

// A regular meeting of the Council of the City of Lynchburg was held on the 22nd day of September, 2020, 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 S. Helgeson, J. Randy Nelson, Treney Tweedy

Sterling A. Wilder, Chris Faraldi 7

Absent: 0

// In the matter of the Fire Department, Agenda Item #1, Fire Chief Greg Wormser updated Council on the Community Risk Assessment-Standard of Cover. This was first brought to Council's attention in September of 2019, and as a commitment to transparency, it was decided that a subsequent update will be given annually. The CRA-SOC not only looks at how the department responds to calls from a service delivery perspective, but evaluates the system by measuring against baselines and benchmarks which include fire station locations, community demographics, call types, and response times. The CRA-SOC is used as a playbook for continuous improvement of service delivery through validation, identifies trends which assists with future planning, and helps constantly own what the department does through data driven assessment. Councilmember Helgeson asked Chief Wormser to clarify the difference between a benchmark and a baseline. A benchmark is the ideal goal for what the department is trying to achieve while a baseline is the actual response data from the department. Councilmember Nelson asked Chief Wormser to clarify the definition of call processing. Chief Wormser explained that call processing time is when the call is first picked up at the Department of Emergency Services and ends when the dispatcher hangs up. So, a lot of times even though Fire or EMS will be dispatched at some point within the duration of the call, the call processing time doesn't reflect that and only captures the dispatcher call length. Another data point that skews the call processing time is when a call comes in from a cell phone; dispatchers have to glean more information like the physical address from the caller because that does not populate from a cell phone. Councilmember Nelson also asked for clarification on turnout time and travel time. Chief Wormser explained that turnout time starts when the first tone hits the station, and ends when the first unit to mark in route. When the first unit marks en route, that starts the travel time.

Councilmember Helgeson stated that call processing time should not be a benchmark that the department tries to blindly attain because dispatchers are offering lifesaving information during the call and aiming for this benchmark most times might not be a good thing.

Chief Wormser continued stating that the Fire Department is providing an incredibly prompt, skilled, and efficient service. Call volume continues to trend up but response times are improving slightly, or are flat as compared to benchmarks, and service delivery outcomes remain strong.

Chief Wormser reviewed the EMS and Fire response statistics by Ward and the top census tract growth over the last three years. He noted that the increase in responses to particularly Ward II and Ward IV, are indicative to these areas thriving. As the representative of Ward IV, Councilmember Faraldi wanted to know how getting a new medic unit would help combat these rising numbers in the southern end of the City. Chief Wormser explained that a new medic unit would decrease the call response time. Medic 1 spends 21% of their time in Station 8 territory, which is the furthest distance away. Think of response to calls as spokes on a wheel and units are driving into the calls wherever the call is originated. As units are displaced and calls are continuing to come in, having that extra medic unit gives the ability to answer calls in a much more expeditious manner. Councilmember Faraldi reiterated that this additional medic unit has to be a priority for Council. Councilmember Helgeson echoed Councilmember Faraldi's sentiments.

Councilmember Wilder asked about the growth in the Timberlake/Wards Road area and wanted to know if at some point Council should consider the addition of another fire station for that area. Chief Wormser said that's something that we are definitely considering in our CIP. Interim City Manager, Dr. Reid Wodicka explained that staff is also looking at the current placement of fire stations and could they be placed in a more appropriate location. Councilmember Tweedy thanked the fire department for their work and stated that she appreciates the services that they provide, and feels the citizens pay a tax rate that supports the services that we expect of our City.

Dr. Wodicka mentioned to Council that when discussion of the sixth medic unit was first presented to Council in the budget process last year, staff told Council that they would bring a

recommendation for consideration in October. However, staff would feel more comfortable addressing this at the first meeting in November so that they will have a whole quarter of revenues to assess. He reiterated that this is one of the top priorities of staff. Councilmember Wilder asked how much is needed in order to fund this additional medic unit. Dr. Wodicka explained that for a full year, the figure is about \$550,000 and that staff has set aside \$190,000 for the medic unit. He also noted that it will take some time before the staffing is in place so that we can staff it in a way that is meaningful. This medic unit is a key priority and he appreciates everyone's continued support in its acquisition.

// In the matter of Community Development - Planning, Agenda Item #2, Mr. Tom Martin, City Planner, reviewed the current requirements of the B-1, Limited Business Zoning District and other business districts such as B-3 and B-5. Staff have proposed recommendations to amend the B-1, Limited Business District zoning. The comprehensive plan was originally developed in 2013 and recognizes two distinct facts; the need to make efficient use of limited land resources, and the City's growing population. Lynchburg has a land area of 50 square miles and the acquisition of developable land is very unlikely. As such, the majority of the growth within the City is infill development or the rehabilitation of older structures. The comprehensive plan does recommend policies to provide for accessory dwellings, density bonuses, and mixed use development. The effort was to provide for the growing population without having to increase the densities in the underlying residential districts. Since there is a limited amount of land, the intent of the comprehensive plan and zoning ordinance was to have an efficient use of land by mixing the uses together. If this was not done, there would have to be an increase to the densities in the lowest density neighborhoods to provide for the growth.

As a result of concerns previously expressed by the Richland Hills Neighborhood Association for a development at 7051 Timberlake Road, City Council requested that staff provide an overview of the B-1 Limited Business District Zoning and how that is allowing this type of development to occur. The development that is being proposed is Logan's Landing Phase II; it is 7.6 acres, it is zoned primarily B-1 but the development does have a small strip of B-3 along Timberlake Road. This is comprised of 123 apartments, 17 commercial units, 189,332 square feet between four buildings, 259 parking spaces, a

pool, and a pool house. This is a very large development being proposed adjacent to a very well established single neighborhood development.

Mr. Martin continued, stating that the B-1 District purpose is to provide for office, retail, restaurant, and service uses compatible with nearby residential areas. The development should be in scale with adjacent neighborhood developments and should have pedestrian-oriented designs, generate moderate levels of traffic, and provide a transition from retail districts and heavily traveled thoroughfares to residential areas. The development at 2472 – 2496 Rivermont Avenue is an example of the intent of B-1 District purpose. When Council adopted the zoning ordinance in 2016, staff were aware that some aspects of this ordinance would need to eventually be modified.

Vice Mayor Wright asked for clarification on how adopting these changes would affect the applications currently in process. His concern is that Logan's Landing Phase II does not comply with the new zoning ordinance. Mr. Martin stated that he verified with the City Attorney; unfortunately, since this particular development was submitted under the zoning ordinance the way it exists, the project would still be allowed to proceed. Vice Mayor Wright stated that assuming the developer meets the standards for the current district, Richland Hills Neighborhood cannot expect any kind of relief from this application if this developer decides to move forward. Councilmember Helgeson stated that when the zoning ordinance was rewritten, the unintended consequences were not thought through. He stated that he would support changing the zoning ordinance in making these amendments.

Councilmember Faraldi stated that through discussions with the Richland Hills Association, it's more how the product has been presented to the community. He commented on the lack of outreach from the developer to the community and their total disregard to being a community partner. He further stated that this is not proper use for this land, it is wrong to the community and to the area, and is dismayed that Council cannot do anything from this proceeding.

Councilmember Nelson voiced several procedural concerns. The applicant is vested; they have submitted their site plan and specifications. He posed the question, if the developer were to modify some portion of those plans, would that be considered a new application and therefore not giving the developer

the opportunity to say they are vested under the old ordinance, or would that put them into a new time scale? Mr. Martin stated that he'd like to gain the City Attorney's opinion, but would get back to Council.

Councilmember Tweedy disclosed that she is resident of Richland Hills but not a member of the association, but is supportive of the recommendations of staff. She expressed her appreciation to the association in the work they put into this and the way they've worked with staff.

Vice Mayor Wright indicated that this is a real testament to how government should work. Neighbors organize, they bring their concerns to staff, and the staff spends time working with them to understand their concerns and then bring them to Council. He wanted to commend everyone involved, further stating that it is wonderful that our government is working this way and is responsive to the community concerns. Unfortunately, it sounds like this development will be moving forward.

Councilmember Faraldi asked Mr. Martin what the next steps Council needs to take in order to move this forward. Mr. Martin explain that he would need a motion telling staff to go forward and amend the ordinance related to mixed use developments and the business districts. Councilmember Faraldi made the motion, seconded by Councilmember Helgeson. Councilmember Helgeson asked Mr. Martin to clarify the next steps. Mr. Martin explained that this will go to the Planning Commission then back to Council for consideration. He expressed his understanding of Council's concern to move forward as quickly as possible, and will accelerate this accordingly. Councilmember Helgeson asked Mr. Martin to clarify with the City Attorney that the developer has the vested right unless they make substantial changes to the application. Council, by the following recorded vote passed the motion:

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

Noes: 0

// In the matter of Lynchburg City Schools, Agenda Item #3, City Council received an update on the Return to Learn Plan. Dr. Wodicka, prefaced this item stating that Council had previously asked to receive an update on the Lynchburg City Schools (LCS) Return to Learn Plan. While it is really critical that Council have an update on this plan, it is constitutionally vested in the school board to make decisions on

operations for the schools. He further explained that it is really important for Council to have an understanding of what's happening with LCS because the City provides funding to the schools.

Dr. James Coleman, Chair of the Lynchburg City School Board, gave opening remarks, telling Council that his fellow board members are a team and are very dedicated individuals who seek to stay out of the political process and do what is best for the children. Lynchburg City Schools are presenting to Council as an act of courtesy for continued community collaboration and working with the community to make sure everyone understands the work that the school board and the superintendent continue to do for the students. Dr. Coleman introduced Superintendent Dr. Crystal Edwards.

Dr. Edwards thanked Council for their support and gave a brief presentation on the stepwise approach LCS has taken since the beginning of pandemic. She stated that the education of students as well as the safety of all children, parents, staff, caregivers, and community partners, has been a top priority for LCS. She reassured Council that she talks to the universities, Centra Health, and the Virginia Department of Health regularly in regards to how the pandemic is affecting the community in order for LCS to make the best decisions.

Dr. Edwards continued stating that the schools had reopened months ago and staff have been working ever since. The goal from the beginning was to get back to in-person learning in a way that is safe and secure for everybody. LCS adopted the theme, "Lead with Care". Dr. Edwards reiterated that the information around the pandemic is constantly changing as more data becomes available, and as such, their planning is constantly changing. She also reiterated that they have been planning for in-person learning for a lot of the vulnerable kids, such as special needs and the English-language learner population right away, stating that they had been in-person since September 8th. The next round of students coming back to in-person is Pre-K – 2nd grade, and with the remainder of students returning in phases shortly after. The biggest shift when bringing the kids back will be the 63 drivers who are delivering food will need to switch to transporting kids to school instead. LCS has been working through this change in food service delivery. Another aspect that staff have been working on is contacting every family to learn of their preference; either in-person or remain remote. Dr. Edwards stated that this has

been a tremendous task considering the sheer volume of calls, follow up calls, and in some cases, translation services. She commended staff for their commitment to getting students back to school.

Councilmember Helgeson stated that by September 30th, LCS will have enrollment counts in which the state pays based on how many students are enrolled. Last year LCS estimated about 7,800 students would be enrolled this school year. Dr. Edwards stated that the preliminary counts put LCS at about 60 students down from their original projections. Councilmember Helgeson stated that during next budget season we'll need to look at giving money back to taxpayers.

Councilmember Wilder thanked Dr. Edwards for looking at the total picture and ensuring the safety of students, faculty, and staff. Councilmember Tweedy thanked the superintendent and school board members for keeping the kids and staff safe, for relaying information, for making and implementing plans, and for not being political but remaining diligent and vigilant.

Vice Mayor Wright stated that the claim has been made that the schools are sitting on a pile of cash. He asked Dr. Edwards to clarify if that was in the case. She explained that she was conservative with funds by not replacing vacancies from retirements of this past year because she didn't know what was going to happen with the public health emergency. She also stated that she is not certain of the long-term effects on students from being out of school since March. She feels it is prudent to keep funding available in the event LCS determines a need to hire more counselors, more mental health clinicians, and maybe more teachers. Vice Mayor Wright clarified that while the schools overall budget is a little over 100 million dollars, the City only contributes about 40%. The rest is made up of state and federal dollars, so even if they City were to claw back some of those funds, the entire budget would not come back to the community. Vice Mayor Wright wanted to know why it's not as easy as flipping a switch when considering bringing kids back to school. Dr. Edwards explained she has an obligation to not only consider the students but also the safety of the staff. For instance, the bus drivers are largely a part of the compromised staff with underlying health issues and she wants to make sure that when LCS is fully in person, it doesn't just last two days and then they have to shut down again do to an outbreak.

Councilmember Faraldi wanted to know how many students met their grade appropriate or academic goal requirements last year, particularly at the end of last year? Dr. Edwards said that we did not complete the SOLs last year, but she could get him whatever academic records that he needs. Councilmember Faraldi asked how many red flag or reports of abuse in potential unsafe environments did LCS flag last year and this year? Dr. Edwards said that she would get that information to him, but that it was not a figure she had with her. Councilmember Faraldi asked in current remote curriculum, are students on track to meet those same pacing guides that were used last year? Dr. Edwards stated that they are currently working on assessing everybody and obtaining that information. Councilmember Faraldi asked how many parents have contacted you or the school board requesting face-to-face? Dr. Edwards answered that just looking Pre-K – 2nd grade, staff have reached out to every family. Councilmember Faraldi asked what was the rationale behind Lynchburg not being in-person like the private schools in Lynchburg are doing? Dr. Edwards stated that LCS has different concerns than some of our colleagues and neighbors, citing transporting and getting kids into LCS. Councilmember Faraldi asked why is LCS conducting two days in-person instead of four or five? He further explained that single parents, now have to send their child not only to one group of people two days a week, but also to another group of people at a daycare the remainder of the week. Merely considering transmission, this does not seem safe. Dr. Edwards explained that the bus capacity has dwindled because the busses cannot run at full capacity. Councilmember Faraldi asked if staff are checking temperatures before kids get on the bus? Dr. Edwards answered that dependent upon the weather, there may be a false reading, so checking kids at the bus stop isn't feasible. However, children, faculty, and staff are being checked before they are allowed into the buildings. Councilmember Faraldi asked from a services offered standpoint, are we taking a service away from the community in regards to child care? He further explained that he is not necessarily inquiring about the quality of education. Dr. Edwards responded that she does not get the luxury of isolating one factor and just focus on the service, so she is unable to look at opening schools from a services rendered standpoint. Councilmember Faraldi commended her for taking this on and appreciates her desires to be present at this Council meeting to inform them. Councilmember Helgeson requested LCS staff to submit the answers to these questions to all of Council.

Councilmember Nelson reiterated the fact that City Council cannot tell the schools how to deliver their educational service, but urged Council to be concerned with the economic, the community, and the social impacts of the educational system. Impacts include the parents who cannot remote into work and are forced to leave their kids at home unsupervised, and employers who have to lose employees because they need to stay home with their kids, or families who did not budget for child care. He continued that he is concerned about long-term impact on children who are living in poverty. He asked Dr. Edwards and her staff to explain how they verify how the students are engaged in online learning. Deputy Superintendent Amy Pugh and Director of Curriculum and Instruction Allison Jordan explained that this is done either by logging on and doing schoolwork, with a phone call with the teacher, or an email exchange.

Councilmember Nelson asked what the percentage is of students who have meaningful engagement every day. School staff explained that they are looking at that number right now. Councilmember Nelson stated that his concern is the student not showing up, what is that percentage? School staff replied that they will come back with that number. Councilmember Nelson asked if there is a means in the LCS plan to assess the efficacy of online learning? Are there plans to address the negative educational impact on those students with limited internet access or who did not participate in what you offer with a remote learning environment? Councilmember cautioned that those students will need to have remediation immediately and vigorously.

Councilmember Tweedy asked City staff to make the schools budget a priority. She also asked staff to look into the partnerships, like social services and our mental health professionals, that can assist the schools. She also urged all families to step up and utilize the avenues of help that are available to them.

// In the matter of Roll Call, Agenda Item #4, Councilmember Faraldi asked staff to consider a discussion on offering some sort of rebate program from revenues we receive from our citizens, to extend to citizens for the financial burden now placed on families to find daycare. Councilmember Wilder had no items. Councilmember Tweedy asked to move the rebate program to the state and federal level, stating that she would be in favor of raising taxes to create the support for the schools. Councilmember Nelson had no items. Councilmember Helgeson asked staff to advertise for the Economic Development Authority

vacancy. Vice Mayor Wright had no items. Mayor Dolan made an announcement regarding the City of Lynchburg CARES Business Recovery Program. She also announced that the week of October 4-10th is National Fire Prevention Week. Mayor Dolan also urged citizens to mask up and wash their hands.

// The meeting was recessed at 6:43 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
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Absent:	0
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Councilmember Wilder gave the Invocation, followed by the Pledge of Allegiance.

// In the matter of Consent Agenda Item #5, consideration of adopting minutes from the June 23, 2020 meeting, Councilmember Faraldi asked to separate these minutes from the rest of the Consent Agenda as he was not an official member of the City Council. Councilmember Helgeson made the motion to approve the meeting minutes from June 23, 2020, seconded by Councilmember Wilder. Council, by the following recorded vote, approved the motion:

Ayes: Dolan, Wright, Helgeson, Nelson, Tweedy, Wilder	6
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Noes:	0
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Abstain: Faraldi	1
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Councilmember Helgeson asked to pull Agenda Item #6, meeting minutes from September 8, 2020, so that a few revisions could be made.

In the matter of Agenda Item #7, Resolution #R-20-069, laid over from the August 11, 2020 meeting, was again presented and read, on motion of Councilmember Helgeson and seconded by Councilmember Wilder, amending the FY 2020 operating budget appropriating funds to reflect the FY 2020 Fourth Quarter Adjustment, and Resolution #R-20-070, amending the FY 2021 Operating Budget

and Capital Budgets and appropriating or rescinding funds to reflect the FY 2021 First Quarter Adjustments. Council, by the following recorded vote, adopted #R-20-069 and #R-20-070:

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

Noes: 0

// In the matter of Public Comment, Agenda Item #8, citizen Robert Flood, representing Virginia Organizing Lynchburg Chapter, voiced his concerns to Council about expunging returning citizens records. He spoke in favor of “Banning the Box”, a campaign aimed to remove the check box indicating a criminal record from job applications.

// In the matter of Public Comment, Agenda Item #9, citizen Tom Morris urged City Council to stop using poisonous methods for weed control, specifically on Hollins Mill Road. He spoke of the effects of the chemicals, mainly the potential to cause cancer and the harmful effects it has on the bee population.

// In the matter of Public Comment, Agenda Item #10, citizen Keith Jennings spoke on the quality of education in Lynchburg City Schools being poor due to virtual learning. He expressed the need for an option for face-to-face learning because virtual learning contributes to anxiety among children. He stated that there needs to be a balance between the health of our children and the education of our children.

// In the matter of Public Comment, Agenda Item #12, citizen Vick Thomas spoke urging the city to include Martin Luther King Boulevard signs around the City of Lynchburg, specifically from Fifth Street to Fort Avenue. He stated that the City of Lynchburg is a beautiful city and the citizens are proud of the connection between the city and Dr. Martin Luther King, Jr.

// In the matter of Public Comment, Agenda Item #11, citizen Hannah Wistrom spoke on the discrimination of ex-felons who have reentered society and who are actively seeking employment to become productive members of society. She voiced her support on “Ban the Box”, stating that when employers discriminate against citizens upon reentry, it further keeps them in a cycle of poverty.

// In the matter of Public Comment, Agenda Item #13, citizen Sandra Travis stated that she is a member Conservative Parents of Lynchburg but will be speaking as an individual due to the group speaking at the

September 8th meeting. She emphasized the importance of face-to-face education; virtual learning is inadequate and the local kids are suffering and Lynchburg City Schools needs to be fully reopened. She also stated that the schools have not been able to achieve common benchmarks. She reiterated that she has found the opinion of the community to be one in support of face-to-face learning. She implored Council to use any means to help open Lynchburg City Schools, for all grades and on a full-time schedule.

// In the matter of Finance, Agenda Item #14, Ms. Donna Witt, Chief Financial Officer, asked Council to authorize the refunding of the General Obligation Public Improvement Bonds, Series 2010 and 2015. The City's financial advisors, Davenport & Company, have reviewed the City's bond portfolio and believe that there is a refunding opportunity associated with the Series 2010 and 2015 bonds. This refunding is estimated to result in approximately \$2.6 million in net savings over the remaining life of the bonds. Savings would be allocated between the General, Water and Sewer Funds as appropriate. This refunding is in alignment with the City's "Refinancing Debt Policy" which states "a refunding transaction to achieve debt service savings should only be undertaken when the net present value of the savings, net of issuance costs, will be at least 3% of the principal amount of the refunded bonds". The City's financial advisors estimate that the net present value of the savings will be in compliance with this policy. Mr. Courtney Rogers, with Davenport & Company, was in attendance and made a presentation. He reiterated that one of their jobs is to look for refinancing opportunities. The rates have been trending down the past four years, with a spike in the beginning of the pandemic, but have since been at an all-time low.

Councilmember Helgeson had a question about the cost of issuance. Normally, there are about three or four line items i.e. bond council, underwriting. He noted that there are more line items with this cost of issuance, and specifically wanted to know what the 'Miscellaneous' line item covered and if in fact it is necessary. Mr. Rogers stated that this was a cushion if there are charges such as auditor fees that Davenport & Co. is not aware of until the day of the sale. He further explained that this is out of an abundance of caution. Ms. Witt clarified that this figure is just an estimate and doesn't necessarily mean it will be appropriated. Councilmember Helgeson made a motion, seconded by Vice Mayor Wright, to approve the Resolution, #R-20-072, to authorize the issuance of not to exceed \$19,500,000 principal

amount of General Obligation Public Improvement Refunding Bonds, Series 2020B. The motion passed by the following recorded vote:

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

Noes: 0

A second resolution, #R-20-073, amending the FY 2021 General, Water, and Sewer Funds' Adopted Budgets and appropriate \$122,520, \$38,180, and \$39,300 respectively with resources from the refunding bond proceeds for a total of \$200,000 for estimated issuance costs needed to be passed. Councilmember Helgeson wanted to make sure that these appropriations were an estimated amount. Ms. Witt stated that these are in fact estimates. Councilmember Helgeson made the motion to approve the resolution, seconded by Nelson. The motion passed by the following recorded vote:

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

Noes: 0

// In the matter of Community Corrections and Pretrial Services, Agenda Item #15, Dr. Wodicka made a presentation on behalf of Cynthia Plummer, the representative of the agency who could not be in attendance. The Virginia Department of Criminal Justice Services made federal Coronavirus Emergency Supplemental Funding Grant funds available to assist applicants in preventing, preparing for, and responding to the coronavirus. The grant is in the amount of \$31,405 to purchase supplies and equipment to assist the agency in providing local probation and pretrial services to defendants and probationers while responding to the recommended protocols to prevent the spread of, prepare for, and respond to the coronavirus. Dr. Wodicka stated there is no in-kind match associated with this grant.

This item went to the September 22, 2020 Finance Committee meeting. Councilmember Helgeson stated that the committee recommended approval of this grant, and as the chair of the committee, he put that forth as the motion. The motion to approve Resolution #R-20-074 to amend the FY 2021 City/Federal/State Aid Fund budget and appropriate \$31,405, with resources of \$31,405 passed by the following recorded vote:

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

Noes: 0

// In the matter of the Fire Department, Agenda Item #16, Fire Chief Wormser presented a grant through the Department of Homeland Security to receive fitness equipment at every fire station. He credited Health and Safety Captain Jennifer Collins with the acquisition of this grant. The Department of Homeland Security/FEMA awards grant funding to provide critically needed resources that equip and train emergency personnel to recognized standards, enhance operational efficiencies, foster interoperability, and support community resilience. The Fire Department has been awarded \$88,942 in AFG grant funds to purchase equipment that is vital to firefighter wellness and fitness to assist in the improvement of cardio-respiratory output, strength, flexibility, and nutrition. The department recognizes the need for a physical fitness program that follows the National Fire Protection Association (NFPA) 1583 Standard on Health-Related Fitness Programs for Fire Department Members. The funds will be used to contract with a qualified health and fitness coordinator, periodic fitness assessments for all members (including initial employment assessments and strengthening for new hires), exercise training, education and counseling, and the collection and maintenance of program data. This grant will also replace fitness equipment that has met its useful life and provide other new equipment to address specific needs. This is a 90/10 matching grant with DHS providing \$88,942 and the local match of \$8,894. The match will be funded from the FY 2021 General Fund Fire Department budget.

This item went to the September 22, 2020 Finance Committee. Councilmember Helgeson stated that with the passing of the 19th anniversary of 9/11 recently, he was reminded of how physically taxing the job can be. Having this equipment will help the department train. The committee recommended approving the resolution #R-20-075. The motion passed by the following recorded vote:

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

Noes: 0

// In the matter of the Police Department, Agenda Item #17, Police Chief Ryan Zuidema stated that the City of Lynchburg is applying for \$32,130 in Edward Byrne Memorial Justice Assistance Grant (JAG)

funding. The Lynchburg Police Department will use this funding to purchase 70 protective suits and 70 sets of protective gloves (\$25,540). This equipment is essential for safety of both officers and citizens during events of civil unrest. He explained that the department currently has 85 sets of protective gear. Purchasing these additional suits and gloves will help move the department closer to the goal of equipping all 176 sworn staff. The Lynchburg Sheriff's Office will use funds to purchase two laptops to assist with training (\$3,435). The Office of the Commonwealth's Attorney will use funds to purchase two laptops (\$3,155). The total equipment cost is \$32,130, which is fully reimbursable by the grant. No local matching funds are required. The grant application requires the approval of the governing body prior to submission of the grant request.

This item went to the September 22, 2020 Finance Committee. Councilmember Helgeson stated that the committee recommended approval of the resolution #R-20-076. The motion passed by the following recorded vote:

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

Noes: 0

// In the matter of the Police Department, Agenda Item #18, Police Chief Zuidema gave a brief presentation of the request. The Department of Motor Vehicles Highway Safety Program has awarded the City a \$38,590 grant. The funds will be used for selective DUI activities, alcohol testing equipment and attendance to related training. The grant excludes reimbursement of FICA (Medicare and Social Security) benefit costs associated with the allotted overtime; however, funding of \$2,678 is available for transfer from the FY 2021 Police Department budget to cover this expense. An in-kind match of \$16,617 in police equipment and services is part of the grant agreement. The police department budgets for this every year.

This item went to the Finance Committee on September 22, 2020. As chair of that committee, Councilmember Helgeson made the motion to approve the resolution to amend the FY 2021 City/Federal/State Aid Fund budget and appropriate \$57,885 with resources of \$38,590 from the Department of Motor Vehicles Highway Safety Grant, an in-kind service and equipment match of \$16,617,

and \$2,678 transferred from the FY 2021 General Fund Police Department budget to provide selective enforcement activities and attend related training. Councilmember Nelson stated that there has been plenty of conversation within the community to either fund or defund the police, but that it's critical to have well trained officers on the equipment that they will be using. If it's not done right, it will be unfortunate for all parties involved. Council, by the following recorded vote, approved Resolution #R-20-077:

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

Noes: 0

// In the matter of the Police Department, Agenda Item #19, Police Chief Zuidema again made a presentation to Council. The Department of Motor Vehicles Highway Safety Program has awarded the City a \$16,625 grant. The funds will be used for speed enforcement activities. The grant excludes reimbursement of FICA (Medicare and Social Security) benefit costs associated with the allotted overtime; however, funding of \$1,272 is available for transfer from the FY 2021 Police Department budget to cover this expense. An in-kind match of \$7,041 in police equipment and services is part of the grant agreement.

This item went to the September 22, 2020 Finance Committee. As chair of the committee, Councilmember Helgeson stated that the committee recommended approval of this grant. Councilmember Helgeson made the motion to adopt a Resolution #R-20-078, to amend the FY 2021 City/Federal/State Aid Fund budget and appropriate \$24,938 with resources of \$16,625 from the Department of Motor Vehicles Highway Safety Grant, an in-kind service and equipment match of \$7,041, and \$1,272 transferred from the FY 2021 General Fund Police Department budget to provide funds for speed enforcement activities.

Councilmember Faraldi wanted to thank both the Fire Chief and the Police Chief for being creative and getting these resources to our City and our community.

Council, by the following recorded vote, approved the motion:

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

Noes: 0

// In the matter of City Code, Agenda Item #20, Dr. Wodicka presented to Council an opportunity to re-adopt the Continuity of Governance Ordinance, to continue emergency procedures for the conduct of public business to ensure the continuity of City government and critical local services during the state of emergency and disaster caused by the COVID-19 pandemic. City Council first passed this ordinance on March 24, 2020 which allows not only the governing body, but its Council appointed boards, commissions, and authorities to hold electronic meetings. The initial term of this ordinance was for six months and is set to expire on September 24, 2020. If Council desires to continue to provide the authority to hold electronic meetings, re-adoption of this ordinance is necessary. The continuance ordinance, as presented, would remain in effect until City Council repeals the ordinance, or the local Declaration of Local Emergency is ended, whichever occurs first.

Councilmember Faraldi made the motion to keep a sunset clause on this ordinance to obtain a four month period, which would allow Council to reevaluate the ordinance at the beginning of next calendar year. Councilmember Nelson seconded the motion, stating that in terms of transparency and accountability, Council should not give itself long term reign to do conduct business in a virtual format. Councilmember Helgeson stated that he is not in favor of the four month period because he would like to see the City be a leader in returning back to normal.

Vice Mayor Wright said that he supports the four months stating that ultimately it is City Council's time, however, he would like to push back on the narrative that the pandemic should not be taken lightly. Councilmember Helgeson refuted that the widespread nature of the pandemic is nonexistent, and that more people's lives are destroyed by domestic violence, poverty, and by not getting an education. He further cautioned that when the governing body declares a State of Emergency, the responsibility of the legislative body is acquiesced and is given to the executive branch and that is not a good precedent. He further stated that he is not minimizing the severity of the virus; he is merely looking at the magnitude.

Councilmember Tweedy cautioned that it's the proactive actions and behaviors of the governing body that help keep people safe and the people that the virus does affect are by no means expendable.

Council, by the following recorded vote, approved the motion and adopted Ordinance #O-20-022:

Ayes: Dolan, Wright, Nelson, Tweedy, Wilder, Faraldi 6

Noes: Helgeson 1

// On motion of Councilmember Nelson, seconded by Councilmember Faraldi, Council, by the following recorded vote, elected to hold a closed meeting to discuss the appointments to the following Boards and Commissions: LRHA, Social Service Authority, Boards of Building Code Appeals, & GLTC, pursuant to Section 2.2-3711(A.)(1) of the Code of Virginia, 1950, as amended.

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

Noes: 0

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

// Councilmember 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 Councilmember Tweedy, and Council, by the following recorded vote, adopted the motion:

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

Noes:

0

// On motion of Councilmember Helgeson, seconded by Councilmember Nelson, Council by the following recorded vote appointed the following members to the respected boards and commissions:

Redevelopment & Housing Authority: Mr. Norwood Morrison and Ms. Laretta Spencer – terms ending September 30, 2024

Social Service Authority Board: Ms. Crystal Horsley – term ending September 30, 2024

Transit Company Board of Directors: Mr. Antonio M. Davis and Mr. Brian Landergan – terms ending October 30, 2023

Board of Building Code Appeal: no appointments were made at this time.

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

7

Noes:

0

// The meeting was adjourned at 9:01 p.m.

Interim Clerk of Council