// A regular meeting of the Council of the City of Lynchburg was held on the 8th day of April, 2014, at 2:00 P.M. in the Council Chamber, City Hall, Michael Gillette, President, presiding. The following Members were present:

Present: Cary, Helgeson, Johnson, Nelson, Perrow, Gillette 6

Absent: Foster 1

//Council Member Foster arrived at the meeting at 2:08 p.m.

// Dr. Scott Brabrand, School Superintendent gave an update on the Lynchburg City Schools 2014-2015 Budget. Dr. Brabrand highlighted what was new in Lynchburg Public Schools:

- Maintaining Financial Success
  - Third straight year of clean audit
  - No major findings
  - Financial accountability and operations have strengthened
- What's New This Year?
  - Requested city increase to school budget is only 1.89%
  - Total request of $723,000 is devoted solely to salary increase for employees
  - No state funds for salary increases in 2014-2015 Budget.

Dr. Brabrand continued with last year's Mission-driven Budget which is "Serving Every Child, By Name and By Need, to Graduation". He also discussed the following success stories:

- Alternative Education
- Elementary Security and Truancy Attendant
- Gifted Services
- Special Education and ELL Services
- Naviance Program
- Career Guidance Counselor
- Instructional Tools

In conclusion, Dr. Brabrand went on to say we are continuing to make progress in our Comprehensive Plan, we have initiatives in place for next year that support our plan and we are continuing on the path from Good to Great.

// Ben Copeland, Assistant Superintendent of Operations and Administration discussed the Lynchburg City Schools Capital Improvement Program needs. Mr. Copeland highlighted the items that the Schools are facing:

- 2015-2019 Bus Fleet Modernization
- 2015-2019 Paving, Fencing and Playground
- 2015-2019 Roof Funding
- 2015-2019 Athletics
- 2015-2019 Repair and Improvement

Mr. Copeland discussed the 2016-2019 Deferred Requests for:

- Sandusky Elementary School – Renovation
- Linkhorne Elementary School – Renovation
- Paul Munro Elementary School – Renovation
- 5 Elementary Schools – Gymnasium
- Numerous Roof Replacements

// Council Member Helgeson left the meeting at 4:45 p.m.

// City Manager Kimball Payne continued the General Fund discussion of the FY 2015 Budget ("The List"). After Council discussion there were still several items that would be discussed at the April 22 Council meeting which are: Lynch's Landing Executive Director salary support and Real Estate Tax.

Council Member Cary questioned the Lynch's Landing Board about the guidance of Lynch's Landing. On a motion made by Council Member Foster seconded by Council Member Nelson to discuss Lynch's Landing at a future work session:

Ayes: Cary, Foster, Johnson, Nelson, Perrow, Gillette	6
Noes:	0
Absent: Helgeson	1

// City Manager Kimball Payne gave an overview of the Capital Improvement Plan (CIP). Mr. Payne stated the principal benefit of the CIP is that it requires the City to plan its capital needs in concert with available financing over a five-year period. This process contributes to a responsible fiscal policy. Other benefits of the CIP include:

- Fostering a sound and stable financial program over a five-year period given a set of revenue and expenditure assumptions based on current economic trends;
- Coordinating various City improvements so that informed decisions can be made and joint programs initiated among City departments in an effort to avoid duplication;
- Enabling private businesses and citizens to have some assurance as to when certain public improvements will be undertaken so they can plan more efficiently and effectively;
- Focusing on the goals and needs of the community through the provision of new facilities and infrastructure improvements;
- Evaluating annually the infrastructure needs of the City to provide for the public health and safety of the citizens of the City; and,
- Provide a logical process for assigning priorities to the various projects based on their overall importance to the City.

During Council discussion of the CIP several items were asked to be discussed at future meetings: Riverside Park, Airport T-Hangars, Water Resources and Stormwater Projects.

In conclusion, the CIP is a document dedicated to a process designed to identify both the capital improvement needs and priorities of the City over a five-year period in concert with projected funding levels and City Council's Vision and Principles. Mr. Payne went on to say that actual programming of projects is dependent upon the financial resources available.

// During roll call Council Member Cary reported that several street signs have been missing. He passed the information to the City Manager and expressed his appreciation for how quickly the missing signs were replaced.

// Council Member Foster thanked the person(s) responsible for coming up with the "Lynchburg Happy" video. Deputy City Manager Bonnie Svrcek stated that Jason Campbell came up with the idea after learning we were the 37th happy and healthy city. A premiere of the video will be shown at the April 22 Council meeting.

// Vice Mayor Johnson mentioned potholes in need of repair at Depot Grill. He thanked the Point of Honor for hosting the Easter Roll on Saturday, April 5, 2014 which was well attended by people in the region. He also mentioned the Symposium (Slavery in Central Virginia) that was held at Randolph College with Poplar Forest Museum and the Legacy Museum, which was well attended.

// City Council recessed the meeting at 5:30 p.m.

// City Council reconvened the meeting at 7:30 p.m.

The following Members were present:

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

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

// Copies of the minutes of the March 11, 2014 meeting, having been previously furnished Council, reading was dispensed with, and on motion of Council Member Foster, seconded by Council Member Cary, Council by the following recorded vote approved the minutes as presented:

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

// Copies of the minutes of the March 18, 2014 meeting, having been previously furnished Council, reading was dispensed with, and on motion of Council Member Foster, seconded by Council Member Cary, Council by the following recorded vote approved the minutes as presented:

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

// Copies of the minutes of the March 25, 2014 meeting, having been previously furnished Council, reading was dispensed with, and on motion of Council Member Foster, seconded by Council Member Cary, Council by the following recorded vote approved the minutes as amended:

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

// Copies of the minutes of the April 1, 2014 meeting, having been previously furnished Council, reading was dispensed with, and on motion of Council Member Foster, seconded by Council Member Cary, Council by the following recorded vote approved the minutes as presented:

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

// In the matter of Community Development - Zoning Amendments, a public hearing was held regarding City Council Report #9 outlining the petition of Rosedale Farm LLC and Bella Rose Plantation LLC to rezone approximately forty-three and two tenths (43.2) acres at 1220 and 1600 Graves Mill Road from R-1, Low Density, Single-Family Residential District, and B-5C, General Business District (Conditional) to B-3C, Community Business District (Conditional), and for a Conditional Use Permit (CUP) to allow the construction of a Cluster Commercial Development (CCD) and to allow for the existing historic property and buildings at 1220 Graves Mill Road to be used as art studios, shops, and an outdoor reception venue. City Council will consider approving the reception venue as a compatible use with B-3, Community Business District. The CCD includes 165,000 square feet of commercial space, 35 residential mixed use apartments, and a system of trails, parks and open space. Planner Anne Nygaard presented a summary of the petition and stated the Planning Commission recommended denial of the rezoning request; denial for the Conditional Use Permit and recommended approval of the petition to deem outdoor receptions compatible with B-3 uses. Bryant Hare with Hopkins Brothers Legacy Planning and Development and Vickie Runk representing the Bella Rose Plantation both gave a summary of the request and asked Council to approve the rezoning, CUP and the venue for outdoor receptions. One individual spoke in support of the petition and one individual spoke in opposition of the petition. 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 Cary, Council by the following recorded vote adopted Ordinance #0-14-023, as presented, granting the petition of Rosedale Farm LLC and Bella Rose Plantation LLC to rezone approximately forty-three and two tenths (43.2) acres at 1220 and 1600 Graves Mill Road from R-1, Low Density, Single-Family Residential District, and B-5C, General Business District (Conditional) to B-3C, Community Business District (Conditional):

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

On motion of Council Member Helgeson, seconded by Council Member Perrow, Council by the following recorded vote adopted Resolution #R-14-024, as amended, granting the Conditional Use Permit:

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

On motion of Council Member Helgeson, seconded by Council Member Perrow, Council by the following recorded vote adopted Resolution #R-14-025, as presented, granting the use of 1220 Graves Mill Road as a venue for outdoor receptions and events:

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

// In the matter of Community Development - Zoning Amendments, a public hearing was held regarding City Council Report # 10 outlining the petition of Belleau Wood Development, LLC to rezone approximately three and seven hundred forty-one thousandths (3.741) acres at 7814, 7816, 7822, 7900, 7904 and 7908 Timberlake Road from R-1, Low Density, Single-Family Residential District and B-3, Community Business District to B-3C, Community Business District (Conditional) to allow the construction of a fuel/convenience center, bank, restaurant, and retail sales.

City Planner Tom Martin gave a summary of the request and stated the Planning Commission recommended approval of the rezoning petition. Scott Beasley with Hurt and Proffitt, Inc., representing the petitioner asked Council for approval of the rezoning. One individual spoke in favor of the rezoning. 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 Ordinance #0-14-026, as presented, granting the petition to rezone approximately three and seven hundred forty-one thousandths (3.741) acres at 7814, 7816, 7822, 7900, 7904 and 7908 Timberlake Road from R-1, Low Density, Single-Family Residential District and B-3, Community Business District to B-3C, Community Business District (Conditional) to allow the construction of a fuel/convenience center, bank, restaurant, and retail sales:

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 #11 on the petition of the Lynchburg Hotel Group, LLC to vacate a portion of right of way between 4021 and 4025 Wards Road. This portion of right of way currently serves as a "hammerhead" truck turnaround near the terminus of Delta Street. The area is approximately fifty-five thousandths (.055) of an acre and fifty-eight (58) feet in width at the frontage along Delta Street. Kevin Henry, Planner II, gave a summary of the request. 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-14-027, as presented:

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 #12 on the petition of Rivermont Evangelical Presbyterian Church and Mr. and Mrs. Allen Miller to vacate an alley between 107, 119 and 121 Quinlan Street and 2424 Memphis Avenue. The alley is approximately two hundred two (202) feet in length and sixteen (16) feet wide. Kevin Henry, Planner II, gave a summary of the request. 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-14-028, as presented:

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

// In the matter of Public Works – General, a public hearing was held regarding City Council Report #13 on the License Agreement for installation of Fiber Optic Cable from 2600 Rivermont Avenue to 2717 Rivermont Avenue. City Engineer Lee Newland provided a summary of the request. A representative with

Randolph College asked Council to approve the request. 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-14-029, as presented:

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

// In the matter of City Code/Water and Sewer, a public hearing was held regarding City Council Report #14 on the adoption of an Ordinance to amend the City Code relating to Water and Sewer Rates. Water Resources Director Tim Mitchell gave an overview of the changes in the City Code related to water and sewer rates effective July 1, 2014. There was no one else present who wished to speak to this item, and the public hearing was closed. Several Council Members were not in favor of raising the septic hauler fee at this time. On motion of Council Member Perrow, seconded by Council Member Cary, Council by the following recorded vote adopted Ordinance #O-14-023, as amended, amending the City Code relating to Water and Sewer Rates:

Ayes: Foster, Johnson, Nelson, Perrow, Gillette 5
Noes: Cary, Helgeson 2

// In the matter of Budget, a public hearing was held regarding City Council Report #15 regarding amending the FY 2014 Third Quarter Adopted Budget and appropriating funds to implement revenue, expenditure, and transfer adjustments. Financial Services Director Donna Witt gave a summary of the FY 2014 Third Quarter Budget Adjustments. There was no one else present who wished to speak to this item, and the public hearing was closed. On motion of Council Member Cary, seconded by Council Member Nelson, Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-14-031, as presented, amending the FY 2014 Third Quarter Adopted Budget and appropriating funds to implement revenue, expenditure, and transfer adjustments:

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

// In the matter of City Council, Consuela Mosley spoke before Council regarding a concern on Parental Alienation Awareness Day.

// In the matter of City Council, Christopher Oliver Williams spoke before Council regarding a concern with Barber Shop violations.

// In the matter of Community Development /CDBG, City Council Report #18 was considered.
On motion of Council Member Helgeson, seconded by Vice Mayor Johnson, Council by the following recorded vote adopted Resolution #R-14-032, as presented, to incorporate Community Development Block Grant (CBDG) and HOME Program funding allocations into the FY 2015 Operating Budget and Annual Action Plan:

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

// In the matter of Police – Emergency Services, City Council Report #19 was considered. Council Member Cary, Chair of the Finance Committee (FC), stated that this item came before the FC which recommended approval. This motion does not require a second and Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-14-033, as presented, 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:

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

// In the matter of Public Works – General, City Council Report #20 was considered. 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 Resolution #R-14-034, as presented, to create an urban highway project for Odd Fellows Road:

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

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 Resolution #R-14-035, as presented, to include Greenview Drive Phase 2 (widening Greenview Drive from 2 lanes to 4 lanes) in the Virginia Department of Transportation (VDOT) Public/Private Partnership project:

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

// In the matter of Public Works – General, City Council Report #21 was considered. 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 Resolution #R-14-036, as presented, to change the status of the Main Street Bridge Project from a maintenance project to a construction project:

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

// In the matter of Taxicabs, City Council Report #22 was considered. Council Member Foster made the statement that she would not participate in the discussion or voting in this matter because she is leasing a building from one of the applicants that is requesting a taxicab certificate. On motion of Vice Mayor Johnson, seconded by Council Member Perrow, Council by the following recorded vote adopted Resolution #R-14-037, as presented, approving the Issuance of Certificates of Public Convenience and

Necessity for nineteen (19) new taxicabs to operate in the City of Lynchburg:

Ayes: Cary, Helgeson, Johnson, Nelson, Perrow, Gillette 6

Noes: 0

Abstention: Foster 1

// In the matter of City Council, City Council Report #23 was considered. On motion of Council Member Cary, seconded by Council Member Nelson, Council by the following recorded vote adopted Resolution #R-14-038, as presented, urging the Virginia General Assembly and the Governor to adopt a FY 2015 Budget for the Commonwealth:

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

Noes: 0

// The meeting was adjourned at 10:50 P.M.

Clerk of Council