

// A regular meeting of the Council of the City of Lynchburg was held on the 9th day of July, 2013, 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

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Absent:

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// Human Resources Director Margaret Schmitt provided information concerning the Virginia Retirement System (VRS). The three issues for discussion included:

- Upcoming changes in VRS
- Retiree medical coverage policies and practices
- Part-time employment policies and practices

Ms. Schmitt stated in 2012 the General Assembly actions were: 1) to establish VRS Hybrid Pension Plan for non-sworn employees hired on or after 1/1/14 and required local Disability program for all Hybrid Plan Hybrid Plan members. Ms. Schmitt explained the following plans:

- VRS Hybrid Pension Plan
- Defined Benefit – DB
- Defined Contribution – DC
- VA Local Disability Program (VLDP)
- Short Term Disability
- Long Term Disability

Ms. Schmitt went on to explain the impact which is: the City will manage/communicate 3 retirement programs; City will manage/budget two different VRS rates, if opted into VRS Disability Program; expect VRS rates will be more volatile due to flexibility allowed in DC contributions; create different income protection based on date of hire; and paid time off program must be evaluated and modified, at least for Hybrid Plan members. The decision needed includes an irrevocable decision to opt-in or opt-out of VRS program by August 31, 2013; City and Schools may make different decisions; City and School staff are seeking options to the VRS program hoping to make a joint decision and VRS program cost is .91% of salary (.39% for teachers) for Hybrid Plan members. After Council discussion on VRS, it was the consensus of Council to present a Resolution at the August 13th Council meeting to opt-out of the Virginia Retirement System. Due to time constraints the Retiree Benefits will be discussed at Council's Retreat on September 3, 2013.

// During roll call Council Member Foster stated that the bushes near Villa Maria have not been trimmed back, which causes potential danger for runners, walkers and bike riders.

// Council Member Cary stated there was a problem on the Luken's property with overgrown grass.

// Mayor Gillette announced the Trinbridge Neighborhood Summit will be held July 20, 2013 from 10:00 a.m. to 2:00 p.m. at the Yoder Community Center, 109 Jackson Street.

// City Council recessed the meeting at 5:01 p.m.

// City Council attended the Economic Development Authority Strategic Plan presentation at the Academy of Fine Arts. Consultant Jay Garner, president of Atlanta-based site selection firm Garner Economics,

and Mike Tveidt, a research economist for the company, presented suggestions for a new strategic plan for the Economic Development Authority.

// 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.

// Mayor Gillette and Council Member Cary presented Certificates of Recognition to the "Hill City Classic" Soap Box Derby winners.

// Copies of the minutes of the June 11, 2013 meeting, having been previously furnished Council, reading was dispensed with, and on motion of Council Member Perrow, 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

// Copies of the minutes of the June 18, 2013 meeting, having been previously furnished Council, reading was dispensed with, and on motion of Council Member Perrow, 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

// Copies of the minutes of the June 25, 2013 meeting, having been previously furnished Council, reading was dispensed with, and on motion of Council Member Perrow, 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 Community Development – Historic Review Board, Resolution #R-13-081 amending the FY 2014 City Federal State Aid Fund budget and appropriating \$8,950 from the Virginia Department of Historic Resources and \$2,550 transferred from the General Fund Community Development budget to prepare a State/National Historic District nomination for historically significant structures within and adjacent to the Pierce Street Renaissance District, laid over from the June 25, 2013 meeting, was again presented and read, and on motion of Council Member Perrow, 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 Community Development – General, Resolution #R-13-083 amending the FY 2013 City/Federal/State Aid Fund budget and appropriating \$108,358, with resources of \$98,358 from the U.S. Department of Housing and Urban Development (HUD) to provide 10 units of tenant-based rental assistance; and \$10,000 from the Division of Social Services for associated supportive services, laid over

from the June 25, 2013 meeting, was again presented and read, and on motion of Council Member Perrow, 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 Schools – General, Resolution #R-13-084 amending the FY 2014 Schools Capital Project Fund budget and appropriating \$1,185,000, with resources from the General Fund Heritage High School Committed Fund Balance for activities related to the Heritage High School Construction Project, laid over from the June 25, 2013 meeting, was again presented and read, and on motion of Council Member Perrow, 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 Community Development - Zoning Amendments, a public hearing was held regarding City Council Report #9 outlining the petition of Dominion Sports Center, LLC to rezone approximately one (1) acre at 1350 Florida Avenue from B-5C, General Business District Conditional to B-5C, General Business District Conditional with amended proffers to allow the use of the existing building as a paint shop and mechanical services use. Community Development Director Kent White provided a summary of the request and stated that the Planning Commission recommended approval of the rezoning petition. Representative Trent Warner, with Warner White Engineering Partners, spoke to this item and asked for Council approval for the rezoning petition. There was no one else present who wished to speak to this item, and the public hearing was closed. On motion of Vice Mayor Johnson, seconded by Council Member Nelson, Council by the following recorded vote adopted Ordinance #0-13-085, as presented, granting the petition of Dominion Sports Center, LLC to rezone approximately one (1) acre at 1350 Florida Avenue from B-5C, General Business District Conditional to B-5C, General Business District Conditional with amended proffers to allow the use of the existing building as a paint shop and mechanical services use:

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

Noes: 0

// In the matter of Community Development – Zoning Amendments, a public hearing was held regarding City Council Report #10 amending the Future Land Use Map (FLUM) from Traditional Residential to Downtown. Outlining the petition of Cabell Street Land Trust to rezone approximately one and one tenth (1.1) acres at 41, 57, & 59 Cabell Street from B-5, General Business District and R-C, Resource Conservation District to B-6, Riverfront Business District and R-C, Resource Conservation District to allow the use of the existing building as mixed use residential and retail and the construction of new parking. Community Development Director Kent White gave a summary of the request and stated the Planning Commission recommended approval of the FLUM and the rezoning petition. Ms. Ty Mosby, Berkley-Howell & Associates, representative, spoke to this item and asked for Council approval for the FLUM and

the rezoning. 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 Perrow, Council by the following recorded vote adopted Ordinance #O-13-086, as presented, amending the Future Land Use Map from Traditional Residential to Downtown:

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

Noes: 0

On motion of Council Member Perrow, seconded by Council Member Cary, Council by the following recorded vote adopted Ordinance #O-13-087, as presented, granting the petition of Cabell Street Land Trust to rezone approximately one and one tenth (1.1) acres at 41, 57, & 59 Cabell Street from B-5, General Business District and R-C, Resource Conservation District to B-6, Riverfront Business District and R-C, Resource Conservation District to allow the use of the existing building as mixed use residential and retail and the construction of new parking :

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

Noes: 0

// In the matter of Library – General, City Council Report #11 was considered. On motion of Council Member Perrow, seconded by Council Member Foster, Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-13-088, as presented, authorizing participation in a Phase II Operational Analysis for a Regional Library System and authorizing the use of up to \$22,000 in funds carried over from the FY 2013 budget to fund Lynchburg's portion of the analysis:

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

Noes: 0

// On motion of Council Member Foster, seconded by Council Member Cary, Council by the following recorded vote elected to hold a closed meeting for consultation with legal counsel and briefings by staff members about a specific legal matter, the operation of the fuel farm at the Lynchburg Regional Airport, pursuant to Section 2.2-3711(A.)(7) of the Code of Virginia, 1950, as amended:

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

Noes: 0

// 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 Vice Mayor Johnson, and Council by the following recorded vote adopted the motion:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette	7
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Noes:	0
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// The meeting was adjourned at 8:51 P.M.

Clerk of Council