// A regular meeting of the Council of the City of Lynchburg was held on the 13th day of September, 2011, at 4:00 P.M. in the Council Chamber, City Hall, Ceasor T. Johnson, Vice-President, presiding. The following Members were present:

Present: Cary, Gillette, Helgeson, Johnson, Nelson, Perrow, 6

Absent: Foster 1

// Virginia Department of Transportation District Engineer Rob Cary gave a summary of the Route 29/460 Access Management Implementation. Mr. Cary stated that Phase I is complete which included the jug handle and the close of the crossovers. Several Council Members were concerned that there was no proper signage for Pleasant Valley Road and the possibility of restoring a right hand turn onto Tyreeanna Road.

Mr. Cary also gave an overview on Phase II which is under design for the proposed Odd Fellows Road Interchange at Route 29/460. Council Member Perrow stated that this is an excellent project on Odd Fellows Road. After further discussion from Council, it was suggested to schedule Mr. Cary for a future work session regarding the Tyreeanna Road issues.

// City Manager Kimball Payne gave a summary of the Parking Strategic Plan. Parking Authority Chair, Brandon Farmer and Vice Chair Ed Koepenick, along with Parking Manager Norman Hale, gave an overview on the progress of parking management in the central business district since endorsement of the Parking Strategic Plan in December of 2007. Background information was provided for discussion on the next steps in parking management. Several issues that will be considered are how to empower the Authority to address on-street parking along with its current responsibility for off-street parking while making the best use of off-street parking facilities. It was further stated because of misinformation, confusion, and concern that often accompany proposals related to parking management, it was felt that starting a conversation with City Council about the Parking Authority's progress and plans is an important step.

// Utilities Director Tim Mitchell gave an overview of Stormwater recommendations. Mr. Mitchell presented and asked for recommendations on level of service, funding and billing mechanisms, billing rate and credit program for consideration and approval by going forth with a public hearing. Several Council Members had concerns regarding compliance with the federal mandates and not to increase the taxes on the citizens to pay stormwater management fees and at this time not to proceed with a public hearing on this item.

After Council discussion, on motion of Council Member Nelson, seconded by Council Member Gillette, to hold a public hearing on the Stormwater Utility recommendations on October 25, 2011, Council by the following recorded vote approved to hold a public hearing on October 25, 2011 for the Stormwater Utility recommendations:

Ayes: Cary, Gillette, Johnson, Nelson 4

Noes: Helgeson, Perrow 2

Absent: Foster 1

// During roll call Council Member Perrow stated he would like to see if the mail could be distributed in a more timely manner due to the fact that several invitations that he received had already passed. Council Member Nelson acknowledged the great participation of our citizens during the National Night Out event throughout the different City neighborhoods, and also the wonderful dedication service at the Yoder Center in honor of the Aubrey Barbour Park.

// City Council recessed the meeting at 6:42 p.m.

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

The following Members were present:

Present: Cary, Helgeson, Johnson, Nelson 4

Absent: Gillette, Perrow, Foster 3

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

// Council Members Gillette and Perrow joined the meeting after the Invocation.

// Copies of the minutes of the August 9, 2011 meeting, having been previously furnished Council, reading was dispensed with, and on motion of Council Member Nelson, seconded by Council Member Cary, Council by the following recorded vote approved the minutes as amended:

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

Noes: 0

Absent: Foster 1

// In the matter of Fire – General, Resolution #R-11-093 amending the FY 2012 City/Federal/State Aid Fund budget and appropriating $23,000, fully reimbursable, to provide training and equipment for the Fire Department's Hazardous Materials team, laid over from the August 9, 2011 meeting, was again presented and read, and on motion of Council Member Nelson, seconded by Council Member Cary, Council by the following recorded vote adopted the Resolution:

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

Noes: 0

Absent: Foster 1

// In the matter of Registrar, Resolution #R-11-095 amending the FY 2012 General Fund budget and appropriating $13,929 with resources from the General Fund Reserve for Contingencies to provide supplemental funding to the Electoral Board/Registrar Office for estimated costs for the August 23, 2011, Republican Primary, laid over from the August 9, 2011 meeting, was again presented and read, and on motion of Council Member Nelson, seconded by Council Member Cary, Council by the following recorded vote adopted the Resolution:

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

Noes: 0

Absent: Foster 1

// In the matter of Public Works – Water, City Council Report #8 was considered. On motion of Council Member Nelson seconded by Council Member Cary, Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-11-096, as presented, amending the FY 2012 Water Capital Projects Fund budget and appropriating $24,000, fully reimbursable, to reimburse costs associated with bringing the Pedlar Dam and Abert Lagoon Dam to minimum standards:

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

// In the matter of Police – Emergency Services, City Council Report #9 was considered. On motion of Council Member Nelson, seconded by Council Member Cary, Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-11-097, as presented, amending the FY 2012 City/Federal/State Aid Fund budget and appropriating $120,000, fully reimbursable, to refresh the current Vesta Pallas 911 telephone system located in the Emergency Communications Center:

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

// In the matter of Community Planning - Zoning Amendments, a public hearing was held regarding City Council Report # 10 outlining the petition of the Lynchburg Humane Society to amend the Future Land Use Map (FLUM) from Resource Conservation and Medium Density Residential to Regional Commercial and to rezone approximately nine and six tenths (9.6) acres from R-2, Low-Medium Density Single-Family Residential District to B-5C, General Business District (Conditional) to allow the construction of an animal shelter and associated parking at 1211 Old Graves Mill Road. City Planner Tom Martin gave an overview of the request stating that the Planning Commission recommended approval of the FLUM and rezoning petitions.

Ms. Makena Yarbrough, Executive Director of the Lynchburg Humane Society, gave an outline of the request and asked for Council approval. Four individuals spoke in favor of the Lynchburg Humane Society. There was no one else present who wished to speak to this item, and the public hearing was closed. On motion of Council Member Gillette, seconded by Council Member Cary, Council by the following recorded vote adopted Ordinance #O-11-098, as presented, amending the Future Land use Map from Resource Conservation and Medium Density Residential to Regional Commercial use:

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

On motion of Council Member Nelson, seconded by Council Member Cary , Council by the following recorded vote adopted Ordinance #O-11-099, as presented, to rezone approximately nine and six tenths (9.6) acres from R-2, Low-Medium Density Single-Family Residential District to B-5C, General Business District (Conditional) to allow the construction of an animal shelter and associated parking at 1211 Old Graves Mill Road:

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

// In the matter of Finance – General, a public hearing was held regarding City Council Report #11 regarding a Resolution amending the FY 2012 Operating and Capital Budgets and appropriating funds to reflect the carry forward of unexpended funds in FY 2011. Director of Financial Services Donna Witt gave a summary of the FY 2011 Carry Forward. There was no one else present who wished to speak to this item, and the public hearing was closed. On motion of Council Member Cary, seconded by Council Member Gillette, Council by the following recorded vote adopted Resolution #R-11-100, as presented, amending the FY 2012 Operating and Capital Budgets and appropriating funds to reflect the carry forward of unexpended funds in FY 2011:

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

// In the matter of City Council, Ms. Barbara Petit was not present at this meeting.

// In the matter of City Council, Ms. Leecy Fink spoke before Council regarding the parking situation downtown.

// In the matter of City Council, Mr. Andrew Schools spoke before Council regarding the parking situation downtown.

// In the matter of City Council, Ms. Tara Cofer spoke before Council regarding the parking situation downtown.

// In the matter of City Council, Mr. Andrew W. Childress spoke before Council regarding the parking situation downtown.

// In the matter of Public Works – Utilities, City Council Report #16 was considered. On motion of Council Member Perrow, seconded by Council Member Gillette, Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-11-101, as presented, amending the FY 2012 Fleet Fund Budget and appropriating $691,437, to purchase a replacement vacuum/jetter truck along with two replacement television inspection trucks destroyed in a recent fire:

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

// In the matter of City Code/Police - General, City Council Report #17 was considered. On motion of Council Member Perrow, seconded by Council Member Cary, Council by the following recorded vote adopted Ordinance #0-11-102, as amended, amending the <u>City Code</u> relating to the recovery of expenses incurred with responding to DUI and related incidents:

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

// The meeting was adjourned at 8:52 P.M.

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Clerk of Council