

March 8, 2022

// A regular meeting of the Council of the City of Lynchburg was held on the 8th day of March, 2022, 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 Schools, Agenda Item #1, Council received a feasibility report on the work conducted thus far by the Task Force on the Future of Education in the City of Lynchburg: PreK-12 and Beyond (Task Force). This report came at the direction of City Council at its January 25, 2022 meeting where Council voted to have the Task Force assess the feasibility of completing the assignments contained in the Task Force's original Charter and to also report to City Council any other concerns that may affect its findings. Dr. Michael Gillette, Chair of the Task Force, provided Council with the report.

Councilmember Tweedy stated that she was hoping to get a report of the work already completed to see if there is a need of the group to move forward. She stated that Council does need to take ownership since the City owns the school buildings and it is well-positioned to make decisions regarding the buildings. The Task Force was created to address challenging issues, but now with the facility study almost complete, Council is able to make the decisions without the Task Force shouldering the responsibility. Councilmember Tweedy mentioned a possible fourth option; to create a community engagement and outreach effort from the existing Task Force membership.

Councilmember Helgeson stated he sees the value in the Task Force in that it can be separate entity to ask tough questions of the school system. He would like the Task Force to figure out how to stay away from distance learning. He thinks the charter is fine; Dr. Gillette responded that the original charter does give latitude to conduct the work unless Council directs the Task Force to pursue a different direction.

Councilmember Wilder stated that School Board members normally get exit interviews from staff and faculty and perhaps the board could share those with City Council. He proposed that Council put a

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pause on the Task Force and wait until after the facility study report from Dominion 7 and the joint School Board meeting to decide the fate of the Task Force.

Councilmember Nelson stated that the community needs the outcomes the Task Force can deliver. He asked Dr. Gillette if the Task Force, with all of its resources, talents, insights, and perspectives, can complete the work prescribed without City staff contributing at the same level as before. Dr. Gillette replied that he does not foresee a lot of staff involvement because of some of the work that will come out of the facilities report, but will need administrative support. Councilmember Nelson stated that he would like to see no more detours; let the Task Force finish their work and report out to Council so that Council can take ownership and be beneficiaries of their efforts. Keeping the Task Force in hiatus by waiting to talk about it in the joint meeting is just wasting time.

Dr. James Coleman, School Board Chair, prefaced his comments by stating he was representing himself as an individual member of the School Board. The board took action in June of 2021 supporting the addition of broadband and mental health dynamics in the Task Force original charter. In January of 2022, the board passed a resolution affirming the work of the Task Force. He also commented that the full Steering Committee of the Task Force was not involved with the report out to Council.

Vice Mayor Wright stated that the fourth option of reconstituting the Task Force members with a tailored scope allows Council to leverage community engagement and input, especially in respect to the facility study.

Councilmember Faraldi stated that he thinks the Task Force has what it needs to get moving right now. He stated that the membership of the Steering Committee in regards to Council should be reconsidered.

Councilmember Faraldi and Vice Mayor Wright asked if this particular item could be put on the joint School Board/City Council meeting scheduled for March 22, 2022, so that both governing bodies could address the topic together. Council agreed by consensus to add this item on the joint Schools/Council meeting agenda.

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// In the matter of the Library, Agenda Item #2, Council received a presentation from Ms. Beverly Blair, Director of Libraries, on an unsolicited proposal that would expand the Lynchburg Public Library system through a public-private partnership. Jones Lang LaSalle (JLL) submitted an unsolicited proposal to the City that outlined an opportunity to open a new library branch at River Ridge. JLL will invest \$1 million to create the space with a 5-year lease and an additional 5-year option. Ms. Beverly provided Council with two options:

1. Maintain three library locations (Main Library, Downtown Branch, River Ridge)
2. Maintain two library locations (Main Library, River Ridge)

Councilmember Helgeson stated that he prefers Option 2 because this helps magnify the ability for other folks to be using the library, and it helps to have a good win-win partnership with the mall.

Councilmember Wilder stated before Council makes any plans to close the Downtown Branch, he would like to have public input on the matter.

// In the matter of the Strong Neighborhoods Alliance, Agenda Item #3, Dr. Reid A. Wodicka provided Council with an overview of the program. The Strong Neighborhoods Alliance is an internal working team designed to improve neighborhood and community engagement, learn about strengths and challenges in individual neighborhoods, and more quickly address neighborhood concerns. This team was designed to conduct community engagement from a data-informed and relationships-driven approach designed to strengthen trust and cooperation between City residents and City employees. Additionally, this team is designed to build relationships with the neighborhood residents in anticipation of beginning more formal neighborhood planning efforts in subsequent years. Ultimately, the processes are designed to increase the speed with which the City responds to concerns, build stronger relationships, and provide an opportunity for City staff to develop a sense of buy-in for the community outcomes in individual neighborhoods. City staff began a pilot engagement in the southern section of the Diamond Hill neighborhood and conducted a series of public engagement activities. This area is defined as Buchanan Street to Monroe Street and 12th Street to the Lynchburg Expressway. Through this process, City staff have gathered information, responded to requests for action from the neighborhood where possible, and have identified challenges that require City action. This process and several of these findings was

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discussed during the presentation, along with more pressing actions needed for long-term the success of the neighborhood.

// In the matter of Community Development, Agenda Item #4, Mr. Kent White, Director of Community Development, provided Council with an overview of strategies to address neighborhood blight. This stemmed from the listening sessions in Diamond Hill during the Strong Neighborhood Alliance pilot program. A recurring theme was the impact of derelict housing and blight had on the neighborhood as a whole. This feedback is consistent with concerns expressed in other neighborhood planning efforts and complaints that City Council and staff receive. Council has regularly requested updates on progress and strategies to address these conditions. At the direction of the City Manager, the departments of Community Development, Finance, Economic Development, Tourism and Museums, the City Attorney, the City Assessor and Lynchburg Redevelopment and Housing Authority have jointly developed recommendations for Council's consideration. In formulating these strategies, staff has explored new legislation adopted by the Virginia General Assembly along with the expertise and experiences of neighbors, housing partners, real estate professionals and former City officials. Staff requested direction from Council on making changes to City Code, as appropriate.

Councilmember Wilder stated that as the representative of Ward 2, he is excited to be addressing a lot of these neighborhood concerns.

Councilmember Helgeson asked if there was the ability to get some funding from the Community Development Block Grant to address blighted properties. Mr. White replied that the housing authority has put forward two proposals one for infill housing and one for new build, but there are not that many properties that are in the public control right now.

Vice Mayor Wright asked how nonjudicial sales figure into historic guidelines, does this then get bestowed upon the new owners. Mr. White explained the new owner is still responsible to follow all historic guidelines. Vice Mayor Wright asked if a lot of owners are dissuaded from buying these properties because it is so cost prohibited to meet the historic district requirements and is Council permitted to waive those requirements, or at least some of them. Mr. White stated that staff will provide more information on that topic at a later date, but generally, potential buyers don't appear to be dissuaded from purchasing these types of properties in the historic districts.

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// In the matter of Redistricting, Agenda Item #5, Council continued its review of base maps for adjusting ward boundaries. Mr. Tom Martin, City Planner, suggested a timeframe for redistricting, reviewed Scenarios, A, B, and C, discussed a new Scenario D, reviewed the standard deviation for each scenario, reviewed the efforts to receive public input, and reviewed next steps.

Councilmember Helgeson said his main goal is to have minimal impact to citizens in regards to where they vote. Scenarios A, B, and D are all very similar in regards to Ward III. He would like to see Scenario C off the table because it would impact citizens the most.

Councilmember Faraldi stated the Council should not be the ones to decide where to draw the line, but should be considering how communities of interest and demographics are being split apart. And council should be operating with maps with natural or transportation boundaries that make sense so it's easily identifiable. Furthermore, as certain areas continue to develop, the next standard deviation will be dramatically higher and those cuts will be drastic.

Councilmember Nelson still likes Scenario C because it follows the criteria that prevents gerrymandering to take place.

Councilmember Wilder urged the community provide more feedback.

Mr. Martin explained that staff are hoping that by April, Council will be able to direct staff with a final scenario.

// In the matter of Community Development, Agenda Item #6(a), Ms. Melva Walker, Grants Manager, briefed Council on the FY 2023 allocation of Community Development Block Grant (CDBG) and HOME Program funds. The Community Development Advisory Committee (CDAC) met on February 23, 2022 and reviewed the applications that were submitted. The following lists of projects have been recommended for funding by the CDAC:

CDBG PROJECTS RECOMMENDED FOR FUNDING BY CDAC*:

PROJECT	CDAC RECOMMENDATION
City Administration	\$137,090.00
Jefferson Park Revitalization Improvements	\$240,000.00
Tinbridge Hill Neighborhood Pedestrian Improvements-Phase 2	\$125,000.00
Diamond Hill Neighborhood Plan and Improvement Project	\$87,602.40

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Lynchburg Redevelopment & Housing Authority (LRHA) – Enhance & Preserve (LEAP) Rehabilitation	\$100,000.00
LRHA – Rental Rehabilitation Program	\$30,000.00
Miriam’s House/CVCoC Coordinated Homeless Intake and Access (CHIA)	\$65,000.00
Boy Scouts of America – blue Ridge Mountain Council-Scoutreach	\$15,440.00
Total – CDBG	\$800,132.40

*NOTE: DUE TO THE FACT THAT HUD HAD NOT PROVIDED THE FINAL ENTITLEMENT ALLOCATIONS FOR THE ANNUAL ACTION PLAN FOR FEDERAL FISCAL YEAR (FY) 2022; IT WAS THE RECOMMENDATION OF CDAC THAT ANY INCREASE IN THE ACTUAL FEDERAL FY 2022 CDBG ENTITLEMENT AMOUNT WOULD BE APPLIED TO THE DIAMOND HILL NEIGHBORHOOD PLAN AND IMPROVEMENT PROJECT; AND ANY DECREASE IN THE ACTUAL FEDERAL FY 2022 CDBG ENTITLEMENT AMOUNT WOULD BE APPLIED TO THE DIAMOND HILL NEIGHBORHOOD PLAN AND IMPROVEMENT PROJECT.

HOME PROJECTS RECOMMENDED FOR FUNDING BY CDAC**:

PROJECT	CDAC RECOMMENDATION
City Administration	\$33,000.00
Rush Lifetime Homes - Florida Terrace Rental Housing (CHDO)	\$200,000.00
Habitat for Humanity - Knott Street Development	\$152,865.00
LRHA- HOME for Good	\$ 86,840.21
Total – HOME	\$472,705.21

**NOTE: DUE TO THE FACT THAT HUD HAD NOT PROVIDED THE FINAL ENTITLEMENT ALLOCATIONS FOR THE ANNUAL ACTION PLAN FOR FEDERAL FISCAL YEAR (FY) 2022; IT WAS THE RECOMMENDATION OF CDAC THAT ANY INCREASE IN THE ACTUAL FEDERAL FY 2022 HOME ENTITLEMENT AMOUNT WOULD BE APPLIED TO THE LRHA HOME FOR GOOD PROJECT; AND ANY DECREASE IN THE ACTUAL FEDERAL FY 2022 HOME ENTITLEMENT AMOUNT WOULD BE DIVIDED EQUALLY TO THE FLORIDA TERRACE RENTAL HOUSING AND KNOTT STREET DEVELOPMENT PROJECTS.

This item will be brought back for Council action on March 22, 2022.

// In the matter of Roll Call, Agenda Item #7, Councilmembers Nelson, Tweedy, Helgeson, and Faraldi had no items. Councilmember Wilder commended Heritage High School for their production of Wizard of Oz; he recognized the Heritage High School girls track team for the accomplishments at the state level; he asked Council to consider looking into enforcing time limits on each member during discussion of topics so that all members have a shared opportunity during discussions. Vice Mayor Wright asked staff to look into renaming Dunbar Drive to honor former principal CW Seay; he also asked to receive more

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information regarding the City's benefit package as it pertains to parental leave. Mayor Dolan recognized International Women's Day.

// The meeting was recessed at 6:34 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
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Absent:	0
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Councilmember Tweedy gave the Invocation, followed by the Pledge of Allegiance.

// In the matter of Recognitions, Mayor Dolan recognized two members of the Mayor's Youth Council who were in attendance; Miss Sameria Lamberth, Junior at Heritage High School, and Mr. Marcus Gafford, Sophomore at Heritage High School.

// In the matter of the Consent Agenda Item A, copies of the minutes of the December 14, 2021 meeting have been previously furnished to Council, and on motion of Councilmember Wilder, seconded by Vice Mayor Wright, Council by the following recorded vote approved the minutes as presented:

Ayes: Dolan, Wright, Helgeson, Nelson, Tweedy, Wilder, Faraldi	7
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Noes:	0
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// In the matter of Planning, Agenda Item #8, a public hearing was held and Council considered adopting Resolution #R-22-018 approving a Conditional Use Permit to allow the construction of fifty (50) townhomes at 1700 Graves Mill Road. Council was previously briefed on this item during its February 22, 2022 Business Item Briefings.

Mr. Parker Zee provided Council with a presentation outlining the petition. There was no one to speak in favor, either by phone, email, or in person. Citizens Cameron White, Nathan McMurray, and Ricky Templeton submitted emails to the Clerk of Council opposing the development stating that it would result in negative traffic patterns such as additional buildup on Timberlake Road which would hinder city services including public safety. Mr. Zee offered a rebuttal stating that additional traffic is low-impact and

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the construction allows for right-in, right-out access which should help the flow of traffic. Mayor Dolan then closed the public hearing.

Councilmember Faraldi stated that he liked the forestry that was being preserved behind the development, but the right-in, right-out access would impact the current homes in that area and made the motion to deny the CUP.

Councilmember Helgeson seconded the motion stating he does not feel comfortable approving a CUP that has previously expired and one that would make the property a higher density. He also stated that this is zoned for business and the property could be home to a business that would like to relocate to the area.

Councilmember Wilder asked how many apartments legally can be built on the property. Mr. Martin replied that since the CUP expired, no apartments can be built. Stand alone residential uses have to have a CUP approved by Council. The only thing that could be done on this property is business use. Councilmember Wilder asked Mr. Zee if there are any other prospects for the property other than this development; he replied that there were no other prospects at this time.

Councilmember Nelson asked if the FLUM allows for multi-family housing; Mr. Martin explained that the FLUM was done at the same time as the original CUP and does call for medium-density residential. Councilmember Nelson asked what the maximum number of units could be developed under the FLUM. Mr. Martin replied that it recommends up to 12 units per acre, and the property is roughly 10 acres. Councilmember Nelson stated this proposal has only 50 apartments, preserves a portion of the land in a natural vegetative state, and has traffic controlling features. Also, the development is far away enough from Timberlake Road and Graves Mill Road and that traffic in those corridors should not be impacted. He is in support of the development and will be voting no to the current motion.

Mayor Dolan stated that theoretically, a business could be built on the property currently, and would generate more traffic flow. She stated this development would bring affordable housing options for residents.

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Councilmember Tweedy asked what the normal rent would be; Mr. Zee replied that rent for the 2-bedroom units would be around \$380 - \$875, and the 3-bedrooms would be around \$432 - \$1000 depending on the area median income designation.

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

Ayes: Helgeson, Faraldi 2

Noes: Dolan, Wright, Nelson, Tweedy, Wilder 5

Vice Mayor Wright made the motion to approve the resolution, stating that the Planning Division and Planning Commission both recommended approval, a traffic study had been conducted and found minimal impact, the development is for affordable housing which the community needs, the proposal is not hugely out of character for the area, it would preserve a fair amount of land, and the business use would engender more traffic than would this proposal. Councilmember Nelson seconded the motion. With no discussion from Council, the following vote was recorded:

Ayes: Dolan, Wright, Nelson, Tweedy, Wilder 5

Noes: Helgeson, Faraldi 2

// In the matter of Planning, Agenda Item #9, a public hearing was held and Council considered adopting a resolution approving the Tyreeanna and Pleasant Valley Neighborhood Plan as part of the City of Lynchburg's Comprehensive Plan 2013 – 2030. Council was previously briefed on this item during its February 22, 2022 Business Item Briefings.

There was no one to speak in favor. Mr. Jordan Tillas stated that he is not necessarily opposed to the whole plan, such as the outdoor spaces and sidewalks, but did not like the idea of using plots of land for residential redevelopment citing that one of the main attractors of the area is its rural aspects. Mr. Lorenzo Megginson stated that the city has changed its goals and plans for the Tyreeanna Pleasant Valley Neighborhood Plan too much and is now not beneficial to the resident community. There was no correspondence submitted either by phone or email, so the public hearing was closed and the matter rested with Council.

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City Council, by consensus, tabled the item and directed staff to conduct a more robust public engagement process.

// In the matter of the Police Department, Agenda Item #10, a public hearing was held to garner citizen input on the Public-Private Education Act (PPEA) proposals received for the Lynchburg Police Department headquarters building project. Police Chief Mr. Ryan Zuidema provided Council with a brief summary. In March 2021, the City of Lynchburg received an unsolicited PPEA proposal from English Construction for the Lynchburg Police Department (LPD) headquarters building project. After review and determination that the proposal met all requirements, the City chose to consider the proposal and advertised for competing proposals. One other proposal was received from Jamerson-Lewis Construction in May 2021.

There was no one to speak in favor or opposition, either by phone, email, or in-person, so the public hearing was closed. No action was required from Council.

// In the matter of the Registrar's Office, Agenda Item #11, a public hearing was held and Council considered adopting Ordinance #O-22-019 amending Section § 14-35 of the City Code moving the voting location for Ward IV, Precinct 1, from Crosspoint Community Church to St. Thomas More Catholic Church. Mr. David Neumeyer, Electoral Board Chair, provided Council with a summary of the request. Crosspoint Church is the current polling location for Ward IV, Precinct 1 however, the church no longer wishes to be a polling location effective immediately. St. Thomas More Catholic Church has agreed to serve as a polling location for Ward IV, Precinct 1.

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

Vice Mayor Wright made a motion to approve the ordinance, seconded by Councilmember Faraldi. With no discussion from Council, the following vote was recorded:

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

Noes: 0

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// In the matter of Public Comment (A), Citizen Denise Scruggs addressed Council regarding improvements at the Templeton Center and commended the Parks and Recreation staff for the robust programming for the city's 50+ year old residents.

// In the matter of Budget, Agenda Item #12, City Manager Mr. Wynter C. Benda presented the FY 2023 Proposed Budget. Mr. Benda outlined several priorities that the proposed budget addressed: Public Safety, Infrastructure, Lifelong Learning, Economic Development, and Quality of Life. He outlined the next steps in the budget process which included several public outreach events, a joint meeting with the Lynchburg City Schools, and a public hearing on the proposed budget and another on the Water Resources rates.

// In the matter of Engineering, Agenda Item # 13, Council considered adopting Resolution #R-22-020 requesting the transfer of Liberty Mountain Drive as an addition to the City's street inventory. Council was previously briefed on this item during its February 22, 2022 Business Item Briefings.

Vice Mayor Wright made the motion to approve the resolution, seconded by Councilmember Wilder. With no other discussion from Council, the following vote was recorded:

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

Noes: 0

// In the matter of Planning, Agenda Item #14, Council considered adopting Resolution #R-22-021 supporting the Virginia Housing Loan Funding for Spencer Pointe Apartments. City Planner Mr. Tom Martin provided Council with a summary of the request. Mr. Nick Surak has requested that City Council adopt a resolution that would allow Woda Cooper Companies, Inc. (developer) to apply for tax credit funding from Virginia Housing (formerly Virginia Housing Development Authority). The project would consist of fifty (50) apartment units and be located at 1700 Graves Mill Road. The property is zoned B-1, Limited Business District. Apartments are a permitted use in this district upon approval of a conditional use permit by City Council. City Council adopted the Analysis of Impediments to Fair Housing Choice (AI) on June 23, 2020. The document lists "location and type of affordable housing" as a factor impeding housing choice. Providing more housing choices in more areas across the City could increase the

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accessibility and affordability of housing in Lynchburg. The proposed project would be 100% affordable and offer 50 units in 2 and 3-bedroom configurations. The area median income (AMI) for the Lynchburg area is \$73,700. These units would be offered at the 30% AMI (5 units), 40% AMI (8 units), 50% AMI (12 units), and 80% AMI (21 units) rent and income levels. This equates to an income range of \$15,480 up to \$58,960 for a family of 4, compared to the Lynchburg area's average income of \$73,700. The developer's market study indicated that there are over 3,600 City residents that would qualify for this development, a capture rate of 1.4%, which is indicative of substantial need.

Vice Mayor Wright asked if this would obligate the City financially in any way, or rather is this strictly so they could apply for an application which they may or may not receive approval of; Mr. Martin replied that was correct. Vice Mayor Wright made the motion to approve the resolution, seconded by Councilmember Nelson.

Councilmember Faraldi asked what the Letter of Support would entail, either supporting the financial piece or support the project in general. Mr. Parker Zee, representing the Woda Cooper Companies, Inc., explained that essentially the letter would support the proposal.

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

Ayes: Dolan, Wright, Nelson, Tweedy, Wilder	5
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Noes: Helgeson, Faraldi	2
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// The meeting adjourned at 9:12 p.m.

Clerk of Council