// A regular meeting of the Council of the City of Lynchburg was held on the 9th day of December, 2014, at 4:00 P.M. in the Council Chamber, City Hall, Michael Gillette, President, presiding. The following Members were present:

Present: Foster, Helgeson, Perrow, Tweedy, Gillette 5

Absent: Johnson, Nelson 2

// Parks and Recreation Director Kay Frazier provided information and introduced the Friends Groups Supporting Parks and Recreation. Ms. Frazier stated that it has been a long standing goal of Parks and Recreation to work collaboratively with citizen groups to form 501-c3 non-profits to support the efforts of the department. Ms. Frazier went on to say that Parks and Recreation is pleased to have two new Friends groups that were formed in calendar year 2014. Representatives of the newly formed Friends of the Lynchburg Nature Center and Friends of Lynchburg Parks and Recreation briefed Council on their mission, goals and projects.

// Director of Financial Services Donna Witt introduced Mr. Chris Banner with Brown Edwards, LLC, who provided the audit presentation. Mr. Banner presented an overview of the City's Comprehensive Annual Financial Report (CAFR) and related reports for fiscal year ending June 30, 2014. Mr. Banner stated that no new accounting policies were adopted and the application of existing policies was not changed during the year. All significant transactions have been recognized in the financial statements in the proper period. Mr. Banner also stated that Schools accounting has been corrected and there was a clean audit of Schools.

// City Manager Kimball Payne introduced representatives of the Region 2000 Partnership. The representatives were Megan Lucas, of the Local Government Council, Ben Boden of the Workforce Investment Board and Gary Christie of the Business and Economic Development Alliance. Each representative gave a report on the partnership's role that made the Region 2000 Annual Report.

// During roll call Council Member Foster complimented the new signs in City Hall and the new look at the Information Desk.

// Council Member Tweedy thanked the City Staff for the session on Bridges Out of Poverty, which was well attended.

// Council Member Perrow thanked the Business Merchants Association for a well-planned Christmas parade which was well attended.

// Council Member Helgeson congratulated the Liberty University Football Team and also the Lynchburg College Women's Soccer Team for being the Division Three National Champions.

// Mayor Gillette made a public statement to Roanoke Mayor David Bowers, for being the top winner in the ASPCA Rachael Rae Challenge. The City of Roanoke won first place for adopting more animals in this Region. The City of Lynchburg came in second place. Again congratulations to Mayor David Bowers the City of Roanoke.

// On motion of Council Member Helgeson, seconded by Council Member Perrow, Council by the following recorded vote elected to hold a closed meeting for discussion concerning the location of a prospective business or industry in the City where no previous announcement has been made of the business' or industry's interest in locating its facilities in the community, and to

consider appointments to Council-appointed Boards and Commissions, i.e., Community Development Advisory Committee, Planning Commission, Horizon Behavioral Health, Sister City Liaison, Lynchburg Regional Airport Commission, Towing Advisory Board, Region 2000 Greenways Alliance, Design Review Board, Lynchburg Business Development Centre and Transit Company Board; pursuant to Section 2.2-3711(A.) (1) and (5) of the Code of Virginia, 1950, as amended:

Ayes: Foster, Helgeson, Perrow, Tweedy, Gillette 5

Noes: 0

Absent: Johnson, Nelson 2

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

// Vice Mayor Johnson joined the closed meeting.

// Vice Mayor Johnson 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 Helgeson, and Council by the following recorded vote adopted the motion:

Ayes: Foster, Helgeson, Johnson, Perrow, Tweedy, Gillette 6

Noes: 0

Absent: Nelson 1

// In the matter of Appointments, and on nomination of Council Member Perrow, seconded by Council Member Helgeson, Council by the following recorded vote reappointed Michael Bedsworth, Jeff Helgeson, Michelle Jackson, Ceasor T. Johnson, Jeffery Schneider and Jimmie Stevens, to serve another term on the Community Development Advisory Committee, terms to expire December 31, 2015:

Ayes: Foster, Helgeson, Johnson, Perrow, Tweedy, Gillette 6

Noes: 0

Absent: Nelson 1

On nomination of Council Member Perrow, seconded by Council Member Helgeson, Council by the following recorded vote appointed Pamela Brown to serve on the Community Development Advisory

Committee for a term to expire December 31, 2015:

Ayes: Foster, Helgeson, Johnson, Perrow, Tweedy, Gillette 6

Noes: 0

Absent: Nelson 1

On nomination of Council Member Perrow, seconded by Council Member Helgeson, Council by the following recorded vote reappointed Nancy Marion and William Mays, Jr., to serve on the Planning Commission for terms to expire December 31, 2017:

Ayes: Foster, Helgeson, Johnson, Perrow, Tweedy, Gillette 6

Noes: 0

Absent: Nelson 1

On nomination of Council Member Perrow, seconded by Council Member Helgeson, Council by the following recorded vote appointed Nathania E. Fleshman to serve on the Horizon Behavioral Health Board to fill an unexpired term ending December 31, 2016:

Ayes: Foster, Helgeson, Johnson, Perrow, Tweedy, Gillette 6

Noes: 0

Absent: Nelson 1

On nomination of Council Member Perrow, seconded by Council Member Helgeson, Council by the following recorded vote reappointed C. Lynch Christian, III and Stewart Hobbs to serve on the Lynchburg Regional Airport Commission for terms to expire December 31, 2017:

Ayes: Foster, Helgeson, Johnson, Perrow, Tweedy, Gillette 6

Noes: 0

Absent: Nelson 1

On nomination of Council Member Perrow, seconded by Council Member Helgeson, Council by the following recorded vote reappointed Randall S. Houck, Donald W. Irby, Blake Isley, III, Daniel J. Laslie and John McCorkhill to serve on the Towing Advisory Board for terms to expire December 31, 2017:

Ayes: Foster, Helgeson, Johnson, Perrow, Tweedy, Gillette 6

Noes: 0

Absent: Nelson 1

On nomination of Council Member Perrow, seconded by Council Member Helgeson Council by the following recorded vote appointed Glenn E. McGrath to serve on the Transit Company Board to fill an unexpired term ending October 30, 2016:

Ayes: Foster, Helgeson, Johnson, Perrow, Tweedy, Gillette 6

Noes: 0

Absent: Nelson 1

// City Council recessed the meeting at 6:13 p.m.

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

The following Members were present:

Present: Foster, Helgeson, Johnson, Perrow, Tweedy, Gillette 6

Absent: Nelson 1

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

// Copies of the minutes of the November 4, 2014 meeting, having been previously furnished Council, reading was dispensed with, and on motion of Council Member Foster, seconded by Vice Mayor Johnson, Council by the following recorded vote approved the minutes as presented:

Ayes: Foster, Helgeson, Johnson, Perrow, Tweedy, Gillette 6

Noes: 0

Absent: Nelson 1

// Copies of the minutes of the November 11, 2014 meeting, having been previously furnished Council, reading was dispensed with, and on motion of Council Member Foster, seconded by Vice Mayor Johnson, Council by the following recorded vote approved the minutes as presented:

Ayes: Foster, Helgeson, Johnson, Perrow, Tweedy, Gillette 6

Noes: 0

Absent: Nelson 1

// In the matter of Public Works – Street Vacation, a public hearing was held regarding City Council Report #8 concerning the petition of VIP, LLC to vacate a portion of right-of-way known as Misty Mountain Road adjoining 552 and 554 Leesville Road. The area is approximately one hundred eighty thousandths (.180) of an acre. The dimensions of the proposed vacation are eighty-eight (88) feet long by eighty-five (85) feet in width. Kevin Henry, Planner II, gave a summary of the request. Norm Walton, representing Robb Egel with VIP, LLC asked Council for approval for a right-of-way known as Misty Mountain Road. 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 Helgeson, Council by the following recorded vote adopted Ordinance #O-14-130, as presented, to vacate a portion of right-of-way known as Misty Mountain Road adjoining 552 and 554 Leesville Road:

Ayes: Foster, Helgeson, Johnson, Perrow, Tweedy, Gillette 6

Noes: 0

Absent: Nelson 1

// In the matter of Public Works – Street Vacation, a public hearing was held regarding City Council Report #9 concerning the petition of Carriage Square LTD, to vacate a portion of right-of-way known as Timbrook Place adjoining 218 Timbrook Place. The area is approximately seven thousandths (.007) of an acre on the northern curve of the cul-de-sac. Kevin Henry, Planner II, gave a summary of the street vacation request. There was no one else present who wished to speak to this item, and the public hearing was closed. Council Member Perrow, Chair of the Physical Development Committee (PDC), stated that this item came before PDC and made a motion to approve the request. The motion did not require a second. Council by the following recorded vote adopted Ordinance #O-14-131, as presented, to vacate a portion of right-of-way known as Timbrook Place adjoining 218 Timbrook Place:

Ayes: Foster, Helgeson, Johnson, Perrow, Tweedy, Gillette 6

Noes: 0

Absent: Nelson 1

// In the matter of Community Development – General, a public hearing was held regarding City Council Report #10 concerning the petition of Carriage Square LTD, to rename a public street known as Timbrook Place to Beverly Hills Circle. Timbrook Place is located approximately seven hundred thirty (730) feet south of the intersection of Timberlake Road and Old Graves Mill Road.

Kevin Henry, Planner II, 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 discussed this item at length with concerns that the name change was confusing. Council Member Perrow stated he would not vote to change the street name because it was not a circle and it should remain a street name. On motion of Council Member Foster, seconded by Vice Mayor Johnson, Council by the following recorded vote adopted Resolution #R-14-132, as presented, to rename a public street known as Timbrook Place to Beverly Hills Circle:

Ayes: Foster, Helgeson, Johnson, Tweedy, Gillette 5

Noes: Perrow 1

Absent: Nelson 1

// In the matter of Community Development – Rezoning Amendments, a public hearing was held regarding City Council Report #11 on amending the Future Land Use Map (FLUM) from Institutional to Traditional Residential for property located at 434 Rivermont Avenue and outlining the petition of Buffalo Creek Land Company, LLC to rezone approximately one and thirty-nine hundredths (1.39) acres at 434 Rivermont Avenue from R-4, Medium-High Density, Multi-Family Residential District to B-6C, Riverfront Business District (Conditional) to allow the use of an existing building for event, office and educational uses. City Planner Tom Martin gave a summary of the FLUM and the rezoning. Mr. Martin stated that the Planning Commission recommended approval of the FLUM amendment and rezoning petition. Representative Kristin Osborne with Buffalo Creek Land Company, LLC, representing the petitioner asked Council for approval of the FLUM and rezoning petition. One individual spoke in favor of the FLUM and the rezoning petition. There was no one else present who wished to speak to this item, and the public hearing was closed. Following Council discussion and on motion of Council Member Helgeson, seconded by Council Member Perrow, Council by the following recorded vote adopted Ordinance #O-14-133, as presented, amending the Future Land Use Map (FLUM) from Institutional to Traditional Residential for property located at 434 Rivermont Avenue:

Ayes: Foster, Helgeson, Johnson, Perrow, Tweedy, Gillette 6

Noes: 0

Absent: Nelson 1

On motion of Council Member Perrow, seconded by Council Member Foster, Council by the following recorded vote adopted Ordinance #O-14-134, with amended proffers, to rezone approximately one and thirty-nine hundredths (1.39) acres at 434 Rivermont Avenue from R-4, Medium-High Density, Multi-Family Residential District to B-6C, Riverfront Business District (Conditional) to allow the use of an existing building for event, office and educational uses:

Ayes:	Foster, Helgeson, Johnson, Perrow, Tweedy, Gillette	6
Noes:		0
Absent:	Nelson	1

// In the matter of Economic Development – General, a public hearing was held regarding City Council Report #12 concerning the support and reaffirmation for the Incentive Amendments of the City of Lynchburg Enterprise Zones #2 and #46. Marjette Upshur, Director of Economic Development, 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 Vice Mayor Johnson, Council by the following recorded vote adopted Resolution #R-14-135, as presented, to support and reaffirm the Incentive Amendments of the City of Lynchburg Enterprise Zones #2 and #46:

Ayes:	Foster, Helgeson, Johnson, Perrow, Tweedy, Gillette	6
Noes:		0
Absent:	Nelson	1

// In the matter of Economic Development – General, a public hearing was held regarding City Council Report #13 concerning Boundary Amendments to Enterprise Zones #2 and #46. Marjette Upshur, Director of Economic Development, 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-14-136, as presented, regarding Boundary Amendments to Enterprise Zones #2 and #46:

Ayes:	Foster, Helgeson, Johnson, Perrow, Tweedy, Gillette	6
Noes:		0
Absent:	Nelson	1

// In the matter of Public Works – General, a public hearing was held regarding City Council Report #14 concerning the sale of approximately one and six tenths (1.608) acres of city owned property, in three parcels (ID #'s 23106012, 23106013, & 23106021), located at 99 Breezewood Drive, 103 Breezewood Drive, and 106 Breezewood Drive, respectively, and fronting, in part, on the Lynchburg Expressway near its intersection with Lakeside Drive, to Lynchburg Realty, LLC for $90,000. City Manager Kimball Payne gave a summary of the request. Raymond A. Booth with Milton and Neal Properties, Inc., asked Council for approval of the sale of city owned property. 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-14-137, as amended, for the sale of approximately one and six tenths (1.608) acres of city owned property, located at 99

Breezewood Drive, 103 Breezewood Drive, and 106 Breezewood Drive:

Ayes: Foster, Helgeson, Johnson, Perrow, Tweedy, Gillette 6

Noes: 0

Absent: Nelson 1

// In the matter of Parks and Recreation – General, City Council Report #15 was considered. On motion of Vice Mayor Johnson, seconded by Council Member Foster, Council by the following recorded vote adopted Resolution #R-14-138, as presented, approving the use of $50,000 from the Capital Improvement Program Community Park Investment Funds to be used, in conjunction with funds raised in the community to renovate four public tennis courts at E. C. Glass High School:

Ayes: Foster, Helgeson, Johnson, Perrow, Tweedy, Gillette 6

Noes: 0

Absent: Nelson 1

// In the matter of Schools – General, City Council Report #16 was considered. On motion of Vice Mayor Johnson, seconded by Council Member Perrow, Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-14-139, as presented, amending the FY 2015 General Fund budget and appropriating $100,000 with resources from the Heritage High School Furniture, Fixtures and Equipment (FFE) Committed Fund Balance Reserve for transfer to the FY 2015 Schools Capital Project Fund to purchase equipment for the Heritage High School athletic fields:

Ayes: Foster, Helgeson, Johnson, Perrow, Tweedy, Gillette 6

Noes: 0

Absent: Nelson 1

// In the matter of Schools – General, City Council Report #17 was considered. On motion of Vice Mayor Johnson, seconded by Council Member Foster, Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-14-140, as presented, to amend the FY 2015 General Fund budget and appropriate $2,648,287 with resources from unexpended FY 2014 Schools Operating Fund appropriations for transfer to the FY 2015 Schools Operating Fund ($130,000) and to the FY 2015 Schools Capital Fund ($2,518,287) to fund needs as approved by the School Board:

Ayes: Foster, Helgeson, Johnson, Perrow, Tweedy, Gillette 6

Noes: 0

Absent: Nelson 1

// The meeting was adjourned at 9:36 P.M.

Clerk of Council