

February 10, 2026

// A regular meeting of the Council of the City of Lynchburg was held on the 10th day of February 2026 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, Stephanie Reed, Chris Faraldi, Sterling A. Wilder, Martin Misjuns, Jacqueline Timmer.

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Absent:

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// In the matter of Central Virginia Continuum of Care, Agenda Item #1, Council held a work session regarding Central Virginia Continuum of Care Update. Executive Director of Miriam's House Sarah Quarantotto provided a presentation to Council. The Central Virginia Continuum of Care (CVCoC) is a coalition of agencies, nonprofits, congregations and individuals working to end homelessness. The CVCoC is responsible for the homeless response system that meets the needs of persons experiencing homelessness in the City of Lynchburg and the Counties of Amherst, Appomattox, Bedford and Campbell.

Councilmember Reed asked if there was an update regarding The Ramp Church.

Ms. Quarantotto reported that she met with the organization and representatives from the Department of Housing and Community Development earlier that day. She explained that a primary delay involved securing insurance for the church building due to its change in function but noted that insurance has now been obtained and the organization is moving forward with hiring and anticipated opening in March.

Councilmember Wilder asked if there were other agencies or localities that sponsored construction of shelters.

Ms. Quarantotto said that there were examples. She said that Harrisburg had received ARPA funds during the COVID-19 pandemic that were used to construct a shelter and issue an RFP for a provider to manage it. She said that the locality owned and maintained the building, but operations were managed by a nonprofit.

Councilmember Misjuns asked for more information about the rise in the homeless population since 2020.

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Ms. Quarantotto said that in 2022, she would have attributed the decrease in homelessness during the pandemic to eviction moratorium and rental relief programs, but the numbers for Lynchburg remained lower than pre-pandemic levels. She said she did not know why that was, as most communities were experiencing increasing numbers of homeless people.

// In the matter of Park View Community Mission, Agenda Item #2, Council held a work session regarding Park View Community Mission's Life Skills Institute Update. Executive Director of Park View Community Mission Dr. R. Todd Blake provided a presentation to Council. The Life Skills Institute partners with local employers, institutions and non-profit organizations to help participants remove barriers to successfully enter and advance in the workplace.

Councilmember Reed thanked Mr. Blake for the work they did in the community.

Councilmember Timmer expressed her appreciation for the services provided by the Park View Community Mission.

Councilmember Wilder expressed his appreciation for the work being done in the community, particularly in providing life skills classes, sports equipment, and work attire for youth.

// In the matter of Horizon Behavioral Health, Agenda Item #3, Council held a work session regarding the Horizon Behavioral Health Update. Chief Executive Officer of Horizon Behavioral Health Melissa Lucy provided a presentation to Council. Horizon Behavioral Health's mission is to support and promote the health, independence and self-worth of individuals and families in Central Virginia by providing a continuum of community-based treatment, prevention, early intervention, and aftercare services for persons affected by mental health, intellectual disabilities, substance use and co-occurring disorders.

Vice Mayor Diemer thanked Ms. Lucy and her team for the positive impact they had on the community.

Councilmember Wilder expressed gratitude for the service provided to the community, highlighting the importance of collaboration and the impact of specific projects, such as the crisis recovery center.

Councilmember Misjuns mentioned a concern about the potential impact of recreational marijuana legalization on community services, citing a personal experience with his cousin's struggles

with long-term cannabis use. He suggested a proactive approach to educating schools and the community about the dangers of marijuana.

Ms. Lucy explained that her prevention department educated people about the risks of marijuana use, which can lead to the use of harder drugs. She said that they viewed prevention as equally important as treatment. She emphasized the importance of stopping individuals from entering the substance use cycle, as it can prevent long-term care, suicide, and family suffering. She said that she was open to any ideas from Council on how to increase outreach.

Councilmember Reed highlighted the issue of secondhand marijuana smoke affecting children. She suggested that they consider ways to increase educational outreach about the effects of secondhand marijuana smoke.

// In the matter of Procurement, Agenda Item #4, Council was briefed regarding the Repeal of Outdated Procurement Ordinance. City Attorney Matthew Freedman briefed Council on the matter. Article VI of Chapter 18 of the City Code was replaced by Chapter 18.1 of the City Code and applicable Virginia law. This action is a cleanup of the City Code to remove previously replaced authority.

// In the matter of the Police Department, Agenda Item #5, Council was briefed regarding the City-wide Youth Curfew Ordinance Extension. Chief of Police Kenneth Edwards briefed Council on the request to renew the City-wide Youth Curfew, which was set to expire on March 2, 2026.

Councilmember Reed said she supported the request since the figures seemed to demonstrate that the curfew was successful.

Councilmember Wilder asked if they had found any negative impacts from the curfew, such as people being wrongly accused. Mr. Edwards said he was not aware of any negative effects.

Councilmember Timmer suggested exploring more comprehensive ways to address issues from a preventative standpoint. She said that she appreciated the data, but she believed a perpetual youth curfew was not best for the City.

Councilmember Misjuns said they should consider how to transition away from the curfew and find the next steps. Mr. Edwards agreed, stating that was why he only recommended a year-long

extension. He said that this would enable them to review more data and find ways to transition away from the curfew.

Councilmember Reed stated that in terms of an off-ramp, curfew activity and trends may vary by season, particularly during the summer months, and stated that additional data should be reviewed before making a long-term decision.

Mayor Taylor suggested that they collect community input on how to move forward from the curfew.

// In the matter of the Fire Department, Agenda Item #6, Council was briefed regarding Safe Haven Baby Boxes. At the request of Councilmember Misjuns, Interim Fire Chief Jonathan Wright provided the briefing to Council on the Safe Haven Baby Boxes program.

Councilmember Reed asked about the annual maintenance fees associated with the baby boxes.

Mr. Wright mentioned a \$1,000 maintenance fee that was payable directly to Safe Haven. He said that there were also costs associated with the alarm companies and general liability insurance.

Councilmember Misjuns announced that he was currently in contact with an agent of the anonymous donor, who was watching the meeting. He said that he received an indication that the donor was willing to cover the maintenance fees.

Councilmember Wilder asked how much the baby box cost.

Mr. Wright said that the cost was \$15,000 for the box itself.

Vice Mayor Diemer suggested that the City perform community outreach to educate City residents about the baby boxes.

Councilmember Misjuns asked if there was a timeline.

Mr. Wright said that the estimated delivery time was eight weeks after receipt of the order, based on the latest advertisement. He said that he would verify the timeline once the agreement was finalized. He expected that they would have the box installed by summer, at the latest.

Councilmember Misjuns asked if Council would have to take action to appropriate funds for the boxes.

Councilmember Misjuns asked what the timeline would be for Council to act.

Mr. Wright said that the funds would likely be transferred directly to Safe Haven, and he was not certain if they would have to pass through Council.

City Manager Wynter Benda said he would work with the Finance Department to finalize the total cost.

Councilmember Misjuns stated that he hopes there will be a ribbon cutting that Council can attend.

// In the matter of the Police Department, Agenda Item #7, Council was briefed regarding Cooperating with State and Federal Authorities. Councilmember Faraldi briefed Council on a proposed resolution regarding a recent executive order from the Governor concerning local law enforcement cooperation with federal law enforcement. The resolution set the expectation that local police departments will continue to cooperate with federal agencies, but it did not require them to take on specific tasks or costs for federal agencies.

Mayor Taylor requested that Chief of Police Kenneth Edwards provide more information to Council.

Mr. Edwards explained that LPD was not part of the 287(g) program, but they did assist ICE with criminal matters, as they did with other federal partners. He said that they did have a point of contact with ICE in the Salem office, which helped improve communication. He said that joining the 287(g) program would detract from public safety in the City.

Councilmember Misjuns said that he and the Vice Mayor had attended a Teams meeting with the acting unit chief for enforcement and removal operations at ICE headquarters in Washington, D.C., where they discussed the 287(g) program. He said that highlights from the meeting included the possibility of tailoring MOAs to local needs, no requirement to send personnel outside the area, and reimbursement for staff time spent on the program. He said that key points included a \$7,500 stipend for office equipment, a \$100,000 one-time payout for transportation needs, and reimbursement for staff time spent on the program. He said that having officers certified in the program would add more tools to the LPD toolkit. He requested that staff draft a resolution to initiate the 287(g) process and present it at the next meeting.

Mr. Edwards clarified that the 287(g) program was largely a civil matter. He said that they already had partnerships with federal agencies to collaborate on criminal matters, and they had assisted ICE in the past.

City Attorney Matthew Freedman clarified with Councilmember Misjuns that the requested resolution was to initiate the 287(g) agreement, but with a condition that the MOU be modified to include the benefits previously described and to only focus on LPD staff working within the City and no other location.

Councilmember Misjuns said that the proposed resolution would be to enter into a 287(g) agreement with training for at least one LPD officer. He said that any specifics of the MOU would be between ICE and the Chief of Police.

Mr. Freedman clarified that the intent was to draft a modified MOU.

Councilmember Misjuns said that he would provide all the information he received about the MOU so staff could figure out the details.

Councilmember Faraldi said that Councilmember Misjuns' request was an affront to the expertise and recommendations of staff. He reiterated that staff had recommended that they could continue collaborating with federal agencies, as they had been doing. He said that he brought this matter forward because the Governor had changed the mandate, and his intention was to continue operations and demonstrate a pragmatic approach to enforcing the law. He noted that ICE would be engaging in civil matters, not just criminal, and state code explicitly prohibited local involvement in these civil matters.

Vice Mayor Diemer said that in the meeting with Councilmember Misjuns and ICE officers, they provided information that contradicted the memo released by the Chief of Police. He suggested that staff review the available information and issue any corrections. He said that the 287(g) program was the right way to cooperate with ICE. He noted that the program came with funding and training for staff.

Councilmember Timmer said she believed that this was a discussion that Council should have. She said that she supported Councilmember Faraldi's resolution and that his and Councilmember Misjuns' resolutions could work together.

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Councilmember Reed pointed out that none of the current officials at the table had extensive experience in the departments they were criticizing, and she suggested that this expertise should be valued and respected. Councilmember Reed suggested that Council allow staff to review the information presented by Councilmember Misjuns and present their recommendations at a later meeting.

Mr. Edwards said that he could follow up with the information that had changed since the October 2025 memo. He clarified that what had not changed was that the 287(g) program would remove officers from the City police force as they responded to immigration issues where they were needed. He clarified that coming into the country illegally was a civil infraction, but returning after being deported was a crime. He said that LPD was tasked with enforcing local and state criminal and traffic laws, and civil processes did not fall under the jurisdiction of LPD.

Vice Mayor Diemer said that he supported Councilmember Faraldi's resolution.

Councilmember Misjuns said he supported Councilmember Faraldi's resolution, but he believed it did not go far enough.

// In the matter of Roll Call, Councilmember Faraldi announced that he had one item on the agenda, which would be addressed under Business Item Briefings related to snow removal penalties for sidewalks.

Councilmember Wilder announced that the Unity Walk was scheduled for February 21 at 11 a.m., and it started at the intersection of 5th and Federal.

Councilmember Timmer said the unprecedented weather raised concerns about the City's preparedness, including the emergency services specialist's full-time residency in Alabama. She emphasized the importance of quality improvement practices and requested a business item briefing at the next meeting to discuss and receive staff input on improving emergency services and communications.

Mr. Benda said that staff planned to provide Council with a written after-action report on the inclement weather after February 17. He suggested that staff return with Councilmember Timmer's request at one of the meetings in March.

Councilmember Timmer said that she would follow up with staff.

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Councilmember Misjuns requested a business item briefing to explore the impact of raising the threshold for the gross receipts exemption from \$100,000 to \$125,000, \$150,000, or even \$200,000, and to prepare options for a vote to increase the threshold.

Vice Mayor Diemer requested that Council consider ways to reduce the speed limit on Leesville Road to 35 mph from Timberlake to Greenview. He requested that staff present information about how to add lighting to the blackhole on the expressway, which was the result of annexation. He reported that he had counted nearly 500 streetlights which were out, and Appalachian Power had reported that all the broken lights would be fixed by the end of the month.

// The meeting was recessed at 6:30 p.m.

// A regular meeting of the Council of the City of Lynchburg was held on the 10th day of February, 2026 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, Stephanie Reed, Chris Faraldi, Sterling A. Wilder, Martin

Misjuns, Jacqueline Timmer. 7

Absent: 0

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

// In the matter of the Consent Agenda, Agenda Item #1, Council considered adopting Resolution #R-26-004 amending the FY 2026 City/Federal/State Aid Fund budget and appropriating \$45,590 to enhance drug testing to comply with best practice standards in the Lynchburg Adult Recovery Court.

Councilmember Misjuns motioned, seconded by Councilmember Timmer, to adopt Resolution #R-26-004.

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

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

Noes: 0

// In the matter of the Consent Agenda, Agenda Item #2, copies of the minutes of the January 13, 2026 City Council meeting were previously furnished to Council.

The minutes were deferred for consideration to review corrections submitted by councilmembers.

// In the matter of Planning, Agenda Item #3, Council conducted a public hearing in consideration of adopting Resolution #R-26-008 amending the Future Land Use Map and adopting Ordinance #O-26-009 changing the zoning of a certain area located at 1516 Greenview Drive and both 798 & 794 Leesville Road. City Planner Rachel Frischeisen provided the presentation to Council. TPB Enterprises, LLC is petitioning to amend the Future Land Use Map from Neighborhood Commercial to Community Commercial and to rezone approximately four and nine hundred fifteen thousandths (4.915) acres located at 1516 Greenview Drive, 798 & 794 Leesville Road from R-1, Low Density Residential District; B-1, Limited Business District; and B-3C, Community Business District (Conditional); to B-3C, Community Business District (Conditional) to allow for a fuel center and convenience store on a portion of the property.

The City's Comprehensive Plan 2013-2030 recommends Neighborhood Commercial uses for the property. The petition proposes to amend this to Community Commercial. The proposed FLUM amendment to Community Commercial aligns with the requested B-3, Community Business District, and is logical given the location at the intersection of two (2) major corridors. According to aerial photography, 1516 Greenview Drive has never been improved, and given the high traffic counts of the adjoining roads, is unlikely to be developed under the current R-1, Low Density Residential District zoning. The proposed B-3C, Community Business District (Conditional) is consistent with the B-3C zoning that exists on approximately half of the site. Approval of the petition would allow the existing nursery business to remain and facilitate development on the remainder of the site.

Chris Burns, Westwood Professional Services and representing the petitioner, provided a presentation to Council. He explained the proposed traffic changes for the Wawa site, including a dedicated left turn lane and raised medians to restrict left-hand movements. He emphasized the importance of the traffic study, which was conducted in coordination with transportation staff. The study found negligible impacts on existing roadways, and most of the traffic generated by the site was "pass-by traffic".

Mayor Taylor opened the public hearing for comments from the public.

Mike Barg, real estate engineer representing Wawa, provided comments in support of the project.

Tom DeWitt spoke in favor of the project. He said that the zoning made sense for the area, and he encouraged Council to focus on revisiting undeveloped parcels in the City.

Thomas Sorrels, speaking in opposition, addressed Council regarding concerns about traffic safety and shortcomings in the traffic study.

Mayor Taylor provided the petitioner time for rebuttal.

Mr. Burns clarified that, while the nearby townhome development was not part of the original traffic study, they had prepared a supplemental narrative to address the development. He noted that including the townhomes did not change the overall conclusions from the study, and the impacts remained negligible, as confirmed by staff.

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

Councilmember Faraldi expressed interest in exploring options for rezoning vacant property, particularly in cases where the owner agreed to change the zoning. He said that this could potentially spur development.

Councilmember Misjuns said that they needed to revisit the planning for the Leesville and Wards Ferry corridors.

Tom Martin, Community Development Director, said that he would consult with the Director of Public Works on how to move forward with Councilmember Misjuns' request.

Vice Mayor Diemer said he supported the petition, but he requested a lower speed limit on Leesville Road to 35 mph along the entire road to address speeding and improve safety. He expressed concerns that attempts to slow down traffic on the road have not been effective.

Councilmember Reed expressed her support for the petition, but she emphasized the need to address the safety concerns raised by citizens.

Councilmember Wilder said that he supported the project.

Councilmember Misjuns motioned to adopt Resolution #R-26-008 and Ordinance #O-26-009, and lower the speed limit on Leesville Road to 35 mph by June 1, 2026.

Councilmember Faraldi called a point of order. He said that he wanted to support Councilmember Misjuns' motion to lower the speed limit, but Council had not reviewed that matter in a work session, so they should not be taking action on it at the moment.

City Attorney Matthew Freedman suggested that City staff should review the request to lower the speed limit to ensure that a traffic study was not required. He suggested that the motion should be amended to direct staff to bring the speed limit change back for consideration.

Councilmember Misjuns amended his motion, as recommended by the City Attorney, to direct staff to bring the speed limit reduction back before the Council for consideration.

Vice Mayor Diemer seconded the motion.

Councilmember Faraldi requested to separate the question.

Councilmember Timmer said that there was no motion to separate the question in the rules of procedure, so she suggested adding one at a later time. She said she supported separating the question in this instance.

Councilmember Misjuns said he supported separating the question.

With no further discussion from the Council, the following vote was recorded on the motion to adopt Resolution #R-26-008 approving the amendments to the Future Land Use Map:

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

Noes: Faraldi 1

With no further discussion from the Council, the following vote was recorded on the motion to direct staff to initiate the process to lower the speed limit on Leesville Road to 35 mph:

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

Noes: 0

Councilmember Misjuns motioned, seconded by Councilmember Reed, to adopt Ordinance #O-26-009 approving the rezoning.

With no further discussion from the Council, the following vote was recorded on the motion to adopt Ordinance #O-26-009:

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

Noes: Faraldi

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// In the matter of Public Comment, Agenda Item #4, Citizen Alan Davis addressed Council regarding support to keep Peacemakers, Inc. in the community and opportunities for relocation. He expressed concerns about the Peacemaker's possibly losing their building, and he asked Council to help support the organization.

// In the matter of Public Comment, Agenda Item #5, Citizen Mitxh Richards, representing FOR THE LOV3 OF THE CITY, addressed Council regarding responsibility of public figures and elected officials. He challenged the Council to work together and urged them to show the City their commitment.

// In the matter of Public Comment, Agenda Item #6, Citizen Bonita Berger addressed Council regarding promoting a more accurate view of mental health in Lynchburg. She proposed forming a task force to educate the public on mental health to promote awareness and understanding. She also emphasized the importance of notaries in verifying medical conditions and ensuring public safety.

// In the matter of Public Comment, Agenda Item #7, Citizen Greg Berry, representing City Elders, addressed Council regarding what's next. He addressed two topics, the demonstrations against the Vietnam War in the 1960s and 1970s and the similarities to protests today against immigration and custom enforcement officers. He expressed concerns about the vilification of law enforcement and the collapse of law and order.

// In the matter of Public Comment, Agenda Item #8, Citizen Gary Taylor was not present.

// In the matter of Public Comment, Agenda Item #9, Citizen David Dubie addressed Council regarding police and immigration cooperation. He spoke against the involvement of local law enforcement in the 287(g) program, stating that the community's focus should be on local needs rather than targeting a specific demographic. He argued that such a program sent the wrong message of prejudice and disrespected the community.

// In the matter of Public Comment, Agenda Item #10, Citizen Ryan Ball addressed Council regarding using local cops for immigration enforcement. He said that he was a local law enforcement officer, and he expressed his concerns about the City entering into a 287(g) agreement with the federal government. He said that the program would allow local police to assist in immigration enforcement. He emphasized that

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his role is to enforce local and state criminal law, not immigration status, and that such an agreement would erode trust between the police department and the community, particularly Hispanic residents.

// In the matter of Central Virginia Planning District Commission, Agenda Item #11, Council considered adopting Resolution #R-26-010 approving the Central Virginia Safety Action Plan - Safe Streets for All. The matter was previously discussed at the PDC meeting. Kelly Hitchcock provided the presentation. The Central Virginia Safety Action Plan (CVSAP) – Safe Streets For All documents the areas within the region that have the highest number of serious and fatal accidents; establishes performance measures, and provides programmatic and project recommendations to improve safety for all users along the region's roadways. This plan was developed through an extensive stakeholder engagement process and aligns with Virginia's 2022-2026 Strategic Highway Safety Plan (SHSP), which establishes the target to reduce roadway fatalities and serious injuries.

By adopting the Central Virginia Safety Action Plan – Safe Streets for All, the City of Lynchburg would support the goal to improve safety along its roadways and the goal to reduce serious and fatal accidents by 50% by 2045. There is no penalty by VDOT or federal transportation for not meeting safety goals. Rather, adopting the CVSAP document and committing to the goals provides access to certain federal transportation planning and construction program funds.

At its February 10, 2026, meeting, the Physical Development Committee recommended approval. As Chair of that committee, Councilmember Timmer brought the committee's recommendation for approval forward as a motion. No second was required, and Council, by the following recorded vote approved the motion:

Ayes: Taylor, Diemer, Reed, Faraldi, Wilder, Misjuns, Timmer	7
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Noes:	0
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// In the matter of Budget, Agenda Item #12, Council considered introducing Resolution #R-26-011 amending the FY 2026 School Capital Projects Fund budget and appropriating \$1,350,000 to fund improvements to school buildings. The matter was previously discussed by the Finance Committee on January 29, 2026. Chief Financial Officer Donna Witt provided the presentation. The School Construction Assistance Program was created at the 2022 Special Session I of the General Assembly in the 2022

Appropriation Act. The Virginia Department of Education (VDOE) has already awarded grants in the amount of \$530,000,000 to qualifying school projects. Additional funding allocations of \$170.0 million was approved in the 2025 Appropriations Act to support the School Construction Fund for the Board of Education to award grants on a competitive basis to local school boards that demonstrate poor building conditions, commitment, and need for such local school boards to fund the construction, expansion, flexible space build outs, or modernization of public school buildings, including CTE programs, submitted by school divisions and regional CTE program governing boards.

At its January 29, 2026 meeting, the Finance Committee recommended approval. As Chair of that committee, Councilmember Reed brought the committee's recommendation for approval forward as a motion. No second was required, and Council, by the following recorded vote approved the motion:

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

// In the matter of City Council, Agenda Item #13, Council considered adopting Resolution #R-26-012 reaffirming the City of Lynchburg's Second Amendment Sanctuary Status. Clerk of Council Alicia Finney noted that there were two resolutions for consideration, and Vice Mayor Diemer had requested to consider them separately.

Councilmember Misjuns' motioned, seconded by Vice Mayor Diemer, to adopt the resolution brought forward by Councilmember Faraldi.

Councilmember Misjuns cited a past public hearing in 2023 where the community overwhelmingly spoke out against infringement on their rights. He acknowledged the importance of reaffirming this resolution in light of current efforts in the General Assembly to restrict gun rights.

Councilmember Faraldi stated that hundreds of localities had adopted similar resolutions in 2020, and he thought the General Assembly's proposal a joke. He said that if more people were trained and able to protect themselves, they would have a safer community. He asked the City Attorney what the substantive difference was between his resolution and the Vice Mayor's resolution.

City Attorney Matthew Freedman noted that there were language differences between the versions, with Vice Mayor Diemer's version including information related to right to assembly and civic

organizations, as well as minor differences. He said his only concern was with the third point in the Vice Mayor's version. He said that the resolving clause declared the City's intent to avoid using City funds, resources, or personnel to enforce laws or regulations deemed unconstitutional under the Second Amendment or Virginia's Constitution. He emphasized the importance of the Council being cautious in this matter, as only courts can determine what was unconstitutional, and he wanted to avoid the Council inadvertently voting on something unconstitutional and instructing staff to act on it. He said that to avoid legal implications, he would suggest including additional language stating that the constitutionality was determined by a court of competent jurisdiction or by a Virginia court with appropriate authority.

Councilmember Faraldi made a substitute motion, seconded by Councilmember Reed, to adopt the Vice Mayor's resolution, amending clause 3 to conclude that constitutionality was determined by a court with appropriate jurisdiction.

Councilmember Reed emphasized that the issue was about protecting citizens' rights to lawfully carry firearms, which was a constitutional right.

Councilmember Misjuns proposed an amendment to the substitute motion, to use resolving clause 3 from the January 10, 2023, resolution in place of clause 3 in the proposed resolution.

Councilmember Faraldi called a point of order. He said that motions to amend could not be made for a substitute motion.

Mr. Freedman reviewed the rules of procedure. He determined that Councilmember Faraldi was correct, because the substitute motion was procedural, not a substantive motion, until it was voted on and adopted as the main motion. He clarified that only substantive motions could be amended.

Clerk of Council Alicia L. Finney said that the Vice Mayor had requested John Pierce, from the Law Office of John Pierce, to speak to Council. She noted that Mr. Pierce was participating remotely.

Mr. Pierce said that, as an attorney specializing in firearms and Second Amendment issues, he was providing his opinion on the resolutions. He supported Vice Mayor Diemer's resolution for bringing forth the trifecta of controlling case law and emphasizing the need for consistency with the nation's historical tradition of firearm regulation. He emphasized that the resolution did not intend to impose a duty

on the City to make constitutional determinations, but rather served as a statement of the City's values and goals.

Councilmember Faraldi expressed concerns that by approving Vice Mayor Diemer's original language, they would be asking City staff and law enforcement to disobey court orders regarding unconstitutional laws.

Vice Mayor Diemer said that his resolution was qualitatively the same as the original resolution adopted by the City. He stated that removing this language would undermine the original intent and he had worked with colleagues to combine the two resolutions and pass them together. He emphasized that the resolution was about protecting citizens' rights, particularly vulnerable groups like single mothers, and ensuring that the City's funds were not used to restrict their Second Amendment rights.

Councilmember Faraldi asked whether Vice Mayor Diemer would support the resolution if clause #3 from the 2023 resolution was substituted into the current resolution. Vice Mayor Diemer stated that he would like to support Councilmember Faraldi's resolution. Councilmember Faraldi stated that his question had not been answered and yielded back.

Councilmember Timmer stated that she would like the opportunity to vote on both resolutions. She wanted to support the resolution as proposed by Vice Mayor Diemer, but she was also willing to support Councilmember Faraldi's resolution.

Councilmember Reed stated that the substitute motion proposed a single modification to the resolution to acknowledge the role of the courts, consistent with prior guidance from the City Attorney. She emphasized that the change was minor, did not alter the overall intent of the resolution, and would strengthen its legal soundness. Councilmember Reed encouraged collaboration to adopt the modification and move forward with one resolution rather than multiple versions.

Councilmember Misjuns asked for clarification about the language that Councilmember Faraldi wanted to add to clause 3.

Councilmember Faraldi said he wanted to add wording to the effect of, "as determined by the courts" to clause #3.

Councilmember Misjuns expressed concern that the substitute motion watered down the original resolution, which he and others had previously supported, and reaffirmed his intention to vote against the substitute motion.

Councilmember Wilder said he did not support either of the resolutions.

Councilmember Faraldi amended his substitute motion to replace clause #3 from Vice Mayor Diemer's resolution with clause #3 from Resolution #R-23-001. Councilmember Reed agreed to the amendment.

Mayor Taylor called the question on the substitute motion.

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

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

Noes: Wilder 1

The substitute motion became the main motion.

Mayor Taylor called the question on the main motion.

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

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

Noes: Wilder 1

// On the motion of Councilmember Misjuns, Council considered holding a closed session to review and/or evaluate the performance of the Clerk of Council, City Manager, and City Attorney pursuant to Section 2.2-3711(A)(1) of the Code of Virginia, 1950, as amended.

Vice Mayor Diemer seconded the motion.

Councilmember Faraldi proffered a motion, as read by the City Attorney, to enter into a closed session, in addition to the motion offered by Councilmember Misjuns.

Mr. Freedman read the motion, to consider a closed session pursuant to Section 2.2-3711(A)(7) of the Code of Virginia, 1950, as amended, to consult with legal counsel representing the City regarding specific legal action that may be taken by the City to oppose the Virginia General Assembly's ongoing redistricting efforts.

Councilmember Faraldi motioned, seconded by Councilmember Reed, to enter into a closed session to review and/or evaluate the performance of the Clerk of Council, City Manager, and City Attorney pursuant to Section 2.2- 3711(A)(1) of the Code of Virginia, 1950, as amended; and to consult with legal counsel representing the City regarding specific legal action that may be taken by the City to oppose the Virginia General Assembly's ongoing redistricting efforts pursuant to Section 2.2-3711(A)(7) of the Code of Virginia, 1950, as amended.

Councilmember Misjuns called a point of order. He said that his motion was on the floor because it was made in order and seconded.

Mr. Freedman said that Council could consider both motions.

Councilmember Timmer said that they should address each topic in separate closed sessions.

Mayor Taylor suggested that they handle the redistricting closed session on February 24. He stated that Councilmember Misjuns' motion was in order and under consideration.

Councilmember Misjuns noted that they could not make decisions about the employment terms, compensation, or severance packages for appointed employees in closed session. He said that while these topics could be discussed in closed session, they must be decided in open session.

Councilmember Faraldi said that the topic of redistricting was time-sensitive and should be addressed as soon as possible in order to receive legal advice.

Councilmember Misjuns amended his motion to amend the agenda and add the redistricting closed session item.

Councilmember Reed stated that she would not participate in the closed session.

Vice Mayor Diemer accepted the amendment.

With no further discussion from the Council, the following vote was recorded on the motion to amend the agenda to add a closed session item related to state-level redistricting efforts:

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

Noes: 0

Councilmember Misjuns motioned, seconded by Vice Mayor Diemer, to consult with legal counsel representing the City regarding specific legal action that may be taken by the City to oppose the Virginia

General Assembly's ongoing redistricting efforts pursuant to Section 2.2-3711(A)(7) of the Code of Virginia, 1950, as amended; and to consult with legal counsel representing the City regarding specific legal action that may be taken by the City to oppose the Virginia General Assembly's ongoing redistricting efforts pursuant to Section 2.2-3711(A)(7) of the Code of Virginia, 1950, as amended.

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

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

Noes: Wilder 1

// The meeting was reopened to the public.

// Vice Mayor Diemer made the following motion:

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

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

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

The motion was seconded by Councilmember Timmer, and Council, by the following recorded vote, adopted the motion:

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

Noes: 0

Councilmember Faraldi moved a motion to adjourn the meeting, seconded by Councilmember Reed. The following vote was recorded:

Ayes: Taylor, Reed, Faraldi, Wilder 4

Noes: Diemer, Misjuns, Timmer 3

February 10, 2026

// The meeting adjourned at 9:43 p.m.

Clerk of Council