$100,000 they normally put into the reserve fund. The first year the cost sharing goes toward the fabrication and installation of a new sign.

Councilmember Perrow asked Mr. Tim Mitchell if the state withholds grant funding for the stormwater projects, if those will be postponed. Mr. Mitchell said they are moving forward and there is still money in the governor's stormwater grant; but if something changes, they will have to reevaluate. Mr. Mitchell said he does not see any jeopardy with state funding at this time.

Ms. Svrcek said that concludes their presentation of the pre-COVID budget and they will now begin making adjustments. She sent them a preview of things they are considering to fund the budget due to loss of revenue sources. Many of them were already on the list.

// Ms. Svrcek gave them an update on the City's actions regarding COVID-19. They have been working with the Continuum of Care to address how we will deal with homeless individuals that may contract the virus and the plan will be finalized later this week. There was also a special edition of the City Source to cover what we are doing and encouraging people to fill out the census. We have an elder reassurance support hotline and is growing calls from our elderly citizens.

Councilmember Perrow has had some conversations with business owners. One requested some relief on the fourth quarter installment of real estate taxes. That would create a cash flow problem for the City, so he would suggest a compromise and that Council consider delaying the penalty on the fourth installment until July 1. There would still be interest on a late payment. Small businesses really need some flexibility in cash flow, especially since there is a delay in the small business loans from the government. He asked other Councilmembers to keep their ears to the ground and see if this might be helpful and he would like City staff to figure out how much of a risk it would be to the City to defer the penalty on the fourth installment. Ms. Svrcek said this is something they would need Council approval for and they will bring it back to them.

With response to what the state and federal governments are doing, Ms. Svrcek said the state is not deferring filing for state taxes. The federal government has extended the filing deadline to July 15 but not deferred interest. Councilmember Perrow said the PPP loan is not eligible to be used for tax payments.

Councilmember Wright asked when the EDA plans to make some loans available for COVID support. The Deputy City Manager said he did not have an update but he knows they are working on it. Ms. Svrcek noted they are going to be getting approximately \$400,000 in CDBG funds that have to be used specifically on COVID related expenses.

// In the matter of Roll Call, Councilmember Wright had no items. Councilmember Wilder had no items.

Councilmember Nelson had no items. Councilmember Perrow thanked Mayor Tweedy and Councilmember Wilder

for discussing the Florida Avenue sidewalk project. He appreciates that they mentioned that the whole corridor is an important gateway, that it has a major business on it and needs improvement. He still would rather to see this as a road project and not just a sidewalk project. Councilmember Perrow also noted that Virginia First Cities has been asked to develop a position on the governor's amendment 36 of the Executive Order moving the local election to November. The Virginia Municipal League does not support this amendment. He would like to make a motion to endorse a May 5th election. Mayor Tweedy said she had this as an item for the 7:30 agenda. Councilmember Perrow withdrew his motion, as Councilmembers would like a chance to read the information given them at the work session.

Councilmember Helgeson had left the meeting prior to roll call. Vice Mayor Dolan had no items. Mayor Tweedy reminded everyone of the importance of responding to Census 2020. She also thanked the public for their cooperation with the recommendations regarding COVID-19.

// The meeting was recessed at 6:27 p.m.

// City Council reconvened the meeting at 7:30 p.m. The following members were present:

Present:	Mary Jane Dolan, Jeff Helgeson, J. Randy Nelson, E. J. Turner Perrow, Sterling Wilder,	
	Beau Wright, Treney Tweedy	7
Absent:		0

// Councilmember Nelson gave the Invocation, followed by the Pledge of Allegiance.

// In the matter of the Consent Agenda, Councilmembers Nelson and Helgeson asked that the minutes of March 10, March 17 and March 24, 2020 meetings be postponed until the next meeting so they can make some corrections.

// Mayor Tweedy asked if there was any objection to amending the agenda to include a discussion of their response to the request of Virginia First Cities to weigh in on the governor's amendment to move the election to November.

// In the matter of Recognitions, Mayor Tweedy recognized the City Attorney, Walter Erwin, for forty years of service to the City effective April 16, 2020. Mayor Tweedy noted that he has been valuable to the City but is highly regarded in the state. They are honored to have him here and that he chose Lynchburg to serve the forty years. Mr. Erwin thanked them and noted that his office has always received a tremendous amount of support and could not function without that support. Councilmember Nelson noted that when he tells people he is from Lynchburg in the legal community, they say they are lucky to have Walter Erwin. He graduated from law school with Walter forty-four years ago and said he was so glad he came to Lynchburg.

// In the matter of Community Development, Conditional Use Permits, a public hearing was conducted regarding the petition of Virginia Episcopal School for a Conditional Use Permit in an R-1, Low Density Residential District and R-3, Medium Density Residential District for a Master Plan at 301 VES Road, 310 VES Road, 314 VES Road, 318 VES Road, 320 VES Road, 340 VES Road, 400 VES Road, 500 VES Road, 700 VES Road, 190 Old One Sixty Lane, 120 Oriskany Street, and 3805 Williams Road that includes the addition of new academic buildings, new faculty housing in the form of apartment buildings, duplexes and single household dwellings, student housing, addition of lighted athletic fields, addition of bleachers at athletic fields and traffic calming to VES Road. The City Planner, Mr. Tom Martin, gave a summary of the petition.

The Clerk of Council, Robin Craig, had a statement from G. Thomas Battle, Headmaster, Virginia Episcopal School (VES): “In 2015 Virginia Episcopal School embarked on a collaborative effort to plan the future growth and development of its 100-year-old campus. Intended to offer a practical, yet visionary approach to the future, the master planning process was designed to hear the voices of VES’s many constituencies and blend them into priorities and design concepts. This collaborative approach included a year of listening, investigating, and brainstorming, and included much community input, meetings with students, faculty, and alumni, as well as a school-wide survey that reached parents and alumni around the world.

To this end, VES would like to provide an opportunity for the City and public to weigh in on the Master Plan and the projects contained therein. This will help to provide the confidence and support to fundraise and develop programs necessary to achieve VES’s goals and vision for the next 20 years and beyond.

In early 2020, VES met with the TRC, Planning Commission, and hosted a neighborhood gathering, pre-Covid-19, in which the participants were able to review the Master Plan documents and ask questions and voice concerns. All meetings to date have been received with the enthusiasm and support that we also share for the campus and its future in this vibrant community. Any concerns voiced at these meetings, specifically field lighting and project phasing, have been addressed in the documents and are detailed herein.

The 260, 9-12th grade students who attend VES are represented by 30% day students and 70% boarding students, while about 80% of staff and faculty live on campus. The Master Plan provides the opportunity to increase the number of boarding students to approximately 80% of the student body while maintaining a cap on total student enrollment at around 260. Additional housing for students, staff and faculty will decrease inbound traffic by locating living and working on the campus for more than 80% of the VES population.

The Master Plan proposes traffic calming and pedestrian safety measures for portions of Williams and VES Roads including adding a planted median on VES Road and several clearly delineated pedestrian crossing areas. This is a planned improvement that would be developed with the City of Lynchburg.

With the proposed changes to campus, the parking areas have been reconsidered to better serve housing and athletic fields. New additional spaces are designed to better accommodate on-campus staff, offer greater access to athletic facilities, and help to pull event traffic off of VES and Williams Roads and into planned parking areas. Athletic improvements include upgrades to all the athletic fields, including new bleachers, turf, lighting, and an enhanced trail system for team and recreational sports. Seating capacities for outdoor gatherings and sporting events are expected to remain the same since enrollment and faculty are projected to remain constant through the 20-year projection of the Master Plan. Note that all athletic field lighting will comply with the International Dark-Sky Association requirements with zero trespass to any neighboring public or non-VES-owned properties.

Phasing of the CAMPUS projects will be developed within a dynamic fundraising process as VES’s Development team builds campaigns for the future of the school. In the first initiative of the master plan a 15,000 sf new academic building is being planned along with some needed renovations to existing buildings, additional faculty housing, and improvements to athletic fields. Project phases beyond the next ten years will depend very much on fundraising and economic trends.”

There were no persons to speak either in favor or opposition to the petition. The Clerk reported that there were no phone calls or email regarding the petition. Mayor Tweedy closed the public hearing portion of the petition.

Councilmember Perrow made a motion to approve the conditional use permit. The motion was seconded by Councilmember Helgeson. Councilmember Helgeson wished that the City could do as well with reducing noise and lighting from the City Stadium as VES is proposing to do with its athletic facilities. The proposal looks good and he thanked VES. The motion passed by the following vote:

Ayes:	Dolan, Helgeson, Nelson, Perrow, Tweedy, Wilder, Wright,	7
Nos:		0

// In the matter of Community Development, Conditional Use Permits, a public hearing was conducted regarding the petition of TPB Enterprises for a Conditional Use Permit in a B-3C, Community Business (Conditional) District to allow the construction of a car wash at 7816 Timberlake Road. Mr. Tom Martin gave a summary of the petition. Mr. Norm Walton with Perkins & Orrison was present to represent the petitioner. He thanked Council and City staff for making it possible for them to speak, as he understands the pandemic has created some unusual challenges for meetings. He stated that water and sewer is available for the project. A large grocery store has been removed from the project. The intersection at Candlewood Court remains the same, so they feel very confident that traffic will be handled adequately. There is a triple lane going to the kiosk, which will keep queuing out from the private road and reduce impacts to the private road. There is one exit from the project as far away from Timberlake Road as possible. They have the landscaping on the concept plan per the ordinance. The underlying proffers for the development have not been revised, amended or removed by the conditional use permit request.

Mr. Daniel Sowers of TPB Enterprises was present to represent the developer. This car wash was previously shown in a different location and they are proposing to relocate it to this spot in order to alleviate some traffic issues that arose. Based on a feasibility study by a national car wash chain and work done with Perkins & Orrison, they believe this is an effective location for the car wash and will mitigate any traffic concerns. They believe it will support the multi-family development proposed for the rear of the development, as well as other multi-family developments in the area.

Mr. Timothy Santiago came forward to speak in favor of the petition. He used to live on Timberlake Road near Kroger and there was not a decent car wash nearby. He thinks this car wash will improve the lives of a lot of people that live in the area. He would like to see them approve something that will improve people's lives, especially in a time where we need to focus on cleanliness.

There was no one else present to speak either in favor or in opposition. Ms. Craig read one email into the record: "I am writing to oppose granting the subject conditional use permit. The proposed location has substantial traffic from the apartments and SSA. Adding this business to the already overwhelming traffic on Timberlake Road will reduce the safety of travelers and for local residents. Sincerely, William D. Conner, III, Moreview Drive, 24502."

Councilmember Helgeson asked why there is not a *Future Land Use Map (FLUM)* amendment before them because it is listed as High Density on the *FLUM*. Mr. Martin said that when it came before them previously for

rezoning in 2014, it was not changed. They are currently looking at the *FLUM*. There are certain areas of the City that need to be tweaked and updated and he thinks this is one of them. When this project was originally presented, it contained high density residential with a retail component and that may be one of the reasons they did not recommend it to be changed. Councilmember Helgeson noted it is not a big change moving the car wash from one lot to the other. Councilmember Helgeson noted that originally there was supposed to be a grocery store in this project and it would employ more people than a car wash and a different amount of tax revenue. Mr. Martin noted that it was a different developer in 2014 and the property has been sold. The new owner, Mr. Thomas Bell, has taken a little different approach to what types of uses are going to go there. Mr. Martin said this project has changed, as they were originally proposed to be service industries that would support the residential uses in the rear. It is a philosophical switch, which was actually difficult for planning staff. Staff cannot dictate the market and the way the site is being developed, which is why staff ultimately ended up supporting the use.

Councilmember Helgeson asked if there have been any violations from this site. Mr. Martin said there have been a few E & S violations, but the site is in compliance now. Councilmember Helgeson noted that there are other proposals coming their way from this developer, such as a lot of townhomes and apartments, which are the very thing to which the neighbors objected. He will not object to the car wash because it is not a big change. He hopes Council recognizes that often they get a project and they like it as presented but then it changes because there is a new owner and a new philosophy. He can tell them that the neighbors are not appreciative of it.

Councilmember Perrow noted that there has been a history of challenges with making sure this developer meets City regulations, particularly regarding erosion and sediment control. He thinks there are some opportunities to partner with the developer going forward and improve the City overall. In order to do that, there has to be a solid basis of trust. The developer has to stick to their commitments and follow the regulations or the City is not going to be willing to go into any sort of agreement with someone they cannot trust to hold up their end of the agreement. He suggested they have a suggestion with their client and make sure he or they work really hard to establish trust with the City. He thinks that would make this next phase potentially go a lot smoother. He is excited about some of the potentials they are bringing forward that helps us create more of a gateway into the area but we have to have that trust.

Councilmember Perrow made a motion to approve the petition. The motion was seconded by Councilmember Wilder and passed by the following vote:

Ayes:	Dolan, Helgeson, Nelson, Perrow, Tweedy, Wilder, Wright,	7
Nos:		0

// In the matter of Budget, Council conducted a public hearing to consider introducing a resolution for the purpose of amending the FY2020 Budget and appropriating supplemental funds and rescinding appropriations for both the Capital and Operating Budgets for the twelve-month period beginning July 1, 2019 and ending June 30, 2020. Ms. Donna Witt gave them an overview of the request. She provided Council with proposed expenditure and revenue adjustments based on both the third quarter review and the recent COVID-19 projected impacts. She explained the research that went into the assumptions for projected revenues. They have been having weekly discussions facilitated by Virginia Tech with finance leaders state-wide to glean understanding of how localities are

handling the impacts of COVID-19. They have had discussions with the Commissioner of Revenue, Tourism Sales Team, which surveyed local businesses and canvassed regarding their dedicated revenues. Other information sources consulted were Virginia First Cities, Fiscal Analytics, Virginia Government Finance Officers Association, Government Finance Officers Association and Virginia Municipal League/Virginia Association of Counties. She explained that this is difficult because it is unprecedented and we do not have any history to fall back on and we are still waiting for our March revenue numbers. They searched every available avenue where they could get more information.

Ms. Witt covered the changes they are projecting for real property, personal property, motor vehicles licenses, local sales and use tax, meals tax, lodging tax, amusement tax, business license tax and the allowance for uncollectible business license tax. They also made adjustments to all other non-dedicated revenues such as bank stock tax, permits, fees and regulatory licenses, fines and forfeitures, revenue from use of money and property, charges for services and miscellaneous revenue. She went over the projections for our dedicated revenues such as charges for services, recreation revenue, parking revenue and miscellaneous revenue.

In order to make the budget whole, they are proposing to use \$500,000 from the Task Force on Future of PreK-12 Education and Beyond, \$500,000 from the GLTC Reserve, \$380,235 from the General Fund Reserve for Contingencies. They also made some expenditure reduction with reduced salary and benefit funds for part-time staff due to furloughs, reduced department operating funds for training, mileage and office supplies due to spending and travel freeze, reduced department fuel costs due to savings, use of managed vacancy funds, including the hiring freeze and reduced school operating local funding.

She concluded by saying that staff is constantly monitoring the impacts to revenue as a result of COVID-19. Following receipt of meals, lodging and amusement taxes on May 20, staff will have a better idea of how these three consumer driven taxes are performing during the various directives from the governor. If there are significant changes, they will provide an update at the May 26th work session.

Mr. Timothy Santiago came forward to speak. He said citizens rely on Council to provide a comprehensive budget. Changes to a budget and operating costs should not be taken lightly. We do not have all the facts right now. The times we are in are troubling. He would suggest they give it two weeks and see if we peak because we may be out of this sooner than we thought. He pointed out that our economy came back for quite a while after the 1918 Spanish influenza. We will come back because Lynchburg has always persevered. He thinks Lynchburg is unique in its ability to do so but through strong leadership. He thinks the budget should only be changed under extreme circumstances and he thinks we can continue it for the future. He thinks they should wait two weeks for more information to make sure they have made a good decision.

There was a phone call from Phil Stump. He followed closely the discussion of the Lynchburg City Schools proposed budget and was very impressed by the virtual miracle performed by the superintendent. She was able to keep the spending at the same level as last year while addressing inflation and important emerging needs. She noted that the flat budgets are not sustainable in the long run. City Council will be tempted not to accept even this insufficient flat budget but will be tempted to make cuts that will be exceedingly harmful for the future of our schools. The pandemic will create fiscal challenges for the City and even more fiscal challenges for our schools.

He is a property owner and is willing to pay substantially higher property taxes to support schools. People that seek to be good stewards are to be supported and rewarded not punished with scarcity. When they are stewards of our children's future, this is all the more necessary. What is at stake is indeed the future of our society.

Mayor Tweedy closed the public hearing of the petition. Councilmember Helgeson thought that many people pay their real estate taxes through escrow so maybe the projected uncollectible amount is high. Ms. Witt said it is about 31 percent that pay it through escrow. Staff was surprised by that percentage, so they verified it twice. Councilmember Helgeson commented sometimes times like this help us separate the necessities from the niceties. He appreciates what the financial staff is doing. It is good and prudent and will hopefully carry over into next budget year. We are cutting approximately three percent from the general fund but there are people out there paying the bills that have lost all or almost all of their income. He made a motion for approval, which was seconded by Councilmember Perrow.

Councilmember Perrow commented to Mr. Santiago that Council takes budget matters very, very seriously. He explained that state code requires them to have two readings to amend a budget. The second vote will be in two weeks and ensures that this is in fact what they want to do. If there is good news in two weeks, we can react to that change. He thought Mr. Santiago made some very good points. City staff has worked to figure out what they can do to slow spending down recognizing that revenues have fallen. He thinks what staff has done will allow City services to move on. The part-time employees furloughed were mainly those employed in gathering places such as the libraries and the recreation centers. He explained to Mr. Santiago that the cuts they are making are expenditures that are not being made that do not have a significant impact to current services. We have to balance this loss of revenue somehow.

Councilmember Perrow asked Ms. Witt how staff made the projections so specific such as 79 percent and 41 percent rather than more general. Ms. Witt said part of it is historically what we have collected to date and basically it is just math. They took into account anything that could influence where they need to get to. She relied on staff members like Mitch Nuckles and Marjette Upshur and their wealth of knowledge. Councilmember Perrow noted it had to be a significant amount of effort and thanked her and the rest of staff involved.

Councilmember Nelson noted they are hearing that hope is not a strategy. What they are doing is a very appropriate strategy to deal with novel and unpredictable challenges. He hopes it is not as dire as it is but these are good strategies.

In answer to a question from Councilmember Wilder, she said it is about \$5 million in a reduction in revenue and then using the committed and assigned fund balance and the reserve for contingencies. It is a net of about \$3.5 million. Councilmember Wilder thanked staff for their efforts to try and deal with a moving target.

Councilmember Wilder thanked staff for the hard work. He asked how much is left in the task force money and was told \$700,000. He asked when the furloughs take effect and was told they have already taken place and those employees have been told that it is indefinite. Councilmember Wilder asked if the schools told them that they did not need the \$1.5 million and Ms. Svrcek said it was a happy bit of coincidence.

Vice Mayor Dolan thanked the staff for the extraordinary job. Mayor Tweedy echoed all the accolades.

The motion passed by the following vote:

Ayes:	Dolan, Helgeson, Nelson, Perrow, Tweedy, Wilder, Wright,	7
Nos:		0

// In the matter of Budget, Council considered introducing a resolution to amend the FY 2020 General Fund budget and appropriating \$224,965 with resources from the General Fund Reserve for Contingencies to refund overpayment of Bank Franchise Tax for tax years 2012, 2013 and 2014 by BB&T for operations in the City of Lynchburg.

Councilmember Perrow commented he is a stakeholder in BB&T and it is considered an amount enough to be a personal interest; however, he is a member of a much larger group and feels he is able to vote in an unbiased manner. Councilmember Nelson had the same disclosure to make but it does not rise to a statutory interest. He stated he can be objective and unbiased. Mr. Mitch Nuckles explained that banks pay an annual tax on their equity. BB&T filed 2012, 2013 and 2014 tax returns. They amended those returns, which were initially denied by the Department of Taxation. The Tax Commissioner overruled the denials in October 2019. BB&T has agreed not to seek any interest from localities if refunded by May 1, 2020. Councilmember Helgeson spoke on behalf of the Finance Committee and said that it was very benevolent of the bank not to request interest. He asked how much is left in the reserve for contingencies after this payment. Ms. Witt said it is approximately \$255,000. It is obviously a bad time to be giving a refund like this, especially since it was through no fault of the City. He made a motion on behalf on the Finance Committee to approve the resolution. The motion passed by the following vote:

Ayes:	Dolan, Helgeson, Nelson, Perrow, Tweedy, Wilder, Wright,	7
Nos:		0

// In the matter of City Council, Mr. Erwin provided them with a report regarding how other localities are conducting meetings during COVID-19, which is a variety of different ways. Each locality seems to be adopting procedures which are best for their situation. He provided them with a sample ordinance from Richmond that could be used as a starting for Lynchburg City Council. Councilmember Nelson noted this is probably a worthwhile tool to have in our tool belt of policies and procedures. His concern is that the opportunity for abuse may be high. He does not have a problem with having a way for a Councilmember to participate electronically if he or she needs to be away for a family medical reason. If it is not possible for a quorum to be physically present in Council Chamber, he would want an emergency to be declared that is higher than someone in the City. The meeting should also only deal with emergency type issues and not routine items that deal with ordinary operation of the City. It should be directly related to either resolving the emergency or something that has happened as a result of the emergency. The procedure should be very clear and precise and identify the emergency and why it is necessary for Council to act immediately. He would also like a super majority having to call for a virtual meeting. He feels they can make the effort to conduct their meetings since first responders and health care workers are facing the challenge every day. He wants to set the bar very high before we can conduct the people's business in a way that is somewhat behind closed doors and not readily available to most people in their circumstances.

Councilmember Wright would agree that there should be a really compelling public interest to hold a virtual meeting. He asked staff if they have the infrastructure to conduct a virtual meeting that still allows the public to be involved. There was discussion about how this could be facilitated but it would involve some staff being there to

operate the computer and audiovisual equipment. Councilmember Perrow asked why we would ask staff to be here and not be here ourselves. Councilmember Wilder thinks that with the way the world is changing, it is good to have a system in place if it does get worse or something else happens. Councilmember Helgeson thinks the bar needs to be very high. If it is so bad that we should not be asking staff to be here, then we should not be meeting. Our first responders are out there. The estimates of fatalities are coming in at three percent of the original estimates. He thinks they are coming out of the woods and he thinks we need to continue to have everything above board and out in the open as much as possible.

Mayor Tweedy noted that she also thinks the bar should be high. The numbers were predicted but it is also because practices were put in place early enough that numbers were reduced. Vice Mayor Dolan agrees that it has to be an emergency situation and it needs to be further defined. Mayor Tweedy noted that we are elected officials but should not be in the category of first responders. They are not public safety responders and that is their job duty and career. We may very well be doing more damage by not adhering to the guidelines that are in place and we are not on the same level, in her opinion, as first responders.

Councilmember Perrow likes the idea of a super majority for action. He wondered if they would have to call a meeting to declare the emergency. Councilmember Nelson said they would call a meeting in a virtual way if a state of emergency is declared. It happens in the process of opening the meeting. They have to articulate the reason and what is on the agenda. It would be limited to those things that are related to the emergency. He would be happy to meet with Walter Erwin to craft some language. Councilmember Perrow said that would be his recommendation. Councilmember Helgeson commented that he also likes the idea of a super majority needing to call for the virtual meeting. Councilmember Nelson would suggest they need a policy in order to deal with routine items in a situation such as the building is not habitable. Dr. Wodicka said staff is working on a City Hall continuity of operations plan that was in the works before this pandemic. Councilmember Perrow asked if the continuity of government ordinance they approved previously would allow a councilmember to attend electronically if the rest of Council agrees. Mr. Erwin said that is correct and it was covered in the one they passed on March 24, 2020 and clarified that the member should be able to do anything they could do in person, including voting.

// In the matter of City Council, Council had a discussion regarding the governor's amendment 36 directing the local elections to be moved to November. Virginia First Cities is asking for each locality's input regarding this issue. Councilmember Perrow made a motion that Council directs him to vote on behalf of Lynchburg to reject this directive at the board meeting this week. The motion was seconded by Councilmember Helgeson. Councilmember Perrow explained the language cannot be changed. Either the General Assembly will accept it or not. Councilmember Helgeson seconded the motion because several of them are on the ballot. They have been preparing for it but the registrar is working very judiciously. The 2,000 ballots that have been submitted so far would be discarded and that is not good. He thinks it is terrible that the governor has both declared an emergency and the decided what needs to be changed. Normally an emergency requires a super majority vote and hopefully that would still be the case. The suggestion that the local election be combined with the presidential election is also not acceptable to him because it would couple the election for the highest office in the nation with one of the lowest.

Councilmember Wright said he would normally agree but in this case the issue is a pandemic. There are people going into the registrar's office to vote in person. Polls will still be open, since a mail only election has not approved. He has great concern about both voters and poll worker. The electoral board endorses the governor's recommendation. Health and safety is paramount to him, so he would be opposed to them endorsing the recommendation to keep the local election in May.

Councilmember Wilder echoed the concerns regarding the safety of the poll workers and voters. He has not heard of any protection measures being put in place for them. Councilmember Helgeson reminded them that the Fire Chief has offered protective equipment for the poll workers. He pointed out that people are shopping with social distancing measures and that could be done at the polls as well.

Councilmember Wright commented that most of the poll workers are in the high risk category and we do not even know if they are willing to show up to work. Long lines were seen at the polls in Wisconsin and it created a public health fiasco. Councilmember Perrow noted that he has never seen a line at a May election. It is a very low turnout election.

Councilmember Nelson said he likes the local elections to be held apart from the state and national elections so the issues do not become convoluted or obscured. Money has been spent on campaigns by the candidates and to drag it out six more months would be hard on them. Votes have been cast and they will be thrown away. Those voters would have to do it again. However, the voice of the local registrar rings high. If it cannot be carried out because the poll workers are not there, we are not going to have an election with integrity in May.

Vice Mayor Dolan thinks local elections get lost in a state or national election. She thinks they become more bipartisan and for that reason she would not like to see it moved. She would like to see mail in only campaign but she does not think they have the appetite for it.

The motion passed by the following vote:

Ayes:	Dolan, Helgeson, Perrow, Tweedy	4
Nos:	Nelson, Wilder, Wright	3

Mayor Tweedy noted that she thinks there are protective measures that can be put in place. Councilmember Perrow will communicate the vote to Virginia First Cities.

// On motion of Councilmember Perrow, seconded by Vice Mayor Dolan, by the following recorded vote elected to hold a closed meeting to for the discussion and consideration of prospective candidates for the position of City Manager pursuant to Section 2.2-3711(A.)(1) of the Code of Virginia.

The motion passed by the following vote:

Ayes:	Dolan, Helgeson, Nelson, Perrow, Tweedy, Wilder, Wright	7
Nos:		0

// The meeting was re-opened 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 Perrow, and Council by the following recorded vote adopted the motion:

Ayes:	Dolan, Helgeson, Nelson, Perrow, Tweedy, Wilder, Wright	7
Noes:		0

// The meeting was adjourned at 7:00 p.m.

Clerk of Council