

// An additional scheduled meeting of the Council of the City of Lynchburg was held on the 30th day of March, 2010, at 4:00 P.M. in the Council Chamber, City Hall, Joan F. Foster, President, presiding. The purpose of the meeting was to conduct a work session regarding the FY2011 Budget. The following Members were present:

Present: Dodson, Gillette, Helgeson, Nelson, Perrow, Foster

6

Absent: Johnson

1

// Mayor Foster stated that Council Member Johnson was still in Mississippi due to family emergency.

// Mayor Foster read the following statement: "As you know, last week I received a letter from Liberty University Chancellor Jerry Falwell, Jr. asking that City Council consider a revision to the Zoning Ordinance that would remove the conditional use permit requirement for schools and colleges from the General Business (B-5) District. Chancellor Falwell also asked that this be accomplished prior to the May 4th election. While an examination of the issue is appropriate, and of course it is already underway with the discussion of creating an Institutional Overlay District, I believe that this is not something that should be rushed into. It is an important matter. I have consulted with staff and have been advised that trying to accomplish such a significant change in the Zoning Ordinance with such a short period of time would be extremely challenging, inconsistent with the requirements of the Zoning Ordinance regarding such amendments, and potentially could really open us to legal challenges. Therefore, we have a couple of options:

1. We could place this matter on Council's next regular work session, on April 13th, for discussion, or
2. We could send the matter directly to the Planning Commission for them to make a recommendation to us. That today would require a resolution from us, from Council today.

If we do either though, I would ask that the following be examined and considered:

1. The history of the zoning of the land on which Liberty campus has been built, including the conditional use permits that have been approved by Council.
2. Possible alternatives to the overlay district, including an amendment to the B-5 section of the Zoning Ordinance as requested by Liberty, the creation of a special zone for colleges and universities, and other possibilities.
3. Information on other institutions affected by the conditional use permit requirement and how their development might be facilitated by similar changes to the Zoning Ordinance.
4. The various issues then to be considered when exploring ways to facilitate institutional development.

Most Council members, and I have talked to each one of you individually, have expressed a willingness to explore ways to encourage and facilitate institutional development within our community. So have representatives from the various other institutions. And, there has been considerable public interest in this matter as well. I believe that either of the options I am offering today would be a proper consideration of this matter. What would you all's desire be in this matter"?

A motion was made by Council Member Perrow and seconded by Vice Mayor Dodson to select option #2 which is to send this matter directly to the Planning Commission.

After discussion from Council, Mayor Foster called for a vote; Council by the following recorded vote sent the item to the Planning Commission:

Ayes: Dodson, Gillette, Helgeson, Nelson, Perrow, Foster	6
No:	0
Absent: Johnson	1

// Council Member Nelson read the following Disclosure of Personal Interest statement with regard to the school division. Pursuant to Section 2.2-311 (A)(2) and (4) and 2.2-311 (5)(G) of the Code of Virginia, I, John Randolph Nelson, do have and acknowledged the following disclosure with regard to the fact that I may be participating in the discussions concerning the school division. My wife is an employee of the school division, its possible that my wife could be affected by the budget if it were approved by council, even though the impact of the approval of the budget may have on my wife is speculative and uncertain, I do feel, and have concluded, that I am nevertheless able to participate in these discussions and the adoption of the budget fairly objectively and in the public interest and therefore intend to participate in the discussions and vote upon the adoption of the school budget including allocation of funds for the City Public Schools and I have filed this statement with the City Attorney with regard to that.

// School Board Chair Mary Ann Barker along with School Superintendent Paul McKendrick and Chief Financial Officer Beverly Padgett provided an overview regarding the Lynchburg City Schools FY 2010-2011 Operating Budget. Ms. Barker's power point presentation included the top priorities which were discussed during the Schools retreat, which are (1) continuation in trying to close the achievement gaps, (2) improving and conquering the graduation rate, (3) reorganizing alternative education, (4) develop a viable and responsible Capital Improvement Plan (CIP), (5) improve staff recruitment, retention and development (6) enhancing marketing and communications and trying to stay in touch with area business leaders, parents and community members to educate them about the challenges, about what Schools have to offer and the Schools many successes were among the items discussed. Ms. Barker stated that the budget process was very comprehensive and entailed a very lengthy process. Ms. Barker went on to say that the Schools are facing an \$8.8 million dollar shortfall from the State and appreciate the City's proposal of level funding.

// Ms. Padgett reviewed the following:

- Operating Fund Revenue
- Operating Fund Expenditures
- 2010-2011 Operating Budget Summary
- 2010-2011 Operating Budget Reductions
- Free/Reduced Lunch Data
- Per Pupil Expenditures
- Indicators of Success

// Dr. McKendrick explained items that the Schools decided to reduce that would not affect student achievements, including for the third year no salary increases for the staff, cut 65 positions, the second year in a row not purchasing new books, closing one school building, eliminate high school summer school for credit, and turning over some of the costs of insurance to the staff.

// City Manager Kimball Payne reviewed the Compensation Board FY2011 Revenue Projections. Mr. Payne explained the impact on constitutional offices from the State and explained where the Constitutional offices stood after the adoption of the budget by the General Assembly. Mr. Payne went on to say in every case more money came from the State than anticipated.

// Commissioner of the Revenue Mitch Nuckles stated that the Commissioner office was short two positions but only requested funding from Council for one customer service position.

// Treasurer David Thurman stated that he was requesting \$21,000 for his office and explained that the office has only 2 positions and if one of the positions were cut he would face a real problem. Mr. Payne stated that the Treasurer's office cannot function with less than 2 people.

// Commonwealth Attorney Michael Doucette stated that currently his office has an attorney position vacant and has another attorney planning on leaving at the end of June. Mr. Doucette went on to say that he has not advertised for either position because he is waiting to see what the budget situation is. Mr. Doucette explained that he is looking at a loss of services unless Council can save these positions. Mr. Doucette asked that two assistant commonwealth attorney positions be filled.

// Sheriff Ronald Gillespie stated that he was requesting Council to restore approximately \$78,000 in funding that was cut from his budget by the State.

// Circuit Court Clerk Ronald Irvine stated that there was no additional request above what the city manager's proposal was.

// Due to time constraints Social Services item was postponed until April 13 work session.

// The meeting was adjourned at 6:47 P.M.

Interim Clerk of Council