AGENDA ITEM #: 5

// A regular meeting of the Council of the City of Lynchburg was held on the 25th day of June, 2019 at 4:00 P.M. in the Council Chamber, City Hall, Treney Tweedy, President, presiding. The following Members were present:

Present: Jeff Helgeson, J. Randy Nelson, E. J. Turner Perrow, Sterling A. Wilder, Beau Wright, Treney Tweedy 6

Absent: Mary Jane Dolan 1

// The representative for the first item on the agenda regarding Anchor Institution Engagement Strategy had a flight delay. Mayor Tweedy suggested they switch items 1 and 2 on the agenda and the councilmembers were in consensus to make this change.

//In the matter of Engineering, Roundabouts, Mr. Lee Newland gave an overview on their appropriate placement, benefits, detriments and costs associated with the construction of roundabouts as compared with traditional, stop lights or signs. Roundabouts should be considered for high crash rate locations, heavy left turn volumes and intersection with large traffic delays and under 30,000 vehicles per day. The largest and most important benefit of roundabouts is increased traffic safety. Other benefits are traffic calming, increased operational performance, environmental benefits, aesthetics and ongoing operations and maintenance costs are lower. There is an 89% reduction in fatalities, a 76% reduction in injuries and a 35% reduction in overall crashes. A typical four-leg intersection contains 32 conflict points. A roundabout contains only 8 conflict points. All vehicles travel in the same direction, never crossing paths, which dramatically reduces head-on and right angle crashes. Angle and left turn crashes account for 63% of fatal crashes. A roundabout eliminates angle and left turn crashes by forcing vehicles to make a right turn in and out. Crashes that do occur in a roundabout are sideswipe in nature and less severe due to low vehicles speeds.

Roundabouts also offer environmental benefits by reducing stops, improving drive time, reducing noise, reducing air quality impacts and reducing fuel consumption. There are also aesthetic benefits from improved landscaping, they create a gateway into communities and also calm traffic. Their ongoing operations and maintenance costs are lower and save approximately $5,000 annually. The savings to the public are cost savings due to a reduction in crashes and savings in gas. One gallon of fuel is saved per 365 vehicles per day. The Odd Fellows Road/Mayflower Drive roundabout saves 55 gallons of fuel per day, which is a savings of $50,000 per year.

Some detriments of roundabouts are drivers get confused when they are not familiar with the traffic pattern. They require larger right-of-way space because they require more land than traditional intersections. There is no traffic control device (opticom) for emergency vehicles. Bicycles have a difficult time navigating them, especially in multi-land roundabouts. They also cannot be placed in progression corridors (ones with timed lights) unless they are at the beginning or the end.

The initial construction costs for roundabouts are significantly higher than signals. Operationally, roundabouts cost less than signals. Environmentally, roundabouts cost less than signals. Safety considerations are by far the major benefit of roundabouts and create the largest cost/benefit advantage over signals. The most recent roundabouts in Lynchburg are the Logans Lane roundabout, which costs $2.6 million and Liberty Mountain Drive roundabout, which cost $5.99 million. Both Odd Fellows road and Park Avenue were part of larger projects and their costs are not broken out. The cost of right-of-way varies depending on the size of the roundabout and any existing right-of-way. In the conceptual design, there have to be high contingencies factored in for unknown utilities, draining, landscaping, etc. The funding sources of the Virginia Department of Transportation (VDOT) and federal requirements often increase costs. Additionally, inflation has to be factored in as funds are often not available for up to six years. The nine most recent SMART SCALE applications that were approved for funding averaged $5.41 million.

Councilmember Helgeson suggested that if the cost of roundabouts keeps going up, they may need to look at other options, especially the utility and crash data do not support spending that much money. Councilmember Helgeson remarked that the Fifth Street roundabout only cost $250,000, and they are now costing millions of dollars.

Councilmember Perrow commented that he does not think the Fifth Street roundabout only cost $250,000. The majority of the costs on Fifth Street were for utilities and the roundabout was an add-on. He thinks they are effective at moving traffic and he can definitely appreciate the safety benefits. He would like them to look at a better way of moving pedestrians. You cannot see the pedestrian unless you are the first car and he has seen a lot of people coming to an abrupt stop to avoid hitting a pedestrian. Drivers are not expecting cars to stop in the middle of the roundabout. Additionally, the truck turning area is brick and unfortunately some people mistake it for a sidewalk. He has often seen people walking in the middle of the roundabout.

Mr. Newland explained that they have learned a lot from the Fifth Street roundabout. The Odd Fellows Road and the Park Avenue roundabouts do not have brick. They have stamped concrete. The pedestrian crossings have been pushed back from the roundabouts so you can get at least one car between the crosswalk and the roundabout. Councilmember Perrow noted that the complaint he has heard about the Park Avenue one is that you have to go all the way around to turn right according to the signage. Obviously, a car can do it but not a truck and people are worried they are violating something if they go ahead and turn. To him, that is clearly a truck indication or a large vehicle indication.

Councilmember Perrow asked how much a traffic signal costs and Mr. Newland said it is approximately $250,000 to $275,000 for a replacement light. New construction varies because there might turn lanes that have to be constructed. Councilmember Perrow noted that is significantly less than $6 million. From a policy standpoint, we need to look at the utility and understand there is considerable savings on an annual basis to the public. Ten percent of those savings are a savings to the locality. We just need to be mindful and look at it from a fiscal standpoint and what is the most responsible use of funds. He acknowledges the environmental, aesthetic and safety benefits. It is just so hard for him to understand why it costs $6 million for some asphalt with some curb. He is trying to compare them to how much road you might get for $6 million. He thinks you would probably get less than a mile. Councilmember Helgeson is not sure there is much environmental savings unless you also improve the interchanges up and down from the roundabout. Councilmember Perrow noted that they could extend the project to encompass more with the same dollars. Councilmember Helgeson commented that he likes the traffic signalization timing that was done on Wards Road.

From a policy standpoint, Councilmember Perrow would like to see a cost/benefit analysis between roundabouts and traffic signals on each project presented to them instead of just defaulting to a roundabout.

Mr. Newland said it is the recommendation of the Virginia Department of Transportation (VDOT) to first look at roundabouts. If it will not work, then look at signals. Councilmember Perrow agreed they should look at roundabouts but also have alternatives in line and look at the cost/benefits between a roundabout and the alternatives.

Councilmember Wilder thanked Mr. Newland for the presentation. He said he is still trying to understand the roundabout on Atlantic Avenue and is somewhat challenged by it. Councilmember Wilder asked Mr. Newland if he could break down the $6 million. Mr. Newland estimated that the cost to construct the roundabout is approximately $3.5 million. By the time you add the 20 to 25 percent contingency on top of it and 3 percent per year for inflation and 35 percent for the cost of a federally funded project, you get to $6 million fairly quickly. The 35 percent increase for it being a federally funded project is due to additional paperwork and reporting and testing and other items they have to do to meet federal regulations. Councilmember Wilder said it was helpful to understand that it is VDOT's recommendation to look at a roundabout before other improvements are considered.

Councilmember Helgeson asked if the cost of acquiring right-of-way is included in the construction costs. Mr. Newland said the right-of-way costs are included in the construction cost figures. Councilmember Helgeson wanted to know if the right-of-way costs are significant and Mr. Newland said it varies with the project. He apologized for not having his budget notes with him as they would help him to better answer that question.

Councilmember Nelson said he agrees with the comments that have been made about the relative costs and balancing those against what you could have if you went with a conventional construction approach. He thinks it is careless to slap a $6 million price tag on a roundabout. We do not know the characteristics of the other roundabouts approved for SMART SCALE funds that were on Mr. Newland's slide. He noted that the cost of the Logans Lane roundabout may be artificially low because the City already owned most of the property needed to do that roundabout. He also noted that the cost of the Langhorne Road/Vasser Street roundabout was going to be very high because of topography issues and acquiring a great deal of the retirement home property. He asked Mr. Newland if there are any considerations for building a roundabout in any street in Lynchburg that would not qualify for any federal or state funding. Unless it is a high volume intersection, most streets that would have a roundabout would be on a highway that would qualify for both which would involve reimbursement. Mr. Newland explained that the roundabout on Atlanta Avenue is a mini roundabout. It was done entirely with local funding and the pavement was so wide, the room was already there. There is another one they are working designing for Yorktown Avenue/Atherholt Road that is the same situation. As far as a large roundabout, the one at Fifth Street was done without federal or state funding. Councilmember Nelson asked about the one going in on Indian Hill Road and Mr. Newland said that is another mini roundabout. It only cost about $7,000 more to put in that roundabout as opposed to putting the pavement back the same. Councilmember Nelson said that is why you cannot just slap a $6 million price tag on a roundabout because each one has its own unique characteristics.

Mayor Tweedy asked if we look at our own crash data for the intersections where roundabouts are placed. Mr. Newland said they use crash data because if it is a high crash intersection, that is why they are looking to do a roundabout. The Langhorne Road/Vasser Street location is a high crash location within the City. Mayor Tweedy asked if they go back and look to see if the roundabout is actually doing what it is supposed to do. Mr. Newland said they could but have not really had that situation yet. Councilmember Wilder asked about the roundabout that was planned for CVCC Campus Drive and Wards Ferry Road. Mr. Newland said it was submitted as a SMART SCALE project but was not recommended to be funded. The Vasser Street/Langhorne Road got funded because it had a higher cost/benefit score but they asked that money to be moved over to the 501/221 project and that has been approved. Councilmember Wilder asked for a better breakdown of the costs involved in a roundabout project. Ms. Svrcek indicated they can certainly break out the right-of-way and land acquisition costs for them in the future when they present capital improvement projects to them.

Dr. Wodicka said they learned during the budget process this year was the need to do some more objective analysis on prioritizing various projects. Public Works has been working on developing a quantitative tool to figure out where those dollars ought to be spent. It will be presented to the PDC in July. Cost is certainly one component they will be looking at as well as safety and aesthetics and a variety of other things.

// In the matter of Roll Call, Council decided to do roll call while they wait for the representative for the Anchor Institution item to arrive. Councilmember Nelson had no items. Councilmember Perrow said he would like them to look at the policy for R-1 development. We require too many things such as curb and gutter, sidewalk, paving and streetlights and it is cost prohibitive for developers. He would like to have a presentation from staff and a work session. He suggested staff have some developers speak to the issue as well. Mayor Tweedy and Councilmember Helgeson agreed this would be a good discussion topic.

Councilmember Helgeson brought up the 35 mile an hour zone on Timberlake Road. He hopes the extra 35 mile an hour zone was just in there due to construction but he has heard from a number of people wondering about it. Councilmember Perrow pointed out you are coming off the ramp and it is 45 mph up ahead but not at Heritage High School, so it is effectively a speed trap. If it is not coming down, he would like to see a sign on the ramp letting people know there is a reduced speed zone ahead.

Councilmember Wilder said he is thankful for Heritage High School and E C Glass and all our great graduates and the support they have through the Beacon of Hope. His fraternity gave over $7,000 in scholarships to African American males. They are excited to see the community working together to make sure our children have access to college.

Councilmember Wright said it was shared with him that the Virginia Legal Aid Society’s report on evictions. Our rate for Lynchburg is 8.62 percent, which is the fifth highest in Virginia. Our rate is the tenth highest compared to other midsize cities across the country. It equals about 3.3 evictions per day; this is 2016 data. He wanted to raise it here as it is something that should concern all of them and it ties in with their ongoing conversations about poverty and overcrowding and hypermobility. Mayor Tweedy said the eviction rate is something the housing authority is looking at; the members have been reading the book <u>Evicted.</u> They have asked the Legal Aid Society to come to a board meeting and give a presentation.

The next Enough event is tomorrow at the Davis Turner Funeral Home. It is the Daniels Hill event and it starts at 6:00 p.m.

Ms. Marjette Upshur addressed Council and thanked them for flipping the agenda. She wanted to recognize Rob McClintock, who is the Managing Director of Business Retention. He is the regional representative for the

Virginia Economic Development Partnership and he has been a wonderful partner. Ms. Upshur introduced Mr. Steven Pedigo who was the City's consultant for this plan. He gave a presentation on leveraging anchors for economic growth and discussed the role of anchor institutions in Lynchburg. The City of Lynchburg is one of the best small cities in the country. Driven by innovative businesses and forward-thinking organizations, Lynchburg is a community that values history, natural beauty and healthy, inclusive neighborhoods. Every resident has the opportunity to thrive in the City of Lynchburg. The goals of the Blueprint for Opportunity are to expand and support Lynchburg's existing company foundation; engage and collaborate with city anchor institutions; support talent and in demand skill development for target industry clusters; create, embrace and promote community and tell the City of Lynchburg's story.

Anchor institutions (universities, healthcare institutions, cultural facilities and large scale real estate developments are anchors. They hold significant investments in the community making it difficult to pull up stakes and leave. They have a major impact on revitalization. Their sheer size and purchasing power can drive change. There is an opportunity to build a shared value between community and anchor. Strong anchors strengthen communities and healthy, vibrant communities benefit anchors.

Councilmember Perrow noted that he has been thinking about anchor institutions as for profit but nonprofits that are hiring a significant number of people are creating intellectual property or a drive. It sounds like the anchor institutions he is referring to are at least open to the public. Mr. Pedigo said that is the traditional institution certainly but Google and Amazaon are making significant investments in their communities and they will also be anchor institutions. Large real estate developments such as Wyndhurst can also be considered an anchor institution. Other localities are entering into community service agreements with real estate developers and forming interesting public/private partnerships with them.

Mr. Pedigo explained that anchors are inextricably linked to their surroundings and are more competitive if they invest in building a stronger local economy. Increased demand for goods and services translates into increased students, patients and customers. Improved and expanded supplier networks can increase an anchor's operational efficiency and innovation. Employee attraction and retention help anchors remain competitive by capturing and retaining talent. Community and economic development strategies should be part of corporate and organizational strategy and not philanthropic efforts. Commissioner Perrow noted that it is not a philanthropic effort of the City to invest in economic development. It should be a strategic investment that is going to yield tangible results.

Mr. Pedigo stated there are three models of anchor initiatives. Anchors can act independently. Anchors can partner with other anchors and Anchors can partner with a broad group of stakeholders. Universities may be motivated to adopt anchor strategies because of their public mission, town and gown challenges or the need to attract top students and faculty. The University of Pennsylvania launched a rebirth of University City, which had historic disinvestment in West Philadelphia. The goals were to improve neighborhood services; provide high quality housing for students, faculty and residents; revive commercial activity; accelerate economic development and enhance local education options.

He said there is a growing emphasis on the social determinants of health and the IRS requires nonprofit hospitals to provide community benefits to remain tax exempt. The Cleveland Clinic launched a foundation for future anchor collaborative such as the University Circle. Its goals were to develop and improve neighborhood area; improve health outcomes; revive commercial activity; revive commercial activity; accelerate supplier development and enhance workforce options.

Transforming communities require robust, sustainable and long-term efforts. Anchors are moving from individual anchor strategies towards an anchor collaborative model, in which a group of anchors and stakeholders (such as City government and nonprofit organizations) work together for great impact. Collaboration on one initiative often builds relationships and rust for additional partnerships and working together. Lovie Midtown Detroit was launched in 2010 by a community development organization, three healthcare institutions and one university. Its goals were to increase the vitality, safety and economy of the Midtown neighborhood and encourage anchor employees to rent and buy homes in the downtown area.

Mr. Pedigo highlighted the goals for Lynchburg's anchor engagement, which is goal 2 of the Blueprint for Opportunity. The next goals will be to educate Lynchburg's anchor institutions on the role of anchors in economic and community development; develop an anchor institution assessment/goal setting tool and framework; convene local anchors to develop an "anchor collaborative" with clear economic and community development goals; position Lynchburg as an "Applied Community Lab" that supports ongoing learning and utilize anchors to drive tourism development. The next steps will be to host an anchor institutions workshop; develop resources and tools for anchor community assessment and impact; catalog local anchors and relative community and economic development efforts; convene anchor working group to identify community needs and potential collaborative efforts and assess how anchors can impact tourism development.

Councilmember Wright wanted to hear more about community service agreements and how they have been used in Virginia. In particular, he wanted to know if they are legal in Virginia. Mr. Pedigo said he would assume they are but will know that an answer by tomorrow. He has never heard of them not being permissible but he will do some research. He indicated that many cities that are strapped for resources are seeking things from developers if they would like a certain zoning or a certain density. Councilmember Helgeson pointed out that the proffer elements are very tenuous in Virginia. Mr. Pedigo pointed out that Amazon is working with the locality where it will be locating in Northern Virginia and that is definitely an example of an anchor institution collaborative. Councilmember Helgeson remarked that most people are looking out for their own regard and their own interest. The institutions in the City of Lynchburg are looking out for their own interest and he would hate to see them have to do something for the City rather than we can help them grow and thrive. Mr. Pedigo said he would agree that it is a question about share value. He thinks that if community service agreements are done correctly, even anchor institutions would say that they are building strong relationships with their neighborhood institutions and government institutions, there is also a sense of accountability.

Councilmember Wright asked him to explain what a bid district is and Mr. Pedigo said it is a special improvements district and they are in Virginia. They could be a parks district or a downtown or neighborhood corridor. Tax dollars go to fund nonprofit organizations or public/private nonprofit organizations. Bid districts help do anything from making neighborhoods a great place to visit to cleaning the streets. Bid districts can fund festivals and other place making events.

Councilmember Wilder asked if we are talking about institutions that are already here or attracting more of them. Generally speaking, Mr. Pedigo said the term pertains to anchor institutions that are already located in a city. But it certainly could also be an effort to attract other businesses to locate in a city. Existing anchor institutions in a city can certainly help it attract businesses to the area. Washington, DC and Northern Virginia area great examples of that as the federal government its largest anchor institutions and businesses want to be located in proximity to its many offices and employees.

Mayor Tweedy noted that the anchor institutions can buy locally. Mr. Pedigo remarked what if Centra committed to setting a 10 percent local buy goal. Mayor Tweedy noted that one of the anchor institutions has already worked on the community health assessment survey. Mr. Pedigo said that can absolutely be a part of a partnership because the institution's growth comes from the local population and the institution benefits from a growing population.

Mayor Tweedy asked if this is an opportunity for an institution to tie its own data to the needs of the community. Mr. Pedigo said that is something he is working on a lot now. Anchor institutions are interested in the wellbeing and livability of cities and understand they play an important role in it. Mayor Tweedy noted that he had mentioned gentrification and the ability of cities to turn over neighborhoods with mixed income and business retail is great. She just wants to be sure when they go in and turn things over economically that it does not push people out. Mr. Pedigo said her point is well taken and the challenge with all cities is that no one really anticipated the return back to the city movement; therefore, people in economic development and city government were not thinking about policies that should be in place. The challenge of cities today is how to manage the effect of growth. You cannot build your way out of the affordable housing issue without a strong partnership in the private sector. Mr. Pedigo pointed out that there is a market solution to this issue as well.

Councilmember Nelson commented that he was very interested nine years ago in creating a town and gown collaboration within the City. He did not see it in terms of anchors and clusters; he saw it in the context of valuable resources and assets with six colleges and universities in the area and getting that synergy going. He wanted to know if there were instances worth discussing where strong anchors have partnered to the detriment of minority interest or those interests that are not a part of the partnership. Mr. Pedigo said there are lots of examples of anchor institutions working to better their own environment at the expense of others. He gave examples of Columbia University, New York University and Texas University, who have not always been what one would consider to be the best of neighbors and partners. Universities can be quite aggressive in terms of real estate development and the people on the peripheries of universities are perhaps not the strongest players. Some universities just are not good neighbors and do not do much for their cities. That is partly because there has not been good leadership at the top. University presidents are becoming more astute at understanding that there are pressures on them from a community development and government perspective. Also, many students are not just buying a university product; they are buying a city experience. Mr. Pedigo said you need good leadership at the top of both the anchor institutions and city government.

Councilmember Nelson asked if he would be educating them as a city and the anchors of the things they need to be mindful of. Mr. Pedigo said that when you think about the idea of anchor collaboratives, generally speaking, anchor institutions should want the same goals as a city. The comprehensive economic development strategy has been developed for the City of Lynchburg and the vision is in that 50-page document. Anchor institutions are just another set of players you are trying to figure how to leverage to advance the City's agenda.

Councilmember Perrow said there is an anchor institution in the region that got actively engaged in affordable housing and it went poorly. That is what mill towns do. He thinks Mr. Pedigo is bringing forth some really good ideas but they need to understand based on the long-term impact how this works well and what has not worked in the past. We should not tell any of our businesses what to do; we should find out what they need and help them advance to meet that goal. Councilmember Perrow thinks a Memorandum of Understanding would be very simple and certainly allowable. Mr. Pedigo said he just described public/private partnership and he agrees it is not the role of government to tell institutions how to run their institutions. If he were a university president, he would care a lot about the City because it is part of the product they are selling.

Mayor Tweedy asked who we are partnering with now in terms of workforce, education and training and if we are partnering with any of our current anchors. Ms. Upshur said that will be part of this discussion. When it comes to tech hire, their partnerships have been directly with the businesses but they have made some inroads into having conversations with Liberty. Liberty actually called them to ask about programs and workforce pipeline. They have also talked with Centra. She thinks there is a lot of great stuff going on but it has not been formalized or brought it to the top. She thinks they have the opportunity to do some groundbreaking work but it will be with all of us at the table. She reminded them that the steering committee for the Blueprint for Opportunity was made up of representatives from all of the anchor institutions in the City.

Councilmember Wright thinks this is tremendously exciting for the City. He wondered if Mr. Pedigo sees any difference in the outcome based on the form of government. Mr. Pedigo said not necessarily because anchor institutions can work with special improvement districts and do not always have to work with the local government. There are examples of city managers or economic development organizations playing that role. Much of the work in Cleveland was facilitated through the Cleveland Foundation and provided some of the initial dollars to build the strategy and get it going. A collaborative in Minneapolis was done through the Transit Authority.

// The meeting was recessed at 5:41 p.m.

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

// The following members were present:

Present:	Jeff Helgeson, J. Randy Nelson, E. J. Turner Perrow, Beau Wright, Treney Tweedy	6
Absent:	Mary Jane Dolan	1

// Councilmember Perrow gave the Invocation, followed by the Pledge of Allegiance.

// Copies of the minutes of the May 28, 2019 meeting, having been previously furnished Council, reading was dispensed with, and on motion of Councilmember Helgeson, seconded by Councilmember Wilder by the following recorded vote approved the minutes as presented. Councilmember Helgeson appreciated the minutes. They might be a little verbose but it is fabulous to be able to see what happened. He thanked Ms. Craig and Councilmember Perrow did so as well.

AGENDA ITEM #: 5

Ayes:	Helgeson, Nelson, Perrow, Tweedy, Wilder, Wright	6
Noes:		0
Absent:	Dolan	1

// In the matter of Consideration of adopting resolution #R-19-046 regarding the City of Lynchburg's Substantial Amendment No. 1 to the Community Development Block Grant (CDBG) Program Year 2018/Fiscal Year (FY) 2019 Annual Action Plan to add a new project utilizing unspent Bluffwalk Section 108 Loan proceeds totaling $1,250,000 for the design of the new Lynchburg Police Department headquarters, Councilmember Wilder made a motion, seconded by Councilmember Wright to approve it. Councilmember Helgeson wanted to know what it was regarding as there were no attachments provided in their packets. Councilmember Perrow was not present for the June 11, 2019 and the first reading of this resolution. He also noted there was no asterisk next to it to indicate that it was an item that had been before them previously. Councilmember Nelson was under the impression that the discussion on June 11, 2019 was not the first reading and that the discussion had been tabled until the matter could be vetted with the CDAC. Ms. Svrcek said it was Council's pleasure that they bring back the $200,000 that she had recommended be used for affordable housing for Council to decide if they would like it to also go toward the new police building. At that time, it would be presented to CDAC for their thoughts and recommendations. Councilmember Perrow made a motion, seconded by Councilmember Helgeson to move this item to General Business for discussion. The motion passed by the following vote:

Ayes:	Helgeson, Nelson, Perrow, Tweedy, Wilder, Wright	6
Noes:		0
Absent:	Dolan	1

// In the matter of Community Development, Grants, a public hearing was conducted to receive comments regarding the FY 2020 Annual Action Plan for the Community Development Block Grant (CDBG) and HOME Programs. Ms. Walker gave a brief presentation. This plan includes all the CDBG and HOME program projects approved by City Council at its May 14, 2019 public hearing. A public notice was posted that the plan was available for review and comment. The period for comments ends at the conclusion of Council's public hearing tonight. Prior to this evening, she has not received any public comments. Any comments received tonight will be incorporated into the plan and submitted to HUD.

There was no one who wished to speak in favor or in opposition to the petition. Mayor Tweedy closed the public hearing portion of the petition. Councilmember Perrow made a motion to approve the annual action plan and submit it to HUD. Councilmember Nelson said it was the unanimous decision of the CDAC committee to approve the plan. He applauded Ms. Walker and her staff for their excellent research and presentation of the information to the committee and the mustering of the community resources to share their ideas and needs. The motion was seconded and passed by the following vote:

Ayes:	Helgeson, Nelson, Perrow, Tweedy, Wilder, Wright	6
Noes:		0
Absent:	Dolan	1

// In the matter of Information Technology, a public hearing was conducted to receive public input on a proposed negotiated Cable Franchise Agreement between the City of Lynchburg and Shenandoah Cable Television, LLC, d.b.a. as Shentel. The proposed Franchise Agreement would allow Shentel to operate a Cable Television Franchise within the City of Lynchburg. The proposed Franchise Agreement establishes the rights, obligations and privileges of the parties to the agreement, the City of Lynchburg and Shentel. The proposed Franchise is for a period of fifteen years. The public hearing is being held pursuant to the procedures established in Section 15.2-2108.21 (F.) of the Code of Virginia and the public hearing shall be limited to the proposed Franchise Agreement with Shentel.

Mr. Mike Goetz indicated that City staff has developed a draft franchise agreement for consideration. It was modeled after other franchise agreements that currently exist with Comcast and Segra. Mr. Chris Kyle, the Vice President of Industry Affairs and Regulatory for Shentel was present to speak. He said they are requesting a non-exclusive video franchise and it is in regard to a very large and extensive telecommunications project that will involve a residential broadband offering. They are calling it the Gigabit City Project and it will deliver a triple play (internet, video and phone). It is the fastest mechanism for delivering internet speeds today. They have significant fiber assets in the City and are already working with about 1,000 businesses.

There was no one who wished to speak in favor or in opposition to the petition and Mayor Tweedy closed the public hearing portion of the petition. Councilmember Perrow made a motion to approve the agreement. The motion was seconded by Councilmember Wilder. Councilmember Perrow said he wholeheartedly supports this and thinks it is fantastic. He thanked them for coming to Lynchburg and said they have been subject to a monopoly for a very long time. Their job is to provide a level playing field that promotes the best access we can possibly promote for our citizens. Councilmember Wright seconded Councilmember Perrow's comments. It is a great thing for Lynchburg and they are glad to have them. Councilmember Helgeson asked if this is a level playing field when they allow for franchises. Mr. Goetz said the City has a requirement for nonexclusive franchises so we can have as many companies as Council agrees to have in the City. The terms and conditions in the franchise need to be the same. The existing franchisees have the ability under law to review the franchise with Shentel. If they see something they feel is not comparable, they have the right to come back to Council and ask for their franchise to be modified. Councilmember Helgeson noted it is a 15-year franchise agreement, so hopefully the competition will help all of them to rise a little higher.

Councilmember Wilder asked for clarification that this agreement is similar to the other two franchise agreements. Mr. Goetz said it is with one distinction and that is how the service area is described. Comcast has an obligation to provide service where certain density levels are met. The Segra contract does not have that density requirement nor will the Shentel one. Right now, Shentel will concentrate in the Rivermont area and the Fort Avenue area. Those are the initial buildouts and as their engineering design progresses, they will map out how to expand that system. There will not be any legal requirement to provide service if a certain number of houses exist in a street mile. But if the business conditions are right, they will extend their service. The density requirement was removed a few years ago to incentivize competition in the City. It is almost impossible for a second company to come in and build out the entire City and meet the same density requirement as the incumbent. Mr. Goetz did want to put in a plug for Comcast because they have made a significant investment in the City. Mr. Goetz thinks this is very optimistic news for the citizens. Hopefully, Comcast will continue to be an active provider here and we will see some competition. Councilmember Perrow feels he pays too much for what he is getting and he is happy for the competition.

Mayor Tweedy asked if this will help citizens who are on the outskirts of the City and Mr. Goetz said he is optimistic that it will help. The question is how long it will take, which is driven by economics. Councilmember Helgeson commented that those people not able to get cable service can get satellite service. Mr. Goetz said broadband is also expanding, which does not need near as much fiber to be placed in your home. Mr. Goetz said there are many cellular providers in the City that provide faster speeds. Councilmember Helgeson noted that when you have competition, you get better service and hopefully our citizens win.

The motion passed by the following vote:

Ayes:	Helgeson, Nelson, Perrow, Tweedy, Wilder, Wright	6
Noes:		0
Absent:	Dolan	1

// In the matter of Community Development, Street Vacations, a public hearing was conducted regarding the petition of The Rebkee Company to vacate ninety-two thousandths of (0.092) of an acre portion of Jackson Street. The area proposed for the vacation has a small portion of a parking lot on it, concrete steps and a stone curb. Ms. Victoria Glasgow summarized the petition for Council. This street vacation is necessary for the redevelopment of the former Grace Lodge into apartments. Mr. Ed Willman of Accupoint Surveying was present to represent the petitioner. If the street is not vacated, Rebkee would be required to remove the improvements from the City's right-of-way. Their desire is to use the existing improvements.

There was no one who wished to speak in favor or in opposition of the petition. Mayor Tweedy closed the public hearing portion of the petition and deferred to Councilmember Perrow, the chair of the PDC. This is a historic encroachment and does not impede either the traffic or the parking on Jackson Street. It has a $16,000 value, which is not included in our current tax assessment. If the property is vacated, the value will be included in our tax assessment. Councilmember Perrow made a motion on behalf of the PDC to approve this street vacation. There was no need for a second and the motion passed by the following vote:

Ayes:	Helgeson, Nelson, Perrow, Tweedy, Wilder, Wright	6
Noes:		0
Absent:	Dolan	1

// In the matter of Community Development, Zoning Amendments, there was a continuation of the discussion of the petition of Josh Lee, Troutspring, to amend the Future Land Use Map from Low Density Residential to Medium Density Residential and to rezone approximately 5.91 acres located at 1306 Laxton Road from R-1, Low-Density Residential to R-3C, Medium-Density Residential (Conditional) and for a conditional use permit to allow the development of the property as 40 townhomes. Mr. Martin gave Council a summary of the petition to date. Councilmember Perrow asked Mr. Martin to expound on what is required for the traffic review. Mr. Martin said when the initial traffic analysis was submitted, it did not include the Enterprise Drive entrance. The City Engineer has not seen a revised traffic study to determine if any turn lanes will be needed. Mr. Newland thinks a left turn lane might be needed and Mr. Martin indicated where on Enterprise Drive it would likely be needed. This would be approved at the site plan level. In Mr. Martin's opinion, it is not necessary for Council to add any conditions not already in the report.

Councilmember Perrow said he has been receiving complaints about traffic backing up significantly on Enterprise Drive and Laxton Road. He gets complaints about cutthroughs on Enterprise Drive and the crosswalks are settling on Enterprise Drive. He hears that the trucks cutting through from Timberlake Road will go through at excessive speed. It is a nice four lane road and can convey a significant amount of traffic, which is both a benefit and a curse. This straight stretch is conducive to excessive speed and as a City they need to do a better job of enforcing the speeds and making sure that the crosswalks are maintained. Everyone would like to see the traffic slowed down. The conundrum is that if you increase traffic, it does slow traffic and people will tend to move around the traffic and not use the road. From his experience as an engineer, the number of townhomes that are planned here will not have a substantial or meaningful impact on the overall traffic.

Councilmember Perrow commented that they are asking for 6.8 units per acre and the *Future Land Use Map (FLUM)* amendment allows for 12. Councilmember Perrow also noted that the petitioner reduced the number of units from 50, which would have been about eight units per acre to 40. Councilmember Perrow also noted there is about a hundred feet of buffer being provided between this development and Wyndhurst. Mr. Martin said it would is between 160 and 200 feet. Councilmember Perrow the closest houses to the development are on the south side but additional screening has been provided for them. Councilmember Perrow noted that the petitioner has done everything that he asked him to amend the initial development plan.

Councilmember Perrow asked if VDOT is pursuing a study on Timberlake Road to improve the traffic flow and conditions. Ms. Svrcek said that is correct. Councilmember Perrow said we have been working with Campbell County on that study. They are studying the intersections from 460 to Heritage High School. Councilmember Perrow noted that Laxton Road is not under their control but the intersection of Enterprise Drive and Paulette Circle is under the City's control, which is why he asked for the entrance on Enterprise Drive. This is a difficult decision for him because he has heard a lot of complaints; however, the developer has done everything that he asked. When you compromise and work through a solution, no one gets exactly what they want. We need to look at our best possible uses for our landlocked City. If we are going to keep taxes low, we have to look at where to grow the City where need be. It is not what he would prefer to see there, but it could be nothing at all or could be a whole lot worse in the future. Councilmember Perrow made a motion to amend the *FLUM.* The motion was seconded by Councilmember Nelson.

Councilmember Nelson thought Councilmember Perrow has done an extraordinary job of summarizing all of his concerns and he will not repeat them. Councilmember Wilder said he will support the motion for all the same reasons stated by Councilmember Perrow.

Councilmember Helgeson noted that the *FLUM* amendment will allow for a 70 percent increase in density over what is allowed there now. This will abut Wyndhurst's single-family development and other single-family homes to the south and for that reason he cannot support the change from low density to medium density residential. Those people bought their homes expecting that this land would be developed as single-family homes. There are a lot of bottlenecks in the area and he thinks there has been enough development in the Timberlake Road area. He would like to give apartments and townhomes a rest and let the single-family homes thrive.

Councilmember Wilder asked if there are townhomes across the street. Mr. Martin said there are and they are at a density of about 8.7 units per acre.

Councilmember Wright will be supporting this petition for many of the reasons already stated and also because the City needs more mid-market housing units. There is no guarantee that anyone would put in single-family homes and with the size and location of the lot, he is not sure what else would go here other than a medium density development. It also might get developed by right in a manner that everyone has agreed to and may be unfavorable to the neighbors. This is a difficult one because the neighbors have voiced reasonable concerns. There have been a lot of townhome and apartment communities popping up in the area and that is a lot of change for the community to bear. It is adjacent to commercial property in the county and is unlikely to develop as single-family homes. Adjusting the *FLUM* makes sense.

Mayor Tweedy acknowledged everyone's comments and also acknowledged that the developer has been responsive to their requests and those of the neighbors. She will be supporting the project but it has been a difficult decision. The motion passed by the following vote:

Ayes:	Nelson, Perrow, Tweedy, Wilder, Wright	5
Noes:	Helgeson	1
Absent:	Dolan	1

Councilmember Perrow moved the ordinance to rezone as presented. The motion was seconded by Councilmember Wright. Councilmember Perrow thinks the City has a policy essentially prohibiting R-1 single-family development. He would ask that we look at our R-1 strategy and determine if the City is promoting R-1 or not. It is his understanding that the requirements for R-1 development are so onerous that they are cost prohibitive when you are trying to develop R-1. If Council is supportive of R-1 development, we need to make our policy is supportive of it.

Councilmember Helgeson noted that the developer could do a Planned Unit Development with single-family homes rather than a dense townhome community. He thinks having some elbow room is good for a City and we do not have to be developing everything densely. He appreciates private property rights but also appreciates the right of the neighbor who bought their R-1 home and thought the property next door would be developed as R-1. He appreciates all the things the developer did to address their concerns but he really feels like they need to protect their single-family neighborhoods. Councilmember Helgeson also thinks we have so many houses in the City that could be fixed up. There are neighborhoods that need a shot in the arm and if we constantly build new stuff, they will never get it. He would like to see them value their current inventory and not flood the market with new inventory.

Mayor Tweedy would like the City Manager to add the topic of how we develop in the City to Council's retreat agenda.

Councilmember Wright acknowledged there are many neighborhoods that need care and he looks to partnering with the other councilmembers to provide those incentives to historically underprivileged and underserved neighborhoods and rehabbing existing stock. Mayor Tweedy commented that it is not just underprivileged neighborhoods that need some tender loving care; there are a lot of neighborhoods with an aging population where the homes are also in need of it.

The motion on the table passed by the following vote:

Ayes:	Nelson, Perrow, Tweedy, Wilder, Wright	5
Noes:	Helgeson	1
Absent:	Dolan	1

Councilmember Perrow made a motion to approve the conditional use permit with the following change to Condition #2. All requirements of the Virginia Department of Transportation (VDOT) and the City of Lynchburg for access shall be met prior to final site plan approval. Councilmember Perrow noted that although he and Councilmember Helgeson disagree on this petition, he agrees with him on the broader concept. Ward 3 specifically has seen a significant amount of apartment development. Ward 4 to a slightly lesser extent. He agrees with Councilmember Helgeson's points just that it does not apply to this particular parcel.

Councilmember Wilder seconded the motion and stated that he agrees with all the comments made and looks forward to the discussion on how we want to develop as a City and also discussing how the inner city areas can be redeveloped or get some tender loving care.

The motion on the table passed by the following vote:

Ayes:	Nelson, Perrow, Tweedy, Wilder, Wright	5
Noes:	Helgeson	1
Absent:	Dolan	1

// In the matter of Budget – Schools - Consideration of introducing a resolution to amend the FY 2020 General Fund Operating Budget and the FY 2020 Schools Operating budget and rescind $862,000 from the Schools Operating Appropriation and increase the General Fund Unassigned Fund Balance by $862,000. Ms. Donna Witt explained that after the FY2020 budget was passed, Lynchburg City Schools discovered some discrepancies and an overestimation of funds needed to support salary increases and living wage adjustments. The additional appropriation of $862,000 from the City is not needed and should be returned. Councilmember Perrow moved to have the money returned, which was seconded by Councilmember Helgeson.

Councilmember Helgeson said he greatly appreciates this and wants to applaud the school superintendent. He is not sure this has ever happened in any public school in the United States. It says a lot about our superintendent that she is returning the money instead of saying they might be able to use it later. She had ethics and integrity. He hopes this charge has lit a fire under our school board and new school board candidates and that they will be asking questions and pressing it if the answers are pat. When we hold our schools accountable, we all win. When we do not, we all lose.

Councilmember Wright agreed it is worth applauding. He is not sure the funds should go back to the general fund unassigned fund balance. That would bring it to 10.4 percent, which is over Council's policy of 10 percent. The City Manager provided them with a list of alternatives to be funded for their consideration. He would be supportive of restoring $20,000 to Communications and Marketing, approximately $32,935 to the Council Manager budget for the Virginia Municipal League, National League of Cities and the UVA Institute of Government, as well as adding $2,000, which was requested by the Virginia Cooperative Extension. He would propose the remainder of it, as outlined in policy, to supplement pay as you go capital outlay expenditures. We might accrue interest but it might not equal the amount that we would otherwise pay in debt service. He understands some on Council think their fund balance is too low and he welcomes a discussion on whether or not they should update their policy and raise that number. There is no real logic to putting this money back into the fund balance and we do not know what the benefits are going to be. Why not use it for needs we have now and save us from paying tens of thousands of dollars a year in debt service. He made this as a substitute motion. Mayor Tweedy seconded the motion.

She thanked the superintendent and the leadership of the school board for not hesitating to return the money. The superintendent had committed to transparency. They took time to meet separately additionally with councilmembers. The charge that Council put before schools began last year and they took it to heart what councilmembers were saying. They continued to ask questions even after the appropriation was made and that is what they were asked to do by Council.

Councilmember Helgeson said he can appreciate the desire but if we have learned anything let us not have a knee jerk reaction and spend money. If we have not learned anything, that is not a good thing. If the money needs to come out at a later time, we should have a thoughtful debate.

Councilmember Perrow will not support the substitute motion either. The City Manager had recommended a 10.4% fund balance in order to improve our overall fund balance. That is the one shortcoming we seem to have as far as reaching a AAA bond rating. As we participate in these additional projects, our debt service is going to get more and more expensive. Whatever we can do to increase our bond rating will decrease our overall expenses. Commissioner Perrow acknowledged Councilmember Wright's point about interest rates and said we will be looking at a negative arbitrage for one year; however in that next year, all the money that is reserved for fund balance will go to pay as you go capital. Then we reserve hopefully more than 10 percent in the following budget year, so the pay as you go capital will help bolster the City's capital needs. He is willing to take the negative arbitrage in an effort to save that money and to apply it to pay as you go work in the following year. He would support a more detailed budget discussion than an immediate reaction as is being discussed tonight.

Councilmember Helgeson does not believe there is any negative arbitrage because of the fact that this is cash. Our interest rates are increasing and our interest income is increasing. This money that is sitting there is not going to be bonded. If you spend the money, you really lose. Councilmember Perrow said he was referring to the difference between our interest expense versus our interest income. Ms. Witt said we are currently not in an arbitrage situation. It is close but not yet.

Councilmember Wilder said he appreciates Councilmember Wright's proposal but is not prepared to support that today so he would rather see the funds go to the fund balance. He commended the superintendent for the work she has done in our school system. He was on the board for nine years and understands it is a challenging position. He commends the school board for hiring her. He is thankful they have a good school system and they are continuing to make it even better.

Councilmember Nelson said he does not disagree with Councilmember Wright. His logic and facts are good. Normally it would make sense to him not to borrow money and this would likely get spent on the new police building. However, we are dealing with a lot of issues right now and it would be his preference to put these funds back where they came from and if they want at some point to discuss the merits of all of these in a conscientious and detailed way, they could do so. It allows us the flexibility to address this at a later time when we can weigh into it much more deeply.

Councilmember Wright noted that if we are going to increase the unassigned fund balance, we really ought to know why we are doing it and really should have a plan. There are so many other factors that the rating agencies look at in addition to fund balance and he does not think this amount of money will tip that scale. The substitute motion failed by the following vote:

Ayes:	Tweedy, Wright	2
Noes:	Helgeson, Nelson, Perrow, Wilder	4
Absent:	Dolan	1

Councilmember Perrow would like to echo the commendation to the superintendent and the school board. It is a matter of principle and integrity and he very much appreciates it.

The original motion on the table to appropriate the entire amount back to the general fund passed by the following vote:

Ayes:	Helgeson, Nelson, Perrow, Tweedy, Wilder	5
Noes:	Wright	1
Absent:	Dolan	1

// In the matter of City Council, Agenda Item #10, to readopt City Council's Rules of Procedure, Mr. Erwin explained that State Code requires that each year the governing body has to approve its schedule of meetings for the year. Each year we readopt our rules of procedures which establishes the meeting schedule. Councilmember Wright made a motion to adopt the rules of procedures, which was seconded by Councilmember Perrow, and passed by the following vote:

Ayes:	Helgeson, Nelson, Perrow, Tweedy, Wilder, Wright	6
Noes:		0
Absent:	Dolan	1

// The continuation continued regarding Resolution #R-19-046 regarding Amendment No. 1 to the CDBG Program Year 2018 moved from the consent agenda. Councilmember Helgeson said there were no attachments in their packet. He does remember it because he was at the meeting but not the exact detail. Ms. Svrcek explained that the total amount in the Bluffwalk refunding was $1.6 million. It is proposed that the $1.25 million goes into the police department headquarters design and the balance goes to affordable housing with specifics to be determined at a later date. Council asked staff to bring back the amount that is allocated to affordable housing for consideration to be added to the police department headquarters design. Councilmember Nelson asked staff to advise the CDAC to see if they had any comments regarding that portion. This is the second reading of the $1.25 million portion they approved at their June 11, 2019 meeting. The other amount will be brought back to them after they go through the advertisement period, have the public hearing and make sure that the CDAC is apprised of the public hearing. It has not been done yet but it will be done shortly.

AGENDA ITEM #: 5

Councilmember Perrow asked if what Ms. Svrcek just explained is consistent with the first reading. Ms. Svrcek indicated it is consistent. Councilmember Helgeson made a motion to approve the resolution, which was seconded by Councilmember Nelson and passed by the following vote:

Ayes:	Helgeson, Nelson, Perrow, Tweedy, Wilder, Wright	6
Noes:		0
Absent:	Dolan	1

// On motion of Councilmember Wilder, seconded by Councilmember Wright, by the following recorded vote elected to hold a closed meeting to discuss appointment of Steering Committee members to the Task Force on the Future of Education PreK-12 and Beyond, as well as appointments to the following boards, commissions or committees: Central Virginia Community College Board and Youth Services Citizens Board pursuant to Section 2.2-3711(A) of the Code of Virginia, as well as to hold a closed meeting for discussion and consideration of the City Manager's and the City Attorney's performance evaluations, pursuant to Section 2.2-3711(A)(1) of the Code of Virginia:

Ayes:	Helgeson, Nelson, Perrow, Tweedy, Wilder, Wright	6
Noes:		0
Absent:	Dolan	1

// On nomination of Councilmember Helgeson, seconded by Councilmember Wright, Council by the following recorded vote reappointed Susan Morrison to the School Board in District 1, appointed Gary Harvey to the School Board in District 2 and reappointed Dr. Michael Nilles to the School Board in District 3 with terms to end June 30, 2022:

Ayes:	Helgeson, Nelson, Perrow, Tweedy, Wilder, Wright	6
Noes:		0
Absent:	Dolan	1

// On nomination of Councilmember Helgeson, seconded by Councilmember Wright, Council by the following recorded vote appointed the following members to the Task Force on the Future of Education PreK-12 and Beyond: Dr. Michael Gillette as Chair, Gloria Preston as Vice Chair, Councilmember Randy Nelson and Councilmember Beau Wright as the two members of City Council. There is no set term for this task force:

Ayes:	Helgeson, Nelson, Perrow, Tweedy, Wilder, Wright	6
Noes:		0
Absent:	Dolan	1

// On nomination of Councilmember Helgeson, seconded by Councilmember Wright, Council by the following recorded vote appointed Joseph Tucker to serve on the Central Virginia Community College Board for terms to expire June 30, 2023.

Ayes:	Helgeson, Nelson, Perrow, Tweedy, Wilder, Wright	6
Noes:		0
Absent:	Dolan	1

AGENDA ITEM #: 5

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

// Councilmember 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 Councilmember Wright, and Council by the following recorded vote adopted the motion:

// The meeting was adjourned at 9:30 p.m.

____

Clerk of Council