

Agenda Item #8

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June 24, 2014

// An additional scheduled meeting of the Council of the City of Lynchburg was held on the 24th day of June, 2014, at 1:00 P.M. in the Council Chamber, City Hall, Michael Gillette, President, presiding. The purpose of the meeting was to interview candidates interested in serving on the Lynchburg School Board.

The following Members were present:

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

Absent: Helgeson 1

// On motion of Council Member Cary, seconded by Council Member Foster, Council by the following recorded vote elected to hold a closed meeting to consider appointments to Council-appointed Boards and Commissions, i.e., interview candidates interested in serving on the Lynchburg School Board, pursuant to Section 2.2-3711(A)(1), Code of Virginia (1950), as amended:

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

Absent: Helgeson 1

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

// Council Member Perrow 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 Cary, and Council by the following recorded vote adopted the motion:

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

Absent: Helgeson 1

// The meeting was adjourned at 3:30 P.M.

Clerk of Council

// A regular meeting of the Council of the City of Lynchburg was held on the 24th day of June, 2014, at 4:00 P.M. in the Council Chamber, City Hall, Michael Gillette, President, presiding. The following Members were present:

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

Absent: Helgeson 1

// Financial Services Director Donna Witt reported that the FY 2015 State Budget impacts are as follows:

- Local Law Enforcement Funding (HB 599) reduced back to FY 2014 Funding Level – Loss of \$124,000.
- Virginia Retirement System (VRS) Life Insurance rate reduced to FY 2014 rate – Savings of \$58,000.
- Net Loss to the General Fund - \$66,000.
- City Schools project a loss of about \$150,000 in Pre-School funding which will be absorbed in the budget.
- The School Board adopted the Budget with no changes.

// During roll call Council Member Nelson stated that he had enjoyed Council Member Cary as a colleague and a friend over the last four years and thanked him for his service, time and energy to his community while on Council.

// Council Member Foster also thanked Council Member Cary for his service and dedication, he will be greatly missed. She mentioned that she had received calls from neighborhoods regarding removal of bulk pick up. City Manager Kimball Payne stated that the Public Works crews are about three weeks out with bulk pick up.

// Council Member Perrow also thanked Council Member Cary for his dedicated service on Council and appreciated “the great work you have done, you are part of the Council family and always will be”.

// Vice Mayor Johnson also gave remarks to Council Member Cary on his great service on Council. He also mentioned concerns about the new trash system. He asked if this could be added onto the water bill, as an option, or to prorate the bags.

// Mayor Gillette made the following announcements:

- Swearing in Ceremony July 1 at 1:00 P.M. in Council Chamber.
- Organizational Meeting was scheduled to immediately follow the Swearing in Ceremony but could be postponed to a later date due to fact that Council Member Helgeson was still out of town.
- Change in Agenda for the 7:30 p.m. meeting possibly to go into closed session regarding the Freedom Aviation and Virginia Aviation, if Council so desired.

// On motion of Council Member Cary, seconded by Council Member Nelson, 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, Horizon Behavioral Health, and Historic Preservation Commission pursuant to Section 2.2-3711(A)(1), Code of Virginia (1950), as amended:

Ayes: Cary, Foster, Johnson, Nelson, Perrow, Gillette	6
Noes:	0
Absent: Helgeson	1

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

// Council Member Perrow 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 Cary and Council by the following recorded vote adopted the motion:

Ayes: Cary, Foster, Johnson, Nelson, Perrow, Gillette	6
Noes:	0
Absent: Helgeson	1

// In the matter of Appointments, and on nomination of Vice Mayor Johnson, seconded by Council Member Foster, Council by the following recorded vote re-appointed Teresa Billingsley and Clark K. Jefferson to serve another term on the Youth Services Citizens Board for terms to expire June 30, 2017:

Ayes: Cary, Foster, Johnson, Nelson, Gillette	5
Noes:	0
Absent: Helgeson	1
Abstention: Perrow	1

On nomination of Vice Mayor Johnson, seconded by Council Member Foster, Council by the following recorded vote appointed Tyeast Blanding to serve on the Youth Services Citizens Board for a term to expire June 30, 2017:

Ayes: Cary, Foster, Johnson, Nelson, Gillette	5
Noes:	0
Absent: Helgeson	1
Abstention: Perrow	1

On nomination of Vice Mayor Johnson, seconded by Council Member Foster, Council by the following recorded vote re-appointed Mylas A. Jackson to serve on the City Employees Appeal Board for a term to expire June 30, 2017:

Ayes: Cary, Foster, Johnson, Nelson, Gillette	5
Noes:	0
Absent: Helgeson	1
Abstention: Perrow	1

On nomination of Vice Mayor Johnson, seconded by Council Member Foster, Council by the following recorded vote re-appointed Nathaniel X. Marshall to serve another term on the Central Virginia Community College Board for a term to expire June 30, 2018:

Ayes: Cary, Foster, Johnson, Nelson, Gillette	5
Noes:	0
Absent: Helgeson	1
Abstention: Perrow	1

On nomination of Vice Mayor Johnson, seconded by Council Member Foster, Council by the following recorded vote re-appointed Mark Smith to serve on the Zoning Appeals Board for a term to expire June 30, 2019:

Ayes: Cary, Foster, Johnson, Nelson, Gillette	5
Noes:	0
Absent: Helgeson	1
Abstention: Perrow	1

On nomination of Vice Mayor Johnson, seconded by Council Member Foster, Council by the following recorded vote re-appointed Regina Dolan-Sewell and Jennifer Poore to serve on the School Board for terms to expire June 30, 2017:

Ayes: Cary, Foster, Johnson, Nelson, Gillette	5
Noes:	0
Absent: Helgeson	1
Abstention: Perrow	1

On nomination of Vice Mayor Johnson, seconded by Council Member Foster, Council by the following recorded vote appointed James E. Coleman to serve on the School Board for a term to expire June 30, 2017:

Ayes: Cary, Foster, Johnson, Nelson, Gillette	5
Noes:	0
Absent: Helgeson	1
Abstention: Perrow	1

On nomination of Vice Mayor Johnson, seconded by Council Member Foster, Council by the following recorded vote re-appointed Veronica W. Callaham and Michael D. Moore to serve another term on the Dr. Martin Luther King, Jr./Lynchburg Community Council for terms to expire June 30, 2017:

Ayes: Cary, Foster, Johnson, Nelson, Gillette	5
Noes:	0
Absent: Helgeson	1
Abstention: Perrow	1

On nomination of Vice Mayor Johnson, seconded by Council Member Foster, Council by the following recorded vote re-appointed Mark Stronsnider to serve on the Economic Development Authority for a term to expire June 30, 2018:

Ayes: Cary, Foster, Johnson, Nelson, Gillette	5
Noes:	0
Absent: Helgeson	1
Abstention: Perrow	1

On nomination of Vice Mayor Johnson, seconded by Council Member Foster, Council by the following recorded vote appointed William T. Lovern to serve on the Economic Development Authority for a term to expire June 30, 2018:

Ayes: Cary, Foster, Johnson, Nelson, Gillette	5
Noes:	0
Absent: Helgeson	1
Abstention: Perrow	1

On nomination of Vice Mayor Johnson, seconded by Council Member Foster, Council by the following recorded vote re-appointed John B. Arnold, Laura B. Crumbley, Elizabeth D. Hutter and Marvin Edward Tinsley to serve on the Museum Advisory Board for terms to expire June 30, 2017:

Ayes: Cary, Foster, Johnson, Nelson, Gillette	5
Noes:	0
Absent: Helgeson	1
Abstention: Perrow	1

On nomination of Vice Mayor Johnson, seconded by Council Member Foster, Council by the following recorded vote appointed Patricia Meyer to serve on the Museum Advisory Board for a term to expire June 30, 2017:

Ayes: Cary, Foster, Johnson, Nelson, Gillette	5
Noes:	0
Absent: Helgeson	1
Abstention: Perrow	1

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// On nomination of Vice Mayor Johnson, seconded by Council Member Foster, Council by the following recorded vote appointed Joshua Moore to serve on the Museum Advisory Board to fill an unexpired term ending June 30, 2015:

Ayes: Cary, Foster, Johnson, Nelson, Gillette	5
Noes:	0
Absent: Helgeson	1
Abstention: Perrow	1

On nomination of Vice Mayor Johnson, seconded by Council Member Foster, Council by the following recorded vote re-appointed Kay Butterfield to serve another term on the Historic Preservation Commission for a term to expire June 30, 2017:

Ayes: Cary, Foster, Johnson, Nelson, Gillette	5
Noes:	0
Absent: Helgeson	1
Abstention: Perrow	1

// City Council recessed the meeting at 6:35 p.m.

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

The following Members were present:

Present: Cary, Foster, Johnson, Nelson, Perrow, Gillette	6
Absent: Helgeson	1

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

// Mayor Gillette read a letter from Retired Col. USA Ronnie M. Davidson expressing his deepest thank you to the City of Lynchburg for the warm and memorable reception, which was held on June 5, 2014 for the comrades of the Southeastern D-Day Honor flight.

// Mayor Gillette and Council gave a special recognition to Council Member "H" Cary.

// Council Member Cary made remarks about being on Council and how he enjoyed his time and hopes he has done some good things while on Council.

// In the matter of Human Services – General, Resolution #R-14-072 amending the FY 2014 City/Federal/State Aid Fund budget and appropriating \$139,332 with resources from the Virginia Commonwealth University (VCU) Strategic Prevention Framework State Incentive Grant (SPF-SIG) to help reduce the number of alcohol-related vehicle crashes involving drivers who are between 15 and 24 years of age, laid over from the June 10, 2014 meeting, was again presented and read, and on motion of Council Member Cary, seconded by Vice Mayor Johnson, Council by the following recorded vote adopted the Resolution:

Ayes: Cary, Foster, Johnson, Nelson, Perrow, Gillette	6
Noes:	0
Absent: Helgeson	1

// In the matter of Human Services – General, Resolution #R-14-073 amending the FY 2014 City/Federal/State Aid Fund budget and appropriating \$15,000 with resources from the State Department of Social Services to address the backlog of Medicaid applications, laid over from the June 10, 2014 meeting, was again presented and read, and on motion of Council Member Cary, seconded by Vice Mayor Johnson, Council by the following recorded vote adopted the Resolution:

Ayes: Cary, Foster, Johnson, Nelson, Perrow, Gillette	6
Noes:	0
Absent: Helgeson	1

// In the matter of Police – Emergency Services, Resolution #R-14-074 amending the FY 2014 City/Federal/State Aid Fund budget and appropriating \$77,876 with resources of \$20,938 reimbursable from the Virginia Department of Emergency Management FY 2013 Emergency Management Performance Grant and \$56,938 from the Capital Improvement Projects Miscellaneous Radio Replacement Fund, to purchase, install, configure and oversee operation of the WebEOC Professional incident management system, laid over from the June 10, 2014 meeting, was again presented and read, and on motion of Council Member Cary, seconded by Vice Mayor Johnson, Council by the following recorded vote adopted the Resolution:

Ayes: Cary, Foster, Johnson, Nelson, Perrow, Gillette	6
Noes:	0
Absent: Helgeson	1

// In the matter of Police – Emergency Services, Resolution #R-14-075 amending the FY 2015 City/Federal/State Aid Fund budget and appropriating \$22,000 with resources from the Virginia Wireless E-911 Services Board FY 2015 Grant Program to replace the CAD workstations located in the Department of Emergency Services Emergency Communications Center, laid over from the June 10, 2014 meeting, was again presented and read, and on motion of Council Member Cary seconded by Vice Mayor Johnson, Council by the following recorded vote adopted the Resolution:

Ayes: Cary, Foster, Johnson, Nelson, Perrow, Gillette	6
Noes:	0
Absent: Helgeson	1

// In the matter of Police – General, Resolution #R-14-076 amending the FY 2015 General Fund budget and appropriating \$115,713 with resources from the FY 2015 General Fund Reserve for Contingencies to purchase 170 tasers, accessories, and the first year of Taser Assurance Plan coverage, laid over from the June 10, 2014 meeting, was again presented and read, and on motion of Council Member Cary, seconded by Vice Mayor Johnson, Council by the following recorded vote adopted the Resolution:

Ayes: Cary, Foster, Johnson, Nelson, Perrow, Gillette	6
Noes:	0
Absent: Helgeson	1

// In the matter of Police – General, Resolution #R-14-077 amending the FY 2015 City/Federal/State Aid Fund budget and appropriating \$227,860 with resources of \$94,095 from the 2014/2015 School Resource

Officer Department of Criminal Justice Services Grant Program, \$50,000 from Lynchburg City Schools annually and \$83,765 from the FY 2015 General Fund Reserve for Contingencies to create three School Resource Officer positions and provide vehicles, training, and equipment associated with these positions, laid over from the June 10, 2014 meeting, was again presented and read, and on motion of Council Member Cary, seconded by Vice Mayor Johnson, Council by the following recorded vote adopted the Resolution:

Ayes: Cary, Foster, Johnson, Nelson, Perrow, Gillette	6
Noes:	0
Absent: Helgeson	1

// In the matter of Airport – General, a public hearing was held regarding City Council Report #10 discussing a joint request by Freedom Aviation and Virginia Aviation. Airport Director Mark Courtney provided a summary of the joint request and City Manager Kimball Payne made several remarks regarding the joint request by Freedom Aviation and Virginia Aviation.

Council Member Perrow made the following statement, “while Freedom Aviation is associated with Liberty University, it is in fact a separate and distinct legal entity from Liberty University. Because Freedom Aviation is a separate and distinct entity from Liberty University, I do not have a conflict of interest that prevents me from participating in this matter. I am able to participate in this matter fairly, objectively and in the public interest. Therefore, I will participate in the discussion of and vote on Freedom Aviation’s request”.

There were five individuals that spoke to this item. There was no one else present who wished to speak to this item, and the public hearing was closed. During Council discussion, Council Member Perrow made a motion, seconded by Vice Mayor Johnson to delay action for further discussion on this item. Council Member Cary stated that he would be voting against delaying action on this item because he felt the sale is a great opportunity for Freedom Aviation, Virginia Aviation and the City. Council by the following recorded vote agreed to delay action on this item:

Ayes: Foster, Johnson, Nelson, Perrow, Gillette	5
Noes: Cary	1
Absent: Helgeson	1

// In the matter of Community Development – General, a Resolution amending the FY 2015 City/Federal/State Aid Fund budget and appropriating \$98,298 with resources of \$88,298 from the U.S. Department of Housing and Urban Development (HUD) and \$10,000 transferred from the FY 2015 General Fund Division of Social Services budget to provide at least 10 units of tenant-based rental assistance and associated case management services. Council Member Cary, Chair of the Finance Committee (FC) stated that this matter came before the FC and they recommended approval. This motion does not require a second, and Council by the following recorded vote introduced and laid over to

a later meeting for final action Resolution #R-14-079 as presented, to provide at least 10 units of tenant-based rental assistance and associated case management services:

Ayes: Cary, Foster, Johnson, Nelson, Perrow, Gillette	6
Noes:	0
Absent: Helgeson	1

// In the matter of Police – General, City Council Report #12 was considered. On motion of Council Member Nelson, seconded by Council Member Cary, Council by the following recorded vote adopted Resolution #R-14-080, as presented, approving amendments to the Charter Agreement of the Central Virginia Criminal Justice Academy:

Ayes: Cary, Foster, Johnson, Nelson, Perrow, Gillette	6
Noes:	0
Absent: Helgeson	1

// In the matter of Schools, City Council Report #13 was considered. On motion of Council Member Cary, seconded by Council Member Foster, Council by the following recorded vote adopted Resolution #R-14-081, as presented, to concur with the School Board's election of an 8.86% Virginia Retirement System (VRS) contribution rate for the FY 2015-2016 biennium:

Ayes: Cary, Foster, Johnson, Nelson, Perrow, Gillette	6
Noes:	0
Absent: Helgeson	1

// On motion of Council Member Cary, seconded by Council Member Foster, 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 terms and conditions of the proposed assignment of Virginia Aviation's lease at the Lynchburg Regional Airport to Freedom Information, pursuant to Section 2.2-3711(A.)(7) of the Code of Virginia, 1950, as amended:

Ayes: Cary, Foster, Johnson, Nelson, Perrow, Gillette	6
Noes:	0
Absent: Helgeson	1

// 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

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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 Foster, and Council by the following recorded vote adopted the motion:

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

6

Noes:

0

Absent: Helgeson

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// The meeting was adjourned at 10:00 P.M.

Clerk of Council