

NOTICE OF SPECIAL MEETING

A SPECIAL MEETING OF THE CHARLOTTESVILLE CITY COUNCIL WILL BE HELD ON Monday, May 2, 2016, 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 – May 2, 2016

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

On motion by Ms. Szakos, seconded by Mr. Signer, Council voted, (Ayes: Ms. Szakos, Ms. Galvin, Mr. Signer, Mr. Fenwick; Noes: None; Absent at time of vote: Mr. Bellamy), to meet in closed session for (1) Discussion and consideration of specific candidates for appointment to City boards and commissions, as authorized by Virginia Code sec. 2.2-3711 (A) (1); and, (2) Consultation with legal counsel and briefings by staff members pertaining to actual litigation filed against the City of Charlottesville by Charlottesville Parking Center, and consultation with legal counsel for legal advice regarding the negotiation of the terms and conditions of an agreement providing for the co-location of the City and Albemarle County General District Courts, as authorized by Virginia Code sec. 2.2-3711 (A) (7).

On motion by Ms. Szakos, seconded by Mr. Bellamy, Council certified by the following vote (Ayes: Ms. Galvin, Ms. Szakos, Mr. Bellamy, Mr. Fenwick, Mr. Signer; 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 – May 2, 2016

CALL TO ORDER

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

AWARDS/RECOGNITIONS & ANNOUNCEMENTS

Ms. Szakos announced the City Scholarship program has awarded 10 more scholarships this year to Charlottesville High School seniors. She read a brief bio for each recipient.

Mr. Bellamy read a proclamation in honor of National Police Memorial Week. Capt. Gary Pleasants was present to accept on behalf of the Charlottesville Police Department.

Mr. Signer read a proclamation in honor of Paul Beyer and the Tom Tom Founders Festival. Mr. Beyer accepted the proclamation and thanked Council for the recognition and support. He presented banners to Mr. Signer and Mr. Bellamy. He thanked City staff for their support as well.

Ms. Galvin announced the Celebrate Our Drinking Water Supply event on May 5 from 10:30 a.m. – 12:00 p.m.

Ms. Szakos announced the Festival of Cultures on May 14 at Lee Park. Also, May is National Foster Care Month. First Fridays presents "Art in the City" featuring "Foster Art", and the Foster Care Awareness Walk is on May 14. Saturday, May 14 is the grand opening of the Lewis and Clark Center at Darden Towe Park.

Mr. Bellamy announced Clean Commute Day; pledge to use alternative transportation on Friday, May 6 and enter to win prizes. Go to www.catchthecat.org to register, or register in person at the Downtown Transit Center. CAT will offer fare-free rides all day Friday to celebration. He thanked staff for putting on a reentry resource fair, and he announced the Job Fair on May 11 from 10:00 a.m. – 3:00 p.m. at the JPJ Arena. The Charlottesville Alliance for Black Male Achievement will have the first annual Black Man Can breakfast and symposium from 9:00 a.m. – 3:00 p.m. next Saturday. The 100 Black Women of Central Virginia will meet the first Sunday of every month at 3:00 p.m. at CitySpace.

Mr. Fenwick announced Cops4Kids Day, hosted by the Charlottesville Police Foundation on Friday, May 13 from 4-6:00 p.m. at the Cherry Avenue Boys and Girls Club.

CITY MANAGER'S RESPONSE

Mr. Jones said the City is providing assistance and guidance to CRHA on maintenance issues, and staff is working with CRHA administration and contractors to manage some of those projects. Ms. Galvin thanked Mr. Jones for the update.

MATTERS BY THE PUBLIC

Mr. Louis Shultz, 1809 E. Market St., said Council elections were held illegally.

Ms. Marnie Slawson, along with other Monticello High School students, has been researching installing cameras on the Downtown Mall. They said they have concluded that it would be beneficial for Charlottesville to install cameras.

Mr. John Cruickshank, 324 Parkway St., encouraged Council to reduce pesticide use and eliminate use from as many sites as possible, particularly on school grounds and in parks. He said 1,205 citizens have signed Sierra Club's petition supporting this position. The traffic circle

maintained by the North Downtown Resident's Association is a good example of a garden that can thrive without pesticides.

Ms. Naomi Roberts, 1108 St. Clair Ave., said she is upset she has not gotten a response from Council about rezoning in her neighborhood.

Ms. Elizabeth Beasley, with the Charlottesville Health Department on Rose Hill Dr., said they are in the third round of MAPP to Health. They will be out in the community asking for resident feedback to help their council develop a health improvement plan to improve the community's health. Call 434-972-6232 if you have questions about the survey.

Mr. Jay James, 169 Brookwood Dr., and Mr. William Morgan, said his group is looking for discretionary Council funding to support their work in the community. Mr. Morgan spoke about how the program has made a difference in his life. In response to an inquiry from Mr. Bellamy, Mr. James said his group is seeking \$64,000.

Mr. John Heyden, Westwood Rd., said he does not understand the need for the blue ribbon commission. He said Council should listen to the will of the people, and voters should decide this issue.

Ms. Ida Lewis, 605 13th St. NW, said there is no bus service from Grady Ave. to the downtown mall. Riding the University bus is not a convenient solution. She asked Council to consider routing bus service down Grady Ave.

Mr. Peter Kleeman, 407 Hedge St., said he was discouraged to learn of a pedestrian being hit at the intersection at McIntire Rd. He asked for an evaluation of safety at the intersection near the County Office Building and the 250 Bypass.

Mr. Fenwick thanked Marnie Slawson for coming. He also thanked the group from Charlottesville High School for coming. Mr. Fenwick said he will visit Ms. Roberts. He thanked Mr. James for his testimonial.

Ms. Galvin said she contacted staff asking for an update when she received Ms. Roberts' email. She was told this was by-right use. She asked for an update for when the code audit will begin and what the staff needs to look at these types of circumstances holistically. She asked staff to follow up with Ms. Lewis about bus service to Grady Ave.

Ms. Szakos apologized for not getting back to Ms. Roberts, but she said there is nothing the City can do to change what is happening currently. She said she has been pushing for the Grady Ave. bus route for a long time, and the CAT Advisory Committee is discussing what they can do when school is not in session. She asked for an update from staff.

Mr. Signer reminded Council that response to the public during the meeting is generally reserved for the City Manager's Response.

MS. Szakos added approval of legislative letters to Other Business.

CONSENT AGENDA

- a. **Minutes for April 18**
- b. **APPROPRIATION: \$200,000 to the Charlottesville Redevelopment & Housing Authority Marriott Proffer/Inn at Vinegar Hill and \$70,000 to the Charlottesville Affordable Housing Fund (2nd reading)**
- c. **APPROPRIATION: Charlottesville Affordable Housing Fund for Free Paint Program -- \$15,000 (carried)**
- d. **APPROPRIATION: Loan Repayment Proceeds from Brown - \$47,481 and Brown - \$879 to the Charlottesville Affordable Housing Fund (carried)**
- e. **APPROPRIATION: Out-of-School Time Programs grant from the National Recreation and Park Association in Partnership with the Wal-Mart Foundation \$15,000 (carried)**
- f. **APPROPRIATION: Domestic Violence Services Coordinator Grant - \$47,481 (carried)**
- g. **APPROPRIATION: CATEC to the CATEC - IT Network Academy Project - \$47,194 (carried)**
- h. **APPROPRIATION: Charlottesville City Schools (C.C.S.) to the C.C.S. Enhanced Entrance Security Project - \$50,000 (carried)**
- i. **APPROPRIATION: Albemarle County Reimbursement for the Gordon Avenue Library Main Level Restroom Renovation (Design Only) Project - \$2,487.50 (carried)**
- j. **RESOLUTION: Authorization of Amendment to Lease Agreement for 608 Ridge Street**
- k. **RESOLUTION: Revisions to Community Policy Management Team Appointments**

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

PUBLIC HEARING / RESOLUTION: BOND ISSUE - \$22.75 MILLION

Bond Resolution

Mr. Cullinan presented to Council.

Mr. Fenwick asked if the City sells the bonds all at once. Mr. Cullinan says they may do so, or they may sell them in two issues, depending on what the market is doing and which way is best for the City.

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

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

PUBLIC HEARING / RESOLUTION: APPROVAL OF FY 2016-2017 ANNUAL CDBG / HOME ACTION PLAN

FY 2016-2017 Annual Action Plan

Ms. Tierra Howard presented to Council.

Ms. Szakos said she was not able to find a copy of the report that was sent to HUD. Ms. Howard said staff will post this report to the City's website.

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

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

APPROPRIATION: APPROVAL AND APPROPRIATION OF CDBG & HOME BUDGET ALLOCATIONS FOR FY 2016-2017 APPROPRIATION OF FUNDS FOR 2016-17 COMMUNITY DEVELOPMENT BLOCK GRANT - \$407,585.44 (carried)

APPROPRIATION: 2016-17 HOME FUNDS - \$69,849 (carried)

RESOLUTION: REPROGRAMMING OF FUNDS FOR FY 16-17 (1st of 1 reading)

CDBG/ HOME Approvals

Ms. Howard reviewed the appropriations and the resolution.

Mr. Bellamy asked how the funds were allocated and how the amounts were determined. Ms. Howard said they made decisions about allocations based on the scores, and categories are then allocated based on the final recommendation from HUD.

Ms. Szakos disclosed that she is on the City of Promise Steering committee but does not believe it will taint her judgment on the matter.

Ms. Galvin asked about the City of Promise child care program recommendation. Ms. Howard explained the evaluation of the program.

Mr. Fenwick thanked Ms. Howard for her work on this. He recommended reviewing lessons learned for the process going forward.

On motion by Mr. Fenwick, seconded by Mr. Bellamy, the first appropriation carried.

On motion by Ms. Szakos, seconded by Mr. Bellamy, the second appropriation carried.

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

ORDINANCE: ABANDON EASEMENTS FOR WILLIAM TAYLOR PLAZA PROJECT (carried)

Abandonment of Sanitary Sewer and Slope Easements - William Taylor Plaza Project

Mr. Brown presented to Council on the proposed abandonment of easements.

Ms. Szakos clarified that the developer has to build new lines, and the old lines will not be closed until the developer has installed new lines at their own expense.

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

On motion by Ms. Galvin, seconded by Mr. Bellamy, the ordinance carried.

RESOLUTION: SUP - 750 HINTON AVE.

SUP - 750 Hinton Ave.

Ms. Carrie Rainey presented to Council. She reviewed the conditions on the approval as recommended by the Planning Commission on April 12.

Mr. Bellamy said he was present at the Planning Commission hearing and was pleased to support this. Ms. Galvin said she is pleased more childcare options are coming to Charlottesville. Mr. Fenwick agreed.

Mr. Eric Anderson, head of the International School of Charlottesville, thanked Council for their consideration of this application. Mr. Heather Hill, Chair of the Building Committee, was also present.

Mr. Bellamy moved approval; Ms. Galvin seconded the resolution granting the SUP for up to 48 children. The resolution passed. (Ayes: Ms. Galvin, Ms. Szakos, Mr. Bellamy, Mr. Fenwick, Mr. Signer; Noes: None.)

REPORT: BAR APPEAL - ATTIC ADDITION AT 513 14TH STREET NW

BAR Appeal - Attic Addition at 513 14th Street NW

Ms. Mary Joy Scala presented to Council, reviewing the BAR's denial of an attic addition at 513 14th Street NW. If Council overturns the BAR's decision, Ms. Scala advised Council that they should direct the applicant to return to the BAR for approval of other unresolved matters.

Ms. Galvin asked for clarification about the request for the applicant to lower the roof line. Ms. Scala said the applicant was agreeable to so. Ms. Galvin asked if the BAR can make a recommendation based on zoning density. Ms. Scala confirmed that zoning density is not under the BAR's purview.

Ms. Szakos asked for clarification on Ms. Scala's recommendation to uphold the BAR's decision. Ms. Scala said she tries to be tone-neutral, and her recommendation to the BAR was intended to be so as well.

Mr. Kurt Wassenaar, representing owner Mr. Lane Bonner, gave an explanation for why the applicant believed an appeal should be granted. He suggested Council may consider a process to reconsider the zoning at this parcel.

Council recessed at 9:02 p.m. and reconvened at 9:10 p.m.

Ms. Miller, BAR Chair, presented to Council on the BAR's recommendation to deny the application. The owner of the property owns adjacent properties allowing for parking, which allows the builder to construct all the way to the property line. She reviewed why the proposed addition does not meet the guidelines. Massing, size and scale were key issues; also, a landscape plan was not provided. She said the code audit may want to examine what constitutes an addition.

Ms. Szakos made a motion to uphold the BAR's decision to deny the proposed addition. Mr. Fenwick seconded the motion.

Mr. Fenwick said he sees no compelling reason to overrule the BAR's decision. Ms. Szakos said she read this carefully and visited the site, and while both positions have valid points, she did not find a compelling reason not to uphold the BAR's decision.

Ms. Galvin said she empathizes with the disconnect between the City's zoning ordinances and the guidelines, but applicants should not get caught in the middle. This is a sensitive infill project that increases density modestly without decreasing character along the street and within the context of the existing scale of the neighborhood. Regulating density, land use, or housing policy is not in any way under the BAR's purview.

Mr. Bellamy said he agrees with Ms. Galvin. He has the utmost respect for the BAR, but this is outside their purview, and they are not designed to make these kinds of decisions. This is the model we want developers to use, and that is what they did.

Mr. Signer said he leans towards Ms. Galvin's view as well, although it is a very close call. We generally defer to our boards, but it was a divided decision amongst BAR members. If this allows for larger zoning issues to be driven forward as a result of this confusion, that would be helpful for policy.

Ms. Szakos withdrew her motion to uphold the BAR's decision.

Ms. Galvin moved to overturn the BAR's decision and said the applicant should return to the BAR to address unresolved issues such as landscape and other details. Mr. Bellamy seconded the motion. The motion to overturn the BAR's decision passed. (Ayes: Ms. Galvin, Mr. Bellamy, Mr. Signer; Noes: Ms. Szakos, Mr. Fenwick.)

RESOLUTION: BLUE RIBBON COMMISSION ON RACE, MONUMENTS AND PUBLIC SPACES

Blue Ribbon Commission on Race, Monuments and Public Spaces Resolution

Mr. Signer presented on the proposed resolution forming a blue ribbon commission on race, monuments and public spaces. Mr. Signer noted three sub-bullets were removed because they are repetitive; Ms. Szakos said she thinks they are important, because they specifically ask for a recommendation and talks about revenue. Ms. Szakos said she would prefer to leave them in. Mr. Signer agreed to do so.

Ms. Galvin suggested based on comments and detailed letters Council has received adding the word "preliminary" in key locations, and adding language reserving the right to extend the charge of the commission should Council deem it necessary. This does not slow down a decision about the statues but builds in more time to get accurate data about costs and location possibilities.

Ms. Szakos said she does not object to adding "preliminary" in key locations, but she does not agree with extending the time of the commission because it needs to have a finite period of service so that when people are applying, they know how much time they have to commit.

Mr. Bellamy said he does not see why we need to add the word preliminary.

Ms. Galvin said she is responding to strong emails she received from professionals. She does not want to see this commission trying to figure out a particular cost estimate and losing sight of the big picture.

Mr. Signer said he is worried about watering down the advice we get. We could give the commission the ability to come back to us if they determine they need to do so. Ms. Galvin and Ms. Szakos said they would like to avoid this.

Ms. Szakos said the second bullet point is not complex. She supported inserting "preliminary" there, but not in other places.

Mr. Fenwick said he would like to see flexibility remain in the resolution. We do not know the direction the commission will go in.

Mr. Bellamy said we need to allow the commission to do their work and come back to the Council with what they have discovered.

Ms. Szakos moved to adopt the resolution as it appears in the Council materials.

Ms. Galvin said we need to make sure we do not ignore a well-reasoned appeal for more time. We should ensure we are not hampering the effectiveness of this group in our zeal to get this done.

Ms. Szakos said staff can convey Council's stance on these matters.

Mr. Signer said the commission is going to have to meet more often, and we should include this in our expectations.

Mr. Fenwick said we are packing a lot into this commission, and is there value in exploring alternates.

Mr. Bellamy seconded Ms. Szakos' motion. The resolution passed without modification. (Ayes: Ms. Galvin, Ms. Szakos, Mr. Bellamy, Mr. Fenwick, Mr. Signer; Noes: None.)

OTHER BUSINESS - Letters Regarding U.S. Transportation Act

Ms. Szakos brought forth two letters proposed by Ms. Meredith Richards. She briefly reviewed their content and asked for Council's support for restored funding for the CRSI program, which will support passenger rail.

Council supported authorizing the mayor to sign the letters on behalf of Council.

MATTERS BY THE PUBLIC

Mr. Peter Kleeman, 407 Hedge St., said he is pleased the public hearings tonight were open to anyone who wanted to speak regardless of whether they signed up on the sheet. He asked for Council to clarify this in their procedures.

Mr. John Keefe, said he originally wanted to stay in Charlottesville, but now he is looking to leave because it is no longer a historical City.

Ms. Rebecca Quinn, 104 4th St., said if the letters Ms. Szakos presented were plowing new ground, they should have been voted on. Please have someone do a follow-up call, not just send it the letter. There is so much detail in the blue ribbon commission resolution that it comes across as if Council already knows what the outcome will be. Council may need more time to consider the commission's recommendations.

Mr. Uriah Hill, 829 Mallside Forest Ct., said sufficient decisions must be made based on insufficient data. If you wait until you have all the information, you will never make a decision.

Ms. Szakos said she is hand-delivering the letters about rail funding on Thursday.

Adjourned at 10:15 p.m.