

**NOTICE OF SPECIAL MEETING**

A SPECIAL MEETING OF THE CHARLOTTESVILLE CITY COUNCIL WILL BE HELD ON Monday, April 21, 2014, 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 Rice

**SECOND FLOOR CONFERENCE ROOM – April 21, 2014**

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

On motion by Ms. Smith, seconded by Ms. Szakos, Council voted, (Ayes: Mr. Huja, Ms. Galvin, Mr. Fenwick, Ms. Smith, Ms. Szakos; Noes: None), to meet in closed session for discussion and consideration of prospective candidates for discussion of the acquisition of real property located on 11th Street, N.W. for a public purpose, where discussion in an open meeting would adversely affect the City's negotiating strategy, 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, Mr. Fenwick, Ms. Smith, Ms. Szakos; 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 CHAMBER - April 21, 2014**

**CALL TO ORDER**

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

**AWARDS/RECOGNITIONS & ANNOUNCEMENTS**

Ms. Szakos read a proclamation for Arbor Day, which is April 25. Mr. Maynard Sipe, Vice Chair of the Tree Commission was present to accept the proclamation. He invited the community to attend the Arbor Day celebration at 10:00 a.m. on Friday, April 25 in Azalea Park.

Mr. Fenwick read a proclamation in honor of the Charlottesville Cardinals, a local

wheelchair basketball team, for their winning season. Jeff McDaniel, Brandon Rush, Chris Robinson, Eddie Wimbish, and Tom Vandever were present to accept the proclamation.

Mr. Huja announced the Dogwood Parade on April 26 at 10:50 in Downtown Charlottesville. He also announced public meetings for the Belmont Bridge on April 23 at 209 Monticello Rd. and May 8 at 6:00 p.m. in City Space. Council will hold a public hearing June 2.

Ms. Galvin announced the Engineering Excellence Merit Award was presented for the Meadow Creek Stream Restoration Project. Mr. Daly, Director of the Parks and Recreation Department and Ms. Diane Frisbee with the Nature Conservancy were present to accept the award.

Ms. Galvin announced the 2014 Charlottesville Job Fair on May 7 from 10:00 a.m. - 3:00 p.m. at the John Paul Jones Arena. Go to [www.charlottesville.org/jobfair](http://www.charlottesville.org/jobfair) for more information.

Ms. Szakos announced the 2014 Fair Housing Forum on April 29 at 6:30 p.m. in the City Council Chambers, sponsored by the Piedmont Housing Alliance and the Office of Human Rights.

Ms. Smith announced that the stormwater utility fee, which became effective January 2014, will be billed for the first time on April 28. For more information, go to [charlottesville.org/wrpp](http://charlottesville.org/wrpp).

Ms. Smith announced a call for nominees for the first annual Mildred Spicer Arts Fund. Anyone who has made a difference through art may be nominated for the award. Email Sarah Blech at [blechs@charlottesville.org](mailto:blechs@charlottesville.org) for more information; the deadline is May 5.

Mr. Fenwick announced the City Market is open Saturday mornings from 7:00 a.m. - noon from April through December on Water Street. Call 970-3371 for more information. He also announced a call for grant applicants from the Charlottesville Sister Cities Commission for projects taking place between July 1, 2014 and June 30, 2015. The grant application deadline is May 1.

Ms. Szakos announced the City Market Work Session on Thursday, April 24 in City Hall's Council Chambers.

## **MATTERS BY THE PUBLIC**

Mr. Mike Signer, 5th Street SW, said there are dozens of bottles and mini-bottles of liquor on their street every week. He said neighbors cleaned up their street last week, and they plan to do this clean-up monthly. He said if we all work to make the streets cleaner, they will remain cleaner. He requested that City staff provide bags and pick-up for this initiative. He said the ABC store is not well-located, and it would behoove the City to work with the state ABC board to relocate the store.

Ms. Mary Carey, 100 Ridge St., lives at Midway Manor, which fronts South Street. She

said the traffic along South Street is awful and is not getting any better. This affects senior citizen pedestrians, City Market goers, and bicyclists.

Mr. Jim Rounsevell, 1113 Monticello Rd., said a kick starter campaign to raise funds for a better visual understanding of the proposed overpass was successful. He said there are important aspects missing from the conversation about true costs.

Ms. Mary Gilliam, 218 W. South St., said she has lived on South Street for 20 years. You cannot see up the street to get out of your driveway because there is 24 hour parallel parking. Drivers speed on the street regularly. Also, the large trucks coming to and from Water House and the City Market pedestrian traffic are issues.

Mr. Peter Kleeman, 407 Hedge St., commended Council for their concern about our natural resources, particularly our water resources. However, he said the sale of land at Kenwood Lane should be used to provide access to natural resources, such as the Meadow Creek area. He asked Council to delay a vote on the matter and reconsider the use of that property.

Ms. Rebecca Quinn, 104 4th St., said she is glad to see Council is taking action on the Downtown Mall crossings tonight. She asked how traffic and pedestrian access and safety will be addressed during construction. She asked if tonight's action would address large trucks crossing the mall, and whether that included trash trucks. She said there is still salt crust on the bricks from the last snowfall. She asked Council to look into the salt solution that was used this year, because it is different from past years and will not wash away.

## **COUNCIL RESPONSE**

Ms. Smith thanked midtown neighbors for their hard work on the recent clean-up. She asked if the ABC Store at Barracks Road has the same issues. Mr. Jones said there has not been the same level of complaints for other ABC Store locations in the City. She said the Downtown Mall crossings conversation is important, especially regarding the truck traffic. She agreed with Mr. Kleeman's assessment of need for better public access to our parks and natural resources. She asked if we need to do something more assertive to get rid of the salt on the Downtown Mall. Mr. Huja asked if the bricks had been power washed recently. Mr. Jones said it was recently power washed, but that was before the last snowfall. The Parks and Recreation Department says the salt will wash away, but staff will reexamine the matter. Mr. Fenwick said drainage pans under the bricks may be full, causing salt to continue washing onto the brick.

Ms. Galvin said it is important to look into relocating the ABC store near the Downtown Mall, especially because of its effect on the nearby residential area. She asked if it could be part of the West Main redesign strategy. She said the intersection Ms. Carey is concerned about will be part of the West Main design project. The City is also taking a City-wide review of its street network, and a schedule will be distributed indicating when the process will begin for each neighborhood.

Ms. Szakos thanked the residents who spoke about the traffic issues on South Street. She

said it is time to examine this issue once again. Mr. Jones said staff is looking into options for addressing these issues.

Mr. Huja said Charlottesville Sparkles was a great idea, and he hopes City staff can continue supporting the initiative.

Mr. Fenwick thanked Mr. Signer and Ms. Blount for the work they put into cleaning up Midtown. He said we should do something about the traffic issues on South Street now without further delay.

### **CONSENT AGENDA**

Ms. Szakos said there is \$250,000 coming into the City from non-tax sources on the consent agenda tonight.

In response to an inquiry from Ms. Smith, Mr. Tolbert said the Design for Life resolution applies to new construction where City dollars are being spent, with the exception of things that cannot be done to due topography, etc. Ms. Margo Elton, intern, said the original resolution stipulated that all housing built with City funding was built to Energy Star and accessibility standards. The accessibility piece is being updated; the Energy Star remains up to standards.

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

- a. **Minutes for April 7**
- b. **APPROPRIATION: Greenstone on 5th Corporation Sponsorship Agreement - \$84,194 (2nd reading)**

#### **Greenstone on 5th Corporation Sponsorship Agreement**

**WHEREAS**, the City of Charlottesville has received a donation from Greenstone on 5<sup>th</sup> Corporation to fund enhanced police coverage for the area of Greenstone on 5<sup>th</sup> Apartments, including salary, equipment, technology and related administrative expenses associated with provisions of such enhanced coverage.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of \$84,194, to be received as a donation from Greenstone on 5<sup>th</sup> Corporation.

#### **Revenues**

\$84,194 Fund: 105 Internal Order: 2000113 G/L Account: 451999

#### **Expenditures - \$84,194**

\$75,775 Fund: 105 Internal Order: 2000113 G/L Account: 510060

\$8,419 Fund: 105 Internal Order: 2000113 G/L Account: 599999

- c. **APPROPRIATION: Domestic Violence Services Coordinator Grant - \$44,836 (2<sup>nd</sup> reading)**

Domestic Violence Services Coordinator Grant

**WHEREAS**, The City of Charlottesville, through the Commonwealth Attorney's Office, has received the Domestic Violence Services Coordinator Grant from the Virginia Department of Criminal Justice Services in the amount of \$38,336 in Federal pass-thru funds, Albemarle County is to contribute an additional \$6,000 in local cash match, and the City Commonwealth Attorney's Office will contribute up to \$500 cash match, as needed to meet salary and benefit expenses.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that the sum of \$44,836 is hereby appropriated in the following manner:

**Revenues**

\$38,336 Fund: 209 Cost Center: 1414002000 G/L Account: 430120

\$ 6,000 Fund: 209 Cost Center: 1414002000 G/L Account: 432030

\$ 500 Fund: 209 Cost Center: 1414002000 G/L Account: 498010

**Expenditures**

\$44,836 Fund: 209 Cost Center: 1414002000 G/L Account: 519999

**Transfer**

\$ 500 Fund: 105 Cost Center: 1401001000 G/L Account: 561209

**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$38,336 from the Virginia Department of Criminal Justice Services, and \$6,000 from the County of Albemarle, Virginia.

- d. **APPROPRIATION: Department of Public Works/ Division of Public Service Reimbursements - \$80,204 (carried)**

Department of Public Works/ Division of Public Service Reimbursements

- e. **APPROPRIATION: Excess Sale Proceeds - \$33,957 (carried)**

Excess Sale Proceeds

- f. **APPROPRIATION: Police Department Miscellaneous Revenue and Insurance Recovery - \$26,000 (carried)**

Police Department Miscellaneous Revenue and Insurance Recovery

**g. RESOLUTION: Changes to Design for Life Standards**

Changes to Design for Life Standards

**WHEREAS**, by Resolution approved April 21, 2008, City Council adopted a policy placing certain requirements on new housing construction which utilized City funds or in-kind services; and

**WHEREAS**, the requirements included building such new housing to Energy Star program standards or a comparable energy efficiency standard, and incorporating at least a Bronze Level of Universal Design standards in new housing construction plans; and

**WHEREAS**, the NDS Design for Life C'ville guidelines, adopted by Council on June 4, 2012, incorporates many of the Universal Design standards, and offers incentives for construction and renovation of housing that provides increased accessibility and liveability; and

**WHEREAS**, City staff recommends that the City Council adopt a single accessibility standard by revising the Design for Life C'ville guidelines to provide accessibility and design elements present in the ANSI A117.1-2009 Code and the HUD Fair Housing Design Requirements; now, therefore,

**BE IT RESOLVED** by the Council for the City of Charlottesville that the abovereferenced policy adopted on April 21, 2008 ("2008 Policy") is hereby revised to replace the Bronze Universal Design standard for all new housing using City assisted funding with the "Liveability" level of the revised Design for Life C'ville program guidelines, as attached hereto. All other requirements in the 2008 Policy will remain in effect.

**BE IT FURTHER RESOLVED** that the Design for Life C'ville guidelines, as set forth in the attached document, are hereby approved.

**PUBLIC HEARING / RESOLUTION: \$16 Million Bond Issue (maximum amount)**  
**- New Debt; \$3 Million Refunding Bond Issue (maximum amount)**

Bond Issue

Ms. Krisy Hamill presented the bond resolution to Council, which authorizes the City to sell general obligation bonds.

Ms. Szakos confirmed that this is the standard annual process for bonds.

Ms. Smith asked if water and wastewater rates factor into the ratings. Ms. Hammill said they are all lumped together; however, only the CIP is factored into the 8%.

Mr. Huja said this is funding for capital projects that have already been approved and is an important part of our quality of life. Ms. Smith said it is important to also understand the wastewater and stormwater fees.

On motion by Ms. Smith, seconded by Ms. Galvin, **A RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED SIXTEEN MILLION DOLLARS (\$16,000,000) PRINCIPAL AMOUNT OF GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS OF THE CITY OF CHARLOTTESVILLE, VIRGINIA, TO BE ISSUED FOR THE PURPOSE OF PROVIDING FUNDS TO PAY THE COST OF VARIOUS PUBLIC IMPROVEMENT PROJECTS OF AND FOR THE CITY, AND NOT TO EXCEED THREE MILLION DOLLARS (\$3,000,000) PRINCIPAL AMOUNT OF GENERAL OBLIGATION PUBLIC IMPROVEMENT REFUNDING BONDS OF THE CITY OF CHARLOTTESVILLE, VIRGINIA, TO BE ISSUED FOR THE PURPOSE OF PROVIDING FUNDS TO REFUND IN ADVANCE OF THEIR STATED MATURITIES AND REDEEM CERTAIN OUTSTANDING GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS OF THE CITY; FIXING THE FORM, DENOMINATION AND CERTAIN OTHER FEATURES OF SUCH BONDS; PROVIDING FOR THE SALE OF SUCH BONDS AND DELEGATING TO THE CITY MANAGER OR THE DIRECTOR OF FINANCE CERTAIN POWERS WITH RESPECT THERETO; AUTHORIZING THE APPOINTMENT OF AN ESCROW AGENT; AUTHORIZING THE EXECUTION AND DELIVERY OF AN ESCROW DEPOSIT AGREEMENT BY AND BETWEEN THE CITY AND SUCH ESCROW AGENT AND THE PURCHASE OF THE SECURITIES TO BE HELD THEREUNDER; AND AUTHORIZING THE DESIGNATION OF THE REFUNDED BONDS FOR REDEMPTION** passed unanimously. (Ayes: Mr. Huja, Ms. Smith, Mr. Fenwick, Ms. Galvin, Ms. Szakos; Noes: None.)

### **PUBLIC HEARING: Curbside Recycling Options**

#### Curbside Recycling Options

Ms. Mueller presented to Council. Pilot programs have been conducted in the Greenbrier and Belmont neighborhoods. She said the only complaint was that users asked for a smaller container option. She reviewed size options and the advantages of weekly versus bi-weekly collection. She said the budget has been built to handle this either way, so no additional money is being requested. There is also no charge to the customer for recycling.

On motion, the public hearing was opened.

Ms. Rebecca Quinn, 104 4th St., asked how this will serve the Downtown Mall residents. The bins need to be well-marked if they are going to be accessible to many people. She asked the City to work with the landlords, because more space will be needed for the extra bins.

Having no further speakers, the hearing was closed.

Ms. Smith moved to approve bi-weekly collections with the recycling containers; Mr. Huja seconded. (Ayes: Mr. Huja, Ms. Smith, Mr. Fenwick, Ms. Galvin, Ms. Szakos; Noes: None.)

Ms. Szakos asked if we can add people who are not currently using our trash collection services so they can receive recycling services.

**ORDINANCE: Amend Chapter 10 of the City Code (Water Protection) to Establish a Local Virginia Stormwater Management Program ("VSMP") (carried)**

Amend Chapter 10 of the City Code (Water Protection)

Ms. Lisa Robertson from the City Attorney's office presented to Council on amendment of City Code Chapter 10, the Water Protection Ordinance, in order to comply with state requirement for establishing a local stormwater management program prior to July 1, 2014.

Ms. Galvin asked if this would prevent a PUD project such as Stonehenge in the future, which included clear-cutting trees. Ms. Robertson said it will not address that problem entirely, but staff is trying to tie the processes together so that a final approved site plan must be in hand before working on the land. Ms. Galvin asked if this precludes the idea of a shared facility, or applicants have to secure individual permits. Mr. Dan Frisbee, Water Resources Specialist, said the ordinance as written does not explicitly allow for shared facility, but it may be something that can be established in the future. Ms. Szakos asked if we could include reference to future developments. Ms. Robertson said we have to promise our local regulations are consistent with state law, and we are not requiring provisions more strict than state law in order to comply by July.

Mr. Fenwick asked if anything in the ordinance can be waived. Ms. Robertson said there is some prospect for a waiver, but the applicant would have to make the request within the state requirements. Ms. Robertson said the administrator will be the Director of NDS, and Mr. Tolbert will likely delegate much of the work to the Assistant City Engineer or someone else who is similarly trained.

Ms. Smith confirmed that this will not impact ongoing projects. Ms. Robertson said some regulations have grandfathering provisions, and some permits on existing projects may expire, but mostly current developments will not come within the purview of the ordinance unless something significant changes. Ms. Smith asked for sensitivity to the gender specific language used throughout the ordinance and asked that this be revised. Ms. Galvin moved the ordinance with Ms. Smith's recommended language changes. Ms. Smith seconded. The ordinance carried.

**RESOLUTION: Downtown Mall Crossings Repair - \$120,000 (deferred)**

Downtown Mall Crossings Repair

Mr. Tolbert presented to Council. Damage on the downtown mall crossings is primarily related to the longer aspect bricks that were used, fragile granite due of sand-set bricks placed adjacent to the granite, and continued use by heavy vehicles. He gave an overview of his conversations with downtown merchants about restricting heavy vehicles from crossing the mall. If Council wants to consider this, it could be covered with an ordinance at a future meeting.



Changes to the existing crossings would include removal of the granite, shorter aspect bricks, and removal of drainage runnels to prevent brick rocking.

Ms. Galvin said Ms. Meyers from PLACE offered her design expertise to design a street that would be compatible with the Halprin design for the Downtown Mall.

Mr. Tolbert said up to six additional loading zone areas have been identified should the crossings be restricted from heavy truck crossings. Ms. Szakos said we may want to examine establishing a weight limit restriction instead of using axels, because some heavy trucks still only have two axels.

Mr. Fenwick confirmed that once this is approved, it would be put out to bid. He said he would like to see ongoing maintenance added to the budget.

Ms. Galvin said it does not look like we have a design that will actually work, and we should seek assistance and guidance so the road can withstand loads, impact, and time.

Ms. Szakos moved the resolution. She said she is comfortable with a layer of review by the BAR and professionals. Mr. Fenwick seconded the motion.

Mr. Tolbert said there is no rush on this funding.

Mr. Huja moved to defer the decision until more information was available on the design and it goes through BAR approval. Ms. Galvin seconded the motion. The motion to defer passed. (Ayes: Mr. Huja, Ms. Smith, Mr. Fenwick, Ms. Galvin, Ms. Szakos; Noes: None.)

### **APPROPRIATION: Approval and Appropriation of CDBG & HOME Funds for FY 2014-2015 (2nd reading)**

#### Approval and Appropriation of CDBG & HOME Funds

Ms. McHugh presented an overview of the funding recommendations to Council.

Mr. Huja reiterated his recommendation from April 7 to increase funding for the CIC. Ms. Galvin said staff adequately explained how funding for the CIC was determined.

Ms. Szakos asked the Economic Development Office to speak to the impact of the proposed funding decrease. Mr. Chris Engel said the ACE program is growing and is in its second year. The program helps existing businesses grow their business. Some of their recipients are in fact CIC graduates. They would be able to serve fewer businesses with a decrease in funding. They could serve 10-12 businesses instead of 15. Council asked a representative from CIC if there was in fact a demand for increased funding. He said they have not had to turn any City resident applicants away as of yet. Ten to twelve scholarships could be provided at the current funding level; they served 18-20 low income City residents this past year. Ms. Smith said she favors splitting the difference between the CIC and the OED programs.

Ms. Smith asked why staff was reluctant to use HOME funds for down payments. Ms. McHugh said the City Attorney's office subsequently said restrictions were not as prohibitive as previously thought, so this is no longer an issue. Ms. Szakos said we should see if the Housing Authority would make different requests if they were less restrictive.

Ms. Galvin moved to adopt the resolutions with the changes of increasing CIC to \$12,500 and decreasing the OED SBD program to \$43,500. Ms. Szakos seconded. (Ayes: Mr. Huja, Ms. Smith, Mr. Fenwick, Ms. Galvin, Ms. Szakos; Noes: None.)

**A RESOLUTION APPROPRIATING FUNDS FOR THE CITY OF CHARLOTTESVILLE'S 2014-2015 COMMUNITY DEVELOPMENT BLOCK GRANT - \$400,000** passed unanimously. (Ayes: Mr. Huja, Ms. Smith, Mr. Fenwick, Ms. Galvin, Ms. Szakos; Noes: None.)

Ms. Galvin moved to adopt the resolution for HOME funds. Ms. Szakos seconded. (Ayes: Mr. Huja, Ms. Smith, Mr. Fenwick, Ms. Galvin, Ms. Szakos; Noes: None.)

**A RESOLUTION APPROPRIATING FUNDS FOR THE CITY OF CHARLOTTESVILLE'S 2014-2015 HOME FUNDS – \$67,500** passed unanimously. (Ayes: Mr. Huja, Ms. Smith, Mr. Fenwick, Ms. Galvin, Ms. Szakos; Noes: None.)

**WHEREAS**, Council has previously approved the appropriation of certain sums of federal grant receipts to specific accounts in the Community Development Block Grant (CDBG) funds; and

**WHEREAS**, it now appears that these funds have not been spent and need to be reprogrammed, and therefore,

**BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that appropriations made to the following expenditure accounts in the CDBG fund are hereby reduced or increased by the respective amounts shown, and the balance accumulated in the Fund as a result of these adjustments is hereby reappropriated to the respective accounts shown as follows:

Program Year	Account Code	Purpose	Proposed Revised Reduction	Proposed Revised Addition	Proposed Revised Appropriation
11-12	P-00001-04-83	ARC Facility Improvements	\$626.85		\$0
12-13	P-00001-02-59	CRHA Comp. Lab Maint.	\$5.00		\$0
14-15	P-00001-04-01	Applied to new programs		\$631.85	\$631.85
		<b>TOTALS:</b>	<b>\$631.85</b>	<b>\$631.85</b>	<b>\$631.85</b>

**ORDINANCE: Sale of Kenwood Property (2 readings)**

Sale of Kenwood Property

Mr. Brown presented to Council and reviewed the changes made to the sale of property to Hugh Scott and Susannah Wood, including the requirement to build an accessory unit. However, a restrictive covenant on the property limits its use to one unattached single family dwelling. The Purchasers have requested the ordinance be amended to remove the restriction and the second reading be waived to allow for their financing to go through.

Ms. Szakos confirmed that the accessory unit was not required to be filled. She confirmed that the Purchasers had until this point tried in good faith to fulfill that requirement.

In response to an inquiry from Ms. Smith, Mr. Daly reviewed the available access points to the park. She asked for a plan to communicate parking options for the park. Ms. Galvin said our maps should indicate where the entry points are.

Ms. Galvin said we need to pay attention to the Blue Ribbon Commission report and reviewed homeownership statistics. She said we still need family housing types that can support our schools. We are within our City's goals to approve this sale.

On motion by Ms. Szakos, seconded by Ms. Galvin, the motion to amend the ordinance passed. (Ayes: Mr. Huja, Mr. Fenwick, Ms. Galvin, Ms. Szakos; Noes: Ms. Smith.)

On motion by Ms. Szakos, seconded by Ms. Galvin, the motion to waive a second reading passed. (Ayes: Mr. Huja, Mr. Fenwick, Ms. Galvin, Ms. Szakos; Noes: Ms. Smith.)

**AN ORDINANCE TO REMOVE A CONDITION IN THE SALE/PURCHASE AGREEMENT FOR LOT 12A AT 1279 KENWOOD LANE BY REVISING AN ORDINANCE ADOPTED BY COUNCIL ON DECEMBER 16, 2013**

**WHEREAS**, by Ordinance adopted December 16, 2013 (the “2013 Ordinance”), City Council approved the sale of Lot 12A at 1279 Kenwood Lane to Hugh D. Scott, III and Susannah Wood for the purchase price of \$101,850.00; and

**WHEREAS**, Council required certain modifications to the Purchase Agreement, one of which was that the single-family home to be constructed on Lot 12A must contain an accessory apartment, as defined and allowed under the City’s Zoning Ordinance; and

**WHEREAS**, the Purchaser’s attorney has notified the City that the requirement for an accessory apartment prevents clear title to be conveyed because the title commitment revealed that all of the lots in the Arlington Heights Subdivision, created in 1957, are subject to a recorded restriction that prohibits construction of any building other than one single family home; and

**WHEREAS**, the City Attorney has recommended that Council remove the accessory

apartment requirement from the Purchase Agreement in order to allow the conveyance to move forward; now, therefore,

**BE IT ORDAINED** by the Council for the City of Charlottesville, Virginia, that the 2013 Ordinance relating to the sale of city-owned land at 1279 Kenwood Lane, a copy of which is attached to this ordinance, is hereby revised to remove the accessory apartment requirement as a condition of approval, and the City Attorney is hereby directed to revise the Purchase Agreement accordingly.

All other terms and conditions of the 2013 Ordinance shall remain unchanged.

**RESOLUTION: Transportation Enhancement Grant - \$300,000 Cash Flow Loan to Thomas Jefferson Planning District Commission (TJPDC)**

**Transportation Enhancement Grant**

Mr. Tolbert presented the enhancement grant request to Council. The City would be repaid the loan within six months of the completion of the project.

Mr. Huja supported the resolution. Ms. Galvin moved to approve the resolution. Ms. Smith seconded. The resolution passed unanimously. (Ayes: Mr. Huja, Ms. Smith, Mr. Fenwick, Ms. Galvin, Ms. Szakos; Noes: None.)

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that the following is hereby transferred in the following manner:

**Transfer From**

\$300,000 Fund: 426 WBS: CP-080 G/L Account: 599999

**Transfer To**

\$300,000 Fund: 426 WBS: P-00809 G/L Account: 599999

**OTHER BUSINESS - Fry's Spring Zoning Study Request**

Ms. Smith moved that City staff compile information to reexamine whether to initiate a study examining disparate zoning within the Fry's Spring neighborhood based on the neighborhood association's request to initiate down zoning. Ms. Galvin seconded the motion. Staff will compile information for consideration at an upcoming Council meeting. (Ayes: Mr. Huja, Ms. Smith, Mr. Fenwick, Ms. Galvin, Ms. Szakos; Noes: None.)

**MATTERS BY THE PUBLIC**

Mr. Louis Schultz, 1809 E. Market St., said this is the fourteenth time that he has come to Council and accused staff of violating the City code in regard to Steephill Street.

Meeting adjourned.