

// A regular meeting of the Council of the City of Lynchburg was held on the 25th day of May, 2010, at 7:30 P.M. in the Council Chamber, City Hall, Joan F. Foster, President, presiding. Council Member Johnson gave the Invocation, followed by the Pledge of Allegiance. The following Members were present:

Present: Dodson, Gillette, Helgeson, Johnson, Nelson, Perrow, Foster 7

Absent: 0

// Mayor Foster and Vice Mayor Dodson presented a Certificate of Recognition to the 2010 Citizens Academy graduates.

// Mayor Foster and Vice Mayor Dodson presented a Certificate of Recognition to high school seniors Derek Gale, Chelsea Giles, Alex Jennings, Christina Cosby, Talia Conner and Rachel Robertson, for serving on the Mayor's Youth Council.

// Mayor Foster and Vice Mayor Dodson presented a Certificate of Recognition to Sister City representatives, Captain Mathias Urbansky and Lieutenant Raik Haller, from Glauchau, Germany.

// Mayor Foster and Vice Mayor Dodson presented a Certificate of Recognition to Mr. Thomas M. Stephen, Jr., Program Support Specialist for the Virginia Employer Support Guard Reserve. Mr. Stephen explained the program and stated that this was the major employer outreach agency within the Department of Defense. Mayor Foster signed a Statement of Support recognizing the value that the Guard Reserve members bring to the City of Lynchburg and all the municipal departments that they work in.

// Copies of the minutes of the April 20, 2010 meeting, having been previously furnished Council, reading was dispensed with, and on motion of Council Member Perrow, seconded by Council Member Gillette, Council by the following recorded vote approved the minutes as presented:

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

Noes: 0

// Copies of the minutes of the April 27, 2010 meeting, having been previously furnished Council, reading was dispensed with, and on motion of Council Member Perrow, seconded by Council Member Gillette, Council by the following recorded vote approved the minutes as presented:

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

Noes: 0

// Copies of the minutes of the May 11, 2010 meeting, having been previously furnished Council, reading was dispensed with, and on motion of Council Member Perrow, seconded by Council Member Gillette, Council by the following recorded vote approved the minutes as presented:

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

Noes: 0

// In the matter of Public Works - General, Resolution #R-10-045 amending the FY 2010 City/Federal/State Aid Fund budget and appropriating \$744,000, with resources of \$500,000 in Federal funding for replacement of the HVAC system at the Public Library and to perform building energy

audits/energy efficiency upgrades to City buildings, laid over from the May 11, 2010 meeting, was again presented and read, and on motion of Council Member Perrow, seconded by Council Member Gillette, Council by the following recorded vote adopted the Resolution:

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

Noes: 0

// In the matter of Budget/City Council, Resolution #R-10-046 amending FY 2010 General, Fleet, Regional Juvenile Detention Center, Airport, Water and Sewer Funds Adopted budget and appropriating \$509,184, for a staff bonus to be paid on the July 1, 2010 pay date, laid over from the May 11, 2010 meeting, was again presented and read, and on motion of Council Member Perrow, seconded by Council Member Gillette, Council by the following recorded vote adopted the Resolution:

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

Noes: 0

// In the matter of FY 2011 Budget/CIP, Resolution #R-10-052 adopting the FY 2011 Mandated and Contractual External Service Providers Budget and appropriating \$6,946,888 for this budget, laid over from the May 11, 2010 meeting, was again presented and read, and on motion of Council Member Perrow, seconded by Council Member Gillette, Council by the following recorded vote adopted the Resolution:

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

Noes: 0

// In the matter of FY 2011 Budget/CIP, Resolution #R-10-053 adopting the FY 2011 Central Virginia Area Agency on Aging Budget and appropriating \$15,000 for this budget, laid over from the May 11, 2010 meeting, was again presented and read, and on motion of Council Member Perrow, seconded by Council Member Gillette, Council by the following recorded vote adopted the Resolution:

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

Noes: 0

// In the matter of FY 2011 Budget/CIP, Resolution #R-10-054 adopting the FY 2011 Central Virginia Community College Board and Related Operations Budget and appropriating \$1,831 for this budget, laid over from the May 11, 2010 meeting, was again presented and read, and on motion of Council Member Perrow, seconded by Council Member Gillette, Council by the following recorded vote adopted the Resolution:

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

Noes: 0

// In the matter of FY 2011 Budget/CIP, Resolution #R-10-055 adopting the FY 2011 Court Appointed Special Advocate Budget and appropriating \$12,000 for this budget, laid over from the May 11, 2010 meeting, was again presented and read, and on motion of Council Member Perrow, seconded by Council Member Gillette, Council by the following recorded vote adopted the Resolution:

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

Noes: 0

// In the matter of FY 2011 Budget/CIP, Resolution #R-10-056 adopting the FY 2011 Region 2000 Economic Development Council Budget and appropriating \$82,250 for this budget, laid over from the May 11, 2010 meeting, was again presented and read, and on motion of Council Member Perrow, seconded by Council Member Gillette, Council by the following recorded vote adopted the Resolution:

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

Noes: 0

// In the matter of FY 2011 Budget/CIP, Resolution #R-10-057 adopting the FY 2011 Robert E. Lee Soil & Water Conservation District Budget and appropriating \$10,000 for this budget, laid over from the May 11, 2010 meeting, was again presented and read, and on motion of Council Member Perrow, seconded by Council Member Gillette, Council by the following recorded vote adopted the Resolution:

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

Noes: 0

// In the matter of FY 2011 Budget/CIP, Resolution #R-10-058 adopting the FY 2011 Virginia Legal Aid Society Budget and appropriating \$10,000 for this budget, laid over from the May 11, 2010 meeting, was again presented and read, and on motion of Council Member Perrow, seconded by Council Member Gillette, Council by the following recorded vote adopted the Resolution:

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

Noes: 0

// In the matter of FY 2011 Budget/CIP, Resolution #R-10-059 adopting the FY 2010 Amazeement Square Real Estate Tax Refund Budget and appropriating \$5,302 for this budget, laid over from the May 11, 2010 meeting, was again presented and read, and on motion of Council Member Perrow, seconded by Council Member Gillette, Council by the following recorded vote adopted the Resolution:

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

Noes: 0

// In the matter of FY 2011 Budget/CIP, Resolution #R-10-061 adopting the FY2011 Greater Lynchburg Transit Budget and appropriating \$6,527,524 for this budget, laid over from the May 11, 2010 meeting, was again presented and read, and on motion of Council Member Perrow, seconded by Council Member Gillette, Council by the following recorded vote adopted the Resolution:

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

Noes: 0

// In the matter of FY 2011 Budget/CIP, Resolution #R-10-062 adopting all other FY 2011 Operating Fund Budgets and appropriating the sums for each fund, laid over from the May 11, 2010 meeting, was again presented and read, and on motion of Council Member Perrow, seconded by Council Member Gillette, Council by the following recorded vote adopted the Resolution:

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

Noes: 0

// In the matter of FY 2011 Budget/CIP, Resolution #R-10-064 approving the payment of monetary incentives, awards and bonuses to City employees under certain circumstances, laid over from the May 11, 2010 meeting, was again presented and read, and on motion of Council Member Perrow, seconded by Council Member Gillette, Council by the following recorded vote adopted the Resolution:

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

Noes: 0

// In the matter of FY 2011 Budget/CIP, Resolution #R-10-065 to set the personal property tax relief rate for the fiscal year beginning July 1, 2010 through June 30, 2011 at 54.68%, laid over from the May 11, 2010 meeting, was again presented and read, and on motion of Council Member Perrow, seconded by Council Member Gillette, Council by the following recorded vote adopted the Resolution:

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

Noes: 0

// In the matter of School - Board, a public hearing continued from May 11 was again held 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 Foster read into the record the names of two (2) individuals who had submitted an application after the May 11 public hearing, Dierdre B. Glover, School District 2 and Lewis Lee, School District 2. Mr. Lewis Lee communicated his interest in serving on the School Board. There was no one present who wished to speak to this item, and the public hearing was closed. Mayor Foster stated that interviews will be scheduled with the selected applicants.

// In the matter of Finance - Bonds, a public hearing was held regarding City Council Report #19 regarding authorizing the issuance of not to exceed \$14,410,000 Sewer Revenue Bonds pursuant to Section 15.1-227.8(a) of the Code of Virginia. Donna Witt, Financial Services Director gave a brief overview 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 Helgeson, seconded by Council Member Perrow, Council by the following recorded vote adopted Resolution #R-10-066, as presented, authorizing the issuance of not to exceed \$14,410,000 Sewer Revenue Bonds pursuant to Section 15.1-227.8(a) of the Code of Virginia:

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

Noes: 0

// In the matter of City Code, City Council Report #20 was considered. On motion of Council Member Gillette, seconded by Council Member Nelson, Council by the following recorded vote adopted Ordinance #0-10-067, as presented, amending the City Code relating to the various exemptions to the City's Meals Tax:

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

Noes: 0

// In the matter of FY 2011 Budget/CIP, Resolution #R-10-051 adopting the FY 2011 General Fund Operating Budget (excluding External Service Provider expenditures) and appropriating \$177,893,783 for this budget, laid over from the May 11, 2010 meeting, was again presented and read. Council Member Helgeson stated that he realized that this was the second reading and that he would be voting against

these items as he had mentioned on previous votes. Council Member Perrow stated that he will be supporting this as in the prior vote because what we've managed to do is cut recurring expenses by approximately 4% this year. At the same time shrunk government, have not levied any increase in revenues to the General Fund and are managing to reward city employees with a productivity bonus. On motion of Council Member Dodson, seconded by Council Member Gillette, Council by the following recorded vote adopted the Resolution:

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

Noes: Helgeson 1

// In the matter of FY 2011 Budget/CIP, Resolution #R-10-060 adopting the FY 2011 School Operating Budget and appropriating \$85,544,431 for this budget, laid over from the May 11, 2010 meeting, was again presented and read, and on motion of Council Member Johnson, seconded by Vice Mayor Dodson, Council by the following recorded vote adopted the Resolution:

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

Noes: Helgeson 1

// In the matter of FY 2011 Budget/CIP, Resolution #R-10-063 adopting the FY 2011 Capital Budget and appropriating \$9,593,736 for the City Capital Projects Fund; \$1,941,733 for the School Projects Fund; \$2,355,000 for the Airport Capital Projects Fund; \$4,885,000 for the Water Capital Projects Fund; and \$12,500,000 for the Sewer Capital Projects Fund, laid over from the May 11, 2010 meeting, was again presented and read, and on motion of Council Member Johnson, seconded by Vice Mayor Dodson, Council by the following recorded vote adopted the Resolution:

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

Noes: Helgeson 1

// On motion of Council Member Nelson, seconded by Council Member Perrow, Council by the following recorded vote elected to hold a closed meeting for discussion and consideration of (1) the acquisition of real property for a public purpose, the Midtown Connector Project because discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the City; (2) to consider appointments to Council-appointed Boards and Commissions, i.e., School Board; and (3) for discussion and consideration of candidates for the position of the Clerk of Council, pursuant to Section 2.2-3711(A)(3)(1), respectively, Code of Virginia (1950), as amended:

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

Noes: 0

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

// Council Member Nelson 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 Gillette, and Council by the following recorded vote adopted the motion:

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

7

Noes:

0

// The meeting was adjourned at 9:20 P.M.

Interim Clerk of Council