

// A regular meeting of the Council of the City of Lynchburg was held on the 25th day of February, 2020, at 4:00 p.m. in the Council Chamber, City Hall, Treney Tweedy, President, presiding. The following members were present:

Present: Mary Jane Dolan, Jeff Helgeson, J. Randy Nelson, E. J. Turner Perrow, Sterling A. Wilder, Beau

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Absent: 0

// In the matter of Public Works, Consideration of a resolution to proceed with conversion of Main and Church Streets to two-way traffic, as recommended in the *Downtown 2040 Master Plan*, Agenda Item #1, Mr. Tom Martin provided them with an overview of the subject. The push of retail from downtown started in the 1950s and there was a push to move traffic away and quickly through the downtown. In 1954 Council changed the configuration of Church and Main Streets to its present one-way configuration. It was done to combat automobile congestion and followed a nationwide trend. It eroded the pedestrian environment and helped decentralize the City.

In the 1990s there was a proposal to demolish an entire block between 7th and Commerce Streets to create parking lots. This led to the creation of the 2001 Downtown & Riverfront Master Plan. Following and implementing this plan led to the success of the downtown that we are seeing today. During the creation of this downtown plan, two-way traffic was requested by downtown merchants in order to slow traffic and double their exposure. Stop signs in lieu of traffic lights were suggested. The plan stated that future decisions on the two-way conversion would be made by City staff in conjunction with business owners.

Councilmember Perrow asked if this was when the idea of a downtown pedestrian mall was discussed. Mr. Martin thought there had been some conversations but none that ever got any traction.

Mr. Martin noted that in 2004 Council reviewed a traffic study on two-way traffic and it was determined that it could work in August 2005. Downtown merchants indicated they supported two-way traffic to City Council in March 2006. There were several Physical Development Committee and public meetings throughout 2015 and 2016. Research and studies indicated that two-way traffic does and will work. In 2017 an implementation plan draft for two-way conversion was drafted. Outreach to businesses and delivery companies started in March. In March 2017, Council voted against two-way conversion. Citizens spoke in favor of it in April 2017 and Council deferred action until the outcome of the Downtown 2040 Plan.

The plan was done with significant input. The preparation and outreach was described as epic. The adopted plan specifically recommends the conversion of Main and Church Streets to a two-way configuration. The specific reasons for doing so are 1) one-way streets increase the creation of a throughway rather than creating a downtown destination opportunity; 2) one-way streets create unnecessary turning movements increasing traffic volumes; 3) one-way streets require extra travel routes in order to reach a specific destination; 4) one-way streets with multiple lanes enable aggressive motorists to speed; 5) one-way streets create driver “tunnel vision” where they see little around them and are unlikely to stop at businesses; 6) two-lane, one-way streets with stop signs create undesirable crossing environments for pedestrians; 7) during construction, one-way streets are more difficult to detour traffic and provide the same business accessibility as there fewer options for traffic; two-way streets promote transit use;

two-way streets are better for the economy as each and every business has equal ability of its frontage to be seen by passing traffic.

Mr. Martin commented that the Downtown 2040 Master Plan is supported by citizens, business owners, the previous downtown plan, past and present City Transportation Engineers, several outside engineering studies, the police and fire departments and the Downtown Lynchburg Association. Business owners' concerns in opposition to the conversion to two-way traffic were concerned about their truck deliveries. The plan recommended adequate loading zones, time restrictions on loading zones and adequate enforcement. Mr. Martin covered the timeline throughout 2019 that dealt with loading zones and the pilot program. Staff feels they have demonstrated the effective designation and use of loading zones.

Loading zones worked well during construction and it indicates that, as previously stated, that delivery companies can and will adapt. The permanent loading zone on Commerce Street is working particularly well.

We have had twenty years of discussion, multiple plans and studies indicating the benefits of two-way conversion. Loading zones have been proven to work. It is time to move downtown forward. The Main Street Renewal construction is four months ahead of schedule. We are continuing to try and shorten construction duration. The lead time for ordering signals is ten months. If signals are not replaced with appropriate configuration, they would have to be replaced a second time.

The Physical Development Committee recommended in February 2020 that staff proceed with the implementation of two-way traffic conversion on Main Street and Church Street, as recommended by the Downtown 2040 Master Plan. The metrics they will use to affirm successful implementation over multiple years is increased assessed value of property along Main and Church Streets; increased storefront occupancy along Main and Church Streets; loading zone compliance along Main and Church Streets; increased traffic volume along Main and Church Streets and decreased traffic crashes along Main and Church Streets.

Mr. Martin commented that the full movement downtown that we are seeing now did not start until the Downtown Riverfront Master Plan was adopted and implemented by Council. He told a story about meeting with an executive from Flowers Food in Thomasville, Georgia. They were trying to convince him to keep the business in Lynchburg. He had plans to close it until he saw what was going on in our downtown. He said Lynchburg had something special and was reinventing itself. That is just one example of businesses choosing downtown because of its downtown. Downtown is successful today because in 2001 Council adopted and, more importantly, decided to follow a master plan despite people saying not to invest in downtown and just let it die. The downtown property is valued at \$229 million versus \$75 million in 2003, which is an increase of 205 percent increase. Not only did it not die. It is the cultural hub and the economic engine for the City. It is not the heart of the region and the implementation of the downtown plan will just further make the heart beat stronger.

Councilmember Nelson said staff should know that no one has been more of a zealous advocate for downtown development than he. He took the lead in convincing Council to adopt plans for the Virginian Hotel, Bluffwalk and the Academy Center of the Arts. He does not doubt the prudence of two-way traffic at some time. At the October 2020 meeting regarding loading zones, the parking manager indicated that not all issues surrounding loading zones had been resolved. Councilmember Nelson feels that after construction we can get to a point where we can

legitimately decide whether or not the loading zones actually worked. During the pilot program, 10th and 11th Streets were completely blocked, which impacted the traffic on Main Street. Construction had started on the two cross streets and some portions of Main Street. There were also no students here during the pilot program. For these reasons, he does not think that the pilot program gave us any empirical data from which we can draw any clear and conclusions. With construction going on, they cannot clearly study traffic either. Eight businesses have also closed on Main Street.

He is in favor of two-way traffic and thinks Church Street is ready for two-way traffic. He does not want to replace the difficulties businesses and people have been experiencing with two-way traffic. It has not been tested adequately to determine whether or not we have the formula that will resolve the issues. He understands the reasoning to put the infrastructure now and not have to tear it up later. He thinks they can authorize the purchase of the equipment but not convert Main Street to two-way unless and until we know we have mastered the loading zone issues. He would suggest the resolution be changed to change Church Street to two-way and to purchase all the equipment that is necessary but not to actually authorize the transformation of Main Street. He has shared a draft of a proposed resolution with members of Council and the City Manager.

Mr. Martin is not sure there will ever be hard and fast empirical data. The construction on Main Street has shown that the trucks do not have to stop directly in front of the business because of the designated elevators and the use of the elevator. There have been no complaints from businesses and it has shown that delivery companies will adapt. He thinks it would be a mistake to do just Church Street and it is time to move the entire downtown forward. It is like we keep moving the goalpost and we need to make a decision. We know the successes and the benefits. The proposed resolution from Councilmember Nelson does not indicate a timeframe for measuring things on Main Street and we could be losing the benefits in that time. Mr. Martin pointed out that the businesses that have moved had nothing to do with the downtown construction and some of the spaces left like the Feed Supply Store have already been bought and there are businesses that want to go in them. People are coming in despite the construction because we are following the plan. Staff is asking them to implement their vision for downtown.

Councilmember Nelson said the pilot program was done in a very artificial and contorted environment in which to test the efficacy of the pilot program because there were no college students and two major cross streets were in construction. He likes to see facts and proof and that to him would be misleading to draw a conclusion that we have proven that the remedies for deliveries have been shown as definitely accomplished satisfactorily. He would have to have to go back to one-way traffic later because we discovered we were wrong. He would like them to do another pilot program in the fall or spring when the students are back and the construction is over. He does not think we pass the metrics such as businesses fronting on Main Street and loading zone compliance.

Mr. Martin said they know that construction is going on and traffic is going other places. Most of that traffic is going to Commerce Street, which is two-way and has loading zones that are being used for Commerce and Main Streets. To him, that is empirical data. No one is blocking the streets on Commerce Street. Councilmember Nelson noted Commerce Street has a lot of parking lots and people do not park there to go to Main Street. Mr. Martin reminded them the premise of the plan is to park once and to walk.

Councilmember Nelson reiterated it would be fine with him to order the equipment but he does not want to say “yes” tonight with so many unknowns and then find out we were premature.

Councilmember Helgeson agrees that this was not pilot program was not an objective measure. He looks at the consultants that have been hired and mentioned that one of them never recommends not going to two-way traffic. He does not like to see them spending money on little niceties when they have the fire department’s annual report on its agenda for later today. Council unanimously said no to this and then staff hired another consultant and kept pushing this issue. They were able to buy another fire engine instead of spending the money on niceties. The person who circulated the petition in 2006 for two-way traffic is gone and has sold the business. He thinks this is mostly staff driven and businesses do not want them to fix something that is not broken. Things are booming on Wards Road and the businesses there would not have to get \$5 million from taxpayers just to start a business like the Virginian. The Academy has to get \$1.5 million and a grant. We gave a grocery store downtown \$250,000 and they did not even last seven months. He likes facts and they cannot just state that it is good and therefore it is. It is not a question of people wanting downtown to die. It is a question of wanting them to take care of themselves.

He thinks that Councilmember Nelson is right about the issues with the pilot program. The same issues have been brought up over and over again the years. Let us make changes that are made out of need such as for public safety. The resolution says businesses will flourish because of more people walking and biking but lots of people use cars today. We need to focus on the necessities and not the niceties and he will not support this resolution just like he has done since 2004.

Councilmember Wright does not think there is anything decorative about a \$25 million dollar investment and the saving of hundreds of jobs in the community. Mr. Martin mentioned a major investment was made by Flowers because they saw the community was making a major investment. There are some councilmembers that are philosophically opposed to this community investing in itself, but he is not. He thinks there are two conversations. One is whether or not to have two-way traffic and the other is whether or not it is related to loading zones being ironed out first. He is in favor of two-way traffic and feels its benefits here have been researched extensively, documented and presented to Council by staff for twenty years.

As far as loading zones, they already passed an ordinance prohibiting trucks from stopping in lanes of traffic when making deliveries. Staff can continue to work with businesses and delivery companies to make sure that loading zones are useful, responsive and work for them. He thinks they have solved the big question which is can we make it function for businesses and there can be tweaks done later. The community has been calling for it for decades as well as the professionals and staff that we hire and trust. He thinks this is a “no brainer” and “another tool in our toolbox” to drive downtown investment forward. This community’s City Council has made a repeated investment in our community over decades and it is paying off. He does not think the increase we are seeing in the value of downtown real estate would have happened without these prudent decisions. He supports the resolution and makes that motion. The motion was seconded by Councilmember Wilder.

Councilmember Wilder supports this because it has been discussed for so long. He actually thought the decision had already been made and was surprised to see it back. The loading zones were studied for about six months, which he thinks is adequate time. He thinks they should move forward so they have adequate time to get all

the signs that are needed. The Physical Development Committee talked about continuing to talk to the businesses and getting their feedback. The increase in the value of real estate taxes shows that the 2020 and 2040 plans have been working and they both recommended two-way traffic. He would like to go ahead and order the equipment and not continue to have this discussion over and over again.

Councilmember Perrow commented that he has been involved in multiple programs beginning in 1994 that supported downtown. It has been absolutely amazing what we have seen over the past two decades. He agrees that the investment in our infrastructure has paid dividends. He thanked staff for protecting the Flowers Bakery jobs and its tradition. He thinks it was a gross mischaracterization by Councilmember Wright about members of Council not being to invest in Lynchburg. We have been investing in downtown for decades. He also thinks it was a gross mischaracterization about what citizens because it is clearly divided. For him, two-way traffic is not an investment. It is a means to an end. You have to listen to consultants, analyze it and not always take it at face value. You have to understand the metrics and history behind the decision. If you have never done it any other way, how can you compare it to something else? He thinks an example of a thriving downtown is Lexington, Virginia, which has one-way traffic on opposing streets. He thinks the same works very well for the City.

Councilmember Perrow pointed out that the cross stretch on Commerce Street is greater than either Main or Church Streets. One of the most stressful things for a driver is trying to parallel on a tight two-way street. If we see the kind of traffic we think we will have, he thinks that will be a significant stressor and challenging for businesses.

Councilmember wondered if the increased property value metric would be measured by calendar year, as well as increased storefront occupancy. He thinks the loading zone compliance metric will be a difficult measurement to take. Increased traffic volume on Main and Church Streets is very interesting and how will you decide if you have it or not and what are the boundaries, as well as the boundaries for the property assessed value and the storefront occupancy. As far as decreased traffic crashes, he was not aware that we were having that many previously.

Mr. Martin said the boundary would be between 12th and 5th on Church and Main Streets. As far as assessed values, he would think you would start with July 4th before the project started. As far as storefronts, Downtown Lynchburg Association has done a great job surveying everywhere downtown and it will be a matter of building on it. In terms of traffic counts, he thinks they would have to go back preconstruction and the same with traffic crashes. He mentioned that quite a few happen at the intersection of 9th and Church Streets. He clarified for Councilmember Perrow that the traffic count data exists and it will just be a matter of picking the control.

Councilmember Perrow noted that if Council does this, then it needs to be reversible. If the metrics do not show growth, will that indicate that this experiment has failed and how much time do we give it? Mr. Martin would suggest that once we look at annual data, we would know. He does not think that will be the case or staff would not have been recommending it for so long. He thinks that over time they will see increases or decreases, whichever the appropriate case, with all these metrics. He mentioned that the cost to revert back would be approximately \$75,000.

Councilmember Perrow thinks it would make sense for the numbered streets to be two-way and Main and Church Streets to remain one-way. It would also be beneficial to make from 12th Street to the expressway or beyond on Church Street to two-way just like it is on Main Street. He has a lot of concerns but his main concern is that if this is implemented, then we do it the correct way, review our progress and make informed decision going forward.

Vice Mayor Dolan noted that she was reading a 2018 book, *Walkable City Rules*, which lists 78 cities that have gone from one-way to two-way and none of them have gone back. He cites that it is better for traffic and the police are happy with it because speeding is reduced and there are fewer accidents. Businesses are happier with it and there are more ways to reroute traffic, if necessary. She does not understand why a City our size cannot do this and make things work. We are spending the money anyway from the 2020 budget and Councilmember Nelson's resolution would be "kicking the can down the road." We are talking about twenty years and she does not think they want to revisit it every few months.

Mayor Tweedy is in support the resolution as presented by staff. She respects the councilmembers that were here in 2004 but if we went with the vote then we would have lost on the investment dollars we have received. She does not understand the impetus of voting against something that is clearly for the investment for the benefit of the City and has been proven to be successful. She does not think that the decisions she makes are nicety or decorative decisions, not when there are the investment dollars on the line. She thinks when you give only half of the information, you are misleading the community. Some businesses closed because people retired or a function of banks' downsizing. She named five new businesses that have opened since construction started and three that have signed leases.

Councilmember Helgeson remembers a consultant that came and said a "Do Not Enter" traffic sign could seem unwelcoming. He mentioned that the most recent consultant that has been doing this for 24 years said that he has never going from two-way to one-way traffic. He likes to look at objective data and when you hire a consultant you want one that will give you objective data. He did not any minuses, just plusses and if we do this, it is just going to be booming and fabulous. He thinks changing traffic flow is a nicety and we need to focus on necessities. He remarked that just because he does not think this is a good use of funds does not mean that he is not for any infrastructure. He thinks they need to make sure they do correct infrastructure such as when they diverted \$6 million from a roundabout to the 501/221 interchange. It is a matter of priorities and he does not think this is a good priority.

Councilmember Nelson is somewhat amazed at the distortions that have been made with regard to the arguments and points that he made. He is certainly not "kicking any can" down the road. He is trying to make his decision based on facts not opinion or speculation. That happens to be a trait of his profession. He is in favor of two-way traffic at the right time and under the right circumstances. He would like to see loading zones studied in a normal and realistic situation. He does not want it said that he is against two-way traffic but he is not in favor of the resolution as it now stands.

He would like to make a substitute motion and read the proposed resolution he sent to the councilmembers earlier today. It was seconded by Councilmember Perrow. Councilmember Perrow thinks it has a lot of good points like making sure the implementation is working. The equipment could be put in place but not "pull the trigger" until the criteria are met. He wondered how Church Street could be two-way and Main Street is left one way. Mr. Martin said staff's thought is they should both be done at the same time. They could do just Church Street now and then look at Main Street later, but then what opportunities have we lost on Main Street. Councilmember Nelson said his

resolution does not compel the City to go to two-way on Church Street, if the City decides they need to coincide. It gives staff the authority to move forward if it is prudent. The substitute motion failed by the following vote:

AYES: Helgeson, Nelson, Perrow 4

NOES: Dolan, Tweedy, Wilder, Wright 3

The vote on the main motion made by Councilmember Wright passed by the following vote:

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

NOES: Helgeson, Perrow 2

// In the matter of Fire, Agenda Item #2, Council received the Fire Department's Annual Report for calendar year 2019 from Fire Chief Greg Wormser. Before starting, he mentioned that it is the 45th anniversary of two firefighters, Stevens and Stewart, who lost their lives at the 700 block of Main Street.

They responded to 14,297 calls in 2019. There are a lot of other calls received by LYNCOM that are assigned to the Fire Department but they do not have to go out to them. They also responded to 12,144 EMS calls. This represents a more than 16 percent increase in our total call volume. As our population continues to grow, we need additional services. They are seeing this growth in call volumes over all socio economic levels, census tracts and wards across the City.

There was approximately \$900,000 in fire losses over the course of the year. The return of circulation rate (rate of resuscitation) continues to be at 51 percent, which is almost twice the national average. That means if you are having a heart attack, the highly skilled staff can greatly improve your outcome.

In response to a question from Councilmember Helgeson, Chief Wormser explained that the call numbers do not represent calls where they might have multiple units at the same response. Councilmember Perrow asked him if he has the trend of this information for the past five years. Chief Wormser said that is in their Standard of Cover for the past three years. He said they could provide that as part of the annual report moving forward. Councilmember Perrow would like him to share a multi-year trend before they start getting into the budget. Councilmember Helgeson suggested this information should be in the budget as well as benchmarks.

Chief Wormser mentioned the Fire Marshal's office conducts inspections throughout the City and have inspected 100 percent of those required by regulations.

It is important to him for the department to be proactive in its approaches toward community engagement. He mentioned the new CPR training that is provided free (through a grant) to the public through Parks & Recreation and Centra. They have also educated 17, 230 citizens through visiting local schools, businesses or they come to the fire stations.

Councilmember Perrow noted we have a lot of different styles of fire station buildings. He asked if there is a design or layout that seems to work better. Chief Wormser would say that they all need improvement. They are currently working with Buildings & Grounds to make some improvements. If we were to build a station today, it would be completely different than any of our current stations. Councilmember Perrow would be interested to see a prototype of a station that Chief Wormser thinks works best and know the reasons why he thinks it is the preferred model. He could possibly discuss one of our newer stations that works but has some deficiencies.

Chief Wormser indicated they try to be fiscally responsible at every opportunity. They have received over \$750,000 in grant money up from around \$250,000 in previous years.

Councilmember Helgeson asked what the department is doing to make sure they have recruits and good morale. Chief Wormser explained it takes about two years to go from EMT to paramedic because it is much more specialized than when he went through it. It is considered a higher education degree. The department provides free training if they sign an agreement that they will stay with the City. They will be upping the pay for Advanced Life Support certification. They are working with Human Resources and are actively out there looking for paramedics and offering them a sign-on bonus. He mentioned that most people that have left have gone to the private sector.

Councilmember Helgeson asked him how they are addressing the mandatory overtime. Chief Wormser said there is a recruit academy currently in session and recently graduated one. Those will bring in 15 people. In response to a question from Councilmember Wright, Chief Wormser said Lynchburg's turnover is right in line with other with other communities; everyone is having the same challenges. It is an industry problem to find qualified staff that is already ready to work. In response to another question from Councilmember Wright, Chief Wormser said the department gets a lot of applications but that does not translate to a qualified applicant. They currently have hard vacancies that will be filled when the recruit class graduates.

In response to a question from Councilmember Wilder about pay and how it compares to other localities, Chief Wormser said when you look holistically at starting pay and base pay and the changes that are being implemented, the City is not at the bottom any longer. We were at the bottom and he thinks they have a lot of work to do in that regard. Our starting pay is commensurate with Roanoke, but we start falling behind in terms of promotion in the ranks and tenure. Councilmember Wilder said he would be interested in seeing our pay in comparison to neighboring localities for the budget process discussion.

In response to how they address diversity, Chief Wormser said they are very proud of the fact that they are a diverse work force and take great strides in making sure that they attract a diverse workforce. Eighteen to twenty percent of the workforce is female and 13 percent that are other than Caucasian. They want to level that playing field and be as inclusive as possible. Councilmember Wilder always asks if diversity reflects the demographics of our community. We all have to be intentional about what we are doing. He always thinks about what we have in our workforce and what can we do to change that. Chief Wormser agreed with that absolutely.

Vice Mayor Dolan asked if benefits are factored in when Chief Wormser compares our compensation package to other localities. Chief Wormser said they have not done that historically but they can get that information together for Council.

Chief Wormser indicated they try to have a well trained workforce. Ninety-five percent of those that asked to go to training have been able to attend the requested training. They have begun a whole new initiative for how people prepare for promotions and their future careers. They start recruits in January so they can be on the street by June and then every two years, they know where they should be in the system and what they should be doing in order to prepare themselves for promotion. They are currently rolling that out so there is a clear, transparent, consistent way for our staff to get the best opportunity for training and promotion.

He commented on the department's cancer risk reduction efforts. We are taking great strides to make sure we are keeping our firefighters and paramedics healthy and safe by providing them a second set of turnout gear and a way to decontaminate themselves before leaving the scene and wash their gear and clothing at the station. They are also taking some initiatives to improve the department's staff mentally healthy and safe.

Councilmember Helgeson commented that he disagrees a little bit with Councilmember Wilder. He does not care if you are female or what color you are. If he is having a heart attack or the house is burning down, he wants you in his house and he appreciates all of them. He would like to make sure they are getting and keeping the best here. He would imagine the mandatory overtime can get to you and he appreciated all the fire department personnel who had come to the meeting today.

Councilmember Perrow noted that when Chief Wormser took over, there were concerns with people in the fire house being treated fairly and appropriately. He asked if the concerns have been resolved and about the state of morale. Chief Wormser stated that the challenges that were there several years certainly seem to have been resolved. They provide information and training to make sure that we are being as inclusive and consistent and we align with our core values of honesty, integrity, compassion and trust. In response to a question about whether or not it is good progress, Chief Wormser said they are making progress. Councilmember Perrow said that is a fair assessment.

Councilmember Wilder indicated he appreciates how they support the One Community efforts. He appreciates that it continues to make a difference. Councilmember Wilder commented that each person brings their own lens to what we do and he looks at life from his perspective. When he asks questions, it is coming from his lens and he respects everyone's lens on Council. He asks certain questions because he has seen things in his community that he is not comfortable with sometimes. He is not saying that if a person not of his color comes to his rescue that you cannot do that. We need to ask questions about how we can better our community and be reflective of our community. He asks himself what he can do to make sure his community is reflective of what he wants his community to be. He appreciates all of the public safety staff because they kept him calm when his mom passed away.

Mayor Tweedy thanked him for his presentation and thanked all the personnel. All of City Council is supportive of public safety. She asked Chief Wormser if he meets with his staff for meetings. He said yes. She asked if he receives input from the firefighters. He said yes. She asked if he meets with them during budget time and gets input in some way from all firefighters. He said yes. She asked if he will present the needs of his department. He said yes. She asked him if he would withhold from Council suggestions or needs that his firefighters present to him. He said no, not that he is aware of and he cannot think of a situation where he would not share that information. She asked if he presents the best budget and the needs of his firefighters and she asks that because there are varying opinions about what the needs may be.

In answer to her question, Chief Wormser said they have two organizations, the Firefighters Local 1146 and the Progressive Firefighters Association. Mayor Tweedy had wanted the public to know there are two firefighter associations within our community. She asked if a firefighter can join one or even both of them. He said yes. She asked if the two associations might have differing opinions about what he should present to Council. He said

certainly and that could be from a private entity or even a private citizen. It is his job to make sure he provides a fiscally responsible way for our citizens to be healthy and have a positive outcome. While he does not always agree, they certainly work collaboratively to provide the best service to our citizens. She reiterated that she as the Mayor and everyone on Council are all supportive of public safety, the department and his leadership. She looks forward to his recommendations as they deliberate on the department's budget.

Councilmember Helgeson would like to know if there have been times that calls have been really delayed because of the lack of paramedics. Chief Wormser does not have to answer that now but it could be helpful to know that for the budget discussion. He said he could provide them that information. Mayor Tweedy thought that had been presented last year and that we were within the standard of service for our response time. Chief Wormser said we are within the standard of cover, but the window continues to get very narrow and we are certainly having some challenges maintaining that standard.

// In the matter of Roll Call, Agenda Item #3, Councilmember Nelson had no items. Councilmember Perrow said it is Fat Tuesday and he is going to the Mardi Gras Dinner at St. Paul's Episcopal Church. Councilmember Helgeson drives on the nicely done and beautiful new Odd Fellows Road. He understands that the needs were curtailed during construction. He thinks it is hard to go that speed and there are good fields of visibility. It would be nice if they could look at raising that speed limit. Councilmember Wright presented the Clerk of Council, Robin Craig, with a gift and card from Council for the birth of her new granddaughter Kirra Rae. Councilmember Wilder commended the Voters League for having a march on Saturday to stress the importance of voting. He also commended the One Community One Voice for the event held on Sunday at the Miller Park Center. It was nice to see all the families and children being recognized and he thinks it is crucial that we continue to honor our children. He thanked the Mayor for being the speaker at the event. Vice Mayor Dolan indicated she and the Mayor and Councilmember Wilder attended the Mayor's Youth Council breakfast, as well as the City Manager. She continues to be impressed with the level of intellect and the concern these young people have for our community.

Mayor Tweedy reminded everyone that the Mayor's Youth Council Lighten Up Lynchburg 5K Run is March 7. Let's get for Lynchburg. We would love to see Councilmembers there as well as those on board and commissions, staff and citizens. More information is available on the City's website.

She thanked Councilmember Nelson for attending the One Community event. Students from schools throughout Lynchburg were recognized, as well as the oldest African American citizen who is 107, Virginia Jefferson.

She mentioned Odd Fellows Road and its two roundabouts. She sees on social media that people do not like roundabouts in general. She wanted them to know they do not make those decisions in the blind and are made based on standards and infrastructure and the particular needs of that block or roadway. She wants the public to know that areas where there is heavy traffic and accidents may have future plans for them.

The Lynchburg Museum is hosting "We the Women: Commemorating 100 Years of the 19th Amendment." Part I: The Battle for Ratification" exhibit will be on Friday, March 6, from 5 to 8 p.m. at the Old Court House on Court Street. You can create your own suffrage button, march with Lynchburg suffragists and meet the women working

for voters rights today. This is the first part of a year-long series of history and art installations to commemorate the ratification of the 19th Amendment in 1920.

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

Present: Mary Jane Dolan, Jeff Helgeson, J. Randy Nelson, E. J. Turner Perrow, Sterling Wilder,
Beau Wright, Treney Tweedy 7

Absent: 0

// Councilmember Wilder gave the Invocation, followed by the Pledge of Allegiance.

// In the matter of Recognitions, the Mayor recognized Ms. Maya Lewis from the Mayor's Youth Council. Miss Annie Townsend and Miss Landis Townsend were present to challenge the Mayor, Vice Mayor, City Council, and the Lynchburg community to participate in and endorse Lighten' Up Lynchburg, which is sponsored by the Mayor's Youth Council. The race will take place on March 7 at 10:00 am at Peakview Park.

// In the matter of Budget, Agenda Item #4, Resolution #R-20-016, laid over from the February 11, 2020 meeting, was again presented and read, and FY2020 Operating Fund Budget was amended and \$178,837 was appropriated with resources from the General Fund Reserve for Contingencies to refund overpayment of real estate taxes for tax years 2017, 2018 and 2019 by LSC Communications Printing Company for properties located at 4201 Murray Place. On motion of Councilmember Helgeson, seconded by Councilmember Perrow, Council by the following recorded vote adopted the Resolution:

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

Nos: 0

// In the matter of Community Development, Agenda Item #5, a public hearing was conducted to consider adopting a resolution approving the submission of Substantial Amendments to the Fiscal Years (FYs) 2019 and FY 2020 (Program Years [PYs] 2018 and 2019) Annual Action Plans for the Community Development Block Grant (CDBG) and HOME Program to the U. S. Department of Housing and Urban Development (HUD); and reallocate \$95,000 from the PY 2018 HOME Program project, James River Housing Development, into the PY 2018 Florida Terrace Apartment HOME project within the FY 2019 CDBG and HOME Program Annual Action Plan; and reallocate \$70,000 from the PY 2019 HOME Program project, James River Housing Development, into the PY 2019 Florida Terrace Rental Housing project within the FY 2020 CDBG and HOME Program Annual Action Plan. Ms. Melva Walker provided Council with a summary of the agenda item.

Mr. Jeff Smith of Rush Homes was present to speak in favor of the resolution. He explained that in order not to bypass the Community Development Advisory Committee (CDAC), Mike Gillette contacted Councilmember Nelson and Mr. Smith contacted Councilmember Wright. He explained that the James Rivers Housing project was initiated in 2018. They thought they could get both HOME and DHCD funds. LRHA was interested in partnering with Rush Homes regarding sites on Pulaski Street. The Old Forest Road project in 2018 drew their attention away from the James River project. LRHA did not move forward with title searches for the properties. In 2019, they started working with LRHA towards larger projects. They found the site for the Florida Terrace project and they needed to move forward with a tax credit application. They do not have the capacity to do both of these projects at

the same time due to the size of their organization. Rush Homes and LRHA felt it best to pursue the Florida Terrace project instead of the James River project for all the above reasons.

There was no one else who wished to speak either in favor or in opposition to the petition and Mayor Tweedy closed the public hearing portion of the petition.

Councilmember Perrow mentioned that he and the Mayor sit on the LRHA. They are not compensated and therefore there is no statutory conflict of interest. The reason Councilmembers are placed on the Housing Authority is to be advocates for it and he thinks that is perfectly appropriate in this case. Mr. Erwin said the disclosure was not necessary since they do not have a legal conflict under the Conflict of Interest Act but there is nothing wrong with making the announcement so everyone is aware they serve in both roles.

Councilmember Perrow made a motion to approve the resolution and it was seconded by Councilmember Wilder. Councilmember Helgeson commented that last week we changed the housing goals. The goal was changed from owner occupied units and he sees why now because it fits nicely in increasing the number of affordable rental units. Ms. Walker indicated those goals do not apply to this project as they apply to 2024. Councilmember Helgeson pointed her to page 28 of the Annual Action Plan for 2018. Goal 1 is “to increase the number of affordable rental units.” Ms. Walker said that is correct and is what was in their previous action plan submitted for FY18 and FY19. She indicated that it was home ownership as a goal, but HUD also added that they needed to tell them if the City had rental projects. She indicated that the goal on the Annual Action Plan for 2019 is to “increase the number of rental and owner-occupied units” and the goal description from page 29 of the 2019 Annual Action Plan is to “develop affordable rental housing and assist first time home buyers who are below 80 percent of the area median income with opportunities to purchase affordable housing units also.”

Councilmember Helgeson noted that these items used to go back to CDAC. Ms. Walker noted that the Citizen Participation Plan was revised in 2010. Any substantial amendments come straight to Council.

The motion passed by the following vote:

Ayes:	Dolan, Helgeson, Nelson, Perrow, Tweedy, Wilder, Wright	7
Nos:		0

// In the matter of Public Comment, Agenda Item #6, Mr. Gary Taylor addressed Council regarding Bridges to Progress and the Oasis Project. He wanted them to know the value of Bridges to Progress and if it is allowed to evolve, it might be a blueprint for other communities.

// In the matter of Community Development – Rezonings, Agenda Item #7, the discussion continued regarding a request to rezone approximately two and two hundredths (2.02) acres located at 5010 Boonsboro Road from R-1, Low Density Residential District to B-1C, Limited Business District (Conditional) to allow the construction of a four thousand five hundred (4,500) square foot bank building with associated parking public hearing was conducted regarding the petition of Rush Homes, Inc. for a Conditional Use Permit at 2117 Florida Avenue to allow the construction of a forty-eight (48) unit apartment complex in a B-3, Community Business District.

Councilmember Perrow indicated he had abstained from the discussion at the February 11, 2020 and will be abstaining from the discussion today.

Ms. Rachel Frischeisen explained to Council that a proffer was added and states: “The area outside of the limits of disturbance as shown on the concept plan and including the 3.294 acre residue area will remain in a forested condition henceforth.” This was added in response to comments about protecting the adjoining residential properties. The other proffers remain intact as originally submitted.

Councilmember Helgeson made a motion for approval, which was seconded by Commissioner Perrow. The City Engineer indicated that the public needed to be allowed to have an opportunity to comment on this amended proffer. The Mayor asked if anyone wished to speak to the amended proffer. Councilmember Helgeson asked if they needed a motion to reopen the petition. Mr. Erwin clarified that a new public hearing was not required because this was not a new proffer. It was a clarification of a proffer. No one came forward and the motion passed by the following vote:

Ayes:	Dolan, Helgeson, Nelson, Perrow, Tweedy, Wilder, Wright	6
Nos:		0
Abstentions:	Perrow	1

// In the matter of Budget, Agenda Item #8, Council considered adopting a resolution approving the use of \$16,500 Capital Improvement Program Community Park Investment Fund to match funding for a half-pipe feature at Rotary Centennial Riverfront Skatepark located at 11 9th Street, Lynchburg. The funds were appropriated in a previous fiscal year. They will be replacing a popular skate feature that was self-built and installed by the previous owners. In 2018, Lynchburg lost a beloved member of the skate community, Ryan Massie. Half of the funds for this feature were raised by Ryan’s mother, Selena Blankenship and Skatepark Advisory Group Chairperson Tabitha Abbott. She also commended Howard Covey, the project manager and City liaison for this project.

Councilmember Perrow made a motion to approve the resolution, which was seconded by Councilmember Wright. Councilmember Perrow mentioned that he was in the Noon Group of the Rotary Club. They got together with the breakfast group and saw a significant need for this. He thinks this year is the 100th year of the Rotary Club. One of the prime reasons for doing this was to impress upon the user of the skatepark the rotary four-way test. He thinks it is a great lesson to youth and adults across the world. He appreciates them naming it the Rotary Centennial Skatepark to continue and he hopes there is still a plaque that outlines the four-way test. He is so happy they found a way to get the skatepark in active circulation.

Councilmember Wright thinks they are all looking forward to supporting this motion and want to extend our condolences and know that the community grieves with you. Thank you for being here and approaching the City about making this possible. It is a really exciting opportunity for us to honor him in this way. The motion passed by the following vote:

Ayes:	Dolan, Helgeson, Nelson, Perrow, Tweedy, Wilder, Wright	7
Nos:		0

// On motion of Vice Mayor Dolan, seconded by Councilmember Helgeson, by the following recorded vote elected to hold a closed meeting to a) consideration of appointments to the Transit Company Board of Directors pursuant to Section 2.2-3711(A.) of the Code of Virginia and b) consultation with legal counsel and briefings by staff members regarding specific legal matters requiring the provision of legal advice: (i) legal matters relating to the Region 2000

Services Authority Member Use Agreement for the disposal of solid waste, and (ii) legal matters relating to the City's Stormwater Management Ordinance, pursuant to Section 2.2-3711(A.)(7) of the Code of Virginia."

The motion passed by the following vote:

Ayes:	Dolan, Helgeson, Nelson, Perrow, Tweedy, Wilder, Wright	7
Nos:		0

// The meeting was re-opened 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 Perrow, and Council by the following recorded vote adopted the motion:

Ayes:	Dolan, Helgeson, Nelson, Perrow, Tweedy, Wilder, Wright	7
Noes:		0

// On nomination of Councilmember Perrow, seconded by Councilmember Wilder, Council by the following recorded vote appointed Brenda Nash to the Greater Lynchburg Transit Authority for a term ending October 30, 2022:

Ayes:	Dolan, Helgeson, Nelson, Perrow, Tweedy, Wilder, Wright	7
Noes:		

// The meeting was adjourned at 9:15 p.m.

Clerk of Council