// A regular meeting of the Council of the City of Lynchburg was held on the 11th day of March, 2025, at 4:00 p.m. in the 2nd Floor Training Room, City Hall, Larry Taylor, President, presiding. The following Members were present:

Present: Larry Taylor, Curt Diemer, Sterling A. Wilder, Chris Faraldi, Stephanie Reed, Martin Misjuns, Jacqueline Timmer 7

Absent: 0

// In the matter of Work Session Agenda Overview, City Manager Wynter Benda introduced the new Director of the Lynchburg Regional Airport, Cedric Simon, who had previously served as the Assistant Director for Operations and Maintenance and as the Acting Director.

// In the matter of the FY 2026 Budget, Agenda Item #1, Council conducted a work session regarding the Capital Improvement Program (CIP) Discussion.

Director of Parks and Recreation Wyatt Woody provided a presentation to Council regarding the public pool renovation and replacement projects in the CIP.

Vice Mayor Diemer asked about water loss in the pool, specifically how much is due to evaporation versus leakage through the liner. Mr. Woody noted that evaporation is minimal in the off-season due to lower heat and sunlight, but the pool water level has dropped significantly despite the cover.

Councilmember Misjuns asked what the cost would be to only address the privacy fence and leaks in the pool rather than the entire project.

Mr. Woody said that they were awaiting cost estimates from the contractor. He noted that attempting to only repair the leaks would likely not solve the problem, as the leaks required much more comprehensive repairs.

Councilmember Misjuns stated that he wants to focus on the needs versus the wants in the matter of the pool. He requested a cost comparison between fixing the leak and install privacy fencing, which he stated is a safety concern, versus a full pool rebuild; Mr. Woody said he'd be happy to get those numbers.

Councilmember Faraldi raised the question of whether an economic partnership with an organization like the YMCA could be a more cost-effective alternative to the City's investment in pool construction, maintenance, and staffing. City Manager Wynter Benda said that he was mainly familiar with partnership models related to health centers. He said that there was a certain level of revenue capture with the pools through a $3 fee, and they also issued season passes. He said staff could bring back options to consider, such as a private partnership or increasing attendance fees.

Councilmember Reed shared appreciation for the proposed design and emphasized the need for the City to invest in upgrading the pool to provide a safe, enjoyable space for all visitors who rely on it as their only option.

Library Director Beverly Blair provided a presentation to Council regarding the main library renovation project in the CIP.

Councilmember Faraldi asked if the City had considered other commercial property for the library or expanding to two locations. Mr. Benda said that the City preferred to own the property it operated so that it would not be impacted by leases or lease restrictions. He said that they had already disbursed funds for design of the building, but they were not excluding other opportunities. Councilmember Faraldi asked staff to follow up with information about what the expected operational cost increases were for the library.

Chief Financial Officer Donna Witt provided a presentation to Council. The City Capital and Schools Capital projects proposed in the FY 2026 - FY 2030 Proposed Budget were presented at the February 25th Work Session. This work session is to respond to City Council questions regarding the CIP. Ms. Witt explained CIP adjustments, including moving the Miller Park Pool project to 2026, removing already appropriated funds for the Hollins Mill Road Bridge Replacement and Lynchburg Center for Industry Phase II, resulting in a $9.2 million decrease in the five-year CIP.

Councilmember Misjuns asked for an update on the Florida Avenue sidewalk project. Deputy City Manager Greg Patrick explained that the funds were appropriated, and the scope of the project changed substantially. He said that due to issues with the railroad crossing, sidewalks would be installed from James Crossing to the railroad trestle. He said that a written update would be provided to Council.

Mr. Benda discussed leveraging revenue share funds for a project near Florida Avenue to create safe access, with updates and designs to be shared in future communications.

Councilmember Faraldi raised a discussion on prioritizing funding for blighted structure demolition, question whether it should be reallocated to school infrastructure. He requested a list of past uses of the Street Utility Extensions over the last five years to evaluate potential reallocation of the money. He sought clarification on whether the Property Toolkit's operational impact involves hiring a full-time staff or increased workload. Mr. Benda responded that only one new full-time employee is proposed due to the state-mandate of having a pharmacist. However, more staff may be needed for blighted structure enforcement. Councilmember Faraldi encouraged Council to consider whether the funding allocated is the best use of the funds, especially with potential future staffing needs. Mr. Benda shared that the Property Toolkit supports neighborhood revitalization by redeveloping key areas, improving infrastructure, and promoting homeownership. Councilmember Faraldi expressed his concern with deciding on demolition of properties. He urged Council to think about how that money could be better spent on urgent school needs.

Councilmember Wilder stated that blighted properties posed a health and safety risk to neighboring properties. He said that Council needed to consider a balanced approach.

Councilmember Misjuns said he believed it was not the role of the City to demolish private structures, and they should use the funds for other priorities. He pointed out that keeping Real Estate taxes low encouraged private investment, as seen in areas like Fairview Heights.

Vice Mayor Diemer stressed the need for prioritizing limited resources, focusing on public schools and infrastructure. He wants to explore consolidation efforts with city buildings.

// In the matter of City Council, Agenda Item #2, Council conducted a work session regarding Televising Committee Meetings. City Manager Wynter Benda provided an update on televising committee meetings. He said that staff had reviewed the request, and they indicated it would be possible to start televising committee meetings by March 25, so long as committee meetings and Council's Work Session are held in the same room.

// In the matter of City/School Joint Committee, Agenda Item #3, Council conducted a work session regarding a City/Schools Joint Meeting Update. Deputy City Manager Greg Patrick provided the update to Council. The first City/Schools joint committee took place on February 27th. The committee adopted guidelines and a meeting schedule. The guidelines are attached to this agenda item. This update will provide City Council with an overview of the guidelines and the request for a joint meeting of the full City Council and School Board on April 29th for the Committee to present its findings and recommendations.

Councilmember Reed expressed concerns about the addition of new members to the committee and the change of its scope. She said that the committee made the changes without a decision from the full Council. She asked City Attorney Matthew Freedman to clarify committee formation rules. Mr. Freedman stated that the committee was originally formed by consensus. Any changes to membership or purpose would require Council action to approve or redirect the committee’s work. Councilmember Reed opposed the committee’s involvement in the budget process, stating it oversteps Council’s role. She suggested a vote in General Business. Mr. Freedman suggested discussing the issue to reach a consensus or provide direction to staff, and if agreed, bring it to General Business for a vote.

Councilmember Misjuns said that the committee could only make recommendations that required approval from Council, so he did not agree with the concerns. He noted that according to Robert's Rules of Order, the presiding officer had the authority to control the membership of committees, so the changes to the committee were in order since the Mayor approved of the changes.

Councilmember Misjuns stated that he believed what was proposed was in line with what was agreed upon during the Joint Meeting.

Councilmember Timmer stated that she believed that, under Robert’s Rules, the authority to form and adjust the ad hoc committee lies solely within the discretion of the person in charge.

Vice Mayor Diemer stated that he believed that the committee defaults to Robert’s Rules and inquired if the committee was ad hoc in structure. Mr. Freedman shared that he does not believe it is ad hoc because Council approved it at the Joint Meeting, so the committee was not created solely at the will of the Mayor. Vice Mayor Diemer shared that he believed the committee is an ad hoc committee since its not meant to be permanent. He supports the committee as a recommending body and not directing funds. He expressed confidence in the committee to do the work as already outlined and does not want to delay the work any longer.

Mr. Freedman suggested that Council could suspend its Rules of Procedure and ratify the committee, as presented, to clarify any uncertainty about its status since the issues presented by Council were predominantly procedural.

Councilmember Timmer asked Councilmember Reed if her primary concern about the committee was the scope. Councilmember Reed stated that while she initially agreed to the formation of the Lifelong Learning Committee that night, she later realized it was different from what she had understood. Councilmember Timmer clarified confusion about forming a committee, with two members initially appointed and now a third added, seeking clarification on whether the third member is opposed. Councilmember Reed opposed the committee's current direction, feeling mislead about its purpose and responsibilities, and believes it is not conducive to positive outcomes or aligned with the budget process. Councilmember Timmer indicated she understood the committee structure to be ad hoc when she voted to approve it at the Joint Meeting.

Councilmember Wilder expressed confusion over the changes, including shifts in guidelines, leadership, and immediate discussions about closing schools.

Councilmember Faraldi said that when he proposed the creation of the committee, he outlined three specific items for it to consider, including a school funding formula and infrastructure. He said that the geographic location of students and school closures were not included in the original scope of work. He expressed concerns about the committee arbitrarily changing its membership and scope of work without a decision from Council.

Mr. Freedman explained that, according to Council's Rules of Procedure, Section 7.1, members of boards, authorities, commissions, and committees shall be appointed by an affirmative vote of the majority of Council to serve specified terms as deemed appropriate by Council and that ad hoc committees may be created by Council for specific purposes as determined by the Council.

Vice Mayor Diemer said he believed they needed to let the committee proceed and complete its work, and it was not the role of Council to micromanage the committee or the schools. He said that they should support the Mayor's decision to include three members on the committee.

Councilmember Faraldi said that he would resign his position on the committee if Councilmember Misjuns remained a member. Mayor Taylor said he believed that Councilmember Faraldi and Councilmember Misjuns could work together. Councilmember Faraldi resigned his position on the committee.

Vice Mayor Diemer recommended that Council fill the vacant position on the committee so that it could continue its work.

Mr. Freedman said it was his position that the committee was created by the Mayor with consensus from Council at the joint meeting with a limited scope and two members from Council. He said that if Council desired, it could suspend its rules of procedure and vote to ratify the committee as presented or return to its original construction.

Councilmember Misjuns motioned, seconded by Councilmember Reed, to suspend the Rules of Procedure, ratify the committee as presented, and immediately restore the rules of procedure.

Councilmember Reed withdrew her second.

Councilmember Timmer seconded the motion.

Councilmember Faraldi noted that there had been no public input or oversight on the new direction of the committee.

Councilmember Reed said that the committee was duplicating work that had already been done for the past two years, and Council should not be doing the work of the School Board.

Councilmember Timmer said she was happy to do the extra work, and it was important to have those conversations transparently.

Councilmember Misjuns said he did not mind doing the extra work, which he had been doing for only two weeks. He said that the majority of the School Board members on the committee supported the direction of the committee.

Mayor Taylor asked Mr. Patrick if all of the items were discussed with the School Board.

Mr. Patrick noted that while the language in the draft guidelines differed slightly from the initial discussion, most items were similar, except for the student population and system capacity item.

Councilmember Timmer called the question.

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

Ayes: Taylor, Diemer, Misjuns, Timmer	4
Noes: Wilder, Faraldi, Wilder	3

// In the matter of Parks and Recreation, Agenda Item #4, Council was briefed regarding the Heritage Park Improvements. Director of Parks and Recreation Wyatt Woody provided a presentation to Council.

Parks & Recreation is requesting acceptance of a former Heritage High School athletic facility as part of Heritage Park. The facility would be renovated using existing capital funding to provide a much-needed multipurpose field in an area of the City that has limited public recreation options. As part of the renovations, field lighting would be added to extend the availability of the field's use. The Lynchburg City School Board unanimously approved the return of real estate at their March 4, 2025 meeting.

Vice Mayor Diemer shared his excitement for the people of Ward 3 to enjoy this park, along with all the people of the city.

Mayor Taylor asked Mr. Woody about outreach to specific neighborhoods and transportation for those neighborhood children. Mr. Woody stated that they are aiming to have local teams in the area and are considering holding practices in nearby locations that would walkable for families.

Councilmember Misjuns suggested that the City partner with churches to provide transportation for events.

// In the matter of Finance, Agenda Item #5, the Virginia Opioid Abatement Authority Grant Award briefing was referred to the Finance Committee meeting on March 25.

// In the matter of Roll Call, Councilmember Misjuns announced that Thomas Road Baptist Church had closed out its impact sports season. He said that Council had not yet recognized the LCA football team on its championship victory. Clerk of Council Alicia Finney stated that staff were working with the school to find a good time to present an official recognition.

Vice Mayor Diemer highlighted the Citizens Academy he was attending. He said they had a great first meeting, and he looked forward to his participation. He said he was a strong proponent of the Mayor's Red Cross Blood Drive, and he looked forward to the scheduled events.

Councilmember Wilder reported that the Business Alliance held its annual breakfast, and he commended it for the work it did for business in the City. He said that the Legacy Museum held a centennial celebration for residents over 100 years old, recognizing five women.

Councilmember Reed thanked the Liberty University School of Medicine for hosting a science fair for the Boys and Girls Club.

// City Manager Wynter Benda stated that the closed session item relating to the discussion of the award of a public contract involving the expenditure of public funds, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.2-3711(A)(29) of the Code of Virginia, 1950, as amended, the subject of the closed meeting being specific to a future contract between the City and CertainTeed, could be moved to a later meeting in the interest of time. The Mayor noted there was consensus from Council.

On the motion of Councilmember Timmer, seconded by Vice Mayor Diemer, by the following recorded vote, Council elected to defer the closed session to consult the City Attorney, or his designee, regarding specific legal matters requiring the provision of legal advice, pursuant to Section 2.2-3711(A)(8) of the Code of Virginia, 1950, as amended; the subject of the closed meeting being specific to a legal analysis of Virginia and other relevant laws applicable to the conduct of Councilmember Martin Misjuns and Councilmember Chris Faraldi.

Councilmember Timmer stated that the Council had developed a punishment culture that was unnecessary to perpetuate.

Vice Mayor Diemer said he did not condone the behavior, but he believed the closed session was unnecessary.

Councilmember Reed shared confusion over procedural rules and past agreements, with some advocating for private discussions while others emphasized transparency. Concerns were raised about ongoing behavioral issues and the need for a clear approach to handling such matters.

Councilmember Timmer expressed that policing colleagues’ behavior is not their role, emphasizing that such actions create conflicts rather than focusing on policy. She advocated against a closed session, stressing the importance of serving the city rather than engaging in personal disputes.

Councilmember Faraldi stated that since the closed session was related to himself he would be abstaining.

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

Ayes: Taylor, Diemer, Wilder, Misjuns, Timmer	5
Noes: Reed	1
Abstain: Faraldi	1

// The meeting recessed at 6:06 p.m.

// A regular meeting of the Council of the City of Lynchburg was held on the 11th day of March, 2025, at 7:00 p.m. in the Council Chamber, City Hall, Larry Taylor, President, presiding. The following Members were present:

Present: Larry Taylor, Curt Diemer, Sterling A. Wilder, Chris Faraldi, Stephanie Reed, Martin Misjuns, Jacqueline Timmer 7

Absent: 0

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

// In the matter of the Consent Agenda, Agenda Item #1, Council considered adopting Resolution #R-25-015 amending the FY 2025 City/Federal/State Aid Fund budget and appropriating $75,000 to fund equipment for the Fire Department Technical Rescue Team.

Councilmember Misjuns motioned, seconded by Councilmember Timmer, to adopt Resolution #R-25-015.

Ayes: Taylor, Diemer, Wilder, Faraldi, Reed, Misjuns, Timmer 7

Noes: 0

// In the matter of the Consent Agenda, Agenda Item #2, Council considered adopting Resolution #R-25-016 amending the FY 2025 Fleet Fund budget and appropriating $2,400,000 to purchase a Ladder Truck for Fire Station 9.

Councilmember Misjuns motioned, seconded by Councilmember Timmer, to adopt Resolution #R-25-016.

Ayes: Taylor, Diemer, Wilder, Faraldi, Reed, Misjuns, Timmer 7

Noes: 0

// In the matter of the Consent Agenda, Agenda Item #3, the minutes of the February 18, 2025 City Council meeting were pulled by Councilmember Faraldi in order to propose clarifications.

// In the matter of the Consent Agenda, Agenda Item #4, copies of the minutes of the February 6, 2025 City Council meeting were previously furnished to Council, and on the motion of Councilmember Faraldi, seconded by Councilmember Timmer, Council, by the following recorded vote, approved the minutes as presented:

Ayes: Taylor, Diemer, Wilder, Faraldi, Misjuns, Timmer 6

Noes: 0

Abstain: Reed 1

// In the matter of General Registrar Office, Agenda Item #5, Council conducted a public hearing in consideration of adopting Ordinance #O-25-017 to change and relocate the polling places of the Third Precinct of Ward II and the First Precinct of Ward III. Registrar Daniel Pense provided the presentation to Council. After the public hearing, Council considered the adoption of an ordinance that would 1) change and relocate the polling place of the Third Precinct of the City's Second Ward from the Jubilee Family Development Center, 1512 Florida Avenue, to the Greater Brookville Church, 1916 Florida Avenue and would 2) change and relocate the polling place of the First Precinct of the City's Third Ward from the Lynchburg Public Library, 2315 Memorial Avenue, to the West Lynchburg Baptist Church, 3031 Memorial Avenue. The reasons for the same being as follows: the Jubilee Family Development Center is no longer available as a polling place for the Third Precinct of the City's Second Ward, and the West Lynchburg Baptist Church is now available as a polling place for the First Precinct of the City's Third Ward and is preferred because it is located inside the said precinct (versus the Lynchburg Public Library being outside the said precinct).

A Certification of No Objection from the Virginia Attorney General's Office will be required for these changes.

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

Councilmember Faraldi motioned, seconded by Vice Mayor Diemer, to adopt Ordinance #O-25-017.

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

Ayes: Taylor, Diemer, Wilder, Faraldi, Reed, Misjuns, Timmer 7

Noes: 0

// In the matter of Planning, Agenda Item #6, Council conducted a public hearing in consideration of adopting Ordinance #O-25-018 approving the rezoning of 1600 and 1602 McVeigh Road to allow the construction of a new home. Community Development Director William Martin provided the presentation to Council. Deborah H. Dolan is petitioning to rezone approximately one and one hundredth (1.01) acres from R-1, Low Density Residential District to R-2, Low-Medium Density Residential District at 1600 and 1602 McVeigh Road to allow the subdivision of the existing two (2) lots into three (3) lots to allow the construction of a new home.

The petitioner previously requested a rezoning from R-1, Low Density Residential District to R-3C, Medium Density Residential District (Conditional) to allow the construction of up to three (3) duplexes. This change would not have aligned with the recommendation for Low Density Residential uses and may have set precedence for further densification in the neighborhood. Planning Commission recommended denial of the petition to rezone to R-3C. Following the Planning Commission meeting, the petitioner submitted a request to revise the petition for a rezoning to R-2, Low-Medium Density Residential District. Per Sec. 35.2-11.6 (d), City Council may approve a change to a less intensive land use category, zoning district or use.

Rezoning the properties to R-2, Low-Medium Density Residential District would align with the Future Land Use Map (FLUM) recommendation and would allow an additional home to be constructed between the two (2) existing residences. The petitioner anticipates that the new home could have an accessory dwelling unit, if the home is owner-occupied. In the R-2 district, one accessory dwelling unit may be established in addition to the principal dwelling unit on lots on which the owner resides, subject to certain standards.

Amy Seipp, Principal Engineer of Accupoint Surveying and Design, representing the petitioner, provided a presentation to Council. She noted that they were trying to maximize the parcels, and all houses would be connected to City utilities.

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

Vice Mayor Diemer motioned, seconded by Councilmember Misjuns, to adopt Ordinance #O-25-018.

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

Ayes: Taylor, Diemer, Wilder, Reed, Misjuns, Timmer	6
Noes: Faraldi	1

// In the matter of Planning, Agenda Item #7, Council conducted a public hearing in consideration of adopting Resolution #R-25-019 amending the Future Land Use Map (FLUM), and; adopting Ordinance #O-25-020 approving the rezoning of 815 through 906 Wiggington Road to allow for the construction of The Village at WestPoint. Community Development Director William Martin provided the presentation to Council. JAM89, LLC and Langley Land, LLC are petitioning to amend the Future Land Use Map (FLUM) from Low Density Residential and Medium Density Residential to High Density Residential and to rezone approximately fifty-three and thirty-three hundredths (53.33) acres from I-3, Heavy Industrial District; R-2, Low-Medium Density Residential District; and R-3C, Medium Density Residential District (Conditional) to R-4C, High Density Residential District (Conditional) to allow the construction of 750 total residential units consisting of condominiums, patio homes, and townhomes with associated parking and amenities located at 815, 825, 832, 833, 903, 903 A, and 906 Wiggington Road.

The Comprehensive Plan 2013-2030 recommends Low Density Residential and Medium Density Residential uses for this area on the City's Future Land Use Map (FLUM). Low Density Residential uses are dominated by single family detached housing at densities of up to four (4) dwelling units per acre. Medium Density Residential uses are characterized by small-lot single family detached housing, duplexes, and townhouses at densities up to twelve (12) units per acre. The petition proposes to amend the FLUM to High Density Residential. These areas are developed or planned to be developed into high density townhouse or multifamily housing. Densities can range up to thirty (30) units per acre.

The Planning Division recommended denial of the petition due to traffic impacts and concerns over the voluntarily submitted proffers related to traffic. Approval of the proffers would commit the City to assisting with road improvements based on existing conditions, while it is the proposed development that causes the levels of service to degrade below acceptable levels. The proffers have been revised since the Planning Commission meeting, and while the revised proffers are more specific regarding the developer's monetary contribution to the road improvements, staff's concerns about sharing the cost, as well as overall impacts to Wiggington Road, remain.

The Planning Commission recommended approval of the petition, citing the need for housing within the City, but noted that approval of the petition would require the allocation of City funds toward road improvements.

Greg Lester, Partner with Elevate Communities, speaking in favor, noted the lack of surrounding residential uses, the existing water and sewer infrastructure, and the location between two parks. He said the development would provide affordable housing for sale, and it would reduce urban sprawl. He requested Council approve the petition.

Jill Rufus, EXP Realty Team Rufus, speaking in favor, noted that she was the realtor for Elevate Communities. She said that the product types offered by the development were needed in the City.

Sue Stengal, Ward III, speaking in favor, noted how the development would benefit seniors looking to downsize their homes and prepare for retirement.

Carter Leverette, speaking in favor, expressed the need for affordable, safe, and low-maintenance housing for his family. He noted the lack of affordable housing for sale and the negative impacts of renting. He requested Council approve the development.

Matt Holley, CEO of Homebuilders Association of Central Virginia, speaking in favor, addressed Council regarding missing-middle housing. He said that the petition would provide affordable home ownership, and he requested Council approve the petition.

Amy Seipp, City resident, speaking in favor, addressed Council regarding changing housing needs in the City. She said that the development would bring tax revenue, families, and connectivity to the City.

Kevin Foster, general contractor for the development, speaking in favor, addressed Council regarding the positive impacts of the petition, including affordability and workforce development.

Jeff Helgeson, Ward III, speaking in favor, noted the extensive proffers from the petitioner, including traffic improvements a mile away from the development. He requested Council approve the petition.

Richard Oldham, speaking in opposition, expressed concerns about the traffic impacts given the density of the development.

Brian Haibach, speaking in opposition, requested that Council refer the matter back to the Planning Commission. He said there were several aspects of the petition that needed reviewed, including traffic impacts, utility infrastructure needs, and available housing types.

Trish Cerulli, speaking in opposition, expressed concerns regarding the traffic impacts of the development on Wiggington Road.

Stephen Despins, speaking in opposition, noted that he moved to Lynchburg from Northern Virginia to get away from traffic. He addressed Council regarding concerns about traffic impacts.

Michael Collado, speaking in opposition, requested that Council deny the petition to rezone the parcel. He expressed concerns about traffic safety.

Cynthia Seng, speaking in opposition, expressed concerns about traffic impacts. She questioned the need for high density development on the site.

Jason Cholewa, representing a group of 266 residents on Wiggington Road, speaking in opposition, questioned whether the proposed units would be truly affordable. He expressed concerns about traffic impacts and pedestrian safety. He noted that Mayor Taylor, Vice Mayor Diemer, and councilmembers Reed, Timmer, and Misjuns accepted multiple thousands of dollars in campaign donations from the Langleys.

John Romano, representing a group of residents off of Wiggington Road, speaking in opposition, addressed Council regarding concerns over traffic impacts, whether the units would be truly for sale or for rent, and demands on City services. He asked Council to deny the petition or table the matter indefinitely.

Cassandra Taylor, speaking in opposition, expressed concerns about traffic impacts on Wiggington Road.

Abby, a high school student at EC Glass, speaking in opposition, expressed concerns about traffic impacts.

There was no one else wishing to speak, either in person, by phone, so the Mayor provided the petitioner five minutes for rebuttal.

Trent Warner, Elevate Communities, representing the petitioner, provided the rebuttal and addressed concerns brought up during public comment. He noted the existing water and sewer infrastructure. He said that they had proffered for-sale units, ensuring home ownership. He said that they were including traffic improvements to address safety concerns.

Mayor Taylor closed the public hearing and the matter rested with Council.

Councilmember Faraldi motioned, seconded by Councilmember Reed, to deny the petition.

Councilmember Faraldi expressed concerns about the proposed pricing for the units. He noted that the median sale price for a comparable three bed/two bath condo unit in the City ranged from $215,000 to $256,700, which was lower than the proposed cost range of $300,000. He noted that 266 residents signed a petition opposed to the development, and he only heard those associated with the project speak in favor.

Councilmember Reed noted the concerns brought up by residents, especially traffic concerns. She said she was concerned about the funding expected from the City to facilitate the development. She said that the proposed development was not affordable housing, though it may be lower in cost compared to other developments.

Councilmember Wilder asked City staff if it was normal procedure for a developer to ask the City to do additional road development. Community Development Director Tom Martin stated that the City typically does not incentivize such projects and expressed the importance of timing and implementation if approved. Councilmember Wilder noted his support for the development, but he was concerned about the comments from residents.

Councilmember Misjuns inquired about the average annual daily traffic (ADT) on Wiggington Road both before and after the proposed development. Mr. Warner responded that the ADT on Wiggington Road is 3,857, expected to increase to 4,923 at full buildout in 10 years. Ultimately, traffic is projected to double to 8,780. Councilmember Misjuns asked for clarification about the Request for Proposal issued by the Economic Development Authority (EDA). Mr. Martin said that the EDA had issued an RFP for development of the property adjacent to the petition, but they had not awarded any contracts. He noted that they had received bids from developers.

Councilmember Misjuns made a substitute motion, seconded by Vice Mayor Diemer, to approve the petition. Councilmember Misjuns said that they needed to develop the City, and they needed new development. He said that the City needed to prioritize Wiggington Road improvements in the CIP.

Councilmember Timmer requested a verbal commitment from Council to include Wiggington Road improvements in the CIP.

Vice Mayor Diemer expressed the need to improve Wiggington Road. He said that the petition would provide relative affordability, job creation, and home ownership opportunities.

Councilmember Reed expressed concerns about the traffic safety impacts. She said that the City should not contribute tax dollars for the development. She said that they should reconsider aspects of the petition before approving it.

Councilmember Faraldi expressed concerns about the commitment of City tax revenue for a development that would not achieve full buildout for another eight years. He requested that Council table the matter to provide the petitioner time to commit to the final design of the development.

Councilmember Misjuns said that they should use the funding in the CIP for blighted property demolition to address the traffic improvements on Wiggington Road. He called the question.

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

Ayes: Taylor, Diemer, Misjuns, Timmer 4

Noes: Reed, Faraldi, Wilder 3

Vice Mayor Diemer motioned, seconded by Councilmember Misjuns, to adopt Resolution #R-25-019.

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

Ayes: Taylor, Diemer, Misjuns, Timmer 4

Noes: Wilder, Faraldi Reed 3

Councilmember Misjuns motioned, seconded by Vice Mayor Diemer, to adopt Ordinance #O-25-020.

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

Ayes: Taylor, Diemer, Wilder, Misjuns, Timmer 5

Noes: Faraldi, Reed 2

// In the matter of Planning, Agenda Item #8, Council conducted a public hearing in consideration of adopting Ordinance #O-25-021 amending the zoning ordinance by revising and updating the City's Floodplain Management Regulations. Water Quality Manager Erin Hawkins provided the presentation to Council. Sections 35.2-59 et seq. of the Lynchburg City Code are the portions of the City’s Zoning Ordinance that addresses properties that are within (or partially within) a Special Flood Hazard Area (SFHA). The attached ordinance establishes what land uses can occur in these areas and the requirements to develop them. The adoption of the proposed ordinance amendments will not substantially change the way that the Special Flood Hazard Area (SFHA) has been managed to date. The proposed amendments can be summarized in three (3) parts:

- Aligning the Flood Hazard Ordinance to the FEMA Model Ordinance ensures consistency in meeting the National Flood Insurance Program requirements. Continued participation in the NFIP by the City is important so that property owners can purchase flood insurance to protect improvements located on the properties whether they are within or outside of the SFHA.
- The current ordinance restricts allowable uses of property located in a regulatory floodway by a Conditional Use Permit to that of marinas, boat rentals, docks, piers, and wharves. Unless otherwise prohibited by the amended ordinance, the underlying zoning would control the permissible uses in the regulatory floodway. This would allow for several properties to become eligible for adaptive reuse, whereas the current ordinance prohibits other underlying uses.
- The current freeboard requirement for flood proofing structures is twelve inches (12”) above the Base Flood Elevation and is proposed to be increased to eighteen inches (18”). Freeboard is "a factor of safety usually expressed in feet above a flood level for purposes of floodplain management" (FEMA). This would apply to any new construction or substantially improved structure through elevation of the structure of height of flood proofing. In addition to greater protection from flooding damage, other benefits of an increased freeboard are faster recovery time after a flooding event and potentially lower insurance premiums for policyholders.

Mayor Taylor opened the floor for public input. Doyle Allen, speaking in opposition, expressed concerns about raising the requirements above the national standard. He said that the property owner would bear the costs of these improvements, even though potential cost savings were presented.

There was no one else wishing to speak, either in person, by phone, so the public hearing was closed and the matter rested with Council.

Councilmember Misjuns inquired about the cost savings. Ms. Hawkins explained the Community Rating System program that gives flood insurance discounts to areas in flood zones. The City plans to join this program, but it only applies to buildings in the flood zone, not those above it. Councilmember

Misjuns expressed concerns that increasing floodproofing requirements above the national average could burden citizens, especially in the event of a hazard in their home.

Councilmember Misjuns motioned, seconded by Vice Mayor Diemer, to deny Ordinance #O-25-021.

Councilmember Misjuns amended his motion to adopt Ordinance #O-25-021 as presented, striking the 18-inch freeboard condition. Vice Mayor Diemer agreed to the amendment.

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

Ayes: Taylor, Diemer, Wilder, Reed, Misjuns, Timmer 6

Noes: Faraldi 1

// Mayor Taylor called a five-minute recess.

// The meeting reconvened at 9:58 p.m.

// In the matter of Water Resources, Agenda Item #9, Council conducted a public hearing in consideration of introducing Ordinance #O-25-022 amending the FY 2025 Water Capital Projects Fund Budget and appropriating $10,025,194 for the Lead and Copper Water Service Line Project. Director of Water Resources Timothy Mitchell provided the presentation to Council. On January 15, 2021, the Environmental Protection Agency (EPA) published the Lead and Copper Rule Revisions, which later took effect on December 16, 2021. These revisions laid out a series of new actions for all water utilities in the United States. The goal of this initiative is to identify lead sources in a water system, implement and/or optimize corrosion control treatment, and establish a plan to eliminate all sources of lead in the water supply system. As required by the new Lead and Copper Rule Revisions, we developed an initial Lead Service Line (LSL) Inventory and submitted it to the State by the required deadline of October 16, 2024. The LSL Inventory is required to identify all service line materials on both public and the private side. Lynchburg has over 26,000 public and private service lines. After the initial inventory approximately 19,000 service line materials remain unknown most of which are on the private side. Any service line that as an unknown service material is assumed to be lead and treated as lead until the material is confirmed. By 2027 all service lines and galvanized lines requiring replacement must be identified and a replacement plan developed, then by 2037 all lead service lines and galvanized service lines requiring replacement must be replaced.

On November 8, 2024, VDH awarded the City $10,025,194 in additional funding for continued inventory efforts and replacement of lead service lines and galvanized service lines requiring replacement. This funding can be used to replace both the public side and private side service lines. This additional funding includes $3,659,196 as principal forgiveness and $6,365,998 as a loan with optional 20-year and 30-year terms. Interest rate will be determined based on market rate in the month before loan closing, subject to the required minimum interest rate of 1.00% per annum for a 20-year loan or a 1.50% per annum for a 30-year loan.

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

Councilmember Wilder motioned, seconded by Councilmember Reed, to adopt Ordinance #O-25-022.

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

Ayes: Taylor, Diemer, Wilder, Reed, Misjuns, Timmer	6
Noes: Faraldi	1

// In the matter of Water Resources, Agenda Item #10, Council conducted a public hearing in consideration of adopting Resolution #R-25-023 approving the Virginia Department of Health Drinking Water State Revolving Fund FY 2023 Bipartisan Infrastructure Law Lead Service Line Inventory Funding. Director of Water Resources Timothy Mitchell provided the presentation to Council. On January 15, 2021, the Environmental Protection Agency (EPA) published the Lead and Copper Rule Revisions, which later took effect on December 16, 2021. These revisions laid out a series of new actions for all water utilities in the United States. The goal of this initiative is to identify lead sources in a water system, implement and/or optimize corrosion control treatment, and establish a plan to eliminate all sources of lead in the water supply system. As required by the new Lead and Copper Rule Revisions, we developed an initial Lead Service Line (LSL) Inventory and submitted it to the State by the required deadline of October 16, 2024. The LSL Inventory is required to identify all service line materials on both public and the private side. Lynchburg has over 26,000 public and private service lines. After the initial inventory approximately 19,000 service line materials remain unknown most of which are on the private side. Any service line that as an unknown service material is assumed to be lead and treated as lead until the material is confirmed.

By 2027 all service lines and galvanized lines requiring replacement must be identified and a replacement plan developed, then by 2037 all lead service lines and galvanized service lines requiring replacement must be replaced.

On November 8, 2024, VDH awarded the City $10,025,194 in additional funding for continued inventory efforts and replacement of lead service lines and galvanized service lines requiring replacement. This funding can be used to replace both the public side of the service line or private side through a certified plumber and reimbursement process. This additional funding includes $3,659,196 as principal forgiveness and $6,365,998 as a loan with optional 20-year and 30-year terms. Interest rate will be determined based on market rate in the month before loan closing, subject to the required minimum interest rate of 1.00% per annum for a 20-year loan or a 1.50% per annum for a 30-year loan.

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

Councilmember Timmer motioned, seconded by Councilmember Wilder, to adopt Resolution #R-25-023.

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

Ayes: Taylor, Diemer, Wilder, Faraldi, Reed, Misjuns, Timmer	7
Noes:	0

// In the matter of Public Comment, Agenda Item #11, Citizen Amanda Smithson addressed Council regarding economic development investment. She expressed support for the Downtown Lynchburg Association.

// In the matter of Public Comment, Agenda Item #12, Citizen Phala Bowles was not present to address Council.

// In the matter of Public Comment, Agenda Item #13, Citizen Samantha Citty addressed Council regarding the Downtown Lynchburg Association. She expressed support for the Downtown Lynchburg Association and emphasized its importance.

// In the matter of Public Comment, Agenda Item #14, Citizen Katie Yergler decided not to address Council at this time.

// In the matter of Public Comment, Agenda Item #15, Citizen Cynthia Capps addressed Council regarding council member intimidation tactics. She said that Councilmember Misjuns had harassed and intimidated the Save Our Schools group, and she requested that he be held accountable for his harassment and intimidation of Lynchburg parents. She requested that the City prioritize school funding.

// In the matter of Public Comment, Agenda Item #16, Citizen Corey Thomas addressed Council regarding materials in the Public Library. She expressed concerns about books covering LGBTQ+ topics in the children and teen sections of the public library. She said that the books were inappropriate and displayed a political bias. She requested that Council establish a Library Board.

// In the matter of Public Comment, Agenda Item #17, Citizen Jamie Maxwell, representing the Lynchburg Firefighters Association, addressed Council regarding fire department equipment. He shared about the Striker Plan, which would upgrade and maintain essential firefighter equipment. He highlighted that much of the current equipment is outdated and requires a significant budget for replacement. He criticized relying on grants and state funds for critical equipment, emphasizing that the plan has been successfully adopted by other cities and towns.

// In the matter of Public Comment, Agenda Item #18, Citizen Colleen Larkins, representing Save Our Schools, addressed Council regarding the City School Budget. She said that Councilmember Misjuns had threatened legal action against her and told his social media followers to find her. She said she was not scared or intimidated, and she would not stop advocating for education in the City. She requested that Council fund the schools.

// In the matter of Public Comment, Agenda Item #19, Citizen Ryan Thomas addressed Council regarding library considerations. He expressed concerns about books on gender theory, Neo-Marxism, and other political issues being included in the children's section of the library. He said that the library should serve the community without bias. He requested that Council establish a Library Board.

// In the matter of Public Comment, Agenda Item #20, Citizen Greg Berry, representing City Elders, addressed Council regarding the library and following the rules. He expressed concerns about books that promoted the LGBTQ+ lifestyle being included in the library. He said that he felt intimidated by Councilmember Faraldi regarding his past public comments. He said that Councilmember Faraldi owed the City an apology.

// In the matter of Public Comment, Agenda Item #21, Citizen Alexandra Abbott was not present to address Council.

// In the matter of Public Comment, Agenda Item #22, Citizen Beth White addressed Council regarding a citizen's view of the Finance Committee. She said that Councilmember Misjuns' lawsuit against the City represented a conflict of interest. She questioned whether the Finance Committee Chair disclosed this conflict of interest prior to committee meetings.

// In the matter of Public Comment, Agenda Item #23, Citizen Deborah Tosi addressed Council regarding the City and the people. She said that Council represented all citizens and asked that they consider issues with a non-partisan lens.

// In the matter of Public Comment, Agenda Item #24, Citizen Peter Cefaratti addressed Council regarding budget priorities. He raised concerns about the City Council's lack of open communication, citing transparency issues in decision-making, budget allocations, and public involvement, with a call for improved accountability and citizen engagement.

// In the matter of Public Comment, Agenda Item #25, Citizen Jenna Sosa addressed Council regarding the Lynchburg Public Library. She expressed concerns about books being available at the library that promoted LGBTQ+ ideologies.

// In the matter of Public Comment, Agenda Item #26, Citizen Sara Beck addressed Council regarding Lynchburg City Schools. She emphasized the importance of stories and books that showcased different perspectives. She said that they did not need to censor books, and parents should be able to have conversations with their children about the books they are reading.

// In the matter of Public Comment, Agenda Item #27, Citizen Carly Eccles Sheaffer addressed Council regarding the library. She said that funding public schools allowed localities to thrive. She requested Council to fully fund the schools. She emphasized the importance of the library and expressed the need for renovations to the facility.

// In the matter of Public Comment, Agenda Item #28, Citizen Maggie Millard addressed Council regarding the importance of the library. She said the library should be reflective of the community, and she was proud of the selection it offered. She said that parents should supervise their children and what they read, but it was not the role of the government to do so. She emphasized the importance of the libraries.

// In the matter of Public Comment, Agenda Item #29, Citizen Jan Willinger addressed Council regarding City services. She said that no one's religion had a bearing on City governance, as enshrined in the First Amendment separation of church and state. She requested that the Council uphold the separation of church and state in every action.

// In the matter of Public Comment, Agenda Item #30, Citizen Marge Brown addressed Council regarding library considerations. She emphasized the importance of libraries. She said that they should guard against the control of information.

// In the matter of Public Comment, Agenda Item #31, Citizen Ellen Nygaard, representing The Friends of the Public Library, addressed Council regarding the support of Council for keeping library renovations a priority in the CIP this budget cycle. She emphasized the importance of the library to the community. She encouraged everyone to get a library card.

// In the matter of Public Comment, Agenda Item #32, Citizen Jennifer Williams addressed Council regarding the Lynchburg Public Library. She emphasized the importance of the library. She said that parents were responsible for what their children read, not the library. She requested that Council fully fund LCS.

// In the matter of Public Comment, Agenda Item #33, Citizen Chris Quigg addressed Council regarding the return to common sense values. He said that public schools were failing because they were no longer connected to God, the Bible, and Christianity. He expressed concerns about the library stocking books on LGBTQ+ topics. He asked that Council lead according to their Christian faith. He requested that Council establish a Library Board and conduct a financial audit.

// In the matter of Public Comment, Agenda Item #34, Citizen Sarah Kalafian addressed Council regarding the public library. She expressed concerns about the books available for young teens, which she believed had an aggressive ideological tone. She said that her concerns were about representation, and the library should benefit the collective values of tax payers. She requested that Council establish a Library Board.

// In the matter of Public Comment, Agenda Item #35, Citizen Gary Taylor, representing Citizens for a Better Lynchburg, addressed Council regarding CIP funds and the state of local schools. He emphasized the need to allocate the $10 million in CIP funds effectively, highlighting that 11 of 12 elementary schools require financial support. He questioned whether funds should be concentrated on one school or distributed across the district for maximum impact. Taylor also advocated for an elected school board, noting that Lynchburg is one of only 13 localities in Virginia without one. He argued that an elected board would prevent City Council from having to intervene in school board matters. He announced his intent to push for this issue to be placed on the agenda. Additionally, he publicly apologized for previous remarks in which he compared a group to Nazis, acknowledging that his frustration led to an inappropriate comment. He reaffirmed the necessity of school closures as a "brutal factor of reality" and urged the community to approach these discussions with respect.

// In the matter of the FY 2026 Budget, Agenda Item #36, Council was presented with the FY 2026 Budget. City Manager Wynter Benda provided the presentation to Council.

Councilmember Misjuns asked what the proposed Real Estate tax rate was. Mr. Benda said that the real estate tax rate was $0.89. He said that the equalization rate was between $0.77 and $0.78. Councilmember Misjuns asked if they were restoring trash fees. Mr. Benda said that they were restoring the $10 collection fee. Councilmember Misjuns asked if they were restoring the DMV license fees. Mr. Benda said that they were restoring the fee. Councilmember Misjuns expressed concerns about the cumulative impact of the fees on single-family property owners.

// In the matter of Planning, Agenda Item #37, previously tabled from the January 14, 2025 City Council meeting, Council considered adopting a resolution amending the Future Land Use Map (FLUM), and; adopting an ordinance approving a rezoning, and; adopting a resolution approving a Conditional Use Permit (CUP) to allow the construction of eighteen (18) townhomes, one (1) duplex, and associated parking at 3142, 3146, and 3150 Wards Ferry Road. Mayor Taylor stated that the item was tabled at the January 14 meeting. Community Development Director William Martin provided the presentation to Council. Timberlake Investments, LLC is petitioning to amend the FLUM, to rezone, and for a CUP to allow the construction of eighteen (18) townhomes, one (1) duplex, and associated parking at 3142, 3146, and 3150 Wards Ferry Road.

The petitioner initially wanted to develop townhomes at this location, but did not have enough acreage to meet the two (2) acre minimum and chose to pursue a twenty-four (24) unit apartment complex instead. That petition was withdrawn prior to the City Council public hearing in October 2023 to again explore the possibility of townhomes. The Board of Zoning Appeals approved a variance on May 30, 2024, to reduce the minimum acreage needed for a townhouse development in this instance.
The Future Land Use Map (FLUM) recommends a Neighborhood Commercial use for 3146 and 3150 Wards Ferry Road properties. These areas consist primarily of office, retail, personal service and restaurant uses that are scaled and designed to be compatible with and serve their immediate neighborhood. The petitioner proposes to amend the FLUM from Neighborhood Commercial to Medium Density Residential. These areas include small-lot single family detached housing, duplexes and townhomes at densities up to twelve (12) units per acre. The Future Land Use Map (FLUM) already recommends a Medium Density Residential use for 3142 Wards Ferry Road.

The proposed townhomes would serve as a transition between the commercially-zoned properties on the opposite side of Copley Place and the single household residences on Adams Drive. Due to the location near the intersection of Wards Ferry and Timberlake Roads, Copley Place should be restricted to right-in, right-out turning movements due to safety concerns, as noted by the Transportation Engineer. This has been recommended as a condition of the Conditional Use Permit. It is likely that improvements to Copley Place to limit turning movements to right-in, right-out only would be required at the site plan phase of a by-right development at this location as well.

The Wards Ferry Road Corridor Study was adopted by City Council on January 14, 2014. The plan recommended "revising study forecasts if land use development policies in the corridor area are modified to accommodate an increase in dwelling units" and that "It is likely that an increase in density will generate traffic volumes that would need a widened Wards Ferry Road to provide adequate service levels." However, uses such as offices, could be permitted by-right in the existing B-1, Limited Business District zoning that may generate more traffic than the proposed twenty (20) units.

Councilmember Misjuns motioned, seconded by Vice Mayor Diemer, to deny the petition. Councilmember Misjuns expressed concerns about the traffic impacts and sight distance issues related to the entrance.

Vice Mayor Diemer said that he was concerned about the traffic safety issues.

Councilmember Reed noted that safety was a concern for this project, but Council did not take into consideration the 300 people who expressed similar concerns about the Wiggington Road project. She said she shared the same concerns for both projects.

Councilmember Faraldi said he did not understand the reasoning behind the safety concerns when Council approved the previous project on Wiggington Road under similar circumstances. He expressed concerns that the City would be sued if they did not maintain a clear process for zoning.

Councilmember Wilder inquired with City staff about the number of units that could be built under the current zoning.

City planning Mr. Tom Martin stated that most of the property is zoned B-1, allowing only a few residential units through a conditional use permit.

Councilmember Timmer expressed concerns about the line of sight issue in this project.

Norm Walton, Perkins and Orrison, representing the petitioner, clarified that the line of sight issue relates to a proposed entrance on the triangular property, not Copley Place. He pointed out that while Copley Place has adequate sight distance.

Councilmember Timmer expressed additional concern about the right-in, right-out traffic flow, and the proximity of a left turn to Timberlake, which cannot be adjusted.

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

Ayes: Diemer, Reed, Misjuns, Timmer	4
Noes: Taylor, Faraldi, Wilder	3

// In the matter of Finance, Agenda Item #38, the item titled "*Consideration of adopting Resolution #R-25-___ to authorize the City Manager to execute a Memorandum of Understanding (MOU) with Roads to Recovery, Inc. (R2R); and consideration of introducing Resolution #R-25-___ amending the FY 2025 City/Federal/State Aid Fund budget and appropriating $193,422 for purposes of providing funds to establish and deliver withdrawal management services",* was referred to the Finance Committee meeting on March 25, 2025.

// In the matter of Economic Development, Agenda Item #39, Council considered adopting Resolution #R-25-024 requesting the Commonwealth Transportation Board provide Economic Development Access

Program Funding. The Economic Development Authority (EDA) of the City of Lynchburg is seeking Council approval for a resolution to apply for funding from the Commonwealth Transportation Board Economic Development Access Program (EDAP). These funds will support the construction of a road to Ivy Creek Innovation Park Sites A & B, enhancing site readiness and positioning the City for industrial growth. City Council has already appropriated Capital Improvement Plan (CIP) funds to extend utilities and construct a road to these sites. If needed, these funds can serve as a match for EDAP. Under the program:

- Up to $700,000 is available with no local match required.
- An additional $150,000 is available with a dollar-for-dollar match requirement.

In addition to the EDAP request, the EDA has reapplied for funding from the Virginia Economic Development Partnership's Virginia Business Ready Sites Program to further support site development. With due diligence completed and road construction set to begin, leveraging state funding accelerates site readiness, enhances Lynchburg's competitiveness, and strengthens its long-term economic growth and job creation prospects.

At its March 11, 2025 meeting, the Physical Development Committee (PDC) recommended approval. As Chair of that committee, Councilmember Timmer brought the committee’s recommendation for approval forward as a motion, noting that the item was unanimously recommended by the PDC. No second was required, and Council, by the following recorded vote approved the motion:

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

Ayes: Taylor, Diemer, Wilder, Faraldi, Reed, Misjuns, Timmer	7
Noes:	0

// The meeting adjourned at 12:15 a.m.

Clerk of Council