

// A regular meeting of the Council of the City of Lynchburg was held on the 8th day of December, 2020, at 4:00 P.M. in the Council Chamber, City Hall, MaryJane Dolan, President, presiding. The following Members were present:

Present: MaryJane Dolan, Beau Wright, Jeff S. Helgeson, J. Randy Nelson, Treney Tweedy,
Sterling A. Wilder, Chris Faraldi 7

Absent: 0

// In the matter of Agenda Item #1, Ms. Kristen Nolan and Ms. Sarah Quarantotto, the Director of Housing Services and the Executive Director of Miriam's House, respectively, presented the Central Virginia's Continuum of Care's (CVCoc) *Strategic Plan to End Homelessness*. Miriam's House serves as a lead agency for the Continuum of Care. It is in this capacity that Miriam's House is a liaison between local homeless response efforts, and local, state, and federal government entities. The CVCoc's mission statement outlined in the strategic plan is to ensure that homelessness is rare, brief, and non-recurring. Its vision is for all individuals and families experiencing homelessness in the City of Lynchburg and surrounding counties to have a permanent, safe, decent, and affordable place to call home by the year 2024. The CVCoc is funded through federal, state, and local grants totaling \$964,720. The way the mission is carried out is through the homeless response system, comprised of shelters, prevention programs, rapid re-housing, and supportive housing that all come together to work cohesively to make sure that there are no gaps in service, that everyone receives the help that they need, and that everyone receives the appropriate level of intervention.

Councilmember Tweedy commented on the fact that seniors are posing a serious increase in homelessness since they are unable to grow their income. Ms. Quarantotto said that nationally those numbers are rising, however an analysis was recently conducted on the local level and there were no alarming findings yet. She agreed that as housing costs increase and seniors' retirement income does not, it is a looming crisis.

Mayor Dolan noted that in the survey over half of the responses indicated that the individuals did not have a job and she wanted to know how workforce is being addressed. Ms. Nolen stated that the

CVCoC has increased its partnership with Virginia Career Works, and are attempting to better communicate with frontline staff (caseworkers) on those resources.

Councilmember Faraldi asked how the pandemic is affecting the workforce aspect. Ms. Nolen responded that one of the big issues they're facing is obtaining proper identification. Getting an appointment at the DMV is really hard due to the pandemic, and having proper identification to fill out an I-9 Form is the first step to applying for a job. It has also been a challenge to find jobs that are available along the bus line. Although there are less people who have become homeless, the CVCoC has had to help people with rent assistance for a much longer time period than normal because getting a job or keeping a job has been really difficult during the COVID-19 pandemic.

// In the matter of Finance, Agenda Item #2, Council received a report on the FY 2020 Comprehensive Annual Financial Report from the City's external auditing firm. Mr. Chris Banta with Brown Edwards, LLC was in attendance and presented the results of the audit. He stated that when doing an audit, it is important to understand how the organization serves the citizenry and how it pays its vendors. Those are called internal controls and understanding that is the backbone of the process. Also, understanding how the organization adapted to the pandemic in regards to remote work and serving the citizens is also important because that could have enhanced risks from an auditor's standpoint. The City and School finance did adapt well to the remote processing and had no enhanced risks.

Mr. Banta presented the highlights of the CAFR. An audit opinion gives an opinion on the financial statements. An unmodified opinion, or clean opinion, states that the auditor believes the financial statements are materially correct. That's the highest level of assurance an auditor can give to a set of audited financials, and the City received an unmodified opinion.

The next report was a General Fund Budget to Actual Statement. The City's general fund underspent the expenditures for the year so it is in compliance with the legally adopted budget. Mr. Banta explained that there is a footnote within the statement referencing the impacts of the COVID-19 pandemic and that is to simply let the user know, as they're digesting this document, they need to keep in mind that

there was a global pandemic going on and that had wide-ranging implications on operations and financials for local governments.

The next phase of the audit was to craft the Yellow Book opinion which takes a deeper dive in assessing the internal controls and processes. If there are any significant deficiencies or material weaknesses, not just in problems found but in problems based on the design of the operations, it would have to be reported in the CAFR. There were no significant deficiencies or material weaknesses to report.

The next opinion is called a Passenger Facility Charge Audit Report. Since the City operates a commercial airport, it charges what is called a Passenger Facility Charge, an additional fee with a purchase of an airline ticket. There are certain compliance requirements that auditors have to test as a result of charging these fees. This looks at how those fees are being used and reports on any significant findings; there were no significant finding for the City.

Last is the Federal Single Audit Report. The City expended about 40 million dollars of federal awards this year in coronavirus relief funding. Mr. Banta stated that staff is anticipating this will be subject to audit. The Office of Management and Budget issues the compliance supplements that guides staff and tells them exactly what to look at; however, that guidance has not been released yet. Therefore, this portion of the audit is on hold but will be submitted by its deadline of March 31st. The state deadline for issuing the CAFR is December 15th. Mr. Banta stated that the CAFR will be issued with just the Passenger Facility Charge, the report on the financials, and the yellow book government report. Then an update will be issued with the federal award report at a later time.

// In the matter of Budget, Agenda Item #3, Ms. Donna Witt, Chief Financial Officer, presented Council with an update on the revenue collections received in several key City revenue sources. Ms. Witt explained that these numbers are through October which means that we are starting to look at the 2nd Quarter. The 1st Quarter came in stronger than what staff anticipated, however staff thought the economy would be more back to normal by the 2nd Quarter, but unfortunately, that is not the case overall.

Fortunately, Sales Tax is about \$233,000 above budget. This continues to come in very strong; the revenues are up about 6.7% compared to last year's numbers and up just about 4% compared to last

month. This is based primarily on online sales, grocery sales, and home improvement sales. Ms. Witt anticipates these numbers will remain strong.

Unfortunately, Meals Tax, for the first time, is below what was anticipated in the budget. Restaurants are just not as open, or back to normal, as staff thought they would be. Ms. Witt anticipates that these collections will not rebound and a decline will be continual probably through the rest of the 2nd Quarter, and possibly in to the 3rd Quarter.

Lodging Tax, poses the same situation as Meals Tax. Staff is seeing about an \$88,000 difference from what was collected to what we anticipated in the budget. Ms. Witt explained that she again expects a decline through at least the rest of the 2nd Quarter.

The Amusement Tax sector is really still very much closed; very little is open for people to participate with in order for the City to collect Amusement Tax. Ms. Witt anticipates that the mere \$18,000 - \$19,000 being collected is going to continue for at least the 2nd Quarter and possibly in to the 3rd and 4th Quarter.

// In the matter of Water Resources, Agenda Item #4, Council received an update on the Utility Disconnect Moratorium and considered adopting Resolution #R-20-092 related to the COVID-19 Municipal Utility Relief Program and associated CARES funding.

Mr. Tim Mitchell, Director of Water Resources presented Council with a summary of the recommendation. On November 19, 2020, as a result of recent State Budget Amendments, the City received a memorandum from the Virginia Department of Housing and Community Development (DHCD) regarding the COVID-19 Municipal Utility Relief Program (Relief Program). The memorandum explained the process for municipal utilities to apply for CARES funds for the Relief Program. The applications were due on November 30, 2020 and only included utility and locality identification and the total arrearages for 60 and 30 days which were \$397,121 and \$619,181, respectively, at the time of the application. The funds will be distributed to all water, sewer, gas, and electric utilities that applied for the funding on a pro-rata basis and are considered pass-through funds since they will be applied directly to qualifying customer accounts. \$344,014.82 was awarded to the City.

The General Assembly 2020 Special Session Budget Bill HB5005 Item 4-14 requires that notification be sent to all customers by January 17, 2020 with arrearages over 30 days with information about the disconnect moratorium and repayment plan options. The City can qualify for an exemption from the Utility Disconnect Moratorium to resume utility cut-offs of delinquent accounts, but certain criteria must be first met. These include, arrearages must exceed 1% of the total annual operating revenue; documents must be available to the public; and City Council must conduct a public hearing and affirm the 1% exceedance and the intent to resume cut-offs.

Mr. Mitchell outlined the staff recommendations to Council which included adopting a resolution waiving Council's normal fiscal policies and accepting the COVID-19 Relief Funds. Councilmember Helgeson asked for clarification about the statement, wanting to know exactly what fiscal responsibilities are being waived. Ms. Donna Witt, Chief Financial Officer, clarified that Council's normal financial procedures require appropriations of funds to have two readings; however that is a City code not a State code. This means that Council has the ability to waive the need for a second reading and appropriate these funds with one reading. There is a very short window to work with citizens to get information out about these funds to pay their bill. If Council waited to have a second reading at the next Council meeting in January 12, 2021, the window to receive these funds would be missed.

Mr. Mitchell continued with the following staff recommendations: within the next two weeks notify customers with arrearages of the repayment plan and relief fund availability and requirements; conduct a Public Hearing on January 12, 2021 for consideration approving the 1% Exemption from the moratorium and resumption of utility disconnections on a date to be established; if it is determined that utility disconnections will resume, immediately notify customers again with arrearages of the available resources, assistance, and repayment plan options and when cut-offs will resume.

Vice Mayor Wright made a motion to approve Resolution #R-20-092, seconded by Councilmember Tweedy. With no further discussion from Council, the following vote was recorded:

Ayes: Dolan, Wright, Helgeson, Nelson, Tweedy, Wilder, Faraldi 7

Noes: 0

// In the matter of Roll Call, Agenda Item #5, Councilmember Faraldi had no items. Councilmember Wilder thanked the community for all of the work they are doing during this crisis. Councilmember Tweedy asked that all citizens be diligent and adhere to guidelines that will make us all safe. Councilmembers Nelson and Helgeson had no items. Vice Mayor Wright recently went to an unveiling of a marker at the Juvenile Court for Lucy Harrison Baber who is a Lynchburg native and longtime resident who advocated for Juvenile Justice Reform in Virginia and helped establish the juvenile justice system that we have here in Lynchburg. Mayor Dolan had the following roll call items:

- Mustaches for Kids (M4K) Lynchburg just completed our annual fundraiser and raised \$318,713 in 30 days for local children's charities. Since the inception of this organization in 2014, this brings the total amount raised for local non-profits to over \$1,000,000.
- "Since the onslaught of the COVID-19 pandemic, I have seen this community come together in so many different ways to support one another - whether it was following safety guidelines and wearing masks, supporting local businesses, checking on elderly neighbors or donating to those who were in need. I have been so proud to witness just how great this community continues to be and how, in times of adversity, we come together and grow stronger!

This evening, I would like to take just a moment to recognize a special group of people. I don't think anyone has seen their lives change quite as much as the lives of our healthcare workers. On a daily basis, these individuals have been on the frontline risking their lives and working long, exhausting hours to take care of our friends and loved ones struck down with COVID-19.

On behalf of this community, I want to thank not only the doctors and nurses, but every technician and CNA, every aide and housekeeper, every senior care and doctor's office worker -thank you for what you are doing! We want you to know we appreciate your sacrifice, dedication and service. What you are doing is so very important, and we owe you a great debt of gratitude.

If my fellow Council Members would be so kind, I'd like us to stand and give our healthcare

workers a standing ovation of thanks. God bless you!”

Vice Mayor Wright asked the City Attorney what the potential for citation was due to having more people in the room than the current allowable 25 people under State law. City Attorney Mr. Walter Erwin clarified that there is an exemption in the Governor’s executive order for government operations. He continued by stating that if there are more people in the room than is allowed, the City runs the risk of the Health Department sending a notice saying we are in violation. However the governor’s order is vague, as in is a meeting of a governing body a government operation. Vice Mayor Wright asked that his fellow Councilmembers concede to keeping the number of individuals in Council Chamber for the 7:30 p.m. meeting to 25 people. Councilmember Helgeson stated that Council meetings are open public meetings which are required under the Virginia Freedom of Information Act. He further commented that Council does not get to arbitrarily decide which citizens get to attend the meeting and who does not and he would not be agreeing.

Vice Mayor Wright made a formal motion to restrict Council Chamber to 25 persons with overflow seating in a different location within City Hall. Councilmember Tweedy seconded the motion stating she has concerns and errs on the side of safety and compliance.

Councilmember Faraldi asked Vice Mayor Wright who he envisioned would enforce these orders. He specifically wanted to know if local law enforcement would be asked to enforce the attendee restrictions. Vice Mayor Wright retorted that the logistics could be worked out, but the idea of limiting the number of people allowed in one space is to keep people safe and comply with the State law. Councilmember Faraldi stated that he could walk in to any restaurant, and if there were 35 – 40 people in the restaurant, remaining socially distanced, that business would be considered complying with state mandates. He commented that the proposal to limit Council Chamber to 25 people when it could hold, by his count, around 40 people and allow for social distancing, seemed inconsistent with this executive order. Further, he stated that adding any agenda item, especially an item that would greatly impact the community, within seven days of the Council meeting violates Council’s Rules of Procedure. Lastly, he stated that he cannot in good conscious infringe on the rights of the constituency that he represents to

view and engage with their government in-person. He also noted the importance for citizens who are at-risk, to stay at home, but for these reasons, he will not be supporting the motion.

Councilmember Nelson stated that he appreciates both sides of the argument, however, on the agenda for the 7:30 p.m. meeting are two public hearings, one for a zoning issue and the other an appeal. The citizens have a right to come and petition at the public hearings. That is a government operation. He stated that Council should not skirt the right of citizens to a fundamental constitutional liberty on the basis of whether we would fall under the exemption under the governor's mandate.

Mayor Dolan stated that she would agree to limit the number of people in Council Chamber to 25 people with an overflow room for viewing if there were more time to notify the public of this stance. For that reason she will not support the motion.

With no further discussion, the following vote was recorded:

Ayes: Wright, Tweedy 2

Noes: Dolan, Helgeson, Nelson, Wilder, Faraldi 5

Interim City Manager Dr. Reid Wodicka had an item for Council's consideration. In the recently adopted Legislative Agenda, there is a request to the General Assembly to remove certain provisions from the City's Charter, specifically related to City Council's pay. In order to request that, Council either needs to hold a public hearing on the subject, or conduct a referendum on the subject to reopen the Charter. Dr. Wodicka recommends holding a public hearing, but needs Council's permission to advertise and schedule a public hearing for the first January meeting. Council reached a consensus, giving staff the ability to do so.

// The meeting was recessed at 5:42 p.m.

// City Council reconvened the meeting at 7:30 p.m. The following members were present:

Present: MaryJane Dolan, Beau Wright, Jeff S. Helgeson, J. Randy Nelson, Treney Tweedy,
Sterling A. Wilder, Chris Faraldi 7

Absent:

Councilmember Wilder gave the Invocation, followed by the Pledge of Allegiance.

// In the matter of Recognitions, Mayor Dolan made the following acknowledgements:

- She congratulated the graduates of the CO.STARTERS Fall 2020 program: Andrea Plunkett, Kenneth Payne, Thomas Morris, Kathryn Lewis, Heather Knopp, Vanessa Kaszubowski, Diana Ferrell, Skyler Donaldson, Molly Corbet.
- The International Economic Development Council awarded the City of Lynchburg an Excellence in Economic Development Silver Award for the 2019 Annual Report, produced by the Office of the Economic Development & Tourism.
- The Office of Economic Development & Tourism received the VIRGO award for Destination Event of the Year for the 2019 State Games of America.
- Ms. Marjette Upshur, Director of Economic Development & Tourism, provided Council with a copy of the Economic Development 2020 Annual Report and played a short video of the highlights of the report.

// In the matter of Consent Agenda Item #6, copies of the minutes of the November 10, 2020 meeting have been previously furnished to Council, and on motion of Councilmember Wilder, seconded by Councilmember Faraldi, Council by the following recorded vote approved the minutes as presented:

Ayes: Dolan, Wright, Helgeson, Nelson, Tweedy, Wilder, Faraldi 7

Noes: 0

// In the matter of the Fire Department, Consent Agenda #7, Resolution #R-20-093 amending the FY 2021 General Fund Personnel budget and appropriating \$193,936 with resources from the Fire Medic Unit Reserve to fund six Advanced Life Support Firefighters for the Fire Department, received a second reading. On motion of Councilmember Wilder, seconded by Councilmember Faraldi, Council by the following recorded vote approved the motion to adopt Resolution #R-20-093:

Ayes: Dolan, Wright, Helgeson, Nelson, Tweedy, Wilder, Faraldi 7

Noes:

// In the matter of Community Development – Rezoning, Agenda Item #8, a public hearing was held to discuss adopting Ordinance #O-20-027 approving the rezoning petition of Meanwhile Back on the Farm to rezone approximately three and sixty-one hundredths (3.61) acres at 2627 Old Forest Road, 2624 & 2700 Confederate Avenue.

Ms. Rachel Frischeisen, Planner II, provided Council with a brief summary of the request. Meanwhile Back on the Farm is a business petitioning to rezone approximately three and sixty-one hundredths (3.61) acres at 2627 Old Forest Road, 2624 and 2700 Confederate Avenue from B-3C, Community Business District (Conditional) to B-3C, Community Business District (Conditional) to amend a previously approved concept plan. The approved concept plan was proffered during a rezoning in 2014 and showed a restaurant use in the existing manor house and a three-thousand (3,000) square foot event space. The proposed concept plan shows a retail use in the manor house and a four-thousand (4,000) square foot event space. In summary, the concept plan is very similar to the rezoning from 2014. The use should not have a significant impact on the surrounding neighborhood given the nature of the activities that this business will be conducting. Additionally, the sites designation as a local historic district which provides another layer of protection for this neighborhood since the HPC will need to review the changes and ensure that the nature of the character is maintained. The approval of the petition will also allow for the reuse of a historic site. The Planning Commission held a public hearing on November 11, 2020 and recommended approval of the petition.

Mr. Bobby Harris, co-owner of Meanwhile Back on the Farm was in attendance and made a presentation. He stated that they would like to expand the business at the Locus Thicket, utilizing the manor house for retail, bag making, and event space for workshops. The historic nature and beauty of Locus Thicket is a key factor that drew them to the property. It is a perfect match for their business and is their intention to preserve, improve, and be good stewards of the property.

Mr. Vance Driskill, the owner of 2610 and 2613 Confederate Avenue, the property neighboring the development, was in attendance to speak in opposition of the petition. Although he is excited to have

this business as a neighbor, he is concerned about the headlights from vehicles that would beam directly into his home. He has no concern of daytime operations; it is at dusk that concerns him. Mr. Driskill has talked to the business owner addressing his concerns and they have ensured him that they would take care of the issues. Mr. Driskill's also has a concern with what is outlined in the proffers doesn't give the City enough bite to make the owner adhere to these promises should there be a need.

Mr. Harris rebutted, stating that he would take care of the light issue. This is addressed in the concept plan.

There was no one else to speak either in favor or opposition, either in-person, or with emails or voicemails from citizens, so the public hearing was closed and the matter rested with Council.

Councilmember Helgeson thanked both Mr. Driskill and Mr. Harris for being good neighbors and made the motion to approve the ordinance. He asked staff what action has to be taken in order to ensure the proper shielding is erected. Ms. Frischeisen stated that the zoning ordinance requires that when commercial property that backs-up to a single family residence, as in this instance, there would be a 20 foot evergreen buffer required, staggered in-between any building or parking lot and a residence.

Councilmember Faraldi seconded the motion stating that as the representative for Ward IV, he is glad something is being done to the property since it has been sitting for a while.

Councilmember Wilder asked staff if there were any additional traffic concerns. They did not have to do a traffic study based on the projections the developer provided not meeting the City's threshold for requiring a traffic study.

With no other discussion from Council, the following vote was recorded approving Ordinance #O-20-027:

Ayes:	Dolan, Wright, Helgeson, Nelson, Tweedy, Wilder, Faraldi	7
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Noes:		0
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// In the matter of Community Development, Agenda Item #9, a public hearing was held to consider adopting Resolution #R-20-094 to either uphold or reverse the decision of Historic Preservation Commission to deny a Certificate of Appropriateness at 2144 Rivermont Avenue.

Mr. Chris McSwain, Chair of the Historic Preservation Commission provided Council with a brief request of the summary. Mr. Martin Donovan is appealing the decision of the HPC that denied his COA request to erect a black aluminum fence at 2144 Rivermont Avenue. The HPC reviewed the petition on September 21, 2020 and found that there was insufficient information to make a determination. The Commission postponed the item and requested that the petitioner "provide the Commission a visual of what the 6' fence looks like, show where the fence is located in relation to the house, property lines, and street. The petitioner did not provide the materials by the October 19th, 2020 meeting. The Commission was unable to decide based upon what was originally provided and denied the petition due to lack of information. The City's Zoning Ordinance, Section 35.2-13.11, Appeals to City Council, states: "On any such appeal, the final decision of the HPC ... shall be stayed pending the outcome of the appeal to City Council, except that the filing of such appeal shall not stay the decision of the HPC if such decision denies the right to raze or demolish a historic landmark, building or structure. The City Council shall conduct a full and impartial public hearing on the matter and apply the same criteria as the HPC before rendering any decision. The City Council may affirm, reverse or modify the decision of the HPC, in whole or in part. The decision of City Council, subject to the provisions of Section 35.2-13.12, shall be final. If approved, a certificate of appropriateness, signed by the Clerk of the City Council, shall be issued to the applicant."

Mr. Donovan was in attendance and provided Council with background information on his project. There was a dilapidated fence on his lot previously which he removed with the intent of replacing it with a newer fence. Due to traveling for work, he was unable to attend the HPC meetings, leading the commissioners to deny his request. Mr. Donovan asked Council to consider reversing the decision of the HPC so that he may erect his fence which will protect his dogs from traffic, as well as, the neighborhood children from the pool in his backyard.

Councilmember Helgeson made the motion to reverse the decision of the Historic Preservation Commission stating that this aligns with historic preservation in his opinion. Councilmember Faraldi seconded the motion.

Councilmember Wilder asked Mr. McSwain if Mr. Donovan has properly addressed the HPC's concerns. Mr. McSwain said he could not speak for the whole commission, but explained that he feels they never received proper clarification as to where the fence would lie. Councilmember Wilder said that he would be supporting the motion because Mr. Donovan did a very good job with the revitalization of the property already and he feels comfortable with what he will do with this next step.

Councilmember Nelson asked Mr. McSwain if there was something about this that would violate some of the protocols or qualifications set forth by the HPC that the commission would normally require. Mr. McSwain stated that in his opinion, he does not see any issues with the details provided today, but asked Ms. Victoria Glasgow, Planner I, if she could clarify the guidelines in regards to the height of the fence. Ms. Glasgow stated that they will have to adhere to the zoning ordinance requirements, which she did not have on hand.

With no other discussion from Council, the following vote was recorded approving Resolution #R-20-094:

Ayes: Dolan, Wright, Helgeson, Nelson, Tweedy, Wilder, Faraldi 7

Noes: 0

// In the matter of Public Comment, Agenda Item #10, Mr. Andrew Glover presented to Council a proposal on community engagement. Currently stated in City Council's Rules of Procedures, any Lynchburg citizen is allowed to address Council at its regularly scheduled meeting by contacting the Clerk of Council by noon the Wednesday before the Council meeting. Mr. Glover requested that City Council amend their rules of procedure postponing the deadline for citizens to register for Public Comment in response to agenda items, and have it moved 24 hours before the Council meeting. This would allow citizens to review the items on the agenda and decide what they would like to speak about.

// In the matter of Lynchburg Redevelopment Housing Authority (LRHA), Agenda Item #11, Council considered adopting Resolution #R-20-095 re-authorizing the issuance by the LRHA tax-exempt revenue bonds for the acquisition and rehabilitation of James Crossing Apartments.

Mr. Walter Erwin, City Attorney, provided a brief summary of the request on behalf of Mr. Richard L. Hurlbert, Jr., Bond Counsel, and Mr. Herschel Keller, Attorney of LRHA, who were both unable to be in attendance. On December 10, 2019, City Council authorized the issuance of tax exempt revenue bonds by the Lynchburg Redevelopment and Housing Authority for the acquisition and rehabilitation of the James Crossing Apartments, located at 808 Greenfield Drive; there have been no changes to the project. Due to the impacts of COVID-19, this issuance has not been completed and must be re-authorized by City Council. The Housing Authority conducted the requisite public hearing on November 19, 2020 and recommended approval. Although the bonds will be issued through the Lynchburg Redevelopment and Housing Authority and the City has no obligations to pay these bonds, however; regulations require that Lynchburg City Council adopt a resolution supporting the transaction.

Councilmember Helgeson asked Mr. Erwin to clarify that Mr. Hurlbert and Mr. Keller weren't getting cold feet since they were not in attendance. Mr. Erwin assured Council that they are very eager for the project to continue, but other obligations kept them away from tonight's Council meeting.

Councilmember Tweedy stated that she sits on the LRHA board and they are still in favor of the project. LRHA met with the owners prior to the approval and they were very cooperative and responsive to the housing authority with development of programs and understanding of what the expectations for this property are.

Councilmember Wilder stated that he is encouraged by the development and some of the plans they have. He commented on the need to continue revitalizing that community and give them support and services.

Councilmember Nelson stated that City Council approved this a year ago and the circumstances have not gotten any better; in fact the needs may be greater.

Councilmember Helgeson made the motion, seconded by Councilmember Nelson, to approve the resolution. With no other discussion from Council, the following vote was recorded approving Resolution #R-20-095:

Ayes: Dolan, Wright, Helgeson, Nelson, Tweedy, Wilder, Faraldi 7

Noes: 0

// In the matter of Planning, Agenda Item #12, Council considered approving a resolution abandoning a portion of Top Ridge Drive from the City's Street System. Mr. Lee Newland, City Engineer, presented Council with a brief summary of the request. The Virginia Department of Transportation (VDOT) has requested that the City of Lynchburg formally abandon a section of Top Ridge Drive (Frontage Road FR-794) from the city's street system. This section of roadway was removed to accommodate the construction of the Odd Fellows Interchange on and off ramps. This is simply an administrative "clean-up" item for VDOT since this section of roadway no longer exists. If City Council approves the abandonment of this street section, the Commonwealth Transportation Board will take action on this item at a future meeting.

Councilmember Helgeson asked for clarification on how much of the roadway would be abandoned. Mr. Newland stated that it was just for the interchange that no longer exists and not for the entire length of Top Ridge.

Vice Mayor Wright made the motion to approve the resolution, seconded by Councilmember Wilder. With no other discussion from Council, the following vote was recorded approving Resolution #R-20-096:

Ayes: Dolan, Wright, Helgeson, Nelson, Tweedy, Wilder, Faraldi 7

Noes: 0

// In the matter of City Manager's Office, Agenda Item #13, Council considered adopting Resolution #R-20-097 adding Juneteenth and Veterans Day as permanent City holidays. Dr. Reid Wodicka, Interim City Manager, presented Council with a brief summary of the request. The City's personnel policies identify a

number of holidays for which City offices are closed. In reviewing the City's holidays compared with many of our surrounding counties as well as the Commonwealth of Virginia, the City provides considerably fewer paid holidays. For example, the state recognizes 15.5 holidays, while the City recognizes just 10. Last year, members of City Council suggested adding Juneteenth to the list of holidays. City Council did so, but just for calendar year 2020. Given the importance of this holiday to everyone in our community, this holiday should be added to the permanent list. Additionally, Veterans Day has not traditionally been recognized by the City and, given the number of employees who are veterans, plus the important role that veterans play in our community, staff recommends adding this holiday as well.

With the addition of holidays, there was a concern about overtime costs. If these two holidays are added, staff will increase the amount of time that employees carryover from year-to-year from 80 hours to 96 hours. This will decrease the amount of payouts from the City and can be done administratively and does not require Council action.

Councilmember Wilder stated that he is in support of adding both holidays to the City's register and made the motion to approve the resolution. Vice Mayor Wright seconded the motion and briefly read an email sent from a citizen on why he supports observing Juneteenth. With no other discussion from Council, the following vote was recorded approving Resolution #R-20-097:

Ayes: Dolan, Wright, Helgeson, Nelson, Tweedy, Wilder, Faraldi 7

Noes: 0

// In the matter of Appointments, Agenda Item #14, Council considered adopting Resolution #R-20-098 appointing Ms. Alicia L. Finney, Interim Clerk of Council, as the new Clerk of Council for the City of Lynchburg, Virginia, effective December 9, 2020.

Vice Mayor Wright made the motion to approve the resolution, seconded by Councilmember Faraldi. With no other discussion from Council, the following vote was recorded approving Resolution #R-20-098:

Ayes: Dolan, Wright, Helgeson, Nelson, Tweedy, Wilder, Faraldi 7

Noes:

// On motion of Councilmember Helgeson, seconded by Councilmember Wilder, Council, by the following recorded vote, elected to hold a closed meeting to discuss the disposition of certain real property identified as 97 Page Street, Lynchburg, Virginia, including, if any, improvements thereon; and to discuss the appointment of members to the Economic Development Authority, Historic Preservation Committee, Parking Authority, Social Services Advisory Board, Transit Board, Community Development Advisory Committee, Towing Advisory Committee, Planning Commission, Airport Commission, and Horizon Board of Directors, pursuant to Section 2.2-3711(A)(3) and Section 2.2-3711(A)(1) of the Code of Virginia, 1950, as amended.

State law requires City Council to disclose the name of the person who is being considered for appointment to Horizon's Board of Directors. City Council will consider appointing Mr. Chris Faraldi as the Council representative to this board.

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

Ayes: Dolan, Wright, Helgeson, Nelson, Tweedy, Wilder, Faraldi 7

Noes: 0

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

// Councilmember Helgeson 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 Faraldi, and Council, by the following recorded vote, adopted the motion:

Ayes: Dolan, Wright, Helgeson, Nelson, Tweedy, Wilder, Faraldi 7

Noes: 0

// On motion of Councilmember Helgeson, seconded by Councilmember Nelson, Council by the following recorded vote appointed the following members to the respective boards and commissions:

Economic Development Authority: no appointments were made at this time.

Historic Preservation Committee: Ms. Tracey Langseth – unexpired term ending June 30, 2022

Parking Authority: Mr. Charles Warner – unexpired term ending October 31, 2023

Social Services Advisory Board: Ms. Denise Dempsey – term ending September 30, 2024; Mr. Jeffrey Krantz – term ending September 30, 2024

Transit Company Board of Directors: Dr. Les Reed – unexpired term ending October 31, 2022

Lynchburg Regional Airport Commission: Mr. Jones Stanley – term ending December 31, 2023; Mr. John (Dennis) Marcinik – term ending December 31, 2023

Planning Commission: Ms. Nancy Marion – term ending December 31, 2023

Towing Advisory Board: Mr. Timothy Clements – term ending December 31, 2023; Mr. Charles Cramer – term ending December 31, 2023; Mr. James Hall – term ending December 31, 2023

Community Development Advisory Committee: Mr. Leonard “Rad” Briley – term ending December 31, 2021; Ms. Mandze Dyke – term ending December 31, 2021; Ms. Valerie Harris – term ending December 31, 2021; Mr. John Hughes, III – term ending December 31, 2021; Ms. Susan Murray – term ending

December 31, 2021; Mr. Sterling Wilder – term ending December 31, 2021; Mr. Beau Wright – term ending December 31, 2021

Horizon Board of Directors: Councilmember Chris Faraldi – term ending December 31, 2023.

Ayes: Dolan, Wright, Helgeson, Nelson, Tweedy, Wilder, Faraldi 7

Noes: 0

// The meeting was adjourned at 9:15 p.m.

Interim Clerk of Council