

May 26, 2015

169

// A regular meeting of the Council of the City of Lynchburg was held on the 26th day of May, 2015, at 4:00 P.M. in the Council Chamber, City Hall, Michael Gillette, President, presiding. The following Members were present:

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

Absent: Johnson 1

// Vice Mayor Johnson arrived at 4:08 p.m.

// City Manager Kimball Payne provided a presentation on Poverty with discussion to follow. He mentioned the Poverty Reduction Taskforce created by former Governor Kaine, which released a report and listed the following recommendations that will be a part of all future poverty discussions and actions. These recommendations include:

- Invest in young children and strengthen family relationships.
- Enhance workforce readiness by expanding access to career employment programs and employment supports.
- Increase the returns on work.
- Promote savings and asset accumulation.
- Expand safety-net opportunities for families in crisis.

City Manager Payne also provided a brief overview of poverty initiatives in other major Virginia cities. Following the presentation, Council discussed the items presented by the City Manager and what potential steps will be taken.

Impact Areas:

Education	Housing
Spiritual	Food
Workforce	Quality of Place
Transportation	Infrastructure
Safety	Substance Abuse
Financial	Disability
Health	Family
Health Mental	Youth
Re-entry	Elderly

Mr Payne went on to say addressing poverty is not a project or initiative, but rather Bridges Out of Poverty offers a different approach. In conclusion, it was decided that the next steps would include the following:

- Further discussion (conversation to better understand the causes and impact of poverty)
- Guidance from Council
- Gathering (Community Input/Community Engagement)
- Additional information, analysis
- Designation as a "Bridges Out of Poverty Community"

// Director of Community Development Kent White presented an overview on the City's Residential Rental Property Inspection Program. Mr. White provided a history of the Residential Rental Property Inspection Program by stating in 1991 City Council directed Community Development to develop a residential rental property inspection program. In 1993, an Ordinance was adopted creating the program and seven inspection districts with an effective date of January 1, 1994.

On March 8, 2005 the Ordinance was updated based on changes made during the 2004 Virginia Legislative Session. One of the changes allowed the City to adopt a \$50 inspection fee. The Ordinance was revised in 2008 to allow the City to revoke property compliance if issued a bad check and allow code officials to seek an inspection warrant if access is denied to the unit. Mr. White went on to say that in 2013, Council combined the seven rental inspection districts into six districts based on the 2010 Census data; the size of the inspection area remained the same. Mr. White further explained the City's Comprehensive Plan 2013-2030 highlights residents' concerns about poorly managed rental housing and the Residential Rental Property Inspection Program as a tool to protect neighborhood integrity.

The City's 2010-2015 Consolidated Plan is a plan required by the federal government that defines a strategy for our community development and housing needs. Mr. White stated the plan identifies the rental inspection program as a means to provide decent housing for low-to-moderate income neighborhoods by reducing the number of rental property code violations. Mr. White further stated how the Residential Rental Property Inspection Program works. Staff maintains a database of residential rental properties and notices are sent to the owner indicating date and time of the scheduled inspection as well as any associated fees. The cost for initial rental inspection is \$50, the first follow-up inspection is no cost, but subsequent follow-up inspections are \$50 each, and no Certificate of Compliance (CoC) is issued until the fee is paid. In conclusion, Mr. White explained the outreach efforts of the plan:

- Neighborhood Meetings
- 4 Community Code Compliance Team Neighborhood walkthroughs per year
- VA Statewide Neighborhood Conference
- Informational Brochures
- Website Resources
- Part of Lynchburg 360 on LTV in May

The summary of the Residential Rental Property Inspection Program included the following:

- Safe housing is the primary objective.
- Many of the rentals involve conversion of older and blighted homes that are repaired enough to meet basic codes and move tenants in.
- The program is proactive and provides a means to identify issues that may go unnoticed by tenants and landlords.
- Addressing violations at their onset prevents more substantial neighborhood issues, infestations and blight.
- Various reasons, including landlord retaliation, may prevent tenants from complaining.
- Staff serve as resources to landlords and tenants.

// During roll call Council Member Tweedy stated that she had graduated from the Police Academy and expressed that it was a wonderful experience.

// Vice Mayor Johnson mentioned the Memorial Day celebration at Monument Terrace and he would like for Council each year to be reminded of this wonderful event.

// On motion of Council Member Foster, seconded by Vice Mayor Johnson, Council by the following recorded vote elected to hold a closed meeting for consultation with legal counsel and briefings by staff members concerning specific legal matters requiring the provision of legal advice, specifically: the discussion of the terms and conditions of a contract between the City and the Bedford Public Service Authority for the sale of water, because discussion in an open meeting would compromise the bargaining position and negotiating strategy of the City, and a discussion of the terms and conditions of the development agreements for the Wyndhurst Traditional Neighborhood Development, pursuant to Section 2.2-3711(A)(7) 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

// 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

Council Member Perrow gave the Invocation, followed by the Pledge of Allegiance.

// Mayor Gillette and Vice Mayor Johnson recognized and presented certificates to the 2015 Citizens Academy Graduates.

// Mayor Gillette and Vice Mayor Johnson recognized the following Mayor's Youth Council Senior Students whose terms will end in June: Krista Harmann, President, Kyler Thomas, Vice President, Rachel Falwell, Treasurer, Aliah Barnhart, Clare T. Skorcz and Colin Baker.

// Mayor Gillette and Vice Mayor Johnson presented a Certificate of Recognition to the City of Lynchburg's Fleet Services, which was named the 41st best Fleet in the 100 Best Fleets in North America for 2015.

// Copies of the minutes of the May 12, 2015 meeting, having been previously furnished Council, reading was dispensed with, and on motion of Council Member Nelson, seconded by Council Member Foster, 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 FY2016 Budget/CIP, Resolution #R-15-032 adopting the FY 2016 Mandated and Contractual External Service Providers Budget and appropriating \$8,086,819 for this budget, laid over from the April 28, 2015 meeting, was again presented and read, and on motion of Council Member Nelson seconded by Council Member Foster, Council by the following recorded vote adopted the Resolution:

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

Noes: 0

// In the matter of FY2016 Budget/CIP, Resolution #R-15-033 adopting the FY 2016 Central Virginia Alliance for Community Living (formerly Central Virginia Area Agency) Budget and appropriating \$15,000 for this budget, laid over from the April 28, 2015 meeting, was again presented and read, and on motion of Council Member Nelson, seconded by Council Member Foster, Council by the following recorded vote adopted the Resolution:

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

Noes: 0

// In the matter of FY2016 Budget/CIP, Resolution #R-15-034 adopting the FY 2016 Central Virginia Community College Board and Related Operations Budget and appropriating \$1,900 for this budget, laid over from the April 28, 2015 meeting, was again presented and read, and on motion of Council Member Nelson, seconded by Council Member Foster, Council by the following recorded vote adopted the Resolution:

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

Noes: 0

// In the matter of FY2016 Budget/CIP, Resolution #R-15-035 adopting the FY 2016 Robert E. Lee Soil & Water Conservation District Budget and appropriating \$10,000 for this budget, laid over from the April 28, 2015 meeting, was again presented and read, and on motion of Council Member Nelson, seconded by Council Member Foster, Council by the following recorded vote adopted the Resolution:

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

Noes: 0

// In the matter of FY2016 Budget/CIP, Resolution #R-15-036 adopting the FY 2016 Virginia Legal Aid Society Budget and appropriating \$10,816 for this budget, laid over from the April 28, 2015 meeting, was

again presented and read, and on motion of Council Member Nelson, seconded by Council Member Foster, Council by the following recorded vote adopted the Resolution:

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

Noes: 0

// In the matter of FY2016 Budget/CIP, Resolution #R-15-037 adopting the FY 2016 Amazement Square Real Estate Tax Refund Budget and appropriating \$5,604 for this budget, laid over from the April 28, 2015 meeting, was again presented and read, and on motion of Council Member Nelson, seconded by Council Member Foster, Council by the following recorded vote adopted the Resolution:

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

Noes: 0

// In the matter of FY2016 Budget/CIP, Resolution #R-15-040 adopting the FY 2016 Greater Lynchburg Transit Company Budget and appropriating \$7,747,809 for this budget, laid over from the April 28, 2015 meeting, was again presented and read, and on motion of Council Member Nelson, seconded by Council Member Foster, Council by the following recorded vote adopted the Resolution:

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

Noes: 0

// In the matter of FY2016 Budget/CIP, Resolution #R-15-041 adopting the FY 2016 Operating Fund Budgets for other funds and appropriating the sums of each fund, laid over from the April 28, 2015 meeting, was again presented and read, and on motion of Council Member Nelson, seconded by Council Member Foster, Council by the following recorded vote adopted the Resolution:

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

Noes: 0

// In the matter of FY2016 Budget/CIP, Resolution #R-15-043 adopting the FY 2016 Capital Budget and appropriating \$20,229,637 for the City Capital Projects Fund; \$1,400,000 for the Airport Capital Projects Fund; \$3,950,000 for the Water Capital Projects Fund, \$2,320,000 for the Sewer Capital Projects Fund, and \$2,855,275 for the Stormwater Capital Projects Fund, laid over from the April 28, 2015 meeting, was again presented and read, and on motion of Council Member Nelson, seconded by Council Member Foster, Council by the following recorded vote adopted the Resolution:

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

Noes: 0

// In the matter of FY2016 Budget/CIP, Resolution #R-15-046 appropriating \$50,000 of the FY 2016 Reserve for Contingencies funding for use by the City Manager for the fiscal year beginning July 1, 2015 through June 30, 2016, laid over from the April 28, 2015 meeting, was again presented and read, and on motion of Council Member Nelson seconded by Council Member Foster, 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 #16 regarding receiving 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 stated that there were no new volunteers added to the list. Council Member Foster spoke on behalf of Tom Prest, who has offered his name as a candidate for School District 1 and spoke at the May 12 council meeting. Derek Polley candidate for School District 1, spoke before City Council to communicate his interest and present his credentials and qualifications to serve on the School Board. There was no one else present who wished to speak to this item. Mayor Gillette asked Council if they would like to continue the public hearing until June 9 to allow more time for citizens to apply. Council Members discussed and reached consensus to continue the public hearing until the June 9 meeting to allow more time for citizens to apply for the positions on the School Board.

// In the matter of Police – General, City Council Report #17 was considered. On motion of Council Member Perrow, seconded by Council Member Foster, Council by the following recorded vote adopted Resolution #R-15-050, as presented, approving the conversion of the part-time Off Duty Coordinator position to a full-time Training Assistant position.

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

7

Noes:

0

// In the matter of Public Works - General, City Council Report #18 was considered. Council Member Perrow, Chair of the Physical Development Committee (PDC) stated that this item came before PDC, which recommended approval. The motion did not require a second, and Council by the following recorded vote adopted Resolution #R-15-051, as presented, to approve the Virginia Department of Transportation (VDOT) to reallocate Revenue Sharing Program Funds to the Downtown Streetscape Reconstruction and Improvement Project:

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

7

Noes:

0

// In the matter of Fire – General, City Council Report #19 was considered. Council Member Helgeson, Chair of the Finance Committee (FC) stated that this item came before FC which recommended approval. This motion did not require a second, and Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-15-052, as presented, 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:

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

7

Noes:

0

// In the matter of FY2016 Budget/CIP, Resolution #R-15-031 adopting the FY 2016 General Fund Operating Budget (excluding External Service Providers and Component Units expenditures) and appropriating \$202,340,575 for this budget, laid over from the April 28, 2015 meeting was again presented

May 26, 2015

175

and read, and on motion of Vice Mayor Johnson, seconded by Council Member Tweedy, Council by the following recorded vote adopted the Resolution:

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

6

Noes: Helgeson

1

// In the matter of FY2016 Budget/CIP, Resolution #R-15-038 adopting the FY 2016 Region 2000 Local Government Council Budget and appropriating \$44,491 for this budget, laid over from the April 28, 2015 meeting, was again presented and read. Council Member Perrow stated he recently entered into a contract with the Region 2000 Local Government Council to provide engineering services, so he has a personal interest in the Region 2000 Local Government Council and under the Virginia Conflict of Interest Act, he must abstain from discussion and voting on this item. On motion of Vice Mayor Johnson, seconded by Council Member Foster, Council by the following recorded vote adopted the Resolution:

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

6

Noes:

0

Abstention: Perrow

1

// In the matter of FY2016 Budget/CIP, Resolution #R-15-039 adopting the FY 2016 School Operating Budget and appropriating \$100,569,860 for this budget, laid over from the April 28, 2015 meeting, was again presented and read. Council Member Nelson stated that his wife is a School Division employee but that fact would not impair his unbiased judgment in consideration of this item. Vice Mayor Johnson stated he is a part time employee of the School Division but he does not have a conflict of interest and his statement is filed with the Clerk of Council. On motion of Council Member Foster, seconded by Council Member Tweedy, Council by the following recorded vote adopted the Resolution:

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

6

Noes: Helgeson

1

// The meeting was adjourned at 8:20 P.M.

Clerk of Council