

NOTICE OF SPECIAL MEETING

A SPECIAL MEETING OF THE CHARLOTTESVILLE CITY COUNCIL WILL BE HELD ON Monday, December 20, 2010, 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

COUNCIL CHAMBER – December 20, 2010

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

AWARDS/RECOGNITIONS

Mr. Norris announced that First Night Virginia tickets are on sale at www.firstnightva.org or at various downtown retail outlets.

Mr. Norris announced the Green Carpet Award from the Virginia Recycling Association for our curbside recycling program through Allied Waste. Ms. Judy Mueller was present, and the award was presented to Mr. Norris. Troy Gentry was also present. The city doubled the amount of recycled materials in their curbside recycling program.

Mr. Norris recognized members of the CHS Science Club, who recently competed in a Zero Robotics competition hosted by NASA and MIT. Their teacher, Matt Shields, and students Lizzie Hilton and Dania Jazouli were present.

ANNOUNCEMENTS

Ms. Szakos announced she spent the weekend in France on a gospel choir tour, and she met with the Mayor of Besancon while she was there. She brought a book of pictures from the Mayor of Besancon, which she presented to Mayor Norris.

Mr. Norris announced that City Hall will be closed Friday, December 24th and Friday, December 31st. There will be a blood drive at the Omni on December 31st. He announced a volunteer program for snow removal for the elderly and disabled citizens. Call 970-3700 and leave your name and number to volunteer, or you can go online to register for snow removal.

Mr. Norris announced it was Rachana Dixit's last Council meeting and thanked her for her coverage. Ms. Edwards said Peter and the Wolf will be playing Saturday, January 22nd at 3pm and 7pm. Mr. Norris reminded citizens of the Buy Art/Give Art campaign.

MATTERS BY THE PUBLIC

Mr. Peter McIntosh, 624 Davis Ave., congratulated Council for their good work and encouraged them to support building a bike trail across McIntire Park. He also congratulated Mr. Jones on his appointment.

Mr. Keith Rosenfeld, 283 Broad Axe Rd., said the Ragged Mountain Dam is useless without the pipeline to fill it. He said the Nature Conservancy is only interested in someone else funding their testing of a theory. There is no rush on a decision. Continue with due diligence to find the right solution for the City.

Mr. Tom Olivier, Conservation Chair of the Piedmont Group of the Sierra Club, 4632 Green Creek Rd., Schuyler, cited the agreement on September 20, 2010, and said the Piedmont group continues to support those proposed amendments. They believe they serve as key elements of a successful water plan. He urged Council to continue to demand that our water plan promotes sustainability.

Mr. Downing Smith, 810 Locust Ave., said the county has abandoned all pretense of compromise on the water issue. He said we do not need more water, and that none of the organizations promoting building a dam has the City's interest at heart. The City should run the dam.

Mr. Richard Statman, 116 Olinda Dr., paraphrased a speech by JFK and said the RWSA and Nature Conservancy have acted *ex cathedra* on the matter of community water needs. The City's questions have been pushed aside and marginalized. He urged Council to seek the best, most cost-efficient solution to the water supply plan.

Mr. Stratton Salidis, 704 Graves St., thanked Council for their vote in support of the plan that focuses on dredging and conservation and raising the dam 13 feet. He noted misinformation, saying the original approved plan was from 2002 and closer to what Council supports than the 2006 plan. He said the demand study is ten years old and is 26% wrong already.

Ms. Rebecca Quinn, 104 4th Street, said if we do not need the water, we do not need the dam. Dredging will provide enough water for decades to come. She reviewed points from her handout, focusing on the call to phase in dam height. Black and Veatch's response reaffirms that the dam is safe to support a 13 foot raise. She called on solutions that are most practical and least environmentally damaging.

Mr. Bill Emory, 1604 E. Market St., said he is excited about the Tree Commission report. He asked for an addition to the resolution in order to develop a street tree master list and plan. He wants to see trees planted where people walk.

Mr. Joe Mooney, 201 Sunset Ave., said he is looking forward to Mr. Jones' leadership and cooperation. He asked why the RFP for dredging has dropped out of sight, and he asked for brief comment from city staff on its status. He said RWSA is obstructing finding the data and the facts and getting the RFP out to the public.

Mr. Kevin Lynch, 609 Locust Ave., said in 2002, Council, of which he was a member at the time, the County, and Rivanna passed a water plan based on principles of sustainability. It consisted of dredging the South Fork Reservoir, increasing its capacity, and repairing the dam at Ragged Mtn. The plan was financed by raising rates in 2002 and 2004 by nearly 70%, which was a painful transition. That money has not been responsibly spent by Rivanna.

Ms. Dede Smith, 2652 Jefferson Park Cir., distributed a handout to Council and said what Council approved in 2006 was a phased in dam height, not a dam and then a pipeline. Consider the risks with building at different heights. We may never have enough demand to pay for the pipeline. The 13 foot raise on the dam allows for more options to fill it.

Mr. Frances Fife, 501 9th St. SW, said he has never seen a group of people work as hard as the Citizens for a Sustainable Water Supply. Birds are an indication of life. Destroying 200 acres of wildlife will destroy their habitat. The most birds are around Ragged Mountain.

Mr. Richard Lloyd, City Resident, said he is impressed with BACON from CHS. He said Council is making history when they vote, and the public trusts them with their future.

COUNCIL RESPONSES TO MATTERS BY THE PUBLIC

Mr. Huja said asked staff to insert Bill Emory's suggestions to the Tree Ordinance. Mr. Jones said currently the Rivanna board is discussing the dredging RFP. There is a question of whether we have to go about the RFP in a traditional manner, or in a way that allows for more flexibility for interested companies. An in depth discussion is planned for the next board meeting.

Dr. Brown agreed with Mr. Fife that people in this community have worked enormously hard on this issue. Mr. Lynch, Ms. Smith, Ms. Quinn and others have put forth a lot of effort, and he admires it. Most of the discussion has been fact-based. He said he does not want to see the discussion turn into a divide, wherein one side is right and the other side is untruthful. Mr. Rosenfeld crossed the line by accusing Piedmont

Environmental Council and Jeff Warner, and other organizations. Do not imply they are taking positions for political reasons, and stay focused on the facts.

Ms. Edwards thanked citizens for reminding us of the “healthscape” of our community. He thanked Mr. Statman for the quote from J.F.K. She said Mr. Lynch is always welcome at Council meetings.

Mr. Norris thanked everyone for coming tonight, especially those who spoke on the water issue. It is important to focus on the facts and not make it too personal. He addressed Ms. Smith’s comment, clarifying the 2006 vote was not a vote for a phased plan. The county would say it is a plan that allows for phasing, not a plan that dictates phasing.

On motion by Dr. Brown, seconded by Mr. Huja, Council appointed Mike Gaffney as the citizen representative on RWSA and RSWA, a joint appointment with the county, who already approved them. (Ayes: Ms. Edwards, Mr. Norris, Dr. Brown, Mr. Huja, Ms. Szakos. Noes: None.)

CONSENT AGENDA

Mr. Huja supported item h, but said we should talk to the County also to make this a joint effort.

On motion by Dr. Brown, seconded by Mr. Huja , the following consent agenda items were approved: (Ayes: Ms. Edwards, Mr. Norris, Dr. Brown, Mr. Huja, Ms. Szakos. Noes: None.)

- a. Minutes of December 6
- b. APPROPRIATION: \$20,000 - Finance/Warehouse Operation Used Forklift Purchase (2nd reading)
- c. APPROPRIATION: \$167,312.71 – CATEC VDOT Funds (carried)
- d. APPROPRIATION: \$5,000 Stipend – Project Child Hands Participation (carried)
- e. APPROPRIATION: \$750.00 – Sam’s Club Foundation Community Grant
- f. APPROPRIATION: \$1,954.92 – 2010 Charlottesville Police Department Foundation Donation (carried)
- g. APPROPRIATION: \$6,187.50 – U.S. Department of Justice 2010 Bullet Proof Partnership Reimbursement Grant (carried)
- h. RESOLUTION: \$32,500 – Funding for The Paramount Theatre Outreach Initiatives
- i. RESOLUTION: TEA Grant – McIntire Park Bike/Pedestrian Bridge Over Rail-Road – Phase 2 – Construction Funds
- j. RESOLUTION: Reentry Summit Funding Authorization
- k. RESOLUTION: DCR Washington Park

- l. RESOLUTION: Amendment of Funding Agreement Between the City of Charlottesville and CEDA for Jefferson School Renovation
- m. ORDINANCE: Mixed Use Matrix (2nd reading)
- n. ORDINANCE: Parking Entrance Widths in Historic Districts (2nd reading)
- o. ORDINANCE: Vacation of Subdivision Plat for 2210 Berkshire Road (2nd reading)

PUBLIC HEARING/ORDINANCE: DONATION OF LAND TO HABITAT FOR HUMANITY (carried)

Mr. Jim Tolbert presented to Council on the item. The proposal is to provide the lots to Habitat for Humanity. Council may convey one lot and not the other if there are concerns about problems with adjacent properties. Mr. Norris asked if the City would be expected to pay for remediation costs. Mr. Tolbert said no, not necessarily.

The public hearing was opened.

Having no speakers, the public hearing was closed.

Mr. Huja said he is concerned about the impact on the planned PUD of lot two. Ms. Szakos said if we decide not to sell it, we still want to see it tied into affordable housing in some way. Ms. Edwards said she agreed with Mr. Huja.

On motion by Ms. Szakos, seconded by Dr. Brown, the ordinance carried over for a second reading, contingent upon language drafted that would only apply to lot #1 and language that would apply proceeds from lot #2 to affordable housing.

PUBLIC HEARING/ORDINANCE: AMENDMENT OF VENDOR FEES (carried)

Mr. Tolbert said this ordinance aligns our current vendor fees with what we have been charging vendors for the past two years.

The public hearing was opened.

Having no speakers, the public hearing was closed.

Ms. Szakos said it is distressing that this fell through the cracks and asked if our system had been changed so this will not happen again. Mr. Tolbert said it got lost in transition from something that was not in the code originally to fees being stated in the code. Ms. Szakos said this should be a learning moment.

On motion by Dr. Brown, seconded by Ms. Edwards, the ordinance carried over for a second reading.

PUBLIC HEARING/ORDINANCE: SALE OF 409 STADIUM RD

Mr. Tolbert presented to Council about selling a piece of land on the corner of JPA and Emmett.

The public hearing was opened.

Mr. Gate Pratt, 946 Grady Ave., said he is representing Charlottesville Apartments. He said he would be pleased to work with the City to achieve a project everyone would be happy with.

Mr. Rick Jones thanked Mr. Huja for reminding him that the RFP did allow for him to make a proposal. He said it is not MSC making the proposal; it is him personally. Council should agree to sell to him because he does not plan to do anything there, and there is no contingency on his offer.

A citizen said he responded to the RFP and addressed all issues. Others did not come forth with their proposals on time. It is unfair that someone is matching their sealed bid after the deadline.

Having no further speakers, the public hearing was closed.

Mr. Huja said we have a valuable piece of property in the City, strategically located, and could be developed. However, it is a difficult site to develop, and he would like to see it re-advertised to explore other possibilities.

Ms. Szakos said she is concerned about the process. We did issue an RFP, and this was supposed to be a sealed bid process. She is uncomfortable with reopening it. Mr. Tolbert said it was not truly a sealed bid. It was an RFP process. Dr. Brown said he wants to make sure we have a process to make sure the site works, not just go with highest bidder. Ms. Edwards said she agreed with Mr. Huja.

Mr. Norris instructed Mr. Tolbert to schedule another public hearing and make other applicants aware. This will be revisited at the January 18th Council meeting.

REPORT/RESOLUTION: TREE COMMISSION FOLLOW-UP

Mr. Mike Smith presented to Council. Membership will consist of seven city residents. He addressed concerns, such as reaching the public and engaging the youth. Meetings will be quarterly.

Mr. Huja said he is pleased to have this proposal. He asked for nine people on the commission instead of seven, with five citizens instead of three. Ms. Edwards asked for a representative from QCC and PHAR on the commission to provide diversity. QCC has an active 4 H club, and it is a good time for PHAR to get involved, as these ties into the “healthscape” of the City. Dr. Brown asked for looser language that would ensure diversity but not name groups specifically.

Mr. Norris said Council will encourage each of those organizations to nominate representatives. He said he has reservations about naming them specifically in case we do not receive applicants from those specific groups. Mr. Norris agreed with Dr. Brown, using the language “at least two if not more should be representatives of low income organizations”.

On motion by Mr. Huja , seconded by Ms. Szakos, the resolution carried unanimously, with the following changes: the Commission will be nine members, at least two of which shall be low income. Also, Council requested language about a master tree plan. Ms. Szakos asked for the Commission to work closely with public housing residents in the redevelopment process. (Ayes: Mr. Norris, Dr. Brown, Ms. Szakos, Ms. Edwards, Mr. Huja. Noes: None.)

REPORT: CITY MARKET

Mr. Daly presented to Council. Last month, Council held a work session regarding the future location of the City Market, which spawned the recommendation for a task force. Staff is currently working through the process. Mr. Norris asked what the timeframe is for the project. Mr. Daly said staff will be in touch this week with appointees and get criteria from the work session to them. The first meeting will be scheduled for the first or second week in January. Mr. Norris asked if staff is expecting the taskforce to make a recommendation. Mr. Huja suggested a timeframe of 90 days. Mr. Daly said we can get this done by the end of March. Mr. Huja said this should be a community group, not just a market central group. Mr. Norris asked for Sherry Lewis, former Planning Commissioner, Kate Coulier, who owns Feast, and Mark Johnson of the Darden School to serve. The City Manager is appointing the task force.

MATTERS BY THE PUBLIC

Ms. Dede Smith, 2652 Jefferson Park Cir., thanked Council for creating the Tree Commission and asked them to also consider geographic diversity.

The meeting was adjourned.

President

Clerk