

**NOTICE OF SPECIAL MEETING**

A SPECIAL MEETING OF THE CHARLOTTESVILLE CITY COUNCIL WILL BE HELD ON Monday, October 21, 2013, AT 4:00 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 Rice

**SECOND FLOOR CONFERENCE ROOM – October 21, 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. Szakos, seconded by Ms. Smith, Council voted, (Ayes: Mr. Huja, Ms. Galvin, Ms. Smith, Ms. Szakos; Noes: None; Absent at time of vote: Mr. Norris), to meet in closed session for discussion, consideration and interviews of prospective candidates for appointment to City boards and commissions, as authorized by Va. Code sec. 2.2-3711 (A) (1).

On motion by Ms. Szakos, seconded by Ms. Smith, 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 - October 21, 2013**

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

**AWARDS/RECOGNITIONS**

Ms. Galvin read a proclamation in recognition of Pastoral Care Week. Ms. Mildred Best and Mr. Jim Darin were present to accept the proclamation and thanked Council for their support.

Mr. Huja read a proclamation in honor of Mr. Mark Beliles for his service on the Historic Resources Committee. Mr. Beliles thanked Council for their recognition and his wife for her support.

Mr. Huja recognized the Boy Scouts troop present at the meeting.

Ms. Galvin announced Charlottesville was ranked one of the top 100 places to live by Liveability.com.

Ms. Szakos announced a family-friendly Pumpkin Carving Contest on Friday, October 25 at 5:45 p.m. at the Carver Recreation Center. The Downtown Safe Halloween Festival will take place on Saturday, October 26 from 2:00 PM - 5:00 PM at the nTelos Wireless Pavilion. Also, Doggie "Howl"-o-ween will take place Wednesday, October 30.

Ms. Smith announced the Big Brothers / Big Sisters organization is seeking adults who are interested in serving as a mentor for children in our community. They currently have 150 children waiting for a Big Brother or Big Sister and welcome volunteers able to commit one to three hours per week. Contact the group at 244-0882 for more information. Also, the next Our Town Charlottesville will take place this Thursday, October 24 at 6:00 p.m. at Burley Middle School for the Rose Hill and Kellytown Neighborhoods.

Ms. Smith read a proclamation in recognition of First Baptist Church's 150th Anniversary.

Mr. Norris said the City is seeking an evergreen tree donation for the Grand Illumination, which will take place Friday, November 29 on the Downtown Mall. Please contact Tim Hughes at 970-3587 if you are interested in donating a tree.

Mr. Norris announced that November 5 is Election Day. Please call Voter Registration at 970-3250 if you have any questions about your voting location or voter requirements.

Mr. Huja moved the City Market agenda item to follow Hillsdale Drive.

## **MATTERS BY THE PUBLIC**

Ms. Mary Gilliam, 218 West South St., said she and her neighbor, who have lived on South Street for over 20 years, are both against the sale of the South Street lot to a private developer. She said the City should maintain a low scale on that side of the street.

Mr. Jim Rounsevell, 1113 Monticello Rd., said he was a member of the Belmont Bridge design team. The public does not want another highway overpass bridge.

Ms. Lena Seville, 808 Altavista Ave., said the meetings she has attended on the City Market gave information that contradicts the Council report provided for tonight's agenda item. There are other locations that have not been examined that should be. She said the City offered different lease arrangements with different locations, and that is not fair.

Ms. Kim Rolla, 613 Rives St., staff member on Legal Aid Justice Center, said CRHA should not apply for the RAD program in 2013 because there has not been resident participation or adequate explanation of how the City will meet the goal of affordable housing for all if this program is implemented. There is not time to meaningfully engage with residents in time to apply for 2013.

Mr. Brandon Collins, 418 Fairway Ave., said he supports Ms. Rolla's position. The Housing Authority does not follow process. Long-term affordability of housing in Charlottesville is in jeopardy.

Mr. Louis Shultz, 1809 E. Market St., said he is here to talk about property rights. He said he gave Council a document at the Our Town meeting on October 3 called "Notes on Steep Hill Street" saying staff members illegally seized private property on April 29, 2010. Council has not responded or attempted to repair the damages done. He asked for an investigation of his allegations with a report to public, training to City employees regarding property rights, and an update to City maps to include paper streets and alleys.

Ms. Cynthia Viejo, 732 Merion Greene, said she appreciated the City Market item being shifted to earlier in the meeting. This item needs to be thoroughly discussed. She is a REALTOR, a vendor at the City Market, and a resident since 1979. She said the City should fully appreciate the value of the City Market. Moving the market across the railroad tracks will be the death of the City Market.

Mr. Brian Wimer, 704 Graves, said the original study saying the bridge is no longer viable was done by MMM, the same company that was then hired to design a new bridge. They have been involved with every step of the process, and he has had enough of MMM. We should find someone else to build the bridge. We should give Election Day off from work to make it important and improve voter turn-out. He offered ideas to increase voter turn-out and educate voters about the issues.

Ms. Nancy Carpenter, 727 Denali Way, said she is in agreement with Ms. Rolla and Mr. Collins in regards to HUD's RAD program. We need to find answers before the City destroys public housing. Region 10 will be temporarily relocated to Old Lynchburg Road, and she is concerned about how consumers will safely get to the temporary office building. She asked the City, County, VDOT and CAT to work together to make sure bus riders can reach the building safely.

Ms. Janet Job, 722 Merion Green, read a letter from an out of town visitor, Trisha Johnson, who visits the City Market and asked Council to keep the City Market where it is.

Ms. Amanda Welch, Louisa County, said she is a vendor at the City Market, and it is a very important part of the downtown fabric. Moving it away from the Downtown Mall will ruin this connection.

## **COUNCIL RESPONSE**

Ms. Szakos said we cannot by law declare Election Day as a holiday, but she does want us to offer free bus service on Election Day, as we have in the past. She asked staff to examine the concern Ms. Carpenter brought forth regarding transportation to the temporary Region 10 building.

Ms. Galvin asked Mr. Jones why Mr. Pete O'Shea and Mr. Jim Rounsevell are no longer part of the bridge design team. Mr. Jones said he will provide Council with some background. She asked about Ms. Seville's comment on the difference between the easing arrangements with City Market locations. Mr. Jones when the task force looked at the IX property, a five year lease was requested. Staff determined that time frame would not be appropriate, given the circumstances. Ms. Galvin also asked for an update on the RAD Program.

Ms. Smith thanked speakers for sharing their thoughts about the City Market. She said she loved Mr. Wimer's ideas about incentivizing voters, and if this is legal we should implement a plan before registration closes next time. Old Lynchburg Road is not safe to travel down for a pedestrian, and she supported exploring solutions for access to the temporary Region 10 site. She asked for more information about the existing voucher model and how it compares to the RAD Program.

Mr. Norris said CRHA, PHAR and Council unanimously adopted a Resident's Bill of Rights, which calls for a meaningful inclusion of residents to guide the process. As soon as we received word that the RAD Program opportunity was available through HUD, there should have been a conversation and meaningful participation with the residents to guide a decision on this matter. He agreed that Council should take a look at the RAD Program. He thanked Mr. Wimer for his comments on the bridge. He thanked Ms. Carpenter for bringing the Region 10 transportation issues to Council's attention.

On motion by Mr. Norris, seconded by Ms. Smith, the following appointments were made to the Human Rights Commission: Amy Sarah Marshall, Claudette Gohanna, Christopher Broom, Aidyn Mills, Selena Cozart O'Shaughnessy, Sarah Lane Krishnaraj, Seth Wispelway, Ann Smith, Dorenda Johnson, Sue Lewis, and Sterling Akins. (Ayes: Mr. Norris, Ms. Smith, Ms. Szakos, Ms. Galvin, Mr. Huja; Noes: None.)

Mr. Huja said this is an important commission, and he thanked the applicants. Ms. Szakos said we had an amazing pool of applicants.

## **CONSENT AGENDA**

Ms. Smith confirmed the parking ticket waiver on the consent agenda does not apply to violations in handicapped spots. Also, if someone deliberately abused the privilege and parked for an extended period of time, that individual may receive more than one ticket while parked, and the waiver would only apply to the first ticket. Ms. Szakos reminded citizens that this does not take effect immediately.

Ms. Smith said there were some issues brought up regarding undergrounding at Meadowcreek. She asked for a brief update. Mr. Daly said we have been in touch with other utilities that have lines on the poles in Meadowcreek Gardens. Comcast has agreed to allow their lines to be undergrounded, and the phone company is no longer using the lines. Dominion will remove the poles and hopes to reuse the wood for trail bridges. If we encounter root intrusion we

will discuss possible solutions, including pruning. Ms. Smith said we have a lot to learn about granting easements.

On motion by Ms. Szakos, seconded by Ms. Smith, the consent agenda passed unanimously.

Ms. Smith said there are many wires throughout the City that may be dead, and we should look into this. (Ayes: Mr. Norris, Ms. Smith, Ms. Szakos, Ms. Galvin, Mr. Huja; Noes: None.)

**a. Minutes for October 7**

Minutes for October 7

**b. APPROPRIATION: Gordon Avenue Library Masonry Project - Albemarle County Reimbursement - \$1,487.50 (2nd reading)**

Gordon Avenue Library Masonry Project

**c. APPROPRIATION: Central Library Elevator Replacement - Albemarle County Joint Project Reimbursement - \$4,708.19 (2nd reading)**

Central Library Elevator Replacement

**d. APPROPRIATION: Emergency Solutions Grant - \$57,715 (2nd reading)**

Emergency Solutions Grant

**e. APPROPRIATION: State Criminal Alien Assistance Program (SCAAP) Grant for 2012-H4398-VA-AP for \$9,634 (carried)**

State Criminal Alien Assistance Program (SCAAP) Grant

**f. APPROPRIATION: Charlottesville Area Transit Insurance Claim Recovery - \$9,321.20 (carried)**

Charlottesville Area Transit Insurance Claim Recovery

**g. APPROPRIATION: Community Development Block Grant Funds for VIEW (Virginia Initiative for Employment not Welfare) Career Training - \$12,955 (carried)**

Community Development Block Grant Funds for VIEW

**h. APPROPRIATION: Virginia Juvenile Community Crime Control Act Grant (VJCCCA) - \$452,704 (carried)**

Virginia Juvenile Community Crime Control Act Grant

- i. RESOLUTION: Blue Ridge Juvenile Detention Commission Agreement Amendment**

Blue Ridge Juvenile Detention Commission Agreement Amendment

- j. RESOLUTION: Parking Ticket Waiver Program**

Parking Ticket Waiver Program

- k. ORDINANCE: 250 Bypass Speed Limits (2nd reading)**

250 Bypass Speed Limits

- l. ORDINANCE: Dominion Power Easement for Undergrounding Lines at Meadow Creek Gardens Park (2nd reading)**

Dominion Power Easement for Undergrounding Lines at Meadow Creek Gardens Park

- m. ORDINANCE: Convey Right of Way at Meadowbrook Heights (2nd reading)**

Convey Right of Way at Meadowbrook Heights

- n. ORDINANCE: Rivanna Water and Sewer Authority Easement for Rivanna Pump Station (2nd reading)**

Rivanna Water and Sewer Authority Easement for Rivanna Pump Station

**RESOLUTION: TRANSFER OF FUNDS TO CONSTRUCT A SECTION OF HILLSDALE DRIVE - \$300,000**

Transfer of Funds to Construct a Section of Hillsdale Drive

**RESOLUTION: HILLSDALE DRIVE PHASE II IMPROVEMENTS -CITY/CEDA AGREEMENT**

Hillsdale Drive Phase II Improvements -City/CEDA Agreement

Mr. Tolbert and Mr. Engel presented to Council.

Mr. Tolbert explained Hillsdale Drive Extension landscape opportunities.

Mr. Engel said this entails an agreement to entitle the City to move the money required to complete the road to City standards.

Ms. Szakos asked what the estimated time for completion would be. Mr. Tolbert said it will likely begin in 2015.

Ms. Galvin asked if there is a small area plan associated with this area. She asked if there is an understanding about future infill possibilities at this location. Mr. Tolbert said there was a study completed a few years ago that examined those issues. There are no further studies planned at this time, although staff does have a rough idea of future plans from the Hydraulic/29/250 study.

Ms. Smith asked if Phase Two in the full Hillsdale extension will use Line Drive and Zan Road. Mr. Tolbert said it will. Ms. Smith said she hopes Phase Two will make more sense than the current traffic pattern.

On motion by Ms. Smith, seconded by Mr. Norris, the fund transfer was approved. (Ayes: Mr. Norris, Ms. Smith, Ms. Szakos, Ms. Galvin, Mr. Huja; Noes: None.)

On motion by Ms. Szakos, seconded by Ms. Smith, the CEDA agreement was approved. (Ayes: Mr. Norris, Ms. Smith, Ms. Szakos, Ms. Galvin, Mr. Huja; Noes: None.)

## **REPORT: City Market Study**

### City Market Study

Mr. Engel presented to Council. He reviewed the work of the consultant on the various City Market options. He asked Council for direction about the ground lease on Garrett Street and whether Council is interested in entertaining a process to potentially sell the property the City owns on Water Street where the market currently takes place. Council needs to consider where the market will be moved while redevelopment is occurring on the Water Street lot.

Ms. Szakos asked if we can go forward with an RFP but wait on a final decision. Mr. Engel said you can structure the RFP to accomplish this, but Council should be serious about their course of action before asking for proposals.

Ms. Galvin said Council has to ask whether they are willing to use the entire site for the market or determine that it has to be developed. Mr. Huja said he would be opposed to using it for the City Market alone; he supports mixed use development.

Ms. Szakos said she is leaning towards an RFP because as much as she wants the City Market to stay where it is now, she does not believe that is ultimately viable. Ms. Galvin said an RFP has to have design standards built in that reflects Council's intentions for that area.

Council asked staff to draft an RFP incorporating the City Market at its current size at the minimum, incorporating mixed use development and parking.

Mr. Norris asked if there is something short of an RFP that allows us to flesh out the options before we have local developers putting time and money into a proposal that we are not sure about. Mr. Engel said staff will examine the options. Council supported seeking RFQs.

**RESOLUTION: REVISIONS TO THE ARCHITECTURAL DESIGN CONTROL (ADC) DISTRICTS DESIGN GUIDELINES FOR LONG-TERM TENTS AND MURALS**

Revisions to the Architectural Design Control (ADC) Districts Design Guidelines

Ms. Scala presented to Council on revisions to design guidelines. She reviewed the BAR's preferences for guideline revisions and gave current examples of tents at existing restaurants. Currently all requests for tents have been resolved, and there are no outstanding requests.

The BAR is seeking to add guidelines used in Richmond to govern murals. The guidelines require recommendation by the BAR and adoption by City Council.

Ms. Galvin asked if there was any mention in the Richmond guidelines of public participation and engagement of the neighborhoods adjacent to the murals, which is currently missing from our guidelines. Ms. Scala said this is not a part of the current guidelines, but she can see the reasoning behind such a suggestion. She said number two under the "Public Art, Statues and Fountains" section of the guidelines does address placemaking.

Ms. Szakos asked if anything that exists now would be grandfathered in under the new tent guidelines. Ms. Scala said the ones approved for last season will have to go through the approval process again next season.

Ms. Szakos asked if tents could be approved in front of a contributing structure. Ms. Scala said they could be approved, but it is suggested that they not be erected in front of contributing structures. Prominence of location also makes a difference.

Ms. Szakos asked if BAR was unanimous in their recommendation; Ms. Scala said the vote was 8-0.

Mr. Norris asked Mr. Ross McDermott from the Cville Mural Project if he was satisfied with the guidelines as proposed. Mr. McDermott said he was.

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



**RESOLUTION: 144 CHANCELLOR STREET - APPEAL OF BAR DECISION****144 Chancellor Street - Appeal of BAR Decision**

Ms. Scala presented to Council. Mr. Bill Adams was also present. The applicants are appealing a decision to deny the request to demolish 144 Chancellor Street because the building classifies as a contributing historical structure. The BAR vote was 7-0 to deny the request.

The applicant, Mr. Eric Antman, presented to Council on behalf of the Delta Zeta Corporation. He said his firm has a long tradition of historic preservation, and this is an earnest and considered request for demolition. The professional and economic feasibility study showed that the building is in a state of failure, unsound for occupancy. Attempting reconstruction would be an irresponsible use of funds.

Ms. Smith asked Ms. Scala when this building was deemed historic. Ms. Scala said the district was put into place in 2003.

Mr. Bill Adams, Chair of the BAR, presented to Council, said allowing this property to be demolished sets a dangerous precedent of demolition by neglect and incentives owners not to maintain property. The structural state of the building points to lack of maintenance on the part of the owner, who has owned the building for 34 years. The building has been empty since 1998. He also cited historical significance for denying the demolition.

Mr. Norris confirmed that the building was only in use as a school for about ten years. He asked what harkens to its use as a school building in its current form. Mr. Adams said it is still identifiable as a single room school house.

Ms. Smith asked why Delta Zeta purchased the building. Mr. Antman said he suspects there was neglect on the part of a disorganized local chapter that was incapable of taking proper stewardship of the building, at which time the building was transferred to the national organization from the local chapter. Mr. Antman said the local Delta Zeta chapter intends to build an addition of similar scale and structure to the current building.

Ms. Smith said she feels we need to uphold the BAR's decision. We are losing our history quickly, and demolition by neglect is disturbing.

On motion by Ms. Smith, seconded by Ms. Szakos, Council voted to uphold the BAR's decision for the same reasons the BAR put forward, which was the loss of an early 20th century vernacular school building and the owner's lack of building maintenance given the length of time of ownership. (Ayes: Mr. Norris, Ms. Smith, Ms. Szakos, Ms. Galvin, Mr. Huja; Noes: None.)

## **REPORT: STRATEGIC ACTION TEAM: GROWING OPPORTUNITY IMPLEMENTATION PLAN**

### Strategic Action Team: Growing Opportunity Implementation Plan

Mr. Engel and Ms. Lee presented to Council. Ms. Lee reviewed the Strategic Action Team (SAT) report, which included an overview of the workforce climate in Charlottesville, seven major barriers to employment for low-income City residents, and recommendations from the team on how these barriers can be addressed in order to put residents on a path to self-sufficiency. Additionally, the SAT made several overarching, higher impact recommendations not tied to any barrier in particular.

Ms. Galvin asked if anyone on the ABRT team has workforce development experience. Mr. Murphy said he can share the full ABRT list with Council. Ms. Lee said Ms. Barbara Kessler has joined the ABRT team.

Ms. Galvin said it is important to get perspective from members of the neighborhoods targeted in the various projects. Ms. Lee said staff will work to do this.

Mr. Engel spoke about adding a citizen position. Mr. Norris and Ms. Szakos agreed that citizen representation is important.

Mr. Mike Murphy said staff is studying peer-to-peer networks and will bring a report to Council on the Needs Assessment in March. Ms. Lee said once the needs assessment is completed, staff will fill the citizen representative position. Mr. Engel said staff will present names to Council for official appointment.

Mr. Engel said Council flagged the overarching recommendation on the Downtown Satellite Center as a priority. This will not supplant the services of the Workforce center on Hydraulic Road.

Ms. Smith asked staff to come back to Council for clarity on the role of the satellite office so they can ensure the \$150,000 is leading to the results and information Council seeks.

Mr. Norris said there was a brief discussion regarding easing barriers to ex-felons. Other states have adopted a "Ban the Box" policy, where positions are open to any applicant regardless of criminal history. Ms. Szakos said criminal history goal two alludes to that. Mr. Murphy said it is our Human Resources Department does not believe this is a good option for us at this time. However, staff is working to provide additional training for hiring managers about what our policies are and evaluating applicants based on their merits instead of whether the box gets checked. Mr. Jones said no decisions have been made by Human Resources on a "Ban the Box" policy at this time.

Mr. Norris said he wants the public to be aware of the date for the Economic Summit on Skilled Trades Jobs on December 10 at the Carver Recreation Center beginning around 8:30 a.m.

Ms. Szakos said we have a large number of immigrants and refugees in the community with a language barrier. Also, there are people who have licenses, but they are not valid here, and we need to keep these folks on our radar.

Council supported the recommendations unanimously.

**MATTERS BY THE PUBLIC**

Mr. Scott Bandy, Cherry Ave., said Old Lynchburg Road remains unsafe between Middleton and Azalea Park.

The meeting was adjourned.

A handwritten signature in cursive script that reads "Gaige Rice". The signature is written in black ink and is positioned above a solid horizontal line.

Clerk of Council