

NOTICE OF SPECIAL MEETING

A SPECIAL MEETING OF THE CHARLOTTESVILLE CITY COUNCIL WILL BE HELD ON Monday, November 6, 2017, 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 – November 6, 2017

Council met in special session on this date with the following members present: Ms. Galvin, Mr. Signer, Mr. Bellamy, Mr. Fenwick, Ms. Szakos. On motion by Ms. Szakos, seconded by Mr. Fenwick, 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) The annual performance evaluation of the City Manager, and consideration of specific individuals for appointment to City boards and commissions, as authorized by Virginia Code sec. 2.2-3711 (A) (1); and, (2) Discussion and consideration of the disposition of a portion of the City-owned Second Street, S.E. right-of-way, where discussion in an open meeting would adversely affect the City's negotiating strategy, as authorized by Virginia Code sec. 2.2-3711 (A) (3), and, (3) Discussion and consideration 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 negotiating strategy, 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. Fenwick, Mr. Bellamy, 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 - November 6, 2017

ROLL CALL

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

AWARDS/RECOGNITIONS & ANNOUNCEMENTS

Mr. Signer read a Poppy proclamation in honor of Veterans Day.

Mr. David Blount gave an overview of the regional legislative program. Mr. Jones said a full report is coming to Council on November 20.

Mr. Fenwick announced the African American Military Experience event on Friday, November 10 from 9:30 a.m. - 4:00 p.m. at the Jefferson School. For more information, e-mail mmaxineholland@gmail.com, or call Mr. Frank Walker at 434-962-0754.

Mr. Fenwick also announced the Greenway community conversation event on Wednesday, November 8. For more information, go to www.pecva.org/events.

Mr. Fenwick reviewed voting procedures for Election Day.

Dr. Bellamy announced the distribution of 200 turkeys for those in need at First Baptist Church on Sunday, November 19 from 3-5pm. Please go to www.100bmocv.org for information on how to make a donation.

Dr. Bellamy read a proclamation celebrating Mr. Eugene Williams on the event of his 90th birthday.

Dr. Bellamy referenced a piece that ran in the Daily Progress over the weekend regarding Ms. Nikuyah Walker, candidate for City Council, and said he will not allow anyone to disrespect Ms. Walker.

Mr. Signer read a statement to follow Dr. Bellamy's statement. He reviewed the actions Council has taken this year to promote affordable housing. He said he was frustrated by the Daily Progress's use of language, and he said he did not direct the FOIA request that prompted the article. He was interrupted several times by outbursts in the audience. Ms. Galvin called attendees to order on multiple occasions.

Ms. Galvin said Mr. Signer should have let Council know he was planning this statement, and she directed the meeting to proceed with the remainder of the agenda.

Ms. Szakos read a proclamation honoring Mr. James Thomas Sammons Taylor. Two members of his family were present to accept the proclamation, Sheriff James Brown and Ms. Patricia Daniels.

Ms. Szakos announced a Veterans Day ceremony at the Sprint Pavilion on Saturday, November 11. She also announced the Virginia Film Festival will take place November 9-11. Go to www.virginiafilmfestival.org for more information. She asked the community to provide feedback on the City's budget; visit www.charlottesville.abalancingact.com to submit feedback.

Ms. Galvin said Charlottesville Area Transit (CAT) will offer fare-free service on Tuesday, November 7 for Election Day. The free service will give area residents an opportunity to try transit while offering reliable transportation to and from the polls. She gave the polling locations by CAT routes.

CITY MANAGER RESPONSE TO MATTERS BY THE PUBLIC

Mr. Jones gave an update on work being done with the Low Income Housing Coalition.

MATTERS BY THE PUBLIC

Ms. Szakos reviewed guidelines for Matters by the Public.

Mr. Jeffrey Fogel said the mayor used his position to corrupt the election process. He said this is not collaborative. He said he was arrested a week before his election. He said the mayor must resign.

Ms. Lena Seville said Mr. Fogel was arrested after calling for a review of the police, and people are trying to influence the election. She said people who come to Council to be heard should be listened to, not arrested. She said the Police Civilian Review Board was done in a rush and did not involve citizen input. Simply holding a public meeting is not the same as engaging the public. She said the development community is at the table, but community members are not being invited.

Ms. Elizabeth Safford shared her time with Ms. Katrina Turner. Ms. Turner said we need a police citizen review board, because the police are not held accountable for what they do on the streets. She said this is a generational issue and asked when it will stop.

Ms. Lyndsey Beutin, Monticello Rd., said community conversations about a police civilian review board have been thoughtful and productive. However, Council brought this matter up late in the evening at their October 16 meeting without considering input. A police civilian review board should be truly independent, with a public and transparent process. She objected to the Police Citizen's Advisory Panel being tasked with designing an independent civilian review board.

Ms. Dornita Herndon said she received some papers on October 30 about her employer that disturbed her. She spoke about issues she was having with Region 10 and said she is being discriminated against because of her mental illness. She spoke on affordable housing issues.

Ms. Jessie Bryant ceded her time to Ms. Iggy Hahn, who spoke about the need for an independent establishment of a civilian review board. She said the current Police Citizen's Advisory Panel is not equipped to form an independent advisory panel and should not be involved in the process.

Mr. Dave Ghamandi accused the mayor of being racist. He said an attack on candidate Nikuyah Walker is an attack on the community. He said party politics are killing this town, and the Daily Progress has lost credibility. He said we must continue to fight for our freedom.

Ms. Ariana DeLaurentis shared her time with Ms. Joy Johnson. She said we need a truly independent police civilian review board, with a public, accountable and transparent process.

This cannot be run by the current Police Citizen's Advisory Panel. She said what happened this weekend with the Daily Progress story was shameful.

Ms. Mary Carey, City resident, said this is the third time she has come to the City Council with a petition since the 1980s. She said she has 1,200 signatures in support of renaming Emancipation Park. She sang "*A Change Is Gonna Come*."

Mr. Michael Weber, spoke about marriage counseling. He said, "would you rather be right, or would you rather be married?" is a good marriage counseling question that applies to the current political climate. He said individuals have a responsibility to stand up for social justice in a responsible way.

Mr. Don Gathers said Charlottesville's election has been hacked. He said Mayor Signer was complicit along with The Daily Progress in running a smear campaign against Nikuyah Walker. Her campaign has been positive, and she can and will win a seat tomorrow. He called for the shaming of anyone who was involved in the smear campaign, and he called on people of color to boycott The Daily Progress.

Ms. Szakos asked Mr. Gathers to stop speaking at the end of his time. Ms. Evangeline came forward and ceded her time to Mr. Gathers.

Mr. Gathers said we have only received piecemeal answers from the investigation into August 12. He said a stand down order was issued, and this does not reflect the duties of a police officer. He said the invaders will return, and the City must be prepared for riots in the streets when that happens.

Ms. Constance Johnson, 631 Davis Ave., said she is concerned about the Park Street PUD. She is concerned about placing a business in a neighborhood where there are no other businesses. She said the building does not fit the character of the neighborhood. She said this also does not address affordable housing.

Ms. Katrina Walker shared her time with Mr. Walt Heinecke. He said accountability for July and August is coming back onto the Council, and they are afraid of Nikuyah Walker because she is a candidate that will press for accountability. He said there is collaboration against Ms. Walker by the Democrats. He said this is a fireable offense. He said there will be no trust in this City if the two Democrats are elected.

Ms. Szakos closed Matters by the Public.

Ms. Tanesha Hudson spoke about collusion regarding The Daily Progress article. Ms. Szakos asked her to stop speaking. She spoke about racial issues, affordable housing, and AHIP issues.

Mr. Don Gathers tried to speak again. Ms. Szakos asked speakers to be seated or be removed by the police officers.

Ms. Szakos called a ten minute recess at 8:44 p.m.

Mr. Signer called the meeting back to order and asked for a moment of silence for the shooting victims in Texas.

Ms. Szakos encouraged citizens to write to their representatives in support of common sense gun control measures.

CONSENT AGENDA

- a. **Minutes for October 16, 2017**
- b. **APPROPRIATION: State Of Good Repair (SGR) for bridge repairs - \$10,079,968.00 (2nd reading)**

State Of Good Repair

WHEREAS, a total of \$10,079,968.00 in state funds for the State of Good Repair Program requires appropriation;

WHEREAS, a total of \$0.00 in matching city funds are for the State of Good Repair requires transferring;

WHEREAS, the total appropriation will be allocated to the following projects (and associated project numbers listed below):

- Route 250 Bypass over Route 29 Business - **\$3,847,554**
- Route 250 Bypass over Rugby Ave - **\$2,488,292**
- Route 250 Bypass over Norfolk Southern Railroad - **\$1,303,496**
- Melbourne Road over Norfolk Southern Railroad - **\$2,440,626**

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

\$ 3,847,554	Fund: 426	WBS: P-00953	G/L Account: 430110
\$ 2,488,292	Fund: 426	WBS: P-00954	G/L Account: 430110
\$ 1,303,496	Fund: 426	WBS: P-00955	G/L Account: 430110
\$ 2,440,626	Fund: 426	WBS: P-00956	G/L Account: 430110

Expenditures

\$ 3,847,554	Fund: 426	WBS: P-00953	G/L Account: 599999
\$ 2,488,292	Fund: 426	WBS: P-00954	G/L Account: 599999
\$ 1,303,496	Fund: 426	WBS: P-00955	G/L Account: 599999

\$ 2,440,626 Fund: 426 WBS: P-00956 G/L Account: 599999

- c. **APPROPRIATION: Local Contributions for Crisis Intervention Team - \$105,910 (Carried)**

[Local Contributions for Crisis Intervention Team](#)

- d. **APPROPRIATION: Runaway Emergency Shelter Program Grant - \$209,444 (Carried)**

[Runaway Emergency Shelter Program Grant](#)

- e. **RESOLUTION: Reprogramming of funding for Ambulance Purchase - \$175,000**

[Reprogramming of funding for Ambulance Purchase](#)

RESOLUTION

Reprogramming of Existing Capital Funding for Ambulance Purchase - \$175,000

BE IT RESOLVED by the City Council of the City of Charlottesville, Virginia that the sum of \$175,000 is hereby transferred in the following manner:

Transfer From

175,000 Fund: 426 WBS Element: P-00920 G/L Account: 599999

Transfer To

175,000 Fund: 426 WBS Element: P-00957 G/L Account: 599999

- f. **RESOLUTION: Extension of the Affordable Housing Fund Grant Agreement with Piedmont Housing Alliance's Down Payment Assistance Program**

[Extension of the Affordable Housing Fund Grant Agreement](#)

RESOLUTION

Extension of Charlottesville Affordable Housing Fund Agreement with the Piedmont Housing Alliance for the Down Payment Assistance Program for the Orangedale and Prospect Neighborhood

WHEREAS, the City of Charlottesville awarded for a pilot demonstration program to Piedmont Housing Alliance for the purpose of providing down payment assistance and home repairs to potential homebuyers within the Orangedale and Prospect Neighborhood; and

WHEREAS, the City of Charlottesville approved an extension of the program grant agreement through July 30, 2017; and

WHEREAS, between December 2016 and September 2017, Piedmont Housing Alliance successfully used 67 percent of the program funds to provide down payment assistance and home

repair grants to four homebuyers;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the grant agreement for the Piedmont Housing Alliance's Down Payment Assistance Program for the Orangedale and Prospect neighborhood be extended through July 30, 2018.

g. ORDINANCE: Proposed Changes to Dog License (Carried)

[Proposed Changes to Dog License](#)

Mr. Fenwick moved the consent agenda.

Ms. Szakos asked about the proposal to go to a long-term dog license rather than renewing annually and questioned why we did not choose a price point that did not produce a deficit. She urged staff to look at a higher amount in the long-term. Mr. Fenwick said if we are going to change this, we should do so now. Mr. Brown suggested that the amount could be changed on the second reading.

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

BOARDS AND COMMISSIONS

On motion by Mr. Fenwick seconded by Ms. Szakos, the following appointments were made to Boards and Commissions: to the Charlottesville Albemarle Airport Commission: Addison Barnhardt, Chris Engel; to the Community Development Block Grant: Kelsey Cox; to the Disadvantaged Business Enterprise Task Force: Melvin Burruss, Mark Menafee, Andrea Copeland-Whitsett, Kaye Monroe, Karen Totten-White; to the Human Rights Commission: Olivia Boykin, Ann Smith, Kelsey Lofton; to the Parking Advisory Board: Joan Fenton, Andrew Knuppel, Kirby Hutto, Chris Kontaloni; to the Personnel Appeals Board: Philip d'Oronzio; to the Social Services Advisory Board: Lisa Brown; to the Water Resources Protection Program Advisory Committee: Rebecca Quinn; to the Piedmont Family YMCA Board of Directors: Tom Bowe. (Ayes: Ms. Szakos, Ms. Galvin, Mr. Signer, Mr. Bellamy, Mr. Fenwick; Noes: None.)

PUBLIC HEARING/ORDINANCE: WATER STREET PARKING GARAGE PARKING SPACES LEASE (carried)

[Water Street Parking Garage Parking Spaces Lease](#)

Mr. Brown presented to Council. He reviewed a single bid received in response to the lease.

Mr. Signer called for any additional bids. Hearing none, the bidding was declared closed.

Ms. Szakos confirmed that this would result in a net loss in parking revenues. Mr. Engel confirmed this.

The applicant, Mr. David Gross, addressed Council and answered clarifying questions.

On motion, the public hearing was opened.

Ms. Rebecca Quinn, 104 4th St., said a parking garage in Northern Virginia collapsed because plowed snow was piled in the wrong place after a heavy snowfall. The City should ask how the snow will be managed.

Mr. Ja Phahii Jones, from the 757 Hampton Roads area, said he is with Black Lives Matters and asked about what is being done about the Nazi and Confederate situation. He said he is running as a write-in candidate for governor.

Having no further speakers, the public hearing was closed.

Mr. Brown said the lease document will be completed with Deerfield Square Associate, II, LLC as the lessee. The terms will be incorporated into the form of lease. On motion by Ms. Galvin, seconded by Mr. Fenwick, the ordinance carried.

Ms. Szakos said she will not vote for this because she does not like the idea that this company is looking to the City to help with its profit margin in the midst of what has been a contentious relationship.

Mr. Signer said he has heard about this building for years, and this is one piece of a complicated answer to ensuring this hotel can be built.

Ms. Galvin said it is a matter of safety that this building be completed.

PUBLIC HEARING/ORDINANCE: DOMINION UTILITY EASEMENT AT RAGGED MOUNTAIN RESERVOIR (carried)

[Dominion Utility Easement at Ragged Mountain Reservoir](#)

Mr. Brian Daly, Director of Parks and Recreation, presented to Council.

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

On motion by Ms. Szakos, seconded by Ms. Galvin, the ordinance carried.

REPORT: FY 2018 - 2020 STRATEGIC PLAN AND CITY COUNCIL 2017 WORKPLAN

[FY 2018 - 2020 Strategic Plan and City Council 2017 Workplan](#)

Ms. Leslie Beauregard, Assistant City Manager, presented to Council.

Mr. Fenwick asked how the recovery process will be reflected in the Strategic Plan. Ms. Galvin asked how the efficiency study, work plan and the strategic plan tie together. Mr. Signer recommended an additional status level for unfinished projects. He suggested a live demonstration or booth during a town hall meeting for feedback. He said UVA has a data visualization team that would be happy to help with this.

ORDINANCE: PARK STREET PLANNED UNIT DEVELOPMENT REZONING REQUEST (carried)

[Park Street Planned Unit Development Rezoning Request](#)

Ms. Heather Newmeyer, City Planner with Neighborhood Development Services, presented to Council and reviewed staff's recommendations.

The applicant's representative, Mr. Kurt Wassenaar, President of Wassenaar + Winkler Architects and Planners, presented to Council and introduced Ms. Harriet Kaplan, MACAA representative. They presented to Council and answered questions.

The applicant's representatives discussed doubling the cash contribution to the Affordable Housing Fund, which would equal to five proffer units off site and four proffer units on site. Mr. Brown clarified that modifying the proffer would start the process over. The applicant's representatives suggested making a \$75,000 donation directly to MACAA to develop additional housing resources with the City; independent of the current project.

Mr. Fenwick moved the ordinance as presented in the agenda materials. Mr. Bellamy seconded the ordinance.

Ms. Galvin presented her position and stated she would not be able to support this PUD. Ms. Szakos said she is ambivalent about this project. Mr. Signer said he is also torn and looks forward to a more fulsome discussion at the next meeting.

Council took a recess at 11:08 p.m. and reconvened at 11:17 p.m.

RESOLUTION: 901 RIVER ROAD SPECIAL USE PERMIT FOR SELF-STORAGE COMPANY *agenda item withdrawn by applicant*

RESOLUTION: DOWNTOWN PARKS MASTER PLAN REVIEW OF SCOPE

[Park Street Planned Unit Development Rezoning Request](#)

Mr. Maurice Jones, City Manager, presented to Council. Ms. Galvin gave an overview of the resolution. Ms. Szakos reviewed minor edits to the resolution.

Ms. Szakos read the changes made to the resolution in collaboration with Ms. Galvin. She said that the fifth “Whereas” adds back in the information about the Freedman’s Bureau. Where the resolution discussed the front and side of the library, the resolution includes specifics about collaborating and coordinating with the board and management of the James Madison Regional Library (JMRL). In the second “Be It Further Resolved”, revised language clarifies what happens when the successful bidder submits two interim Master Plan options. In the first “Be It Resolved,” Ms. Szakos added a coma in the first bullet point.

Ms. Szakos asked for clarification as to whether the \$1 million dollars is paying for Phase I only, or if half of the funds are for Phase I and the remaining half are for Phase II. Ms. Galvin said that the resolution indicates that the funds are for Phase I; she agreed with Ms. Szakos that the resolution is not explicit about the funding and fundraising. Ms. Szakos said that she would be more comfortable with the resolution stating it will “be funded up to \$1 million dollars for the completion, fabrication, and installation of Phase I and Phase II Master Plan”. Ms. Galvin agreed.

Mr. Fenwick said the two options do not make sense to him. Ms. Szakos suggested adding "at least two preliminary Master Plan options", which would make her more comfortable as well. Mr. Fenwick agreed.

Mr. Bellamy said he likes this approach. He said he would like to see increasing the resources allocated. Ms. Galvin suggested the resolution keep the \$1 million with phase 1, and phase 2 would get a separate appropriation, depending on what comes out of the RFP. Ms. Szakos suggested adding “Phase II” to the final bullet beneath the modification regarding the “two preliminary Master Plan options”. Ms. Galvin agreed to the amendments.

Ms. Szakos offered an amendment to add "along with possible additional funding from Council," to the third “Be It Further Resolved” from the end. Ms. Galvin agreed to the amendment.

On motion by Ms. Galvin, seconded by Ms. Szakos the resolution passed as amended. (Ayes: Ms. Szakos, Ms. Galvin, Mr. Signer, Mr. Bellamy; Noes: Mr. Fenwick.)

RESOLUTION

to Fully Interpret Key Downtown Public Spaces within the City of Charlottesville, North of the Historic Downtown Pedestrian Mall, and East of the Historic McGuffey School, in Keeping with the Recommendations of the Blue Ribbon Commission on Race, Memorials and Public Spaces (BRC) such that a More Complete History of Race Relations is Told and the City’s Commitment to Truth, Freedom and Equity is Affirmed.

MATTERS BY THE PUBLIC

Mr. Grant Tate, Brookwood Dr., said putting data online is a great step forward. He said it is staff’s job to look at the data and figure out what is important. We have to reorient the government to be responsive to current events. You should not run the City by committee. The City Manager should be the quarterback, not the cheerleader.

Mr. Brandon Collins, City resident, said he was not able to keep his daughter safe as she protested the events of August 12. He said it is a shame that people are going to court and facing jail time for their actions after August 12. This is not smart, citizen-focused government. He said if you want to heal, you do not attack the community.

Ms. Joy Johnson, 802 Hardy Dr., said she supports Mr. Collins' remarks. She said Donna lets neighbors know who is encroaching on the neighborhood and keeps them alert. She said arresting people for disorderly conduct during a Council meeting is setting a dangerous precedent. She said most advocates do not have good behavior when they are standing up for justice. She said we should provide counseling for people who have been on the front line fighting for the community.

Ms. Shawn Harris, City resident, read a statement about leadership and the removal of statues. She said she does not agree with removing history.

Meeting adjourned at 11:58 p.m.