

NOTICE OF SPECIAL MEETING

A SPECIAL MEETING OF THE CHARLOTTESVILLE CITY COUNCIL WILL BE HELD ON Monday, November 16, 2015, 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 – November 16, 2015

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

On motion by Ms. Smith, seconded by Ms. Szakos, Council voted, (Ayes: Mr. Huja, Mr. Fenwick, Ms. Szakos, Ms. Smith, Ms. Galvin; Noes: None), to meet in closed session for (1) consultation with legal counsel regarding potential City liability arising from operations at the transfer station located at the Ivy Landfill Material Utilization Center as authorized by Va. Code sec. 2.2-3711 (A) (7); and, (2) discussion of the acquisition of real property on West Main Street for public parking purposes, 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. Szakos, seconded by Ms. Smith, Council certified by the following vote (Ayes: Ms. Galvin, Mr. Fenwick, Ms. Smith, Ms. Szakos, Mr. Huja; 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 – November 16, 2015

CALL TO ORDER

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

AWARDS/RECOGNITIONS & ANNOUNCEMENTS

Mr. Fenwick read a proclamation honoring Officer Harvey Finkel. Officer Finkel thanked Council for the recognition. Ms. Szakos thanked Officer Finkel and said his entry into the police force later in his career is an example of how people can become police officers regardless of age.

Ms. Galvin announced the Grand Illumination and Toy Lift on December 4th on the Downtown Mall. Go to the City's website for more information.

Ms. Szakos announced holiday parade on November 21 at 10:00 a.m. on the Downtown Mall. City Hall offices will close November 25 at 1:00 p.m. for Thanksgiving and will remain closed for the rest of the week. Council will hold their first work session on the budget on Thursday, December 3 at City Space.

Mr. Fenwick announced the City Market Holiday Market from Saturday, November 28 – December 19 from 8:00 a.m. – 1:00 p.m. at 100 E. Water Street in downtown Charlottesville. Go to Charlottesville.org/parksandrec for more info, or call 970-3371.

Ms. Smith announced this Thursday, November 19 at 7pm will be pitch night for *Energize!Charlottesville* at Milli Joe's Café.

Ms. Smith announced the dedication of two new historic markers for Oakwood and Maplewood this Sunday at 1:30 p.m. for the Oakwood Cemetery and 2:30 p.m. for Maplewood. The event is free and open to the public.

MATTERS BY THE PUBLIC

Mr. John Cruickshank, 324 Parkway St., speaking as a representative of the Piedmont Group of the Sierra Club, referred to Council's resolution regarding eliminating pesticide use when feasible, particularly on school grounds and City parks. The Sierra Club hopes this goal will be achieved by the summer of 2016. The City has already made some progress, but he encouraged adequate funding to complete the initiatives.

Ms. Barbara Cruickshank, 324 Parkway St., said it is important to protect children, who are especially susceptible to chemical pesticides. New studies show a significant association between pesticide exposure and certain diseases for adults.

Mr. Stephen Wilson, 1111 Little High St., said he is concerned about two crosswalks; the first is at 9th Street and E. Jefferson. He said you cannot get cars to stop, even when pedestrians are in the crosswalk. Also, cars speed through the crosswalk at 10th Street and Little High.

Ms. Kate Bennett, 1109 E. Jefferson St., and her daughter Anya, said there is a real traffic problem at her address. The corner of Little High and 11th has no crosswalk or stop sign, and there are no stop signs or speed bumps on Little High between Meade and 10th. She cited an incident from three years ago involving a near- accident and a group of children. The problem has increased since the CFA Institute and the Charlottesville Day School have arrived. We need a four-way stop, not more studies.

Ms. Rebecca Quinn, 104 4th St., said she looked at the TJPDC Legislative Initiatives and is concerned about the use of alternatives for publishing legal advertisements. Simply doing notices online does not reach a lot of our citizens. The Daily Progress is available in the library. Also, allowing the conduct of electronic meetings, while it could broaden the reach, needs a

thorough discussion about which types of meetings would be allowed to be conducted in this manner. She asked the City to test a compost drop-off; she recommended the alley between 4th and 5th Street NE, parallel to Market St., as a good place to start.

COUNCIL RESPONSE TO MATTERS BY THE PUBLIC

Ms. Szakos asked staff to look at the two crosswalks and the 4-way stop at 11th and Little High. Mr. Huja agreed with Ms. Szakos.

Ms. Galvin said she agrees as well, and she said we need to make sure we are not looking at Streets That Work strictly as an academic exercise. She asked for an update on traffic concerns across the City. She thanked the Cruickshanks for the overview of what we have done to date about pesticides in the City.

Ms. Smith said people need to honor crosswalks. She said she is concerned that we have a lot of different mechanisms across the City. We need to keep behavior and research about what works in mind. She thanked the Cruickshanks for being watch dogs on the pesticides issue.

Mr. Fenwick thanked Ms. Maeve Curtain, the UVA Liaison to Council, for attending this evening, being prompt, and attending every meeting. He said it is past time for studies; it is time for action on traffic issues across the City. He thanked the Cruickshanks for their public education.

Ms. Szakos said we have talked about putting signs at the entrances to the City about being pedestrian-friendly with a reminder to observe the crosswalks.

Ms. Smith said Council received an email today about the crosswalk at University Ave. and Rugby Rd., and she asked if we could do a comprehensive look at our traffic lights and crosswalks.

CONSENT AGENDA

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

PUBLIC HEARING / ORDINANCE: CONVEYANCE BY CITY OF PORTION OF RIVES PARK LAND (carried)

Mr. Gensic presented to Council. This conveyance would make a corner of the park private property and would allow the property line to be fenced. Ms. Szakos asked who would pay for the fence. Ms. Gensic said the owner would fence it properly if it became his.

On motion, the public hearing was opened. Having no speakers, the public hearing was closed.

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

RESOLUTION: LEWIS & CLARK LOAN FORGIVENESS REQUEST

Mr. Chris Engel presented to Council on a loan forgiveness request from the Lewis & Clark Foundation in the amount of \$130,000. Mr. Huja invited representatives from the Lewis & Clark Foundation to speak. Ms. Heather Moore Riser, President of Lewis & Clark Exploratory Center Board. Mr. Fran Lawrence, former president, and past president and current treasurer Mr. Chris McClean were also present.

Ms. Smith asked about the County's upcoming economic development meeting. Mr. Lawrence said they met with the County and UVA last week, and did not get their recommendation to the board that the loan be forgiven. Mr. Lawrence said the Lewis and Clark Exploratory Center can do a lot of good work if they do not have to worry about paying off the loan. They have also had a few issues along the way to opening.

Ms. Szakos asked Mr. Engel what he saw as the pros and cons of forgiving this loan are from the perspective of the City's economic development department. Mr. Engel said the money came from the Strategic Investment Fund, which is used for economic development purposes. From an economic development perspective, the Rivanna River has been discussed as being an opportunity for tourism and visiting activities along the river, which is where the center is located.

Ms. Galvin asked if we have forgiven other CEDA loans in the past. Mr. Engel said not that he is aware of. Ms. Galvin asked if this sets a precedent. Mr. Engel said he does not think it sets a precedent; it is a unique set of circumstances.

Mr. Huja asked staff to research whether we have forgiven a loan in the past.

Ms. Smith said the Lewis and Clark Exploratory Center is an incredible asset to the public. In response to a suggestion from Ms. Smith, Mr. Lawrence said they are open to the idea of making the center available to the City and the County for events.

Mr. Fenwick said he shares Ms. Smith's comments. He said Ms. Alexandria Searls has done a great job and is a true asset to the center.

Ms. Galvin said the center is a beautiful asset and completes the narrative of our area. However, she wants to make sure we are tapping into the resources at the CACVB and ensure this is coordinated with functions at Monticello so this is not an untapped resource. She asked for a report in one year to show what has been done to cover costs and increase volume.

On motion by Ms. Smith, seconded by Mr. Fenwick, Council voted to forgive the loan of \$130,000 to the Lewis & Clark Exploratory Center. (Ayes: Mr. Huja, Mr. Fenwick, Ms. Szakos, Ms. Smith, Ms. Galvin; Noes: None.)

Ms. Smith suggested talking to the City and County about collaboration. Ms. Szakos confirmed that meeting rooms will be made available, and a report will come in one year.

RESOLUTION: CITY AND TJPDC LEGISLATIVE PROGRAM FOR 2016 GENERAL ASSEMBLY

Ms. Lisa Robertson presented to Council on the City's legislative agenda.

Ms. Szakos asked to add an item regarding funding for diversion programming and facilities to reduce incarceration.

Ms. Galvin asked where we stand on allowing localities to entertain community benefits such as local hiring as part of the procurement process. Ms. Robertson said we would need to collect allies on this. We have fought off attempts by legislators on bills that would prohibit us from having local living wage legislation. We may not be in a place politically to successfully get legislation that is more permissive, but we have been able to prevent erosion of areas we are able to operate in right now. Ms. Galvin asked if we can find out what other localities may be interested in taking this on.

Mr. Fenwick said he would like the citizens to know that we are making requests. He read the request regarding transportation funding. He said this is a problem that runs across Virginia.

Ms. Smith asked what our chances are for the clean energy initiatives. Ms. Robertson said there are several initiatives out there, and we will see more in the coming years.

Mr. David Blount presented the regional legislative program draft for 2016. The top priority for 2016 is state funding for public education, and the timing for this seems good. The governor has also indicated that K-12 funding will be the top priority in his budget. Mr. Blount gave an overview of the remaining items on the legislative agenda.

Ms. Szakos said the MR waiver is now called the ID waiver, under Health and Human Services. She asked for more information about the proposed item allowing localities to use alternatives to newspaper for publishing various legal advertisements and public notices. Mr. Blount said this is meant to give localities broader options for advertisements. Ms. Szakos asked about safeguards for localities who intend to intentionally bury notices on their website. Mr. Blount said they will have to be accountable to the public, and they have to give at least two forms of notification.

Ms. Szakos asked for clarification about electronic meetings. Mr. Blount said this would match state public bodies' policies and would be held to 25% or less of the meetings. This device may often be used in the case of a state of emergency.

Mr. Fenwick asked about cost for public notification, newspaper ads being by far the costliest. He asked why not all channels would be used, and erring on the side of more

notification rather than less. Mr. Blount said they would like to err on the side of allowing localities to decide what is best for them.

Ms. Szakos said she would like Council's minutes to reflect that Council is slightly uncomfortable with the provisions for allowing for alternative public notification and allowing electronic meetings, although they would not try to block them, as other localities do support them.

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

REPORT: CITY MARKET COMPOSTING

Ms. Kristel Riddervold presented to Council. The City received a \$9,000 grant to pilot a composting project during the 2015 summer season of the City Market. The City partnered with Green/Blue and collaborated with the City's Parks and Recreation Department.

Ms. Anne Bedarf, Manager, and Ms. Erica Stratton, intern, from GreenBlue presented on the composting program and outcomes. Ms. Stratton reviewed recommendations and suggestions that came from the pilot program.

Mr. Fenwick said the City and Greenblue did a great job with the funding they were awarded. He asked if the future market vendors would be willing to use compostable materials. Ms. Riddervold said this pilot exposed hurdles, and they are working on options.

Ms. Riddervold said there is interest in continuing with a permanent program, and there has been a request for carry-over funding and general fund funding to continue this initiative.

Ms. Smith asked if we can legally require vendors to use compostable containers. Mr. Brown said we can have rules about how vendors dispose of their waste.

Ms. Galvin said they did an excellent job getting consumer feedback and compiling data. Mr. Huja said he is interested in figuring out what it would take to continue the program in 2016.

Ms. Szakos asked if we can tell what we are taking out of our landfill costs. Ms. Riddervold said we can get those figures, but the cost of landfilling is still relatively low, so it is difficult to make this decision from a purely business perspective. Ms. Szakos said she is very supportive of this initiative, and she would like to volunteer her neighborhood for a curbside composting pilot program. She said the next step forward would be finding a place for drop-off in the off-season.

Mr. Huja asked if we can get information on alternatives and costs in time for the next budget process.

Ms. Smith asked how important it would be to have a staff member present at the collection location. Ms. Stratton said they have discussed collaborating with the McIntire

Recycling Center, and the GreenBlue office has been offered as a temporary drop-off location as well.

REPORT: PLAY THE CITY

Mr. Matt Slaats presented to Council on the activities of the Play the City program over the past year.

Ms. Szakos said she likes creating games for civic education and recommended the National League of Cities as a resource. Mr. Huja said he has a game for City Planning that he would be happy to share. Ms. Smith said she would love to see life-sized game pieces for playgrounds.

Ms. Galvin said there are six initiatives, and she asked what the adults and children said they need, want, and are concerned about. Mr. Slaats said they need to do a better job of communicating the data they are collecting and will do so going forward.

Ms. Smith asked if they are on Facebook. Mr. Slaats said www.playthecitycville.org has good information, and they are on Facebook as well.

Ms. Galvin said Miriam Dickler and Mike Murphy are working on the City's approach to community engagement and asked if there has been collaboration. Mr. Slaats said he is on the Bridge Builder Committee, and they have talked about making a connection with the City's engagement initiatives.

REPORT: JAUNT ANNUAL REPORT AND FINANCIAL PLAN

Mr. Brad Sheffield presented to Council and gave an update on JAUNT's activities over the past year.

Mr. Fenwick congratulated Mr. Sheffield and JAUNT on 40 years of excellent service.

Ms. Smith asked what the barriers are to encouraging CAT ridership where possible. Mr. Sheffield said dedicated staff from CAT and JAUNT should work in tandem to identify ways to encourage CAT ridership. Ms. Smith said we need to work to make it easier to ride.

At Ms. Galvin's request, Mr. Sheffield spoke about the Park-and-Ride program he has started.

OTHER BUSINESS

Ms. Szakos attended the National League of Cities meeting in Nashville and said she would be happy to report on it at the next Council meeting.

Ms. Smith asked for a report on wastewater metering. We are still paying old debt based on old data. Ms. Galvin said Mr. Frederick responded that he needed to confer with his

engineers, and Ms. Smith said he should be able to do that by tomorrow. Ms. Smith said she would like to know if our engineers have gotten the information that was completed in May. Mr. Huja said we will have staff to look into this. Ms. Smith said she wants to know what the new balance is between City and County.

MATTERS BY THE PUBLIC

Ms. Rebecca Quinn, 104 4th St., said the explanation given for the TJPDC recommendations about participating in meetings electronically does not match the wording in the materials. What Mr. Blount described was to allow members of local and regional public bodies to participate electronically according to rules, but the way she read it is to allow entire meetings to be conducted electronically. Public business is done face to face, and our style of government is participatory. This will erode without face to face opportunities.

Ms. Maeve Curtain, UVA student liaison to City Council, cautioned against Council doing continuous studies about the crosswalks. If you could do something about them without investing in more consultants, that would build good faith. There is also a lot of build-up of traffic on University, so you would get complaints there if you increase pedestrian crosswalk light time. She is excited about opportunities for collaboration with UVA, as UVA has exciting composting initiatives they are working on. There are opportunities for Charlottesville residents to compost on UVA Grounds as well.

COUNCIL RESPONSE

Ms. Szakos said she agreed with Ms. Quinn's comments about public participation.

Ms. Galvin said staff needs to collect data and double check the numbers and volume at intersections.

Meeting adjourned.