

NOTICE OF SPECIAL MEETING

A SPECIAL MEETING OF THE CHARLOTTESVILLE CITY COUNCIL WILL BE HELD ON Monday, July 1, 2013, AT 6:00 p.m. IN THE Second Floor Conference Room.

THE PROPOSED AGENDA IS AS FOLLOWS:

Closed session as provided by Section 2.2-3712 of the Virginia Code

BY ORDER OF THE MAYOR

BY Paige Barfield

SECOND FLOOR CONFERENCE ROOM – July 1, 2013

Council met in special session on this date with the following members present: Mr. Huja, Ms. Smith, Ms. Galvin, Ms. Szakos, Mr. Norris.

On motion by Ms. Smith, seconded by Ms. Szakos, Council voted, (Ayes: Mr. Huja, Ms. Galvin, Ms. Smith, Ms. Szakos, Mr. Norris; Noes: None), to meet in closed session for (1) Discussion and consideration of prospective candidates for appointment to City boards and commissions, as authorized by Va. Code sec. 2.2-3711 (A) (1); and, (2) Discussion and consideration of the costs of two acquisitions of real property for public park purposes located (a) in the City and Albemarle County to the southwest of Quarry Park, and (b) in the City and Albemarle County near Azalea Park and Eton Road and Old Lynchburg Road, where discussion in an open meeting would adversely affect the City's bargaining position, as authorized by Va. Code sec. 2.2-3711 (A) (3).

On motion by Ms. Smith, seconded by Ms. Szakos, Council certified by the following vote (Ayes: Mr. Huja, Ms. Galvin, Ms. Smith, Ms. Szakos, Mr. Norris; Noes: None), that to the best of each Council Member's knowledge, only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the motion convening the closed session were heard, discussed or considered in the closed session.

COUNCIL CHAMBERS – July 1, 2013

CALL TO ORDER

Council met in regular session on this date with the following members present: Ms. Smith, Ms. Galvin, Mr. Huja, Ms. Szakos, Mr. Norris.

AWARDS/RECOGNITIONS & ANNOUNCEMENTS

Ms. Galvin read a proclamation recognizing July as Parks and Recreation month. Mr. Daly was present to accept the proclamation on behalf of the City's Parks and Recreation Department and thanked Council and staff for their continued support.

Mr. Huja said he supported a Peace Resolution as part of the US Conference of Mayors.

Ms. Smith announced "The Great Carver Camp-In" on Saturday, July 20 at 8:00 p.m. Call 970-3053 or visit charlottesville.org/parksandrec for more information.

Ms. Szakos announced City offices will be closed July 4. CAT will be operating on a Sunday travel schedule, and the trash collection schedule will be adjusted by one day.

On motion by Mr. Norris, the following appointments were made to Boards and Commissions: to the CACVB, Yolanda Armstrong; to the Retirement Commission, Krisy Hammill. (Ayes: Ms. Szakos, Ms. Galvin, Mr. Norris, Ms. Smith, Mr. Huja; Noes: None.)

MATTERS BY THE PUBLIC

Ms. Lena Seville, 808 Altavista Ave., said she was speaking about changes to the transit system as a member of the Transit Riders Association of Charlottesville (TRAC). Public input is needed before changes come before Council. She asked where the rest of the driver hours are going once one a bus per hour is removed. Route 8 should be run more frequently.

Ms. Nancy Carpenter, 727 Denali Way, spoke in support of the new schedule recommendations for Route 11. Moving people to work, education, and retail opportunities should be a priority. She asked Council to review CAT policy regarding passenger conduct prohibiting consecutive loop riding because it carries unintended consequences and marginalizes the homeless population. There should be flexibility in this policy, especially during extreme weather conditions.

Ms. Latasha Jackson said she left for two months but is back and is homeless. She said she needs help getting her children back.

Ms. Colette Hall, 101 Robertson Ln., said item f should be removed from the consent agenda regarding landscape configuration for McIntire Road Extended. She said members of the North Downtown Neighborhood Association were not properly consulted on this matter.

Mr. Peter Kleeman, 407 Hedge St., said he has visited many overseas cities that are pedestrian and bicycle-friendly, transit-friendly communities. Items 3 and 4 on the agenda should be an opportunity to add funds to the sidewalk fund or get developers to participate in sidewalk building and create a partnership.

Mr. Adam Lees said there has been harassment by the towing and wrecking companies, especially on the Corner and in the downtown area, including blaring loud music at night. He said he supports the new CAT Route 11 but does not think Council should approve Route 7 without public consultation. There are no stretches along JPA where Route 7 lets off that are accessible for the elderly and disabled. The sidewalk waiver request should be rejected because to piecemeal build sidewalk systems is even more frustrating than no sidewalks at all and can be even more dangerous, especially for bike riders.

Ms. Yolanda Armstrong thanked Council for appointing her to the CACVB. We have a lot of opportunity for growth, and she said she is excited to grow existing festivals and look for new opportunities for the City.

Ms. Helen Cauthen, with the organization formerly known as the Thomas Jefferson Partnership, announced their official name change. They will now be called the Central Virginia Partnership for Economic Development.

Ms. Dawn Woodford said she could not get anyone to come speak to Council because her neighbors did not think there was a point. She said people need to come first when Council spends money.

Mr. Mark Kavit, 400 Altamont St., said he echoed Ms. Hall's remarks about inadequate notification regarding the landscaping lectures. He asked Council to look towards Birdwood from where the skate park used to be. The area of disturbance was supposed to be 3-5 feet from the sidewalks. The marker has since disappeared, and the construction is moving further into the Birdwood area than was originally intended.

COUNCIL RESPONSES TO MATTERS BY THE PUBLIC

Ms. Szakos said she was interested to hear Ms. Carpenter and Ms. Seville's ideas about the bus service and asked her to wait for the report. She encouraged Ms. Jackson to come talk to her. She asked for information about the committee that was supposed to meet regarding the landscaping. She said Mr. Kleeman was accurate in saying that we do not measure up to international cities from a pedestrian/bike-friendly standpoint, and we should not rest on our laurels. She thanked Mr. Lees for speaking about the tow truck issues and asked if we could speak to the towing board about blasting loud music from their trucks at night. Ms. Woodford is right that people need to come first, and she encouraged people to come speak to Council, or call or write. She asked where the line for the McIntire construction was and if there has been a change.

Ms. Galvin thanked Ms. Seville for her comments and said we need to be sure we are engaging the public. She said we will pull item f to talk about landscaping. She said we had a complete streets resolution in 2010, and we adopted the ITE Manual for designing urban thoroughfares. We have aspirational language but not the instrumental policy documents needed to implement a complete streets plan. She thanked Ms. Cauthen for her statement and said both economic development and workforce development are important.

Ms. Smith thanked speakers for addressing the CAT route changes. She said the changes at McIntire are disturbing, and she is looking forward to getting answers. She thanked Ms. Cauthen for the information.

Mr. Norris said we need to think about the kinds of jobs we need to grow, attract and retain in our community. Very few jobs in the target industries outlined by the TJP report will help our low income residents climb the economic ladder.

Mr. Huja asked staff to look into the possibility of working with money for rehabilitation and new construction for completing sidewalks where it makes sense to do so. The City has done a fair amount for the homeless, and we can do more. He seconded Mr. Norris and Ms. Galvin's comments about jobs. Charity should begin at home, not outside.

Ms. Smith reminded the public that Council will have a work session on the Comprehensive Plan on August 1.

CONSENT AGENDA* (Items removed from the consent agenda will be considered at the end of the regular agenda.)

Mr. Huja pulled item f and placed it at the end of the agenda.

Ms. Szakos asked about the West Main St. Density Zoning Ordinance. She confirmed that this ordinance requires that buildings have to have some business located within. Mr. Tolbert confirmed that this was a glitch we were addressing and did not change anything substantial. In response to a question from Ms. Smith, Mr. Tolbert clarified that nothing on the first floor can be residential if it is mixed use. This applies to street front only.

Ms. Szakos asked about the STAB Bond. She urged St. Anne's to hire local workers to do the construction work as much as possible and to talk to our Section 3 coordinator to find people who are trained. Mr. Jones said staff will develop a letter for the Mayor's signature.

In response to a question on item d from Ms. Smith, Mr. Tolbert said we have appropriated \$200,000 of the \$500,000 this year. We are appropriating pieces as we get the match money in order to implement the City's five-year sidewalk plan.

Ms. Smith asked about permit parking and asked for a map of where all the permit parking is located. She asked if the map is ever revisited as to whether it is still appropriate. Mr. Tolbert said he would provide the map to Council of the zoned and permit parking streets. There is a process to request reconsideration of parking zones if a citizen feels it is necessary.

On motion by Ms. Szakos, seconded by Ms. Galvin, the consent agenda was passed unanimously. (Ayes: Ms. Szakos, Ms. Galvin, Mr. Norris, Ms. Smith, Mr. Huja; Noes: None.)

a. Minutes for June 3, June 17

Mins Jun3

Mins Jun17

b. APPROPRIATION: Domestic Violence Services Coordinator Grant - \$44,336 (2nd reading)

Domestic Violence Services Coordinator Grant

- c. **APPROPRIATION: Virginia Commission of the Arts Challenge Grant - \$5,000 (2nd reading)**

Virginia Commission of the Arts Challenge Grant

- d. **APPROPRIATION: Sidewalk Construction Funds - Appropriate \$50,000 from State Revenue Sharing & Transfer \$50,000 within Capital Improvement Program (carried)**

Sidewalk Construction Funds

- e. **APPROPRIATION: Revenue Sharing Program for Bridge Rehabilitation - \$155,000 (carried)**

Revenue Sharing Program for Bridge Rehabilitation

- ~~f. **APPROPRIATION: Landscaping, Public Lecture Series and Final Intersection Configuration for McIntire**~~ *pulled for discussion*

- g. **APPROPRIATION: Tonsler Park Basketball Lighting Replacement Grant - \$100,000 (carried)**

Tonsler Park Basketball Lighting Replacement Grant

- h. **RESOLUTION: EPA Agreement**

EPA Agreement

- i. **RESOLUTION: Authorizing Issuance of a Revenue Bond on Behalf of St. Anne's Belfield School**

Authorizing Issuance of a Revenue Bond on Behalf of St. Anne's Belfield School

- j. **RESOLUTION: Permit Parking on 7th Street SW**

Permit Parking on 7th Street SW

- k. **ORDINANCE: Amendment to Retirement Ordinance (2nd of 2 readings)**

Amendment to Retirement Ordinance

**l. ORDINANCE:
Release of Easements across 301 West Main Street (2nd of 2 readings)**

Release of Easements across 301 West Main Street

m. ORDINANCE: West Main Street Density Zoning Ordinance (carried)

West Main Street Density Zoning Ordinance

REPORT* CAT Update: Routes 11 & 7

CAT Update: Routes 11 & 7

Mr. John Jones, CAT Transit Manager, presented to Council on recommendations from their recent transit study with Nelson Nygaard. He reviewed current issues with Route 7, including timely performance and buses stacking. The solution is to realign the route from University Ave. to Jefferson Park Ave., increase headway from 45 minutes to 50 minutes, and maintain current service hours. Another potential issues is that Route 7 will no longer service the Corner, but the trolley will still do so. A portion of University Avenue will not be serviced (three tenths of a mile). This will result in the benefits of better on-time performance and increased reliability. About 47% of the annual ridership is on this route.

The Route 11 proposed new service will provide direct services from downtown to the Fashion Square Mall, with 30 minute headways, and will institute service to CATEC. The Nelson/Nygaard proposal is 6:10 a.m. – 6:40 p.m. Monday through Friday; staff's recommendation is to extend the hours to 9:40 p.m., and running Saturday service 6:10 a.m. – 6:40 p.m., with no Sunday service. The extra cost would be paid for by the efficiencies we gain in the modified Route 7 plan. Also, Albemarle County has offered to partner with the City and pay 46% of the cost of this route. CAT passengers will have access to a larger service area, and travel time will decrease by 20 minutes for those traveling between the Downtown Mall and Fashion Square Mall. He reviewed a cost breakdown for the Route 11 changes.

Ms. Szakos asked if Mr. Jones was worried the reduction in the number of Route 7 buses from 4 to 3 will be an issue. Mr. Jones said this will be taken up by the new Route 11, which will be marketed as an easier straight shot between the Downtown Mall and Fashion Square. He outlined public marketing initiatives. Ms. Szakos asked about running buses per hour. Mr. Jones said staff will discuss this with the County after they have more statistical information.

Mr. Norris asked about Route 11 service to the new Senior Center. Mr. Jones said we believe it can be tweaked to accommodate patrons once the center opens. Mr. Norris asked how CAT Service can accommodate McIntire Park with the new amenities. Mr. Jones said most of these proposals focus around the present but lend themselves to expansion later. Staff is taking a conservative approach and holding off on further changes until these future developments actually take place.

Ms. Smith asked if CATEC has classes on Saturdays and whether the route should be adjusted if not. She said Albemarle County may be getting service disproportional to what they agreed to pay for. She asked if we can make a faster route if we are not making as many Albemarle County stops. This could be a way to encourage the County to put in their fair share.

Ms. Galvin asked why staff is seeking approval on these routes ahead of the public input process occurring this month. Mr. Jones said Route 11 was widely accepted as one of the options, and it is a small change that staff felt comfortable moving forward. There is more work to be done on the rest of the study.

Mr. Huja said he supported the revised routes as presented.

Mr. Norris said he is concerned about the loss of service on University Ave. and asked staff to keep a close look and make sure the residents are not negatively impacted along those routes.

Ms. Galvin thanked Mr. Jones and his staff for "ground-truthing" the Nelson/Nygaard studies and for the extra effort on the CATEC Route.

On motion by Ms. Smith, seconded by Ms. Szakos, the recommended routes were approved. (Ayes: Ms. Szakos, Ms. Galvin, Mr. Norris, Ms. Smith, Mr. Huja; Noes: None.)

RESOLUTION* Sidewalk Waiver Request: 812 Druid Ave.

Sidewalk Waiver Request: 812 Druid Ave.

Mr. Haluska presented to Council. The waiver request has been reviewed by staff, and the recommendation is based solely on engineering analysis. The right-of-way at this property extends beyond the edge of the pavement for some distance, so there would be flexibility on where the sidewalk is located if required. Staff recommends Council deny the request, but Council does have broad authority in this matter.

Ms. Smith asked if the new law about putting money into the sidewalk fund applies in this case. Mr. Haluska said it does not. Mr. Brown explained that the enabling legislation authorized us to amend our subdivision ordinance but is not applicable if property is not located in a subdivision. Mr. Norris and Ms. Galvin asked for staff to try to revise this legislation again next year.

Ms. Smith asked if this area is on our priority list. Mr. Haluska said he is not aware whether this is on our priority list and reviewed some additional considerations. She said she is frustrated by the rule but she thinks Council should be consistent and deny the waiver.

Ms. Szakos said she regrets the status of this is not known in context of the sidewalk plan. Mr. Tolbert gave a brief overview of smaller projects in the area.

Ms. Galvin said we are shooting in the dark just because we can, and we do not even know whether this will be well-done or not.

Mr. Norris said if you have a commitment in writing from the owners that they would be willing to contribute to the fund, he would accept the offer.

Ms. Smith moved to deny the request for a waiver. The motion died for lack of a second.

Mr. Norris moved to approve the waiver request. Mr. Huja seconded the motion. He said his second implies graceful acceptance of the offered donation. Ms. Smith said she will not vote for this because it contradicts what we have done in the past, and we should be consistent. (Ayes: Ms. Szakos, Ms. Galvin, Mr. Norris, Mr. Huja; Noes: Ms. Smith.)

RESOLUTION* Sidewalk Waiver Request: 1517 E. Market St.

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Mr. Haluska said this piece of property starts on a corner. He confirmed for Mr. Huja that the owners also offered a contribution to the sidewalk fund.

At Ms. Smith's request, Mr. Haluska reviewed the hindrances to a sidewalk, including a possible requirement to remove a dogwood tree. Ms. Smith said Market St. is not a minor street, and she thinks it is a shame not to have a safer way of walking along that street. However, she said a sidewalk here would do more harm than good done because of the obstacles.

Mr. Huja said Council could waive 18th Street but not Market Street.

Ms. Galvin said public response indicates that they object to the destruction of the character of this area. A small area plan will address this, and we should wait for the plan.

On motion by Ms. Smith, seconded by Ms. Szakos, the waiver was approved. Mr. Huja said he supports the waiver with the understanding that the gift is welcome. (Ayes: Ms. Szakos, Ms. Galvin, Mr. Norris, Ms. Smith, Mr. Huja; Noes: None.)

REPORT: Update on City Development

Mr. Tolbert presented to Council. He reviewed significant development projects currently underway. Ms. Smith asked for a readable copy of the pages with numbers. Mr. Tolbert will send this to Council.

Ms. Galvin said there is a lot going on, and she wanted to review the building projects and use them as a way to discuss whether the projects we are approving are really creating the kind of environment we are striving for in our Comprehensive Plan. She said we should evaluate these on a qualitative and quantitative level. She said we need this report on an annual basis. The building on Wertland looks fine from one angle, but it is a towering wave and dwarfing a historic neighborhood from Page Street. The codes are not giving us what we want.

Mr. Huja said it would be helpful to have continuity between reports, as Ms. Galvin recommended, so we can make fair comparisons. Ms. Galvin said it is also important to articulate where funding for things such as schools is coming from in regards to development projects.

Ms. Smith asked if any of these projects are fulfilling the goal of providing housing for families. Mr. Tolbert said the town homes will be targeting single families. Ms. Smith said we should keep track of the distribution of the type of housing we are providing.

APPROPRIATION: Landscaping, Public Lecture Series and Final Intersection Configuration for McIntire (carried)

Landscaping, Public Lecture Series and Final Intersection Configuration for McIntire Road

Ms. Janiczek and Mr. Tolbert presented to Council. Ms. Janiczek gave an overview of the funding being requested. Mr. Tolbert said this is part of the contract that was approved.

Ms. Szakos asked if the neighbors were a part of this planning. Mr. Tolbert said they were part of the MOA, but there was not a further commitment for their participation. Mr. Tolbert said we will notify specific groups in the future; this was advertised generally.

Ms. Smith asked for an explanation of the sidewalk line near Birdwood. Ms. Janiczek said no trees have been removed regarding the Interchange Project. However, Dominion Power did remove some trees for utility reasons, and they have attempted to mitigate those tree removals. Mr. Tolbert said there is a substantial landscaping plan that will occur during the course of this project.

Ms. Galvin asked for a complete picture of all landscaping plans. Mr. Tolbert said we have a rendering that shows the landscaping for the interchange project, and we will supplement this plan with more as the plan progresses.

On motion by Ms. Szakos, seconded by Ms. Smith, the ordinance carried for a second reading.

OTHER BUSINESS

Mr. Norris said we received a letter from the Rutherford Institute regarding the April incident involving ABC agents. He asked Mr. Brown for an explanation of our options.

Mr. Jones described the incident in April and said staff has been responding to concerns and explaining that the City Police Department was not involved with this operation. He said staff needs time to formulate a thorough and thoughtful response.

Ms. Szakos said on its face, this incident does seem to be problematic, and if this does turn out to be the full story, she supports Council issuing statement.

Mr. Norris said there needs to be coordination between the City police and ABC sting operations. He said he wants to know what our options are.

OTHER BUSINESS

Ms. Galvin said the West Main plaza area is becoming a highly compromised pedestrian environment, and she asked staff to look into better coordinating connectivity in the face of construction that is obstructing the walkways.

MATTERS BY THE PUBLIC

Ms. Holly Edwards, 917 6th Street SE, said the recent Democratic primary shows that having the approval of a current Councilor can be both a blessing and a detraction. She said perhaps the lesson learned is that City Councilors should not endorse candidates, and the African American community should endorse their own. The African American community should see this as a call to action. Please study disproportionate minority contact of youth, specifically African American children placed in foster care, to determine evidenced-based solutions.

Mr. Mark Kavit, 400 Altamont St., said the landscaping plan provided to him by staff member Angela Tucker shows everything done by the sidewalk, but if it is not in the plan it does not really exist. A property landscape plan should indicate exactly where everything is going and should not be left to the imagination. He asked for clarification from staff on some mapping elements. Council recommended Mr. Kavit meet privately with staff.

Ms. Carpenter said she is grateful there will be a dialogue about the recent incident at Barracks Road. Sensitivity training is needed for the ABC agents.

COUNCIL RESPONSE

Ms. Galvin said she can unequivocally say she did not endorse any candidate and would not endorse any candidate because she does not believe in doing so. She did express regret that an African American candidate was not nominated.

Ms. Szakos said she did not endorse Mr. Bellamy publicly, but she did vote for him and did support him. She said we need to talk about turnout and voter participation.

Meeting adjourned.