

// A regular meeting of the Council of the City of Lynchburg was held on the 27th day of April, 2010, at 5:00 P.M. in the Council Chamber, City Hall, Joan F. Foster, President, presiding. The following Members were present:

Present: Dodson, Helgeson, Nelson, Perrow, Foster	5
Absent: Gillette, Johnson	2

// In the matter of Subdivisions, City Council Report #1 was considered. City Planner Tom Martin gave a brief update on the amendments to the Subdivision Ordinance. Mr. Martin stated that a work session on the Subdivision Ordinance amendments was held on April 13 and during staff presentation it was indicated that the ordinance would need to be re-advertised due to changes to one section of the ordinance. Mr. Martin explained after further review, staff determined that the initial advertisement was valid and that additional advertisement and a subsequent public hearing are not required. Mr. Martin went on to say that the following items also have been addressed since the work session on April 13.

- (1) A link to the proposed ordinance revisions was placed on the main page of the City's web site;
- (2) A copy of the Subdivision Ordinance Committee was forwarded to each member of Council;
- (3) The last sentence of Section 24.1-38 was corrected to reference the City Engineer instead of the City Planner may require a bona fide estimate of cost improvements and determine the surety bond;
- (4) The effective date of the ordinance has been changed to July 1, 2010; and
- (5) A clause has been included within the ordinance that any plats filed prior to that time would be subject to the ordinance that is in existence now. On motion of Council Member Perrow, seconded by Council Member Nelson, Council by the following recorded vote adopted Ordinance #0-10-034, as presented, amending certain sections of the Subdivision Ordinance:

Ayes: Dodson, Helgeson, Nelson, Perrow, Foster	5
Noes:	0
Absent: Gillette, Johnson	2

On motion of Council Member Perrow, seconded by Council Member Nelson, Council by the following recorded vote adopted Ordinance #0-10-035, as presented, amending Sections 35-101, 35-108 and 35-111 of the City Code relating to the naming of streets:

Ayes: Dodson, Helgeson, Nelson, Perrow, Foster	5
Noes:	0
Absent: Gillette, Johnson	2

// Council Member Johnson arrived at 5:40 p.m. during agenda item #2.

// Financial Services Director Donna Witt provided a brief summary regarding the FY2010 Third Quarter Budget Adjustments. Ms. Witt explained it was necessary to amend the FY 2010 Adopted Budget and appropriate funds to implement revenue, expenditure, and transfer adjustments as identified for the General Operating, City/Federal/State Aid, City Capital Projects, Regional Airport Operating, Fleet Services, Asset Forfeiture, Comprehensive Services Act, Sewer Operating, Sewer Capital Projects, and School Operating Funds. Ms. Witt went on to say that this year the adjustments were summarized in the Agenda Summary section and then attached the details. Ms. Witt explained each item that was on the list

// In the matter of Airport - General, a public hearing was held regarding City Council Report #6 regarding approving a lease agreement with Centra Health for a 6,000 square foot area of City-owned property at Lynchburg Regional Airport.

Council Member Gillette read a statement that he would not participate in the discussion regarding Centra Health because of a conflict of interest.

Airport Manager Mark Courtney provided a brief summary of the request. Mr. Courtney went on to say that the Lynchburg Regional Airport Commission recommended approval for the lease agreement. 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-10-036, as presented, approving a lease agreement with Centra Health for a 6,000 square foot area of City-owned property at Lynchburg Regional Airport:

Ayes: Dodson, Helgeson, Johnson, Nelson, Perrow, Foster	6
Noes:	0
Abstain: Gillette	1

// In the matter of Finance - Bonds, a public hearing was held regarding City Council Report #7 regarding the issuance of \$15,000,000 General Obligation Public Improvement Bond Anticipation Notes (BANS). Financial Services Director Donna Witt provided a brief summary regarding 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 Vice Mayor Dodson, Council by the following recorded vote adopted Resolution #R-10-037, as presented:

Ayes: Dodson, Gillette, Helgeson, Johnson, Nelson, Perrow, Foster	7
Noes:	0

On motion of Council Member Helgeson, seconded by Vice Mayor Dodson, Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-10-038, as presented, amending the FY 2010 General Fund Adopted Budget and appropriating \$10,125 from the General Fund Reserve for Contingencies for seventy-three percent (73%) of the re-authorizing costs:

Ayes: Dodson, Gillette, Helgeson, Johnson, Nelson, Perrow, Foster	7
Noes:	0

// In the matter of Budget, a public hearing was held regarding City Council Report #8 regarding amending the FY 2010 Third Quarter Adopted Budget and appropriating funds to implement revenue, expenditure and transfer adjustments. Financial Services Director Donna Witt provided a brief summary regarding 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 Johnson, Council by the following recorded vote introduced and laid over to a later meeting Ordinance #O-10-039, as presented, amending the FY 2010 Third Quarter Adopted Budget and appropriating funds to implement revenue, expenditure and transfer adjustments:

Ayes: Dodson, Gillette, Helgeson, Johnson, Nelson, Perrow, Foster	7
Noes:	0

// In the matter of Housing Authority, City Council Report # 9 was considered. City Manager Kimball Payne explained that this item came before Council on March 23 and at that time the matter was postponed for 30 days, or until April 27, to give the owner time to respond. Mr. Payne went on to say that the condition of the property has remained the same and there has been no repairs done to the property located at 416 Pine Street. On motion of Council Member Perrow, seconded by Council Member Johnson, Council by the following recorded vote adopted Resolution #R-10-040, as presented, approving a request from the Lynchburg Redevelopment and Housing Authority for authorization to pursue acquisition of blighted property at 416 Pine Street under Section 36-19.5 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 #10 was considered. Economic Development Director Marjette Upshur gave a brief summary of the request to approve an ordinance establishing an Arts & Cultural District. Ms. Upshur explained that State Code permits localities to create Arts & Cultural Districts to provide incentives to attract and grow arts and cultural organizations. Ms. Upshur went on to say that the attraction and growth of artists and cultural organizations will further revitalize Lynchburg's historic downtown, creating an "entertainment cluster" and adding jobs and increase an important element in Community Livability. Council Member Johnson made a motion to approve the ordinance establishing an arts and cultural district with the new boundaries, seconded by Council Member Perrow. After some discussion Mayor Foster made a friendly amendment to the motion to change the language in Sec. 13.1-10 (b) by adding after aesthetic "or other infrastructure" and Council Member's Johnson and Perrow accepted the friendly amendment and Council by the following recorded vote adopted Ordinance #0-10-041, as amended, establishing an Arts and Cultural District:

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

Noes: 0

// In the matter of Finance - Bonds, City Council Report # 11 was considered. Financial Services Director Donna Witt provided a brief summary regarding the request. Council Member Helgeson, Finance Committee (FC) Chair, stated that this item came before the FC and made a motion to approve the request. The motion required no second, and Council by the following recorded vote adopted Resolution #R-10-042, as presented, reauthorizing a reallocation of \$1,079,395 of Proceeds from the Public Schools Capital Projects to Public Buildings Capital Projects Category:

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

Noes: 0

// In the matter of Finance - Bonds, City Council Report # 12 was considered. Financial Services Director Donna Witt gave a brief summary regarding the request. Council Member Helgeson, Finance Committee (FC) Chair, stated that this item came before the FC and made a motion to approve the request. The motion required no second, and Council by the following recorded vote adopted Resolution #R-10-043, as presented, authorizing the issuance of not to exceed \$12,000,000 principal amount of General Obligation Public Improvement Refunding Bonds, Series 2010:

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

Noes: 0

Council Member Helgeson, Finance Committee (FC) Chair, stated that this item came before the FC and made a motion to approve the request. The motion required no second, and Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-10-044 as presented, amending the FY 2010 General, Water and Sewer Funds' Adopted Budgets and appropriating \$97,645, \$23,687 and \$28,868, respectively, with resources from the refunding bond proceeds for a total of \$150,200 for estimated issuance costs:

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

7

Noes:

0

// The meeting was adjourned at 8:32 P.M.

Interim Clerk of Council