

// A regular meeting of the Council of the City of Lynchburg was held on the 26th day of October, 2010, at 5:00 P.M. in the Council Chamber, City Hall, Joan F. Foster, President, presiding. The following Members were present:

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

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Absent:

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// Senior Planner with Region 2000 Kelly Hitchcock provided an overview of the Region 2000 Bikeway Plan. Ms. Hitchcock stated that the Region 2000 Bicycle plan was developed by Region 2000 localities and citizens. Ms. Hitchcock further stated that the planning document was developed to facilitate the development of a bicycle transportation network that supports bicycling as a safe alternative to access areas within the Region 2000 area. The Plan articulates a vision to develop alternative transportation connections to access community destinations. In doing so, the plan outlines the bicycle connection network vision and goals, provides an overview of the different bicycle accommodation types, summarizes strategies that can be used to accommodate for bicycle facilities. The plan further presents a current snapshot of the current conditions and opportunities for cyclists, provides an inventory of community resources and assets, and details a vision connection plan and implementation strategy to assist in creating an alternative transportation network that encourages and supports the bicycling needs of local citizens and area visitors.

// Legislative Liaison Linda McMinimy provided an overview of City Council's Legislative Agenda for the 2011 session of the General Assembly. Ms. McMinimy stated that Council discussed this document at its work session on September 14 and there were really no changes to those standard positions. Ms. McMinimy further stated that there were "Other Potential Positions" which were discussed at the last work session and included:

- Transient Occupancy Tax and On-line Travel Companies
- Predatory (Pay Day) Lending
- Support legislation either banning or clarifying the legality of Internet Cafes that run "sweepstakes" games.
- Support legislation to allow localities the option to require employees hired before July 1, 2010 to pay the 5% employee share of VRS if the locality also adjusts the employees' salary so there is no negative impact on the employees and if the locality has elected to have employees hired on or after July 1, 2010 to pay the 5% employee share of VRS as well. [Alternately, support legislation to allow localities the option to require employees hired before July 1, 2010 to pay the 5% employee share of VRS without requiring an adjustment in salary.]
- Support legislation that provides localities with greater flexibility in making adjustments to VRS benefits in order to reduce increasing costs of the program.

After Council discussion and on motion of Council Member Perrow, seconded by Council Member Gillette, the following items were added to the 2011 Legislative Agenda:

Substance Abuse Treatment: Restore state funding for substance abuse treatment programs. Such funding could be provided to Community Service Boards, programs such as "The Healing Place" or other pilot programs.

Transient Occupancy Tax and On-line Travel Companies: Support legislation requiring on-line travel companies to pay localities the full transient occupancy tax and state sales tax on the amount they are selling hotel rooms, as opposed to the price they purchase them.

Virginia Retirement System: Support legislation that provides localities with greater flexibility in making adjustments to VRS benefits in order to reduce increasing costs of the program, including but not limited to legislation to allow localities the option to require employees hired before July 1, 2010 to pay the 5% employee share of VRS.

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

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Noes:

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// During Roll Call Council Member Nelson stated that the recent action taken by the Chamber of Commerce to put more urgency in VDOT's plan to bypass Charlottesville and would like Council and the general public to be aware of the interests of the citizens and the business interests in Lynchburg to "get off the block and move forward in an expedited way" to find some change in the status quo for the Route 29 corridor around Charlottesville. Council Member Cary questioned the curbing on Fifth and Polk Streets as being a traffic hazard. Secondly, Council Member Cary stated that he received two telephone calls attacking the City Manager for his apparent siding with a complainant against the police department. Council Member Cary further stated he did not see any of that in the City Manager's action and thinks the City Manager has handled that complaint extremely appropriately and wants to be on record as saying that. Council Member Cary stated that there is an overall real atmosphere of open and honest dialogue among City Council. Council Member Cary went on to say that we may not always agree; we might not always reach consensus, but everybody participates and that is healthy. Council Member Gillette stated that he received a call from a constituent regarding the disposal of fluorescent bulbs. Vice Mayor Johnson wanted to bring everyone's attention to the Virginia Museum of Transportation in Roanoke, which had two vehicle exhibits that had been built at an automotive manufacturing place in Lynchburg and the Edison 2 was also on display at the Museum. Mayor Foster stated that Lynchburg had 14 visitors from our sister city in France and they were very complimentary of our City and wanted to send greetings from their Mayor.

// City Council recessed the meeting at 7:12 p.m.

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

The following Members were present:

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

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Absent:

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// Vice Mayor Johnson gave the Invocation, followed by the Pledge of Allegiance.

// Principal Terrie Haley from Dearington Elementary School spoke to Council regarding "Red Ribbon Week" stating that this is a positive effort to support the reduction of crime and drug abuse in our City,

make healthy choices and strive for drug-free lives. Ms. Haley invited Council to join Dearington Elementary School on Thursday, October 28 at 3:00 p.m. to walk with students around the community wearing the red ribbons.

// Copies of the minutes of the October 12 (two meetings), 2010 meeting, having been previously furnished Council, reading was dispensed with, and on motion of Vice Mayor Johnson, seconded by Council Member Cary, Council by the following recorded vote approved the minutes as presented:

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

Noes: 0

// Copies of the minutes of the October 14, 2010 meeting, having been previously furnished Council, reading was dispensed with, and on motion of Vice Mayor Johnson, seconded by Council Member Cary, Council by the following recorded vote approved the minutes as presented:

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

Noes: 0

// In the matter of Police – General, Resolution #R-10-111 amending the FY 2011 City/Federal/State Aid Fund budget and appropriating \$33,075, with resources of \$16,537 from the Bulletproof Vest Partnership 2010 Grant Program to purchase 52 replacement bulletproof vests for law enforcement officers, laid over from the October 12, 2010 meeting, was again presented and read, and on motion of Vice Mayor Johnson, seconded by Council Member Cary, Council by the following recorded vote adopted the Resolution:

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

Noes: 0

// In the matter of Police – General, Resolution #R-10-112 amending the FY 2011 City/Federal/State Aid Fund budget and appropriating \$59,150, fully reimbursable, to purchase computer equipment/related software, licensing, training, and office equipment for the Police Department's Computer Evidence Recovery and Vice/Narcotics Units, laid over from the October 12, 2010 meeting, was again presented and read, and on motion of Vice Mayor Johnson, seconded by Council Member Cary, Council by the following recorded vote adopted the Resolution:

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

Noes: 0

// In the matter of Commonwealth Attorney, Resolution #R-10-113 amending the FY 2011 City/Federal/State Aid Fund budget and appropriating \$200,000, fully reimbursable, to support the domestic violence and intimate partner prosecution team, laid over from the October 12, 2010 meeting, was again presented and read, and on motion of Vice Mayor Johnson, seconded by Council Member Cary, Council by the following recorded vote adopted the Resolution:

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

Noes: 0

// In the matter of Mayor's Youth Council City Council Report #9 Mayor's Youth Council President Natasha Chowdry along with Gabrielle Simmons Vice President spoke to Council regarding the Obesity Walk that is being sponsored by the Mayor's Youth Council and invited Council to participate in the walk on Saturday, November 6, 2010 at 10:00 at Peaks View Park.

// Mayor Foster announced that Agenda Item #10 has been removed from the agenda.

// In the matter of Police – General, City Council Report #11 was considered. City Manager Kimball Payne gave a brief summary of the request. On motion of Council Member Helgeson, seconded by Council Member Perrow, Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-10-129, as presented, amending the FY 2011 City/Federal/State Aid Fund budget and appropriating \$35,820, with resources of \$29,850 from the Department of Motor Vehicles Highway Safety Program, to send crash team members to accident reconstruction training and to purchase equipment:

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

Noes: 0

// In the matter of Police – General, City Council Report #12 was considered. City Manager Kimball Payne gave a brief summary of the request. On motion of Council Member Cary, seconded by Council Member Nelson, Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-10-130, as presented, amending the FY 2011 City/Federal State Aid Fund budget and appropriating \$50,565, with resources of \$42,137 from the Department of Motor Vehicles Highway Safety Grant, to provide selective DUI and Occupant Restraint enforcement activities, attend related training, and purchase equipment:

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

Noes: 0

// The meeting was adjourned at 7:43 P.M.

Interim Clerk of Council