

// A regular meeting of the Council of the City of Lynchburg was held on the 28th day of January 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 Wright, Treney Tweedy 7

Absent: 0

// In the matter of Community Development, Long-term Rentals, Agenda Item #1, Mr. Tom Martin provided Council with an overview of long-term rentals in the City. He explained the Zoning Ordinance does not define a long-term rental but it can be interpreted as being longer than 30 days since the Zoning Ordinance does define a short-term rental as being less than 30 days. The Zoning Ordinance does not prohibit the long-term rental of any permitted residential unit. Certain zoning districts promote rental of permitted residential units. R-3, Medium Density Residential R-4, High Density Residential and Commercial Districts allow higher densities of units on one lot.

The state allows a locality to impose a transient tax for occupancy of few than 30 days but prohibits localities from imposing a tax for the rental of real property other than transient style accommodations other than normal real estate taxes. Mr. Martin showed Council a map of where rental units are located in the City. This data was gathered by identifying properties that had a different mailing address from the property address. Information from the 2017 American Community Survey data confirms this distribution and it is roughly a 50/50 split in the City of owner-occupied units versus rental units. There is approximately an 80/20 split in the single-household units; 80 percent owner-occupied and 20 percent rental units. Councilmember Perrow noted his home is listed as a rental unit because he gets his mail at a post office box but noted that the data had been correlated with two different sources and was about the same and he felt it was good data.

Mr. Martin noted that the Zoning Ordinance allowed five unrelated persons to occupy a residential dwelling up until 1990 when it was changed to no more than three unrelated persons. This amendment was in response to citizen complaints regarding large number of unrelated persons living together in residential neighborhoods. During the rewrite of the Zoning Ordinance adopted in 2016, Council spent a great deal of time discussing occupancy. It decided to leave the occupancy at no more than three unrelated persons but did change the definition of related people to “related individuals include people who are related by blood, are married to each other or are in a substantially similar relationship, and children under their care.”

Mr. Martin pointed out page 93 of the *Comprehensive Plan* recognizes the impact of college students on the City’s housing needs. “The number of and projected growth of colleges and universities in the City will continue to generate demand for rental property throughout the City. As described in Chapter 5, students are projected to comprise a significant proportion of the City’s projected growth over the next twenty years. While many will live on campus, a significant proportion will seek rental housing off-campus and will compete with lower and moderate income families for affordable units.” In addition on page 93, “Citizens are concerned about the proliferation of rental housing, particularly properties that are poorly managed, which can damage neighborhood integrity. These concerns can taint the reputation of all rental housing in the City. In collaboration with the schools and landlords, the City should continue to explore opportunities that encourage the upkeep and rehabilitation of rental properties.

The rental housing registration and inspection program has worked well in the City's historic neighborhoods and offers potential benefits in other areas."

Housing goals from the *Comprehensive Plan*, page 95 are: to provide diverse housing choices; to increase the number of owner-occupied units; rehabilitate substandard housing units. Emphasis is to be placed on programs that require an investment of funds and/or labor on the part of the owner commensurate with the owner's resources; to support initiatives to increase permanent affordable rental and housing ownership opportunities; to support programs that assist individuals in retaining their homes in challenging economic times and to eliminate neighborhood deterioration, blight and blighting influence.

Mr. Martin outlined that in 1991 Council directed Community Development to begin a rental inspection program and an ordinance outlining the program was adopted in 1994. An amendment including a \$50 inspection fee was adopted in 2005. Mr. Martin showed Council a map with the approximately 3,800 rental units in the program. They are located in the older parts of the City. In 2018 there were 445 rental inspections conducted and in 2019 staff conducted 790 rental inspections. The rental inspection program is important because the rental inspection districts have the highest ratios of renters and the oldest housing stock in the City; staff is certified by the Department of Virginia Housing and Community Development in Property Maintenance and serve as an important resource to landlords and tenants and the program is proactive and provides a means to identify property maintenance issues and ensure compliance with the minimum standards of the Virginia Maintenance Code.

Councilmember Helgeson noted that the goal of increasing density is totally the opposite of the goals of increasing owner occupied residences and rehabilitating substandard units. He pointed out that when there is a bigger supply of rental units (like when property is rezoned from R-1 to R-3), there is not an incentive to rehab some of the older units. It is difficult for an older property that needs to be fixed up to compete against a brand new one. He thinks as a City they would do a whole lot better if they did not keep approving or getting recommendations for approval for more densely populated areas of land.

Mr. Martin noted that there are goals throughout the *Comprehensive Plan* that compete with one another. You also have to look at what the market is doing and how it is changing. A lot of people do not want to maintain a home and yard. Mr. Martin commented that there is a petition coming before them tonight that involves rehabbing an old vacant building for apartments and that is definitely something that we definitely support and we should be supporting. He pointed out that if Council wants the City to grow, it is going to have to become denser. Councilmember Helgeson thinks that is an improperly presented goal. It is an artificial goal if it is to grow just for growth's sake. We want to grow reasonably and grow our tax base. It means to have things that are more productive and do not cost more than we take in. For instance, if we take in \$1,000 for a rental but spend \$14,400 for every child of theirs that goes to public school, he does not think we make it up on volume. He would like them to be more fiscally responsible as they grow and not grow just for the sake of it.

Mr. Martin remarked that the housing around downtown has developed at a much denser rate than your typical R-1 developments of 15,000 square foot lots. Mr. Martin said Councilmember Helgeson is right about responsible growth yet if we want to continue to see a commercial growth—"retail follows rooftops" is an age old saying. If we want to grow our commercial and industrial bases, we have to have the employment base to support that. He also

pointed out that Council controls where the higher density development go by the *Future Land Use Map* and what it chooses to rezone or not to rezone.

Councilmember Helgeson noted that when Council considers rezoning R-1 properties, he hopes it will consider protecting the neighborhood and protecting people that like to live in R-1 neighborhoods because lots of them have moved to the county.

Councilmember Perrow interprets what Councilmember Helgeson has said is that he is worried about our neighborhoods. He thinks Councilmember Helgeson is alluding to the fear of hitting a tipping point where we have more renters living in the City than we have owners and Councilmember Perrow thinks that is a valid fear and concern. We want the City to have an invested population that believes in the City and is motivated long-term to maintain their houses and make sure their neighborhoods are safe and attractive. If you are a renter and do not like your neighborhood, you can easily move. If you own the property, you are going to invest in the neighborhood because it means a lot to you.

Councilmember Perrow has real concerns with how development is occurring in B-1 districts. He is concerned that developers are using B-1 as a “Trojan horse” or a “straw man” in order to bring in basically R-4 development into a business area. B-1 development is mixed use and requires business use on the first floor with multiple floors of apartments above it. He thinks we need to be wary of this because it happened in Cornerstone. There was supposed to be a certain percentage of commercial units and the developer came back and said the market did not support it and they needed more apartments. Mr. Martin had suggested that maybe they could look at is a ratio between the number of apartments versus property size or something that would be scalable so we could make sure it is an appropriate development for the area. If Council does not object, he would ask staff to look into that a little bit and make sure that the B-1 developments are constructed in such a way that it the business integrity of the B-1 district is maintained while allowing for some housing.

Mr. Martin thinks he might be talking about when the ordinance was rewritten, we were trying to promote mixed use within our commercial developments. Mixed use is good because it tries to get people to live, work and shop in the same place, which theoretically reduces the number of vehicle trips. Mr. Martin would hate to see someone come back and say the retail is not working and ask for the property to be rezoned because it is mostly apartments anyway. That is counterintuitive to what we are trying to accomplish.

Councilmember Perrow asked if it still true that the rental inspection districts have the highest ratio of renters and oldest housing stock in the City, since this program was first implemented in 1990. Staff clarified that it is still correct and Mr. Martin clarified it is based on census tracts.

Mayor Tweedy asked how the map correlates with the redlining that was done in our City years ago. Mayor Tweedy explained that redlining was the encircling of housing stock for certain races. It was a common practice across the country but Lynchburg has been on recent reports that we have low home ownership in some of our highest poverty census tracts but they were also areas of redlining in the City years ago. Mr. Martin asked if she was talking about lending practices and she said yes. Mr. Martin said he could not answer that and Mr. Kevin Henry, the Zoning Administrator, said it is the same area. Mayor Tweedy noted she has seen presentations at various meetings and we can see a theme or pattern to how we got to so many renters and less home ownership.

Vice Mayor Dolan wondered if we had any national information because there are reports that home ownership is on the decline due to the mobility of younger people. Mr. Martin noted that there are a lot of things driving the number of apartments we have in the City such as the number of college students and the market conditions are changing. He would humbly offer that the renters are no less of a citizen than anyone else. These are our nurses, doctors and police officers. The renters definitely have a stake in this City. Some people just do not want to buy a house and it also depends on what people can afford.

Councilmember Wright noted that he was a renter until recently and pleased to be one. He asked Mr. Martin what the occupancy rates are in the City. Mr. Martin said he did not have it with him but could get him the exact numbers. He thinks there are about 32,000 units in the City and about 28,000 to 29,000 are actually inhabited.

Councilmember Helgeson thinks the redlining happened 80 to 90 years ago. If we really want to look at cause and effect, he thinks they have to look at what we are doing today in order to make this relative. With respect to rental inspection program, he initially heard lots of pushback and then lately he has heard nothing, so he is wondering about its effectiveness. Mr. Keith Wright came forward to address this question. He noted that the census tracts in the program are consistent with the CDBG boundaries. Mr. Wright showed them a slide that shows the relationship of rental inspections to property maintenance cases over the last ten years. There is a significant trend happening. The more rental inspections they do, the less housing complaints they are receiving. It seems to show that the program is working. Mr. Wright noted there is a big educational piece to the program and the program is proactive. Mr. Wright commented that 80 percent of the units obtain a four-year waiver, which means the unit is considered so acceptable that staff does not need to reinspect it for four years.

Mr. Wright went on to say that there are five inspectors doing rental inspections now where there used to be just one. The communication piece is huge and they are really getting to know the landlords and forming relationships with them. He said people are getting on board with it. Councilmember Helgeson asked how the data could be correlated with more people wanting to rent these units. Mr. Wright said to answer that he would say that they are seeing a lot of people complying before the inspectors get there, which tells him they are getting the message.

Councilmember Helgeson wondered if they are seeing less rental affordability because people are putting in amenities like granite countertops and having to do more things to meet the code and being able to ask for more rent. Mr. Wright said their requirements are minimum standards but the landlords might be choosing to put in more energy efficient windows, for example.

Councilmember Wilder asked Mr. Martin if we have ever compared ourselves to other cities to see if there is the same trend in rentals (50/50) but staff could look at other Virginia First Cities if Council would like. Councilmember Helgeson suggested they might look at their own trend and see if it is getting them closer to their goal of more owner-occupied units. Mr. Martin said there are many variables such as how many colleges are in another locality but staff can definitely look at it.

Mayor Tweedy said she would like a presentation on redlining. There is a local professor that does a very good job of explaining it. The reason it is relevant is to look at generational ownership in certain areas of our City that may have limited ownership to a more majority community that is still living in these neighborhoods where we have the high rental populations. She would like to see the historical piece that has culminated to us seeing such a heavy

presence in certain areas of town. She thinks it is an important educational piece and said this is the second or third time that redlining has come up and some on Council and in the general public do not know what it is.

Councilmember Wright said he would second the call for that presentation. He does not the strength of the lingering effects of redlining are in our community and that is certainly up for discussion. He would be interested in hearing what the Randolph College professor has to say because he has done a lot of study on this topic. He thinks it is incumbent on them as policymakers to think about it even though it may have happened 80 or 90 years ago. He looked up some of the research regarding redlining and the Federal Reserve of the Bank of Chicago commissioned a study on redlining and found that “redlining had an economically meaningful and lasting effect on the development of urban neighborhoods to reduce credit access and subsequent disinvestment.” He thinks if we are going to be serious about this issue then we need to consider how our neighborhoods have developed and it is being responsible policymakers.

Councilmember Nelson discussed the gymnastics they go through with a property owner asking for a rezoning so he can maximize his asset and the argument made regarding topography that interferes with building nice single-family lots and they should be able to maximize the density of the occupants according to what can built there. Conflicting with that is the desire to allow affordable housing to persons who cannot afford to own their own home. He wanted to mention it because we deal with it all time but with regard to the redlining, as a teenager he saw the effects of redlining in the City. It was bothersome to him with the volunteer groups he works with to help rehab homes, some of them very expansive mansions that had been abandoned. The owners had moved and made them into apartments simply because they were so old and so expensive to maintain and they could not be used for anything else. Some of the homes annexed near downtown were modest homes but also required a great deal of financial investment. It was not a racial issue. It was not economical to make a loan on a house that was 60 years old and needed to be greatly rehabbed. If we are going to look at redlining, they need to look at all of the factors that come into play in dealing with why some neighborhoods declined. Included with that should be the conversation of what the City has done since the 1970s at least to incentivize home ownership or home rehabilitation. All of that is relevant rather than just focusing on one abhorrent policy that existed in the 1930s and 1940s. Mayor Tweedy noted she agreed with that.

Councilmember Perrow noted he is a big believer in learning from history and he would absolutely embrace the opportunity to learn about redlining. However, with their busy slate for this spring he was wondering if it is something which they could read about because he thinks that would be a better use of Council’s time.

Councilmember Perrow would bet that the rental mix was completely different 15 years ago. We have had an explosion of apartments because the growth of Liberty has brought in so many students and created such a demand for apartments. He thinks that has skewed the ratio in the last 15 years, maybe even in just the last eight years. He thinks it is a stretch to say this rental ratio is due to something that was done in 1940 or 1950 and most of the impacts are from decisions made in the last decade.

Mayor Tweedy thinks it is relevant to learn and people can choose to spend an hour with a presentation. She still requests they have that presentation.

Councilmember Helgeson noted the explosion of apartments is probably an anomaly. We cannot prospectively say an anomaly is going to continue. When you do that, you are making some pretty false assumptions. When we make rezoning decisions, we want to learn from our recent history and realize that it may not continue for infinity. We do not need to keep on building apartments because there is plenty of room in the counties. If you keep building and then there is a glut, you will be taking property values that were increasing and you have increased the supply, you all of a sudden knock out the value of the property because you oversupplied.

He mentioned Mr. Martin's comment that "retail follows rooftops" and he thinks Amazon has a little different story about that and lots of things about retail have changed dramatically. Mr. Martin acknowledge that retail has definitely changed but he would offer that the reason Lynchburg has maintained so well and did not see the downtown several years ago is because we had a stable population base. If you look at the retail growth that is occurring, it is occurring in the City because that is where the population center is. It is not occurring in the counties and he thinks a lot of the counties would love to see some of it.

Mayor Tweedy mentioned the Housing Authority has had conversations about the redevelopment of properties in the neighborhoods. She asked if there is something we do more of together to encourage that some of the neglected properties are available such as other places have land banks. She thought a number of properties like around 3,000 properties are tied up with different multiple owners or are just abandoned properties. We do not have an avenue to facilitate ownership or do the improvements. Mr. Martin thinks there are mechanisms that are enabled by state code but we have not implemented any of them. Mr. Erwin said there is not really any convenient way to get the property out of the hands of the owner. We do sell properties that have delinquent taxes. There was also a spot blight program where we partnered with the Housing Authority. Sometimes just reaching out to the owner would encourage them to sell the property or the Housing Authority would actually acquire the property. That spot blight program has not been used for a number of years but is a program that could be reinstated. The problem is that someone has to put up the money to acquire those properties at a fair value.

Councilmember Perrow also pointed out that there a change in the Virginia Constitution regarding eminent domain had a significant impact on the Housing Authority being able to do that. Councilmember Perrow noted the authority has revamped the program with a different acronym and it is a neighborhood improvement program.

Mr. Martin noted he had four takeaways. 1) share the American Community Survey data with Council; 2) staff will compare the City to other Virginia First Cities; 3) staff will set up a presentation regarding redlining in the City; 4) Council would like to discuss standards for mixed use and commercial districts.

Councilmember Helgeson noted that there is also the issue of seeing rezonings because it is economically unfeasible for people to build single-family homes because of all the requirements. Mr. Martin does not think that is true. They discussed this in December 2019 and presented what the City does to offset that and has done to offset that for many, many years. Mr. Martin thinks that what is driving that is what people see as the value of their property. Councilmember Helgeson asked if the economic unfeasibility is a false reason and Mr. Martin would argue that it is not the only reason and he would be happy to share that presentation with them. Mayor Tweedy thanked staff for the presentation.

// In the matter of Roll Call, Agenda Item #2, Councilmember Nelson had no items.

Councilmember Perrow noted that Ms. Donna Witt had provided them with the bond document regarding the issuance of \$49,425,000 in general obligation public improvement bonds. He wants to congratulate the City on such an extraordinary interest rate. He also thought their bond ratings looked excellent. It is about as close as you can get to AAA. He congratulated the City on a very well done GO release.

Councilmembers Helgeson and Wright had no items.

Councilmember Wilder had the privilege of going to the 100th celebration for the Kiwanis Club. They are going to be building a playground at Riverfront Park. It was exciting to be at the event and see what they are doing for our community and our children. He also attended a forum regarding Rush Homes and their proposed development on Florida Avenue. The representatives were able to explain the project to the residents that had concerns.

Vice Mayor Dolan had no items. Mayor Tweedy had the following announcements:

a. There is an open house and ribbon cutting ceremony for the Jefferson Park Neighborhood Center, 405 N. York Street. The Open House begins at 11:00 a.m. and ends at 6:00 p.m. The ribbon cutting ceremony is at 5:00 p.m.

b. A "First Fridays" mini-exhibit will be on Friday, February 7, from 5:00 to 8:00 p.m. at the Lynchburg Museum (901 Court Street). The topic is "Lynchburg Places in the Green Books," which we chose especially for Black History Month. Displays will include copies of several Green Books, a map of the city showing Green Book stops, and historical and contemporary photographs of the businesses.

Mayor Tweedy asked Mr. Erwin if they could discuss the process for recruiting a new City Manager in closed session, as Ms. Bonnie Svrcek has announced her pending retirement in June 2020. Councilmember Helgeson did not think that should be discussed today as she just announced it today and that would not be respectful. Mr. Erwin said Council cannot go into closed session to discuss process it will use to select a new manager. The only things it can discuss in closed session are the interviewing of and selection of applicants. The process discussion needs to happen at a public meeting. Mayor Tweedy wanted to bring it up because we have newer Councilmembers who have not been on the process before. Councilmember Perrow thinks it is important that we start this process soon and would like it discussed at the very next work session. Mayor Tweedy noted that although they are happy for Ms. Svrcek, this is a time to reflect on the job she has done.

// On motion of Vice Mayor Dolan, seconded by Councilmember Wilder, by the following recorded vote elected to hold a closed meeting to discuss appointments to the LYNCAAG Board and the Lynchburg Regional Airport Commission, Planning Commission, Transit Company Board of Directors and Youth Services Citizens Board:

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

// On nomination of Councilmember Wright, seconded by Councilmember Wilder, Council by the following recorded vote appointed Andrew Mueller to the Lynchburg Regional Airport Commission for a term ending December 31, 2022:

January 28, 2020

AGENDA ITEM #: 5

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

Noes: 0

// On nomination of Councilmember Wright, seconded by Councilmember Wilder, Council by the following recorded vote reappointed Mayor Treney Tweedy and Vice Mayor MaryJane Dolan to the LYNCAAG Board for terms to expire December 31, 2021:

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

Noes: 0

// The meeting was re-opened to the public.

Councilmember Wright 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

// The meeting was recessed at 5:30 p.m.

// 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 Nelson gave the Invocation, followed by the Pledge of Allegiance.

// In the matter of Recognitions, the Lynchburg Fire Department was recognized by Diane Boardman with the Muscular Dystrophy Association for raising over \$50,000 in one week.

// In the matter of Recognitions, Mayor Tweedy recognized a member of the Mayor's Youth Council who is attending the meeting tonight, Aiden White.

// In the matter of Consent Agenda, Agenda Item #4, Councilmember Helgeson requested it be tabled until the February 11, 2020 meeting as he has not had a chance to read them completely. Council was in consensus to table the approval of the January 14, 2020 minutes.

// In the matter of Citizen Comment, Agenda Item #5, Curt Diemer addressed Council regarding polarization in civil discourse.

// In the matter of Community Development – Rezoning, Agenda Item #6, a public hearing was conducted regarding the petition of Victoria's Inventory, LLC to rezone approximately four tenths (0.4) of an acre located at 1151 D Street, 401 & 405 Rivermont Avenue from R-4, High Density Residential District to B-4, Urban Commercial District to allow the reuse of the existing buildings as seventeen (17) apartments. Councilmember Nelson disclosed that he represents the petitioner in this action and was directly involved in this project. For that reason he cannot be objective and must abstain.

Mr. Tom Martin, City Planner, summarized the petition for Council. Mr. Casey Servis from Architecture Design Office was present to represent the petitioner. Mr. Servis explained that the large building at 401 Rivermont Avenue was built to the property lines. The three parcels will be combined into one in order to help with ingress and egress. He mentioned that the building is a historic trolley barn. They believe the adaptive reuse saves the historic structure and will bring it into compliance with the Zoning Ordinance. Without this rezoning, only three apartments would be allowed in the approximately 10,000 square foot building. This rezoning would make it more a financially feasible project.

There was no one who wished either in favor or in opposition to the petition and Mayor Tweedy closed the public hearing portion of the petition. Councilmember Helgeson mentioned that the suggested density if extrapolated would be 42.5 units an acre, which is really high density. He also questioned going from an R-4 zoning, which is residential to a B-4 zoning, which is commercial. He can appreciate the adaptive reuse but it does not make common sense to him. Mr. Martin noted that this building was built in 1927 and has never been used for a residential use. It is a large building on a small lot, which is what is justifying the rezoning. If the R-4 district standards were used, there could only be six or seven units in the building. Mr. Martin thinks that in order to have these older historic buildings rehabilitated, the City is going to have to allow a certain amount of density in them.

Mr. Martin clarified for Councilmember Helgeson that there will be 17 apartments between two buildings, three in the house and 14 in the garage building. Mr. Martin explained that B-4 is Urban Commercial and is a downtown zoning, which does not require minimum lot sizes. That is the problem with trying to apply a suburban style ordinance in an R-4 district, which requires a minimum 4,000 lot size to start with and an additional 2,000 square feet for each unit. It would not be financially feasible to rehabilitate this building with fewer units. Councilmember Helgeson said it still does not go with normal common sense to him to take this to a commercial zoning just to put a residential use in it.

Councilmember Perrow commented that he would like to see them do something with the Zoning Ordinance so we do not have to go through these zoning changes. Mr. Martin clarified for him that anything that can be done downtown would be permitted with a B-4 zoning and also clarified the buildings are in the historic district. Mr. Martin noted that it could become a different B-4 use in the future because the petitioner chose not to offer

proffers. That concerns Councilmember Perrow. Mr. Martin said from a planning perspective, staff would like to see this building rehabilitated. It concerns him because if the property is sold, the building could be demolished and a five-story office building built. Councilmember Perrow has no concerns with this project and thinks it is a great one.

Councilmember Wilder asked what the concerns were of a citizen that came to the Planning Commission meeting. Mr. Martin said they were with traffic and parking but this did not rise to the level of needing a traffic study and adequate parking is being provided. It is a bus line and the B-4 zoning does not have a minimum parking requirement. If there is not adequate parking, it is only detrimental to the developer. The Planning Commission had no concerns and vote to approve it unanimously.

Vice Mayor Dolan asked what is going to be done with the intersection of Rivermont Avenue and D Street. Mr. Martin said the City is currently conducting and has not determined what improvement will be made yet.

Councilmember Perrow said he is worried about a similar situation to what they have in the area of Mayflower Drive where a property was rezoned for a hotel but the project has not broken ground yet and it is now a rezoned piece of property without any proffers attached to it. The risk with this project is really negligible because of the lot size and where its proximity. He would like to see staff try to work out something so we do not have to do these changes. Mr. Martin said that is what they attempted to do when the B-4 zoning district was developed. Council could talk petitioners about proffers if they have concerns. Mr. Martin pointed out that this building is located in a local historic district. The Historic Preservation Commission would have input on both a demolition and if a demolition were approved, any new construction. Councilmember Perrow noted that is why he thinks the risk is minimal with this project. He does not want to jeopardize a project for a philosophical point. He also mentioned that he has brought up the idea of where we could put investments in infrastructure on the edge of our growing areas. This is a good example because he would love to see increased development going up that lower section of Rivermont Avenue.

Councilmember Perrow made a motion to approve the ordinance, which was seconded by Vice Mayor Dolan. Vice Mayor Dolan noted that the fact that this building is located in a historic district lessens her concerns. Councilmember Helgeson asked Mr. Martin to pull up the zoning map and pointed out how many different colors there are in this area and it almost looks like spot zoning. It is nice when things make sense. He does not think this makes sense but since he thinks the development is going to be good and Mr. Tony West has done some fabulous things in the past, he will be supporting the project.

The motion passed by the following vote:

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

// In the matter of Public Works, Agenda Item #7, a public hearing was conducted to consider a request to authorize the City Manager and/or designees, to execute a right-of-way and easement agreement with Appalachian Power Company for the installation and maintenance of a power line to serve Bedford Hills Elementary School, Tax Parcel Number 18005001. Mr. Lee Newland explained the power line is needed to serve a new gymnasium. There was no

one to speak either in favor or in opposition of the petition. Councilmember Perrow made a motion on behalf of the Physical Development Committee to approve the request.

The motion passed by the following vote:

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

Noes: 0

// In the matter of Public Works, Agenda Item #8, a public hearing was conducted to consider an ordinance to vacate a portion of City right-of-way which is no longer needed by the City, located at the northeastern end of John Capron Road near its intersection with Odd Fellows Road. Mr. Newland explained that the right-of-way is no longer needed by VDOT. Bradley Thornhill had given it up for road construction. The road was relocated and Mr. Thornhill would like to acquire the right-of-way back from the City. There was no one to speak either in favor or opposition of the petition. Councilmember Perrow noted that the citizen gave a different piece of right-of-way to the City at no cost. This piece of right-of-way is approximately the same size and it is a pretty fair swap. He made a motion on behalf of the Physical Development Committee to approve the request. Councilmember Helgeson gave glowing remarks about the completion of the Odd Fellows Road project and the bank that is located there. Hopefully, the bank is a good indication of the type of investment that will be going on in that area.

The motion passed by the following vote:

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

Noes: 0

// In the matter of Streets, Agenda Item #9, Council considered accepting a portion of Liberty Mountain Drive from Candler's Mountain Road out toward the Campbell County line. It was a frontage road for VDOT and is now functioning more as a City street. The City would be responsible for maintenance but would also receive maintenance payments from VDOT. Councilmember Perrow noted there will be a fiscal impact to the City of an additional \$42,000 in maintenance reimbursement. It makes sense to have it in our inventory and will allow police to patrol it. The construction of the new road should start in the spring. He made a motion on behalf of the Physical Development Committee to approve the request.

The motion passed by the following vote:

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

Noes: 0

// In the matter of Council, Agenda Item #10, Council considered adopting a resolution endorsing the draft vision statement and guiding principles for affordable housing policies in the City of Lynchburg and the expansion of the Housing Collaborative. Dr. Reid Wodicka reminded them that a number of City staff members were asked to make recommendations for policy options if the City decided to address affordable housing issues in the City. The recommendations were based on leading practices research from cities and counties throughout the United States. The first two recommendations were that Council should establish a consistent vision for housing policy issues in our community and existing Housing Collaborative should be expanded to take into account a number of professions and organizations that have major impacts on housing issues in the City.

The City held a joint meeting with the Housing Authority to review the proposed vision statement that was drafted by the Housing Collaborative and brainstorm about other partners that could be a part of the Housing Collaborative. The draft statement has been revised and a number of guiding principles have been added. They also wanted to make sure that the goals that had been established were consistent with our CDBG housing and non-housing goals.

Councilmember Wright proposes they adopt the vision statement as presented. We had a lot of community partners come together with Council and the Housing Authority to draft this document. He thinks it is a strong one and sets the right vision for our community. Councilmember Wilder seconded the motion. He said he is glad the goals are looking to strengthen families and are addressing poverty. Councilmember Helgeson noted that there is no immediate fiscal impact. However, if policies and programs are enacted, there will be costs associated with them and he hopes Council will be given a fiscal impact analysis. Dr. Wodicka said absolutely. Councilmember Helgeson said a lot of issues surrounding affordable housing are a function of the market and economic development. He is afraid that when we get into other things we are fighting a war on poverty that is older than him. Sometimes when government starts a war on something the opposite happens and it exacerbates the situation.

Dr. Wodicka thinks that if you take a look at the work that they did, you will note that housing issues are complicated and there are no simple solutions. The document attempts to look at these issues from a holistic perspective. There are challenges we can create by doing certain things but hopefully as we do fiscal impact statements and evaluations, those challenges will be identified. Councilmember Helgeson asked if the City is spearheading this. Dr. Wodicka explained that the Housing Collaborative is made up of both nonprofit organizations and for profit organizations. They think a diversity of voices can really help us make better policy decisions and recommendations. Councilmember Helgeson is wondering what policies may come later that would have a fiscal impact. Dr. Wodicka said a housing trust fund was discussed. Councilmember Helgeson had brought up long-term rentals and Dr. Wodicka cannot really speak to that but there is little they can do to regulate it. They are going to make a lot of different options available throughout the City and not focus on one area. There are a lot of options out there a lot of opportunities for people to succeed.

Councilmember Perrow is fine with the vision statement but hung up a little with the expansion of the committee. Since Council does not appoint the members he is not sure why they need to approve the membership composition. Dr. Wodicka does not think Council is approving the membership but we are saying that as a community this is the vision that we are casting and stating which organizations they think are very important to housing. As Councilmember Helgeson said before "these are words," but they think they are important words. They think the membership has major impacts on a number of housing options in our community. Councilmember Perrow does not disagree but knows it is hard to find people to volunteer for this sort of work. This group needs to be able to get something done and have good quality people that can provide great input but be small enough to be effective. He suggested we say "endorses the expansion of membership" rather than "approves." Councilmember Wright accepted that as an amendment to his motion.

Councilmember Nelson thinks the holistic approach is the most exciting part. The City needs everyone that has an expertise or perspective to focus on how the problem can be solved. He wants to mention for the public that the

expansion is adding private developers, real estate attorney or realtor, a private lending institution, a large employer, faith communities, charities and nonprofits. All of them have a perspective that he thinks can benefit the solution. That is the most important part and that is what Bridges to Progress is doing, drawing all the resources of our community together to solve a problem that has many parts that affect other parts of the community. He thinks this is very exciting.

Mayor Tweedy thanked everyone who is a partner at the table and it does take many people coming together that are dealing with this every day. She appreciates this is a statement and words but the action will come behind it.

The motion passed by the following vote:

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

Noes: 0

// In the matter of Council, Agenda Item #11, Council considered introducing a resolution authorizing the appropriation of \$112,875 of the available \$142,790 in the FY2020 General Fund Non-Departmental Poverty Initiative Budget. This amount is requested to support projects submitted by the Bridges to Progress (B2P) Task Forces and the City's Department of Parks and Recreation.

Vice Mayor Dolan noted that she serves on the steering committee for Bridges to Progress and is liaison to the Early Childhood and serves on the Faith Based Task Force. Although she does not have a personal interest or receive any benefit from these relationships, she feels that in order to avoid the appearance of any impropriety or bias, and with the consent of the other councilmembers, she will be abstaining from voting on this matter.

Mr. John Hughes noted that the resolution would utilize funds to support projects submitted by the Bridges to Progress task forces and the City's Parks & Recreation department. Bridges to Progress is a Lynchburg centered effort to reduce poverty and increase median household income. Nine funding project applications were reviewed by the Community Development Advisory Committee (CDAC) in November 2019. Mr. Hughes asked everyone present tonight that was involved to stand and he thanked them for their participation.

Councilmember Nelson spoke as the chair of CDAC. It was charged with making a determination as to how the funds would be spent that City Council authorized. They spent several hours discussing the applications. They recommended approving all but one application and it was for the smallest amount. The presentations from each group were focused on a specific task that would achieve the goal of their particular subcommittee. Councilmember Wright served as the co-chair of CDAC. He recommended that the smallest request of \$1,500 be added to the resolution. It was not clear to him at the time the value of the project but in subsequent conversations with the subcommittee members, he sees that it does have a lot of value. The \$1,500 seems like a reasonable request and he is proud to reverse himself and endorse it. Councilmember Nelson noted that the item that was excluded was Early Childhood Education daycare number two. It is a program that seeks to provide daycare funded by private contributions to support employees of local businesses. The purpose of the funding is to have a kickoff event to bring major employers together. The resistance to funding it was based on the fact that a private donor could give that amount. But to try to get that amount of money, there would be a lot of meeting and delays and it would be better to have a single event at a single place. Councilmember Nelson would thoroughly endorse adding the \$1,500.

Councilmember Wright had made the motion previously to adopt the resolution with the additional \$1,500 and Councilmember Nelson seconded it.

Councilmember Wilder is glad to see the funds are being used to address poverty issues in our community and supports the motion.

Councilmember Helgeson asked about the item under the Food Task Force that is requesting money for food carts that can carry up to 200 pounds of groceries. Councilmember Nelson noted that these carts are for people that do not have transportation to go to the store. Research indicates that having a durable and reliable shopping cart allows a person to purchase items when it is appropriate or when they are on sale and get them home without having to pay cab fare or lug a lot of bags on the bus. These carts are engineered to allow a person of any age or physical ability to accomplish shopping. Councilmember Wright noted that the individuals needing the carts would be identified by local area agencies that serve underserved populations and it will be a thoughtful implementation of the program.

Councilmember Perrow appreciated the dialogue that CDAC had with the representatives. He noted they are getting ready to entrust \$114,375 in tax dollars to individual groups. They need to make sure those tax dollars are spent effectively and in accordance with what they said. There need to be measurable results. City Council and City staff need to review the metrics and he would like the organizations to report those metrics truthfully and in a straightforward manner. We are never going to be able to solve the problem but how can we make it better in the long run. He admires the concepts they came up and would like to have data on how they work and that will better inform them on how they can do a better job next time. He asked them to be good stewards of the tax dollars and hopes they have enormous success with their programs.

Mayor Tweedy thanked them for their ideas and for helping the citizens that will benefit from each of the programs.

The motion passed by the following vote:

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

// In the matter of City Code, Agenda Item #12, Council considered repealing sections 17-2, 17-3, 17-4, 17-5, 17-6, 17-18, and 17-19 (Fences and Walls) of City Code due to conflicting regulations with the zoning ordinance and Virginia state code. Mr. Erwin explained that when the Zoning Ordinance was amended in 2016, it included a lot more specificity regarding the construction of fences. The provisions in the Zoning Ordinance are conflicting with the provisions in the City Code. Fencing will be regulated by the Zoning Ordinance.

Councilmember Perrow made a motion to approve the ordinance and the motion was seconded by Councilmember Wilder.

The motion passed by the following vote:

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

Noes: 0

// In the matter of Budget, Agenda Item #13, Council considered adopting a resolution approving the use of \$3,184 of the Capital Improvement Program Community Park Investment Fund to match funding for a Youth Remembrance Trail along the James River. The funds were appropriated in a previous fiscal year. Ms. Jenny Jones provided them with an overview of the project. The project creator is a Brookville High School student named Maggie Mace and she has raised over \$3,100 for the project. She has been working with City staff on this project for over a year.

Councilmember Wright made a motion to approve the resolution and thanked the Parks & Recreation department and Ms. Mace. The motion was seconded by Councilmember Wilder.

The motion passed by the following vote:

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

Noes: 0

// In the matter of Budget, Agenda Item #14, Council considered introducing a resolution to amend the FY 2020 General Fund budget and appropriate \$11,462 from the Friends of Lynchburg Parks and Recreation to implement the new Fit and Strong program, a collaboration of organizations falling under the umbrella of Live Healthy Lynchburg. Ms. Jenny Jones explained that the program targets low-income seniors who may not be able to afford other fitness and rehab programs. It is a pilot program and is already at capacity. The funds were made possible through Centra and funneled through the Friends of Lynchburg Parks & Recreation. She explained that assessments have to be done at the beginning and end of each cycle of classes and have to be reported to both Centra and the University of Illinois.

On behalf of the Finance Committee, Councilmember Helgeson made a motion to approve the resolution.

The motion passed by the following vote:

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

Noes: 0

// In the matter of Budget, Agenda Item #15, Council considered introducing a resolution to amend the FY 2020 City/Federal/State Aid Fund budget and appropriate \$631,921 with resources from the Virginia 911 Services Board to fund the City of Lynchburg Public Safety Answering Point's (PSAP) request for costs needed to implement Next Generation 9-1-1. Ms. Melissa Foster explained that the 911 system in Virginia is being transformed in to a digital network that is faster, more efficient and with capabilities to better serve our citizens and visitors for years to come. The project is scheduled to be finished in the second quarter of calendar year 2021. The first phase will be to implement texting to 911. It will also help people with TTD and TTY devices to contact 911.

On behalf of the Finance Committee, Councilmember Helgeson noted the grant is 100% reimbursable. Ms. Foster noted that the project will go across multiple fiscal years. The costs will change and the State will be picking up those costs for two years. Councilmember Helgeson made a motion on behalf of the Finance Committee to approve the resolution.

Councilmember Perrow commented that he has been involved with this project through the Virginia Geographic Information Network Advisory Board. As the local elected officer liaison, Virginia First Cities reached out to him to fill the role. He will not be qualified to sit on the board effective July 1, 2020. He is the westernmost person who sits on the board and it is a very interesting board. He noted that the new system will rely on cell phone GIS pinpointing and the work Ms. Foster is doing is helping to define those parameters and determine which county or City can get to the location easiest. Virginia is very far ahead of other states in rolling this out. If anyone is interested in serving on the board, he would be happy to make the proper introductions. He mentioned they are quarterly meetings in Richmond and he has one left. Ms. Foster thanked the City's GIS staff for their hard work on this project as well.

The motion passed by the following vote:

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

// In the matter of Budget, Agenda Item #16, Council considered introducing a resolution to amend the FY 2020 City/Federal/State Aid Fund budget and appropriate \$103,953 with resources of \$51,976 from the Virginia Office of Emergency Medical Services – Rescue Squad Assistance Fund (RSAF) and \$51,977 from the FY 2020 General Fund Fire Department budget to purchase (3) LifePak 15 cardiac monitors for the Fire Department. Chief Greg Wormser commented that they typically apply for these funds several times a year and in this case it is a 50/50 match.

On behalf of the Finance Committee, Councilmember Helgeson commented that he appreciates that the fire department budgets for aging equipment rather than taking the reserve. He made the motion to approve the resolution on behalf of the Finance Committee.

The motion passed by the following vote:

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

// In the matter of Emergency Services, Agenda Item #17, Council considered of adopting the revised Emergency Operations Plan. Ms. Piper VanDePerre explained that every City department and every partner agency is part of our coordinated emergency management effort. Emergency management is a shared responsibility and a shared obligation of local government, community members, businesses, nonprofits, etc. Harnessing the opportunity for better community outcomes requires an inclusive and diverse approach. The plan outlines exactly how City departments work together during times of emergency. It assigns responsibilities to lead and support agencies for various emergency functions. The plan sets guidelines to allow the City to manage a disaster in the most effective, efficient and timely manner. The system can also be used for planned events.

Noteworthy changes to the plan are Damage Assessment and Long Term Community Recovery ESFs were combined since Community Development was the lead agency. Volunteer and Donation Management responsibilities transitioned from Communications & Marketing to Parks & Recreation. There is the inclusion of a newly formed City of Lynchburg Disaster Recovery Group. Greater emphasis was placed on Information Technology. Additional policies and information were added as a result of lessons learned since the last update.

Councilmember Helgeson asked about the Emergency Response Manager and who is in charge when there is an emergency. Ms. DePerre explained that the City Manager is the Emergency Management Director. Ms. Melissa Foster is the Emergency Management Coordinator. Councilmember Helgeson noted that a lot of the Local Emergency Managers are fire chiefs. He asked about Council's role. He is also thinking about what happens across Virginia during emergencies and it seems like the person in charge is normally someone that worked up through the ranks of the fire department.

Ms. Svrcek explained that Council's role is to declare an emergency is the City Manager requests it. This is a practice that has worked in the past and she continued it from the prior City Manager because it is not broken.

Ms. Foster understands his point and there are a lot of localities where emergency management is still part of either the police or fire department. What they have found through the years is that you do not necessarily need someone who has been on the street to be the one coordinating resources. She has not been a fire fighter or police officer but she did come up through the ranks of a public safety agency and she thinks that prepared her very well to be the emergency coordinator. When the Emergency Operations Plan is activated the Emergency Operations Center is the communication center for that particular event. She understands there are some in fire service that do not like that model but it was a decision made years ago. She mentioned Les Puckett who worked at the fire department and that was before Ms. Foster was involved in the emergency management side of things. Emergency management is really about managing the resources. Sometimes the front line responders have thought that the EOC is trying to take command. That is not what the EOC is for. They are there to support the incident commander that is in the street or in the field dealing with the emergency. Dr. Wodicka noted that he has been through a couple of emergencies and Ms. Foster is the one that you want running the EOC when they happen. Mayor Tweedy said she would have to echo that. Mayor Tweedy was in the room during the potential dam break and those in the room included public safety personnel. To have that coordination and communication is key.

Councilmember Helgeson asked what happened February 14, 2014. Ms. Foster said the original EOP was written in 2002 but then they brought it back and had it adopted in 2012 and 2016. She thinks the one in 2014 version contained administrative minor changes that Kim Payne approved.

Councilmember Perrow noted that Ms. Foster has been to manage small disasters in her role with LYNCOM. It seems natural to him that she would be coordinating the response to a large disaster. He mentioned the train derailment and someone coordinated closing the John Lynch bridge. That is not the person on the scene. That is part of the role of the support team. Ms. Foster said they feel that is a natural fit because of what her employees are doing every day. Some localities do not see emergency communications as true public safety. That is something they are seeing changing across the nation but she understands that some people feel that communications staff do not have response experience but they do. Councilmember Perrow pointed out they are really the first responder because they pick up the phone. Sometimes they provide medical care across the phone until the on-site first responders can get there.

Councilmember Perrow made a motion to approve the resolution, which was seconded by Councilmember Nelson. Councilmember Nelson appreciates the update and the fact that they have added cyber security to the plan. He noted that the City has had a good EOP for years and it was demonstrated well during the derecho and the railcar

derailment, the tornado and the flooding. He thinks it is good that we keep our eyes open and are not afraid to assess ourselves and revise it.

The motion passed by the following vote:

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

Noes: 0

// In the matter of Council, Agenda Item #18, Council considered adopting a resolution endorsing the framework identified in *The Lynchburg Plan* for Fiscal Years 2020-2024. Dr. Wodicka reviewed the changes that have been made to the plan. The plan focuses on the City's growing and redeveloping economy, exceptional neighborhoods and strong families and a resilient, agile and innovative organization. Each has a number of associated goals and operational initiatives, an assigned fiscal year and a key owner. Each goal has metrics that are intended to be tracked over time and reported to Council twice a year. He mentioned that Council also identified exceptional schools as a priority. This plan identifies the school task force that was recently initiated by Council as the conduit for the variety of school goals that might relate to exceptional schools. The goals in the plan will really guide the City's actions and have major impacts over the planning period and most importantly, will greatly affect the long-term success of the City.

Councilmember Helgeson asked about the \$1.2 million Council appropriated to support the future funding requirements related to the recommendations of the task force. Dr. Wodicka clarified that money was set aside last year when the school returned some of its fund balance.

Councilmember Perrow made a motion to approve the resolution and recommends they come back to Council with a report at the beginning of 2021. The motion was seconded by Councilmember Wilder. Dr. Wodicka noted they have built in an internal structure for tracking their progress. Ms. Svrcek noted that some of the plan goals will be reflected in the performance measures in the FY2021 budget.

The motion passed by the following vote:

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

Noes: 0

// Mayor Tweedy recognized the Clerk of Council, Robin Craig, with a Certificate of Service for 15 years of service to the City of Lynchburg.

// The meeting was adjourned at 9:20 p.m.

Clerk of Council