// A regular meeting of the Council of the City of Lynchburg was held on the 22nd day of April, 2014, at 7:30 P.M. in the Council Chamber, City Hall, Michael Gillette, President, presiding. Council Member Foster gave the Invocation, followed by the Pledge of Allegiance. The following Members were present:

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

// Mayor Gillette made the following announcements:

Groundbreaking Ceremony for the new Heritage High School took place this morning (April 22, 2014).

Wal-Mart on Wards Road has been named the best store on the entire Eastern Seashore for the year 2013.

The premiere of “Lynchburg Happy” video.

// In the matter of Budget, Resolution #R-14-031 amending the FY 2014 Third Quarter Adopted Budget and appropriating funds to implement revenue, expenditure, and transfer adjustments, laid over from the April 8, 2014 meeting, was again presented and read, and on motion of Council Member Foster, seconded by Council Member Cary, Council by the following recorded vote adopted the Resolution:

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

// In the matter of Police – Emergency Services, Resolution #R-14-033 to amend the FY 2014 City/Federal/State Aid Fund budget and appropriating $310,650, with resources of $248,520 from the Federal Emergency Management Agency (FEMA) Assistance to Firefighters Grant and $62,130 from the General Fund Reserve for Contingencies to fund the purchase of new communications equipment to be used by the Fire Department, laid over from the April 8, 2014 meeting, was again presented and read, and on motion of Council Member Foster, seconded by Council Member Cary, Council by the following recorded vote adopted the Resolution:

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

// In the matter of Public Works/Street Vacation, a public hearing was held regarding City Council Report #3 on the petition of Beacon Credit Union, Inc. and Mr. Morris E. McCrary, III to vacate a portion of right-of-way in front of 2134 and 2138 Langhorne Road which is approximately two hundred twenty-four thousandths (.224) of an acre. Planner II Kevin Henry gave a summary of the request to vacate the right-of-way in front of 2134 and 2138 Langhorne Road. There was no one else present who wished to speak to this item, and the public hearing was closed. Council Member Perrow, Chair of the Physical Development Committee (PDC), stated that this item came before the PDC which recommended approval. This motion does not require a second and Council by the following recorded vote adopted Ordinance #O-14-039, as presented, on the petition of Beacon Credit Union, Inc. and Mr. Morris E. McCrary, III to vacate a portion of right-of-way in front of 2134 and 2138 Langhorne Road which is approximately two hundred twenty-four thousandths (.224) of an acre:

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

Noes: 0

// In the matter of Balancing the FY 2015 Budget, City Council Report #4 was considered.

// Council Member Nelson stated that although his wife is an employee of the Lynchburg City Schools he would not have a conflict in discussing or voting on the proposed raise for school employees. Council Member Cary made a motion, seconded by Council Member Helgeson not to allow an additional 0.5% raise for city and school employees, this motion failed:

Ayes: Cary, Helgeson, Perrow 3

Noes: Foster, Johnson, Nelson, Gillette 4

Vice Mayor Johnson made a motion seconded by Council Member Foster to allow the additional 0.5% raise for city and school employees, this motion passed:

Ayes: Foster, Johnson, Nelson, Gillette 4

Noes: Cary, Helgeson, Perrow 3

On motion of Council Member Perrow, seconded by Council Member Helgeson, Council by the following recorded vote areed to proceed with the preparation of 2015 Budget resolutions:

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

Noes: 0

// In the matter of the FY 2015 Bond Issue, to including a short presentation on the Group Home plans, City Manager Kimball Payne and Director of Financial Services Donna Witt provided information on the process of the issuing of the Bonds. It was the consensus of Council to support the City Manager to move forward with the selling of the Bonds.

// Tamara Rosser, Director of Human Services provided an update on the Group Home. First, background information was given. A Needs Assessment was completed in 2013 which demonstrated the need for a new, 28 bed co-ed, non-secure residential facility for youth ages 12-17. Ms. Rosser stated that the Cabell Street (Opportunity House) property is not sustainable due to the following:

- Ongoing and costly annual maintenance repairs;
- Significant capital improvements are needed ($148,000);
- The trend in daily population exceeds the number of available beds;
- The Cabell Street property will never comply with State Department of Juvenile Justice licensing standards.

In conclusion, the Group Home timeline, site integration, base floor plan, project funding and funding for debt service were discussed.

// Council Member Cary asked for roll call since there was no work session during this meeting. He asked if he could make a public statement. He wanted to make a clarification to a Community Viewpoint column he wrote in December 2013 encouraging the Presbyterian Home and Westminster Canterbury to work together, if possible, to resolve the Presbyterian Home's sports complex proposal. In retrospect, the proposed sports complex is not in the best interests of Westminster Canterbury and the surrounding neighbors due to the lighted athletic fields, noise, and traffic, which are not consistent with existing zoning in this area and the comprehensive plan. He stated he cannot support the proposed sports complex at this time.

// On motion of Council Member Cary, 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 about a specific legal matter, the terms and conditions of Virginia Aviation's lease and Freedom Aviation's franchise at the Lynchburg Regional Airport, pursuant to Section 2.2-3711(A.)(7) of the Code of Virginia, 1950, as amended:

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

Noes: 0

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

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

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

Noes: 0

// The meeting was adjourned at 10:00 P.M.

Clerk of Council