// A regular meeting of the Council of the City of Lynchburg was held on the 11th day of September, 2012, 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

// City Manager Kimball Payne presented the Storm Event Report, which included the five (5) areas of focus:

- Communication
- Sheltering
- Infrastructure
- Preparedness
- Partnership

// Director of Financial Services Donna Witt gave a report of the FY 2012 Carry Forward Budget Amendment. On motion of Council Member Perrow, seconded by Council Member Cary, Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-12-097, as presented, amending the FY 2013 Operating and Capital Budgets and appropriating funds to reflect the carry forward of unexpended funds in FY 2012:

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

Noes: 0

// Public Works Director Dave Owen presented the Trash Tags, Decal Program and Landfill Transition. Mr. Owen introduced Mr. Clark Gibson, Director of Region 2000 Regional Services Authority (RSA). Mr. Gibson gave an update on the process of the landfill transition. Mr. Owen presented the three recommendations regarding the trash bags:

- Eliminate the use of trash bags outside of the trash carts – except for the use of prepaid trash disposal bags (phase in over this fiscal year)
- Switch-out of trash carts can occur once per year for an administrative fee of $20.00
- Proceed to meet with Pleasant Valley/Tyreeanna Neighborhood and begin discussion of a long range plan for the use of the closed landfill and other city-owned properties in the area.

One individual spoke regarding the trash bags stating that the City should propose to add the trash tag fee into the real estate bill. Council Member Helgeson stated he would not support the Ordinance due to some of the options in the Ordinance with changing from trash tags to color trash bags. On motion of Council Member Perrow, seconded by Council Member Foster, Council by the following recorded vote adopted Ordinance #0-12-098, as presented, amending the City Code relating to Solid Waste Collection and Disposal:

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

Noes: Helgeson 1

// Vice Mayor Johnson left at 5:37 during roll call.

// During roll call Council Member Cary stated two items; 1) Lynchburg unemployment rate is 2.9% higher than the State average and suggested that the City Manager develop a plan to possibly reduce the unemployment rate in the City; and 2) recognize the Lynchburg Hill Cats that are in the play off.

// Council Member Foster stated she had attended an event of the Military Order of the World Wars which presented the City of Lynchburg with a certificate of appreciation recognizing the unfailing support of more than 550 consecutive, weekly rally's in support of our troops on Monument Terrace.

// Council Member Perrow stated a complaint from a constituent about picking up small bulk items.

// On motion of Council Member Helgeson, seconded by Council Member Foster, Council by the following recorded vote elected to hold a closed meeting to consider the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the City and, for consultation with legal counsel and briefings by staff members regarding a legal matter requiring the provision of legal advice, specifically, legal issues involving the award of the proposed towing contract, respectively, pursuant to Section 2.2-3711(A.)(3) and (7) of the Code of Virginia, 1950, as amended:

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

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

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

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

// Council recessed to attend 9/11 Ceremony held at Monument Terrace.

// City Council recessed the meeting at 6:02 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 Foster gave the Invocation, followed by the Pledge of Allegiance by Boy Scout Troop 953.

// Mr. Jeremy Carroll with Woodmen of the World #7 of Lynchburg presented forty (40) United States flags to the City of Lynchburg. These flags will replace the flags that were badly damaged during the June 29 wind storm.

// Mayor Gillette and Council Member Perrow presented Certificates of Recognition to E. C. Glass Athletic Teams.

// Copies of the minutes of the August 14, 2012 meeting, having been previously furnished Council, reading was dispensed with, and on motion of Council Member Foster, seconded by Council Member Cary, 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 Police – General, Resolution #R-12-096 amending the FY 2012 City/Federal/State Aid Fund budget and appropriating $70,110, with resources of $63,099 from the 2012 Byrne/JAG Program and $7,011 from Central Virginia Community Services, to implement a multi-disciplinary Crisis Intervention Team, laid over from the August 14, 2012 meeting, was again presented and read, and on motion of Council Member Foster, seconded by Council Member Cary, Council by the following recorded vote adopted the Resolution:

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

Noes: 0

// In the matter of Parks and Recreation – General, City Council Report #8 was considered. On motion of Council Member Foster, seconded by Council Member Cary, Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-12-099, as presented, amending the FY 2013 City Capital Projects Fund budget and appropriating $30,000 to complete a site specific environmental assessment and remediation plan for the former Allen Morrison property:

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

Noes: 0

// In the matter of Parks and Recreation – General, City Council Report #9 was considered. On motion of Council Member Foster, seconded by Council Member Cary, Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-12-100, as presented, amending the FY 2013 City Capital Projects Fund budget and appropriating $97,000 to rehabilitate 5.2 miles of existing trail from Hollins Mill to the Blackwater Creek Athletic Area and extend the trail an additional 1.5 miles from the Blackwater Creek Athletic Area through Lynchburg College:

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

Noes: 0

// In the matter of Police - General, City Council Report #10 was considered. On motion of Council Member Foster, seconded by Council Member Cary, Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-12-101, as presented, amending the FY 2013 City/Federal/State Aid Fund budget and appropriating $43,266 with resources from the 2012 Edward Byrne Memorial Justice Assistance Grant to purchase Taser Electronic Control Devices and holsters, laptop computers and docking stations, and audio/video recording equipment for the Police Department:

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

Noes: 0

// In the matter of Fire – General, City Council Report #11 was considered. On motion of Council Member Foster, seconded by Council Member Cary, Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-12-102, as presented, amending the FY 2013 City/Federal/State Aid Fund budget and appropriating $134,860 with resources of $87,446 from the RSAF grant and $47,414 transferred from the FY 2013 General Fund Fire Department budget to purchase two (2) Physio LifePak 15 cardiac monitor/defibrillators, two (2) Stryker Power Pro ambulance cots, and ten (10) Panasonic 19 Toughbook computers for the Fire Department:

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

Noes: 0

// In the matter of Public Works – General - Schools, City Council Report #12 was considered. On motion of Council Member Foster, seconded by Council Member Cary, Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-12-103, as presented, amending the FY 2013 City/Federal/State Aid Fund budget and appropriating $376,796 to improve routes for families and the community to have safe pedestrian and bicycle access to Dearington, T.C. Miller, and Perrymont Elementary Schools:

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

Noes: 0

// In the matter of Community Planning - Zoning, a public hearing was held regarding City Council Report #13 outlining the petition of Fairview Christian Church for a Conditional Use Permit (CUP) to allow a modified sign at 2705 Campbell Avenue in an R-3, Medium Density, Two-Family Residential District. Director of Community Development Kent White gave a summary of the request and stated the Planning Commission recommended 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 Council Member Foster, Council by the following recorded vote adopted Resolution #R-12-104, as presented, granting the Conditional Use Permit:

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 #14 to authorize a Rental Car Concession Agreement and Lease between the City of Lynchburg and Enterprise Leasing Company of Norfolk/Richmond LLC, (DBA National Car Rental) to operate a rental car business

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 Cary, Council by the following recorded vote adopted Resolution #R-12-105, as presented, granting a Rental Car Concession Agreement and Lease between the City of Lynchburg and Enterprise Leasing Company:

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 to approve Supplemental Lease Agreement #8 to lease number GS-03B-03314 with the General Services Administration to add a ten (10) year renewal option for lease of certain space in the terminal building of the 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 Cary, Council by the following recorded vote adopted Resolution #R-12-106, as presented, approving Supplemental Lease Agreement #8:

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

Noes: 0

// In the matter of Fire – General, City Council Report #16 was considered. On motion of Vice Mayor Johnson, seconded by Council Member Helgeson, Council by the following recorded vote adopted Ordinance #0-12-107, as presented, to amend the City Code relating to the regulation of ambulances within the City:

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

Noes: 0

// In the matter of Fire – General, City Council Report #17 was considered. On motion of Council Member Foster, seconded by Vice Mayor Johnson, Council by the following recorded vote adopted Ordinance #0-12-108, as presented, amending the City Code relating to the provision of Emergency Medical Services within the City:

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

Noes: 0

// In the matter of Community Development – General, City Council Report #18 was considered. Council Member Nelson, Chair of the Finance Committee (FC) stated that this matter came before the FC which recommended approval. This motion does not require a second, and Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-12-109, as presented, amending the FY 2013 City/Federal/State Aid Fund budget and appropriating $5,644 with resources of $5,014 from the Virginia Department of Historic Resources, for the consideration of the properties as a potential listing within the State and National Historic Registers:

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

Noes: 0

// In the matter of Virginia Municipal League (VML), City Council Report # 19 was considered. On motion of Council Member Nelson, seconded by Council Member Johnson, Council by the following recorded vote adopted Resolution #R-12-110, as presented, calling for an end to the “Local Aid to the Commonwealth” Program:

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

// The meeting was adjourned at 8:34 p.m.

_____
Clerk of Council

LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: **September 25, 2012** AGENDA ITEM NO.: **9**

CONSENT: **X** REGULAR: WORK SESSION: CLOSED SESSION: (Confidential)

ACTION: **X** INFORMATION:

ITEM TITLE: **Target Public Safety Grant Application for Emergency Preparedness; Budget Amendment And Appropriation**

RECOMMENDATION: Adopt a resolution to amend the FY 2013 City/Federal/State Aid Fund budget and appropriate $1,000 with resources from the Target Public Safety Grant Program to assist in promoting the Department of Emergency Services *Ready Lynchburg* Build-a-Kit initiative.

SUMMARY: The *Ready Lynchburg* Build-a-Kit initiative will provide children with some basic ideas and supplies to start building a family 72 hour emergency supply kit. At the same time, we will be able to provide their family with information regarding making a family emergency plan and how to stay informed in the event of emergencies. The overall goal of *Ready Lynchburg* is to have all families prepared for unexpected emergencies by providing them with information on making an emergency supply kit, having an emergency plan, and staying informed.

A grant for $1,000 was applied for through the Target Public Safety Grant Program to help fund this initiative. I have received email notification that our grant application has been approved and an award of $1,000 will be made available to us.

PRIOR ACTION(S): Finance Committee September 11, 2012

FISCAL IMPACT: None, there is no local match requirement for this grant.

CONTACT(S): William A. Aldrich, Director of Emergency Services, 455-4285

ATTACHMENT(S): Resolution

REVIEWED BY: lkp

RESOLUTION:

BE IT RESOLVED that the FY 2013 City/Federal/State Aid Fund budget is amended and $1,000 is appropriated with resources from the Target Public Safety Grant Program to assist in funding the Department of Emergency Services *Ready Lynchburg* Build-a-Kit initiative.

Introduced: Adopted:

Certified: _____
Clerk of Council

124L

LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: **September 25, 2012** AGENDA ITEM NO.: **10**

CONSENT: **X** REGULAR: WORK SESSION: CLOSED SESSION: (Confidential)

ACTION: **X** INFORMATION:

ITEM TITLE: **Police Department Participation in the DMV Highway Safety Grant – Speed Limit Enforcement; Budget Amendment & Appropriation**

RECOMMENDATION: Adopt a resolution to amend the FY 2013 City/Federal/State Aid Fund budget and appropriate $9,704 with resources of $6,316 from the Department of Motor Vehicles Highway Safety Grant, $230 transferred from the FY 2013 General Fund Police Department budget, and $3,158 of in-kind equipment and services match to provide selective speed related enforcement activities, attend related training, and purchase equipment.

SUMMARY: The Department of Motor Vehicles Highway Safety Program has awarded the City a $9,704 grant. The funds will be used for selective speed related enforcement activities, to attend related training, and to purchase equipment for speed related enforcement.

The grant excludes reimbursement of FICA (Medicare and Social Security) benefit costs associated with the allotted overtime; this cost is estimated at $230 and is available in the FY 2013 General Fund Police Department budget.

An in–kind match of $3,158 in police equipment and services is part of the grant agreement.

PRIOR ACTION(S): Finance Committee September 11, 2012

BUDGET IMPACT: The grant requires the locality to pay any Medicare and Social Security benefit costs associated with the program; this funding ($230) is available in the FY 2013 General Fund budget. The grant also requires the locality to provide an in-kind match of $3,158; General Fund equipment and services will be used to account for this match.

CONTACT(S): Police Chief Parks Snead, 455-6104; Captain R.M. Zuidema, 455-6052

ATTACHMENT(S): Resolution

REVIEWED BY: lkp

RESOLUTION:

BE IT RESOLVED THAT the FY 2013 City Federal State Aid Fund budget is amended and $9,704 is appropriated with resources of $6,316 from the Department of Motor Vehicles Highway Safety Grant, $230 transferred from the FY 2013 General Fund Police Department budget, and $3,158 of in-kind equipment and services match to provide selective speed related enforcement activities, attend related training, and purchase equipment.

Introduced: Adopted:

Certified: _____
Clerk of Council

122L

LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: **September 25, 2012** AGENDA ITEM NO.: **11**

CONSENT: **X** REGULAR: WORK SESSION: CLOSED SESSION: (Confidential)

ACTION: **X** INFORMATION:

ITEM TITLE: **Department of Motor Vehicles Highway Safety Program Grant for Crash Team Training and Equipment; Budget Amendment & Appropriation**

RECOMMENDATION: Adopt a resolution to amend the FY 2013 City/Federal/State Aid Fund budget and appropriate $44,850 with resources of $29,900 from the Department of Motor Vehicles Highway Safety Program and $14,950 of in-kind equipment and services match to send crash team members to accident reconstruction training and to purchase equipment.

SUMMARY: The Department of Motor Vehicles Highway Safety Program has awarded the City a $44,850 grant. Funds will be used to send crash team members to accident reconstruction training and to purchase equipment for use when responding to and conducting investigation and reconstruction of serious motor vehicle crashes.

An in-kind match of $14,950 in police equipment and services is part of the grant agreement.

PRIOR ACTION(S): Finance Committee September 11, 2012

BUDGET IMPACT: The grant requires the locality to provide an in-kind match of $14,950; General Fund equipment and services will be used to account for this match.

CONTACT(S): Police Chief Parks Snead, 455-6104; Captain R.M. Zuidema, 455-6052

ATTACHMENT(S): Resolution

REVIEWED BY: lkp

RESOLUTION:

BE IT RESOLVED THAT the FY 2013 City/Federal/State Aid Fund budget is amended and $44,850 is appropriated with resources of $29,900 from the Department of Motor Vehicles Highway Safety Program and $14,950 of in-kind equipment and services match to send crash team members to accident reconstruction training and to purchase equipment.

Introduced: Adopted:

Certified: _____
Clerk of Council

123L

LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: **September 25, 2012** AGENDA ITEM NO.: **12**

CONSENT: **X** REGULAR: WORK SESSION: CLOSED SESSION: (Confidential)

ACTION: **X** INFORMATION:

ITEM TITLE: **Police Department Participation in the DMV Highway Safety Grant – DUI & Restraint Enforcement; Budget Amendment and Appropriation**

RECOMMENDATION: Adopt a resolution to amend the FY 2013 City/Federal/State Aid Fund budget and appropriate $52,575 with resources of $33,520 from the Department of Motor Vehicles Highway Safety Grant, $2,295 transferred from the FY 2013 General Fund Police Department budget, and $16,760 of in-kind equipment and services match to provide selective DUI and occupant restraint enforcement activities, attend related training, and purchase equipment.

SUMMARY: The Department of Motor Vehicles Highway Safety Program has awarded the City a $52,575 grant. The funds will be used for selective DUI and occupant restraint enforcement activities, to attend related training, and to purchase equipment for DUI enforcement.

The grant excludes reimbursement of FICA (Medicare and Social Security) benefit costs associated with the allotted overtime; this cost is estimated at $2,295 and is available in the FY 2013 General Fund Police Department budget.

An in–kind match of $16,760 in police equipment and services is part of the grant agreement.

PRIOR ACTION(S): Finance Committee September 11, 2012

BUDGET IMPACT: The grant requires the locality to pay any Medicare and Social Security benefit costs associated with the program; this funding ($2,295) is available in the FY 2013 General Fund budget. The grant also requires the locality to provide an in-kind match of $16,760; General Fund equipment and services will be used to account for this match.

CONTACT(S): Police Chief Parks Snead, 455-6104; Captain R.M. Zuidema, 455-6052

ATTACHMENT(S): Resolution

REVIEWED BY: lkp

RESOLUTION:

BE IT RESOLVED THAT the FY 2013 City Federal State Aid Fund budget is amended and $52,575 is appropriated with resources of $33,520 from the Department of Motor Vehicles Highway Safety Grant, $2,295 transferred from the FY 2013 General Fund Police Department budget, and $16,760 of in-kind equipment match to provide selective DUI and occupant restraint enforcement activities, attend related training, and purchase equipment.

Introduced: Adopted:

Certified: _____
Clerk of Council

121L

LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: **September 25, 2012** AGENDA ITEM NO.: 13

CONSENT: **X** REGULAR: WORK SESSION: CLOSED SESSION: (Confidential)

ACTION: **X** INFORMATION:

ITEM TITLE: **Virginia Economic Development Partnership, Virginia Brownfields Assistance Fund Grant; Budget Amendment & Appropriation**

RECOMMENDATION: Adopt a resolution to amend the FY 2013 City Capital Projects Fund budget and appropriate $50,000 with resources from the Virginia Economic Development Partnership, Virginia Brownfields Assistance Fund to assist with the remediation of the former Allen Morrison property.

SUMMARY: The City applied for and received $50,000 from the Virginia Economic Development Partnership, Virginia Brownfields Assistance Fund. The funds will be used to assist with environmental remediation of the former Allen Morrison property.

The grant requires a 100% match of $50,000. The match has already been met by previous City expenses related to the assessment of the property and deconstruction of buildings. The match has been approved by the Virginia Economic Development Partnership, per written agreement.

No additional City funds are requested to support this grant funding.

PRIOR ACTION(S): Finance Committee August 14, 2012; Finance Committee September 11, 2012

FISCAL IMPACT: None, the City has already met the local match requirement; therefore, no additional City funds are requested to support this grant funding.

CONTACT(S): Kay Frazier, Director of Parks and Recreation, 455-5868; Dee Dee Conner, Principal Engineer, 455-3928

ATTACHMENT(S): Resolution

REVIEWED BY: lkp

RESOLUTION:

BE IT RESOLVED that the FY 2013 City Capital Projects Fund budget is amended and $50,000 is appropriated with resources from the Virginia Economic Development Partnership, Virginia Brownfields Assistance Fund to assist with the remediation of the former Allen Morrison property.

Introduced: Adopted:

Certified: _____
Clerk of Council

127L

Agenda Item: 14

From: "Storrs, Craig" <cstorrs@liberty.edu>
To: "valeria.chambers@lynchburgva.gov" <valeria.chambers@lynchburgva.gov>
Date: 09/18/2012 01:47 PM
Subject: September 25th, 2012 City Council Meeting

Mrs. Chambers,

I would like to be placed on City Council's agenda for the September 25th meeting. I would like to discuss private property issues with City Council.

My address is 1971 University Blvd. in Lynchburg, VA.

Sincerely,

Craig Storrs

LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: **September 25, 2012** AGENDA ITEM NO.: **15**

CONSENT: REGULAR: **X** WORK SESSION: CLOSED SESSION: (Confidential)

ACTION: INFORMATION: **X**

ITEM TITLE: **Annual Report on the Activities of the Planning Commission for the Fiscal Year Ending June 30, 2012, including the implementation status of the City of Lynchburg *Comprehensive Plan 2002-2020*.**

RECOMMENDATION: Accept the FY 2012 Annual Report on the activities of the Planning Commission.

SUMMARY: The attached Annual Report is intended to brief the City Council on the activities of the Planning Commission during the last fiscal year, as well as the status of implementing the City's *Comprehensive Plan 2002-2020*. This report is also intended to supplement the Plan by suggesting priorities as City Departments determine FY 2014 – FY 2018 Capital Improvement Plan (CIP) project requests. While acceptance of this Annual Report will encourage its use in the FY 2014-2018 CIP and FY 2014 Operating Budget development process, the report does not mandate new funds or projects.

PRIOR ACTION(S):
August 8, 2012: Planning Commission recommended forwarding (5-0, with 2 absent, Hooper, Sale) the Annual Report to Council for review and acceptance.

FISCAL IMPACT: None

CONTACT(S): Laura Hamilton, Planning Commission Chair – 386-3089
Tom Martin, City Planner – 455-3900
Kent White, Director of Community Development – 455-3900

ATTACHMENT: Annual Report

REVIEWED BY: bms

128L

Annual Report on the Activities of the Planning Commission Including Implementation of the *City of Lynchburg: Comprehensive Plan 2002 – 2020* For the Fiscal Year Ending June 30, 2012

Approved by the Lynchburg Planning Commission: August 8, 2012

Laura Hamilton, Chair
Andy Sale, Vice Chair
Richard Barnes
James Coleman, Jr.
Ted Hannon
Kevin Hooper
Gerry Swienton

Report Summary

This is the ninth (9th) annual report submitted to City Council outlining the implementation of the *Comprehensive Plan 2002-2020*. The report is being submitted at the end of the City's fiscal year, June 30, 2012.

In addition to a review of the Planning Commission's activities, included is a report on the implementation of the *Comprehensive Plan 2002-2020*. Also attached are items and programs approved as part of the *Comprehensive Plan* that may be considered for the FY 2014 Capital Improvements Program (CIP) by various departments.

The Planning Commission considered and forwarded to City Council twenty-six (26) petitions from July 1, 2011 through June 30, 2012.

Petitions considered and forwarded to the City Council:

- Conditional Use Permits - 12
- Rezoning Petitions - 8
- *Zoning Ordinance* Amendments – 2
- *Future Land Use Map* Amendments – 4

Highlighted petitions:

- July 13, 2011 – Wyndhurst Counseling Center, office use, 1001 Oakmont Circle
- August 10, 2011 - Lynchburg Humane Society, animal shelter – 1211 Old Graves Mill Road
- September 14, 2011 – First Baptist Church of South Lynchburg, new church facility- 2431, 2438, 2458, 2467 & 2503 Tazewell Avenue
- March 14, 2012 – Oaklink, LLC, (Oakwood Country Club) 78 semi-detached residential units, 207 Preserve Drive

- April 11, 2012 – SJ Collins, grocery store/shopping center – Whitehall Road and Lakeside Drive
- April 11, 2012 – Virginia University of Lynchburg, 2 new dormitories – 2057/2059 and 2221 Campbell Avenue
- April 11, 2012 – Rush Homes, Armstrong School adaptive reuse, 28 apartment units – 1721 Monsview Place
- June 13, 2012 – Concept Design and Development, LLC, Planned Unit Development (PUD) Seven Springs, 28 single-family detached units – 4784 John Scott Drive

Miscellaneous:

- The Planning Commission recommended revisions to Chapter 35.1-22 to allow for reduced street frontage requirements for lots existing prior to September 12, 1989. The new amendment would allow development to occur on a pre-existing lot with only twenty-five (25) feet of improved, dedicated street required.
- The Planning Commission drafted an amendment to the *Zoning Ordinance* to create an Institutional 1 district (for institutions located in residential districts) and an Institutional 2 District (for institutions located in commercial districts). This initiative included holding several meetings with a group of stakeholders from various institutions in the City and conducting two (2) public hearings. The Commission forwarded the amendment to City Council at its July 13, 2011 meeting. The ordinance amendment awaits Council action. City staff has been discussing the proposed ordinance concerning IN-2 districts with stakeholders and a revised draft should be forwarded to Council in November 2012.
- The Planning Commission was presented with the findings on the Old Forest Road Access Management Opportunities by Region 2000.
- A resolution was adopted by the Planning Commission to affirm the current *City of Lynchburg Comprehensive Plan 2002-2020* is in compliance with the requirements of Urban Development Areas (UDAs) as specified by State Code.
- The Planning Commission endorsed the use of Planning Works, Inc. to perform a *Zoning Ordinance* Diagnostic Review, which was conducted during the winter. Planning Works, Inc. presented their findings to the Planning Commission on May 9, 2012. The Commission subsequently recommended that City Council immediately undertake rewriting the *Zoning Ordinance*.
- The Planning Commission was provided with a presentation on the housing initiative and housing report conducted by the City. The Commission forwarded the report to Council.

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3. Implement the Downtown & Riverfront Master Plan 2000
4. Revise the *Zoning* & *Subdivision Ordinances*
5. Prepare Citywide Design Standards
6. Prepare a Comprehensive Citywide Economic Development/Redevelopment Strategic Plan
7. Commercial Areas: Revitalization of the Fifth Street Corridor
8. Commercial Areas: Revitalization of the Midtown Area
9. Commercial Areas: Odd Fellows Road / Campbell Avenue Study
10. Commercial Areas: Wards Road Pedestrian & Bicycle Study
11. Establish short and long term priorities through a Transportation Master Plan
12. Manage Natural Systems/Maintain comprehensive approach to stormwater management
13. Establish a Neighborhood Task Force
14. Preserve City-Owned Historic Buildings and Sites
15. Plan and implement a greenway program
16. Provide adequate public facilities to support the City's long-range planning goals
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I. Introduction

History & Adoption of the Comprehensive Plan

The City of Lynchburg *Comprehensive Plan 2002 – 2020* was adopted by the City Council on September 10, 2002. The final chapter of the plan outlined a five (5)-year implementation program made up of those tasks that the City needs to implement first in order to reach the vision of the City in the year 2020. This Annual Report gives a status report on the ninth (9^{th}) year of the implementation program.

Five Year Review of the *Comprehensive Plan 2002-2020*.

At the January 8, 2008 City Council work session, Planning Commission Chair, Laura Hamilton presented the Five (5)-Year Review of the *Comprehensive Plan 2002-2020*. The five year review of the Comprehensive Plan is required by §15.2-2230 of the Code of Virginia and was completed by the Planning Commission on December 12, 2007.
The following represents a status of the prioritized list of recommendations set forth in the five (5)-year review:

1. Reaffirm the vision of the Comprehensive Plan – February 26, 2008
2. Identify vacant land and land suitable for redevelopment – Complete
3. Conduct analysis of vacant land to determine which areas are suitable for conservation or development. Developable tracts would be identified for traditional neighborhood developments, planned unit developments, commercial, industrial and typical residential developments – Complete
4. Develop Transportation Master Plan policies – Chapter 14: Transportation of the *Comprehensive Plan 2002-2020* adopted by City Council on June 8, 2010.
5. Revise Natural Systems chapter of the *Comprehensive Plan 2002-2020* – Chapter 12: Natural Systems of the *Comprehensive Plan 2002-2020* adopted by City Council on October 13, 2009.
6. Revise the *Future Land Use Map* to coordinate with vacant land analysis – Following Completion of the Vacant Land Analysis
7. Complete Housing Plan – Underway
8. Comprehensive rewrite of the *Zoning Ordinance* – Underway

Goals, Objectives & Strategies in the Plan

Each chapter in the *Comprehensive Plan*, beginning with Chapter 5, Citywide Land Use and Development, concludes with a series of Goals, Objectives & Strategies. In addition to Citywide Land Use, these goals address:

- Design, Character & Quality
- Economic Development & Redevelopment
- Downtown & Riverfront Master Plan 2000
- Commercial & Employment Areas
- Neighborhoods & Housing
- History, Culture, Education & the Arts
- Natural Systems
- Parks & Recreation
- Transportation
- Public Utilities
- Public Facilities

The goals outline broad policies for future action to protect, improve and enhance various aspects of the City's character and its quality of life while the objectives identify more detailed initiatives. The strategies are specific actions that need to be taken or policies that need to be followed to fulfill the vision presented in the plan. There are three (3) types of strategies. The first are the sixteen (16) strategies, one from each element of the plan, that have been selected for inclusion in the five (5)-year implementation program. The second type of strategy directs that a certain action be taken but is not included in the five (5)-year program. These strategies will be undertaken if unexpected opportunities, such as grant funding or volunteer efforts arise. The third type of strategy is intended to give overall policy guidance and therefore does not address a specific project.

The Implementation Matrix

Chapter 17 of the *Comprehensive Plan* includes an implementation matrix with the direction that it be revised and completed following adoption of the plan. The matrix was revised and presented to the Planning Commission in January 2003. This Annual Report is based on that revised matrix. Information in this report is on a fiscal year basis, July 1 through June 30.

II. Status of Implementation Matrix Tasks: FY 2012 & FY 2013

Strategy from Implementation Matrix	Completed in FY 2012 July 1, 2011- June 30, 2012	Projected for FY 2013 July 1, 2012 - June 30, 2013
1- Prepare for Plan Implementation	The Planning Commission continues to be involved in plan implementation. The Citizens Steering Committee (CSC) continues to review policies and ordinances identified during the 5-year update to the *Comprehensive Plan 2002-2020* at the direction of Planning Commission. The City continues to enhance the website to increase public awareness. Planning Commission and City Council meetings, as well	Continued participation expected. The Citizen Steering Committee has undertaken a review of the billboard requirements of the *Zoning Ordinance* within the City. Recently, forums were made available regarding the "Lynchburg is Listening: A Conversation on Housing" and the *Zoning*

	as select public forums, are available for on-line viewing.	*Ordinance* Diagnostic Review.
2- Tyreeanna/Pleasant Valley Neighborhood Plan	Adopted in July 2003. Continue to work with land owners and developers to implement plan. Focused on "Access Management" along U.S. Route 460.	Staff review of post closure plans for landfill. Landfill will accept residential trash until 2013, with small drop off area remaining for three to five years.
3- Implement the Downtown & Riverfront Master Plan 2000	Academy of Music has started a dialogue with City staff on the design of the rehabilitation of the historic building. Acquire final right-of-way necessary to complete Lower Bluffwalk and develop the design of the walkways associated with Lower Bluffwalk. Cliff's Edge Lofts scheduled to hold varying sized residential units within an industrial style building located at 7th & Commerce Street. Several pieces of this project were accomplished through public/private partnership. Significant exterior repairs and restoration were completed in the Summer 2011 to the Old Courthouse Building, now the Lynchburg Museum.	Project costs have driven the site plan submission to be delayed until Summer 2013. Construction of the stairs, sidewalks, and other ancillary features of the Lower Bluffwalk to be completed by Spring 2013. Lower Bluffwalk Overlay District to be reviewed by Planning Commission in Fall 2012. Completion of the project is expected for Fall 2012.
4- Revise the Zoning & Subdivision Ordinances	A Zoning Diagnostic Review was completed by the City in Spring 2012, with great participation from citizens around the City. City Council approved amendments to the Subdivision Ordinance allowing reduced road frontage requirements for pre-existing parcels. Planning Commission was tasked with amending the ordinance to allow for digital billboards.	Request for Proposals for rewrite of *Zoning Ordinance* to be advertised August 2012. Council to consider funding as part of carry forward requests. The inclusion of the use of digital billboards within the City is expected to receive Council action in Fall 2012.
5- Prepare Citywide Design Standards.	Design guidelines will be included with *Zoning Ordinance* and *Subdivision Ordinance* revisions, as allowed by the Code of Virginia. The Planning Division has initiated sample policy for gateway signs for the key entry points into the City.	Continuing where applicable. Region 2000 in conjunction with the City is preparing a way-finding signage policy plan to be completed in Summer 2012.

6- Prepare Comprehensive Citywide Economic Development Redevelopment Strategic Plan	Office of Economic Development (OED) continues to engage the local business community to determine their needs. **Business Retention, Expansion & Attraction…** The Lynchburg Economic Development Authority established a Revolving Loan Fund for $1,000,000 to assist with business growth and development. Lynchburg Economic Development Authority created a designated Economic Development Fund through the Greater Lynchburg Community Trust. Marketing Overhaul - In the process of overhauling website and print collaterals to reflect the dynamism and potential of Lynchburg Began new business attraction program with assistance from our existing companies and the World Economic Development Alliance partnership with Campbell County. The following expansions took place in calendar year 2011-12 NovaTech - 12 new jobs and $1MM cap investment Belvac Machinery - 60 new jobs and $4.5 MM capital investment Tessy Plastics – 60 new jobs and $4.8 MM capital investment. Funded citizen charrettes for major infrastructure improvements. Funded coordination and community outreach efforts for major infrastructure projects. Engaged Community Development and Parks and Rec Departments for a comprehensive neighborhood-based economic development	Develop and maintain initiatives that engage and assist City businesses. Create a Defense Zone within the City Develop a retail industry sector initiative. Update and revamp website and all collateral materials for OED with new brand “City of Opportunity. Great place to learn, live, work and play. Provide businesses and developers market data and analysis to attract, retain and support growth and new projects 411 Informational Series – Enterprise, Technology, Redevelopment, Tax Credits Establish a formal short and long term marketing plan to direct resources and track data. Continue Pre-TRC meetings Assist developers with access to financing and interfacing with City. Assist larger businesses with vertical integration through targeted industry marketing Complete and market the Local Enterprise Zone Redevelopment Investment Grant. Coordinate with relevant departments for seamless service initiative.

	initiative. **Development & Redevelopment…** Partnered with Lynch's Landing to apply for and receive a $50,000 Virginia Main Street Feasibility Grant for the Carter Glass building. Office of Economic Development represented the State of Virginia at the Developers Forum at the Annual Brownfields Conference in Philadelphia. Office of Economic Development was awarded a Brownfields Grant from the Virginia Economic Development Partnership for $41,000 to assist with assessment, remediation and stabilization on the 700 block of 5th Street. Fields of Opportunity Stakeholders meetings began in February of 2012 and will continue until October 2012. 5th Street designated a Federal and State Historic District. Lynchburg's Enterprise Zones administered by the Office of Economic Development awarded over $320,000 in grants to commercial property owners for over $35 million in capital investment and the creation of 86 new jobs. Development Coordination Meetings continue to provide valuable information and collaboration between City departments to promote and facilitate development. OED engaged in Complete Streets initiative and sponsor of Bike Week – Clean Commute Challenge **Workforce Development…** Lynchburg Economic Development Authority is the primary funder of Grow One™ the award winning United Way Residential Entrepreneurial Camp	Seek grants and other external funding for economic development initiatives. Initiate community livability citizen engagement tool "Imagine That". Administer the Arts & Cultural District Grant Program

	at Lynchburg College for rising 7th graders. Partners in Education Master Partnership with EDA reaches Five-Year Milestone. Sponsor of Lynchburg City Schools Educational Foundation Teacher grants focused on workforce development. Participating in the development and planning of the Beacon of Hope initiative. **Entrepreneurial Initiatives…** Salt Block Project – Partnered with Sweet Briar College for student led entrepreneurial workshops and recognition of area small businesses by Lt. Governor Bolling. OED staff attended Edward Lowe Entrepreneurial Support Organizations Retreat. OED partners with the UVA Darden School to present an Entrepreneurial Workshop with 36 attendees. Partnership with Business Development Centre to promote and grow one stop for entrepreneurs. Mailed "welcome" letters to each new business licensee in the City of Lynchburg. **Quality of Life…** Sponsor of the Virginia Ten Miler Sponsor of Get Downtown! OED was a founding member of current Health & Wellness Coalition Forbes Names Lynchburg 49th in the Nation's "Best Places for Business and Careers." Outranked all other VA cities. Lynchburg ranked 54th in the Milken Institute Best Performing Cities Index. The index ranks	

	small metros for how well they are creating and sustaining jobs as well as economic growth. Lynchburg Designated as a Runner Friendly Community and, the Outstanding Runner Friendly Community in the Nation. Office of Economic Development engages the business community with information and a survey. Office of Economic Development received a grant of $5,000 from the Virginia Commission for the Arts for the James River Arts & Cultural District. OED administers the James River Arts & Cultural District Grants Program. Ten grants have been dispersed to date.	
7- Commercial Areas: Revitalization – 5th Street	Public meetings held quarterly to update business owners and residences about construction schedule. Phase II 5th Street Corridor improvements construction started September 2011. Lynchburg Economic Development Authority created a Business Assistance Grant during the construction on 5th Street. This grant was used to provide advertising for businesses during infrastructure & streetscape improvements. The Planning Division initiated the pursuit of State/National Historic designation for 5th Street. Properties within the 5th Street were designated Historic in December 2011. The CDC (Community Development Corporation) continues to seek private donations and brick sales for the center feature of the roundabout and will coordinate final design.	Phase II is expected to be completed in Spring 2013. Phase III construction to be coordinated with Midtown Connector construction, possible construction Fall 2013. Tax credit availability to the historic properties will make rehabilitation more financially feasible.
8- Commercial Areas: Revitalization of Midtown Area	Renovation continues on Kemper Street Mixed Use project. GLTC (Greater Lynchburg Transit Company) is preparing to add its facility to the Kemper Street Train Station.	Project is expected to be completed during FY2013

	The Midtown Connector Project has gone out to bid. A builder has been selected. A few right of way acquisitions remain to be completed.	Construction and activities associated with the Midtown Connector are expected throughout FY2013.
9- Commercial Areas: Odd Fellows Road / Campbell Avenue Study	Study initiated in response to future construction of Odd Fellows Road Interchange and neighborhood interest.	Planning Commission review of Odd Fellows Road / Campbell Avenue Study for inclusion in Comprehensive Plan – Fall 2012. Construction of Odd Fellows Road interchange - 2015
10. Commercial Areas: Wards Road Pedestrian & Bicycle Study	Construction of Phase I and II complete.	Construction of Phase IIB, connection to Central Virginia Community College (CVCC), easements and construction Spring 2013.
11- Establish short and long term priorities through a Transportation Master Plan (TMP)	Breezewood Drive Phase II project on hold, pending outcome of Lakeside Centre project and proposed improvements to surrounding area. Phase II would improve the two-lane alignment of Breezewood Drive and add sidewalk from the Heritage Baptist Church entrance to the end of the road. Greenview Drive Phase II design underway. Phase II would widen Greenview Drive from Hermitage Road to Leesville Road. This project would also include improvements to the intersection of Leesville Road and Greenview Drive by adding turn lanes at all approaches. Rivermont Bridge under construction. The project involves a major rehabilitation of the driving deck and the upgrade of the lighting and parapet rail system. D Street Bridge construction was completed in Spring 2011. The project involved the re-construction of the bridge. Improvements to the Lakeside Drive/Park Avenue/Memorial Avenue intersection design underway. This project would provide efficient and safer pedestrian and traffic flows through the intersection.	Continued improvements to Breezewood Drive are deferred until adequate Virginia Department of Transportation funding is available. Right-of-way acquisition scheduled to begin when adequate Virginia Department of Transportation funding is available. Completion of the Rivermont Bridge is expected in September 2011 Construction is expected to start in 2012.

	Construction of a new traffic signal at the Enterprise Drive and Paulette Circle complete. Wards Road traffic signal retiming study completed. This study analyzed the timings of seven intersections on Wards Road to optimize the efficiency of the system. Kings Drive construction complete. The project included the addition of a full size cul-de-sac at the terminus of the road adjacent to the Areva parking lot as well as the construction of sidewalk and a traffic signal at the intersection of Kings Drive and Old Forest Road. Phase III of trail system, Atlanta Avenue to Wards Ferry Road.	
12- Manage Natural Systems/Maintain comprehensive approach to stormwater management	The Central Virginia Erosion and Sediment Control Committee meets twice a year to gauge regional consistency in inspection and plan review programs. The City was recognized in 2012 as a Green Government through VML. (The City was not eligible to place since we had already won the year before). The Virginia Department of Conservation and Recreation (DCR) issued a consistent rating for the City of Lynchburg's Erosion and Sediment Control Program. The City's Non-Point Discharge Elimination System (NPDES) Phase II stormwater permit is in effect until June 2013. Operators of regulated small municipal separate storm sewer systems (MS4s), such as the City of Lynchburg, are required to obtain a NPDES permit and develop a stormwater management program designed to prevent harmful pollutants from being washed by stormwater runoff into local water bodies. The City submits its annual reports to the Department of Conservation and	Continue semi-annual meetings. Continued participation expected. The City will submit its fourth annual report on the status of the current NPDES Phase II permit requirements in the Fall 2012.

	Recreation on the status of the NPDES Phase II permit requirements. Stormwater Fee schedule was set by Council in Spring of 2012 and will take effect FY2013. The Environmental Protection Agency (EPA) conducted an audit of the City's management of its erosion & sediment control program as well as implementation of stormwater management regulations. The audit is scheduled to be release Fall 2012. Various efforts are underway working with the State and EPA on the Chesapeake Bay TMDL. Work has begun on the Phase II Watershed Implementation Plan (WIP) which will result in reduction goals for each locality. A number of efforts have taken place to engage and educate the public in matters related to stormwater including various presentations and an interactive broadcast on LTV.	
13- Establish Neighborhood Task Force	The Code Enforcement Task Force continues to meet quarterly and as needed. The task force meets with neighborhood groups to insure adequate communication between residents and the City.	
14- Preserve City-owned historic buildings and sites	The Armstrong School previously owned by the City was transferred to Rush Homes for adaptive reuse as a residential facility. Design for renovation of the Miller Center, formally the Janet Snead School, is complete. Renovation of building is eligible for State Historic Tax Credits.	Renovations are to take place in spring of 2013. It is expected that the building will receive a State/National Historic designation in the Summer 2012.
15- Plan and implement a greenway program	Regional Greenways/Blueways Advisory Committee continues to meet twice a year.	Work to continue through Summer 2012.

	Phase I trail construction has begun in order to connect Ivy Creek Park with Peaks View Park. The City and Lynchburg College are partnering on a trail from Blackwater Creek Athletic Area (BWCAA) to Sandusky Park. Applied for VDCR, Recreation Trails Program grant. Tinbridge Hill Neighborhood trail connection to BWC Bikeway under design.	Construction and additional phasing to continue through FY2013.
16- Provide adequate public facilities to support the City's long-range planning goals	This is a general ongoing strategy. Planning activities related to the City's infrastructure include: Continued implementation of Fire & EMS Department 2015 Plan and the Accreditation Commission. Post closure uses of existing landfill as identified in Tyreeanna/ Pleasant Valley Neighborhood Plan to be studied in greater detail in the future. The Wards Road Pedestrian Bridge and tunnel were completed in partnership with Liberty University.	
17- Support efforts to improve the quality of Lynchburg City Schools	Partial funding has been added to the budget to help finance the repairs necessary of Heritage High School.	

III. Other Comprehensive Plan Strategies: Underway or Completed

The following chart lists the strategies that various City departments or other groups are working towards completing. In addition to these strategies, there has been a continued interest expressed in the goals, objectives, and strategies included in the *Comprehensive Plan*.

Comp Plan Page #	Plan Element: Goal/Objective/ Strategy	Department/Group & Activity
5.12-13	**Element: Citywide Land Use & Development Objective l.A. Regulations and Guidelines**	

	3) Incorporate drawings and photographs as references in ordinances to help clarify concepts for the general public, local officials, and the development community.	Drawings and photos included as a suggestion within the *Zoning Ordinance* Diagnostic Review.
	Objective 2.B. Integrated Data Systems 3) Coordinate and standardize internal City collection and reporting procedures.	Trak-it system was updated in Spring 2012 to help accommodate the evolving needs of City staff in their technical project review procedures. Approved site plans, small infrastructure plans and subdivision plats are scanned and attached to TrakIt projects, making them accessible by all departments. Approved site plans, small infrastructure plans and subdivision plats are scanned and attached to TrakIt projects, making them accessible by all departments.
	4) Explore opportunities to build a common base of planning-related data between City departments and regional agencies.	Parcel, street centerline, and address data is shared with adjacent localities.
	6) Expand the City's Geographic Information System (GIS) to incorporate natural systems and environmental data that can be compiled on the small area, neighborhood, Citywide and regional basis.	The Assessor's Office and GIS Division continue to make updates to the GIS system that improve the quality of assessment information dispersed to the public.
5.14-5.15	**Element: Citywide Land Use & Development**	
	Goal 4. Encourage the improvement of conditions and quality of life along travel corridors and in revitalization areas identified on the Plan Framework Map.	The City has partnered with Liberty University to improve pedestrian safety along Wards Road by constructing a pedestrian bridge, which crosses over Wards Road. In partnership with VDOT, the City has undertaken a study of the Campbell Avenue corridor to look at improvements that can be made which would enhance the functionality of the corridor.
	Objective 5.A. Regional Collaboration Increase level of coordination between area localities and state agencies.	The City continues to foster regional cooperation where appropriate, with a particular example being the way-finding signage policy plan, which was jointly coordinated with Region 2000. Quarterly meetings between Planning Directors of neighboring localities continue. The Planning Division notifies adjacent locality Planning Departments when *Future Land Use Map [FLUM]* amendments, rezonings or conditional

		use permit petitions are near jurisdictional boundaries.
6.23	**Element: Design, Character & Quality** **Objective l.H. Property Maintenance** 2) Target code enforcement activities in areas experiencing the highest levels of deterioration and disinvestment. 4) Develop a program to address the maintenance of properties owned by out-of state, absentee landlords. 5) Develop a Citywide Rental Housing Program to address all rental properties that do not meet building code standards.	 In cooperation with the City's Inspection Division, Lynchburg Redevelopment and Housing Authority (LRHA) is continuing the Spot Blight Abatement Program which requires owners to repair properties or face acquisition by the LRHA. Community Development staff in both Neighborhood Services and Inspections Divisions have consolidated efforts to cite violations for housing enforcement, weeds, inoperable automobiles and trash. The program continues to function well with satisfactory cooperation from landlords and has been in operation for the past five years.
10.14	**Element: Neighborhoods/Housing** **Objective 1A. Conserve, Stabilize and Revitalize the City's Neighborhoods** c) Assist City staff in preparing community-based plans for City neighborhoods, as identified in the Plan Framework Map. **Objective 2.D. Rental Housing** 1) Establish public/private partnerships to improve the quality of rental housing serving low and moderate income residents. **Objective 2.E. Homeownership Opportunities** 2) Develop a program of incentives and financing to enable low-income households to become homeowners.	 Tinbridge Hill Sustainability Initiative – Funded thru Community Development Block Grant (CDBG) funds. Update to plan under development. The Lynchburg Neighborhood Development Foundation (LNDF) and Lynchburg Community Action Group (Lyn-CAG) continues to renovate older single-family homes into well designed apartments in older neighborhoods. Lynchburg Housing and Redevelopment Authority (LHRA) continues to administer its public housing apartments along with the Section 8 Housing Choice Voucher program. LRHA is operating a Rental Rehabilitation Program in which matching grants are provided to landlords to improve rental properties in the downtown residential areas. Habitat for Humanity and LNDF continue to build new homes in the City.

	Objective 2.F. Special Needs Housing 5) Work with the Redevelopment and Housing Authority and social service providers to assess the needs of the City's homeless population. **Objective 2.G. Employer-Assisted Housing** 1) Encourage major employers to develop programs to help the City inform employees about housing opportunities and housing assistance within the City. Objective 3.A. Residential Mixed-Use Zones Goal 3. Promote the creation or re-creation of mixed-use residential communities that incorporate a mix of housing types with pedestrian-oriented streets, small-scale neighborhood oriented office and commercial uses and neighborhood parks and squares.	LNDF Finance and Development Program encouraged the development of single-family homes for re-sale. Several programs, such as Rebuilding Together and LNDF's Lynchburg Supportive Loan Program, continue to renovate homes. LNDF, Rush Lifetime Homes and Lynchburg Community Action Group (LYNCAG) continue to sponsor rental housing assistance programs for homeless disabled households for the City's Shelter Plus Care program, each with a service component provided by Miriam's House. LNDF and Rush also have a site-based, permanent housing project for homeless called Cornerstone. The Homeless and Housing coalition provide a "continuum of care" program. The City conducts periodic homeless street counts and a "point in time" surveys at shelters. The City plans to establish a housing partnership with the six (6) non-profit groups mentioned above in hope of creating a focused approach to identifying housing needs and better utilize CDBG and HOME funds.
13.4-6	**Element: Parks & Recreation** **Objective 1.B. Park & Facility Upgrade** 1) Prepare master plans for Miller Park, Riverside Park, City Stadium area and other City parks to guide and appropriately locate needed upgrades and improvements. 3) Prepare plans, including cost estimates and schedules, to bring all park facilities into compliance with the Americans with Disabilities Act (ADA).	Funding for master planning of Blackwater Creek Natural Area deferred. Master Plans complete for Miller Park, Riverside Park, Younger Park, College Park, Perrymont Park and Blackwater Creek Athletic Area. (BWCAA). Renovation of Younger Park is complete. Improvements to Miller Park, Riverside Park, BWCAA continue. Schematic design complete for renovation of Miller Center, to include compliance with the ADA. ADA improvements complete at Peaks View Park tennis courts. All renovations or new parks include bringing facility in to compliance with ADA.

	4) Prepare a plan to bring all playgrounds and play equipment into compliance with published national standards for recreation equipment, while offering a diversity of physical experiences for all ages. Seek community and private sector support for improvements.	Yoder Center playground complete. Sprayground at Riverside Park complete. New playground at Riverside Parking design phase.
	Objective 1.D. New Park & Recreation Facilities 2) Master plan and develop a new park as an environmental education center on donated land in the Lynchpin Industrial Center.	The Ivy Creek Park opened June 2011. Phase I construction is complete.
	3) Master plan Schenkel and Allen-Morrison properties, in conjunction with the City Stadium area, for recreational purposes.	
	Objective 1.F. Water Recreation 4) Participate in local, regional, and state water quality improvement programs for the James River and regional streams.	U.S. Environmental Protection Agency approved the Region 2000's Total Maximum Daily Load (TMDL) plan and initiated study. Region 2000 hosting meetings with stakeholders.
	Objective 2.B. Indoor & Special Facilities 1) Rehabilitate the current Parks and Recreation Department headquarters building at 30 1 Grove Street to meet current codes and to serve as a central facility for classes in the arts and other interests.	Renovation is contingent on funding.
	Objective 2.A. Community Centers 2) Develop a program to bring all buildings into compliance with the ADA and current fire and building codes, correct mechanical or other system deficiencies and address functional constraints to full programmed use. The program should include the improvement of mechanical systems, interior and exterior finishes, lighting, and furnishings.	Aubrey Barbour Park and Aubrey Barbour Education Center (Yoder Center grounds) complete. Renovation of grounds at Diamond Hill Center is complete. Plans (established in 1998) to renovate all centers is complete.
	Objective 3.B. School Recreation Facilities 1) Institute a program of field renovation and improvement at all middle school and selected elementary school athletic fields, improving turf and providing adequate fencing, backstops, and other safety features.	Riverside Park construction underway. Completion of project expected in Fall 2012. Dog Park established in the Blackwater Creek Recreational Area. Fundraising expected over the next year to help fund amenities.
	Objective 4.D. Private Sector Funding & Assistance 2) Seek donations from private individuals, businesses, industries and leagues through a trust fund or foundation.	Increase use of volunteers in all recreation programs.

	3) Use volunteers to assist staff in the delivery of recreational programs, in staffing special events and in contributing to trail maintenance through the "Adopt a Trail" program.	Adopt- a-Trail program continues.
15.8-10	**Element: Public Utilities** **Objective 1.A. Maintenance & Replacement** 1) Continue the Utility Department's focus on maintenance of the existing water system and replacement of old mains. 2) Continue the replacement of small diameter residential mains coordinated with Combined Sewer Overflow (CSO) projects, while addressing new development needs and resident complaints. **Objective 1.B. Drinking Water** 1) Protect the Pedlar Reservoir as the primary source of drinking water for the citizens of Lynchburg. **Objective 1.C. Water Rates** 1) Structure water rates to provide incentives for development within the City as compared to counties, especially for large industrial users. **Objective 1.D. City Benefits** 2) Prior to entering into additional agreements for service outside the City, assess the impact such provision will have on the long-term water supply and the capacity of water and sewer systems.	 Approximately $5 million annually is budgeted in the Water Fund Capital Improvement Program to fund water line replacements and extensions, water tank and pump station maintenance, and water treatment upgrades. Construction has begun and will continue through FY2013 on Phase II of the 5th Street CSO project which will replace a main water line to the Central Business District area as well as the raw water pump line from the James River. City water rates are over 40% lower than the state average. Despite having one of the highest sewer rates in the State due to the CSO Consent Order, this year for the first time in over a decade the combined water and sewer rates are lower than the statewide average. The Utilities Department continues to use a "Cost of Service" methodology with adjacent counties to more equally share in the costs of treatment and delivery. Water contracts for the counties served are in place. The City is participating in a Regional Water Supply Plan involving 15 localities and service authorities. This plan is required by the State in order to develop a state-wide water supply plan. The Plan has been approved by the Department of Environmental Quality. A Public Hearing will be held in July to formally adopt the plan. A study of the Pedlar raw water line is beginning, the goal of which evaluate the condition of the line and make recommendations as to what is needed to extend the life of this very critical asset.

		The Utility Department is currently studying various options to maximize capacity and redundancy throughout the water system.
	Objective 1.E. Water System Master Plan 1) Maintain sufficient treatment capacity to sustain City growth, while meeting regulatory water quality requirements. 3) Assess the condition of the raw water transmission line from Pedlar Reservoir and make appropriate recommendations for its ultimate replacement. 4) Implement, to the maximum extent feasible, the Water System Master Plan update recommendations for the long-term maintenance of water supply and transmission capacity.	The Utility Department continues to study the feasibility of sewer extensions into unserved areas of the City as well as an overall restructuring of the current Sewer Extension Policy. Overall capital costs and implementation policies along with impacts to the City's CSO Special Order are significant issues. Recommendations to City Council and the Planning Commission will be made in the future.
	Objective 1.F. Sewer Service Extension 1) Develop a plan for needed extensions of sanitary sewer to unsewered areas within the City.	The City is conducting an update to its CSO Long Term Control Plan. Viable options and alternatives to completing the program are the main focus of the update study.
	Objective 2.A. Commitment 1) Continue pursuit of federal and state grant funding related to implementation of the program. 2) Maximize the utilization of sewer funds for execution of the CSO program.	The City continues to apply for no interest long term loans from the state to complete CSO projects as well as pursue sources of grant funding.
	Objective 4.A. Surplus Capacity 1) Actively monitor the need for solid waste facility expansion and proceed with design and implementation at the appropriate time.	The City of Lynchburg has partnered with Region 2000 and the neighboring localities to create a regional solid waste authority. The regional solid waste management plan has been approved by Virginia Department of Environmental Quality and will review opportunities for regional waste disposal.
	Objective 4.C. Recycling 1) Evaluate curbside recycling service and implement such service, if appropriate.	Consideration was given to residential curbside recycling collection; however, due to high cost, the City has decided to continue to provide drop off recycling sites for the collection of residential recycling materials. The City has partnered with Sonoco to provide nine dropoff locations conveniently located throughout the City of Lynchburg.. There are currently several private firms offering curbside recycling services.
	2) Actively encourage residential, commercial and industrial participation in recycling programs.	Preliminary discussion concerning regional approach to recycling by the Regional Solid Waste Authority.

IV. *Comprehensive Plan* Activities to be included in the Fiscal Year 2014 CIP

It is the City's intent that all entries in the Capital Improvement Program be based on the City's *Comprehensive Plan*. This Annual Report is the place where items and programs proposed for inclusion in the next fiscal year's CIP are identified. The following items/programs have been identified by the Planning Commission for consideration for the FY 2014 CIP.

- Continue implementation of the Fifth Street Corridor Plan (Phase II).
- Continue Downtown and Riverfront Master Plan projects.
- Continued construction/rehabilitation of Rivermont Avenue Bridge.
- Continued implementation of the Wards Road Pedestrian / Bicycle Plan.

The following items and programs are requested for inclusion in the FY 2013 CIP or thereafter:

- Conduct crosswalk study to enhance pedestrian safety.
- Add audible signals as part of the City's ongoing addition and maintenance of pedestrian facilities. The priority area for new audible signals should focus on Downtown, especially along Main and Church streets.
- Implement the Sewer Master Plan.
- Wards Ferry Road Traffic Study.
- Continued implementation of Midtown Area Plan.
- Continued implementation of City's Greenway Program.
- Continued implementation of Downtown and Riverfront Master Plan projects.
- Continued implementation of Fifth Street Corridor Plan projects.
- A comprehensive study and rewrite of the *Zoning Ordinance.*

LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: **September 25, 2012** AGENDA ITEM NO.: **16**

CONSENT: REGULAR: X WORK SESSION: CLOSED SESSION: (Confidential)

ACTION: **X** INFORMATION:

ITEM TITLE: **Proposed Amendment to the City Code Regarding Reimbursement for Expenses Incurred From Methamphetamine Lab Cleanup**

RECOMMENDATION: Adopt the proposed amendment to the City Code.

SUMMARY: The City of Lynchburg is currently responsible for all costs associated with the response to and cleanup of any methamphetamine lab in the City. These expenses include services provided by a variety of City departments, as well as services provided by private hazardous materials specialists. The proposed ordinance parallels the language in Section 15.2-1716.2 of the State Code which was adopted during the 2012 Session of the General Assembly. The proposed ordinance would allow the City to seek reimbursement for expenses incurred from methamphetamine lab cleanup activities.

The following summarizes the proposed amendment:

Section 31-10. Reimbursement for expenses incurred from methamphetamine lab cleanup.

Any person convicted of an offense for the manufacture of methamphetamine under Virginia Code § 18.2-248 or 18.2-248.03 shall, at the time of sentencing or in a separate civil action, be liable to the city for restitution of expenses incurred in the cleanup of any methamphetamine lab related to the conviction. The amount charged shall not exceed the actual expenses incurred associated with cleanup, removal or repair of the affected property, or the replacement cost of personal protective equipment used.

PRIOR ACTION(S): None.

FISCAL IMPACT: Positive due to potential for reimbursement for clean up costs.

CONTACT(S): Police Chief Parks Snead, 455-6104; Captain R.M. Zuidema, Police Department, 455-6052

ATTACHMENT(S): Proposed ordinance

REVIEWED BY: lkp

ORDINANCE:

AN ORDINANCE TO AMEND AND REENACT THE CODE OF THE CITY OF LYNCHBURG, 1981, BY ADDING THERETO A NEW SECTION NUMBERED 31-10, RELATING TO THE REIMBURSEMENT FOR EXPENSES INCURRED FROM METHAMPHETAMINE LAB CLEANUP COSTS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LYNCHBURG:

1. That the Code of the City of Lynchburg, 1981, be and the same is hereby amended and reenacted by adding thereto Section 31-10 as follows:

Sec. 31-10. Reimbursement for expenses incurred from methamphetamine lab cleanup.

Any person convicted of an offense for the manufacture of methamphetamine under Virginia Code § 18.2-248 or 18.2-248.03 shall, at the time of sentencing or in a separate civil action, be liable to the city for restitution of expenses incurred in the cleanup of any methamphetamine lab related to the conviction. The amount charged shall not exceed the actual expenses incurred associated with cleanup, removal or repair of the affected property, or the replacement cost of personal protective equipment used.

2. That this ordinance shall become effective upon its adoption.

Adopted:

Certified: _____
Clerk of Council

125L

LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: **September 25, 2012**

AGENDA ITEM NO.: 17

CONSENT: REGULAR: **X** WORK SESSION: CLOSED SESSION: (Confidential)

ACTION: **X** INFORMATION:

ITEM TITLE: **Budget Amendment and Appropriation of Funds for Heritage High School Design Activities**

RECOMMENDATION: Adopt a resolution to amend the FY 2013 Schools Capital Fund Budget and appropriate $3,480,000 with resources from the General Fund Heritage High School Committed Fund Balance, both recurring and non-recurring, for the design of Heritage High School.

SUMMARY: A contract for the design of Heritage High School has been awarded to Moseley Architects P. C. The initial scope is to assist the School Board and City Council to determine whether to design a new school on a new site, a new school on existing and adjacent property to the existing structure, or a substantially new school incorporating components of the existing structure.

The contract includes $30,000 for a study of the three options and $3,450,000 to design a structure based on the final decision made by the School Board and City Council for a total cost of $3,480,000. Appropriation of funds is needed to support the contract award.

Once the study is complete, the results will be provided to the School Board and City Council for a final decision before the actual design begins.

PRIOR ACTION(S): Funds, both recurring and one time, have been set aside over the last several fiscal years to support this activity.

FISCAL IMPACT: The FY 2013 Adopted Budget includes cash funding of $4,104,297 for Heritage High School ($2,984,219 recurring, $1,120,078 non-recurring). After funding this contract, at the end of the fiscal year, $624,297 will remain for Heritage High School in the Committed Fund Balance in the General Fund.

CONTACT(S): Donna S. Witt, Director of Financial Services; 455-3968

ATTACHMENT(S): Resolution

REVIEWED BY: bms

RESOLUTION:

BE IT RESOLVED that the FY 2013 Schools Capital Fund Budget is amended and $3,480,000 is appropriated with resources from the General Fund Heritage High School Committed Fund Balance, for the design of Heritage High School.

Introduced: Adopted:

Certified: _____
Clerk of Council

126L