

// A regular meeting of the Council of the City of Lynchburg was held on the 9th day of September, 2014, at 7:30 P.M. in the Council Chamber, City Hall, Michael Gillette, President, presiding. Council Member Nelson gave the Invocation, followed by the Pledge of Allegiance. The following Members were present:

Present: Foster, Helgeson, Johnson, Nelson, Perrow, Tweedy, Gillette 7

Absent: 0

// Copies of the minutes of the July 8, 2014 meeting, having been previously furnished Council, reading was dispensed with, and on motion of Vice Mayor Johnson, seconded by Council Member Helgeson, Council by the following recorded vote approved the minutes as presented:

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

Noes: 0

// Copies of the minutes of the August 12, 2014 meeting, having been previously furnished Council, reading was dispensed with, and on motion of Vice Mayor Johnson, seconded by Council Member Helgeson, Council by the following recorded vote approved the minutes as presented:

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

Noes: 0

// In the matter of Parks and Recreation - General, Item #3 was removed from the Consent Agenda and voted on separately. Resolution #R-14-099 to amend the FY 2015 Parks and Recreation General Fund budget and appropriating \$135,720 with resources of \$135,720 from the General Fund Reserve for Contingencies to continue operation and management of two neighborhood community centers, laid over from the August 12, 2014 meeting, was again presented and read, and on motion of Council Member Nelson, seconded by Vice Mayor Johnson, Council by the following recorded vote adopted the Resolution:

Ayes: Foster, Johnson, Nelson, Tweedy, Gillette 5

Noes: Helgeson, Perrow 2

// In the matter of Parks and Recreation – General, Resolution #R-14-100 to amend the FY2015 Parks and Recreation General Fund budget and appropriating \$8,000 with resources of \$4,000 from the FY 2015 General Fund Reserve for Contingencies and \$4,000 from Schools Operating Fund to provide Wi-Fi access in the neighborhood community centers, laid over from the August 12, 2014 meeting, was again presented and read, and on motion of Vice Mayor Johnson, seconded by Council Member Helgeson, Council by the following recorded vote adopted the Resolution:

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

Noes: 0

// In the matter of City Council, City Council Report #5 was considered. On motion of Vice Mayor Johnson, seconded by Council Member Helgeson, Council by the following recorded vote adopted Resolution #R-14-101, as presented, amending the re-adoption of the Finance Committee Guidelines to include the Greater Lynchburg Transit Company (GLTC) in the quarterly financial reviews:

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

Noes: 0

// In the matter of Fire – General, City Council Report #6 was considered. On motion of Vice Mayor Johnson, seconded by Council Member Helgeson, Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-14-102 as presented, to amend the FY 2015 City/Federal/State Aid Fund budget and appropriate \$39,418 with resources of \$18,684 from the Virginia Office of Emergency Medical Services-Rescue Squad Assistance Fund (RSAF) grant and \$20,734 transferred from the FY 2015 General Fund Fire Department budget to purchase one (1) Physio Life Pak 15 cardiac monitor/defibrillator and four (4) sets of Tactical EMS gear for the Fire Department:

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

Noes: 0

// In the matter of Public Works – Street Vacation, a public hearing was held regarding City Council Report #7 for the petition of Peyton Morgan to vacate a portion of unopened right-of-way known as New Street located between 2019 and 2101 Elm Street. The area is approximately sixty-nine thousandths (.069) of an acre. The dimensions of the proposed vacation are one hundred (100) feet long by thirty (30) feet in width. Tom Martin, City Planner, 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. Council Member Perrow, Chair of the Physical Development Committee (PDC) stated that this matter came before the PDC and the Committee recommended approval. This motion does not require a second, and Council by the following recorded vote adopted Resolution #R-14-103, as presented, to vacate a portion of unopened right-of-way known as New Street located between 2019 and 2101 Elm Street:

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

Noes: 0

// In the matter of Public Works – General, a public hearing was held regarding City Council Report #8 on a request to grant Verizon an easement on city-owned property (New Heritage High School) at 3020 Wards Ferry Road. City Engineer Lee Newland 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. Council Member Perrow, Chair of the Physical Development Committee (PDC) stated that this matter came before the PDC and the Committee recommended approval. This motion does not require a second, and Council by the following recorded vote adopted Resolution #R-14-104, as presented, to grant Verizon an easement on city-owned property (New Heritage High School) at 3020 Wards Ferry Road:

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

Noes: 0

// In the matter of Public Works – General, a public hearing was held regarding City Council Report #9 regarding a request to grant Appalachian Power Company an easement on city-owned property (New Heritage High School) at 3020 Wards Ferry Road. City Engineer Lee Newland 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. Council Member Perrow, Chair of the Physical Development Committee (PDC) stated that this matter came before the PDC and the Committee recommended approval. This motion does not require a

second, and Council by the following recorded vote adopted Resolution #R-14-105, as presented, to grant Appalachian Power Company an easement on city-owned property (New Heritage High School) at 3020 Wards Ferry Road:

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

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Noes:

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// In the matter of Public Works – General, a public hearing was held regarding City Council Report #10 regarding a request to grant a License Agreement to Peg Bandwidth to place fiber optic cable in City-owned right-of-way from 5067 Boonsboro Road to 182 Irvington Springs Road. City Engineer Lee Newland 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. Council Member Perrow, Chair of the Physical Development Committee (PDC) stated that this matter came before the PDC and the Committee recommended approval. This motion does not require a second, and Council by the following recorded vote adopted Resolution #R-14-106, as presented, to grant a License Agreement to Peg Bandwidth to place fiber optic cable in City-owned right-of-way from 5067 Boonsboro Road to 182 Irvington Springs Road.

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

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Noes:

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// In the matter of Public Works – General, a public hearing was held regarding City Council Report #11 regarding a request to grant a blanket License Agreement to Peg Bandwidth to install fiber optic cable in City-owned right-of-way in various locations of the City. City Engineer Lee Newland gave a summary of the request. Mr. Morefield spoke before Council to ask approval of the request. There was no one else present who wished to speak to this item, and the public hearing was closed. During Council discussion concerns were raised on what a blanket License Agreement consists of. City Attorney Walter Erwin gave a definition and explained the criteria of the right use of a blanket License Agreement. Council Member Perrow requested that the minutes (from the Physical Development Committee) and map be made available with this report. Council Member Perrow, Chair of the Physical Development Committee (PDC) stated that this matter came before the PDC and the Committee recommended approval. This motion does not require a second, and Council by the following recorded vote adopted Resolution #R-14-107, as presented, to grant a blanket License Agreement to Peg Bandwidth to install fiber optic cable in City-owned right-of-way in various locations of the City:

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

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Noes:

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// In the matter of Community Development – General, a public hearing was held regarding City Council Report #12 regarding amending Chapter 10: Natural Systems of the *Comprehensive Plan 2013-2030* by adding criteria that should be considered when the City is requested to support or hold a conservation easement and clarifying that if a property is deemed appropriate to be placed in a conservation easement that the property should be designated as Resource Conservation on the *Future Land Use Map*. City Planner Tom Martin gave a summary of the Natural Systems of the *Comprehensive Plan 2013-2030*. Mr.

Martin stated that the Planning Commission recommended approval of the plan amendment. Mr. Martin went on to say that properties placed in conservation easements would result in a reduction of property tax. One individual spoke regarding properties that are placed in conservation easements. 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 Nelson, Council by the following recorded vote adopted Ordinance #O-14-108, as presented, amending Chapter 10: Natural Systems of the *Comprehensive Plan 2013-2030*:

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

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Noes:

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// In the matter of City Code/Fire – General, Donald T. Roberts spoke before Council on the efforts of the Lynchburg Fire Fighters to collect donations for M.D.A.

// In the matter of Economic Development – General, City Council Report #14 was considered. On motion of Council Member Foster, seconded by Vice Mayor Johnson, Council by the following recorded vote adopted Resolution #R-14-109, as presented, approving the issuance of up to \$10,000,000.00 in bonds through the Lynchburg Economic Development Authority (LEDA) for the benefit of Virginia Episcopal School (VES):

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

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Noes:

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// In the matter of Police – General, City Council Report #15 was considered. On motion of Council Member Helgeson, seconded by Council Member Nelson, Council by the following recorded vote adopted Resolution #R-14-110, as presented, approving the continued participation in the Regional Investigative Squad by the Lynchburg Police Department:

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

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Noes:

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// In the matter of Public Works – Sanitary Landfill, City Council Report #16 was considered. On motion of Council Member Nelson, seconded by Vice Mayor Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-14-111 as amended, to amend the FY 2014 General Fund budget and appropriate ~~\$1,839,215~~ \$1,863,653 with resources of ~~\$1,234,931~~ \$1,259,369 from the FY 2014 General Fund Assigned Fund Balance and \$604,284 from the FY 2014 General Fund Committed Fund Balance to fund closure costs for the Concord Turnpike Landfill:

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

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Noes:

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// The meeting was adjourned at 8:42 P.M.

Clerk of Council