// A regular meeting of the Council of the City of Lynchburg was held on the 12th day of April 2022, at 4:00 p.m. in 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 Horizon Behavioral Health, Agenda Item #1, Council received a presentation from Ms. Melissa Lucy, Executive Director of Horizon Behavioral Health. Ms. Lucy stated that Horizon served wellness centers with a portfolio of services in the City of Lynchburg as well as in the Counties of Amherst, Appomattox, Bedford, Campbell, and in 2021, served over 11,507 clients in the area. Horizon is unique in providing a doctor for patients to be seen the first time they visit the clinic and can receive limited prescriptions until their first appointment. The programs for crisis intervention, crisis stabilization, emergency services, intensive in-home care, on-site pharmacies, program of assertive community treatment (PACT), and regional partnerships have a direct impact on hospital readmission, and indirect impacts included those from case management, on-site primary care provision, and same-day assessments. Telehealth efforts were initiated and implemented within about two weeks of the beginning of the pandemic, and continued to be offered in addition to in-person services. In 2021, capacity was increased for women allow for continued supportive care during the pandemic. The next initiatives for Horizon included expansion of school-based services, Project Link program implementation, and expansion of crisis services. Horizon applied for a permanent supportive housing grant and received 30 vouchers for individuals with mental illness who were in need of housing.

Councilmember Nelson asked what the general percentage of voluntary requests for assistance versus judicial or law enforcement avenues that drew the attention of first responders. Ms. Lucy answered that majority of patients sought treatment voluntarily, which was in large part because of the positive and consistent relationship that Horizon had with local law enforcement. Councilmember Nelson asked if the referral was from law enforcement and the patient followed up on their own initiative without the need for a TDO or ECO. Ms. Lucy said that it sometimes happened, but also sometimes it was because the officers were CIT trained and working closely enough with Horizon that they knew what referrals they needed to make. Councilmember Nelson asked if an officer responded to an event where it was apparent that mental illness issues were present, the officer cleared the call with a voluntary agreement with the person that on their own initiative would make the contact recommended. Ms. Lucy said that sometimes happened, but sometimes officers would bring citizens in person for services or the situation necessitated an emergency custody order. Councilmember Nelson said that he was curious how much compulsion was necessary and whether it required a judicial order. Ms. Lucy replied that it depended on the person, but she estimated that approximately 85% of people came in voluntarily and 15% came in through an order of law enforcement.

Vice Mayor Wright asked what the need for the intermediate beds, which were currently 30 beds at 100% capacity, and if 30 beds was a sufficient number. Ms. Lucy said that the number changes year-over-year, but currently was sufficient. Vice Mayor Wright asked how many people the new Project Link would serve. Ms. Lucy stated that there was no cap on the number of people served with the program, but if demand outpaced the staff's capacity, they would request additional funding to meet the demand, and patients would be served utilizing other programs until Project Link was able to accommodate them. Vice Mayor Wright asked how many people were estimated to be served by the five staff members. Ms. Lucy said it would be approximately 30-50 people depending on the need.

Mayor Dolan said it was important to understand the depth of the mental health situation in the community.

// In the matter of Humankind, Agenda Item #2, Council received a presentation from Mr. Stan Southworth, President of Humankind.

Mr. Stan Southworth, President and interim CEO of Humankind, gave a presentation to the Council. He said that the organization had been able to offer more community-level services in recent decades, and noted that as services were provided, there were more opportunities to collaborate in order to solve community needs. The headquarters of Humankind is located in Lynchburg, with foundational programs offered such as treatment, foster care, adult residential services for individuals with disabilities. For 23 years, they have provided character-based, low-interest automobile loans to those with poor credit. The early headstart headquarters is soon to be open on FInwick Avenue, with space for 48 children aged 18 months to 3 years to be served, along with service to 16 children in Amherst and 16 children in Bedford, for a total of 80 children. The Motherhood Collective is an opportunity for collaboration with a provider from Richmond called Birth in Color, who would provide training, methodology, and understanding, and Humankind would assist with recruitment and fundraising. A challenge in continuing their lending was using a community bank to book the loan, which retained the interest and fees, so in an attempt to capture back some of that revenue, the Humankind Lending Community Development Financial Institution was created as an emerging CDFI that was now booking its loans through opportunities with ways to work at their Lynchburg and Richmond offices. Humankind had 160 employees at locations throughout the Commonwealth of Virginia and had a $16M annual budget.

Mayor Dolan said that the Ways to Work program has been very successful.

Mr. Chalmers Nunn, Jr., Chairman of the Board of Humankind, said that the organization were committed to continue to work with the city and had no further plans.

// In the matter of Redistricting, Agenda Item #3, Council continued a discussion on redistricting. Mr. Kent White, Director of Community Development, gave a brief overview of the item to the Council. This was the monthly work session for redistricting, which was required to do based on the results of the 2020 Census, and through this process, the investment of the City Council's time had made this transparent. Staff requested direction from Council on selecting a scenario, with the intent of providing staff the time to find the legal limits in advance of advertising for the public hearing.

Mr. Tom Martin summarized that per the results of the 2020 Census, Ward II needed to gain population and Wards III and IV needed to shift population. All four scenarios met the requirements for redistricting, which was plus or minus 5% of the mean population, and all maintained a majority/minority population in Ward II. Scenario A moved people from the Oakley Avenue and St. Augustine Street area in Ward III to Ward II, while moving an area from Monticello and Hood Street from Ward IV into Ward II. Scenario B moved an area north of Ivy Creek from Ward IV into Ward I, moved an area from Ward III, the Oakley Avenue area, into Ward II. Scenario C was similar to dividing the city into quadrants, moving the area north of Lakeside Drive from Ward IV into Ward I, Ward II would gain the Oakley avenue area from Ward IV, and a larger area of population in the Oakley and Edley Place area into Ward II, the Windsor Hills area of the city would move from Ward III to Ward IV, and the Perrymont Avenue would change. Scenario D was also similar to dividing into quadrants; the area north of Lakeside Drive shifted into Ward

I, while Ward I moved population south of Lakeside Drive into Ward IV. An area east of Old Forest Road shifted from Ward IV into Ward II, and the Oak Ridge area went to Ward II. A lower standard deviation was closer to the mean, which was 19,827 people, and Scenario D was the closest to achieving that. Scenario A would affect 1,150 people, Scenario B would affect 1,816 people, Scenario C would affect 21,603 people, and Scenario D would affect 9,777 people. Hard copy maps were provided at City Hall and Lynchburg City Library along with the survey, and maps were made available on the city's website, so that comments were collected in written form and electronic form. 156 responses were received over one month, and the majority of responses preferred Scenario D, with 41% of people choosing it as their first choice, and Scenario C was second-most favorable. 87% of survey responses indicated a desire for neighborhoods to be as compact as possible, and 83% felt it was important to keep the neighborhoods contiguous. 42% of people were indifferent to whether they remained in the same Ward or not. After a scenario was selected, boundaries would be drawn and voting precinct locations would be located, followed by a public hearing to be held prior to adopting any Ward boundaries, continuing to look at absentee ballot reporting options.

Vice Mayor Wright asked what the legal requirements for majority/minority districts were. Mr. Martin replied that there was only a requirement that a majority be maintained, but no requirement for it to be at a certain percentage, and all proposed scenarios maintained that. Vice Mayor Wright asked if it was correct that it was not a plurality of the various groups represented, but was a majority, so it needed to be over 50% for the requirement. Mr. Martin replied yes, this was meant avoid dilution of the minority vote. Vice Mayor Wright asked what the deadline was for completing this work. Vice Mayor Wright said that the deadline was 60 days prior to the November election, but staff reasonably needed time to complete the work. Vice Mayor Wright asked where Scenario D originated from. Mr. Martin replied that it was a modification of Scenario C. Vice Mayor Wright asked if this item was closed from additional scenarios being presented. Mr. Martin said no, but it was important for whatever scenarios chosen met the legal requirements and that Council approved of the direction moving forward, and the surveys indicated neighborhood continuity and compaction were of evident importance. Vice Mayor Wright said that he had another scenario to propose for consideration, and would work with Mr. White to bring that information forward at a future meeting.

Councilmember Nelson said that he approved of Scenario C, because it was compact and contiguous as had been recommended for anti-gerrymandering efforts, and it did not split neighborhoods but actually reunited some. He said that he was in favor of Scenario D, because while it did not reunite Cornerstone and Wyndhurst into the same Ward IV, it honored all the other principles that were advocated for, a significant portion of citizens placed it as their first or second choice, it adversely affected a fewer number of citizens compared to Scenario C, and was the closest to the mean number.

Councilmember Helgeson said that he preferred the option with the least disruption. He said that the survey questions were somewhat leading and may not accurately portray what the more nuanced opinions of the citizens were. He said that the next decade would not have so much population decline that action must be made today in order to address the issue that would not be seen for ten years. He said that he could not support creating adverse effects for the constituents of Ward III.

Councilmember Faraldi said that he supported Scenario D due to the data from engagement and his standpoint on maintaining neighborhoods and compacts districts. He said that it was unclear what other options there were for maintaining the mean population and contiguous neighborhoods. He said that there were many streets that had one side in one ward and one in another, and he believed that they should rectify that as a part of this process, and there was opportunity to do so with Scenario D.

Councilmember Wilder asked how many people responded to the survey. Mr. Martin answered that 156 people responded. Councilmember Wilder asked what percentage that was of voters. Mr. Martin said that he did not have an exact percent, but it was very small. Councilmember Wilder said that he preferred the less disruptive scenarios such as A or B, but had not made a final decision, and he looked forward to hearing any new scenarios or other pertinent information about the future direction of the redistricting process.

Councilmember Helgeson asked if it was correct that there was additional work remaining to be done at the precinct level after the scenario was chosen. Mr. Martin said that was correct. Councilmember Helgeson asked if people who were affected by the redistricting would absolutely have to move from one district to another. Mr. Martin replied that they did not have to move, but it would be the best-case scenario, otherwise it would be a split precinct. Councilmember Helgeson asked if that was an option.

Ms. Christine Gibbons, Director of Elections and General Registrar, said that split precincts were an option, but permission must be received from the state and the Attorney General's Office to do so. Councilmember Helgeson asked if someone would be allowed to vote at two different precincts for the two wards. Ms. X said that whatever option was chosen, all streets affected would be changed one at a time in the state's system and notify those affected, so it would be preferred for staff to be given greater than 60 days in order to make the changes, have them approved by the state, and be able to notify constituents in time for early voting to begin in late September. Councilmember Helgeson asked for confirmation that a split precinct would not be undertaken. Mr. Martin replied that it was an option but not an optimal one. Councilmember Helgeson asked if Vice Mayor Wright had an item to present to the Council. Vice Mayor Wright stated that he would like to distribute the map and information for better digestion among the Council.

Councilmember Faraldi said that the true deadline should be 60 days before early voting. Mr. Martin said that that was why the schedule was suggested to give them that extra time. He offered to bring the new scenario back on the February 26 meeting so that the Council could make a clearer decision. Councilmember Faraldi asked if the same amount of public input would be given to the new scenario. Mr. Martin replied that the survey had been closed and the maps had been removed, but it could be reopened. Councilmember Faraldi said that there had been a significant amount of time to receive public feedback, but the feedback would not be nearly as in-depth with this new item. Mr. Martin said that it would not be difficult to reinstate the survey if it assisted in Council's decision. Councilmember Faraldi requested to have the GIS system displayed. He said that the population clumps located south of the city made it impossible to draw districts that maintained the current maps.

City Manager Benda said that the information would be presented at the February 26 meeting, and opportunities for more public feedback would be made available.

// In the matter of Budget, Agenda Item #4A, the Council was briefed on the FY2022 Third Quarter Adjustments. The item will appear before City Council for action on April 26, 2022. Ms. Donna Witt, Chief Financial Officer, gave a summary of the item to the Council. In March, staff began the normal review of FY2022 operating and capital revenues and expenditures of the City's various funds to determine if adjustments were needed prior to the end of the fiscal year. Departments were requested to submit any necessary adjustments that needed to be considered. Attachment A provides proposed expenditure and revenue adjustments based on the third quarter review. The General, City/Federal/State Aid, Forfeited Assets, Children's Services Act (CSA), Regional Juvenile Detention Home, Sewer, Airport, City Capital Projects, Schools Capital Projects, Sewer Capital Projects, and Airport Capital/Grant Projects Fund are amended to reflect the FY2022 Third Quarter Adjustments.

// Item #5, Roll Call, Councilmember Tweedy said that she had a phone call from a citizen regarding a new library and the owners of the River Ridge Mall being able to pull literature from shelves or limit operations of a public library due to its location. She said that all public needs of the library must be met so that it could still be a public system operated by the city. City Attorney Freedman said that the management would be allowed to restrict things in the common areas of the mall, but the operations of the public facility would be that of a public building, and that would be included in the agreement so that what happened there would be subject to state, federal, and city rules. Councilmember Tweedy said that there was also concern over the $100,000 per year towards maintaining of that mall as an agreement, and there was request for a future investment plan for the Plaza Main Library so that it was not negatively affected when other developments were pursued. City Manager Benda said that there was a current Capital Improvement Project to plan for investment of $3.5M at the plaza branch, which could be made available to Councilmembers as soon as possible.

Councilmember Faraldi congratulated the 16 new firefighters who he saw graduate from the academy. He said that it was also public safety telecommunications week. He thanked the city staff for working to install yield signs for pedestrian crosswalks on Enterprise. He said that speeding continued to be an issue within all areas of the city, so he would like to investigate tools or a dialogue about investing resources to address the issue. City Manager Benda said that options included decreasing speeds in residential areas, which residents usually disapproved of, a zero-tolerance policy, which also could cause negative public reaction due to the heavy enforcement and resulting issuance of tickets, and speed monitoring signs to show drivers their own speed, which could help reduce speeding behaviors.

Councilmember Wilder said that the firefighters' graduation was a wonderful celebration. He said that there was a rededication ceremony at Biggers Park. He said that he also met with residents of the Tyreanna area who had concerns about the project, and would be discussing these with Mr. White. City

Manager Benda said that there was a date specific to present to the Council to consider about Tyreanna, and they would ensure that date was made available.

Mayor Dolan said that on April 1, the Lynchburg Fire Department Relay for Life Team kicked off their annual fundraising campaign for the American Cancer Society. She said that research showed that firefighters as a profession were at increased risk of being diagnosed with cancer at approximately 15% over the general population, but unfortunately , cancer was not isolated to the fire profession and affected everyone in various ways. She said that the Fire Department's number one fundraiser was the Purple Bucket Campaign, held at Walmart on Wards Road. She said that last year, they collected almost $20,000 of the overall $80,000 collected for the greater Lynchburg area. She said that members of the Lynchburg Fire Departments would be stationed at Wards Road, Wednesday through Friday of this week, collecting donations for the American Cancer Society in support of local patient programs and cancer research efforts.

// In the matter of Agenda Item #6, the Council considered a closed meeting to discuss the appointments to the following Boards and Commissions: Lynchburg Regional Airport Commission and Local Emergency Planning Committee, pursuant to §2.2-3711(A)(1) of the Code of Virginia, 1950, as amended.

Councilmember Helgeson made a motion to go into a closed meeting, seconded by Councilmember Wilder, and with no further discussion, the following vote was recorded:

Ayes: Nelson, Tweedy, Helgeson, Dolan, Wright, 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

// No appointments to the Lynchburg Regional Airport Commission or the Local Emergency Planning Committee were made at this time.

// The meeting was recessed at 5:44 p.m.

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

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

Absent: 0

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

// In the matter of Recognitions, Mayor Dolan recognized Katharine Caprise and Arghya Thallapragada, Mayor's Youth Council, Public Safety Telecommunicator Week, and National Community Development Week.

// In the matter of Consent Agenda Items A and B, copies of the January 11, 2022 and January 25, 2022 City Council meeting minutes were previously furnished to the Council, and on motion of Councilmember Wilder, seconded by Councilmember Tweedy, the following vote was recorded:

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

// In the matter of Agenda Item #7, a public hearing was held and Council considered adopting an Ordinance #O-22-023, approving the alley vacation of an unnamed alley between 101 and 103 Linden Avenue. Council was previously briefed on this item during its March 22, 2022 Business Item Briefings. Mr. Kent White, Community Development Director, provided a brief summary of the petition. Mark F. and Kristen C. Bushing are petitioning to vacate an unopened portion of an unnamed alley, located between

101 and 103 Linden Avenue. The alley vacation is proposed to allow the combination of their properties. The Technical review Committee reviewed the petition on November 2, 2021, and their comments have been addressed.

The petitioner, Mr. Bushing, addressed the Council and stated that he and his wife wanted to consolidate their properties.

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.

Councilmember Helgeson asked if the alley would be able to be used by the other residents of the street. Mr. White replied that the other end of the alley had already been vacated. Councilmember Helgeson asked if the map provided was out of date because the other part was no longer an alley. Mr. White replied that the dates of the title research did not reflect what was currently at the site.

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

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

// In the matter of Agenda Item #8, the Council considered approving an Ordinance #O-22-024 to releasee surplus funds received by the city from the delinquent tax sale of 1119 Wise Street to Robert L. Crews, Sr., the prior sole owner of the property. The Council was previously briefed on this item on March 22, 2022.

Vice Mayor Wright made a motion to approve the ordinance, seconded by Councilmember Wilder.

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

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

// In the matter of Agenda Item #9A, the Council considered a Resolution R-22-025 appropriating the FY2023 General Fund Operating Budget excluding Discretionary External Service providers.

Councilmember Faraldi made a motion to approve adoption of the FY2023 General Fund, with an amendment incorporating the equivalent reduction of 2 cents of property taxes in the allocation with the CIP, seconded by Councilmember Nelson.

Councilmember Faraldi said that by Council adopting his motion, it would equate to a 2-cent tax credit on property taxes in Lynchburg. He said that this could be achieved with the Ivy Creek development, or they could confer with the City Manager at their next meeting.

Councilmember Nelson said that the taxpayers were deserving of a return of the portion of the balance that was collected from them unexpectedly. He said that he would support Councilmember Faraldi's motion.

Mayor Dolan said that she would support a one-time 2-cent tax credit.

Councilmember Wilder asked if it was possible for the funds to be utilized with the Ivy Creek development and how it would affect that project. City Manager Benda replied that it was possible to postpone funding for the project and resume it in FY2024. He stated that there were resources through the Finance Committee, that if something became immediately available, there was capacity there for it. Councilmember Wilder asked if the Economic Development team had been consulted about the possible change. City Manager Benda stated that they had been notified and were in support.

Councilmember Tweedy said that the additional funds in the general fund last year were able to be allocated in part towards public safety efforts. She asked if staff could analyze the funding formula for city schools in the budget for next year so that the School Board would not have to do so. She said that she could support a one-time 2-cent credit through personal property and car tax relief.

Councilmember Nelson said that the intention was that this would be a real estate property tax credit and not a property tax credit.

Mr. Freedman, City Attorney, said that State Code provided that for the real estate credit being discussed, in the future, personal property may also be included under that statute. He said that if the motion passed, he would bring back an ordinance that described a method to give back the surplus being discussed. Councilmember Faraldi replied that this aligned with his expectation, especially if it aligned with Councilmember Nelson's second.

Vice Mayor Wright said that the conservative budgeting in finance led to the budget surplus that had been discussed, and it should be emphasized that no one was accidentally overtaxed, but were taxed according to the assessment presented by the City Assessor, which was based on market research and validated by the City Council. He said that there was an appeal process for anyone who wanted to appeal their real estate tax rate. He said that many necessary services would not have been possible had the tax rate been equalized last year. He said that the personal property tax relief would benefit many households.

Councilmember Helgeson stated that past public comment and Finance Committee input indicated that there was disapproval and no necessity for the tax raise. He said that they had overtaxed the citizens intentionally, and it should be returned to them. He said that he could not vote in favor of this because they could do much more.

Councilmember Nelson stated that proposed equalization from last year that multiple Councilmembers supported was a 2- to 3-cent equalization, which was defeated. He said that he was glad that the 2-cent equalization was found appropriate by the Council this year.

Vice Mayor Wright stated that he did not agree with the perspectives of those Councilmembers last year and that he did not hold that position.

Councilmember Faraldi motioned for the pending question.

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

Ayes: Dolan, Wright, Nelson, Tweedy, Wilder, Faraldi	6
Noes: Helgeson	1

// In the matter of Item #9B, the Council considered a Resolution #R-22-026 appropriating the FY2023 Discretionary External Service Providers Budget.

Vice Mayor Wright made a motion to adopt Resolution #R-22-026 FY2023 Discretionary External Service Providers Budget, seconded by Councilmember Wilder.

Councilmember Faraldi said that due to the continuance of concern with sending funds to Legal Aid, he wanted to note his opposition to the vote.

Councilmember Helgeson said that he would not vote for this item because they had never even discussed the $50,000 line item for the Downtown Lynchburg Association.

Vice Mayor Wright asked City Manager Benda if the Downtown Lynchburg Association did not want the money. City Manager Benda said that there was an opportunity in the impending year to use their resources to be able to support with community events downtown working with the Downtown Lynchburg Association.

Councilmember Nelson said that there was a modest allocation made to Legal Aid, and while they had faced criticism for the cases that their organization, Legal Aid greatly assisted the 55 to 65 attorneys in the city who donated their time to give legal representation to those who could not afford it. He said that by doing the frontline processing and evaluation, Legal Aid allowed more attorneys to donate their time, resulting in a tremendous benefit of ensuring equal justice for all in the city.

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

Ayes: Dolan, Wright, Nelson, Tweedy, Wilder	5
Noes: Helgeson, Faraldi	2

// In the matter of Item #9C, the Council considered a Resolution #R-22-027 appropriating the FY2023 Operating Fund Budgets for all other funds and appropriating the sums of each fund.

Vice Mayor Wright made a motion to approve the Resolution #R-22-027 appropriating the FY2023 Operating Fund Budgets, seconded by Councilmember Wilder.

Councilmember Helgeson said that an assumption of the budget was raising of the water, stormwater, and sewer rates. City Manager Benda replied that it was a separate item to be decided by the Council. Councilmember Helgeson said that the revenue was assumed to be gathered and used in the budgets presented. City Manager Benda said that was correct. Councilmember Helgeson said that he would not be supporting the vote, because they had only recognized the city’s needs.

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

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

Noes: Helgeson, Faraldi 2

// In the matter of Item #9D, the Council considered a Resolution #R-22-028 approving the FY2023-FY2027 Capital Improvement Program.

Councilmember Wilder made a motion to adopt Resolution #R-22-028 approving the FY2023-FY2027 Capital Improvement Plan, seconded by Vice Mayor Wright.

Councilmember Faraldi made a motion to amend the motion to approve the CIP and strike the Riverfront Park allocation of ARPA totaling $3.875M and reappropriating them to the pay-as-you-go (PAYGO) projects, affording the opportunity for 6.4 cents on the personal property tax rate as a one-time credit, seconded by Councilmember Helgeson.

Councilmember Helgeson stated that they should take time before deciding to allocate nearly $4M to a park located in a floodplain. He said that the taxpayers could appreciate the relief if the funds were given in the form of a tax credit.

Vice Mayor Wright said that he opposed the motion because the park would be designed to meet engineering standards for the terrain and was an exciting development for the city.

Councilmember Nelson stated that it was likely essential to at least construct some quality restrooms and remove the portable toilets in Riverfront Park, but some of the other proposed amenities could be funded in different ways. He said that he would not oppose that funding and would leave it to the city to decide the hierarchy of when to engage aspects of the renovations. He said that for that reason he would oppose the amended motion.

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

Ayes: Helgeson, Faraldi 2

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

Councilmember Faraldi made a motion to amend the motion to assign the allocated ARPA funds for the downtown sweeper, City Council tech upgrades, and pedestrian waste containers to one-time pay-as-you-go projects to create the opportunity for a 1-cent tax credit, seconded by Councilmember Helgeson.

Councilmember Helgeson said that they had received $33M in ARPA funding but was not focused on a single, agreed-upon project, and they had an opportunity to address that by giving the taxpayers a 1-cent credit. Mayor Dolan replied that some of that was being addressed in property tax relief and real estate tax relief, so it was not being totally discounted.

Councilmember Nelson said that the street sweeper and self-compacting trash cans were meant to help personnel be more efficient in operating only when needed, and was meant to translate into net savings for the city over time. He said that it was more efficient to have a small machine to sweep the streets to reach the downtown streets, so he favored that and the other small items that saved taxpayer money.

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

Ayes: Helgeson, Faraldi	2
Noes: Nelson, Tweedy, Dolan, Wright, Wilder	5

Mayor Dolan said that the original motion, a Resolution appropriating the FY2023-FY2027 Capital Improvement Program, was before the Council.

Councilmember Faraldi said that he felt they should vet every opportunity to give the money back to the taxpayers and was pleased to see some relief in the equalization of the personal property tax rate.

Councilmember Helgeson said that it would be prudent to focus the ARPA funds on pay-as-you-go projects that they knew they had to spend money on rather than using it on many different projects. He said that he was not in favor of this item because of the missed opportunity.

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

Ayes: Dolan, Wright, Nelson, Tweedy, Wilder	5
Noes: Helgeson, Faraldi	2

// In the matter of Item #9E, the Council considered a Resolution #R-22-029 appropriating $50,000 of the FY2023 Reserve for Contingencies for use by the City Manager.

Vice Mayor Wright made a motion to approve Resolution R-22-029 appropriating $50,000 of the FY2023 Reserve for Contingencies for use by the City Manager, seconded by Councilmember Helgeson.

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

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

Noes: 0

// In the matter of Item #9F, the Council considered a Resolution #R-22-030 setting the Personal Property Tax Relief Rate.

Councilmember Faraldi made a motion to approve the Resolution #R-22-030 setting the Personal Property Tax Relief Rate, seconded by Vice Mayor Wright.

Councilmember Helgeson asked Chief Financial Officer, Ms. Donna Witt, if more tax relief could be given in the budget under this item. Ms. Witt replied that this was a calculation that applied the $5.5M received from the state based on the value and number of vehicles, among other things. Councilmember Helgeson asked if the 75% fair market value figure was part of this budget as well. Ms. Witt replied no, those bills were already done and should be going out in the coming weeks.

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

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

Noes: 0

// In the matter of Item #9G, the Council considered adoption of an Ordinance #O-22-031 setting the water, sewer, and stormwater rates.

Vice Mayor Wright asked what rates by law they were required to adjust and by how much. Mr. Wodicka said that with a consent order for the sewer rate, it was approximately $5 per single family household. Vice Mayor Wright asked for clarification about what a consent order was. Mr. Wodicka said that it was an agreement with the state government from the 1990s related to pollution the city was engaged in as a result of the sewer system, so they came up with a plan to stop polluting by spending a certain amount on their rates to make the capital repairs to the system. Vice Mayor Wright asked if it was correct that if they did not adopt this rate, the state could sue the city and get a court order to compel the city to do it. Mr. Wodicka said they would be out of compliance, likely costing far more. Vice Mayor Wright asked if a court could find them out of compliance. Mr. Wodicka said that they would be forced to do physical improvements in a certain time period. Vice Mayor Wright said that they did not have a choice. Mr. Wodicka said that was correct. Vice Mayor Wright asked if the other rate increases proposed were to go to investments in staffing and infrastructure. Mr. Wodicka said that was correct. Vice Mayor Wright emphasized that these rate increases were necessary to keep adequate staff and care of water infrastructure in place.

Vice Mayor Wright made a motion to adopt the Ordinance #O-22-031 setting the water, sewer, and stormwater rates, seconded by Councilmember Wilder.

Councilmember Helgeson said that there was no mandate on what they had to charge on a common good fee, extra trash rate, or service fee that was added onto water bills. He said that he would vote in favor of looking at their water and sewer rates if Council was willing to give a reimbursement to their citizens rather than tax increases.

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

Ayes: Dolan, Wright, Nelson, Tweedy, Wilder	5
Noes: Helgeson, Faraldi	2

// The meeting adjourned at 8:59 p.m.

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Clerk of Council