// A regular meeting of the Council of the City of Lynchburg was held on the 9th day of June, 2015, at 5:00 P.M. in the Council Chamber, City Hall, Michael Gillette, President, presiding. The following Members were present:

Present: Helgeson, Johnson, Nelson, Perrow, Tweedy, Gillette 6

Absent: Foster 1

// Council Member Foster arrived at 5:08 p.m.

// Deputy City Manager Bonnie Svrcek introduced Jennifer Jones, the new Parks and Recreation Director. Ms. Jones made several remarks and thanked the City for the opportunity to serve as the new director of Parks and Recreation.

// John Ramsey with Parks and Recreation gave a status update on the City Stadium Project. The purpose of the report is a briefing on the design and funding plans for the renovation of the City Football Stadium. Mr. Ramsey stated that Phase I project was completed in 2014, which included the installation of a new asphalt track and drainage improvements. In the fall of 2014, Parks & Recreation elected to seek a Construction Management at Risk contract in order to complete the second phase of the stadium renovation project. This phase is focused on the construction of a new main entrance, concession areas, restrooms, locker rooms, a new scoreboard and PA system, and pedestrian and visitor access improvements, including ADA seating. Mr. Ramsey stated while these changes reduced the projected budget overage significantly, the current project budget is currently still approximately $825,000 short. He identified three sources to meet the $800,000 deficit:

- Additional tax-credit monies received for the Miller Center Renovation project: $125,000
- Funding approved for the Bikeway Bridge to Linkhorne project: $500,000
- Carry-forward unspent funds from the Parks and Recreation FY 2015 budget: $200,000

Mr. Ramsey stated that construction for Phase 2 project will begin by early July and is projected to be completed by August 2016.

// Director of Water Resources Tim Mitchell provided an overview on the terms of the Consent Order with the Virginia Department of Environmental Quality. Mr. Mitchell stated that after years of analysis, planning and negotiations, the Department of Water Resources and the Department of Environmental Quality (DEQ) have agreed on the terms of a Consent Order regarding the City's long-term water quality control plan, and more specifically the combined sewer overflow control program and the wastewater treatment plant. Mr. Mitchell went on to say that Council has been briefed previously on the proposed revisions to the long-term water quality plan which includes a more effective approach to addressing combined sewer overflow through modifications to the wastewater treatment plant and other actions to improve overall water quality. Mr. Mitchell further stated that the revised plan will result in better water quality, sooner than anticipated, and at less cost than the original plan. It was the consensus of Council to move forward with the Consent Order with the Virginia Department of Environmental Quality (DEQ).

// Shaun Conway with the GIS Division presented a demonstration on "My City Services".

First he provided background on how the GIS Division is working towards user and workflow web applications to make it easy to use, easy to maintain and serve a broad audience.

Mr. Conway explained the following points regarding “My City Services”:

- Map based service catalog.
- Consolidates a wide array of service, facility, and other important information about the City of Lynchburg.
- Only requires a location which can be provided by address, interactive map, or device location.

Some of the key features were explained such as accessibility, service is available 24-7, Mobile and Tablet friendly and is supported in most browsers, and currently contains 8 categories with over 30 service topics that can be accessed from anywhere on the City’s website. Further key features are:

- Consolidation of Information
- Uniformity
- Reduces Degree of Separation
- Exposure to City Services
- Scalability
- Cost

In conclusion, Mr. Conway stated that one of the most significant key features of this service is there is no license and maintenance fees.

// During roll call Council Member Nelson thanked Charlie White and Tom Webb for their service on the Lynchburg School Board.

// Council Member Tweedy mentioned a property clean up issue that will be handled by staff.

// Council Member Foster mentioned the wonderful appearance of the City lobby and thanked Communications and Marketing for the change.

// Council Member Perrow wanted to thank Water Resources and Public Works for a fine job that was done on Boonsboro Place.

// Council Member Helgeson had a concern that the City Schools leadership needs to welcome Lynchburg Christian Academy (LCA) to join the growing competition of the Virginia High School Association.

// City Council recessed the meeting at 6:33 p.m.

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

The following Members were present:

Present:	Foster, Helgeson, Johnson, Nelson, Perrow, Tweedy, Gillette	7
Absent:		0

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

// Fire Chief Brad Ferguson stated that the Fire Department received the Gold Mission Lifeline Award presented by the American Heart Association.

// Mayor Gillette announced that Mort Sajadian, President/CEO of Amazement Square, has been declared a 2015 recipient of the National Medal for Museum and Library Service.

// Copies of the minutes of the May 26, 2015 meeting, having been previously furnished Council, reading was dispensed with, and on motion of Council Member Foster, seconded by Council Member Nelson, Council by the following recorded vote approved the minutes as presented:

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

Noes: 0

// In the matter of Fire – General, Resolution #R-15-052 to amend the FY 2015 General Fund budget and appropriate $17,758 with resources from the Reserve for Fire Equipment Assigned Fund Balance to purchase radio equipment for two replacement Battalion Chief vehicles in the Fire Department, laid over from the May 26, 2015 meeting, was again presented and read, and on motion of Council Member Foster, seconded by Council Member Nelson, Council by the following recorded vote adopted the Resolution:

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

Noes: 0

// In the matter of School – Board, a public hearing was held regarding City Council Report #8 to receive input from citizens regarding appointments (or reappointments) to vacancies that will exist June 30 in each of the three (3) School Board representational districts. Mayor Gillette read into the record additional names of volunteers who have applied to-date to serve on the School Board: District I – Douglas Thom, III and Bryan E. Tiller; District 2 – Sharon Y. Carter, Jennie M. Dyke, Tami Tice Jacob, Edward Stamps, James W. Tolbert, Jr., and Eugene Tweedy; District 3 – Desmond Mosby. The following candidates spoke before City Council to communicate their interest and present their credentials and qualifications to serve on the School Board – Gregory J. Belisle, Sharon Y. Carter, Jennie M. Dyke, Tami Tice Jacob, Edward Stamps and James Tolbert. Ms. Bonnie Gentry spoke on behalf of Tami Tice Jacob, who's name was offered as a candidate for the School Board. There was no one else present who wished to speak to this item, and the public hearing was closed. On motion of Council Member Perrow to close the public hearing, seconded by Council Member Helgeson, Council by the following recorded vote closed the public hearing and after the regular meeting will select candidates in a closed meeting to interview for the School Board:

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

Noes: 0

// In the matter of Community Development - Zoning Amendments, a public hearing was held regarding City Council Report # 9 outlining the petition of Chief Investments, LLC to rezone approximately thirteen and eight hundred fifty-four thousandths (13.854) acres at 2634 Lakeside Drive from B-3, Community Business District to B-5C, General Business District (Conditional) to allow automobile sales, leasing and service. City Planner Tom Martin provided a summary of the request. The Planning Commission recommended approval of the rezoning petition. The representative for the petitioner, Gary Case, with Gary Case & Company asked Council for approval of the rezoning petition. There was no one else present who wished to speak to this item, and the public hearing was closed. On motion of Council Member Helgeson seconded by Vice Mayor Johnson, Council by the following recorded vote adopted Ordinance #0-15-053, as presented, granting the petition of Chief Investments, LLC to rezone approximately thirteen and eight hundred fifty-four thousandths (13.854) acres at 2634 Lakeside Drive from B-3, Community Business District to B-5C, General Business District (Conditional) to allow automobile sales, leasing and service:

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

Noes: 0

// In the matter of Community Development - Zoning, a public hearing was held regarding City Council Report #10 outlining the petition of Lynchburg College for a Conditional Use Permit (CUP) at 307 Stafford Street to allow graduate student housing for up to four (4) students in an R-2, Low-Medium Density, Single-Family Residential District. After Mayor Gillette read the item, Council Member Nelson stated that he represented Lynchburg College when it purchased this property and, therefore, he has a legal conflict of interest that requires him to abstain from discussion and from voting on this item. Rachel Frischeisen, Planner I, gave a summary of the request to grant a CUP. The Planning Commission recommended approval of the CUP. The representative for the petitioner, John C. Lewis with Lynchburg College asked Council for approval of the CUP. There was no one else present who wished to speak to this item, and the public hearing was closed. On motion of Council Member Foster, seconded by Vice Mayor Johnson, Council by the following recorded vote adopted Resolution #R-15-054, as presented, granting the Conditional Use Permit at 307 Stafford Street to allow graduate student housing for up to four (4) students in an R-2, Low-Medium Density, Single-Family Residential District:

Ayes: Foster, Helgeson, Johnson, Perrow, Tweedy, Gillette 6

Noes: 0

Abstention: Nelson 1

// In the matter of Public Works – General, a public hearing was held regarding City Council Report #11 to execute a nonexclusive license agreement with Centurylink for the installation, maintenance, and operation of aerial fiber optic cable in City owned right-of-way along Holcomb Path Road, Richmond Highway and Pleasant Valley Road. City Engineer Lee Newland gave a summary of the request. There was no one else present who wished to speak to this item, and the public hearing was closed. On motion of Council Member Foster, seconded by Vice Mayor Johnson, Council by the following recorded vote adopted Resolution #R-15-055, as presented, to execute a nonexclusive license agreement with Centurylink for the installation, maintenance, and operation of aerial fiber optic cable in City owned right-of-way along Holcomb Path Road, Richmond Highway and Pleasant Valley Road:

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

Noes: 0

// In the matter of Community Development - Zoning Amendments, a public hearing was held regarding City Council Report #12 outlining the petition of Rush Lifetime Homes to rezone approximately five and one hundred and sixty-six thousandths (5.166) acres at 2516 Old Forest Road from R-2, Low-Medium Density, Single-Family Residential District, and R-3, Medium Density, Two-Family Residential District, to R-4, Medium-High Density, Multi-Family Residential District to allow construction of twenty-eight affordable and accessible residential units, a sidewalk connection to Old Forest Road, a community room and associated parking. City Planner Tom Martin gave a summary of the request. The Planning Commission recommended approval of the rezoning petition. The representative for the petitioner, Russ Nixon, with Nixon Land Surveying, LLC asked Council for approval of the rezoning petition. Six individuals spoke in favor of the request. Three individuals spoke in opposition and some of their concerns were traffic, widening Anthony Place, installing a sidewalk and parking. There was no one else present who wished to speak to this item, and the public hearing was closed.

Council Member Nelson stated that this item regarding the Rush Homes project addresses key City housing and service needs, would improve the quality of life for residents of Anthony Place, and improve property values on Anthony Place. But, since he represents property owners on Anthony Place that would directly benefit if this project were approved, legal ethics prevent him from using his office on City Council to benefit those clients, and compel him to abstain from voting on this issue. During Council discussion several Council Members had concerns regarding traffic as well as changing the zoning of an area that is clearly a low to medium density area. Other Council Members were in favor of the request stating it was a good project because the concerns had been addressed such as traffic, parking and emergency vehicle access.

After Council discussion, Council Member Perrow made a motion, seconded by Council Member Helgeson to deny the rezoning petition. This motion failed by the following recorded vote to deny the petition to Rush Homes:

Ayes: Helgeson, Perrow 2
Noes: Foster, Johnson, Tweedy, Gillette 4
Abstention: Nelson 1

Vice Mayor Johnson made a motion to approve the original petition, seconded by Council Member Tweedy. Council Member Perrow asked for a friendly amendment to this motion to ensure the proposed sidewalk is ADA compliant. Vice Mayor Johnson agreed with the friendly amendment, seconded by Council Member Tweedy. Council by the following recorded vote adopted Ordinance #0-15-056, as presented, outlining the petition of Rush Lifetime Homes to rezone approximately five and one hundred and sixty-six thousandths (5.166) acres at 2516 Old Forest Road from R-2, Low-Medium Density, Single-Family Residential District, and R-3, Medium Density, Two-Family Residential District, to R-4, Medium-High Density, Multi-Family Residential District to allow construction of twenty-eight affordable and accessible residential units, a sidewalk connection to Old Forest Road, a community room and associated parking:

Ayes: Foster, Johnson, Tweedy, Gillette 4
Noes: Helgeson, Perrow 2
Abstention: Nelson 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. to choose which candidates to interview from among those interested in serving on the Lynchburg School Board, pursuant to Section 2.2-3711(A)(1) of the Code of Virginia, 1950, as amended:

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

Noes: 0

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

// Council Member Helgeson made the following motion:

WHEREAS, the Council of the City of Lynchburg has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by City Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Lynchburg certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by Council.

The Motion was seconded by Vice Mayor Johnson, and Council by the following recorded vote adopted the motion:

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

Noes: 0

// The meeting was adjourned at 11:00 P.M.

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Clerk of Council