// A regular meeting of the Council of the City of Lynchburg was held on the 25th day of June, 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, Gillette 6

Absent: Perrow 1

// Executive Director of the Lynchburg Historical Foundation Sally Schneider presented a project to create a replica of the Waterbearer statue that stood for years in the Clay Street Reservoir. Ms. Schneider explained the plans to reproduce the replica, display it and to preserve the remnants of the original statue. Ms. Schneider went on to say that fundraising for this project will kick-off in June 2013 and once the replica statue has been completed it will be displayed, but no exact location has been determined.

// Human Services Director Tamara Rosser provided a report on the merging of the Social Services and Juvenile Services departments. Ms. Rosser stated in January 2013 the two departments were officially renamed the Department of Human Services. There have been many changes since merging including moving positions around from one service area to another and cross training staff in different service areas. Ms. Rosser further stated the next steps are to continue to maximize reimbursement and revenue opportunities as appropriate; move forward with the pilot project to hire temporary BPS's in preparation for State and Federal changes; continue to plan for the co-location of Juvenile Services residential programs and services and continue to manage staff through the process. In closing, Ms. Rosser stated she was very excited for the two departments to merge together to meet the needs of the community and to offer outstanding customer service.

// Human Services Director Tamara Rosser stated that the overview and update of the Group Home Needs Assessment would be presented by Mr. Bill Allen, PE with Virginia A & E and Ms. Bobbie Huskey, President of Huskey & Associates, Inc. Mr. Allen provided the Needs Assessment overview which demonstrates the need for a replacement facility, facility program, Juvenile Justice System service needs, and convincingly shows that unmet need exists. The purpose of the planning study overview is to show why proposed renovation or construction is the most appropriate and cost-effective response to identified needs. Mr. Allen explained the City of Lynchburg's existing facilities, which operate three (3) Group Homes:

- Opportunity House 1
- Opportunity House 2
- SPARC House

Mr. Allen further stated the Group Home options:

- Option 1 - Renovate existing facilities
- Option 2 - Build separate male and female facilities
- Option 3 - Build male and female facility co-located at Regional Juvenile Detention Center (RJDC)
- Option 4 - Build male and female facility on new site.

Option 3 received the highest ranking which was also the lowest capital cost. Ms. Huskey provided information on the environmental evaluation of existing facilities and the operational evaluation of existing facilities. The next steps are to continue to inform and engage, respond to Department of Juvenile Justice (DJJ) comments on Needs Assessment and Program Design, finalize the Planning Study Submission to DJJ and finally obtain approvals from DJJ's Board.

// Director of Public Works Dave Owen gave a brief report on the possible use of prepaid trash bags. Mr. Owen stated that staff performed research and sought proposals from interested parties to help improve and enhance the City's current trash tag/decal program and possibility move to the use of prepaid trash bags. Mr. Owen mentioned last August that Council approved the use of prepaid trash bags. It is staff's plan to fully develop the advantages and disadvantages along with the financial implications for each option and bring those back to City Council with recommendations for implementation. Mr. Owen introduced Mr. Les Evans with WasteZero. He will help the city transition away from its current trash tag system. City staff is planning to enter into an agreement with WasteZero to evaluate several options which include the following:

1. Use of prepaid bags to manage trash overflow (outside of city trash carts)
2. Use of prepaid bags for all waste (eliminates need for trash tags and decals)
3. Hybrid of 1 and 2

// Mayor Gillette thanked Dave Owen for his service to the community and congratulated him on his retirement.

// Council Member Perrow arrived at 5:38 p.m. during the Tourism discussion.

// City Manager Kim Payne continued the discussion regarding the Tourism Program. Mr. Payne stated we need to focus the discussion on where the tourism program should be. Some points of discussion include: getting the tourism program back on track, performance measurement focus, look for contract renewal communication and customer relationships. Mr. Payne stated the following decisions must be addressed:

- Will there be a tourism program
- How will the tourism program be delivered (a city department, independent authority or a third party).
- What is the affordable funding amount for the tourism program
- Oversight and communications

Mr. Payne stated his three recommendations for Council to consider:

- Agreement with third party vendor
- Agreement that funding is set for FY 2014
- Direction to draft a contract

During Council discussion several concerns were mentioned such as: the desire to move forward, importance of outsourcing, having no city staff on tourism board, funding for FY 2014, directing a third party source and believing communication problems can be resolved. Mayor Gillette called for a vote for the City Manager to move forward on the tourism program. On motion made by Council Member Perrow, seconded by Vice Mayor Johnson that the City Manager would move forward with the following: 1) funding for FY 2014, 2) directing a third party source, 3) staff will develop a contract, Council by the following recorded vote agreed to move forward with the three suggestions from the City Manager:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7
Noes: 0

// Council Member Helgeson left the meeting before roll call at 6:29 p.m.

// Mayor Gillette announced that on July 9th, the Economic Development Strategic Plan presentation would be held from 5:30 p.m. to 7:00 p.m. at the Academy of Fine Arts.

// Council Member Cary asked whether Riverside Park could include some type of shade trees near the spray ground. City Manager Kim Payne replied that the Master Plan included some trees in that area.

// Council Member Foster stated a new challenge with Live Healthy Lynchburg which is a 100 mile challenge. The new challenge will begin July 1, and she also made a challenge to Lynchburg City Schools employees. She encouraged everyone to register for this new challenge; companies, family and friends. Register for the 100 mile challenge on the City of Lynchburg website.

// Vice Mayor Johnson stated that a resident at 1212 Floyd Street reported that properties on both sides of her property have overgrown weeds and grass. He also reported that property behind Randolph Hunton Center has overgrown grass.

// City Council recessed the meeting at 6:34 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

Vice Mayor Johnson gave the Invocation, followed by the Pledge of Allegiance.

// Copies of the minutes of the May 28, 2013 meeting, having been previously furnished Council, reading was dispensed with, and on motion of Council Member Cary, seconded by Council Member Foster, 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 Public Works – Water, Resolution #R-13-074 amending the FY 2013 Water Capital Projects Fund budget and appropriating $9,500, fully reimbursable, to reimburse costs associated with bringing Pedlar Dam into compliance with minimum standards for dam safety, laid over from the June 11, 2013 meeting, was again presented and read, and on motion of Council Member Cary, seconded by Council Member Foster, Council by the following recorded vote adopted the Resolution:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7
Noes: 0

// In the matter of Taxes, Resolution #R-13-079 amending the FY 2013 General Fund budget and appropriating $139,036 with resources from the General Fund Reserve for Contingencies for a partial refund of the real estate taxes paid by River Ridge Mall, LLC, for the tax years 2009 through 2012, laid over from the June 11, 2013 meeting, was again presented and read, and on motion of Council Member

Cary, seconded by Council Member Foster, Council by the following recorded vote adopted the Resolution:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7
Noes: 0

// In the matter of City Council, Alex Johnston requested that her item be removed from the agenda regarding the Safe Haven Alliance Baby Protection program.

// In the matter of Parks and Recreation – General, City Council Report #11 was considered. On motion of Council Member Perrow, seconded by Council Member Cary, Council by the following recorded vote adopted Resolution #R-13-080, as presented, allocating $10,000 from the Community Park Investments Funds included in the FY 2013 Capital Improvement Program to assist the Wyndhurst Association in making improvements to City infrastructure along Enterprise Drive:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7
Noes: 0

// In the matter of Community Development – Historic Review Board, City Council Report #12 was considered. Council Member Nelson, Chair of the Finance Committee (FC) stated that this item came before FC which recommended approval of the request. 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-13-081, as presented, 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:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7
Noes: 0

// In the matter of Police – General, City Council Report #13 was considered. Council Member Nelson, Chair of the Finance Committee (FC) stated that this item came before FC which recommended approval of the request. This motion does not require a second and Council by the following recorded vote adopted Resolution #R-13-082, as presented, to approve the submittal of an application for a 2013 Edward Byrne Memorial Justice Assistance Grant in the amount of $40,753, fully reimbursable, to purchase Body Mic Transmitters, Cradles, and in care DVR systems; a high capacity printer, and six tasers:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7
Noes: 0

// In the matter of Community Development – General, City Council Report #14 was considered. Council Member Nelson, Chair of the Finance Committee (FC) stated that this item came before FC which recommended approval of the request. 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-13-083, as presented, 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:

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

Noes: 0

// In the matter of Schools – General, City Council Report #15 was considered. Council Member Nelson, Chair of the Finance Committee (FC) stated that this item came before FC which recommended approval of the request. This motion does not require a second. Council Member Helgeson stated he would not support this request because this is an added tax burden on our citizens, and we also rank 4^{th} in the state for fiscal stress. Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-13-084, as presented, 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:

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

Noes: Helgeson 1

// On motion of Council Member Foster, seconded by Vice Mayor Johnson, Council by the following recorded vote elected to hold a closed meeting to consider appointments to Council-appointed Boards and Commissions, i.e., Equalization Board, Youth Services Citizens Board, City Employees Appeal Board, Central Virginia Community College, Zoning Appeals Board, School Board, Dr. Martin Luther King, Jr./Lynchburg Community Council, Economic Development Authority Board, Museum Advisory Board, Planning Commission, Regional Sewage Treatment Plant Board, Historic Preservation Commission and Regional Tourism Board; pursuant to Section 2.2-3711(A)(1), 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 Cary 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 Nelson, and Council by the following recorded vote adopted the motion:

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

Noes: 0

// In the matter of Appointments, and on nomination of Council Member Perrow, seconded by Council Member Nelson, Council by the following recorded vote re-appointed Barry K. Armstrong, Walter M. Fore, Jr., and Diane S. Swain to serve on the Youth Services Citizens Board for terms to expire June 30, 2016:

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

Noes: 0

On nomination of Council Member Perrow, seconded by Council Member Nelson, Council by the following recorded vote appointed Christopher Shearer to serve on the Youth Services Citizens Board to fill an unexpired term ending June 30, 2015:

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

Noes: 0

On nomination of Council Member Perrow, seconded by Council Member Nelson, Council by the following recorded vote re-appointed Troy W. Deacon to serve on the City Employees Appeal Board for a term to expire June 30. 2016:

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

Noes: 0

On nomination of Council Member Perrow, seconded by Council Member Nelson, Council by the following recorded vote appointed Cary P. Moseley to serve on the City Employees Appeal Board for a term to expire June 30, 2016:

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

Noes: 0

On nomination of Council Member Perrow, seconded by Council Member Nelson, Council by the following recorded vote appointed Michael Nilles to serve on the Lynchburg School Board for a term to expire June 30, 2016:

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

Noes: 0

On nomination of Council Member Perrow, seconded by Council Member Nelson, Council by the following recorded vote re-appointed Ramona Battle to serve on the Dr. Martin Luther King,Jr./Lynchburg Community Council for a term to expire June 30, 2016:

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

Noes: 0

On nomination of Council Member Perrow, seconded by Council Member Nelson, Council by the following recorded vote re-appointed H. Michael Lucado, Jr., and Louise E. Mitchell to serve on the Economic Development Authority Board for terms ending June 30, 2017:

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

Noes: 0

On nomination of Council Member Perrow, seconded by Council Member Nelson, Council by the following recorded vote re-appointed Robert B. Craighill, Michael R. Doucette, Langhorne L. McCarthy and J. Marie Waller to serve on the Museum Advisory Board for terms to expire June 30, 2016:

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

Noes: 0

On nomination of Council Member Perrow, seconded by Council Member Nelson, Council by the following recorded vote appointed Lynn L. Dodge to serve on the Museum Advisory Board for a term to expire June 30, 2016:

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

Noes: 0

On nomination of Council Member Perrow, seconded by Council Member Nelson, Council by the following recorded vote appointed Robert E. Clarke to serve on the Museum Advisory Board to fill an unexpired term ending June 30, 2015:

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

Noes: 0

On nomination of Council Member Perrow, seconded by Council Member Nelson, Council by the following recorded vote appointed Alex Johnston to serve on the Planning Commission to fill an unexpired term ending December 31, 2015:

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

Noes: 0

On nomination of Council Member Perrow, seconded by Council Member Nelson, Council by the following recorded vote re-appointed Jeff S. Helgeson to serve on the Regional Sewage Treatment Plant Board for a term to expire June 30, 2016:

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

Noes: 0

On nomination of Council Member Perrow, seconded by Council Member Nelson, Council by the following recorded vote re-appointed Neil W. Bohnert to serve on the Historic Preservation Commission for a term to expire June 30, 2016:

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

Noes: 0

On nomination of Council Member Perrow, seconded by Council Member Nelson, Council by the following recorded vote appointed Sam Roskelley to serve on the Historic Preservation Commission for a term to expire June 30, 2016:

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

Noes: 0

On nomination of Council Member Perrow, seconded by Council Member Nelson, Council by the following recorded vote re-appointed Paul A. Heckman, Phyllistine Mosley and Todd Swindell to serve on the Regional Tourism Board for terms to expire December 31, 2013:

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

Noes: 0

// The meeting was adjourned at 8:47 P.M.

Clerk of Council