// A regular meeting of the Council of the City of Lynchburg was held on the 10th day of December, 2013, at 4:00 P.M. in the Council Chamber, City Hall, Michael Gillette, President, presiding. The following Members were present:

Present: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette	7
Absent:	0

// Communications and Marketing Director JoAnn Martin gave a presentation/explanation of the new cameras in Council Chamber.

// Mayor Gillette recognized Donna Witt and her staff for receiving the Government Finance Officers Association Distinguished Budget Presentation Award.

// Mayor Gillette recognized Donna Witt and her staff for receiving Standard & Poor's Rating Services AA+ rating on Lynchburg's Outstanding General Obligation (GO) Bonds.

// Director of Financial Services Donna Witt introduced Mr. Norman Yoder with Brown Edwards, LLC, the City's external auditor. Mr. Yoder presented a brief overview of the City's Comprehensive Annual Financial Report (CAFR) and related reports for fiscal year ending June 30, 2013. The presentation highlighted that the audit encountered no significant deficiencies or material weaknesses and it was the cleanest audit in years. Mr. Yoder also mentioned continued improvements to the Lynchburg City Schools internal controls.

// Ms. Anna Bentson, Lynch's Landing Executive Director, provided an overview of Lynch's Landing Annual Report regarding the organization's goals and accomplishments. Ms. Bentson stated that Lynch's Landing continues to support the national Main Street Program strategies of striving to preserve downtown as the heart of the community, to save historic buildings, to strengthen the commercial core, and to promote a sense of community life in Lynchburg. The 2013-2014 Lynch's Landing work plan is centered on five strategies:

- Sustaining a Healthy Non-Profit Organization
- Marketing Downtown as an Arts & Entertainment District
- Creating a Successful Environment for Businesses and Events
- Ensuring Safe, Attractive and Inviting Public Spaces
- Serving as a Source of Information and Communication for and about Downtown

Ms. Bentson also shared copies of the Lynch's Landing Annual Report with the members of City Council and introduced the members of the organization's board of directors who were in attendance.

// Deputy City Manager Bonnie Svrcek reviewed the results of the citizens and employees survey regarding strategies for FY 2015 that support Council's Vision of "A Great Place to Live, Work, and Play". Ms. Svrcek further stated that on October 8, 2013, City Council adopted a Vision for the City – "A Great Place to Live, Work, and Play" along with goal statements for twelve pillars that support the Vision. The twelve pillars are Arts and Culture, Citizen Engagement and Social Capital, Economic Development, Healthy and Active Living, Infrastructure, Land Use, Lifelong Learning, Natural Resources, Neighborhoods, Safe Community, Social Equity, and Transportation. Ms. Svrcek went on to say following Council's adoption of these strategies, the Strategic Planning Action Team will meet with stakeholders to identify metrics that will help us know if we are successful or making progress on each strategy. A motion was made by Council Member Perrow, seconded by Council Member Cary, to amend some statements in the twelve pillars. Council by the following recorded vote adopted Resolution #R-13-131, as amended, regarding approving the recommended strategies related to Council's Vision as stated for use in the FY 2015 Budget and CIP development:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette	7
Noes:	0

// During roll call Council Member Cary mentioned that 5th Street is now open and Rivermont is looking good.

// Council Member Joan Foster stated that the Christmas Parade was canceled due to the weather but thanked Retail Merchants for their efforts and is looking forward to a parade next year.

// Mayor Gillette announced dates for the Budget Retreat. After the discussion of the retreat it was decided to hold the Council Retreat on Tuesday, January 21, 2014 from 9:00 a.m. until 12:00 noon.

// On motion of Council Member Cary, seconded by Council Member Perrow, Council by the following recorded vote elected to hold a closed meeting to consider appointments to Council-appointed Boards and Commissions, i.e., Community Development Advisory Committee, Planning Commission, Horizon Behavioral Health, Lynchburg Community Action Board, Lynchburg Regional Airport Commission, Region 2000 Greenways Alliance and Design Review Board; pursuant to Section 2.2-3711(A)(1), Code of Virginia (1950), as amended:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette	7
Noes:	0

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

// Council Member Cary 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 Council Member Foster, and Council by the following recorded vote adopted the motion:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette	7
Noes:	0

// In the matter of Appointments, and on nomination of Vice Mayor Johnson, seconded by Council Member Nelson, Council by the following recorded vote re-appointed Michael Bedsworth, Jeff S. Helgeson, Ceasor T. Johnson and Jeffery W. Schneider to serve on the Community Development Advisory Committee for terms to expire December 31, 2014:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7

Noes: 0

On nomination of Vice Mayor Johnson, seconded by Council Member Nelson, Council by the following recorded vote appointed Connie Grant, Michelle Jackson and Jimmie T. Stevens to serve on the Community Development Advisory Committee for terms to expire December 31, 2014:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7

Noes: 0

On nomination of Vice Mayor Johnson, seconded by Council Member Nelson, Council by the following recorded vote appointed David R. Perault to serve on the Planning Commission for a term to expire December 31, 2016:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7

Noes: 0

On nomination of Vice Mayor Johnson, seconded by Council Member Nelson, Council by the following recorded vote appointed Nancy B. Marion to serve on the Planning Commission to fill an unexpired term ending December 31, 2014:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7

Noes: 0

On nomination of Vice Mayor Johnson, seconded by Council Member Nelson, Council by the following recorded vote re-appointed William F. Schneider to serve on the Horizon Behavioral Health Board for a term to expire December 31, 2016:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7

Noes: 0

On nomination of Vice Mayor Johnson, seconded by Council Member Nelson, Council by the following recorded vote appointed David B. Craft to serve on the Horizon Behavioral Health Board as a Consumer Advocate for a term to expire December 31, 2016:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7

Noes: 0

On nomination of Vice Mayor Johnson, seconded by Council Member Nelson, Council by the following recorded vote re-appointed the following Council Members and Citizen Representatives to serve on the Lynchburg Community Action Board: Council Member Michael A. Gillette, Representative John Hellewell, Council Member Ceasor T. Johnson, Representative Delores Fowler, Council Member J.

Randolph Nelson, Representative Bill Phillips, Council Member Turner Perrow, and Representative Todd Cohen for terms to expire December 31, 2016:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7

Noes: 0

On nomination of Vice Mayor Johnson, seconded by Council Member Nelson, Council by the following recorded vote re-appointed Bert Dodson, Jr. and Charles S. Nowlin, Jr. to serve on the Lynchburg Regional Airport Commission for terms to expire December 31, 2016:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7

Noes: 0

On nomination of Vice Mayor Johnson, seconded by Council Member Nelson, Council by the following recorded vote appointed Laurel Foot to serve on the Region 2000 Greenways Alliance for a term to expire December 31, 2015:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7

Noes: 0

// City Council recessed the meeting at 6:45 p.m.

// City Council reconvened the meeting at 7:30 p.m.

The following Members were present:

Present: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7

Absent: 0

Council Member Perrow gave the Invocation, followed by the Pledge of Allegiance.

// Copies of the minutes of the October 22, 2013 meeting, having been previously furnished Council, reading was dispensed with, and on motion of Council Member Foster, seconded by Council Member Nelson, Council by the following recorded vote approved the minutes as presented:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7

Noes: 0

// Copies of the minutes of the November 12, 2013 meeting, having been previously furnished Council, reading was dispensed with, and on motion of Council Member Foster, seconded by Council Member Nelson, Council by the following recorded vote approved the minutes as presented:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7

Noes: 0

// Copies of the minutes of the November 26, 2013 meeting, having been previously furnished Council, reading was dispensed with, and on motion of Council Member Foster, seconded by Council Member Nelson, Council by the following recorded vote approved the minutes as presented:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7

Noes: 0

// In the matter of Court, City Council Report #9 was considered. On motion of Council Member Foster, seconded by Council Member Nelson, Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-13-132, as presented, amending the FY 2014 General Fund budget and appropriating $10,747 with resources from the State Compensation Board, Technology Trust Fund fees to support information technology needs in the Office of the Circuit Court:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7
Noes: 0

// In the matter of Community Development - Zoning Amendments, a public hearing was held regarding City Council Report #10 outlining the petition of James Walker to rezone approximately one and two tenths (1.2) acres at 2248 Lakeside Drive from B-3, Community Business District (Conditional) to B-5, General Business District (Conditional) to allow the use of the property and existing building for automobile sales, service and repair. City Planner Tom Martin gave a summary of the request and stated the Planning Commission recommended approval of the zoning amendments. Berkley Howell & Associates representative Ty Mosby representing the petitioner gave a brief overview and asked Council for approval of the zoning amendments. There was no one else present who wished to speak to this item, and the public hearing was closed. On motion of Council Member Cary, seconded by Council Member Helgeson, Council by the following recorded vote adopted Ordinance #0-13-133, as presented, granting the petition:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7
Noes: 0

// In the matter of Community Planning – General, a public hearing was held regarding City Council Report #11 regarding the consideration of adopting the City of Lynchburg Comprehensive Plan 2013-2030 as an update to the existing Comprehensive Plan 2002-2020. The updated plan establishes goals and policies for the future that establishes a long term basis for allocating limited resources, guiding decisions that affect land use, community character, economic development, natural systems, service delivery, mobility and establishes an implementation matrix to achieve the City's vision of being "A Great Place to Live, Work and Play". There was no one else present who wished to speak to this item, and the public hearing was closed. After Council discussion a motion was made by Council Member Perrow, seconded by Council Member Cary to defer this item to the work session in January 2014 with a hard copy of the Comprehensive Plan. Council by the following recorded vote deferred this item to a work session in January 2014:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7
Noes: 0

// In the matter of Economic Development – General, a public hearing was held regarding City Council Report #12 regarding boundary amendments to Enterprise Zones #2 and #46. Director of Economic Development Marjette Upshur gave a brief summary of the request. There was no one else present who wished to speak to this item, and the public hearing was closed. On motion of Council Member Perrow, seconded by Council Member Nelson, Council by the following recorded vote adopted Resolution #R-13-134, as presented, regarding boundary amendments to Enterprise Zones #2 and #46:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7
Noes: 0

// In the matter of Airport – General, a public hearing was held regarding City Council Report #13 regarding approving and authorizing the execution of a five (5) year lease agreement with Liberty University, to allow the nonexclusive right to install, operate, and maintain fiber optic cables onto City-owned property at Lynchburg Regional Airport. Airport Director Mark Courtney gave a summary of the request. There was no one else present who wished to speak to this item, and the public hearing was closed. Council Member Perrow made the following statement "my company WW Associates, Inc. has a contract with Liberty University for engineering services that will generate in excess of $10,000 in annual income. I have been advised that because of my company's contract, I should abstain from discussing and voting on this item." On motion of Council Member Foster, seconded by Council Member Nelson, Council by the following recorded vote adopted Resolution #R-13-135, as presented, regarding approving and authorizing the execution of a five (5) year lease agreement with Liberty University, to allow the nonexclusive right to install, operate, and maintain fiber optic cables onto City-owned property at Lynchburg Regional Airport:

Ayes: Foster, Helgeson, Johnson, Nelson, Gillette	5
Noes:	0
Absent: Cary	1
Abstention: Perrow	1

// In the matter of Airport – General, a public hearing was held regarding City Council Report #14 regarding approving and authorizing the execution of a five (5) year lease agreement with Verizon, to allow the nonexclusive right to install, operate, and maintain telecommunications equipment onto City-owned property at Lynchburg Regional Airport. Airport Director Mark Courtney gave a summary of the request. There was no one else present who wished to speak to this item, and the public hearing was closed. On motion of Council Member Helgeson, seconded by Council Member Nelson, Council by the following recorded vote adopted Resolution #R-13-136, as presented, regarding approving and authorizing the execution of a five (5) year lease agreement with Verizon, to allow the nonexclusive right to install, operate, and maintain telecommunications equipment onto City-owned property at Lynchburg Regional Airport:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette	7
Noes:	0

// In the matter of Airport – General, a public hearing was held regarding City Council Report #15 regarding approving and authorizing the execution of a forty-two (42) month supplemental lease agreement with the Federal Aviation Administration for lease of certain City-owned property at Lynchburg Regional Airport. Airport Director Mark Courtney gave a summary of the request. There was no one else present who wished to speak to this item, and the public hearing was closed. On motion of Council Member Perrow, seconded by Council Member Foster, Council by the following recorded vote adopted Resolution #R-13-137, as presented, regarding approving and authorizing the execution of a forty-two (42) month supplemental lease agreement with the Federal Aviation Administration for lease of certain City-owned property at Lynchburg Regional Airport:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7

Noes: 0

// In the matter of Public Works – Sewer, a public hearing was held regarding City Council Report #16 regarding amending the FY 2014 Sewer Capital Projects Fund budget and appropriating $30,000,000 with resources from the Virginia Public Building Authority to accelerate completion of the Combined Sewer Overflow (CSO) Program. Jim Talian with Water Resources gave a summary of the request. There was no one else present who wished to speak to this item, and the public hearing was closed. Council Member Cary, Chair of the Finance Committee (FC), stated that this item came before FC and made a motion to approve the request. The motion did not require a second, and Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-13-138, as presented: regarding amending the FY 2014 Sewer Capital Projects Fund budget and appropriating $30,000,000 with resources from the Virginia Public Building Authority to accelerate completion of the Combined Sewer Overflow (CSO) Program:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7

Noes: 0

// In the matter of Schools, City Council Report #17 was considered. Council Member Cary, Chair of the Finance Committee (FC), stated that this item came before FC and made a motion to approve the request. The motion did not require a second, and Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-13-139, as presented, amending the FY 2014 General Fund budget and appropriating $507,487 for transfer to the School Operating Fund with resources from unexpended FY 2013 School Operating appropriations to fund maintenance and security needs as well as the replacement of students records software:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7

Noes: 0

// In the matter of Schools, City Council Report #18 was considered. Council Member Cary, Chair of the Finance Committee (FC), stated that this item came before FC and made a motion to approve the request. The motion did not require a second. Council Member Helgeson stated that this is still a burden on the citizens to fund the FY 2014 Schools Capital Project Fund budget and stated he would be voting against this request. Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-13-140, as presented, amending the FY 2014 Schools Capital Project Fund budget and appropriating $589,731 with resources from the General Fund Heritage High School Committed Fund Balance for architectural services:

Ayes: Cary, Foster, Johnson, Nelson, Perrow, Gillette 6

Noes: Helgeson 1

// In the matter of Police - General, City Council Report #19 was considered. Council Member Cary, Chair of the Finance Committee (FC), stated that this item came before FC and made a motion to approve the request. The motion did not require a second. Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-13-141, as presented, amending the FY 2014 City/Federal/State Aid Fund budget and appropriating $34,800 with resources from the 2013 State Homeland Security Program (SHSP) Grant to purchase 15 gas masks, 200 gas mask filters, and 180 helmets for officer safety:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7

Noes: 0

// In the matter of Water Resources – General, City Council Report #20 was considered. Council Member Cary, Chair of the Finance Committee (FC), stated that this item came before FC and made a motion to approve the request. The motion did not require a second. Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-13-142 as presented, amending the FY 2014 Stormwater Capital Projects Fund budget and appropriating $600,000 with resources from the FY 2014 Stormwater Operating Fund budget to provide necessary funding for initial master planning efforts to comply with Federal and State mandates and provide matching resources for grant funds available from the Virginia Stormwater Local Assistance Fund:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7

Noes: 0

// The meeting was adjourned at 9:22 P.M.

Clerk of Council