

// A regular meeting of the Council of the City of Lynchburg was held on the 28th day of September, 2021, at 4:00 P.M. in the Council Chamber, City Hall, MaryJane Dolan, President, presiding. The following Members were present:

Present: MaryJane Dolan, Beau Wright, Jeff Helgeson, J. Randy Nelson, Treney Tweedy,	
Sterling A. Wilder, Chris Faraldi	7
Absent:	0

// In the matter of the City Manager's Office, Agenda Item #1, City Manager Mr. Wynter C. Benda walked through the items for the night's work session, and introduced the new Director of Human Resources, Ms. Michelle Jackson.

// In the matter of Parks and Recreation, Agenda Item #2, Ms. Jenny Jones presented the initial findings of the Parks and Recreation Needs Assessment and Comprehensive Park Master Plan. The goal of this effort is to collaborate with the Lynchburg community through the community engagement process to design Lynchburg's parks, trail and facilities of the future and identify project priorities and potential funding mechanisms. Community engagement is key to developing a great recreation, parks and trail master plan. To date, engagement on the plan has involved conversations with individual City leaders, City Council and staff interviews, focus groups, stakeholder meetings, "pop-up" events, park and trail tours, public meetings and on-line engagements and survey questionnaires.

Mr. Will Hager, Associate Vice President of Lose Design, and Ms. Barbara Heller, subcontractor with BerryDunn, presented the initial findings of the community engagement portion of the Lynchburg Parks and Recreation Department Needs Assessment. The report included initial findings regarding benchmarking, level of service, park service gap analysis, connectivity analysis, recreation programming, cost recovery, health equity and financial analysis. The final plan draft will be presented later this winter.

Councilmember Faraldi asked Mr. Hager how the obesity and physical inactivity are measured to warrant a rating of "relatively high" in Lynchburg; he responded that this rating was calculated by comparing Lynchburg to state and national figures. Councilmember Faraldi asked if the Whitewater Park idea came from Amherst County or through the community; he replied that this first came through by community input, but then realized through the collection of data that there was a regional effort. Councilmember Faraldi stated that Windsor Hills and Leesville Road have a substantial private park in the area that is used a lot. He wanted to know if the study took into account other private assets within the city to help the park desert scenario. Mr. Hager replied that they consider private assets differently since they are beyond the city's control. They could be a good supplement; however, they should be reviewed on a case-by-case basis. Councilmember Faraldi asked city staff to consider working with private partners to allow for programming in park deserts. Councilmember Faraldi asked staff to explain the comments "compared to other agencies, fewer staff and funding" and what that means from a proper staffing point within the department. Ms. Heller responded that staffing levels for Lynchburg trend low. Councilmember Faraldi requested that staff be mindful of other parks and amenities in the region and asked staff to be strategic in the planning of future park development.

Councilmember Nelson stated that the facilities seem understated. For example, the city has football fields, yet the report states that there are zero. Mr. Hager replied that the inventory reported are for publicly held and dedicated facilities. Lynchburg has the issue that some fields are cross-programmed with other sports.

Councilmember Helgeson stated that he would be in favor of focusing on trails and other amenities that do not require recurring costs.

Councilmember Tweedy asked staff to consider how the city's parks and trails further create an economic flow.

// In the matter of Water Resources, Agenda Item #3, Mr. Tim Mitchell, Director of Water Resources, presented the Lynchburg Water Resources 20 Year Capital Improvement Plan. Water and sewer utilities are very complex and capital intensive. Capital programs must not only address the needs of aging infrastructure but also address future needs associated with growth, development, and community sustainability while meeting ever increasing regulatory demands. Historically, the department has developed a five-year capital improvement program and financial projection. However, given the increasing needs and demands, a longer capital horizon must be considered in order to adequately and affordably address system needs. The department has a number of ongoing efforts to better plan for future needs including: the development of a Water System Master Plan, an update of the Solids Master Plan for the Water Resource Recovery Facility, and the development of an Unsewered Area Master Plan. The presentation provided an overview of the needs and priorities of the Water, Sewer, and Stormwater funds and discussed the fiscal impacts of those needs. Dr. Reid A. Wodicka, Deputy City Manager, reiterated that the presentation is for information only and staff are not requesting Council action at this time.

Several Councilmembers asked Mr. Mitchell to elaborate on the significance of the grading scale, specifically what determines the grade received. Mr. Mitchell replied that the grading scale is subjective but is based upon a certain criteria staff use to assess the condition. The scale does take into consideration the age of every portion of each system as a collective unit.

Councilmember Faraldi stated that overall this is a need for the city, however, he requested staff to leverage all the federal and state money currently available to offset costs so as to not increase more fees and taxes on the citizens.

// In the matter of Planning, Agenda Item #4(a), Ms. Eve Mergenthaler, Planner I, briefed Council on a petition that will appear for City Council vote on the October 12, 2021 Public Hearing section. Doyle Allen of Hurt & Proffitt, Inc., on behalf of DBI Capital Group, LLC, is petitioning to vacate an unopened portion of Manassas Street right-of-way, located between Confederate Avenue and South Street (formerly Valley Street). The right-of-way vacation is proposed as part of the Townes at Locust Thicket subdivision. The total area of the proposed vacation is approximately nine tenths (0.9) of an acre. The area to be vacated includes unimproved, wooded land. The vacation would not impact vehicle or pedestrian access. Based

on the zoning of the adjacent lots and property frontage, the value of the property is anticipated to be approximately \$27,000.00.

// In the matter of Planning, Agenda Item #4(b), Ms. Eve Mergenthaler, Planner I, briefed Council on a petition that will appear for City Council vote on the October 12, 2021 Public Hearing section. Doyle Allen of Hurt & Proffitt, Inc., on behalf of DBI Capital Group, LLC, is petitioning to vacate the unopened Poindexter Street right-of-way, located off of Confederate Avenue. The right-of-way vacation is proposed as part of the Townes at Locust Thicket subdivision. The total area of the proposed vacation is approximately seven hundred twenty-eight thousandths (0.728) of an acre. The area to be vacated includes unimproved, wooded land and a storm water drainage easement. The vacation would not impact vehicle or pedestrian access. Based on the zoning of the adjacent lots and property frontage, the value of the property is anticipated to be approximately \$21,800.00.

// In the matter of Finance, Agenda Item #4(c), Mr. Reid Lanham, Accounting Manager, briefed Council on FY 2021 Fourth Quarter and FY 2022 First Quarter Adjustments. This item will appear for City Council vote on the September 28, 2021 General Business section. Fourth Quarter adjustments include adjustments that need to be recorded for the fiscal year end. For FY 2021 adjustments include a correction to the Vehicle Capital Charge, adjust grants to actuals, account for additional revenues received for Children's Services Act Fund services and utilize the Snow and Ice Reserve to refill the salt barns. First Quarter adjustments include amendments to the FY 2022 Adopted Budget to allow CARES funds to be swapped for public safety payroll to fund facility retrofits, the demolition budget to be replenished, funds carried forward by Fire, Police, Human Resources, Parks and Recreation and the Registrar to fund initiatives not included in the budget, and allow the Sheriff's Office to appropriate additional State funds to provide a bonus approved by the General Assembly. Also included is the June 2000 Council approved Information Technology funds transfer, adjust grants to actuals including the Community Development Block Grant, the appropriation of Forfeited Assets by the Commonwealth's Attorney and the Police Department, additional projects to be completed through the Technology Fund, adjust VDOT funding to actuals, appropriate cell tower funds in the Schools Capital Projects Fund, and appropriate Fleet Services funds to replace equipment. Additional Poverty Initiative funds were not adopted in FY 2022. However, with the approval to carry forward the remaining balance Council will need to approve the resolution for the funds to only be spent with the majority vote of City Council.

// In the matter of Roll Call, Agenda Item #5, Councilmembers Nelson, Tweedy, and Helgeson had no items. Councilmember Faraldi commented that today was National Register to Vote Day; he commended the Lynchburg Fire Department on their mutual aid efforts in Campbell County; he asked staff to provide some feedback on the delays occurring in construction on Main Street. Councilmember Wilder commented that there will be a job fairs at both Diamond Hill Baptist Church and Frito Lay on October 2, 2021. Vice Mayor Wright commended the Department of Parks and Recreation on the completion of the Yoder and Fairview Heights Centers; congratulated the organizers of the 2021 Moore & Giles Virginia 4+10 Miler; and announced that Art Alley, located on 11th Street between Commerce Street and the

Bluffwalk, will be opening on October 1, 2021. Mayor Dolan announced that the City of Lynchburg's Public Works Department will be conducting its household hazardous waste and electronic recycling collection; she made a few announcements regarding the Parks and Recreation department; she congratulated those that participated in the Moore & Giles Virginia 4+/10 Miler, including 55 City employees who participated in the run; and she asked citizens to continue wearing face masks, practice social distancing, and consider getting the COVID-19 vaccination if they have not already done so.

// The meeting was recessed at 5:56 p.m.

// City Council reconvened the meeting at 7:30 p.m. The following members were present:

Present: MaryJane Dolan, Beau Wright, Jeff S. Helgeson, J. Randy Nelson, Treney Tweedy,
Sterling A. Wilder, Chris Faraldi 7

Absent: 0

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

// In the matter of Recognitions, the Mayor proclaimed the week of October 3 – 9, 2021 as Midwifery Week. Ms. Katie Page, CNM, FACNM, and Ms. Leslie Payne, CPM, were in attendance to accept.

Mayor Dolan also proclaimed the week of October 3 – 9, 2021 as Fire Prevention Week. Fire Chief Greg Wormser was in attendance to accept.

// In the matter of Consent Agenda Item (A), copies of the minutes of the April 13, 2021 meeting were pulled pending revisions.

// In the matter of Consent Agenda Item (B), copies of the minutes of the April 19, 2021 meeting have been previously furnished to Council, and on motion of Councilmember Nelson, seconded by Councilmember Wilder, Council by the following recorded vote approved the minutes as presented:

Ayes: Dolan, Wright, Helgeson, Nelson, Tweedy, Wilder, Faraldi 7

Noes: 0

// In the matter of the Consent Agenda Item (C), copies of the minutes of the April 20, 2021 meeting have been previously furnished to Council, and on motion of Councilmember Nelson, seconded by Councilmember Wilder, Council by the following recorded vote approved the minutes as presented:

Ayes: Dolan, Wright, Helgeson, Nelson, Tweedy, Wilder, Faraldi 7

Noes: 0

// In the matter of Community Development, Agenda Item #6, a public hearing was held and Council considered adopting Resolution #R-21-070 approving the submission of the Program Year 2020 (FY 2021) Consolidated Annual Performance and Evaluation Report (CAPER). Ms. Melva Walker, Grants Manager, provided Council with a summary of the request. The U.S. Department of Housing and Urban Development (HUD) requires each jurisdiction receiving HUD-administered grants (CDBG and HOME) to draft a CAPER and submit it for public review and comment. The CAPER describes the City's progress towards the housing and community development goals established within the 2020-2024 Consolidated Plan and the PY 2020 (FY 2021) Annual Action Plan. This CAPER is for the period of July 1, 2020

through June 30, 2021. With City Council's approval, the CAPER, including a summary of any public comments, will be submitted to the HUD Richmond Field Office for review to meet compliance regulations for the CDBG and HOME Program. A public notice was published in The News and Advance on Friday, September 10, 2021. At its February 11, 2020 meeting, City Council approved the Community Development Block Grant (CDBG) and HOME Program Housing and Non-housing Goals for the 2020-2024 Consolidated Plan and Program Year 2020 (FY 2021) Annual Action Plan. At its June 23, 2020 meeting, City Council approved the Program Year 2020 (FY 2021) Annual Action Plan.

There was no one to speak in favor or opposition, either by phone, email, or in-person, so the public hearing was closed and the matter rested with Council.

Vice Mayor Wright asked Ms. Walker to provide some details on why Miriam's House expended such a low number of funds out of the entire grant allocation. Ms. Walker explained that they have a certain criterion they have to use in order to expend these funds, and they also had additional funding from other resources that needed to be expended.

Councilmember Tweedy stated that because she is an employee of one of the organizations receiving the funds, she will abstain from voting.

As Chair of Community Development Advisory Committee, Vice Mayor Wright made the motion to approve the resolution, seconded by Councilmember Wilder, who also serves on the board.

With no other discussion from Council, the following vote was recorded:

Ayes: Dolan, Wright, Helgeson, Nelson, Wilder, Faraldi	6
Noes:	0
Abstain: Tweedy	1

// In the matter of Public Comment (A), citizen Laura Hunter reached out to the Clerk of Council prior to the meeting to remove herself from the agenda.

// In the matter of the Economic Development Authority, Agenda Item #7, Council considered adopting Resolution #R-21-071 authorizing the issuance of up to \$275,000,000 in bonds through the Economic Development Authority of the City of Lynchburg for the benefit of Centra Health, Inc. Ms. Marjette Upshur, Director of Economic Development & Tourism, provided Council with a summary of the request. Centra has requested the Authority to issue its revenue bonds in an aggregate principal amount not to exceed \$275,000,000 (the "Bonds"), in one or more series, for the purpose of providing funds for (i) the acquisition, construction, developing and equipping of a new structure at Lynchburg General Hospital to improve and expand patient capacity, which also includes connectivity improvements to link the new structure with existing facilities, (ii) the construction of parking areas and connectivity improvements, (iii) the acquisition, construction developing and equipping of expansion of and improvement to the existing facilities and structures on the Lynchburg General Campus (b) pay certain expenses incurred in connection with the issuance of the Bonds, and the refinancing of previously-incurred debt that financed facilities in Lynchburg and other areas. The Economic Development Authority of the City of Lynchburg, in accordance with Federal and State law, serves as a conduit for the bonds and assumes no financial

responsibility or costs. The Economic Development Authority of the City of Lynchburg has conducted the requisite public hearing and adopted a resolution recommending that City Council authorize the bonds. The issuance of the bonds through the Economic Development Authority of the City places no obligation on the City.

Mayor Dolan disclosed that although she serves on the Centra Health Foundation Board of Directors, she has no personal interest in the outcome of this bond and therefore has no conflict of interest in this matter.

Councilmember Helgeson disclosed that his wife is a member of a group for employees of Centra Health, but he is able to vote on this matter objectively as well. He asked staff if there have been discussions with Centra to accept payment in lieu of taxes. Ms. Upshur replied that she does not know of any current discussions.

Vice Mayor Wright made the motion to approve the resolution, seconded by Councilmember Nelson. With no other discussion from Council, the following vote was recorded:

Ayes: Dolan, Wright, Helgeson, Nelson, Tweedy, Wilder, Faraldi 7

Noes: 0

// In the matter of Finance, Agenda Item #8, Council considered adopting Resolutions (#R-21-072, #R-21-073, and #R-21-074) regarding FY 2021 Fourth Quarter Adjustments and FY 2022 First Quarter Adjustments. Council was briefed on this item during its September 28, 2021 Work Session Business Item Briefing section. On motion of Councilmember Wilder, seconded by Vice Mayor Wright, Council conducted a first reading of Resolution #R-21-072 amending the FY 2021 Operating Budget and appropriating funds to reflect the FY 2021 Fourth Quarter Adjustments. With no discussion from Council, the following vote was recorded:

Ayes: Dolan, Wright, Helgeson, Nelson, Tweedy, Wilder, Faraldi 7

Noes: 0

On motion of Councilmember Tweedy, seconded by Vice Mayor Wright, Council conducted a first reading of Resolution #R-21-073 amending the FY 2022 Operating Budget and Capital Budgets and appropriating or rescinding funds to reflect the FY 2022 First Quarter Adjustments.

Councilmember Nelson asked if the First Quarter Adjustments were CARES related, or if they were additional revenues from underestimating collections from taxes. Mr. Lanham replied that the majority is from CARES funding.

With no other discussion from Council, the following vote was recorded:

Ayes: Dolan, Wright, Helgeson, Nelson, Tweedy, Wilder, Faraldi 7

Noes: 0

On motion of Vice Mayor Wright, seconded by Councilmember Wilder, Council adopted Resolution #R-21-074 stating that FY 2022 General Fund Non-Departmental Poverty Initiative funds may only be spent upon approval by a majority vote of City Council. Deputy City Manager Dr. Reid Wodicka

clarified at the request of Councilmember Helgeson that this motion is to only carryforward funds that were not used with the Poverty Initiative and that these funds are staying with this same project.

With no other discussion from Council, the following vote was recorded:

Ayes: Dolan, Wright, Helgeson, Nelson, Tweedy, Wilder, Faraldi 7

Noes: 0

// The meeting adjourned at 8:07 p.m.

Clerk of Council