

// A regular meeting of the Council of the City of Lynchburg was held on the 23rd day of March, 2021, at 4:00 P.M. in the Council Chamber, City Hall, MaryJane Dolan, President, presiding. The following Members were present:

Present: MaryJane Dolan, Beau Wright, Jeff Helgeson, J. Randy Nelson, Treney Tweedy,
Sterling A. Wilder, Chris Faraldi 7

Absent: 0

// In the matter of Recognition, Mayor Dolan Proclaimed April 4 – 10, 2021 as Library Week in Lynchburg and encouraged citizens of all ages to visit the local library online or in person to discover the many free resources it has to offer for everyone. Ms. Beverly Blair, Director of Libraries was in attendance to accept.

// In the matter of Budget, Agenda Item #1, Chief Financial Officer Ms. Donna Witt reviewed the FY 2022 Projected Revenues. Staff, including the Commissioner of the Revenue and the City Assessor, will be updating these revenue figures as more information becomes available and will have report out by April 6, 2021. Ms. Witt went through the following projected revenues: Current Real Property Tax; Current Personal Property Tax – Local Portion; Local Sales and Use Tax; Consumer Utility Tax Electric; Communications Sales and Use Tax; Business Licenses; Motor Vehicle Licenses; Lodging Tax; Meals Tax; and Ambulance Service Fees.

Councilmember Faraldi asked for clarification regarding a line item on the Ambulance Service Fees of \$100 being charged to patients who receive emergency medical services but do not require transport. He asked Ms. Witt to clarify if this was a new fee, to which she replied it was not.

Councilmember Nelson asked for further explanation with the increase to online sales. Ms. Witt explained that this figure increased due to the Wayfair Act and because more people were buying things online since the pandemic. Councilmember Nelson asked if she believed there could be an uptick in next year's revenues, or if the increase was simply due to the pandemic; his hope is that there will be extra revenues in the coming years to accommodate equalizing the tax rate. Ms. Witt explained that she believes the increase in online sales will level off once brick and mortar retail store open back up and revenues will be shared between retail sales and online sales.

Councilmember Wilder asked for further explanation on the Real Property Tax Relief Program. Ms. Witt explained that this program is for the disabled and the elderly and is administered through the Commissioner of the Revenue.

Councilmember Helgeson added the following items to The List: Funds available above the minimum 10% unassigned fund balance policy; Schools Funding; and the Trash Bag Decal Violation.

Councilmember Tweedy requested feedback in writing for the following item: understand the financial involvement with the Rotary Centennial Skate Park.

// In the matter of Budget, Agenda Item #2, Interim City Manager Dr. Reid Wodicka reviewed with Council the Proposed FY 2022 – 2026 Capital Improvement Program and gave an overview of each project.

Councilmember Helgeson added the following items to The List: Parking Lot Repairs and Improvement/Multiple Projects. He also asked Mr. Brian Booth, Director of Greater Lynchburg Transit Company (GLTC), if the transit company could utilize federal CARES funds for the 10% local match. Mr. Booth stated that he would look into the matter. Councilmember Faraldi expressed the same sentiment as Councilmember Helgeson. Councilmember Tweedy asked Mr. Booth if the CARES funds were received due to the loss in ridership. Mr. Booth explained that the funds were due to ridership loss and revenue loss is the primary source, however, in certain circumstances there is the ability to use it for some capital, but will check to confirm what those are. If we use CARES funds we would be taking away the potential of having those funds for future years in the operating budget.

Councilmember Nelson asked to add the following item to The List: Sandbar Removal – Hollins Mill Road Trail Crossing.

// In the matter of Roll Call, Councilmember Faraldi asked staff for data on the cost of both a firefighter position and police officer. Councilmember Wilder asked staff to explore a naming opportunity with businesses for parking decks and other downtown renovation projects as a possible revenue source; he also gave condolences for the families that were affected by both the Colorado and Atlanta shootings; he paid tributes to the life of a community advocate and volunteer, Ms. Laura Munson. Councilmember Tweedy noted that there has been trash on both the on- and off-ramps on the highway and that refuse

collection is important to keep in mind during budget discussions. Councilmember Nelson had no items. Councilmember Helgeson agreed with Councilmember Tweedy that trash is a real problem for the city; he also stated that he hoped that the Lynchburg City Schools would have opened back up by now. Vice Mayor Wright had no items. Mayor Dolan made the following announcements:

- If you haven't registered for the vaccine or have not updated your information please do so at vaccinate.virginia.gov or call 877-VAX-IN-VA.
- The Lynchburg Regional Vaccination Center located in the Candler's Station Shopping Center needs both medical and non-medical volunteers. In addition to vaccinators, the Center needs NAVIGATORS, OBSERVERS, REGISTRATION, SCREENERS and SCRIBES. I encourage you to sign up to help in this rewarding community effort by going to vaccinatecentralva.org. You will find all the information you need to volunteer for this worthwhile effort! Together we can do it!
- On Wednesday, April 7, at 7:00 p.m. join Bridges to Progress and the City of Lynchburg for a Virtual Town Hall Meeting called, Faith, Facts, and the COVID Vaccine. A moderated panel of Lynchburg faith leaders and healthcare professionals will discuss the COVID-19 vaccine and its impact on communities of color. Look for more information soon on the City's Facebook page.

// The meeting was recessed at 6:08 p.m.

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

Present: MaryJane Dolan, Beau Wright, Jeff S. Helgeson, J. Randy Nelson, Treney Tweedy,
Sterling A. Wilder, Chris Faraldi 7

Absent: 0

Councilmember Faraldi gave the Invocation, followed by the Pledge of Allegiance.

// In the matter of the Consent Agenda Item #4, copies of the minutes of the March 9, 2021 meeting have been previously furnished to Council, and on motion of Councilmember Nelson, seconded by Councilmember Wilder, Council by the following recorded vote approved the minutes as presented:

Ayes: Dolan, Wright, Helgeson, Nelson, Tweedy, Wilder, Faraldi 7

Noes: 0

// In the matter of Community Development, Agenda Item #5, Council considered adopting Resolution #R-21-021 approving the allocation of the FY 2022 Community Development Block Grant (CDBG) and HOME Program funds and incorporating the FY 2022 CDBG Fund and HOME Fund Budgets and Program Year 2021 Annual Action Plan.

Ms. Melva Walker, Grants Manager, provided Council with a brief summary of the request. The U.S. Department of Housing and Urban Development (HUD) funds the CDBG and HOME Programs. The City has available the following funds to use for eligible CDBG and HOME activities during FY 2022 (PY 2021).

<u>CDBG AVAILABLE FUNDING/SOURCE</u>	<u>AMOUNT</u>
HUD Entitlement Allocation	\$718,593.00
Reprogrammed Funds	<u>22,712.47</u>
Total CDBG Funding Available	\$741,305.47

<u>HOME AVAILABLE FUNDING</u>	<u>AMOUNT</u>
HUD Entitlement Allocation	\$413,856.00
Reprogrammed Funds	<u>54,568.87</u>
Total HOME Funding Available	\$468,424.87

All CDBG and HOME funds will be expended in accordance with primary objectives of the programs. The City estimates that over 70% of the CDBG FY 2022 funding will benefit low/moderate income persons which complies with HUD regulations. All applications submitted for funding consideration are available for review in the Grants Administration Office, Second Floor, City Hall.

At the conclusion of the public hearing, City Council will review the recommendations of the CDAC and approve the funding allocations to be included in the FY 2022 CDBG Fund and HOME Fund

Budgets and PY 2021 CDBG and HOME Program Annual Action Plan. The Annual Action Plan will subsequently be submitted to HUD for approval.

There was no one in person to either speak in favor or opposition. There were several correspondences previously furnished to the Clerk of Council which were then read into the record. Ms. Olyvia Brown-Coles, Director of Housing Services at Lynchburg Community Action Group (Lyn-CAG), spoke on behalf of the group to request Council consider approving the funds related to its HOME project, First Time Homebuyer Down Payment Assistance Program. Mr. Jeff Smith, Executive Director of Rush Homes, spoke on behalf of the group to request Council consider approving the funds related to its HOME project Florida Terrace Rental Housing. Ms. Donna Vincent, Executive Director of Greater Lynchburg Habitat for Humanity, spoke on behalf of the group to request Council consider approving the funds related to its HOME project Knott Street Development. Ms. Sarah Quarantotto, Executive Director of Miriam's House, spoke on behalf of the group to request Council consider approving funds related to the CDBG project, Lynchburg Redevelopment and Housing Authority Centralized Homeless Intake Coordinator. At the conclusion of citizen input, the public hearing was closed and the matter rested with Council.

Vice Mayor Wright, Chair of CDAC, reviewed the projects recommended for approval:

CDBG:

City Administration	\$126,500.00
Jefferson Park Revitalization Improvements	\$507,017.47
Lynchburg Redevelopment and Housing Authority (LRHA) Centralized Homeless Intake Coordinator	\$65,000.00
LRHA Affordable Housing Resource Center	\$42,788.00
Total CDBG	\$741,305.47

HOME:

City Administration	\$33,000.00
Rush Lifetime Homes- Florida Terrace Rental Housing (CHDO)	\$150,000.00
Greater Lynchburg Habitat for Humanity Knott Street Development	\$208,424.87
Lynchburg Community Action Group (Lyn-CAG)- Down Payment Assistance	\$77,000.00
Total HOME	\$468,424.87

Vice Mayor Wright made the motion to approve the recommendations, seconded by Councilmember Tweedy.

Councilmember Helgeson asked for clarification on the increase in funds for the line item “City Administration” for the CDBG funds. Mr. Kent White, Interim Deputy City Manager, indicated that the increase will help fund the extra support needed to maintain these funds for the projects. These are five-year grants and the city has several CDBG COVID grants that are requiring a lot of staff time.

Councilmember Helgeson wishes that more of the money would go to projects and not administration.

With no other discussion from Council, the following vote was recorded approving Resolution #R-21-021.

Ayes: Dolan, Wright, Helgeson, Nelson, Tweedy, Wilder, Faraldi	7
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Noes:	0
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// In the matter of Public Comment, Agenda Item #6, Mr. Andrew Glover spoke to Council about its decision at its February 23, 2021 meeting to hold a public hearing at a later date regarding the renaming of 5th Street to Martin Luther King, Jr. Boulevard. Mr. Glover commented that the request generated from seemingly very little community impetus and urged Council to also hold a public hearing to garner citizen feedback from parents on reopening Lynchburg City Schools.

// In the matter of Parking, Agenda Item #7, Council considered adopting an ordinance amending Chapter 25; Division 3 – Permit Parking of the City Code. Mr. David Malewitz, Director of Parking Management, provided Council with a brief summary of the request. The Lynchburg Parking Authority (LPA) at its February 9, 2021 meeting recommended City Council adopt revisions to the City Code that would modify code language to effectively manage residential parking permits and permitted districts. Highlights of the proposed revisions include (i) allowing the Department of Parking Management to establish rules and fees for visitor permits, (ii) the creation of two distinct residential permit parking districts in the Central Business District, (iii) replace the yearly on-street residential parking permits in the Central Business District with a monthly permit and establish a new monthly parking permit rate for on-street residential parking permits, (iv) institute a \$5 late fee after the 5th of the month for monthly permits not renewed by

the first of the month, and (v) establish rules to allow the Lynchburg Parking Authority board to set monthly residential parking permit rates for all off-street City-owned or City-managed parking facilities. The recommendations are consistent with the Lynchburg Parking Authority 2019-2021 Comprehensive Work Plan. The plan is designed to identify parking specific strategies focused on continually maintaining, improving, and increasing parking opportunities in the Central Business District.

Councilmember Helgeson stated a concern with increasing the business parking permits. Businesses, who in essence are only occupying the space for eight hours a day, pay a higher rate than a residential permit holder who could be maintaining the space twenty-four hours a day. He further stated that the downtown area is a business zone but preferential treatment is being granted to residential permit holders. He also stated that he would like to strike the addition of allowing the LPA to set monthly residential permit rates in off-street parking facilities since the LPA is an appointed body whose purpose is to recommend rates to Council.

Councilmember Faraldi stated that he would be in favor of including a grandfather clause for the individuals in the Central Business District who would be affected by the change from a yearly rate to a new monthly permit at a higher rate.

Councilmember Tweedy commented that businesses will receive a tax write-off at the end of the year and will receive a benefit. Councilmember Helgeson stated that it is plausible that not all businesses pay for their employees parking and that employees will be affected with the increased business rate.

Councilmember Wilder asked if there was any residential and downtown business representation on the committee that recommended these changes. Mr. Malewitz explained that there was downtown loft management representation, business owners, and the Downtown Lynchburg Association representation on LPA. Councilmember Wilder commented that parking downtown during the day is more in demand so he is supportive of the higher business permit rate. He is also supportive of a grandfather clause and removing the authority of the LPA to set rates.

Deputy City Attorney Mr. Matthew Freedman commented that the Lynchburg Parking Authority Act had already been adopted under state law which permits the LPA to set rates for off-street facilities. He suggested that Council could include language in the ordinance that the LPA will consider a recommendation from Council as it relates to those rates. He reiterated that Council regulates the on-

street rates, however, because of the Lynchburg Parking Authority Act, the LPA has the power to regulate off-street City maintained facilities. Vice Mayor Wright asked if this was just a housekeeping item to align City Code with state law to which Mr. Freedman replied that it was.

Councilmember Nelson stated that he would be in favor of the LPA setting monthly residential parking permit rates for all off-street City-owned or City-managed parking facilities as long as it was written in the ordinance that the LPA would hold a public hearing with the affected audience in order to learn of the needs of those they serve. He also stated that he is very reluctant to increase any fees or taxes during a pandemic if it can be helped. He also stated that the rate should go up for on-street parking. He commented that he would like to see this delayed so as to discuss with a little more detail to make sure Council assess properly.

Interim City Manager Dr. Reid Wodicka reiterated that staff will bring this item back for Council's consideration after the addition of language addressing a grandfather clause, as well as a codifying a rate setting process for the Lynchburg Parking Authority, and further consideration to the business rates. Councilmember Tweedy asked staff to survey businesses downtown to see who pays for their employees parking.

Mr. Malewitz reminded Council that there is a time constraint associated with this item due to the sale of on-street parking permits that begin on April 15th.

// In the matter of the Fire Department, Agenda Item #8, Council received the first reading of Resolution #R-21-022 amending the FY 2021 City/Federal/State Aid Fund budget and appropriate \$67,200 with resources to purchase eighteen Pharm Guard Temperature Controls systems for pharmacy drug boxes carried on fire and EMS apparatus for the Fire Department.

Fire Chief Greg Wormser provided Council with a brief summary of the request. The Virginia Office of Emergency Medical Services (EMS) awards grant funding to EMS agencies for the purpose of obtaining and maintaining emergency vehicles and equipment; providing EMS management, leadership, and advanced life support training; and achieving other goals that support the enhancement of community EMS services. The Fire Department has been awarded RSAF grant funds to purchase eighteen Pharm Guard Temperature Controls Systems for pharmacy boxes carried on fire and EMS apparatus. These

devices are designed to provide climate control for the medications on each of the apparatus. The medications the department carry must be climate controlled in accordance with Virginia Office of EMS regulations to ensure efficacy. The grant requires a local match. The Fire Department applied for these funds under a Hardship Request, which would have required the locality to pay 20 percent and RSAF would have paid 80 percent. However, the RSAF funds were awarded with a required 50 percent match. With a total cost of \$67,200, the required local match is \$33,600. The match will be funded from the FY 2021 General Fund Fire Department budget.

At its March 23, 2021 meeting, the Finance Committee recommended approval. As Chair of that committee, Councilmember Helgeson brought the committee's recommendation for approval forward as a motion. No second was required, and with no discussion from Council, the following recorded vote approved the motion:

Ayes: Dolan, Wright, Helgeson, Nelson, Tweedy, Wilder, Faraldi 7

Noes: 0

//On motion of Councilmember Wilder, seconded by Councilmember Tweedy, Council, by the following recorded vote, elected to hold a closed meeting for the discussion of discussion and consideration of information provided to the City by a private entity under the provisions of the Public-Private Transportation Act relating to the possible construction of a Police Headquarters Facility, pursuant to Sections 2.2-3711(A.) (28) and 2.2-3705.6(11) of the Code of Virgini, as amended.

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

Ayes: Dolan, Wright, Helgeson, Nelson, Tweedy, Wilder, Faraldi 7

Noes: 0

// The meeting was reopened to the public.

// Councilmember Helgeson made the following motion:

WHEREAS, the Council of the City of Lynchburg has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2 3712 of the Code of Virginia requires a certification by City Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Lynchburg certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by Council.

The motion was seconded by Councilmember Faraldi, and Council, by the following recorded vote, adopted the motion:

Ayes: Dolan, Wright, Helgeson, Nelson, Tweedy, Wilder, Faraldi 7

Noes: 0

// Councilmember Tweedy made a statement supporting the Lynchburg City Schools Return to Learn Plan.

// The meeting adjourned at 9:26p.m.

Clerk of Council