

NOTICE OF SPECIAL MEETING

A SPECIAL MEETING OF THE CHARLOTTESVILLE CITY COUNCIL WILL BE HELD ON Tuesday, September 6, 2016, AT 5:30 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 – September 6, 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. Bellamy, Council voted, (Ayes: Mr. Bellamy, Ms. Szakos, Ms. Galvin, Mr. Signer, Mr. Fenwick; Noes: None), to meet in closed session for:

- (1) Consultation with legal counsel and briefings by staff members pertaining to a settlement proposal in litigation between the City of Charlottesville and Charlottesville Parking Center, where such consultation in an open meeting would adversely affect the City's litigating posture, as authorized by Virginia Code sec. 2.2-3711 (A) (7);
- (2) Discussion of the acquisition of real property in the Downtown area for public parking, where discussion in an open meeting would adversely affect the City's bargaining position, as authorized by Virginia Code sec. 2.2-3711 (A) (3);
- (3) Discussion and consideration of specific candidates for appointment to City boards and commissions, and discussion of the City Manager's annual performance evaluation, as authorized by Virginia Code sec. 2.2-3711 (A) (1).

On motion by Ms. Szakos, seconded by Mr. Fenwick, 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 – September 6, 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. Galvin reminded everyone of the GO Virginia program and highlighted the resolution Council is voting on this evening as part of the consent agenda.

Ms. Szakos announced the Rose Hill neighborhood is celebrating its 100th year and will host a party on Saturday from 11am-4pm at Washington Park. Also, a Dave Matthews Band documentary is being featured on TNT this Sunday evening at 10pm and will feature the Charlottesville community.

Ms. Szakos read a proclamation recognizing September 10-18, 2016 as Pride Festival Week in the City of Charlottesville. Ms. Amy Sarah Marshall was present to accept on behalf of the Pride organization. She invited everyone to attend the Pride Festival in Lee Park on Saturday, September 17 from 11am-6pm.

Mr. Bellamy encouraged residents to verify or update their voting status by calling the City's Voter Registration office or online. The deadline to update information is October 17. Go to www.charlottesville.org/vote for additional information.

Mr. Bellamy read a proclamation recognizing A Day Without Water to promote the value of water and educate the Charlottesville community. A kick-off event will take place on the Downtown Mall on September 16th from 11am - 1pm, and a youth art contest will be held.

Mr. Bellamy announced that the City is partnering with the Adult Education Center to offer GED classes. Go to the Adult Learning Center at the IX Building for more information and to sign up to take an assessment class. Also, Charlottesville Black Male Achievement will meet on September 20 at 6:30 p.m. at the Jefferson School. The next Blue Ribbon Commission on Race, Memorials and Public Space meeting is Thursday at 6pm at Tonsler Park.

Mr. Signer announced the Mayor's Office Hours this Thursday from 12-1pm at Grit Cafe on the Downtown Mall. Contact Paige Rice to reserve a spot, or stop by to visit. Also, next week September 14-17, the Human/Ties conference will be held. Go to www.humanties2016.com for more information and a listing of free events.

Mr. Signer announced that Council is voting on a resolution tonight providing for assistance with online registration through the City's Department of Social Services.

APPOINTMENTS TO BOARDS & COMMISSIONS

On motion by Mr. Fenwick, seconded by Ms. Szakos, the following appointments were made to Boards and Commissions: to the Citizen's Police Advisory Panel: Nick Matthews; to the Citizen's Transportation Advisory Committee: Ray Heron; to the Jefferson Area Board for Aging Advisory Council: Jim Self; to the Jefferson Area Board for Aging Board: Richard Brugh, which is a correction to the July 18 appointment, which placed Mr. Brugh on the JABA Advisory Council; to the Parks and Recreation Advisory Committee: Jennifer Slack; to the Region Ten

Community Services Board: Summer Sage; to the Towing Advisory Board: Tom Fitzgerald, Edward Hayslett, and Larry Sipe. (Ayes: Ms. Galvin, Ms. Szakos, Mr. Bellamy, Mr. Fenwick, Mr. Signer; Noes: None.)

CITY MANAGER RESPONSE TO MATTERS BY THE PUBLIC

Mr. Jones gave an update on the HVAC system at Crescent Halls. Parts to the original system had to be created and are scheduled to be installed on Wednesday and Thursday of this week. Mr. Duffield said CRHA is going through an annual plan process and has scheduled meetings with residents over the next month. Residents are encouraged to come to the meetings and give ideas for improvements. Ms. Szakos asked if there was more information about deposit assistance for renters. Mr. Jones said staff is looking into options. Mr. Jones said there is nothing further to report on disproportionate minority contact, in response to Ms. Szakos' inquiry.

MATTERS BY THE PUBLIC

Ms. Joann Robertson said the issue at Crescent Halls is still bad after six weeks. She said there are still issues with mold, and residents are worried about heat in the winter. She said the response time is not acceptable.

Mr. Bill Atwood, architect, said he was here when the Downtown Mall was built. It took a long time to get the Downtown Mall to where it is today, and we have only been able to survive because we have people working hard every day. He asked Council to think about the working person when they are voting. People need to be able to live where they work.

Ms. Theresa Steely, Madison Ave., said she is here in support of the Crescent Halls residents. She said she thinks the CRHA is doing a good job with what they have, and things will get better, but it takes time.

Ms. Peggy North, 208 Crescent Hall, said residents are living with mold and mildew in their apartments. She said her health problems started when she moved to Crescent Halls.

Ms. Deborah Booker, President of the Tenants Association at Crescent Halls, thanked Ms. Carey and Ms. Robertson for starting the Caring for Crescent Halls Facebook page. She commended the residents for standing by one another while living in poor conditions. She said residents fear speaking out, and confidentiality has become an issue.

Ms. Helen Cauthen, Central Virginia Partnership for Economic Development President, thanked Council for the GO Virginia resolution on tonight's consent agenda. This will provide state funding for the City and surrounding counties to work together. She thanked the Office of Economic Development and Mr. Chris Engel for their support.

Ms. Mary Carey, 100 Ridge St., said some people say things are moving in a positive direction at Crescent Halls, but for those who live there, things are stagnant. You have to see conditions for yourself and not depend on what others say. Ms. Carey used profanity and was

speaking out of turn during the meeting. She refused to discontinue speaking out of turn from the floor, and Mr. Signer asked that she be removed from the meeting.

CONSENT AGENDA

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

- a. Minutes for August 15**
- b. APPROPRIATION: Adult Drug Treatment Court Grant Award - \$205,000 (2nd reading)**

[Adult Drug Treatment Court Grant Award](#)

- c. APPROPRIATION: Victim Witness Assistance Program Grant - \$250,902 (2nd reading)**

[Victim Witness Assistance Program Grant](#)

- d. APPROPRIATION: Proceeds from the Sale of 1312 Nunley Street - \$126,731.08 (2nd reading)**

[Proceeds from the Sale of 1312 Nunley Street](#)

- e. APPROPRIATION: Mobile Computer and Records System Equipment - \$173,272 (2nd reading)**

[Mobile Computer and Records System Equipment](#)

- f. APPROPRIATION: Safe Routes to School Grant Application - \$56,000 (2nd reading)**

[Safe Routes to School Grant Application](#)

- g. APPROPRIATION: Local Contributions for Crisis Intervention Training - \$71,200 (carried)**

[Local Contributions for Crisis Intervention Training](#)

- h. APPROPRIATION: Grant Funding for W. Main St. National Register Nomination - \$24,000 (carried)**

[Grant Funding for W. Main St. National Register Nomination](#)

- i. **APPROPRIATION: Virginia Homelessness Solutions Grant (V.H.S.P.) - \$477,151; Housing Opportunities for Persons with AIDS (H.O.P.W.A.) - \$186,940 (carried)**

[Virginia Homelessness Solutions Grant](#)

- j. **RESOLUTION: Jane Jacobs Symposium Funding - \$2,000**

[Jane Jacobs Symposium Funding](#)

- k. **RESOLUTION: Daughters of Zion Cemetery Rehabilitation Project - \$80,000**

[Daughters of Zion Cemetery Rehabilitation Project](#)

- l. **RESOLUTION: Abundant Life Ministries Reimbursement**

[Abundant Life Ministries Reimbursement](#)

- m. **RESOLUTION: GO Virginia**

[GO Virginia](#)

- n. **RESOLUTION: Transfer for C.A.T.E.C. Chiller Replacement Project - \$144,700**

[Transfer for C.A.T.E.C. Chiller Replacement Project](#)

- o. **RESOLUTION: Online Voter Registration**

[Online Voter Registration](#)

- p. **ORDINANCE: Telecommunications Ordinance Amendments (2nd reading)**

[Telecommunications Ordinance Amendments](#)

- q. **ORDINANCE: Dominion Utility Right-of-Way Agreements to Serve the YMCA (2nd reading)**

[Dominion Utility Right-of-Way Agreements](#)

PUBLIC HEARING / RESOLUTION: COMPREHENSIVE PLAN AMENDMENT - STREETS THAT WORK PLAN

[Comprehensive Plan Amendment](#)

Ms. Heather Newmyer and Ms. Amanda Poncy presented to Council. Ms. Newmyer reviewed the Streets That Work plan and how the Streets That Work guidelines will be applied.

Ms. Poncy reviewed priority corridors and intersections. Ms. Newmyer and Ms. Poncy answered clarifying questions for Council. Ms. Galvin thanked staff for a job well-done.

On motion, the public hearing was opened.

Mr. Morgan Butler, SELC, urged Council to adopt the plan as part of the Comprehensive Plan. He said these guidelines make biking, walking and transit safer options for residents. However, he said the initial round of code audit work was larger in scope, and the current proposal is missing several elements of the original plan. He asked Council to make sure the missing pieces do not fall through the cracks.

Having no further 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.)

PUBLIC HEARING / ORDINANCE: CONDITIONAL RELEASE OF ROAD WIDENING, DRAINAGE, AND PUBLIC ACCESS EASEMENTS TO ACCOMMODATE RETAIL DEVELOPMENT AT 1200 EMMET ST. (carried)

[1200 Emmet St. Release Easements](#)

Mr. Matt Alfele presented to Council. Mr. Alfele and Mr. Brennen Duncan, Assistant City Engineer, answered clarifying questions for Council. Ms. Lisa Robertson, Deputy City Attorney, briefly reviewed the City's objectives for the easements.

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

On motion by Ms. Szakos, seconded by Mr. Fenwick, the ordinance carried for a second reading.

RESOLUTION: 1248 EMMET STREET SPECIAL USE PERMIT - ZAXBY'S

[1248 Emmet Street Special Use Permit - Zaxby's](#)

Ms. Heather Newmyer presented to Council on a special use permit request for Zaxby's located at 1248 Emmet Street and answered clarifying questions for Council.

Mr. Reid Murphy, representative for the applicant, presented to Council. He said they have worked with staff on the issues important to the site plan. He said the City should enforce and uphold the standards they have in place rather than put the onus on a potential incoming business. He answered clarifying questions for Council.

Ms. Szakos moved the resolution, with the exception of the time for the hours of operation to instead end at midnight. There was no second.

Mr. Bellamy moved to accept the plan as requested. Ms. Szakos seconded the motion.

Ms. Galvin said she cannot support this project because it is not in keeping with the comprehensive plan and entrance corridor guidelines. The City's existing zoning is not enforcing the comprehensive plan, and we are under-using very valuable land.

Mr. Bellamy asked Ms. Szakos to explain her reasoning for extending the hours. She said if Zaxby's said the current hours are a deal breaker, then we would be approving a random drive through. She asked to amend Mr. Bellamy's motion to allow for operating hours of 10am – 12am. Mr. Bellamy accepted the amendment. Council voted to accept the amendment to the motion. (Ayes: Ms. Szakos, Mr. Bellamy, Mr. Fenwick, Mr. Signer; Noes: Ms. Galvin.)

Mr. Signer said the vision of the City is reflected in the Comprehensive Plan, and he is in agreement with Ms. Galvin's position. He agreed that there is under-utilization of the space. It is important to show where we are on major policy decisions and the future with our votes.

Ms. Szakos said this corridor will always be auto-centric. This project increases walkability while responding to the fact that there are many cars here. Mr. Fenwick agreed with Ms. Szakos' sentiments.

The resolution passed. (Ayes: Ms. Szakos, Mr. Bellamy, Mr. Fenwick; Noes: Ms. Galvin, Mr. Signer.)

RESOLUTION: HOUSE BILL 2 (HB2/ SMART SCALE) SUBMISSIONS, BICYCLE AND PEDESTRIAN SAFETY PROGRAM TRANSPORTATION FUNDING

[House Bill 2 \(HB2/ SMART Scale\) Submissions](#)

Mr. Tony Edwards presented to Council.

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.)

REPORT: CODE AUDIT UPDATE

[Code Audit Update](#)

Mr. Ikefuna presented to Council and thanked his staff for their hard work on this review and Council for their swift action on this matter.

Mr. Ikefuna asked to extend the date to June 2018 on page three of the proposed resolution and to delete reference to specific costs, which will be researched and decided upon at a later date.

Ms. Szakos said this resolution addresses most of Mr. Butler's concerns as voiced during Matters by the Public. She asked that the text be posted online.

Ms. Galvin moved the resolution to pass the Code Audit Update, with dollar amounts removed on page 1 and 2, and revising the extended comprehensive plan on page 3 to read "June 2018", as per Mr. Ikefuna's recommendations. Ms. Szakos seconded the motion and requested that it be posted online. The resolution passed. (Ayes: Ms. Galvin, Ms. Szakos, Mr. Bellamy, Mr. Fenwick, Mr. Signer; Noes: None.)

OTHER BUSINESS

Mr. Fenwick asked if we need a formal motion to support the African American Teaching Fellows dinner. Mr. Jones said we do not.

MATTERS BY THE PUBLIC

Ms. Nancy Carpenter, Rose Hill neighborhood, invited Council to Washington Park on Saturday from 11am - 4pm to celebrate the history of the Rose Hill neighborhood.

Meeting adjourned at 9:43 p.m.