// A regular meeting of the Council of the City of Lynchburg was held on the 8th day of October, 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 Water Resources, Agenda Item #1, Ms. Finney stated that as a result of an advertisement placed in *The News and Advance* on September 12 and September 20, one bid was received on October 1 from Griffin Pipe Products Co, LLC. 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 Lynchburg Regional Business Alliance, Agenda Item #2, Council conducted a work session on the Lynchburg Regional Business Alliance (LRBA) Overview of Site and Building Readiness. CEO of the LRBA, Megan Lucas, provided a presentation to Council. Competition in economic development is fierce, especially in terms of attracting capital investment for business and industrial projects – among 3,141 counties, 19,000 municipalities, and 90,000 taxing jurisdictions, just in the United States. Speed to market is often a deciding factor for relocating and growing companies, and it has shortened tremendously over the years as communities have gotten aggressive in preparing themselves to recruit and retain businesses. Today, as we compete globally for new capital investment, many companies require a pad-ready site so they start producing as quickly as possible.

Councilmember Misjuns expressed concerns that there were 90,000 taxing jurisdictions. He said that they needed to ensure taxes were not high in the City.

Mayor Reed asked if the City's taxes had been a concern for developers. Ms. Lucas said that in her 10 years of working in the City, taxes had not been a factor preventing developers from doing business in the City. Mayor Reed asked if there were other concerns related to the City that they should consider. Ms. Lucas said that existing buildings were a significant factor when recruiting businesses to the region, and many industries did not relocate to the region because other areas had existing buildings or buildings in better condition. She said that the age of the existing buildings in the region made it difficult for contemporary manufacturers to upgrade the infrastructure.

Vice Mayor Faraldi asked how the City could shorten the gap to site-readiness. City Manager Mr. Wynter Benda said that they should consider more investment in site creation. He explained that it was more expensive to repurpose old buildings than to build new ones. Ms. Lucas said that they should focus on increasing wages, job opportunities, and investment in an industrial spec-building program. She explained that high-wage jobs supported all other jobs. She said that in order to have a thriving economy, they had to grow their economic base by focusing on basic industries.

Mayor Reed said that it was crucial for the City to offer jobs that would retain local talent from the universities and colleges in the region and students who were looking to enter into the trades.

// In the matter of Economic Development, Agenda Item #3, Council conducted a work session on the Office of Economic Development & Tourism Sports Tourism Update. Director of Economic Development and Tourism Marjette Upshur provided a presentation to Council. Sports Tourism is integral to local and national economies across the United States. Travelers attending sports tournaments, races, and other events, either as participants or spectators, generate significant economic benefits for households, businesses, and governments and represent a critical driver of the overall economy. While some states generate a larger share of economic impact given their size, seasonality, and location within the U.S., the Sports Events and Tourism Association State of the Industry Report ranks Virginia in the Top 10 States in Sports Tourism Impact for 2023.

// In the matter of Water Resources, Agenda Item #4, Council was briefed regarding Consolidation of Erosion Control and Stormwater Management Requirements & Revising Illicit Discharge Requirements. Water Quality Manager Erin Hawkins briefed Council on the item. The City is one of many cities in the Commonwealth required to have ordinances to meet federal and state requirements for erosion and sediment control management, stormwater runoff, and illicit discharge controls. City Code chapters 16.1 and 16.2 currently outline those requirements. Recent changes by the state require the consolidation of the erosion control requirements and stormwater control requirements into one ordinance. The illicit discharge revisions are separate, related, and included as part of this process under the proposed revised City Code chapter 16.2. The proposed ordinance amendments to the erosion control requirements and stormwater control requirements are consistent with the state-mandated regulations.

// In the matter of Planning, Agenda Item #5, Council was briefed regarding 273 Riverside Drive – Rezoning: R-2, Low-Medium Density Residential District to R-C, Conservation District & FLUM Amendment: Low Density Residential to Resource Conservation – Riverside Conservation. Mayor Reed stated that the item would appear before Council for action at the October 22, 2024 meeting. City Planner Rachel Frischeisen provided a briefing to Council. James and Carolyn Wicks are petitioning to amend the Future Land Use Map (FLUM) from Low Density Residential to Resource Conservation and to rezone approximately two and one hundred twenty-five thousandths (2.125) acres from R-2, Low-Medium Density Residential District to R-C, Conservation District located at 273 Riverside Drive to allow the conservation of the property.

The property is recommended for Low Density Residential and Resource Conservation uses on the City's Future Land Use Map (FLUM). The property fits the description of a Resource Conservation area in its current state, which is undeveloped, vegetated open space. The absence of street frontage and presence of steep terrain severely limit any development potential on the property. No future improvements are proposed.

// In the matter of Planning, Agenda Item #6, Council was briefed regarding 1600 Graves Mill Road – Rezoning: B-3C, Community Business District (Conditional) to B-3C, Community Business District (Conditional) - Rosedale Gas Station. Mayor Reed stated that the item would appear before Council for action at the October 22, 2024 meeting. City Planner Rachel Frischeisen provided Council with a briefing on the item. Daniel Cyrus, on behalf of Rosedale Investments, LLC, is petitioning to rezone approximately three and three tenths (3.3) acres located at 1600 Graves Mill Road from B-3C, Community Business District Conditional to B-3C, Community Business District Conditional to revise proffers and allow an adjustment in orientation of a fueling station canopy and parking area.

The property is recommended for Mixed Use on the City's Future Land Use Map (FLUM). A fueling station design was proffered with the Phase 1 & 2 concept plan as part of the 2014 rezoning. The design showed an intentional canopy orientation that was discussed with staff and reviewed by the Design Review Board (DRB). The proffered site layout from 2014 also follows development principles for connectivity, mixed use, and building placement as called for by the Comprehensive Plan 2013-2030's Goals and Policies in Chapter 6: Land Use Development & Community Design.

The voluntarily submitted proffer indicates development in conformance with a revised concept plan, which shows the canopy located in front of the store, along Graves Mill Road, with a parking area fronting Rosedale Boulevard. This is contrary to the walkable, mixed use development that the area received previous approvals to become.

Vice Mayor Faraldi expressed concerns about traffic and walkability related to the layout and design of the site. He said that he had concerns about the runoff generated from the site and the relocation to the other side of the road.

Councilmember Misjuns said that he did not support an exit onto Graves Mill Road. He expressed concerns about the traffic impacts and the design changes.

Vice Mayor Faraldi asked if the City would need to alter its traffic improvement plans for Graves Mill Road due to the change in layout. Ms. Frischeisen said that City engineering staff did not have any comments or concerns regarding the alternate layout. She explained that there would only be a right-in/right-out on Graves Mill Road, so all traffic would be routed through the roundabout and light.

Vice Mayor Faraldi expressed concerns about how the project had changed its scope. He asked if there were zoning issues related to changing the scope and layout of the project. City Attorney Matthew Freedman said that he would defer to staff since it relied on an interpretation of what was permitted under the plans, and that was typically a discretionary matter. Ms. Frischeisen explained that the Zoning Administrator determined that the orientation of the uses was more important than the locations of the uses. She said that so long as the developer followed City code and met the spirit and intent of the CCD and rezoning proffers, then the Zoning Administrator would be likely to approve any changes.

Councilmember Misjuns asked if they could ask the developer to submit a revised site plan reflecting the proposed changes. Ms. Frischeisen said that they could ask the question, but she was not sure if they could require a new site plan to be submitted. City Manager Mr. Wynter Benda said that they could return to the developer with the comments and concerns from Council. Councilmember Misjuns said that he would support tabling the item until they were presented with a revised site plan.

// In the matter of Planning, Agenda Item #7, Council was briefed regarding 1101 & 1107 5th Street – Conditional Use Permit – 5th Street Auto Body Shop. Mayor Reed stated that the item

would appear before Council for action at the October 22, 2024 meeting. City Planner Rachel Frischeisen briefed Council. Kerr Holdings, LLC, is petitioning for a CUP to allow the use of an existing structure as an auto body shop at 1101 5th Street and associated parking at 1107 5th Street. The properties are included in the area covered by the Fifth Street Corridor Master Plan adopted by City Council on May 23, 2006. The Comprehensive Plan 2013-2030 Future Land Use Map (FLUM) recommends a Neighborhood Commercial land use for the property. These areas are intended to consist primarily of office, retail, personal service, and restaurant uses that are scaled and designed to be compatible with and serve their immediate neighborhood. A petition to rezone 1101 5th Street from B-4, Urban Commercial District to B-5, General Business District was denied by City Council on July 9, 2024. That rezoning would have allowed a number of more intense uses that are inappropriate in this setting, in addition to the auto body repair use. Approval of the CUP would allow auto body repair without altering the zoning.
// In the matter of the Legislative Agenda, Agenda Item #8, Council was briefed regarding the 2025 Legislative Agenda Draft. Mayor Reed stated that the item would appear before Council for action at the October 22, 2024 meeting. Assistant to the City Manager Mercedes Braun provided a briefing to Council. The 2025 Legislative Agenda Draft outlines Lynchburg's key priorities for the upcoming 2025 General Assembly Session. These include Public Safety, Economic Development and Lifelong Learning as well as other key priorities.

Vice Mayor Faraldi requested to add an item to the legislative agenda regarding a reconsideration of removing mandatory minimums for violent crime and the use of deadly force in the act of a crime. He said that he would support increasing the emphasis on school construction funding.

Councilmember Misjuns noted that school choice funding had been removed from the agenda, and it should be added back.
// In the matter of Roll Call, Councilmember Helgeson said that a year and a half ago, they had discussed funding and drafting the comprehensive plan internally. He said that since then, they

had hired a consultant, and it had been some time since they had received any update. He said that there were questions about the comprehensive plan pushing road diets, which had negative consequences. He said that he wanted to ensure that some properties did not have conflicting zoning with the FLUM because property investors bought properties based on the FLUM. He requested an update on the comprehensive plan process.

Councilmember Wilder said that the Day at the Point event was held over the weekend. He commended staff for organizing the event. He said that the Party on Pierce event was held successfully. He commended staff for the White Rock community engagement event. He commended Riverviews on hosting a talk on how art could be an economic driver in the community. He offered his prayers to the community regarding the recent losses due to crime.

Councilmember Misjuns said that if people thought they were being followed, they should not go home, but they should contact 911 or go to a police station. He said that they needed to ensure they were teaching children how to make smart decisions and how to pay attention to their surroundings. He said that there had been four homicides in the City since the previous meeting, and even one murder was too many. He said that they needed to unchain law enforcement to allow them to aggressively pursue the people who committed these crimes. He said that morning, he was dropping his son at RS Payne Elementary, and 10 minutes later, he received notification that there were police presence two blocks away due to a homicide. He said that he did not receive any notification about this from the school. He said that he saw parents walking to school with their children. He said that parents should be notified when things happen around the school, especially related to crime. He questioned why school security officers were not armed. He said that they needed to arm the school security officers to protect students.

Councilmember Taylor offered his prayers to the bus driver who discovered the murder victim and to the children who were nearby. He said that any crime in the City was personal to him, as he took an oath to protect the citizens of the City.

Vice Mayor Faraldi said that he received a request related to short-term rentals. He said that the request was regarding regulations around offering RV parking spots that could be used for Airbnb-style rentals. He said that the concept was to allow another way for property owners to use their property. He requested follow-up information on how this would work with the current short-term rental system.

Mayor Reed expressed her prayers and condolences to the families affected by recent tragedies. She acknowledged the impact on the public safety officials tasked with responding to and investigating these events. She announced that October was Breast Cancer Awareness Month, a time to reflect on the strength and courage of those afflicted with the illness and to raise awareness about the importance of early detection, education, and research. She noted that her sister was battling breast cancer and had recently rung her bell for her final round of chemotherapy.

// On the motion of Councilmember Wilder, seconded by Councilmember Taylor, by the following recorded vote, Council elected to hold a closed meeting to discuss the investment of public funds, 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 Section 2.2-3711(A)(6) of the Code of Virginia, 1950, as amended; the subject of the closed meeting being specific to a Campbell County Utilities and Service Authority (CCUSA) sewer capacity request; and to discuss appointments for vacancies to the Social Services Advisory Board, Lynchburg Redevelopment and Housing Authority, Business Development Center, Greater Lynchburg Transit Company, Lynchburg Parking Authority, and Board of Zoning Appeals, pursuant to Section 2.2-3711(A)(1) of the Code of Virginia, 1950, as amended.

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

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

// The meeting was reopened to the public.

// Councilmember 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

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, Misjuns	6
Noes:		0
Absent:	Helgeson	1

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

Name	Board Name	Appointment Date	Term Start Date	Term End Date
Arthur Pike (Ward 3)	Business Development Centre	10/08/2024	10/08/2024	09/30/2027
Cheryl Valentine (Ward I)	Business Development Centre	10/08/2024	10/01/2022	09/30/2025
Corey Davis (Ward I)	Business Development Centre	10/08/2024	10/01/2022	09/30/2025
Kamal Darden (Ward IV)	Business Development Centre	10/08/2024	10/01/2022	09/30/2025
Pavlina Dirom (Ward I)	Business Development Centre	10/08/2024	10/01/2022	09/30/2025
Samuel Howe (Ward I)	Business Development Centre	10/08/2024	10/01/2022	09/30/2025
Andre Miller (Ward 2)	Greater Lynchburg Transit Board of Directors	10/08/2024	11/01/2024	10/31/2027
Cameron Howe (Ward 1)	Greater Lynchburg Transit Board of Directors	10/08/2024	11/01/2024	10/31/2027
Jerry Padgett (Ward 1)	Greater Lynchburg Transit Board of Directors	10/08/2024	11/01/2024	10/31/2027
David Marple (Ward 2)	Lynchburg Parking Authority	10/08/2024	11/01/2024	10/31/2027
Marc Schewel (Ward 1)	Lynchburg Redevelopment and Housing Authority	10/08/2024	10/01/2024	09/30/2028
Brenda Farmer (Ward 2)	Social Services Advisory Board	10/08/2024	10/08/2024	09/30/2027
Carroll Falls (Ward 1)	Social Services Advisory Board	10/08/2024	10/08/2024	09/30/2028
Denise Dempsey (Ward 4)	Social Services Advisory Board	10/08/2024	10/01/2024	09/30/2028
Janaye Wagner (Ward 2)	Social Services Advisory Board	10/08/2024	10/08/2024	09/30/2027
Julie Clark (Ward 1)	Social Services Advisory Board	10/08/2024	10/08/2024	09/30/2028
Mary Prillaman (Ward 4)	Social Services Advisory Board	10/08/2024	10/08/2024	09/30/2028
Patrick Brown (Ward 1)	Social Services Advisory Board	10/08/2024	10/08/2024	09/30/2028
Sydney Hughes (Ward 2)	Social Services Advisory Board	10/08/2024	10/08/2024	09/30/2028
Tammy Callen (Ward 1)	Social Services Advisory Board	10/08/2024	10/08/2024	09/30/2028

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

Noes: 0

Absent: Helgeson 1

// The meeting was recessed at 6:19 p.m.

// A regular meeting of the Council of the City of Lynchburg was held on the 8th day of October, 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, Martin Misjuns, Larry Taylor, Sterling A. Wilder 6

Absent: Jeff Helgeson 1

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

// In the matter of Recognitions, Item #1, Mayor Reed presented a Proclamation recognizing October as Domestic Violence Awareness Month. Amy McIvor with the YWCA accepted the proclamation and gave remarks.

// In the matter of Recognitions, Item #2, Mayor Reed presented a Proclamation recognizing Fire Prevention Week. Fire Chief Greg Wormser accepted the proclamation and gave remarks.

// In the matter of the Consent Agenda, Agenda Item #3, Council conducted a second reading and adopted Resolution #R-24-066 approving the allocation of the Program Year 2021 HOME American Rescue Plan funds from the U.S. Department of Housing and Urban Development (HUD). On motion of Vice Mayor Faraldi, seconded by Councilmember Wilder, Council by the following recorded vote approved Resolution #R-24-066.

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

// In the matter of the Consent Agenda, Agenda Item #4, Council considered adopting Resolution #R-24-070 amending the FY 2025 City/Federal/State Aid Fund budget and appropriating $100,200 to fund a Behavioral Health Docket Coordinator. On motion of Vice Mayor Faraldi, seconded by Councilmember Wilder, Council by the following recorded vote approved Resolution #R-24-070.

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

// In the matter of the Consent Agenda, Agenda Item #5, Council considered adopting Resolution #R-24-072 approving the FY 2024 Fourth Quarter Adjustments. On motion of Vice Mayor Faraldi, seconded by Councilmember Wilder, Council by the following recorded vote approved Resolution #R-24-072.

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

// In the matter of the Consent Agenda, Agenda Item #6, copies of the minutes of the September 10, 2024 meeting have been previously furnished to Council, and on motion of Vice Mayor Faraldi, seconded by Councilmember Wilder, Council by the following recorded vote approved the minutes as presented:

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

// In the matter of Water Resources, Agenda Item #7, Council held a public hearing in consideration of adopting Ordinance #O-24-073 authorizing the City's grant conveyance of an ingress/egress easement to Griffin Pipe Products Co., LLC at 4 Adams Street, Lynchburg, Virginia. Director of Water Resources Timothy Mitchell provided a summary of the item to Council. This is associated with the Blackwater CSO Tunnel Project and is in accordance with the Memorandum of Understanding (MOU) previously discussed with Council and executed between the City of Lynchburg and Griffin Pipe Products Co., LLC. The purpose of the ingress/egress easement is to provide Griffin Pipe employees/agents access to a newly constructed employee parking lot that will offset the loss of parking during the construction of the Blackwater CSO Tunnel.

In accordance with Virginia Code, an Invitation for Bids and a Public Hearing advertisement was published in the News & Advance on September 12, 2024, and September 20, 2024, with bids due on, or before, 5:00 p.m., on October 2, 2024.

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.

On motion of Vice Mayor Faraldi, seconded by Councilmember Misjuns, to adopt Ordinance #O-24-073 authorizing the City's grant conveyance of an ingress/egress easement to Griffin Pipe Products Co., LLC at 4 Adams Street, Lynchburg, Virginia.

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

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

// In the matter of Public Comment, Agenda Item #8, Council heard from a citizen regarding "LCS capital improvement plan." Cynthia Capps addressed Council. She urged City Council to invest more attention and financial support in their public schools, specifically related to rebuilding Sandusky Elementary School.

// In the matter of Public Comment, Agenda Item #9, Council heard from a group representative regarding "rebuilding Sandusky Elementary." Colleen Larkins, Save Sandusky, addressed Council. She urged City Council to prioritize the city's schools and to collaborate with citizens and the School Board in their work.

// In the matter of Public Comment, Agenda Item #12, Council agreed by consensus to move the following public comment ahead of Agenda Item #10. Council then heard from a group representative regarding "a citizen's view of the key ingredients to keep our city great and to look for the future." Chal Nunn, Citizens for Community Connections, addressed Council. He expressed that his diagnosis of Parkinson's Disease provided him with a new outlook on many parts of life, but it did not change his heart. He explained the importance of maintaining strong relationships, listening to each other despite their differences, and coordinated efforts of City government and other organizations to facilitate efficient progress in Lynchburg.

// In the matter of Public Comment, Agenda Item #10, Council heard from a group representative regarding "rental inspections." Darlene Holland, UDDUP, LLC, addressed Council. She expressed concern that the requirement of installing screen doors for ventilation was largely unnecessary and not cost-effective for local landlords.

// In the matter of Public Comment, Agenda Item #11, Peter Cefaratti was not present to address Council.

// In the matter of Public Comment, Agenda Item #13, Council heard from a group representative regarding “Lynchburg politics.” Gary Taylor, Citizens for a Better Lynchburg, addressed Council. He expressed concern that the Republican Party was in total disarray due to local politics and division.

// In the matter of Lynchburg Hillcats Baseball, Agenda Item #14, Council considered adopting Resolution #R-24-074 consenting to Lynchburg Baseball, LLC selling, assigning, or transferring its rights under its Baseball Stadium Franchise Agreement with the City to Hillcats Baseball, LLC. This item was previously presented to Council during their September 24, 2024 work session. Lynchburg Baseball Corporation, the current owner of the Lynchburg Hillcats baseball team, has entered into an agreement to sell the team to Hillcats Baseball, LLC. The city must approve the transfer of the franchise lease of City Stadium before the sale can be completed.

On motion of Vice Mayor Faraldi, seconded by Councilmember Misjuns, to adopt Resolution #R-24-074 consenting to Lynchburg Baseball, LLC selling, assigning, or transferring its rights under its Baseball Stadium Franchise Agreement with the City to Hillcats Baseball, LLC.

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

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

Mr. Dylan Narang, new owner of the Hillcats, emphasized his excitement on this venture.

// In the matter of Towing and Recovery Operations, Council considered adopting a resolution approving the City’s award and execution of a Towing and Vehicle Recovery Services Contract with Bee Line Transport, Inc. This item was previously presented to Council at their September 24, 2024 work session. Deputy City Manager Gregory Patrick provided some further clarifying details regarding this item. The City's towing and vehicle recovery services contract with Bee Line Transport reached the end of its renewal year options and needed to be resolicited. This contract is primarily used for City-owned fleet vehicles, including Refuse Trucks and Fire apparatus, and Lynchburg Police Department initiated tows. It also covers towing of derelict vehicles requested by Community Development. The Towing Advisory Board convened to finalize the scope of services and terms of a request for proposals which was then posted on May 14, 2024 with all proposals due by June 13, 2024. Three proposals were received - Bee Line Transport, Cash's Garage, and Mitchell's Towing and Recovery.

An evaluation subcommittee composed of four Board members was established to review all proposals and bring forth their observations to the full Board. The full Board then performed site visits to examine facilities, operations, and equipment. There was full consensus to bring forth a recommendation to City Council to award the contract to Bee Line Transport.

Councilmember Wilder asked if the amount paid by a vehicle owner offset what the City paid. Mr. Patrick replied no; the City received no funding back from the chosen provider. Councilmember Wilder asked if staff could provide the amount paid by vehicle owners. Mr. Patrick answered that the proposed amount was $110 plus $50 per day.

Councilmember Misjuns motioned, seconded by Councilmember Taylor, to deny the resolution. Councilmember Misjuns stated that a Towing Advisory Board member expressed her concern to him that the process leading up to this proposal was not in line with the Virginia Public Procurement Act. He requested that they restart the process in order to allow fair and transparent competition.

Vice Mayor Faraldi asked if Councilmember Misjuns could name the member of the Towing Advisory Board who made this communication. Councilmember Misjuns answered that it was Kelly Currier. Vice Mayor Faraldi asked if Ms. Currier could answer some of his questions. He asked the City Attorney if this communication offered to one Councilmember implicate the City in any capacity since Ms. Currier declined to communicate with other Councilmembers. Mr. Freedman replied no. Vice Mayor Faraldi asked why Ms. Currier chose to only communicate with Councilmember Misjuns. Ms. Currier replied that she did not; she sent

Vice Mayor Faraldi an email as well. Vice Mayor Faraldi asked if Ms. Currier could tell the public the information she had provided. Ms. Currier explained that on September 26, she sent an email to Council regarding her current term on the Towing Advisory Board, and her discomfort with signing the document given to the Board to endorse the RFP award. She said that she had asked Ms. Suter why there was so much controversy around this issue and if she was missing something. Vice Mayor Faraldi asked if Ms. Currier could elaborate on her concerns. Ms. Currier stated that as part of this process, she had asked if there had been audits to ensure they were paying the correct amount for this contract. She said that there was no audit; it was stated that if someone claimed they had been overpaid, it was reviewed and a refund was determined. She emphasized there was nothing to determine if the contracted prices were correct or not. She noted that there was a general consensus and that the decision had already been made, but she believed there was one other member of the Board who did not agree. Vice Mayor Faraldi asked how many Board members expressed concern prior to the vote. Ms. Currier replied there were none. She expressed concern that based on her experience and feedback received, she felt her position as a citizen did not allow her to adequately voice her concern or vote as she felt was necessary. Vice Mayor Faraldi expressed concern that Ms. Currier's insinuation could not be substantiated with the information provided. He clarified that the City's policy did not allow police officers to recommend to the public any services of a particular towing service, and he expected that policy would be followed.

Councilmember Wilder asked if Bee Line Transport was chosen through the RFP process, as part of public procurement. Ms. Suter replied that was correct. Mr. Patrick noted that the Towing Advisory Board actively selected the approved provider and approved the RFP, including the language of important aspects and how they would judge the received proposals. Councilmember Wilder asked if Ms. Suter reviewed the numbers and compared them. Ms. Suter said yes; they compared them and used a scoring matrix. They came up with pros and cons for each submittal, and the Towing Advisory Board all agreed on this proposal. Through their discussion, they amended it as necessary to reflect their discussion.

Councilmember Misjuns asked if a police officer mentioning the name of the City's contracted towing service was the same as a recommendation. Mr. Patrick said that he was unsure. Councilmember Misjuns expressed his discomfort with approving this five-year contract that excluded all other businesses and did not give them any opportunity, as well as Ms. Currier's experience with the process. He recommended that Council deny the resolution and begin the process again.

Vice Mayor Faraldi asked what the proposal failed to accomplish in terms of Councilmember Misjuns' concerns. Councilmember Misjuns expressed concern that the five-year contract kept other small businesses out of the loop; the police-initiated tows and City vehicle tows should be separated; there should be rotation of tow companies; and small businesses should be included in the ability to do this business. He expressed concern that they had received adequate documentation of consensus, approval, and acceptance of the RFP, but were now hearing concerns that those documents were incorrect or unfair in some manner. He emphasized that inclusion of police-initiated tows was an integral part of holding the City and the towing company responsible in a legally binding agreement when those situations occurred. He requested that Council table this item until their next meeting to receive stakeholder input and offer another opportunity for public comment.

Councilmember Wilder asked if the request for proposal had been advertised. Ms. Suter replied that it was advertised as they did all RFPs; it was on the City's website and the state's website, eVA, which sent it to all towing providers registered with the state.

Councilmember Dolan asked if all submittals had the appropriate equipment to tow City vehicles. Ms. Suter answered that two companies out of the three proposals had the appropriate equipment for heavy vehicle tows.

Mayor Reed noted that the RFP was reviewed by a subcommittee, the Towing Advisory Board, and that Board was entrusted to make an informed vote on the information provided. She asked if Council had the authority to tell the Towing Advisory Board that Council disapproved of their decision and to reconsider the vote. She asked if there was a legal consideration of getting involved in the public procurement process in that way.

// Due to heightened public participation, Mayor Reed recessed the meeting to allow time for the situation to de-escalate and restore order. The meeting was recessed at 8:24 p.m.

// The meeting was reopened to the public at 8:29 p.m.

Mr. Freedman said that he would attempt to answer Mayor Reed's earlier question. The towing contract for the locality was not necessarily bound by the determination of the Towing Advisory Board; the Council has the power to award one towing contract, two towing contracts, or no towing contract. The written recommendation from the Towing Advisory Board was something he had drafted based on the resolution creating the Towing Advisory Board earlier in the year. The resolution had mentioned the Council receiving a written recommendation or some type of guidance on how to proceed. The written recommendation included everyone's signature except for Ms. Currier's, and she had spoken about that this evening. He stated that the written recommendation still had validity, as there was nothing disproving the other signatures. City Council did have options; however, if a majority of Council did not want to proceed tonight, staff would request guidance on what information to bring back at the subsequent meeting. If they did not approve anything under this item, they would continue on the month-to-month basis they currently had with Bee Line Transit.

Councilmember Misjuns asked if Councilmember Taylor would consider adding Vice Mayor Faraldi's request to table the item for two meetings as a friendly amendment to the original motion.

Councilmember Wilder stated that he did not support the motion because the request for proposal went through proper procurement process, and the Towing Advisory Board made the decision to accept the contract. He did not agree on the particular motion to deny the contract. He stated that he was amenable to tabling it, but was unsure of the reason why because more time would not change his vote.

Councilmember Dolan asked Vice Mayor Faraldi what would be accomplished by tabling the item. Vice Mayor Faraldi said that he believed that if delaying this item ensured that everyone, including Ms. Currier, the stakeholders, Councilmembers, and staff could get on the same page and feel confident in making the right decision, and that they could clarify with City staff what the policy is regarding towing recommendations, then they could move forward. He expressed his hope that they could unanimously support this item after that time.

Councilmember Misjuns accepted the amendment to table the item for two meetings. Councilmember Taylor accepted the amendment.

Mr. Freedman asked if Council could provide staff with direction on next steps for this item.

Councilmember Wilder requested that the other members of the Towing Advisory Board provide comments to give context to Ms. Currier's concerns.

Mayor Reed confirmed there was consensus from Council to table this item until the November 12, 2024 meeting of Lynchburg City Council.

// In the matter of City Council, Agenda Item #16, Council considered introducing a resolution amending the FY 2025 Adopted Budget to align City Council salaries with the requirements of Lynchburg City Code Section 2-16.1 (Option A). In December 2019, by adopting Lynchburg City Code Section 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. Technical changes were made to the proposed resolution.

Vice Mayor Faraldi made the motion, seconded by Councilmember Wilder, to table the item indefinitely. Vice Mayor Faraldi emphasized that a sitting politician should not vote on a pay increase for their self.

Councilmember Misjuns noted that the proposal was to align practices with written City Code. He recommended they table this item until they had all seven Councilmembers present, rather than tabling it indefinitely.

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

Ayes: Reed, Faraldi, Dolan, Taylor, Wilder	5
Noes: Misjuns	1
Absent: Helgeson	1

On motion of Vice Mayor Faraldi, seconded by Councilmember Dolan, to reintroduce Option B regarding City Council's salaries, keeping Councilmembers' pay at $10,0000 and the Mayor's pay at $12,000.

Councilmember Misjuns made a substitute motion to align the Mayor's pay with Councilmembers' pay at $10,000. Mayor Reed noted that there was no second for the motion, so the motion died.

Councilmember Wilder stated that he did not support the motion because he would prefer to have Councilmember Helgeson present for the vote.

Councilmember Misjuns said that he agreed with Councilmember Wilder; Council had previously determined that it was essential that all seven members be present to vote on this item, so they should remain consistent in that regard. He would not support the motion without the presence of all seven Councilmembers at the dais.

Vice Mayor Faraldi asked Clerk of Council Alicia Finney if she heard from Councilmember Helgeson; she replied that she had not. Vice Mayor Faraldi noted that at the September 24th meeting where this was first voted on, Councilmember Dolan let Council and staff know with ample time that she would not be able to attend that meeting.

Mayor Reed called the vote on reintroduction of Option B.

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

Ayes: Reed, Faraldi, Dolan	3
Noes: Misjuns, Taylor, Wilder	3
Absent: Helgeson	1

Vice Mayor Faraldi motioned, seconded by Councilmember Dolan, to place Option B on the agenda at the October 22, 2024, City Council meeting under General Business.

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

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

// The meeting adjourned at 8:47 p.m.

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Clerk of Council