

September 10, 2024

// A regular meeting of the Council of the City of Lynchburg was held on the 10th day of September, 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, Deputy City Manager Greg Patrick provided a pop-up presentation to Council regarding school construction, closures, available resources, and next steps. He reviewed the costs associated with building an elementary school and available funding options. He said that there was a joint work session scheduled with the School Board on October 22, so the goal was to prepare Council for the work session. He said that the School Board had decided not to close TC Miller or Sandusky Elementary and not to expand Bass Elementary, and they decided instead to consider rebuilding Sandusky Elementary School.

Vice Mayor Faraldi said that Council should consider redirecting local funding for non-critical projects to rebuilding a school.

Councilmember Helgeson said that it was important to consider the critical needs of the City and to not cut out roads and bridges from the Capital Improvement Plan (CIP). He said that he was not in favor of moving forward.

Mayor Reed stated that even if they did not consider rebuilding Sandusky, they still had over \$100 million of improvements which was part of the CIP request from LCS. She said that they needed to find a funding source for these improvements, and she planned to continue requesting support from the state and federal government.

// In the matter of Work Session, Clerk of Council Alicia Finney provided a pop-up presentation to Council regarding the meeting management software. She conducted a sample vote to test the vote tallying software.

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// In the matter of Public Works, Agenda Item #1, Clerk of Council Ms. Alicia L. Finney stated that as a result of an advertisement placed in *The News and Advance* on August 15 and August 23, one bid was received on September 3 from Appalachian Power Company. She read the bid into the record. There were no additional bids. Mayor Reed closed the bidding.

Councilmember Taylor motioned, seconded by Councilmember Wilder, to accept the sole bid.

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

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

// In the matter of the Historic Preservation Commission, Agenda Item #2, Council was briefed regarding training for regional staff and Historic Preservation Commission members. Mayor Reed stated that the item would appear before Council for action at the regular meeting during General Business. Senior Planner Eve Mergenthaler provided a presentation to Council. The Department of Community Development has been awarded a \$9,500 Certified Local Government (CLG) grant from the Virginia Department of Historic Resources (DHR) to host training for regional staff and historic resource commission members. The National Alliance of Preservation Commission's (NAPC'S) Commissioner Assistance and Mentoring Program (CAMP) would provide a day-long workshop offering 6 sessions (topics) geared towards assisting staff, historic resource commission members, and other interested parties from the City and other regional CLGs.

NAPC CAMP training offerings include sessions such as Legal Basics, Standards and Guidelines for Design Review, Meeting Procedures, Alternative Materials, and the like. The specific topics for the workshop will be decided by the City in partnership with DHR after the grant is awarded. The workshop attendance will be capped at 50 people.

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This item will appear for City Council consideration on the September 10, 2024, General Business agenda and, if approved, the second reading would be September 24, 2024.

Vice Mayor Faraldi asked if the City had done any work or training with the organization in the past. Ms. Mergenthaler said that they had not since she had been secretary of the Historic Preservation Committee.

// In the matter of Parks and Recreation, Agenda Item #3, Council was briefed regarding the Perrymont Park improvements grants. Mayor Reed stated that the item would appear before Council for action on the first reading of the grants later during General Business, and again on September 24, 2024, for the acceptance of property, dedication of easements and second reading of the grants. Director of Parks and Recreation Wyatt Woody provided a presentation to Council. The Virginia Outdoors Foundation (\$169,000) and the Department of Conservation and Recreation (\$153,000) have both awarded Lynchburg Parks and Recreation grant funding for improvements at Perrymont Park. The grant funding would be used to develop a paved 1/4-mile walking loop, nature paths, a picnic area, a fenced off-leashed area, drainage improvements, and an outdoor classroom. There are no local matching funds required for these grants, although one of the grants requires the dedication of City property as open-space land. The property to be dedicated as open-space land is shown in the 'Open Space Exhibit' accompanying this agenda item. The property to be dedicated as open-space land has extremely low development potential due to steep slopes, poor soils, and public infrastructure. City Council has taken similar action for property in Tinbridge Hill and at Jefferson Park in Dearington.

Three actions will be needed from City Council: (1) To accept the return of City property behind Perrymont Elementary School as it will no longer be needed for school purposes; (2) To, after a public hearing, adopt a resolution authorizing the dedication of open-space land as previously described; and 3) To appropriate the funding for the park improvements at Perrymont Park. The first reading (introduction) to amend the FY 2025 City/Federal State Aid Fund budget

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and appropriate funding will appear for City Council's consideration on the September 10, 2024, General Business agenda.

On September 24, 2024, City Council will be asked to take the three (3) actions described above.

Vice Mayor Faraldi did express that one citizen reached out to him asking why a dog park was included when the public didn't ask for it.

// In the matter of the Police Department, Agenda Item #4, Council was briefed regarding deer population reduction. Chief of Police Ryan Zuidema introduced the matter to Council. Chief Animal Warden Ryan Ball provided a presentation. The City of Lynchburg currently allows bow hunting on private property for seven months annually, with no cost for hunting permits. In response to citizen requests, recommendations for City Council include strengthening the ban on feeding deer year-round, modifying the 12-foot deer stand rule for larger properties, promoting urban archery, and allowing bow hunting on specific city-owned properties. These measures aim to manage the deer population effectively while ensuring public safety and adherence to regulations.

Vice Mayor Faraldi requested Council act to lower the 12-foot deer stand rule, considering that most decks were 8 feet to 10 feet tall. He said that they should consider creating a permit to allow non-City residents to hunt in the City. He asked for clarification on how bow-hunting was deemed not safe on a particular property. Mr. Ball said that he often based decisions on the City GIS information, using factors such as tree coverage and residential density. Vice Mayor Faraldi asked how many permits were denied. Mr. Ball said that for the current season, he had issued 203 permits, and last season, he issued 346 permits. Vice Mayor Faraldi asked if it was possible to address coyote concerns in this conversation. Mr. Ball said that as long as they could address coyote problems centering public safety, then it would be up to Council. He said that he would not want to permit coyote hunting on smaller parcels or in denser residential areas because of the risk of wounded coyotes escaping. Mr. Ball said that

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there were some localities that did not have height restrictions on deer stands, but the majority had 10-foot to 12-foot height requirements.

Councilmember Misjuns asked for clarification regarding if the property, hunter, or both required a permit. Mr. Ball said that the property was permitted to determine that it was reasonably safe to bow-hunt from an elevated position. He said that hunters on the property had to be given a copy of the permit while they hunted.

Councilmember Helgeson said that they should remove the 12-foot deer stand regulation. He said that they should focus on incentivizing deer hunting rather than fining people for feeding deer, so they should remove the deer feeding rules.

Councilmember Dolan asked how they would address bear issues. Mr. Ball said that they typically deferred to the Virginia Department of Wildlife Resources (DWR) and provided assistance in the case of bears, unless the bear posed an immediate threat. DWR District Wildlife Biologist Sarah Peltier said that bears were opportunistic and adaptable animals, and they were drawn to urban areas due to food sources. She said that the agency operated a wildlife conflict helpline where people were encouraged to report bear sightings or conflicts. She said that they provided people education on how to coexist with bears, as there was no bear hunting permitted in the City, and removal opportunities were limited. Councilmember Dolan said that it would be helpful for the City to issue a PSA for residents regarding bear safety.

Mr. Benda said that staff would focus on the deer stand height requirements, and if possible, on addressing coyote issues, before the next meeting.

// In the matter of Community Development, Agenda Item #5, Council was briefed regarding approval of the allocation of the HOME-ARP funds from HUD. Mayor Reed stated that the item would appear before Council for action at the September 24 meeting. Grants Manager Melva Walker provided a presentation to Council. In Fiscal Year 2022 (Program Year 2021), the U. S. Department of Housing and Urban Development (HUD) provided HOME—American Rescue Plan (HOME-ARP) in over \$5 billion of supplemental HOME funds across the nation. The City

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was awarded \$1,498,471, of which 10% of the funds (\$149,847) were approved for Program Administration. The City had to devise a HOME Allocation Plan for the use of the funds. The Plan was developed and approved by the City Council and HUD. The HOME-ARP funds are to be used to assist individuals or households who are homeless, at risk of homelessness and other vulnerable populations ("Qualifying Populations"). The purpose of the HOME-ARP funds is to reduce homelessness and increase housing stability. According to the City's approved HOME-ARP Allocation Plan, the funds are to be used for rental housing development for the Qualifying Populations.

City staff issued a Request for Proposals/Applications and only one application was received. Rush Homes, a certified Community Housing Development Organization (CHDO), submitted an application in the amount of \$1,348,624 to construct eight (8) rental units, with four (4) efficiency units and four (4) one-bedroom units potentially in duplexes.

The Community Development Advisory Committee (CDAC) met on March 29, 2024, and reviewed the application that was submitted for these funds. CDAC has recommended the approval and allocation of the HOME-ARP funds to Rush Homes for the construction of eight (8) rental housing units.

A public notice was published in *The News and Advance* on September 6, 2024.

// In the matter of Community Development, Agenda Item #6, Council was briefed regarding Consolidated Annual Performance and Evaluation Report (CAPER) – Program Year 2023; Fiscal Year 2024. Mayor Reed stated that the item would appear before Council for action at the September 24 meeting. Grants Manager Melva Walker provided a presentation to Council. The U.S. Department of Housing and Urban Development (HUD) requires each jurisdiction receiving HUD-administered grants (CDBG and HOME Program) to draft a CAPER and submit it for public review and comment. The CAPER describes the City's progress towards the housing and community development goals established within the 2020-2024 Consolidated Plan and the PY 2023 (FY 2024) Annual Action Plan. This CAPER is for the period of July 1, 2023 through June

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30, 2024. With the City Council's approval, the CAPER, including a summary of any public comments, will be submitted to the HUD Richmond Field Office for review to meet compliance regulations for the CDBG and HOME Program.

A public notice for the public comment period and public hearing was published in The News and Advance on September 6, 2024.

// In the matter of Budget, Agenda Item #7, Council was briefed regarding FY 2024 Fourth Quarter and FY 2025 First Quarter Adjustments. Mayor Reed stated that the item would appear before Council for action at the September 24 meeting. Chief Financial Officer Donna Witt provided a presentation to Council. The General, City/Federal/State Aid, Children's Services Act (CSA), Fleet Services, as well as the Schools Capital Projects and Water Capital Projects Funds are amended to reflect the FY 2024 Fourth Quarter Adjustments.

The General, City/Federal/State Aid, Community Development Block Grant (CDBG), Forfeited Assets, Home Investment Partnerships Program (HOME), Regional Juvenile Detention Center, Technology, Fleet Services, as well as the City Capital Projects and Airport Capital/Grant Projects Funds are amended to reflect the FY 2025 First Quarter Adjustments.

Lynchburg City Council salaries are proposed to be increased to align with Lynchburg City Code Sec. 2-16.1 effective July 1, 2024. In December 2019, by adopting Lynchburg City Code Sec. 2- 16.1, the City Council set its salaries at \$14,000 per member, per year and \$16,000 for the mayor, per year beginning July 1, 2020. However, because of budget uncertainties associated with the COVID-19 Pandemic, the City Council maintained its salaries at \$10,000 per member, per year and \$12,000 for the mayor, per year beginning July 1, 2020 as part of the FY 2021 Adopted Budget. Now that the said pandemic has passed, and the economy has stabilized, the City Code should be followed.

Vice Mayor Faraldi said that the City had several funding needs, including for schools, roads, water and sewer, and housing. He said he was concerned that Council was considering a 40% pay increase with backpay for councilmembers at the request of Councilmember

Misjuns. He said that considering such a pay increase was not the highest and best use of tax payer money. He said that support for the pay increase was reflective of a borderline religious opposition to basic core operations of government. He said that such opposition was outspoken, unwavering, and never ending, except in this instance where they stood to benefit.

Councilmember Misjuns said that primary candidates were being charged a filing fee based on the pay rate in the ordinance. He said that the City should follow the law and pay councilmembers according to the ordinance.

Vice Mayor Faraldi requested that the salary increase be separated from the other matters under consideration.

City Manager Wynter Benda said that maintaining the current pay rate would require a change in City code. City Attorney Matthew Freedman said that the matter could be brought back as a budget amendment or an ordinance amendment, and this would provide Council with two options to consider and discuss. Mayor Reed said that there was consensus from Council to consider both options.

// In the matter of City Council, Agenda Item #8, Council was briefed regarding the Lifelong Learning Committee. Special Assistant to the City Manager for Data & Innovation Dr. Hollie Jennings provided a presentation to Council. The Committee will provide collaborative review, analysis, and recommendations that support high-quality public education for all residents of the City of Lynchburg. The Committee will meet monthly, or at the discretion of the Co-Chairs, to work on topics including, but not limited to the following:

- Fiscal clarity,
- Capital construction and improvement projects,
- Student enrollment and population, school zoning,
- Talent management and resources, and
- Instructional excellence.

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The committee will be composed of three members from each governing body, with the Mayor and School Board Chair serving as ex-officio members. The Mayor and School Board Chair will be responsible for appointing the three members from each of the respective bodies.

Councilmember Misjuns expressed the need for an Audit Committee to provide fiscal accountability.

// In the matter of Boards and Commissions, Agenda Item #9, Council was briefed regarding Boards and Commissions Quarterly Reporting. Mayor Reed stated that the item would appear before Council for action at the September 24 meeting during Closed Session. Clerk of Council Alicia L. Finney provided a presentation to Council. The following volunteer opportunities with Council-appointed Boards and Commissions either currently exist or are upcoming:

- Social Services Advisory Board
- Lynchburg Redevelopment and Housing Authority
- Business Development Center
- Greater Lynchburg Transit Company
- Lynchburg Parking Authority
- Board of Zoning Appeals

Interested candidates are encouraged to apply by completing our online application at <https://lynchburg.seamlessdocs.com/f/boardsandcommissions>. Applications will be taken through Friday, September 20, 2024, and will be kept on file for one year for any future Council consideration unless advised otherwise by the applicant.

// In the matter of Roll Call, Councilmember Helgeson said that City Assessor appraisals were coming in high, likely increasing by about 15% to 20%. He said that when they present the budget, it should show what was currently budgeted, and any increases should be substantiated.

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Councilmember Wilder said that he would like to remember those who lost their lives during 9/11. He said that there was a stair climb event on Saturday to honor the first responders.

Councilmember Misjuns said that he appreciated Councilmember Wilder's comments regarding 9/11 because it was near and dear to him. He said that he was on active duty in Yorktown with the Coast Guard during 9/11, and the event changed his life. He said that he felt old when he reflected on it, because there were some people on Council who were children when it happened.

Councilmember Taylor said that his oldest granddaughter was born on September 11, so he had mixed emotions on the day. He said that he cried when he first heard the news of the attacks. He said that Sergeant Major J.C. Coleman recently passed away, and he wanted to honor his legacy.

Vice Mayor Faraldi said that he was in first grade on 9/11, and he remembered seeing smoke from the beach. He said that he learned to never take anything from a bully after that.

Mayor Reed encouraged everyone to visit the Fields of Honor display, which held its opening ceremony recently. She said that 1,000 flags were displayed to honor veterans, and they would be in place until September 21. She said that she had the chance to shadow classes at Bass Elementary and Dearington Elementary and read to the students. She said that a second grader asked her what her vision was for the City, and she answered that it was for every child to have a choice for their future. She said that Council would be holding a joint work session with LCS School Board on October 22 at the Lynchburg Regional Business Alliance at 4 p.m. She announced the retirement of Superintendent Dr. Crystal Edwards and Deputy Superintendent of Instruction and Programs Amy Pugh. She said that they both had dedicated many years to LCS, and their leadership was instrumental in serving the City. She said that she wanted to address the importance of school safety. She said that the City remained committed to working closely with the Attorney General, Chief of Police, Commonwealth's Attorney, and

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other partners to ensure the City remained safe. She said that school security was a top priority, and they were taking necessary steps to safeguard students, staff, and the community.

// On the motion of Councilmember Dolan, seconded by Councilmember Wilder, by the following recorded vote, Council elected to hold a closed meeting to discuss the investment of public funds by the City where competition or bargaining is involved, where, if made public initially, the financial interest of the City would be adversely affected, pursuant to Section 2.2-3711(A)(6) of the Code of Virginia, 1950, as amended, the subject being the Region 2000 Services Authority and its potential expansion, and (ii) to, where needed, consult with legal counsel and receive briefings from staff members about actual litigation, where such consultation in an open meeting would adversely affect the negotiating or litigating posture of the City, pursuant to Section 2.2-3711(A)(8) of the Code of Virginia, 1950, as amended, the subject being the litigation between the City, other localities, and the Region 2000 Services Authority; and to discuss the investment of public funds and/or the disposal of City real estate, where competition or bargaining is involved, where, if made public or discussed publicly initially, the financial interest and bargaining position of the City would be adversely affected, pursuant to Sections 2.2-3711(A)(6) and 2.2-3711(A)(3) of the Code of Virginia, 1950, as amended; the subject of the closed meeting being specific to the renewal of a current City franchise or lease.

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

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

Noes: Helgeson 1

// The meeting was reopened to the public.

// Councilmember Wilder 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

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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 Taylor, and Council, by the following recorded vote, adopted the motion:

Ayes: Wilder, Dolan, Reed, Faraldi, Taylor	5
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Noes: Misjuns	1
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Absent: Helgeson	1
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// The meeting recessed at 6:38 p.m.

// A regular meeting of the Council of the City of Lynchburg was held on the 10th day of September, 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
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Absent:	0
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Councilmember Wilder led the invocation, followed by the Pledge of Allegiance.

// In the matter of Recognitions, Mayor Reed recognized Dylan Childress, an 8th grader at Linkhorne Middle School, for his outstanding accomplishments and engagements in his school and the Lynchburg community.

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// In the matter of the Consent Agenda, Item #1, copies of the minutes of the July 3, 2024 meeting were previously furnished to Council, and on motion of Councilmember Dolan, seconded by Councilmember Wilder, the following vote was recorded:

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

Noes: Misjuns 1

// In the matter of the Consent Agenda, Item #2, copies of the minutes of the August 13, 2024 special called meeting were previously furnished to Council, and on motion of Councilmember Dolan, seconded by Councilmember Wilder, the following vote was recorded:

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

Noes: 1

// In the matter of the Consent Agenda, Item #3, copies of the minutes of the August 13, 2024 meeting were previously furnished to Council, and on motion of Councilmember Dolan, seconded by Councilmember Wilder, the following vote was recorded:

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

Noes: 1

// In the matter of the General Registrar, Item #4, Council held a public hearing in consideration of adopting Ordinance #O-24-058 changing the polling place for Ward III, Precinct 4 from the Compassion Church of the Nazarene to the Heritage High School. General Registrar Daniel Pense provided a summary of the item to Council. The General Registrar has been notified that Compassion Church, the polling place for precinct 304, will no longer be able to serve as a polling location. The Registrar has met with staff at Heritage High School and the Electoral Board has authorized this location as a replacement polling place for the November General Election. City staff is preparing the paperwork for a precinct change to be presented to the City Council and, if approved, communication with the Attorney General's office.

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.

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Councilmember Helgeson motioned, seconded by Councilmember Misjuns, to adopt the Ordinance #O-24-058 changing the polling place for Ward III, Precinct 4 from the Compassion Church of the Nazarene to the Heritage High School.

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

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

Noes: 0

// In the matter of Public Works, Item #5, Council held a public hearing in consideration of adopting Ordinance #O-24-059 authorizing the grant and conveyance of a right of way and easement to Appalachian Power Company on property owned by the City, more specifically, 1100 Jefferson Street and 8 9th Street. Deputy Director of Public Works Clay Simmons provided a summary of the item to Council. ApCo needs to obtain an easement across the City property located at 1100 Jefferson St & 8 9th St to provide permanent power to the new Riverfront Park improvements.

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 Taylor motioned, seconded by Councilmember Dolan, to adopt the Ordinance #O-24-059 authorizing the grant and conveyance of a right of way and easement to Appalachian Power Company on property owned by the City, more specifically, 1100 Jefferson Street and 8 9th Street.

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

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

Noes: 0

// In the matter of Planning, Item #6, Council held a public hearing in consideration of adopting Ordinance #O-24-060 changing a certain area located at 5114 & 5208 Woodall Road for Beacon Credit Union Headquarters. City Planner Rachel Frischeisen provided a summary of the item to Council. Beacon Credit Union is petitioning to rezone portions of 5114 & 5208 Woodall

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Road from I-2, Light Industrial District to B-5C, General Business District (Conditional) to allow the construction of a forty thousand (40,000) square foot, four (4) story office building and associated parking. If approved, the proposed development would be used as the Corporate Headquarters of Beacon Credit Union.

The property is recommended for Employment 2 uses on the City's Future Land Use Map (FLUM). These areas are intended to include light and heavy manufacturing, research and development, flex space and large-scale office uses. Restaurant, hotel and business service uses are also appropriate, if sized and designed to serve the employment area.

While the proposed large-scale office use is appropriate in an Employment 2 area, the proposed B-5, General Business District, would allow a wide range of uses that may not be appropriate. The Planning Commission discussed this at their public hearing, noting that voluntary proffers would be a way to alleviate concerns over potentially incompatible uses.

After the Planning Commission meeting and the City Council Business Item Briefing, a voluntary proffer limiting allowable uses was submitted: A list of excluded uses are indicated in attachment #2.

Mayor Reed asked if the petitioner would like to address Council.

Michael Bryant of Hurt & Proffitt, Inc. stated that he was the engineer representing the petitioner. The CEO of Beacon Credit Union, Greg McConville, stated that this property would accommodate Beacon Credit Union's new corporate headquarters and allow them to consolidate their management functions and provide for future growth.

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.

Vice Mayor Faraldi motioned, seconded by Councilmember Wilder, to adopt the Ordinance #O-24-060 changing a certain area located at 5114 & 5208 Woodall Road for Beacon Credit Union Headquarters.

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

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

Noes: 0

// In the matter of Planning, Agenda Item #7, Council held a public hearing in consideration of adopting Ordinance #O-24-061 vacating a portion of right-of-way known as Waughs Landing Drive. Senior Planner Eve Mergenthaler provided a summary of the item to Council. Elmwood Holdings, LLC is petitioning to vacate a portion of Waughs Landing Drive located adjacent to 101 Daura Road and 123 Goodyear Drive. Another phase of development, including an extension of the right-of-way, was previously proposed for this area, but the developer is no longer pursuing that expansion. The right-of-way vacation is proposed to allow the sale of the undeveloped property to one owner and to remove the unimproved portion of right-of-way from City maintenance. The total area of the proposed vacation is approximately twenty-five thousandths (0.025) of an acre. The area to be vacated is behind a gate and has not been improved for public use. The vacation would not impact vehicle or pedestrian access.

Mayor Reed asked if the petitioner would like to address Council.

Ron Blackwood and Andy Flint from Elmwood Holdings, LLC stated that they had attempted multiple designs but found that the site was not feasible for development. They had previously dedicated a section of right-of-way and now requested it be returned to their ownership.

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 Misjuns motioned, seconded by Councilmember Taylor, to adopt Ordinance #O-24-061 vacating a portion of right-of-way known as Waughs Landing Drive. With no further discussion from Council, the following vote was recorded:

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

Noes: 0

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// In the matter of Public Comment, Agenda Item #8, Timothy Santiago was not present to address Council.

// In the matter of Public Comment, Agenda Item #9, Council heard from a group representative regarding “to the men of Lynchburg: a widow’s perspective and observations.” Dr. Beth White of Citizens United for Lynchburg addressed Council. She stated that her husband had never wavered in his respect towards women, and she requested that all men in Lynchburg follow his example and stand up against the verbal and psychological abuse that men had inflicted on Mayor Reed during her tenure on City Council.

// In the matter of Public Comment, Agenda Item #10, Katie Yergler was not present to address Council.

// In the matter of Public Comment, Agenda Item #11, Council heard from citizen Melanie Traber regarding downtown parking police. She expressed concern that the parking police were harassing merchants, drivers, and delivery drivers in downtown Lynchburg.

// In the matter of Public Comment, Agenda Item #12, Vicente Gonzalez of Queer Town Hall addressed Council regarding the school board. He expressed the group’s disappointment in the school board’s decision to dissolve the Equity Task Force as part of an anti-diversity agenda, which involved disingenuous and misleading comments as well as unfair metrics and rationale used to evaluate the committee’s work.

// In the matter of Public Comment, Agenda Item #13, Gary Woodson of the Lynchburg Breakfast Club addressed Council regarding tax reductions for Lynchburg 2024-25. He requested Council appoint a government efficiency czar to address spending in the City. He requested that Council consider whether policymakers who pay zero real estate taxes should recuse themselves from setting tax rates for the upcoming year.

// In the matter of Public Comment, Agenda Item #14, Jeff Rosner of Lynchburg Democratic Committee addressed Council regarding recent developments in City Council elections. He stated that the Electoral Board Chair and Registrar have both confirmed that there is no

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evidence of the actions described in the Lynchburg Republican Committee and Peter Alexander's Facebook posts regarding the June primary election ballot drop box, so he requested that they provide retractions of those statements and apologize. He expressed concern that the timing of Councilmember Jeff Helgeson's resignation did not allow for new candidates to participate in the state-run primary in June, or for independent candidates to file documents and gather petition signatures by the September 6 deadline.

// In the matter of Historic Preservation Commission, Agenda Item #15, Council considered introducing Resolution #R-24-062 amending the FY2025 City/Federal/State Aid Fund budget and appropriating a \$9,500 Certified Local Government grant to fund a National Alliance of Preservation Commission Commissioner Assistance and Mentoring Program workshop. Council was previously briefed on this item during their September 10, 2024 work session. The Department of Community Development has been awarded a \$9,500 Certified Local Government (CLG) grant from the Virginia Department of Historic Resources (DHR) to host training for regional staff and historic resource commission members.

The National Alliance of Preservation Commission's (NAPC'S) Commissioner Assistance and Mentoring Program (CAMP) would provide a day-long workshop offering 6 sessions (topics) geared towards assisting staff, historic resource commission members, and other interested parties from the City and other regional CLGs. NAPC CAMP training offerings include sessions such as Legal Basics, Standards and Guidelines for Design Review, Meeting Procedures, Alternative Materials, and the like; the specific topics for the workshop will be decided by the City in partnership with DHR after the grant is awarded. The workshop attendance will be capped at 50 people.

Councilmember Taylor motioned, seconded by Councilmember Wilder, to adopt Resolution #R-24-062 and amend the FY2025 City/Federal/State Aid Fund budget and appropriating a \$9,500 Certified Local Government grant to fund a National Alliance of Preservation Commission Commissioner Assistance and Mentoring Program workshop.

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

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

Noes: 0

// In the matter of Parks and Recreation, Agenda Item #16, Council considered introducing Resolution #R-24-063 amending the FY 2025 City/Federal/State Aid Fund budget and appropriating \$322,000 from the Virginia Outdoor Foundation and Department of Conservation and Recreation grants for Perrymont Park improvements. Council was previously briefed on this item during their September 10, 2024 work session. The Virginia Outdoor Foundation (\$169,000) and the Department of Conservation and Recreation (\$153,000) awarded Lynchburg Parks and Recreation grant funding for Perrymont Park. The grant funding would be used to develop a paved 1/4-mile walking loop, nature paths, picnic area, fenced off-leashed area, drainage improvements, and outdoor classroom. There are no local matching funds required for these grants.

Three actions will ultimately be needed from City Council: (1) To accept the return of City property behind Perrymont Elementary School as it will no longer be needed for school purposes; (2) To, after a public hearing, adopt a resolution authorizing the dedication of open-space land as previously described; and 3) To appropriate the funding for the park improvements at Perrymont Park.

This evening, City Council is being asked to approve the first reading (introduction) to amend the FY 2025 City/Federal State Aid Fund budget and appropriate funding. On September 24, 2024, City Council will be asked to take the remaining three (3) actions described above.

Vice Mayor Faraldi motioned, seconded by Councilmember Wilder, to adopt Resolution #R-24-063 to amend the FY 2025 City/Federal/State Aid Fund budget and appropriating \$322,000 from the Virginia Outdoor Foundation and Department of Conservation and Recreation grants for Perrymont Park improvements.

September 10, 2024

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

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

Noes: 0

// The meeting adjourned at 7:47 p.m.

Clerk of Council