// 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.

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Clerk of Council