// A regular meeting of the Council of the City of Lynchburg was held on the 28th day of May, 2024, at 4:00 p.m. in the Council Chamber, City Hall, Stephanie Reed, President, presiding. The following Members were present:

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

Absent: 0

// In the matter of Work Session Agenda Overview, Beverly Blair provided Council with an update regarding the Downtown Branch Library pilot project. She announced that the branch, located in the former Visitor's Center, was holding a grand opening on Saturday, June 8, from 9 a.m. to 2 p.m. She said that after a six-month pilot program, they would gather citizen feedback to try new ideas and schedules.

// In the matter of Public Works, Agenda Item #1, Council received an update regarding the Enterprise Drive traffic calming efforts. Lee Newland, City Engineer, provided a presentation to Council. In response to Council's request, staff ordered and installed radar feedback signs along with increased fine signs, which became operational on September 20, 2023.

Vice Mayor Faraldi asked for more information regarding the per-speed breakdown in chunks for the 45% of vehicles travelling over 5mph over the speed limit. He noted that the radar signs would flash white, not the speed, if a vehicle was travelling over a certain speed, and drivers had taken to speeding in order to make the signs flash. He asked if the signs could be adjusted so that they showed the speed rather than flash white. Mr. Newland said that the signs could be adjusted. He explained that the signs had been set to a 50-mph limit, and above that, it would show "Slow Down" in red. He noted that this had been changed on May 23. He explained that they did not want to show speeds above 50 mph because people may use it as a game to reach higher speeds.

Vice Mayor Faraldi asked how many tickets were issued which were actually cited. Ryan Zuidema, Chief of Police, said that the number of tickets issued was 29. Vice Mayor Faraldi asked if there was an increase in the number of tickets issued since the signs were installed and the ordinance amended. Chief Zuidema said that it depended on their capacity to patrol the area. He said that in comparing the time period from 09/20/2022 to 05/19/2023 and 09/20/2023 to 05/19/2024, there had been a tripling of tickets issued in the area since installing the signs, and accidents had halved.

Vice Mayor Faraldi asked how the City was addressing traffic concerns around the Summit development. City Manager Mr. Wynter Benda said that staff was in discussions with the developer, and they were working to schedule a meeting. He said that they were looking for a solution that would benefit all parties. Vice Mayor Faraldi said that the residency council wanted a signalized intersection, and he agreed with the request given the amount and speed of traffic.

// In the matter of Youth, Agenda Item #2, Council held a work session regarding the Summer Fun and Safety Guide for the Youth of the City. Dr. Hollie Jennings, Diversity Equity & Inclusion Strategist, briefed Council.

Councilmember Helgeson expressed concerns about how the basketball courts were closed during the COVID-19 pandemic, which prevented children from even playing basketball by themselves.

Councilmember Wilder said that the guide provided positive activities for children to participate in and offered helpful tips to residents, such as places to get free food. He said that the basketball courts were likely closed to prevent children from getting sick and dying.

Councilmember Misjuns said that they should live in a bubble so people couldn’t interact with, breathe on, sneeze on, or cough on each other. He said he was disappointed in the City for closing schools and outdoor basketball courts during the COVID-19 pandemic, and similar reasoning was used to cancel the International Festival. He said he wanted to see a reduction in crime while facilities and activities remained open.

// In the matter of Community Development, Agenda Item #3, Council was briefed regarding the Fiscal Year (FY) 2025 Program Year (PY) 2024 Community Development Advisory Committee (CDAC) recommendations for Community Development Block Grant (CDBG) and HOME Program Entitlement funds. Mayor Reed stated that the item would appear before Council for action at the June 11, 2024 meeting. Melva Walker, Grants Manager, briefed Council. The Community Development Advisory Committee (CDAC) met on February 22, 2024 and reviewed the applications that were submitted.

// In the matter of Schools, Agenda Item #4, Council was briefed regarding the FY 2025 School Funding Update and Tax Rates. Mayor Reed stated the item would appear before Council for action at the regular meeting. Donna Witt, Chief Financial Officer, provided a summary to Council.

Councilmember Helgeson asked what the impact would be to lower the Personal Property Tax by $0.10. Ms. Witt replied that a $0.10 decrease would equate to a $13 savings based on a vehicle valued at $20,000, or just under $0.01 on the Real Estate rate, which was equivalent to $20 on a house valued at $200,000. Councilmember Helgeson said he would support decreasing the Personal Property Tax rate by $0.10 or the real estate rate by $0.01. He asked for clarification regarding page 185 in the budget, where there was a 20% increase in administration from the prior year's allocation. Ms. Witt said she believed the increase was related to health insurance costs since the category included administration and health.

Vice Mayor Faraldi noted that the budget figures were not finalized, and the final impact of the tax reduction on tax payers could be as low as $9, not even enough to buy a Happy Meal from McDonalds. He said he would gladly sacrifice a Happy Meal to provide pay raises to the teachers at Sandusky Elementary.

Councilmember Misjuns said that they should work to reduce administration costs in LCS and redirect the funds to instruction. He said that administration should be flat funded at most.

Councilmember Wilder clarified that they had provided tax relief to residents in the budget. Ms. Witt confirmed that Council had waived the $10/month trash collection fee and the vehicle license fee.

Mayor Reed noted that the funding for LCS was not level funding due to inflation, and it should have been adjusted by about $2.8 million. She said that LCS only received $9 million of its $139 million CIP request, which would be used to address lagging maintenance projects and building upkeep. She noted that teachers often paid for classroom expenses out of their own paychecks, yet councilmembers were suggesting reducing funding to LCS by $660,000. She noted that Council had already advertised the budget and tax rates, so adjustments would require them to restart the process. She said there was no consensus from Council to adjust the tax rates.

// In the matter of Finance, Agenda Item #5, Council was briefed regarding the FY 2024 Third Quarter Adjustments. Donna Witt, Chief Financial Officer, provided a presentation to Council. In March, staff began the normal review of FY 2024 operating and capital revenues and expenditures of the City’s various funds to determine if adjustments were needed prior to the end of the fiscal year. Departments were requested to submit any necessary adjustments that needed to be considered. Attachment A provides proposed expenditure and revenue adjustments based on the third quarter review. The General, City/Federal/State Aid, Forfeited Assets, Children's Services Act (CSA), Regional Juvenile Detention Home, Airport, City Capital Projects, and Airport Capital/Grant Projects Fund are amended to reflect the FY 2024 Third Quarter Adjustments.

Councilmember Helgeson said that they could reallocate the reserve for textbooks to another reserve or use it to help keep schools open. He asked why the expenditure was happening now. Ms. Witt said that the expenses occurred every so often when the DOE mandated upgraded textbooks. She said that the expense request was for textbooks for grades K-5. She said that the money was set aside for a number of years until the new textbooks were requested or mandated. Councilmember Helgeson asked if it was possible to use the increase in interest income rather than drawing from the reserve for contingencies. Ms. Witt said that it was possible. Councilmember Helgeson asked when they would see the extra funds from the interest income. Ms. Witt said that they were currently $3 million above budget.

// In the matter of the Police Department, Agenda Item #6, Council was briefed regarding the City-Wide Youth Curfew. Ryan Zuidema, Chief of Police, briefed Council on the matter. City Council approved a City-wide Youth Curfew Ordinance on May 23, 2023 that went into effect on May 26, 2023 with the goals of protecting the general public through the reduction of juvenile violence and crime, promoting the safety and well-being of those under the age of 18, and fostering and strengthening parental responsibility for children. This ordinance was set to expire on December 1, 2023, but was extended by City Council action on November 28, 2023 to sunset on June 1, 2024.

Councilmember Misjuns asked how children would be able to attend the midnight basketball event being hosted by the City. Mr. Zuidema replied that there was a provision of the curfew, Section B(5), which stated that a minor could attend an event sponsored by a school, religious, civic organization, public organization or agency, or a similar agency, where the activity is supervised by adults, and the minor is travelling to and from the activity without detour or stop.

// In the matter of Roll Call, Mayor Reed announced she attended a Memorial Day celebration at the City Armory. She thanked veterans for their service. She said she was able to read to students at Sandusky Elementary, and they told her that they wanted Astronaut Leland Melvin to read to them next year. She recognized and highlighted the work and contributions of the Circuit Court.

// The meeting was recessed at 5:46 p.m.

// A regular meeting of the Council of the City of Lynchburg was held on the 28th day of May, 2024, at 7:00 p.m. in the Council Chamber, City Hall, Stephanie Reed, President, presiding. The following Members were present:

Present: Stephanie Reed, Chris Faraldi, MaryJane Dolan, Jeff Helgeson, Martin Misjuns, Larry Taylor, Sterling A. Wilder	7
Absent:	0

// Councilmember Wilder led the invocation, followed by the Pledge of Allegiance.

// In the matter of Recognitions, Agenda Item #1, Mayor Reed recognized the 19th Citizens Academy Graduation. Anna Benson introduced the graduating class. Susan Murray, class spokesperson, provided remarks to Council. Mayor Reed presented the graduates with their certificates.

// In the matter of the Agenda, City Attorney Mr. Matthew Freedman said that staff had requested to add an item to the agenda under General Business related to the Youth Curfew. He noted that since the sunset clause was approaching, staff wanted Council's direction as to whether or not the curfew should continue. Councilmember Helgeson and Councilmember Misjuns did not support adding the item to the agenda because citizens should be provided the opportunity to prepare and speak on the matter.

Councilmember Wilder asked if the terms of the curfew had changed. Mr. Freedman replied that the extension dates had been changed; otherwise, it had the same terms as the previous curfew.

Councilmember Dolan motioned to add the item to the agenda as the first item under General Business. Councilmember Wilder seconded the motion.

Councilmember Misjuns said he would prefer to add the item to the end of General Business so that the citizens who were in attendance for the items that were already on the agenda wouldn't be beholden to the discussion of this item being put on the agenda. Councilmember Helgeson said that putting the item on at the ending would be the preference. Councilmembers Dolan and Wilder supported adding the item to the end of General Business.

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

Ayes: Reed, Faraldi, Dolan, Taylor, Wilder	5
Noes: Helgeson, Misjuns	2

// In the matter of Consent, Agenda Item #2, a second reading was conducted and Council adopted Resolution #R-24-031 appropriating the FY 2025 General Fund Operating Budget (excluding Discretionary External Service Providers and Schools Operating Budget); Resolutions #R-24-033(a), #R-24-033(b), #R-24-033(c), and #R-24-033(d) appropriating the FY 2025 Discretionary External Service Providers Budget; and Resolution #R-24-036 appropriating $50,000 of the FY 2025 Reserve for Contingencies for use by the City Manager. Councilmember Helgeson motioned, seconded by Councilmember Wilder, to approve the resolutions.

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

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

Noes: Misjuns 1

// In the matter of the Consent Agenda, Agenda Item #3, copies of the minutes of the February 27, 2024 meeting have been previously furnished to Council, and on motion of Councilmember Helgeson, seconded by Councilmember Wilder, Council by the following recorded vote approved the minutes as presented:

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

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

Noes: Misjuns 1

// In the matter of the Consent Agenda, Agenda Item #4, copies of the minutes of the March 12 27, 2024 meeting have been previously furnished to Council, and on motion of Councilmember Helgeson, seconded by Councilmember Wilder, Council by the following recorded vote approved the minutes as presented:

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

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

Noes: Misjuns 1

// In the matter of the Consent Agenda, Agenda Item #5, copies of the minutes of the March 26 27, 2024 meeting have been previously furnished to Council, and on motion of Councilmember Helgeson, seconded by Councilmember Wilder, Council by the following recorded vote approved the minutes as presented:

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

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

Noes: Misjuns 1

// In the matter of the Consent Agenda, Agenda Item #6, copies of the minutes of the April 9 27, 2024 meeting have been previously furnished to Council, and on motion of Councilmember Helgeson, seconded by Councilmember Wilder, Council by the following recorded vote approved the minutes as presented:

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

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

Noes: Misjuns 1

// In the matter of the Consent Agenda, Agenda Item #7, copies of the minutes of the April 16 27, 2024 meeting have been previously furnished to Council, and on motion of Councilmember Helgeson, seconded by Councilmember Wilder, Council by the following recorded vote approved the minutes as presented:

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

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

Noes: Misjuns 1

// In the matter of the Consent Agenda, Agenda Item #8, copies of the minutes of the April 23 27, 2024 meeting have been previously furnished to Council, and on motion of Councilmember Helgeson, seconded by Councilmember Wilder, Council by the following recorded vote approved the minutes as presented:

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

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

Noes: Misjuns 1

// In the matter of Community Development, Agenda Item #9, Council held a public hearing in consideration of adopting Resolution #R-24-040 approving the siting agreement between the City of Lynchburg and James Energy, LLC (d/b/a East Point Energy) at 3920 Harbor Street & 109 Old Trents Ferry Road. Director of Community Development Tom Martin provided a briefing to Council. James

Energy Center, LLC is requesting that the City enter into a "Siting Agreement" for a proposed battery energy storage facility to be located at 3920 Harbor Street & 109 Trents Ferry Road. City Council approved a Conditional Use Permit (CUP) to allow for up to a twenty (20) megawatt facility on April 11, 2023. The Code of Virginia §15.2-2316.7 provides that the City and the applicant may enter into a Siting Agreement in order to mitigate impacts related to the facility and provide financial compensation to the City in order to address capital needs. Impacts related to these types of facilities include emergency response, and depending on the underlying zoning, loss of housing opportunities or job creation. James Energy Center, LLC is offering a total of $55,000 payment to the City which would be disbursed based upon a Capital Payment Schedule as listed in Exhibit C of the Agreement:

$5,000 - within ninety (90) days of agreement.

$10,000 - commencement of construction.

$30,000 (for fire department equipment) - commencement of construction

$10,000 -within ninety (90) days of commercial operation.

In addition to the cash payment, James Energy Center, LLC will fund specialized training for the Lynchburg Fire Department that may be needed to respond to an emergency at the facility.

These one-time payments are separate from and in addition to real estate taxes and proposed revenue sharing.

Petitioner Chris Meyer, East Point Energy, told Council that he was present to answer any questions.

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

Councilmember Taylor motioned, seconded by Councilmember Dolan, to adopt Resolution #R-24-040, approving the siting agreement between the City of Lynchburg and James Energy, LLC (d/b/a East Point Energy) at 3920 Harbor Street & 109 Old Trents Ferry Road. Jason Shoemaker, Project Manager for Interconnection Projects and representing the petitioner, was available to answer any questions.

Councilmember Taylor asked how the facility would handle the battery cells overheating. Mr. Meyer explained that batteries were contained in separate enclosures, and if they did begin to heat up, they had various procedures to disconnect power and begin discharging them, which would reduce the combustion risk. He said that if the batteries did combust, there were vents to release the fumes and prevent explosions, and the fire would be contained to the individual enclosures. He said that the fire department's procedure was to protect the perimeter and allow the enclosure to burn safely.

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

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

// In the matter of Community Development, Agenda Item #10, Council held a public hearing in consideration of adopting Resolution #R-24-041 approving a siting agreement between the City of Lynchburg and Quarry Energy Center, LLC (d/b/a East Point Energy) at 2904 Carroll Avenue. Director of Community Development Tom Martin provided a summary of the request to Council. Quarry Energy Center, LLC is requesting that the City enter into a "Siting Agreement" for a proposed battery energy storage facility to be located at 2904 Carroll Avenue. The proposed facility would be permitted "by-right" on the industrial zoned property. The submitted siting agreement indicates the facility could be as much as twenty (20) megawatts. The Code of Virginia §15.2- 2316.7 provides that the City and the applicant may enter into a Siting Agreement in order to mitigate impacts related to the facility and provide financial compensation to the City in order to address capital needs. Impacts related to these types of facilities include emergency response, and depending on the underlying zoning, loss of housing opportunities or job creation.

Quarry Energy Center, LLC is offering a total of $65,000 payment to the City which would be disbursed based upon a Capital Payment Schedule as listed in Exhibit C of the Agreement:

$5,000 - within ninety (90) days of agreement.

$20,000 - commencement of construction.

$40,000 -within ninety (90) days of commercial operation.

These one-time payments are separate from and in addition to real estate taxes and proposed revenue sharing. Petitioner Chris Meyer, East Point Energy, told Council that he was present to answer any questions.

Fredrick Burton, Sr., 2700 and 2704 Clover Place, speaking in opposition, expressed concerns about the safety risks posed by the facility to nearby residents.

Mr. Meyer provided a rebuttal to the public input. He said that they performed outreach to nearby residents and addressed some concerns of residents who reached out. He said that the project was located on an industrially zoned site, so the project was by-right, and it was behind the existing substation, hundreds of feet from the majority of residences. He said that the facilities were designed so fail safely, and there was no significant risk to personal property or human health of nearby residents.

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

Councilmember Dolan motioned, seconded by Councilmember Taylor, to adopt Resolution #R-24-041, approving a siting agreement between the City of Lynchburg and Quarry Energy Center, LLC (d/b/a East Point Energy) at 2904 Carroll Avenue.

Councilmember Helgeson asked for clarification regarding the safety of the facility. City Manager Mr. Wynter Benda stated that there were provisions in the agreement where the petitioner would help with equipment and training associated with a potential fire at the facility. Mr. Meyer said there was a low priority for an enclosure to catch fire, and there were multiple mitigation requirements and tests to ensure safety. He said that they would submit an emergency response plan (ERP) before site plan approval, and the fire department would be trained on the ERP.

Councilmember Misjuns asked what hazardous materials were associated with the batteries. Mr. Meyer said that they used lithium-ion chemistry, similar to electric vehicles and home-storage batteries. He said that testing on water, air, and soil pollution from fires or runoff showed no toxicity damages. Councilmember Misjuns asked if PFAS were associated. Mr. Meyer said he was not sure, but there could be, such as through construction materials. Councilmember Misjuns noted that there was no way to protect firefighters from PFAS exposure, so the petitioner should look to limit the materials used during construction to be safe for first responders.

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

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

// In the matter of Schools, Agenda Item #11, Council held a public hearing to receive citizen input regarding appointments, or reappointments, to vacancies that will exist June 30, 2024, in School Board Districts I, II, III. Clerk of Council Alicia Finney provided a summary of the request to Council. Section §22.1-50 of the Code of Virginia and Section §32-16 of the City Code provide that within thirty days preceding July 1st of each year, City Council shall appoint a successor for each school board member whose term expires on June 30th of that year. Section §22.1-29.1 of the Code of Virginia requires City Council to hold a public hearing on school board appointments at least seven days prior to making the appointments. It also provides that no nominee or applicant whose name has not been considered at a public hearing can be appointed to the school board.

The following individuals have applied:

District 1: Brandon Hill, Daryl Conner, Selina Morgan, Patrick Earl, Nettie Webb, Cynthia Deutsch, Elizabeth Jenkins, Brandy Gibbs, Miles Erwin, Joseph Malloy, Ken Kowalski.

District 2: Joserah Schenck, Mark Tinsley, Timothy Smith, Margaret Deyerle, Jibri Poe, Jordan Nesbitt.

District 3: Aaron Borsay, Taormina Howard, Atul Gupta, Carlos Cifuentes, Beth-Anee Fretz, Alysha Brown, Kimberly Thompson.

Daryl Conner, candidate for District 1, addressed Council and outlined his qualifications for the School Board.

Elizabeth Jenkins, candidate for District 1, addressed Council and outlined her qualifications for the School Board.

Joseph Malloy, candidate for District 1, addressed Council and outlined his qualifications for the School Board.

Jordan Nesbitt, candidate for District 2, addressed Council and outlined her qualifications for the School Board.

Gavin Proffit, District 1, endorsed Joseph Malloy for the School Board.

Jonathan Pen, District 2, endorsed Jibri Poe for School Board based on his life-long friendship with Mr. Poe.

Heaven Harrington, District 1, endorsed Selina Morgan for School Board based on her work in the YWA.

Camille Thornton, District 1, endorsed Selina Morgan for School Board.

Z'Ayonna Winchester, District 1, endorsed Selina Morgan for School Board based on her work running the YWEA and her positive impacts on the community.

Shirley Conner, District 1, endorsed Daryl Conner for School Board based on his work in the community.

Kelvin Moore, District 2, endorsed Jibri Poe for School Board based on his commitment to accountability, integrity, and energy.

Brandon Arthur, District 2, endorsed Jibri Poe for School Board based on his engagement with young people.

There was no one left wishing to speak, either by phone in-person.

Vice Mayor Faraldi motioned, seconded by Councilmember Wilder, to close the public hearing and begin the selection of candidates.

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

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

Vice Mayor Faraldi requested to add Daryl Conner, Nettie Webb, and Joseph Malloy from District 1; Mark Tinsley, Jibri Poe, and Jordan Nesbitt from District 2; and Atul Gupta from District 3 to be interviewed at the next meeting.

Mayor Reed requested to add Ken Kowalski and Selina Morgan from District 1.

Councilmember Wilder requested to add Patrick Earl from District 1 to be interviewed at the next meeting.

Councilmember Dolan requested to add Cynthia Deutsch and Elizabeth Jenkins from District 1 to be interviewed at the next meeting.

// In the matter of Public Comment, Agenda Item #12, Citizen Beverly McCloskey, on behalf of Embrace Our Schools, addressed Council regarding LCS funding. She stated the importance of LCS teachers in her children's development and schooling. She said that the quality of LCS was a direct reflection of the City, and without a quality education system, people would start to leave. She said that all LCS students deserved a bright future.

// In the matter of Public Comment, Agenda Item #13, Citizen Colleen Larkins, on behalf of Save Sandusky, addressed Council regarding tax cuts. She expressed concerns about the impacts of further tax cuts to LCS. She noted that quality public education reduced crime rates and that it cost five times more to incarcerate someone than it did to provide quality education. She said that LCS students deserved to be funded.

// In the matter of Public Comment, Agenda Item #14, Citizen Johanna Derrenbacker addressed Council regarding defunding Lynchburg City Schools. She requested that Council prioritize funding of the public education system.

// In the matter of Public Comment, Agenda Item #15, Citizen Beth White was not present.

// In the matter of Public Comment, Agenda Item #16, Citizen Bruce Rubinberg, on behalf of Feks Martial Arts Center, addressed Council regarding a response to the City Council Public comment on 5/14 from Dan Harrison with Church of Covenant. He said that a ceasefire would not bring peace to Gaza, and his friends and family in the IDF who were in Rafah did not wish harm or bring suffering on the people in Gaza; they just wanted to live in peace.

// In the matter of Public Comment, Agenda Item #17, Citizen Cynthia Capps addressed Council regarding councilmembers and propaganda. She expressed concerns that an email she sent on May 19, in which she requested clarification regarding the votes that took place at the May 14 meeting, was being used by Councilmember Misjuns to spread propaganda in his newsletter. She noted that level funding for schools did not account for inflation, and continued level funding was widening the achievement gap for LCS students.

// In the matter of Public Comment, Agenda Item #18, Citizen Sarah Quarantotto addressed Council regarding funding for LCS. She expressed opposition to the proposal from some councilmembers to further decrease LCS funding if the state provided increased funding. She said that reducing LCS funding further would drive away the tax base and qualified teachers. She asked Council to maximize its investment in LCS.

// In the matter of Public Comment, Agenda Item #19, Citizen Kathleen Olinger addressed Council regarding school funding. She said that continuing to reduce property taxes would only benefit property owners, many of whom did not live in the City, and would harm renters. She asked Council to continue to support LCS.

// In the matter of Public Comment, Agenda Item #20, Citizen George Dawson addressed Council regarding school funding. He said that the City's economic health would be negatively impacted by reduced investment in LCS.

// In the matter of Public Comment, Agenda Item #21, Citizen Erik Nygaard addressed Council regarding proposed changes to the City schools' budget. He requested Council to increase funding to LCS to bolster local business's abilities to attract local talent.

// In the matter of Public Comment, Agenda Item #22, Citizen Sam Citty addressed Council regarding funding for LCS. She said that reducing LCS funding to provide tax relief would not benefit her family which depended on the school system.

// In the matter of Public Comment, Agenda Item #23, Citizen Amanda Rumore, on behalf of Bedford Hills Elementary PTO, addressed Council regarding funding for LCS. She said she opposed any reduction in LCS funding for the fiscal year. She said that larger class sizes and staff cuts resulted from reduced funding which in turn would negatively impact the learning environment. She asked Council to fully fund LCS.

// In the matter of Public Comment, Agenda Item #24, Citizen Jeffrey Wooters addressed Council regarding LCS funding. He noted the importance of public education and expressed supported funding for LCS. He asked each councilmember to visit the schools and meet with the faculty and staff, and to consider the needs of LCS.

// In the matter of Public Comment, Agenda Item #25, Citizen Kate Sigler addressed Council regarding support for fully funding of LCS as a parent of middle and elementary school students.

// In the matter of Public Comment, Agenda Item #26, Citizen Bianca Childress, on behalf of Linkhorne Middle School PTO, addressed Council regarding the budget. She said that teachers had indicated the greatest need was for basic classroom supplies, and she was disheartened to learn that LCS was not able to fund these basic supplies, much less maintenance and salary needs. She said that quality public schools benefitted economic development, real estate assessments, great tax revenue, improved public health, reduced reliance on social assistance programs, and reduced crime.

// In the matter of Public Comment, Agenda Item #27, Citizen Scott Wiebe addressed Council regarding support for LCS teacher pay. He asked Council to increase funding for LCS at the local level.

// In the matter of Public Comment, Agenda Item #28, Citizen Sara Beck addressed Council regarding funding for LCS. She expressed support for robust investment in LCS. She said that declining enrollment did not mean a reduced need for funding, but rather a need to consider how they can address the reasons why students and families were leaving LCS. She said there was no investment more important than public schools.

// In the matter of Public Comment, Agenda Item #29, Citizen Kelly Knight addressed Council regarding funding for the LCS budget. She said that LCS required full funding to address capital and operating needs. She said that investing in LCS would have positive long-term economic impacts on the City.

// In the matter of Public Comment, Agenda Item #30, Citizen Deirdra Flavin was not present.

// In the matter of Public Comment, Agenda Item #31, Citizen Ginna Haske, on behalf of Athletic Boosters, addressed Council regarding LCS funding. She asked Council to invest in LCS.

// In the matter of Public Comment, Agenda Item #32, Citizen Jamie Maxwell, on behalf of Stop Anti-Semitism, addressed Council regarding stopping antisemitism in the City. He asked the City to adopt a resolution in support of Israel.

// In the matter of Public Comment, Agenda Item #33, Citizen Dawn Wise, on behalf of LCS Education Foundation, addressed Council regarding LCS funding. She said that the Education Foundation had an increasing number of items they had to fund due to shortfalls in the City's budget. She asked Council to stop reducing the LCS budget.

// In the matter of Public Comment, Agenda Item #34, Citizen Maggie Millard was not present.

// In the matter of Public Comment, Agenda Item #35, Citizen Randy Trost addressed Council regarding the LCS budget. He said that investing in LCS was an investment in the City. He asked Council to support additional pay for LCS faculty and staff.

// Council called a recess at 9:30 p.m. and reconvened at 9:35 p.m.

// In the matter of the Museums, Agenda Item #36, Council considered adopting Resolution #R-24-042 establishing the City of Lynchburg's VA 250 Local Committee "LYH 250." Mayor Reed stated that the item was presented to Council during the Business Item Briefings at the May 14 meeting. VA 250 local committees work with the State's VA 250 Commission to commemorate the 250th anniversary of Virginia's role in American independence (1776–1781). The state's commission will provide grant funding opportunities for commemorative events or projects and will make available programs to include traveling exhibitions and teacher resources to the local committee. Grants are offered through the Virginia Tourism Corporation and Virginia Humanities.

Local representatives have self-selected as Lynchburg's committee and listed themselves on the VA250 website; the committee contact is listed as Ashleigh Meyer, with the Old City Cemetery (Southern Memorial Association). The narrative from the website listing notes "Old City Cemetery will serve as the focal point for Lynchburg's 250th programming, and we are excited to work with the Lynchburg Museum, Jones Memorial Library, area historians, and the nearby counties of Bedford and Campbell to bring about a regional celebration of this important anniversary for our nation."

To have an officially recognized (or "certified") VA 250 committee, City Council must pass a support resolution. The attached resolution formally designates the local committee through December 31, 2026 and assigns the Southern Memorial Association as the fiscal agent for purposes of applying for receiving and managing state programs and grants on behalf of the committee. The committee would be monitored by the City's Finance Department like other subrecipients, such as those for Community Development Block Grant and HOME grant programs. Following the presentation of this item during City Council's May 14 work session, staff updated the resolution to designate the name of the committee as "LYH 250" and include a listing of the representative organizations to better comply with the certification requirements of the committee. Those organizations include the Southern Memorial Association, Thomas Jefferson's Poplar Forest, Avoca Museum and Historical Society, Daughters of the American Revolution, Patrick Henry's Red Hill, Sons of the American Revolution, and Jones Memorial Library.

Vice Mayor Faraldi motioned, seconded by Councilmember Wilder, to adopt Resolution #R-24-042 establishing the City of Lynchburg's VA 250 Local Committee "LYH 250."

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

Ayes: Reed, Faraldi, Dolan, Wilder	4
Noes:	0
Absent: Helgeson, Misjuns, Taylor	3

// In the matter of the Police Department, Agenda Item #37, Council considered introducing Resolution #R-24-043 amending the FY 2024 City/Federal/State Aid Fund and appropriating $164,914 for the purchase of an Integrated Ballistics Identification System (IBIS) and related National Integrated Ballistic Information Network (NIBIN) equipment for the Lynchburg Police Department.

At its May 28, 2024 meeting, the Finance Committee recommended approval. As Chair of that committee, Vice Mayor Faraldi brought the committee's recommendation for approval forward as a motion. No second was required, and Council, by the following recorded vote approved the motion:

Ayes: Wilder, Dolan, Helgeson, Reed, Faraldi, Misjuns	6
Noes:	0
Absent: Taylor	1

// In the matter of Budget, Agenda Item #38(D), Council conducted a second reading and considered adopting Resolution #R-24-033(e) appropriating the FY 2025 Discretionary External Service Providers Budget. Councilmember Wilder motioned, seconded by Councilmember Dolan, to adopt Resolution #R-24-033(e).

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

Ayes: Reed, Faraldi, Dolan, Taylor, Wilder	5
Noes: Helgeson, Misjuns	2

// In the matter of Budget, Agenda Item #38(E), Council conducted a second reading and considered adopting Resolution #R-24-034 appropriating the FY 2025 Operating Fund Budgets for all other funds. Councilmember Wilder motioned, seconded by Councilmember Dolan, to adopt Resolution #R-24-034.

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

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

// In the matter of Budget, Agenda Item #38(G), Council conducted a second reading and considered adopting Resolution #R-24-035 adopting the FY 2025 – 2029 Capital Improvement Program and appropriating the FY 2025 Capital Budget. Councilmember Wilder motioned, seconded by Councilmember Dolan, to adopt Resolution #R-24-035.

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

Ayes: Reed, Dolan, Taylor, Wilder 4

Noes: Faraldi, Helgeson, Misjuns 3

// In the matter of Budget, Agenda Item #39(F), Council held a first reading on the adoption of the FY 2025 Schools Operating Budget and considered introducing Resolution #R-24-044 appropriating the FY 2025 Schools Operating Budget by major classification. Vice Mayor Faraldi motioned, seconded by Councilmember Wilder, to introduce the Resolution.

Councilmember Misjuns motioned to amend the classification funding as follows: Instruction will be $77,658,521; Administration Attendance and Health will be $7,336,922; Transportation will be $6,599,342; Operations and Maintenance will be $12,474,168; Food Services and other non-instructional operations will be $42,145; Facilities will be $25,210; Technology will be $5,143,115; and Contingency Reserves will be $1,642,897. Councilmember Helgeson seconded the motion.

Councilmember Misjuns disclosed that his wife was an LCS teacher, but he was able to consider the matter impartially and objectively. He said that the current resolution as presented would actually result in a reduction of funding for the Instruction category and more funding for Administration. He said that they had to address funding problems in LCS without leaving teachers and students behind.

Councilmember Helgeson expressed concerns that the LCS Operating Budget was $110 million, but they were unable to provide teachers with basic classroom supplies. He said that the substitute motion did not lower funding but ensured more funds would be dedicated towards Instruction.

Vice Mayor Faraldi asked if Councilmember Misjuns or Councilmember Helgeson had reviewed the figures in the substitute motion with staff. Deputy City Manager Mr. Greg Patrick said no.

Councilmember Wilder said he did not support the substitute motion. He said he trusted LCS and the School Board to make decisions. He noted that the majority of the budget was allocated to the Police Department and public safety, yet, they were not having the same conversations about the Police Department. He said that there was value to education.

Mayor Reed expressed concern over the false statements made by members of Council which undermined the expert opinions of staff. She asked Superintendent Dr. Crystal Edwards if she could respond to some of the statements made. Dr. Edwards explained that there was a 3% staff raise made three years ago, followed by a 5% staff raise last year, then a 5% raise this year along with a 2% raise.

This was provided to all staff, including support staff. These raises were achieved by moving instructional staff from the operating budget and into their CARES budget. It was acknowledged at the time that this was not a sustainable method of funding and functioned as a stop-gap method to save jobs. She noted that when analyzing the funds for instruction in the operating budget, they were not counting the amount of people who were included in the CARES budget. She clarified that when the state gave a raise, it was not given as a 100% allocation but rather a 33% allocation, and the schools must request the City's support to provide the remaining 67%, otherwise she had to cut people in order to provide that raise. She clarified that the administration budget was not solely affecting the central office staff; it also affected the attendance personnel, nurses, and other staff that were in each school building. She explained further that the budget process for the schools was dependent on the information available of the state, and they could not predict the changes made at the state level. The first budget made at the beginning of the year was using the governor's budget, which was the only budget document that existed at that time of year. They would continue to refine the budget as the actual numbers were presented. She noted that potential cuts had been discussed during the joint work session between the School Board and the City Council. Once the final numbers were received, she would provide the full instructional funding without the CARES funding and there would be no assumptions.

Councilmember Misjuns asked if the proposed budget included the restorative academy. Dr. Edwards replied that the School Board's approved budget included the Restorative Academy, which was budgeted at $1.2 million without the inclusion of grants and other funds. Councilmember Misjuns asked if the information regarding cuts that was provided at the joint meeting included the reduction in force plan. Dr. Edwards said yes. Councilmember Misjuns asked if the CARES funding had been overextended. Dr. Edwards said that it could be interpreted as such, but it operated as a way to commit to raises for the school staff. Councilmember Misjuns expressed his confusion over the provided numbers in the past budgeting for schools.

Mayor Reed called the vote for the substitute motion. The following vote was recorded:

Ayes: Helgeson, Misjuns	2
Noes: Dolan, Wilder, Taylor, Faraldi, Reed	5

Mayor Reed said that the original motion was on the floor.

Councilmember Misjuns stated that he could not support the motion because it did not adequately fund instruction in Lynchburg City Schools.

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

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

Noes: Helgeson, Misjuns 2

// In the matter of Schools, Agenda Item #40, Council conducted a second reading and considered adopting Resolution #R-24-038 to amend FY 2024 Schools Operating Budget by major classification.

Councilmember Dolan motioned, seconded by Councilmember Wilder, to adopt the resolution.

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

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

Noes: Helgeson, Misjuns 2

// In the matter of Item Not on the Agenda, Council considered an Ordinance #O-24-045 to extend the “sunset” or expiration/repeal date of the City-wide Youth Curfew Ordinance, Section 27-28 of Article I of Chapter 27 of the Code of the City of Lynchburg, 1981, from June 1, 2024 to January 1, 2025. Police Chief Ryan Zuidema provided a summary of the item to Council. Staff recommended extension of the curfew to January 1, 2025.

Councilmember Misjuns motioned, seconded by Councilmember Helgeson, to deny the extension of the curfew to January 1, 2025. Councilmember Misjuns stated that it was unnecessary to extend the violation of civil liberties and they should unleash the police onto the City to find the dangerous criminals and lock them up. Councilmember Helgeson stated that while the curfew was productive in its first few months, he felt it had lost its effectiveness and was no longer necessary.

Councilmember Wilder stated that he could not support the motion because he relied on the expertise of the Police Department to determine whether it was necessary to extend the curfew.

Councilmember Taylor stated he had received positive feedback from citizens regarding the curfew, so he would support them and the Police Department.

Mayor Reed acknowledged that the impetus of the curfew was due to three youth deaths, and she recalled that the wards that those children resided in remained the biggest supporters of the curfew. She noted that the extension also served as a method to collect data related to crime trends. Chief

Zuidema stated that Councilmember Helgeson was correct that they began the curfew with higher numbers that dipped during the winter months, but as they were reaching summertime, youth had much more unstructured time that the Police Department wanted to ensure was spent crime-free. In his opinion, continuing the curfew would allow the department to address some of the issues they otherwise would be unable to address.

Councilmember Wilder made a substitute motion, seconded by Councilmember Dolan, to approve the Ordinance #O-24-045 to extend the curfew. Councilmember Helgeson suggested amending the motion to only include summer months and sunset it after September. Councilmember Dolan noted that Chief Zuidema had stated the entire period requested would serve to collect a full period of data.

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

Ayes: Dolan, Wilder, Taylor, Reed	4
Noes: Faraldi, Helgeson, Misjuns	3

Mayor Reed called the vote on the motion to approve the Ordinance #O-24-045 to extend the curfew.

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

Ayes: Dolan, Wilder, Taylor, Reed	4
Noes: Faraldi Helgeson, Misjuns	3

// The meeting adjourned at 10:47 p.m.

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Clerk of Council