

November 11, 2014

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// A regular meeting of the Council of the City of Lynchburg was held on the 11th day of November, 2014, at 4:00 P.M. in the 2nd Floor Training Room, City Hall, Michael Gillette, President, presiding. The following Members were present:

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

Absent: Perrow 1

// The second joint meeting with Council and Planning Commission was held to complete the review of all draft suggestions that have been made so far. City Planner Tom Martin introduced the two representatives from PlanningWorks; Michael Lauer and Michael Chandler. The representatives provided an overview of key zoning policy issues and recommended changes to the City's Zoning Ordinance. These recommendations are the culmination of numerous public forums and work sessions with the Planning Commission, City staff and dedicated members of the community that identify and address the goals and policies of the Comprehensive Plan 2013-2030. This plan guides decisions that affect land use, community character, economic development, natural systems, service delivery, and mobility and provides an implementation matrix to achieve the City's vision of being "A Great Place to Live, Work and Play." After the presentation, the consultants solicited input from City Council and Planning Commission about the recommendations and any additional policies that may need to be reviewed prior to the final upcoming public forums and Planning Commission work sessions. The public hearing process for adoption of the Zoning Ordinance is expected to begin in early 2015.

The following are the next steps:

Consultant Team and Staff

- Reorganize existing provision
- Refine language
- Property zoning maps

Planning Commission Workshop

- Draft for public review
- Community Workshops
- Planning Commission Public Hearing
- City Council Public Hearing

// City Council recessed the meeting at 6:20 p.m.

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

The following Members were present:

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

Absent: Perrow 1

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

// Mayor Gillette presented a Certificate of Recognition on the 10th Anniversary to "Opera on the James."

// Copies of the minutes of the October 28, 2014 meeting, having been previously furnished Council, reading was dispensed with, and on motion of Council Member Helgeson, seconded by Council Member

Nelson, Council by the following recorded vote approved the minutes as presented:

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

// In the matter of Parks and Recreation – General, Resolution #R-14-124 amending the FY 2015 General Fund, Parks and Recreation, Recreation Programs budget and appropriating \$81,298 with resources from the United States Department of Agriculture Farmers' Market Promotion Grant to address food desert challenges in the City and to promote agriculture in the Region 2000 area, laid over from the October 28, 2014 meeting, was again presented and read, and on motion of Council Member Helgeson, seconded by Council Member Nelson, Council by the following recorded vote adopted the Resolution:

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

// Council Member Nelson made the following statement. "I do not represent VIP, LLC, but in the past represented the petitioner Robb Egel in other annuities. I felt it would not be a conflict of interest and needed to disclose that statement. I am able to participate in this matter fairly, objectively and in the public interest. Therefore, I will participate in the discussion of and vote on this item."

// In the matter of Community Development - Zoning, a public hearing was held regarding City Council Report #4 outlining the petition of VIP, LLC – Robb Egel, for a Conditional Use Permit (CUP) on approximately thirteen and forty-one hundredths (13.41) acres located at 542, 552, 554 and 572 Leesville Road to allow the construction of a one hundred twenty-one (121) unit townhome development in an R-3, Medium Density, Two-Family Residential District. City Planner Tom Martin gave an overview of the request and stated the Planning Commission reviewed the request and asked for approval. Jim Richards, representing Robb Egel with VIP, LLC asked Council for approval of the CUP. 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 Vice Mayor Johnson, Council by the following recorded vote adopted Resolution #R-14-125, as presented, granting the Conditional Use Permit:

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

// In the matter of Community Development – General, a public hearing was held regarding City Council Report #5 on adopting the Route 221 Corridor Plan Bedford County / City of Lynchburg as part of the City's Comprehensive Plan 2013 -2030. The draft plan provides recommendations for signal coordination, pedestrian, bicycle and transit facility improvements, intersection improvements, road widening and access management improvements from Cloverhill Boulevard in Bedford County to Forest Brook Road in the City of Lynchburg. The plan is intended to aid the County and City with project prioritization and implementation when grant or other funding opportunities arise in the future. City Planner Tom Martin made several remarks and then introduced Bill Wuensch of EPR who gave a presentation of the Route

221 Corridor Plan. There was no one else present who wished to speak to this item, and the public hearing was closed. On motion of Council Member Nelson, seconded by Vice Mayor Johnson, Council by the following recorded vote adopted Ordinance #O-14-126, as presented, adopting the Route 221 Corridor Plan Bedford County / City of Lynchburg as part of the City's Comprehensive Plan 2013 -2030:

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

Noes: 0

Absent: Perrow 1

// In the matter of City Code, a public hearing was held regarding City Council Report #6 on amending the Stormwater Management Ordinance (Chapter 16.2) to eliminate the fee for an individual single family residential structure in Section 16.2-56(a) and clarify the scope of the ordinance by eliminating Section 16.2-20(f) plan requirements. Director of Community Development Kent White gave an overview of the Stormwater Management Ordinance. There was no one else present who wished to speak to this item, and the public hearing was closed. On motion of Council Member Nelson seconded by Vice Mayor Johnson, Council by the following recorded vote adopted Ordinance #O-14-127, as presented, amending the Stormwater Management Ordinance (Chapter 16.2) to eliminate the fee for an individual single family residential structure in Section 16.2-56(a) and clarify the scope of the ordinance by eliminating Section 16.2-20(f) plan requirements:

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

Noes: 0

Absent: Perrow 1

// In the matter of City Council, Jennifer Dugan's students from Randolph College presented to Council "Mapping food insecurity in Lynchburg," which seems to be a concern.

// In the matter of Communications and Marketing, City Council Report #8 was considered.

Communications and Marketing Director JoAnn Martin stated that she applied for and received a grant through FEMA's Hazard Mitigation Grant Program to purchase and implement an emergency notification system, commonly known as a Reverse 911 system. The emergency notification system is an interactive system that employs technology facilitating landline, cell phone, text messaging, and email communications to notify thousands of residents concurrently and will be used during severe weather and natural disasters, hazardous material evacuations, disaster recovery, boil water advisories, etc. Ms. Martin stated that the implementation of the newly acquired emergency notification system, Lynchburg Alerts, is scheduled for January 2015. Ms. Martin went on to say there is a public education campaign currently underway to encourage citizens to sign up to participate in the Lynchburg Alerts program.

// In the matter of Public Works – General, City Council Report #9 was considered. Vice Mayor Johnson, a member of the Physical Development Committee (PDC), stated that this matter came before the PDC and the Committee recommended approval. This motion does not require a second, and Council by the following recorded vote adopted Resolution #R-14-128, as presented, to participate in the Virginia

Department of Transportation (VDOT) Revenue Sharing Program for FY 2016:

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

// In the matter of City Council, City Council Report #10 was considered. City Manager Kimball Payne stated that based on input received from Council a final document of the Legislative Agenda has been prepared for Council approval. Mr. Payne noted two minor changes; first under Odd Fellows Road Funding this language will remain with an additional clause to include "pedestrian facilities". The other change was under Other Legislative Positions – Enterprise Zones Funding, to add a statement to support the restoration funding to the Enterprise Zones Funding.

Council Member Nelson stated that he does endorse the Legislative Agenda except the section which include Lynchburg in the statute, section 58.1-3970.1 of the State Code, authorizes the local circuit court to transfer the title of a tax delinquent property to a locality when the property is assessed at \$50,000 or less. Council Member Helgeson stated he would not support the section of the Legislative Agenda that deals with the power to take property and asked that this clause be removed. Mayor Gillette called for a vote to adopt the Legislative Agenda as presented excluding the section on "Acquisition of Low Value Properties" On motion of Council Member Foster, seconded by Council Member Nelson, Council by the following recorded vote adopted Resolution #R-14-129, as presented, except the section on "Acquisition of Low Value Properties", from the 2015 Legislative Agenda:

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

Council Member Helgeson asked for a friendly amendment to the motion to remove that section from the Legislative Agenda. Mayor Gillette asked Council Member Foster would she accept a friendly amendment which was seconded by Council Member Nelson. The friendly amendment to the motion was accepted and Council by the following recorded vote did not remove the section on "Acquisition of Low Value Properties" from the 2015 Legislative Agenda:

Ayes: Foster, Johnson, Nelson, Tweedy, Gillette	5
Noes: Helgeson	1
Absent: Perrow	1

// The meeting was adjourned at 8:43 P.M.

Clerk of Council