

January 11, 2022

// A regular meeting of the Council of the City of Lynchburg was held on the 11th day of January, 2022, at 4:00 P.M. in the Council Chamber, City Hall, MaryJane Dolan, President, presiding. The following Members were present:

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

Absent: 0

// In the matter of Lynchburg City Schools (LCS), Agenda Item #1, Mr. John Collins, Director of Information Technology, LCS, provided Council with a report on the In-Home Network Expansion project. At its December 14, 2021 meeting, City Council considered a request from the Lynchburg City Schools to appropriate funds for various projects using Coronavirus Aid, Relief, and Economic Security Act (CARES) funds designated for the school system. Funds for this project were designated for LCS and there is no local match requirement. City Council requested additional information on one item, which related to the extension of the City Schools information technology network for in-home student connectivity.

Councilmember Nelson asked if the infrastructure could be utilized in any future city-wide broadband efforts; Mr. Collins replied that these towers could be used in partnership with the city or another provider to offer broader services.

Councilmember Helgeson asked for further clarification on the continuance fees; Mr. Collins explained that the fees are for the addition of one full-time employee to help manage the infrastructure and a support contract for any maintenance occurring in the student's homes.

Councilmember Wilder remarked that offering in-home student connectivity is a great way to entice families to stay in the public-school system and he hopes this will help address the declining enrollment.

Councilmember Faraldi asked if this service could be offered to all educational institutions within the city for a small fee; Mr. Collins replied that there are a lot of stipulations for how these federal funds are to be used. Councilmember Faraldi stated that he could not support the recurring costs associated

with the full-time employee and the support contract and because this only addresses a portion of the K-12 citizenry and not all of the city's K-12 citizenry.

Councilmember Tweedy stated that this is a benefit to being a student in the public-school system and is a tool for limiting learning loss due to the shutdown of in-person learning due to COVID. She stated that Council cannot address learning loss for children who are not in the public-school system.

Vice Mayor Wright stated that all the students who will benefit from the recurring cost is well worth the trade.

Councilmember Helgeson asked Council to consider turning down the \$3.5 million dollars. He asked Mr. Collins to elaborate on how many LCS students did not have access to broadband internet. Mr. Collins explained that out of the nearly 8,000 students enrolled, about 47% did not have access to broadband internet based on a survey conducted by the school system.

Councilmember Nelson made the motion to approve Resolution #R-21-088b, seconded by Councilmember Wilder. With no other discussion from Council, the following vote was recorded:

Ayes: Dolan, Wright, Nelson, Tweedy, Wilder	5
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Noes: Helgeson, Faraldi	2
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// In the matter of the City Manager's Office, Agenda Item #2, City Manager Mr. Wynter C. Benda reviewed the 2022 Legislative Agenda. On November 9, 2021 he proposed the City's draft agenda and Council provided feedback. Council then held a Legislative Meeting with its local delegation on November 16, 2021 which provided more feedback, and the Clerk of Council solicited input from the public. On December 14, 2021, Council took up the agenda for a vote which failed, therefore, the agenda was presented for Council action again as it was first presented.

Vice Mayor Wright stated that he was opposed to the addition of the language under the "Principles" category referencing the budget surplus because it is a statement of City policy, and should be debated among Councilmembers, but would be misplaced if included in the City's Legislative Agenda.

January 11, 2022

Councilmember Helgeson made the motion to remove the statement under “Principles” regarding the budget surplus, take out charter change, and adopt the 2022 Legislative Agenda. Councilmember Faraldi seconded the motion but asked for a friendly amendment to the motion for the inclusion of the additional language “The City wishes to explore being considered as the pilot location for the state’s charter school initiative.” Councilmember Helgeson accepted the amendment.

Councilmember Tweedy explained her reservations about supporting the idea of a pilot program without knowing any details about the program itself and about entering into an agreement without knowing if the City can decide to remove itself from the pilot program after receiving those key details if it deemed necessary. She stated that she is not supportive of putting this language into the Legislative Agenda.

Councilmember Wilder stated he was not in support of the inclusion of the charter school language because the City should focus its resources on the challenging issues that the public schools face instead.

Mayor Dolan stated her support on the motion was contingent upon there being an option to accept or not accept the opportunity if selected and that enrollment was truly based on an inclusive lottery system.

Councilmember Nelson stated that an agreement to agree isn’t an agreement at all so the sentence that the City wishes to be considered doesn’t bind the City contractually. This doesn’t impose anything on the students or citizens so he would be in favor of supporting it.

Vice Mayor Wright stated that the motion was to do several things including the removal of the charter change, which he was not in support of, and as such would be voting against the motion.

Councilmember Helgeson stated that opening the City’s charter would allow the General Assembly to change any aspect of the charter. He asked Council to consider agreeing to the removal of the charter change.

Councilmember Nelson stated that he was originally in support of including the charter change during previous discussions in regards to moving the general elections from even years to odd years. At

January 11, 2022

the time, he was not aware that opening the charter without the advocacy of a local legislator could leave the charter open to being modified in any way. He voiced his desire to see the elections moved to odd years, however, he was worried that opening the charter would mean that the General Assembly would direct that Lynchburg have elected school boards. He would rather take the chance of a very politicized November election in even years than invite the opportunity for an elected school board.

Vice Mayor Wright stated that after the instructive discussion, he would be voting in favor of the motion.

Mayor Dolan stated that she will also vote in favor after hearing the dialogue.

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

Ayes: Dolan, Wright, Helgeson, Nelson, Faraldi 5

Noes: Tweedy, Wilder 2

// In the matter of Redistricting, Agenda Item #3, Council reached a general consensus to reschedule this item for the January 25, 2022 Council meeting.

// In the matter of Engineering, Agenda Item #4(a), City Engineer Mr. Lee Newland briefed Council on a resolution issuing a limited non-exclusive license to VA SKYWIRE LLC for the construction, maintenance, and operation of a fiber optic cable system within the corporate limits of the city from 700 12th Street to 1503 Grace Street. The item will come before Council for action on January 25, 2022.

// In the matter of Transportation, Agenda Item #4(b), City Engineer Mr. Lee Newland briefed Council on a resolution requesting the Virginia Department of Transportation (VDOT) to increase the official city street lane mileage for reimbursement of highway maintenance funds for FY 2023. When required, usually each year, the City submits a list of new or improved streets to VDOT for acceptance into the street maintenance system for payments to the City from the Commonwealth. For FY 2023, staff has identified 0.76 lane miles of street segments that need to be added, which include two street segments, Stables Lane (0.08 lane miles – Hawkins Mill Road to the City Limits) and Carroll Avenue (0.68 lane miles – NW

January 11, 2022

Railroad to Albert Lankford Drive). This action is required by VDOT to add these segments for addition to the system. The item will come before Council for action on January 25, 2022.

// In the matter of Parks and Recreation, Agenda Item #4(d), Director of Parks and Recreation Ms. Jenny Jones briefed Council on a resolution approving the use of \$23,000 of the Capital Improvement Program Community Park Investment Fund to match funding raised by the partner group Lynchburg Little League for field renovations in Miller Park. The item will come before Council for action on January 25, 2022.

// In the matter of Parks and Recreation, Agenda Item #4(e), Director of Parks and Recreation Ms. Jenny Jones briefed Council on a resolution approving the use of \$5,000 of the Capital Improvement Program Community Park Investment Fund to match funding raised by the partner group Greater Lynchburg Off-Road Cyclists for a pump track in Peaks View Park. The item will come before Council for action on January 25, 2022.

// In the matter of Roll Call, Councilmember Nelson asked staff to bring back a motion for Council's consideration to revitalize the Education Task Force. Councilmember Faraldi stated that Lynchburg City School's should have looped in City Council before making the decision for E.C. Glass to move to virtual learning for the week. Councilmember Wilder noted that Martin Luther King, Jr. Day is approaching and encouraged citizens to partake in the many events throughout the city; he cautioned citizens to growing number of COVID cases and the strains it has on school officials, healthcare workers, and first responders. Councilmember Helgeson commented that he was able to teach in person at Liberty University and is happy to have the students back. Councilmember Tweedy encouraged citizens to get vaccinated and boosted when appropriate. Mayor Dolan announced a few of the MLK events being hosted in the city; she recognized that January 9, 2022 was National Law Enforcement Appreciation Day; she announced the opening of warming stations in the community; she stated her appreciation for the caregivers in the community.

// On motion of Councilmember Helgeson, seconded by Councilmember Nelson, Council, by the following recorded vote, elected to hold a closed meeting for the discussion of appointments typically held by the position of the City Manager to the following board and commissions: Blue Ridge Regional Jail Authority, Lynchburg Regional Business Alliance, Lynchburg Regional Business Alliance Executive Board, Airport

January 11, 2022

Commission, Region 2000 Services Authority, Transportation Planning Organization, Central Virginia Planning District Commission, Virginia First Cities, Community Economic Development Steering Committee, and Transit Company Board of Directors, pursuant to Section 2.2-3711(A)(1) of the Code of Virginia, 1950, as amended.

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

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

Noes: 0

// The meeting was reopened to the public.

// Councilmember Helgeson made the following motion:

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

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

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

The motion was seconded by Vice Mayor Wright, and Council, by the following recorded vote, adopted the motion:

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

Noes: 0

// On motion of Councilmember Helgeson, seconded by Councilmember Wilder, Council by the following

January 11, 2022

recorded vote appointed the following members to the respective boards and commissions:

Lynchburg Regional Airport Authority: Reid A. Wodicka will remain on the board for an indefinite term.

Blue Ridge Regional Jail Authority: Wynter C. Benda for a term beginning on January 11, 2022.

Transportation Planning Organization: Wynter C. Benda for a term beginning on January 11, 2022.

Virginia First Cities: Wynter C. Benda for a term beginning on January 11, 2022.

Central Virginia Planning District Commission: Wynter C. Benda for a term beginning on January 11, 2022.

Great Lynchburg Transit Company Board of Directors: Reid A. Wodicka for a term beginning on January 11, 2022 and expiring October 31, 2023.

Lynchburg Regional Business Alliance Board: Wynter C. Benda for a term beginning on January 11, 2022.

Lynchburg Regional Business Alliance Executive Board: Wynter C. Benda for a term beginning on January 11, 2022.

Community Economic Development Steering Committee: Wynter C. Benda for a term beginning on January 11, 2022.

Region 2000 Services Authority: Reid A. Wodicka will remain on this board.

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

Noes: 0

// The meeting was recessed at 6:14 p.m.

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

January 11, 2022

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

Absent: 0

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

// In the matter of Recognitions, Mayor Dolan presented Ms. JoAnn Martin, Retired Communications and Public Engagement Director, with a Key to the City for her 39-years of service to the City of Lynchburg. Mayor Dolan also proclaimed January 11, 2022 has JoAnn Martin Recognition Day.

// In the matter of the Consent Agenda Item A, Council conducted a second reading and adopted Resolution #R-21-088a amending the FY 2022 Schools Capital Fund budget and appropriate \$7,796,804 to fund infrastructure upgrades to City School facilities. On motion of Councilmember Helgeson, seconded by Councilmember Wilder, Council by the following recorded vote approved the motion:

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

Noes: 0

// In the matter of the Consent Agenda Item B, Council conducted a second reading and adopted Resolution #R-21-089 amending the FY 2022 City/Federal/State Aid Fund Budget and appropriating \$38,326 to purchase law enforcement equipment for the Police Department, Sheriff's Office, and Office of the Commonwealth's Attorney. On motion of Councilmember Helgeson, seconded by Councilmember Wilder, Council by the following recorded vote approved the motion:

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

Noes: 0

// In the matter of the Consent Agenda Item C, Council conducted a second reading and adopted Resolution #R-21-090 amending the FY 2022 City/Federal/State Aid Fund Budget and appropriate \$60,000 to purchase 75 replacement ballistic vests for law enforcement officers. On motion of Councilmember Helgeson, seconded by Councilmember Wilder, Council by the following recorded vote approved the motion:

January 11, 2022

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

Noes: 0

// In the matter of the Consent Agenda Item D, Council conducted a second reading and adopted Resolution #R-21-091 amending the FY 2022 City/Federal/State Aid Fund budget and appropriate \$50,000 to study potential housing opportunities in the Dearington neighborhood. On motion of Councilmember Helgeson, seconded by Councilmember Wilder, Council by the following recorded vote approved the motion:

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

Noes: 0

// In the matter of the Consent Agenda Item E, Council conducted a second reading and adopted Resolution #R-21-092 amending the FY 2022 City/Federal/State Aid Fund budget and appropriating \$22,717 to provide rapid emergency relief to safely reopen libraries, promote digital inclusion, and support library services that meet the needs of the community. On motion of Councilmember Helgeson, seconded by Councilmember Wilder, Council by the following recorded vote approved the motion:

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

Noes: 0

// In the matter of the Consent Agenda Item F, Council conducted a second reading and adopted Resolution #R-21-093 amending the FY 2022 City/Federal/State Aid Fund Budget and appropriate \$636 to purchase tennis equipment for the youth tennis programs.. On motion of Councilmember Helgeson, seconded by Councilmember Wilder, Council by the following recorded vote approved the motion:

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

Noes: 0

// In the matter of the Consent Agenda Item G, Council conducted a second reading and adopted Resolution #R-21-094 amending the FY 2022 City/Federal/State Aid Fund budget and appropriating

January 11, 2022

\$84,000 to fund equipment for the Fire Department Technical Rescue Team. On motion of Councilmember Helgeson, seconded by Councilmember Wilder, Council by the following recorded vote approved the motion:

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

Noes: 0

// In the matter of the Consent Agenda Item H, copies of the minutes of the September 28, 2021 meeting have been previously furnished to Council, and on motion of Councilmember Helgeson, seconded by Councilmember Wilder, Council by the following recorded vote approved the minutes as presented:

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

Noes: 0

// In the matter of the Consent Agenda Item I, copies of the minutes of the October 12, 2021 meeting have been previously furnished to Council, and on motion of Councilmember Helgeson, seconded by Councilmember Wilder, Council by the following recorded vote approved the minutes as presented:

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

Noes: 0

// In the matter of the Consent Agenda Item J, copies of the minutes of the October 26, 2021 meeting have been previously furnished to Council, and on motion of Councilmember Helgeson, seconded by Councilmember Wilder, Council by the following recorded vote approved the minutes as presented:

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

Noes: 0

// In the matter of Community Development, Agenda Item #7, a public hearing was held and Council considered adopting Resolution #R-22-002 approving the goals of the Community Development Block Grant (CDBG) and HOME Programs for the Program Year 2022 Annual Action Plan.

January 11, 2022

Ms. Melva Walker, Grants Manager, provided Council with a summary of the request. The U. S. Department of Housing and Urban Development (HUD) requires state and local governments which receive federal community development funds, to prepare a Consolidated Plan. The Consolidated Plan for Lynchburg was approved in June 2020 and covers the period from July 1, 2020 through June 30, 2024. This plan outlines the City's needs, goals, and objectives for community development (both housing and non-housing areas). HUD requires CDBG and HOME Program entitlement communities to review these goals on an annual basis. City Council is seeking the input of citizens and other interested parties regarding the approved goals. A 15-day public comment period to receive citizen input regarding these goals was initiated on December 27, 2021 through a legal notice published in The News and Advance.

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

As Chair of the Community Development Advisory Committee (CDAC), Vice Mayor Wright made a motion to approve the resolution, stating this is City Council's annual review of goals. Councilmember Wilder, Vice Chair of CDAC, seconded the motion.

Councilmember Helgeson asked CDAC to focus on housing goals going forward to combat vacant properties, specifically in Ward 2. Ms. Walker responded that the Lynchburg Redevelopment and Housing Authority will be coming forward with an application that will address this issue.

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Councilmember Faraldi asked if there was a way in which to assess how well the city is doing with the goals. Ms. Walker replied that is done individually through the different projects the City funds.

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

Ayes:	Dolan, Wright, Helgeson, Nelson, Tweedy, Wilder, Faraldi	7
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Noes:		0
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// The meeting adjourned at 8:08 p.m.

Clerk of Council