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// A regular meeting of the Council of the City of Lynchburg was held on the 9th day of May 2023, at 7:30 p.m. in the Council Chamber, City Hall, Stephanie Reed, President, presiding.

The following Members of the Council were present:

Present: Stephanie Reed, Chris Faraldi, Sterling Wilder, Jeff Helgeson, Marty Misjuns, Larry

Taylor, MaryJane Dolan 7

Absent: 0

Vice Mayor Faraldi led the Council in the invocation and the Pledge of Allegiance.

// In the matter of the Agenda, Councilmember Helgeson requested to amend the agenda by unanimous consent to include Roll Call at the end of the meeting since an earlier work session was not held. Mayor Reed noted that there was consensus.

// In the matter of the Agenda, Councilmember Dolan requested to amend the agenda to allow Skipper Holt to speak during Public Comment. Mayor Reed noted that there was consensus to amend the agenda.

// In the matter of the Consent Agenda Item #3, Council conducted a second reading and adopted Resolution #R-23-036 approving the FY 2023 Third Quarter Adjustments. On motion of Councilmember Helgeson, seconded by Councilmember Taylor, Council by the following recorded vote approved the adoption:

Ayes: Stephanie Reed, Chris Faraldi, Jeff Helgeson, Larry Taylor, Marty Misjuns, MaryJane

Dolan, Sterling Wilder 7

Noes: 0

// In the matter of the Consent Agenda Item #4, Council conducted a second reading and adopted Resolution #R-23-037 amending the FY 2023 City/Federal/State Aid Fund budget and appropriating \$362,047 for the purchase of law enforcement equipment and technology for the Lynchburg Police Department. On motion of Councilmember Helgeson, seconded by Councilmember Taylor, Council by the following recorded vote approved the adoption:

Ayes: Stephanie Reed, Chris Faraldi, Jeff Helgeson, Larry Taylor, Marty Misjuns, MaryJane

Dolan, Sterling Wilder 7

Noes: 0

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// In the matter of Zoning, Agenda Item #5, a public hearing was held and Council considered adopting Ordinance #O-23-038 approving the proposed Zoning Ordinance Amendment for Child and Adult Day Care Centers. Mr. Kevin Henry provided the presentation of the staff report to the Council. The zoning ordinance amendments were initiated by staff on March 1, 2023, due to several proposed day cares not being able to meet the minimum standards of Section 35.2-72.8 of the zoning ordinance. Currently, the Zoning Ordinance requires day care centers located in commercial districts to meet the same frontage requirements (amount of property boarding a city street) and land area as those located in residential districts. The frontage requirements and land area requirements are problematic for commercially zoned day care centers and for small day care centers in residential zones. The current standards have prevented new day care centers from opening in both commercial and residential zones or required them to request a variance from the Board of Zoning Appeals (BZA). All day care centers must meet the Standards for Licensed Child Care Centers required by the Commonwealth of Virginia, Department of Social Services, regardless of City frontage and land area requirements.

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 the Council.

Vice Mayor Faraldi made the motion, seconded by Councilmember Wilder, to approve Ordinance #O-23-038.

Councilmember Helgeson stated that he is supportive of lowering regulations that allow for the free market to flourish.

Councilmember Dolan noted the disparity with the number of day care centers and the number of day care aged children in the area and stated that this will hopefully help with closing that gap.

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

Ayes: Stephanie Reed, Chris Faraldi, Jeff Helgeson, Larry Taylor, Marty Misjuns, MaryJane

Dolan, Sterling Wilder 7

Noes: 0

// In the matter of the Downtown Lynchburg Association, Agenda Item #6, a public hearing was held and Council considered adopting Resolution #R-23-0039 authorizing the letting of property at the Monument Terrace building and to approve a lease agreement between the Downtown Lynchburg Association and

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the City of Lynchburg. Director of Community Development Mr. Kent White provided the presentation of the staff report. Downtown Lynchburg Association (DLA) and the City of Lynchburg have an existing agreement to lease office space at 901 Church Street. DLA Executive Director Ashley Kershner communicated the need for additional space to Assistant City Manager John Hughes. After consultation with City Attorney Matthew Freedman and IT Director Tom Williamson, the attached updated lease document for suite 103 and suite 104 was drafted and subsequently approved by legal counsel for DLA. Information concerning ROI is contained in the agenda pockets provided to Council, along with budget responses from April 18, 2023.

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 the Council.

Vice Mayor Faraldi made the motion, seconded by Councilmember Wilder, to approve the Resolution #R-23-039. Councilmember Helgeson asked what the fiscal impact of the added expansion was. Mr. White responded that there was a small conference space of about 682 square feet, and the high-end value was about \$13K based on market rates.

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

Ayes: Stephanie Reed, Chris Faraldi, Jeff Helgeson, Larry Taylor, MaryJane Dolan, Sterling

Wilder 6

Noes: Marty Misjuns 1

// In the matter of School Board Appointments, Agenda Item #7, a public hearing was held to receive citizen input regarding appointments, or reappointments, to vacancies that will exist June 30, 2023, in School Board Districts I, II, III. Clerk of Council Ms. Alicia Finney read the names of the citizens who volunteered to serve on the School Board into the record: School District I—Ms. Rebekah Turner, Ms. Deborah Trefzger, Dr. Robert Brennan, Mr. William “Bill” Hawkins, Mr. Jack Schewel, and Mr. Michael Brosmer; School District II—Mr. Stephen Wheeler, Ms. Melissa Boatwright, Mr. Keita Rodgers, Ms. Christina Wilson, Mr. Gregory Berry, Ms. Bethany White, Dr. Kimberly Sinha, Dr. Frederick Milacci, Ms. Diane Sillaman, Ms. Stacy Link, Mr. Michael Bodnar, and Mr. Michael Barron; School District III—Ms. Alexandra Berrigan, Mr. Roman Franklin, Mr. Andrew Glover, Dr. David Ream, and Ms. Cheryl Giggetts.

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Mayor Reed opened the floor for any candidate who wanted to speak on their qualifications at the public hearing.

Dr. Robert Brennan, nominee for School District I, spoke before the Council.

Ms. Rebekah Turner, nominee for School District I, spoke before the Council.

Mr. Jack Schewel, nominee for School District I, spoke before the Council.

Ms. Bethany White, nominee for School District II, spoke before the Council.

Ms. Stacy Link, nominee for School District II, spoke before the Council.

Dr. Kim Sinha, nominee for School District II, spoke before the Council.

Mr. Mike Barron, nominee for School District II, spoke before the Council.

Ms. Melissa Boatwright, nominee for School District II, spoke before the Council.

Mr. Roman Franklin, nominee for School District III, spoke before the Council.

Dr. David Ream, nominee for School District III, spoke before the Council.

Mr. Andrew Glover, nominee for School District III, spoke before the Council.

Mayor Reed opened the floor to citizens who wished to offer comment or submit additional names for nomination.

Citizen Aaron Reid spoke in support of Dr. Robert Brennan, nominee for School District I.

Citizen Sheron Simpson spoke in support of Dr. Robert Brennan, nominee for School District I.

Citizen Dani rule spoke in support of Dr. Robert Brennan, nominee for School District I.

Citizen Erin Fitz spoke in support of Ms. Rebekah Turner, nominee for School District I.

Citizen Joshua Pratt spoke in opposition to reappointing any member of the current School Board. He spoke in support of Ms. Rebekah Turner, nominee for School District I.

Citizen F.J. Jalil spoke in support of making changes to the School Board.

Clerk of Council Ms. Alicia L. Finney reported that 11 emails had been submitted to be read into the record: Hugh Freeze, Auburn University Football Head Coach spoke in favor of reappointing Dr. Brennan to District I; Ginger Paris, teacher at Bedford Hills Elementary School, spoke in favor of reappointing Dr. Brennan to District I; Jill Wood, nurse at EC Glass High School, spoke in favor of reappointing Dr. Brennan to District I; Leigh-Anne McKinney, spoke in favor of reappointing Dr. Brennan to District I; Jennifer Mariner, second grade teacher at Dearington Elementary School, spoke in favor of

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reappointing Dr. Brennan to District I; Jim Ackley, resident on Woodland Avenue, spoke in favor of reappointing Dr. Brennan to District I; Amanda Myers-Ramirez, lead instructor of Centra Project SEARCH, spoke in favor of reappointing Dr. Brennan to District I; Amy Thompson, arts teacher at E.C. Glass High School, spoke in favor of reappointing Dr. Brennan to District I; Allison Smith with E.C. Glass High School spoke in favor of reappointing Dr. Brennan to District I; Dr. Stephen Smith, Director of Central Virginia Governor's School for Science and Technology, spoke in favor of reappointing Dr. Brennan to District I; and Dr. Charles Prior, former member of the School Board, spoke in favor of reappointing Dr. Brennan to District I.

Mayor Reed stated that traditionally, Council would decide to holdover the public hearing until the following meeting to allow for more citizen input and the opportunity to receive more applications. She noted there was consensus from the Council to leave the public hearing open until the May 23 Council meeting.

// In the matter of Public Comment, Agenda Item #8, Citizen Tim LeColst, teacher at Dunbar Middle School, spoke in support of the 15/50 Plan.

// In the matter of Public Comment, Agenda Item #9, Citizen Red Cesafsky expressed concerns about the future of the community and the real estate tax rate. He expressed support for funding the Lynchburg Public Library and the Templeton Center.

// In the matter of Public Comment, Agenda Item #10, Citizen Maria Niechwiadowicz was not present.

// In the matter of Public Comment, Agenda Item #11, Citizen Rebekah Anderson was not present.

// In the matter of Public Comment, Agenda Item #12, Citizen Alexandra Smith spoke in opposition to the \$0.89 tax rate. She stated that services such as the Museum, Library, and Templeton Center made the City livable. She said she supported a \$0.94 or \$0.99 tax rate.

// In the matter of Public Comment, Agenda Item #13, Citizen Beverly McCloskey spoke in support of the 15/50 Plan. She said that they should find ways to provide more funding because the success of the community depended on the success of the children.

// In the matter of Public Comment, Agenda Item #14, Citizen Megan Lucas, representing the Lynchburg Regional Business Alliance, spoke in support of funding the Lynchburg Regional Business Alliance and continuing the partnership into FY 24.

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// In the matter of Public Comment, Agenda Item #15, Citizen Michael Aruck spoke in support of maintaining funding for the Templeton Center to keep it open.

// In the matter of Public Comment, Agenda Item #16, Citizen Zach Karnavas spoke in support of public safety funding and approving the School Board's proposed budget.

// In the matter of Public Comment, Agenda Item #17, Citizen Jim Richards, former chair of the Lynchburg Regional Business Alliance, spoke in support of funding the Alliance.

// In the matter of Public Comment, Agenda Item #18, Citizen Margaret Ann Tyler Johnson spoke in opposition to the \$362,047 allocation for the police department and advocated that the funds be used for youth programs. She said she had been assaulted while in handcuffs and in motion on February 7, 2019, and she was left with a permanent speech impediment. She requested that Council resolve the remaining issues regarding her assault and exonerate her of the charges against her.

// In the matter of Public Comment, Agenda Item #19, Citizen Steve Bartholomew spoke about how increased property assessments would generate more revenue at an \$0.89 tax rate than the previous assessments at a \$1.05 rate. He said that the way to solve problems in the school system was to reintroduce the Christian Bible and prayer.

// In the matter of Public Comment, Agenda Item #20, Citizen Jeff Rosner spoke regarding the appointment or reappointment of the General Registrar and noted that the process had been flawed in several ways.

// In the matter of Public Comment, Agenda Item #21, Citizen Sheron White Simpson expressed concerns that the current General Registrar and Deputy Registrar positions were not being renewed. She stated that Secretary of the Electoral Board Ms. Betty Gibbs acquired personnel files on all the election officers and the chief and made copies of the information, which she removed from a secure area and brought to her home. She stated that she contacted Circuit Court Judge Patrick Yeatts and the president of the Lynchburg Voters Leagues regarding her concerns. She questioned how the Secretary for the Electoral Board was selected and vetted.

// In the matter of Public Comment, Agenda Item #22, Citizen Kathleen Davis spoke in opposition to reductions to the LCS budget.

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// In the matter of Public Comment, Agenda Item #23, Citizen Peter Cefaratti spoke in support of the school system and LCS teachers. He said that LCS ratings were declining, so anything that distracted from educating students should be eliminated from the school system, and better practices should be implemented. He expressed support for the \$0.89 tax rate.

// In the matter of Public Comment, Agenda Item #24, Citizen Nichole Sanders spoke in support of the City Manager's proposed budget and \$1.05 tax rate. She expressed concerns about categorical funding for LCS and requested the Council support the School Board's request.

// In the matter of Public Comment, Agenda Item #25, Citizen Jennifer Williams spoke in support of the \$1.05 tax rate.

// In the matter of Public Comment, Agenda Item #26, Citizen Consuela Mosley expressed concerns about the proposed tax rate.

// In the matter of Public Comment, Agenda Item #27, Citizen Andrea Hurtt was not present.

// In the matter of Public Comment, Agenda Item #28, Citizen Robert Flood spoke about the recent shootings in the City. He suggested that a solution to the gun violence would be to install cameras in all the hotspots around the City.

// In the matter of Public Comment, Agenda Item #29, Citizen Clay Williams stated that Council should listen to the City Manager and Financial Officers before jumping into cutting taxes because it was more complicated than it looked. He stated that the people of Lynchburg would remember how Councilmembers prioritized campaign promises over their children and educators.

// In the matter of Public Comment, Agenda Item #30, Citizen Williams Richards who previously signed up was not in attendance.

// In the matter of Public Comment, Agenda Item #31, Citizen Paul Kee stated that people would remember how they made them feel long after they forgot what was said. He stated that it was important for the Council to be open-minded and consider that they represented a community at large, and to not be such a hard-liner that they were going to stay with a certain number no matter what. He said that wraparound services allowed himself as a child to survive spinal meningitis, earn a degree and graduate from Heritage High School, and ultimately become an alumnus of Liberty University and able to see his own family matriculate.

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// In the matter of Public Comment, Agenda Item #32, Citizen Josh Pratt spoke to the Council as a representative of Action Mission. He stated that he was a pastor at All Nations Community Church and was a resident of Ward III. He said that 85% of Lynchburg residents identified as Christian, and the Council had the duty to interpose on behalf of Christians to do what was right in God's eyes, and it was not the role of government to support, fund, or promote Pride Month or any type of sexual celebration in government, including public education, City departments, and external contractors.

// In the matter of Public Comment, Agenda Item #33, Citizen Denise Scruggs stated that she was speaking on behalf of the Templeton Senior Center participants. She thanked the City Council for looking into the proposed closure of the Templeton Senior Center. She said that the Templeton Senior Center allowed for a safe place to socialize and learn with others, prevent mental health issues, and provide physical and cognitive health programs to lower dementia risk. She stated that recreation, libraries, and community engagement were all at the heart of the City's future, especially for older citizens.

// In the matter of Public Comment, Item Not on the Agenda, Citizen Skipper Holt stated that education was the key to poverty, and there were many people in the City who fell into the poverty level and needed all the help they could get. He stated that the idea of funneling the money to Lynchburg City Schools differently than in the past appeared to be a vindictive move to LCS, which was not a good thing. He asked the Council to bear in mind that the students who needed the most help were the minority students and poor students.

// In the matter of City Code and Engineering, Agenda Item #34, the Council considered adopting an Ordinance #O-23-040 adding a portion of Enterprise Drive as a new road designation City Code for the placement of maximum speed limit signs in certain residence districts and the fine for exceeding the maximum speed limit in posted residence districts. City Council was previously briefed on this item during the April 11, 2023 Business Item Briefings. Mr. Lee Newland gave a summary of the item to Council. Enterprise Drive is a minor arterial roadway connecting Bedford County to Campbell County through the City of Lynchburg with a posted speed limit of 35 MPH. The roadway was constructed in 2000 and intended to function as a connection between US 221 and US 460 and to take traffic off Old Graves Mill Road in the City. After a request from Vice Mayor Faraldi, city staff reviewed speed data from Lynchburg Police Department from 2017, 2018 and 2019, met with Vice Mayor Faraldi on site and made

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modifications of adding signs, trimming trees, and increasing walk times for the pedestrian activated crosswalks. Vice Mayor Faraldi asked for additional solutions to the speeding problem. City staff hired Clark Nexsen, a consultant engineering firm with offices in Richmond to perform a speed study on Enterprise Drive. Clark Nexsen collected data between late October and early November and submitted a report on February 8, 2023. The report shows that the average speed is 37 MPH with over 16,000 vehicles per day traveling on the roadway. A review of the crash data showed 29 crashes from 2015 to 2022 with none of them involving a pedestrian or bicyclist and only one crash involved speeding. There are two areas where the Pace Speed Range, defined as the speed at which the majority of cars are going on a stretch of road, falls within 36-45 MPH. These areas are an opportunity to apply calming treatments to facilitate lower travel speeds. Suggested treatments that are proposed are, creating an increased fines zone from Paulette Circle to the southern city limits and installing four (4) pole mounted speed display signs at the sag between Paulette Circle and the Jamerson YMCA and between Wyndhurst Drive and the south city limits.

Vice Mayor Faraldi said that he had worked on this issue over the past two years with staff and the residents of Ward IV, and this item came to Council with the support of two residency groups in the area and with traffic study data to back up the decision. He motioned, seconded by Councilmember Helgeson, to approve Ordinance #O-23-040.

Councilmember Misjuns stated that he is very thankful that the Vice Mayor spearheaded this initiative because speeding was in issue in this corridor.

With no further discussion, the following vote was recorded:

Ayes: Stephanie Reed, Chris Faraldi, Jeff Helgeson, Larry Taylor, Marty Misjuns, MaryJane

Dolan, Sterling Wilder 7

Noes: 0

// In the matter of the Budget, Agenda Item #35A, Council conducted its First Reading on the adoption of the FY 2024 Budget and considered adopting Ordinance #O-23-041 lowering the Real Estate Tax Rate to \$0.89/100.

Vice Mayor Faraldi made the motion to adopt the ordinance. Councilmember Helgeson seconded the motion stating this tax rate was meant to serve as a remedy to the years of tax increases paid by

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citizens that resulted in a \$50M surplus and record increase in the City budget. He said that he looked forward to voting in favor of the motion, which was a great starting point to investing in Lynchburg and growing the economy.

Councilmember Dolan stated that she would not be supporting this tax rate for the reasons she had stated since the March 21, 2023 letter was sent to the City Manager. She added that the post-Covid economy and looming recession was changing the way they worked, shopped, and moved around, and communities such as theirs who prepared for the future would prosper, and those that did not would decline. Successful communities understood that their future had to be intentional and not by chance, but the proposed tax rate left a lot to chance in many ways. She made a substitute motion, seconded by Councilmember Wilder, to adopt the ordinance as it was, with the tax rate changed from \$0.89 to \$0.99.

Councilmember Wilder said that the Lynchburg population had grown over the past 20 years because of the investment in creating a great quality of life in Lynchburg. He noted that the success of Downtown Lynchburg was due to the City Council investing in forward-thinking planning. He expressed his support and appreciation for the City Manager and Finance Department who had worked on projections, stabilization of the bond rating for the City, and strong investments in infrastructure, which ultimately led to better quality of life.

Vice Mayor Faraldi said that the motion equated to a \$7M to \$8M tax raise on Lynchburg citizens. He said that he would not be supporting the substitute motion and looked forward to supporting the original motion.

Councilmember Helgeson said that changing the tax rate would require another public hearing with advertisements. He asked if the motion was out of order. Mr. Freedman stated that because Council had represented the tax rate would be at \$0.89, it overruled the original notice for what was put in the newspaper, and the substitute motion was not out of order and could be considered by Council, but would be similar to what the motion was originally on the \$0.89, which was that it was taken as direction, and if the motion was adopted, City staff would do another public hearing and adopt the ordinance as revised.

Mayor Reed called the vote on the substitute motion.

With no further discussion, the following vote was recorded:

Ayes: Wilder, Dolan

2

Noes: Helgeson, Reed, Faraldi, Taylor, Misjuns

5

Mayor Reed stated that the issue that remained her number one priority was public safety in the City due to gun violence. She said that she wanted to implement the Take Back Our Streets Coalition, which would work with local faith-based leaders and law enforcement to come together as a community to put an end to the crime and violence in the city. She stated that she wanted to provide tax relief to citizens, but it was difficult for her to focus on the issue.

Mayor Reed called the vote on the original motion.

With no further discussion, the following vote was recorded:

Ayes: Helgeson, Reed, Faraldi, Taylor, Misjuns

5

Noes: Wilder, Dolan

2

// In the matter of the Budget, Agenda Item #35B, Council considered adopting Ordinance #O-23-042 increasing the Water, Sewer, and Stormwater Rates.

Councilmember Helgeson said that it would be prudent that if they were raising the rate by \$4 or \$5, they should eliminate the account charge of \$3.69 or eliminate the \$4 fee per equivalent meter.

Deputy City Manager Mr. Greg Patrick stated that the revenues from the volume fee and account fees were needed to support the investment in the Capital Plan and in the budget for the Water and Stormwater budgets. If they were to remove that fee, they would have to pull budgets for other funds off the agenda to analyze the impact before presenting amended budgets to Council.

Vice Mayor Faraldi asked if they could consider it tonight and then discuss further changes in two weeks at the second reading. Mr. Patrick answered that if they lowered the fee and then voted on the budget for the other funds that the rate did not support, and it was unknown what must be changed in those budgets to bring them in line with the new level of revenue.

Councilmember Wilder motioned, seconded by Councilmember Taylor, to adopt Ordinance #O-23-042 and approve the line item as it appeared.

Councilmember Helgeson said that he would be voting against the motion.

With no further discussion, the following vote was recorded:

Ayes: Wilder, Dolan, Reed, Taylor

4

Noes: Helgeson, Faraldi, Misjuns

3

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// In the matter of the Budget, Agenda Item #35C, Council considered adopting Ordinance #O-23-043 prohibiting charging certain trash collection fees in the City for FY 2024.

Councilmember Wilder motioned, seconded by Councilmember Misjuns, to adopt Ordinance #O-23-043. With no further discussion, the following vote was recorded:

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

Noes: 0

// In the matter of the Budget, Agenda Item #35D, Council considered adopting Ordinance #O-23-044 prohibiting charging motor vehicle license fees in the City for FY 2024.

Councilmember Misjuns motioned, seconded by Councilmember Wilder, to adopt Ordinance #O-23-044. With no further discussion, the following vote was recorded:

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

Noes: 0

// In the matter of Budget, Agenda Item #35E, Council considered adopting Ordinance #O-23-045 lowering the business license tax rates effective January 1, 2024. Councilmember Helgeson made the motion to approve the ordinance stating that this will help with economic development in the City. Councilmember Misjuns seconded the motion stating he would like to see this tax go away in FY 2025. With no further discussion, the following vote was recorded:

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

Noes: 0

// In the matter of the Budget, Agenda Item #35F, Council considered introducing Resolution #R-23-046 appropriating the FY 2024 General Fund Operating Budget (excluding Discretionary External Service Providers and Schools Operating Budget).

Vice Mayor Faraldi made the motion to approve the resolution stating that Templeton Senior Center is being fully funded, there is not a net reduction in funding to Lynchburg City Schools and targeted funds for the classroom are being implemented, there is a 5% General Wage Increase for City employees, and a historic investment in public safety is being made.

Councilmember Helgeson seconded the motion commending the FY 2024 budget as a good budget.

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Councilmember Misjuns asked if the Lynchburg Regional Business Alliance provide contractual services; the City Manager replied that the City of Lynchburg are members and the funding given to the Alliance is a membership fee. Councilmember Misjuns stated that he may have to make a substitute motion to vote separately on the funding for the Alliance since they could potentially be a contractual service which would require a super majority. The City Attorney responded that a super majority would not be required for a membership fee.

Councilmember Wilder stated that he did not support the motion because of the lack of investment proposed for the city and for staff.

Vice Mayor Faraldi asked Councilmember Wilder to reconsider supporting the budget since the budget supports public safety; he also encouraged the citizens who spoke out during the budget process in support of higher taxes to write a check to the department or service of their choosing in lieu of paying more taxes.

Councilmember Taylor stated that he wanted the Real Estate Tax rate to be set at \$0.88 and not \$0.89 and that he ran on his campaign on lowering taxes. He commented on being a business man and knowing when to increase and decrease.

Councilmember Wilder stated that he cannot support the budget because of all of the items that have been cut.

Mayor Reed stated that she can support the budget because of the significant investment in public safety, although she wasn't fully supportive of the budget as a whole. She stated that she will trust her peers when they say that the City will be moving in a positive direction, that the revenues will be there, and that the schools will be supported.

Councilmember Helgeson thanked Vice Mayor Faraldi, Councilmember Misjuns, and Councilmember Taylor for hearing the public say, "the sky is going to fall", but looked at the quantitative data and didn't fall prey to manipulation and made a good budget. He thanked City staff for doing what a majority of the Council told them to do.

With no further discussion, the following vote was recorded:

Ayes: Helgeson, Reed, Faraldi, Taylor, Misjuns 5

Noes: Wilder, Dolan 2

// In the matter of Budget, Agenda Item #35G, Council considered appropriating the FY 2024 Discretionary External Service Providers Budget.

Vice Mayor Faraldi motioned, seconded by Councilmember Misjuns, to approve Resolution #R-23-047a appropriating \$462 for Amazeement Square.

With no further discussion, the following vote was recorded:

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

Noes: 0

Vice Mayor Faraldi motioned, seconded by Councilmember Wilder, to approve Resolution #R-23-047b appropriating \$15,000 for Central Virginia Alliance for Community Living.

With no further discussion, the following vote was recorded:

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

Noes: 0

Vice Mayor Faraldi motioned, seconded by Councilmember Misjuns, to approve Resolution #R-23-047c appropriating \$1,931 to the Central Virginia Community College Board.

With no further discussion, the following vote was recorded:

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

Noes: 0

Councilmember Wilder motioned, seconded by Councilmember Dolan, to approve Resolution #R-23-047d appropriating \$13,162 to the Virginia Legal Aid Society.

Councilmember Helgeson stated that he would be voting against the motion because the Legal Aid Society had sued the City over a violation of constitutional rights, and because giving money to a law firm was not a prudent use of taxpayer dollars.

Mayor Reed said that she was not comfortable voting on this without further information regarding the case mentioned by Councilmember Helgeson, because it was known that the Legal Aid Society did good things for people in need, and the many people in the community who relied on those services should not be punished for one mistake made by the organization.

Councilmember Wilder said that City Council had a meeting with Legal Aid to discuss the issue and the problem had been remedied multiple years ago.

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With no further discussion, the following vote was recorded:

Ayes: Reed, Faraldi, Wilder, Dolan, Taylor 5

Noes: Helgeson, Misjuns 2

// In the matter of Budget, Agenda Item #35H, Council considered introducing Resolution #R-23-048 appropriating the FY 2024 Operating Fund Budgets for all other funds.

Vice Mayor Faraldi motioned, seconded by Councilmember Misjuns, to adopt Resolution #R-23-048.

With no further discussion, the following vote was recorded:

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

Noes: 0

// In the matter of Budget, Agenda Item #35I, Council considered introducing Resolution #R-23-049 appropriating the Schools Operating Budget by major classification.

Councilmember Misjuns motioned, seconded by Councilmember Helgeson, to adopt Resolution #R-23-049.

Councilmember Misjuns disclosed that his wife is a schoolteacher in Lynchburg City Schools, and under the authority in the Code of Virginia, was disclosing the information and choosing to participate objectively in the matter that affected the group of educators his wife was a part of at-large. He stated that the City was not cutting funding to Lynchburg City Schools despite what others on Council may say.

Councilmember Helgeson stated that funding the school categorically this budget was a good way to ensure teachers receive raises by putting the funds in instruction.

Councilmember Wilder said that he did not support this motion because last year the schools were funded \$40.8M by the City and this year the funding was \$39.4M. The poverty rate was higher in Lynchburg than in surrounding counties, and that was why certain issues may be higher in the public schools.

With no further discussion, the following vote was recorded:

Ayes: Reed, Faraldi, Helgeson, Taylor, Misjuns 5

Noes: Wilder, Dolan 2

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// In the matter of Budget, Agenda Item #35J, Council considered introducing Resolution #R-23-050 adopting the FY 2024-2028 Capital Improvement Program and appropriating the FY 2024 Capital Budget.

Councilmember Wilder motioned, seconded by Councilmember Taylor, to adopt Resolution #R-23-050. With no further discussion, the following vote was recorded:

Ayes: Reed, Wilder, Dolan, Helgeson, Taylor, Misjuns 6

Noes: Faraldi 1

// In the matter of Budget, Agenda Item #35K, Council considered introducing Resolution #R-23-051 appropriating \$50,000 of the FY 2024 Reserve for Contingencies for use by the City Manager.

Councilmember Wilder motioned, seconded by Councilmember Taylor, to adopt Resolution #R-23-051.

With no further discussion, the following vote was recorded:

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

Noes: 0

// In the matter of Budget, Agenda Item #35L, Council considered introducing Resolution #R-23-052 setting the Personal Property Tax Relief Rate at 35.81% for January 1, 2023 through December 31, 2023.

Councilmember Misjuns motioned, seconded by Councilmember Wilder, to adopt Resolution #R-23-052. With no further discussion, the following vote was recorded:

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

Noes: 0

// In the matter of Roll Call, Item Not on the Agenda, Councilmember Taylor stated that the City was in trouble. He said that if they looked at the videos of the Floyd Street shooting, they looked like they were boys younger than 18 years old. He said that he would like to ask his fellow Councilmembers and the City Manager and the Police Department to investigate setting up a curfew for teenagers in the City. He said that it would help them a whole lot and needed to be done. He said that he knew that Councilmember Wilder's organization had many teens, and these activities should not interfere with children's activities in the community. He said that they had to remove the face masks because Covid-19 was over, and he had heard that the perpetrators had refused to remove their masks when they were asked to when they got in a cab. He said that criminals would hide, and they needed to be able to set up a system so that people

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could remove face masks and to implement a curfew for teenagers. City Manager Mr. Wynter C. Benda said that there had been other issues that each Councilmember had discussed as they related to public safety, including a curfew. He said that thinking through strategic steps forward as City Manager, he solicited the law enforcement community including the Sheriff, Commonwealth's Attorney, Police Chief, and other departments to gather early next week with the expectation to come forward on the 23rd with some options, the least of which would be a curfew. He said that he knew that Commonwealth's Attorney Bethany Harrison along with Chief Zuidema had given some examples of communities that did have a curfew, including Danville, Charlottesville, and Roanoke, which they would use as models or examples to give options. He said that their intent was to meet in the ensuing weeks and make sure they had options prepared for the 23rd. Councilmember Taylor asked if full face masks were necessary. Mr. Benda said that there could be restrictions such as inclusion of people up to 18 years old, with exceptions of going to church, a job, or other certain activities. He said that as to whether they could be prescriptive to ensure people were not wearing a mask, he would have to work with Mr. Freedman and others about how prescriptive they could be in a local ordinance for the City about a curfew.

Councilmember Helgeson said that there was an ordinance that would be a pretty good model and not much needed to be worked on other than defining a specific timeframe for the ordinance, so they should be prepared to vote before school got out on the 26th.

Councilmember Misjuns said that he would email the information compiled thus far in regard to creation of a curfew ordinance. He said that it was a great idea and they needed to do what they could to curb the violence that was being perpetrated by teenagers. He said that they had to find a way to reach the hearts of children while protecting citizens, and this was a great tool at their disposal to keep people safe while being mindful of people's liberties. He said that he was on the scene in the morning because Councilmember Taylor asked him to, and seeing his little sisters wailing made him not miss working in public safety, because he had seen it too much. He said that they had to do what they could to stop this and keep their citizens safe. He said that he also wanted to see what they as a body could do to investigate some things in the school division. He said that going back to the public safety issue, he had had some conversations with people around a situation that involved the Virginia State Police asking to go into a school and the discussion had been that the school division had to be able to notify the parents

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before allowing them to go in. He said that this was information he obtained from senior people in the law enforcement community that he had had this discussion with but he would not name any names. He said that if there were guns in a school and law enforcement intelligence said there were guns in the school and they wanted to bring dogs in to look for guns, but the school division said they must send a letter home to the parents first, the drugs or guns would not be at the school the next day. He said that he had a serious problem if there were things going on that were putting the safety of their children at risk in the schools because they had to send letters home. He said that if law enforcement intelligence had evidence of something in the school, they needed to be able to go in and look for it, and if those decisions were being made at the top of their school division, that was what he wanted to investigate and find out that issue. He said to imagine if a gun at that school was one of the guns that was used to kill one of the three kids this year that a canine could have found. He said that the concerns were brought to him but he did not know all the facts, which was why he was saying he wanted to look into these facts, because if those decisions were being made at the top of their school division, that was something they needed to be concerned about.

Vice Mayor Faraldi said that from his perspective, they were at war and they needed to call it what it is, and take those off the streets who wished to inflict sin, evil, and chaos. He thanked the City Manager for helping him think in larger perspectives about how to target that, and he looked forward to seeing what solutions they could dig into and try to bring some of this nonsense to a stop.

Councilmember Wilder stated that there would be a meeting of One Community One Voice at the Jubilee Center gymnasium Thursday at 600 p.m. to address the crime issues and how the faith community and nonprofit partners could help. He said that in reference to the situation with the schools, usually schools had so many lockdowns when they had word of a gun, he could not understand why they could not come in and search for a gun. He said that lockdowns and searches happened all throughout his time in schools, so that was something he would prefer to check in with the schools and get more facts before putting out misinformation. He thanked the community who came out to the Jubilee Center to support the family during this tragedy, and they had to continue to show love to each other and their community. He said that many children were hurt from not being loved, and they could all do their parts in

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being a mentor and showing love. He thanked the City staff for their work on the budget, and he applauded the City staff for getting the budget together.

Mayor Reed thanked everyone for the International Festival held on Saturday, which was beautifully done and so cool to see the different cultures represented in the City, with beautiful dress, food, and music. She said that she appreciated City staff putting together the very last-minute National Day of Prayer event on the Monument Terrace, which was well-attended.

// The meeting adjourned at 11:29 p.m.

Clerk of Council