

NOTICE OF SPECIAL MEETING

A SPECIAL MEETING OF THE CHARLOTTESVILLE CITY COUNCIL WILL BE HELD ON Monday, December 5, 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 – December 5, 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 regarding litigation by and against Charlottesville Parking Center, Inc. related to the operation of the Water Street Parking Garage, where a discussion in an open meeting would adversely affect the City's litigating posture, as authorized by Virginia Code sec. 2.2-3711 (A) (7); and, (2) Discussion and consideration of specific individuals for appointment to boards and commissions, as authorized by Virginia Code sec. 2.2-3711 (A) (1); and, (3) Discussion of the disposition of City-owned real property on Rougemont Avenue, 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).

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 – December 5, 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

Mr. Signer announced the VSA poetry book presentation. An author read a short sample.

Ms. Galvin announced the Imagine a Day Without Water poster contest winners. Go to www.charlottesville.org/waterconservation to view winners and find out more information on the campaign.

Mr. Fenwick announced a pre-budget Council work session on Thursday, December 8 from 5-7pm at City Space. He also announced the City Office holiday closings on Monday, December 26 and Monday, January 2. Information about CAT service, trash and recycling is available on the City's website.

Mr. Bellamy announced that on Saturday, December 17 from 10am-12pm at First Baptist Church, HYPE will collaborate with the church for the 5th Annual Coat Drive and Giveaway. Please bring donations of winter clothing to Virginia Organizing, Crowe Recreation Center, JJ's Barbershop or His Image Barbershop.

Mr. Signer announced monthly office hours Thursday from 12-1pm at the Mayor's Office in City Hall. He read a statement about mutual respect and a request for civility at tonight's meeting.

Mr. Signer read a statement regarding Mr. Bellamy. He also clarified that Council does not have legal authority to remove a Councilor.

Mr. Signer read a statement about governing procedures and said Council is looking forward to healthy debate about how to move forward with the Matters by the Public process.

Mr. Bellamy made a statement regarding the recent controversy over his Twitter account. Mr. Signer said those shouting from the floor without recognition will be removed from the meeting.

Mr. Fenwick said he is a Christian, and all religions share a message of forgiveness. He made a statement of support for Mr. Bellamy and said he would not support any punitive action against him.

Ms. Szakos said she also supports Mr. Bellamy.

Ms. Galvin said Mr. Bellamy's present character does not match the tweets he made in the past. She said she will continue working together with Mr. Bellamy for the common good.

CITY MANAGER RESPONSE TO MATTERS BY THE PUBLIC

Mr. Jones responded to Mr. Philip Jones' request for honoring two African Americans who served in important roles in the City. Staff plans to continue research and recognize the families early next year. He said Ms. Carpenter retracted the claims she presented about the high number of homeless children in the school's system and said staff is still working to reduce the number of children without shelter to zero.

APPOINTMENTS TO BOARDS AND 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, Mary Feamster; to the Housing Advisory Committee, Philip d'Oronzio, Ridge Schuyler; to the Parks and Recreation Advisory Committee, Ruth Barnett, Anne Hemenway; to the Personnel Appeals Board, Joseph Sabol; to the Tree Commission, Roseanne Simon. (Ayes: Ms. Galvin, Ms. Szakos, Mr. Bellamy, Mr. Fenwick, Mr. Signer; Noes: None.)

MATTERS BY THE PUBLIC

Mr. Signer announced that item 9g of the Council rules will not be enforced this evening due to active litigation.

Ms. Szakos requested that the audience raise their hands to express support instead of shouting out.

Mr. Walter Heinecke, 1521 Amherst St., said he is here to speak about the Council procedures passed in February 2016. He asked Council to rescind the new rules and replace them with rules that are more inclusive. He submitted a petition requesting the rules be rescinded.

Mr. William Jones, Emmett St., said he has lived in Charlottesville since 2006 and considers himself an active member in the City with the Black community. He spoke about his experiences with Mr. Bellamy and said he deserves a second chance.

Ms. Nikuyah Walker, 503 Druid Ave., shared readings from the book Between the World and Me and from author Nikki Giovanni. She said Mr. Bellamy's past comments were reflective of the world he grew up in, and he does not owe anyone an apology.

Mr. Jeffrey Fogel, 215 Spruce St., said he accepts what Mr. Bellamy has said, respects him and hopes to work with him in the future. He said Council should learn to say "I was wrong". No one on the Council has admitted that they denied free speech in the wake of a recent court ruling. He said Council is afraid to speak out of lock-step with one another.

Mr. David Caron, Carlton Rd., said last year's plan for inclement weather fell short, and the City should start examining different options for efficiency in clearing roads. He suggested a ban on street parking before winter events and free transportation via City buses for those who are stranded. He said he supported Mr. Bellamy, but he has lost faith in his ability to represent all citizens of Charlottesville, especially since he took the lead on boycotting Mr. Muir's City business.

Mr. John Heyden, Westwood Rd., said he implored Mr. Bellamy to be a Councilor for all citizens. He said Council's support of Mr. Bellamy lends agreement with his past disparaging comments. He said anti-white rhetoric is also at the center of the call for the removal of the Lee and Jackson statues and the boycott of Mr. Muir's business.

Mr. Jason Kessler, 1013 B. Altavista Ave., approached the dais playing music. Mr. Signer asked him to turn the music off. He said he is here to demand Mr. Bellamy step down from Council. He told Mr. Bellamy he should leave town, and his days here are numbered.

Mr. John Pfaltz, 1501 Rugby Road, said Matters by the Public is an important issue. He said the rules are good, and anyone who cannot make their point in three minutes should be cut off. Randomizing is also a good thing; it prevents packing the list by one group. Council should spend their time on more important things.

Mr. Suzanne Smith, 171 Whitewood Rd., with IMPACT, spoke in favor of the Women's Initiative group. She said if we do not have treatment for women and children available, it has a negative effect on residents who suffer from addiction and mental illness.

Mr. Joe Starsia, 118 Blincoe Ln., said he supports Mr. Bellamy and opposes the forces of white supremacy in the community. He said Mr. Kessler's attacks on Mr. Bellamy are coming from an alt-right effort to disparage Black leaders promoting racial injustice in the community. He said Charlottesville will not support injustice.

Mr. Tanesha Hudson, 711 Prospect Ave., said she does not understand why so many people can stand for the hate and divide represented in this room. She said the City should not recognize Robert E. Lee. She said a racist is a person who believes a particular race is superior or has power over another, and Black people do not have enough power to be racist. She said she agreed that Mr. Bellamy does not owe anyone an apology.

CONSENT AGENDA

- a. **Minutes for November 21**
- b. **APPROPRIATION: \$715,436.19 from Rivanna Water and Sewer Authority (RWSA) for Reimbursement of Utility Betterment for Route 250 Bypass (2nd reading)**

[\\$715,436.19 from Rivanna Water and Sewer Authority \(RWSA\) for Reimbursement of Utility Betterment for Route 250 Bypass](#)

WHEREAS, the Route 250 Bypass Interchange at McIntire Road project has been completed and Rivanna Water and Sewer Authority (RWSA) has reimbursed the City for its share of the utility betterment portion of the project;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$715,436.19 be appropriated.

Expenditure

Fund: 426

WBS Element: P-00201

G/L Code: 599999

- c. **APPROPRIATION: \$1,614,157.22 to Virginia Department of Transportation (VDOT) for Overpayment of Funds Received for Route 250 Bypass (2nd reading)**

[\\$1,614,157.22 to Virginia Department of Transportation \(VDOT\) for Overpayment of Funds Received for Route 250 Bypass](#)

WHEREAS, the Route 250 Bypass Interchange at McIntire Road project has been completed and the utility betterment portion of the project has been reconciled;

WHEREAS, the Virginia Department of Transportation (VDOT) has overpaid the City of Charlottesville for amounts related to utility betterment costs;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$1,614,157.22 be appropriated and used to reimburse VDOT for the overpayment.

Expenditure

Fund: 426

WBS Element: P-00201

G/L Code: 599999

- d. **APPROPRIATION: New Sidewalk, ADA Improvements, & Bicycle Improvements - \$295,000 (2nd reading)**

[New Sidewalk, ADA Improvements, & Bicycle Improvements](#)

WHEREAS, a total of \$295,000 in state funds for the Revenue Sharing Program requires appropriation;

WHEREAS, a total of \$295,000 in matching city funds for the Revenue Sharing Program requires transferring;

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

Revenues

\$ 295,000 Fund: 426 WBS: New Account G/L Account: 430080

Expenditures

\$ 295,000 Fund: 426 WBS: New Account G/L Account: 599999

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

\$ 95,000 Fund: 426 WBS: P-00670 G/L Account: 561425

\$ 100,000	Fund: 426	WBS: P-00335	G/L Account: 561425
\$ 100,000	Fund: 426	WBS: P-00671	G/L Account: 561425

Transfer To

\$ 95,000	Fund: 426	WBS: P-00929	G/L Account: 498010
\$ 100,000	Fund: 426	WBS: P-00927	G/L Account: 498010
\$ 100,000	Fund: 426	WBS: P-00928	G/L Account: 498010

- e. **APPROPRIATION: U.S. Department of Justice Bullet Proof Partnership Grant - \$6,737.50**
(2nd reading)

[U.S. Department of Justice Bullet Proof Partnership Grant](#)

WHEREAS, the City of Charlottesville, through the Police Department, has received the U.S. Department of Justice Bullet Proof Vest Grant in the amount of \$6,737.50 to be used to offset 50% of the cost of bullet proof vests.

WHEREAS, the grant award covers the period from period October 1, 2015 through August 31, 2018.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$6,737.50, received from the U.S. Department of Justice is hereby appropriated in the following manner:

Revenues - \$6,737.50

Fund: 105	Cost Center 3101001000	G/L: 431110
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Expenditures - \$6,737.50

Fund: 105	Cost Center 3101001000	G/L: 520060
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BE IT FURTHER RESOLVED, that this appropriation is conditioned upon receipt of \$6,737.50 from the U.S. Department of Justice.

- f. **APPROPRIATION: \$664,776.63 to the Charlottesville Affordable Housing Fund (carried)**

[\\$664,776.63 to the Charlottesville Affordable Housing Fund](#)

- g. **RESOLUTION: Cedars Court Apartments Special Use Permit**

[Cedars Court Apartments Special Use Permit](#)

**RESOLUTION
APPROVING A SPECIAL USE PERMIT
TO AUTHORIZE RESIDENTIAL DENSITY UP TO 55 DWELLING UNITS PER ACRE
WITHIN A MULTIFAMILY DWELLING TO BE CONSTRUCTED
AT 1228 CEDARS COURT**

WHEREAS, 1228 Cedars Court, LLC is the owner of certain land located at 1228 Cedars Court, identified on City Tax Map 40B as Parcel 4.5 and containing approximately 0.348 acre or 15,159 square feet (“Subject Property”), by its authorized agent, has requested special use permit, in order to obtain sufficient density to establish a 19-unit multifamily dwelling on the Subject Property (the proposed “Special Use”). The Subject Property is within the City’s Urban Corridor Mixed Use zoning District (“URB”); and

WHEREAS, the requested Special Use is described within the application materials submitted in connection with SP16-00008, including: (i) a narrative dated July 26, 2016, a proposed preliminary site plan last revised October 14, 2016, submitted to NDS on July 26, 2016 (collectively, the “Application Materials”), and the Special Use is allowed within the URB zoning district, pursuant to City Code §34-760; and

WHEREAS, the Planning Commission has reviewed the Application Materials, the City’s November 9, 2016 Staff Report, and following a joint public hearing, duly advertised and conducted by the Planning Commission and City Council on November 9, 2016, the Commission voted to recommend that City Council should approve the requested Special Use and recommended several conditions; and

WHEREAS, upon consideration of the comments received during the joint public hearing, and of the Planning Commission’s recommendation, as well as the factors set forth within Sec. 34-157 of the City’s Zoning Ordinance, this Council finds and determines that granting the requested special use permit subject to suitable conditions would serve the public necessity, convenience, general welfare or good zoning practice; now, therefore,

BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that, pursuant to City Code §34-760, a special use permit is hereby approved and granted to authorize a multifamily dwelling containing no more than 19 dwelling units (the “Building”) to be constructed on the Subject Property, subject to the following conditions:

1. The landowner shall establish a vegetated curbside buffer having a width of at least three (3) feet, and not exceeding four (4) feet, along the length of the Subject Property’s frontage on Cedars Court (“Curbside Buffer”).
2. Trees shall be planted, either (i) within the Curbside Buffer or (ii) on the Subject Property adjacent to the sidewalk, planted in accordance with Sec. 34-870. The final number and types of trees, and planting details, shall be depicted on the final site plan; all such trees, and the specific location and manner of planting, shall be subject to approval of the NDS Director and the City’s Utilities Engineer.
3. The landowner shall construct a sidewalk, at least five (5) feet wide, along the length of the Subject Property’s frontage on Cedars Court. The sidewalk shall be constructed within the public right-of-way, between the Curbside Buffer and the adjacent lot line of the Subject Property.

4. The landowner shall provide a primary Building entrance located on the northeast corner of the Building (“Corner Entrance”). This Corner Entrance will be separate from the vehicular entrance. This Corner Entrance shall be constructed of transparent materials, so that the interior of the building is visible from Cedars Court, and:

- a. a continuous separated pedestrian connection shall be provided to connect the public right-of-way to this primary Building entrance (facing Cedars Court);
- b. the open interior space inside the Corner Entrance shall contain the bicycle storage facilities required by City Code Sec. 34-881. The Corner Entrance and the bicycle storage facilities shall be configured and constructed so that the bicycle parking is readily observable from Cedars Court; and
- c. the primary Building entrance, pedestrian connection, open space, and bicycle storage shall be depicted on the final site plan for the development.

5. The final site plan shall depict and include details of a stream restoration plan, consistent with natural channel design principles and practices. The stream restoration plan shall satisfy the requirements of City Code Sec. 10-75 and shall contain details satisfactory to the City Engineer, the City’s Utilities Engineer, and the City’s Stormwater Utility Program Administrator.

6. No demolition of existing building(s) or other site improvements shall be commenced prior to approval of a final site plan and approval of a permit authorizing land-disturbing activities pursuant to Sec. 10-9. For purposes of Chapter 10 of the City Code, demolition activities shall be planned and built into the E&S and stormwater management plan (if required), as part of the overall development plan for the subject property, and no such demolition activity shall be undertaken as a stand-alone activity.

7. The landowner shall install signage on the Subject Property, directing pedestrians to the existing Rivanna Trail Foundation (RTF) trail access located on the Subject Property.

h. RESOLUTION: 1713 Jefferson Park Ave Alpha Chi Sigma fraternity Special Use Permit

[1713 Jefferson Park Ave Alpha Chi Sigma fraternity Special Use Permit](#)

**RESOLUTION
APPROVING A SPECIAL USE PERMIT
TO AUTHORIZE A BOARDING (FRATERNITY/SORORITY) HOUSE
AT 1713 JEFFERSON PARK AVENUE**

WHEREAS, Alpha Kappa Housing Corporation is the owner of certain land, buildings and improvements located at 1713 Jefferson Park Avenue, identified on City Tax Map 16 as Parcel 10 (“Subject Property”), and through its duly authorized agent the owner has submitted application SP16-00009 (“Application”) requesting a special use permit; and

WHEREAS, the purpose of the Application is to bring an existing fraternity house into compliance with current zoning requirements, to expand the existing building and use (the proposed “Special Use”) and to modify certain parking and building setback requirements for the

proposed Special Use, as described within the Staff Reports dated October 18, 2016 and November 9, 2016, and as depicted within the proposed preliminary site plan dated 07/22/2016, as revised 09/15/2016 ("Preliminary Site Plan"); and

WHEREAS, the requested Special Use is authorized by §34-420 of the City Code, and the requested modifications of parking and setback requirements are authorized by City Code §34-162; and

WHEREAS, the Subject Property is zoned "R-3" (multifamily residential) subject to the requirements of the City's entrance corridor overlay district zoning regulations; and

WHEREAS, following a joint public hearing before the Planning Commission and City Council, duly advertised and held on November 9, 2016, the Planning Commission reviewed the application materials and, following the public hearing, determined that the proposed Special Use, under suitable regulations and safeguards set forth within a list of recommended conditions, should be approved by City Council, and the Planning Commission has transmitted its recommendation to City Council; and

WHEREAS, this Council concurs with the Planning Commission and hereby finds and determines that, under suitable regulations and safeguards, the proposed Special Use is consistent with the Comprehensive Plan and will serve the interests of the public necessity, convenience, general welfare or good zoning practice; will conform to the criteria generally applicable to special permits as set forth within §§ 34-156 et seq. of the City Code; and will be consistent with the purpose of the R-3 zoning district classification. **NOW, THEREFORE**,

BE IT RESOLVED by the City Council of the City of Charlottesville, that a Special Use Permit is hereby granted to authorize a boarding (fraternity or sorority) house use within a building of the size and location depicted within the proposed Preliminary Site Plan, subject to the following conditions:

1. The fraternity house shall have a maximum of eight (8) bedrooms and not more than eight (8) residents. Any expansion of the fraternity house beyond eight (8) bedrooms and/or eight (8) residents will require an amendment to this Special Use Permit.
2. On-site parking will be provided in the location and configuration shown within the preliminary site plan dated 07/22/2016, as revised 09/15/2016. The final site plan shall demonstrate compliance with all of the following:
 - a. Any on-site parking off of Montebello Circle shall be angled in a way to prevent backing out onto the road at a 90° angle.
 - b. No trees shall be removed to make room for parking.
 - c. Parking on the existing driveway off of Jefferson Park Avenue shall be limited to two (2) spaces and must be screened from view of Jefferson Park Avenue.
 - d. All on-site parking shall be used exclusively by residents of the fraternity house and their guests. No selling or leasing of on-site parking for off-site functions is permitted.
3. All trash receptacles must be hidden from view when not set out for curbside pickup.

4. All outdoor lighting and light fixtures shall be full cut-off luminaires and equipped with devices for redirecting light (such as shields, visors, or hoods) to eliminate the luminaire glare and block direct light from on-site fixtures from spilling over onto neighboring properties. Fixtures shall be recessed and shall completely conceal the light source from all viewing positions other than those on-site positions intended to receive illumination from the fixture.
5. For the building and use described above, modifications of generally-applicable parking standards (City Code 34-984) and required yards (City Code 34-353) are approved, as follows:
 - a. Seven (7) on-site parking spaces will be required.
 - b. The following side yards shall be required:
 - i. Northeast Side Yard Abutting TMP 16-10.1 Lot 21 (S 58°59'59" E 150.446'): A side yard of three (3) feet, minimum will be required instead of one (1) foot of side yard per every two (2) feet of building height with a minimum of ten (10) feet.
 - ii. Southwest Side Yard Abutting TMP 16-11 Lot C (N 58° 59'58" W 151.72'): A ten (10) feet, minimum will be required, instead of one (1) foot of side yard per every two (2) feet of building height with a minimum of ten (10) feet.
6. Except as specifically modified within condition (5), buildings and structures, and the uses thereof, located on the Subject Property shall be in accordance with the provisions of City Code Sec. 34-353 and 34-984, and any other applicable provision of Chapter 34 (Zoning) of the Code of the City of Charlottesville.

i. RESOLUTION: Expand Career Pipelines & Paid Apprenticeships for Infrastructure Building and Repair

[Expand Career Pipelines & Paid Apprenticeships for Infrastructure Building and Repair](#)

**RESOLUTION
Expand Career Pipelines & Paid Apprenticeships in Infrastructure
Building and Repair within the City of Charlottesville for Local Residents**

Whereas, the Piedmont Workforce Network (PWN) supports educational and skill enhancement and workplace readiness programs for eligible clients as they pursue career pathways in rising occupational groups (like transportation) that support the region's target industry groups; and

Whereas, the Charlottesville City Council's Strategic Plan calls for enhancing "the self-sufficiency of our residents" (Goal 1) and having "a strong diversified economy" (Goal 3); and

Whereas, the 2013 Charlottesville Comprehensive Plan goals for Economic Sustainability call for:

- partnering "with local workforce service providers to offer retraining opportunities for City residents in order to increase their chances of gaining employment in new and emerging industries" (Goal 6.5); and

- adopting the “Growing Opportunity (GO): A Path to Self- Sufficiency in Charlottesville” plan as a “framework for a City-wide policy to facilitate economic prosperity for all City residents” (Goal 6.10); and

Whereas, on March 21, 2016 the Charlottesville City Council directed the City Manager to conduct an analysis of jobs required by the West Main Street Improvement Project that could be performed in-house by city departments (such as sidewalk installation, laying pipe, others) and linked to the Growing Opportunity GO apprenticeship programs for the benefit of local residents within nine (9) months of passing that resolution, thereby establishing a precedent for linking local employment opportunities to infrastructure projects;

BE IT RESOLVED that Charlottesville City Council directs the City Manager and his staff to conduct an analysis of jobs required by the Belmont Bridge Project that can be performed in house by city departments and linked to the Growing Opportunity GO apprenticeship programs as well as programs at CATEC and PVCC for the benefit of local residents within nine (9) months of passing this resolution; and

BE IT FURTHER RESOLVED that Charlottesville City Council directs the City Manager and his staff to work with the Virginia Department of Transportation (VDOT), the Thomas Jefferson Planning District Commission (TJPDC), the local Metropolitan Planning Organization (MPO) and the Piedmont Workforce Network (PWN) Council and Board to develop strategies to promote local recruitment for VDOT training programs and hiring as they pertain to regionally significant transportation projects like the Belmont Bridge, within nine (9) months of passing this resolution.

j. ORDINANCE: West Main Street Density Amendment (carried)

[West Main Street Density Amendment](#)

k. RESOLUTION: Statement of Principle: A Commitment to Pluralism, Inclusion, Equity and Justice

[Statement of Principle: A Commitment to Pluralism, Inclusion, Equity and Justice](#)

Ms. Szakos read the text of resolution item k.

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

Ms. Galvin spoke briefly on resolution item i. and said this is moving us towards a policy of local hiring with our infrastructure projects.

RESOLUTION

Statement of Principle: A Commitment to Pluralism, Inclusion, Equity and Justice

Advancing equity and inclusion is critical to the success of our community and our nation. Our diversity is the source of our pride and our prosperity.

As political rhetoric on the national level has become heated and divisive, and with an increase in hateful and dangerous speech and acts locally and nationwide, many of our neighbors have experienced fear and anxiety.

At this time we must strongly reaffirm our commitment to diversity and to fostering an atmosphere of inclusion.

We reject hate speech, hate crimes, harassment, racial bias, homophobia, Islamophobia, anti-Semitism, anti-immigrant discrimination, and harmful bias and discrimination in all forms.

We welcome all people and recognize the rights of individuals to live their lives with dignity, free of fear and discrimination because of their faith, race, sexual orientation or identity, national origin or immigration status.

We believe the public sector has a critical role in ensuring the public good and pledge to continue our work in making our services and programs accessible and open to all.

PUBLIC HEARING / APPROPRIATION: FY2016 YEAR-END APPROPRIATION (carried)

[FY2016 Year-End Appropriation](#)

Mr. Chris Cullinan, Director of Finance, presented to Council. He reviewed the FY 2016 year-end appropriation and answered clarifying questions for Council.

Ms. Galvin pointed out that restaurant sales were up this year, which shows the increased sales tax did not negatively affect business.

On motion, Mr. Signer opened the public hearing.

Ms. Dede Smith, 2652 Jefferson Park Cir., said this year's surplus, \$6 million, is exactly what it would take to save the Jefferson School's City Center. She explained the original loan structure. She said the City needs to own Jefferson School and recommended a cost/benefit analysis.

Ms. Rebecca Quinn, 104 4th St., said seeing the budget surplus shows that the PILOT should be repealed, or at least scaled back over time. The burden of the PILOT falls disproportionately on low income renters and those with older homes. She said she will submit a FOIA request for data that she believes will demonstrate her position. The City can find a way to use the money to better serve our low-income community.

Having no further speakers, the public hearing was closed.

Mr. Bellamy said he hopes Council will discuss the future of the Jefferson School and find ways to support it similar to the support given to the McGuffey Arts Center and the Discovery Museum.

Mr. Fenwick said he would like to see a cost/benefit analysis for funding the Jefferson School.

Ms. Szakos said she supports this discussion as we go through the budget process.

On motion by Ms. Szakos, seconded by Ms. Galvin, the appropriation carried for a second reading.

Mr. Signer said the capital budget has a large number of important decisions, and Council will have a full discussion about prioritizing spending within the capital budget.

Mr. Signer called for a brief recess.

Mr. Signer said because there are 27 people signed up to speak; the time limit will be adjusted to two minutes each for the Ragged Mountain public hearing.

PUBLIC HEARING / ORDINANCE: RAGGED MOUNTAIN NATURAL AREA (RMNA)
RULES OF USE (carried)

[Ragged Mountain Natural Area Rules of Use](#)

Mr. Brian Daly, Director of Parks and Recreation, presented to Council and answered clarifying questions. Mr. David Hirschman, Chair of the Parks and Recreation Advisory Board, presented the board's recommendation as summarized in the Council's agenda materials.

At the request of Mr. Fenwick and Ms. Szakos, Mr. Brown offered his opinion on what the City is permitted to authorize via ordinance within the Ragged Mountain Natural Area.

Ms. Galvin asked Mr. Brown if the trail map needed to should be addressed in a separate motion. Mr. Brown said he believed that to be an appropriate approach.

Mr. Fenwick moved that Council allow legal staff of the City and the County to work this out before taking action on the ordinance. Mr. Bellamy seconded the motion.

Ms. Szakos said if this were a one reading item, she would support it, but because this is the first of two readings, we can wait and see if this is resolved in the next two weeks and then delay a vote if necessary at the December 19 meeting.

Ms. Galvin said it is time to make a clear decision so that we can move forward with this. Mr. Signer said he agreed.

A vote on the motion failed. (Ayes: Mr. Fenwick, Mr. Bellamy; Noes: Ms. Galvin, Ms. Szakos, Mr. Signer.)

On motion, the public hearing was opened.

Ms. Kay Slaughter, Short St., asked Council to keep RMNA free of bikes and dogs. There are plenty of alternatives offering multi-use trails. Please retain a landscape architect if you do vote for shared use.

Mr. Brian Muszyrski, 1505 Greenleaf Ln., supports allowing bicycling at RMNA.

Mr. Manuel Lerda, 329 Parkway St., said he is an avid biker. Ragged Mountain was conceived as a natural area and is different than those designed for recreational use. He said he is disappointed in the lack of communication with the County. The ordinance does not address management strategy.

Ms. Marilyn Philippi, 4721 Helios Path, Barboursville, asked Council to consider the needs of older adults and the imbalance of activities provided for them, and keep RMNA a natural area.

Mr. Tom Olivier, 4632 Green Creek Rd., Schuyler area, urged Council not to expand recreational use of RMNA.

Ms. Annette Dusenberry, 816 Rougemont Ave., supported active use as a member of the Charlottesville Area Mountain Bike Club (CAMBC).

Mr. Gene Philippi, Helios Path, Barboursville, said the proposal for mixed use reduces diversity of recreational opportunities.

Mr. Edward Bradley, 1165 Owensville Rd., said he agrees with Ms. Slaughter's position.

Mr. Sam Freilich, 505 Rockwood Pl in the County, asked Council not to allow mountain biking at RMNA.

Mr. Chris Gist, 307 5th St. SW, said people deserve equal access for all activities at RMNA. Allow cycling, and leave trail design to the experts.

Mr. David Hogg, 270 Ipswich Pl., in the County, said the RMNA is a fragile natural resource for the community and cannot be rebuilt once it is gone.

Mr. David White, 505 Park Plaza, asked Council to preserve RMNA as one of only two natural areas in our park system. The development of a wildlife initiation plan has not yet been implemented by the Parks Department.

Mr. Bill Shewkir, 420 Rookwood Dr., said Forest Ridge Owners Association Association voted to maintain RMNA as a natural area.

Ms. Mary Ames, 4176 Laird Ln., North Garden, said keep RMNA natural.

Mr. David Stackhouse, 1404 Westwood Rd., said it is a misconception that bikes ruin the natural area. He urged Council to consider Option E, which has one continuous loop trail that allows biking .

Mr. Dan Biecker, 4174 Laird Ln., North Garden, Professor of Natural Science at Piedmont College, encouraged expanding existing trails and not taking away RMNA as a natural area.

Ms. Elaine Townsend, 1404 Westwood, said she supports option E.

Mr. Dan Testa, 101 Chisholm Pl., said he supports shared use and Option E.

Ms. Lee Politis, 533 Rookwood Pl., County resident, said she agrees with Mr. Biecker's remarks. She asked to leave RMNA natural, although she is a cyclist and a dog lover.

Mr. Leonard Wolowiec, 504 Rookwood Pl., said we should keep RMNA a natural area. There are other projects the area is considering to develop more trails and parks.

Mr. Greg Kastner, 1603 Bruce Ave., said he supports shared use for the RMNA.

Mr. Patrick Norton, 100 Tripper Ct., said RMNA is a community resource and should be available for all users. He supports option E with a complete loop. He said he does not see where there are 70+ miles of trails available for biking.

Ms. Rachel Thielmann, 100 Tripper Ct., thanked Council for their work and said she supports shared use trails at RMNA.

Mr. Eric Magrum, 1200 Monticello Ave., said he supports option E for shared use at RMNA, with a complete loop. He said there are no user conflicts.

Ms. Jean Hiatt, 1534 Rugby Ave., said she supports maintaining RMNA as a natural area. It is a unique habitat for wildlife and plant species.

Mr. John Lewis, 100 West Park Dr., County, supports shared use of trails for the RMNA. He asked not to implement a specific trail design as part of the ordinance.

Mr. Rob Cook, 927 Henry Ave., supports mixed use at RMNA.

Mr. Nikolai Braun, 1109 Rayon St., said he supports allowing biking at RMNA.

Mr. Scott Bandy, 1639 Cherry Ave., said leaving the RMNA as a natural area supports sustainability.

Ms. Rebecca Quinn, 104 4th St., said this decision should be set aside until after other area trail planning has been completed.

Mr. Katharine Hagen, 1603 Bruce Ave., said she has never had any conflicts with bikers and supports shared use.

Mr. Rolf Braun, 1120 E. High St., said he supports shared use and the complete loop. The area will still be pristine with bike use. This does not need to be delayed because of the County's role.

Mr. Joe Hoskins, 864 Locust Ave., supports shared use trail system and a complete loop on the south side of the park. The mountain bike community responsibly manages trails.

Mr. Greg Brown, 1449 Butler St., said all uses can be accommodated at RMNA.

Ms. Dede Smith, 2652 Jefferson Park Cir., said the City bought this land more than 100 years ago and eliminated human activity to preserve water quality. This is one of two reservoirs that remain clean, and they are the oldest ones. Please protect our natural resources. She said put runners with the bikes.

Mr. Will Sanford, 1581 Thornwood Way, said there are other natural areas in the County and surrounding areas. He agrees that the ordinance should not lock in a trail design. He said water quality is not an issue.

Mr. Al Inigo, 2509 Kerry Ln., said Rivanna is on record as saying bikes do not pose a problem for the water quality. He recommended Council follow the recommendation of the bike/ped board, which also unanimously approved shared use.

Mr. Signer closed the public hearing.

Ms. Szakos made a motion to adopt the shared use ordinance as it appears in the Council agenda package for shared use with no dogs allowed. Ms. Galvin seconded the motion.

Ms. Szakos and Ms. Galvin explained their support for the ordinance as written.

Mr. Signer said he enthusiastically supports this ordinance and explained his support.

Mr. Fenwick said he believes in the value of having a natural area, and he is concerned about acting prematurely before we have solidified this with the County.

Mr. Bellamy said the speakers were almost equally divided between natural use and shared use. He said he supported maintaining this as a natural area, but as there are three votes for shared use, he wants to make sure Council makes all users feel comfortable in the area.

Ms. Galvin said it would be beneficial to create a loop trail by resolution for the next meeting. She also asked for a checkpoint when Hedgerow comes online to see how all users are being affected.

Ms. Galvin read the proposed resolution:

The Charlottesville City Council hereby directs staff to amend the Ragged Mountain Draft Trail Use Plan (dated 11/1/16) as follows (and illustrated on revised map), to be in keeping with good trail planning practice that disperses faster moving visitors away from the trailhead as quickly as possible:

1. With regards to the Central area just north of the parking area/trailhead, change the usage designation on this loop trail to "Hiker Only"; and
2. With regards to the Southern area near the floating bridge, change use on the trail to "Bikes Permitted."

Ms. Szakos asked staff to also consider: "furthermore, Council directs that, upon the opening of the county park currently known as the Hedgerow Property, which will include mixed-use trails, the City re-evaluate the distribution ratio of shared uses in the Ragged Mountain Natural Area (as depicted by the RM draft trail use plan adopted on 12/19/16) to determine if they are still appropriate. The re-evaluation shall include but not be limited to user surveys conducted at Ragged Mountain to assess user experience and satisfaction."

ORDINANCE: WATER STREET CORRIDOR AMENDMENTS (1st of 2 readings)

[Water Street Corridor Amendments](#)

Mr. Brian Haluska, NDS Principal Planner, presented to Council and answered clarifying questions.

Ms. Galvin moved: with the revision that 34-743 b. setbacks say 15-20 feet instead of 25 feet to match W. Main east. (last "notwithstanding") sentence. in keeping with Streets That Work and the plan for that section of West Main east.

Ms. Szakos seconded.

RESOLUTION: PROPOSED VINEGAR HILL PARK (PLAZA) - RESOLUTION TO NAME AND PROVIDE \$15,000 FOR SIGNAGE

Ms. Edwina St. Rose and Ms. Melanie Miller, co-chairs of the Charlottesville Historic Resources Committee, presented to Council.

[Proposed Vinegar Hill Park \(Plaza\) - Resolution to name and provide \\$15,000 for signage](#)

Mr. Bellamy said the community needs to understand the impact of the Vinegar Hill community.

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

RESOLUTION
TO RESERVE A PORTION OF THE DOWNTOWN PEDESTRIAN MALL,
AS DEFINED IN CITY CODE SEC. 28-2(b), AS AN AREA TO
BE NAMED “VINEGAR HILL PARK”

WHEREAS, the City’s Historic Resources committee has recommended that, in commemoration of the historical significance of the Vinegar Hill neighborhood, a portion of the public right-of-way at the west end of the Downtown Pedestrian Mall should be reserved, landscaped and improved as an area to be known as “Vinegar Hill Park”; and

WHEREAS, this project will implement a concept originally shown within Lawrence Halprin’s original plan for the Downtown Mall (ca. 1974) and the proposed improvements include signage and kiosks that will educate the general public about the historical significance of the Vinegar Hill neighborhood;

NOW, THEREFORE, be it resolved by the Charlottesville City Council that a portion of the public right-of-way located at the west end of the Downtown Pedestrian Mall, as that term is defined in City Code Sec. 28-2(b), shall be reserved and improved as shown within a document titled “*Concept Plan and Signage Details for proposed Vinegar Hill Park by Laura Knott, ASLA, July 20, 2016*”, hereafter to be known as “Vinegar Hill Park”; and

BE IT FURTHER RESOLVED THAT Vinegar Hill Park shall be and remain part of the public right-of-way referenced in City Code Sec. 28-2(b). The NDS Director and the City’s Fire Official shall update the maps referred to within Sec. 28-2(b), (c), and (d), as may be necessary as a result of the improvements authorized within this resolution.

MATTERS BY THE PUBLIC

Mr. Elliott Harding, Albemarle County, board member and chair of Region 10, seconded IMPACT's request for an appropriation for the Women's Treatment Clinic. He said the \$6 million surplus represents a third of the revenue sharing agreement, which is not just a County problem.

Ms. Melanie Miller, 528 Locust Ave., said the City should consider commissioning a historic landscape report for the Downtown Mall, which would formalize its history and create a plan for maintaining it. PLACE Design Task Force should be utilized more. They should be tasked with working on a style guide for the City for departments to reference.

Ms. Candice Johnson, 423 N. First St., said she supports women. She said she accepted Mr. Bellamy's apology, but women bore the brunt of his comments. Our community has no room for rhetoric against women.

Ms. Rebecca Quinn, 104 4th St., said option E goes through environmentally sensitive areas. Decisions made by boards are regularly overturned. s

Mr. George Urban, Albemarle County, said he is dismayed that Councilors supported Mr. Bellamy without considering the damage that has been done to groups of people in the community.

Mr. Mason Pickett, Albemarle County, said Mr. Bellamy has been given the benefit of understanding and forgiveness. He hopes the same will be extended when considering the Confederate statues. General Lee helped African Americans after the war.

Ms. Szakos said the County residents voted on revenue sharing at a time when the City was poised to annex Pantops and 29 North. She explained the history of the revenue sharing vote and said this is a good deal for the County over the years. She would be happy to reenter negotiations if the County was willing to reopen the question of the City annexing Pantops and 29 North.

Ms. Galvin asked for staff to follow up on Ms. Miller's requests.

Meeting adjourned at 11:25 p.m.