

COUNCIL CHAMBER - January 7, 2019

Ms. Walker called the meeting to order at 6:31 p.m.

ROLL CALL

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

ANNOUNCEMENTS

Dr. Bellamy announced that on Sunday January 20 there would be community wide Martin Luther King Day celebration. He said that on January 21 at 1 p.m. there would be a MLK celebration at the Carver Recreation Center and on January 30 at 6 p.m. at the Paramount Theater, the University of Virginia would be holding a MLK event featuring journalist April Ryan.

CONSENT AGENDA

- a. **Minutes – Dec. 12, 2018 Work Session; Dec. 17, 2018 Regular Meeting; Dec. 18, 2018 Special Meeting (Retreat)**

[Minutes - Dec. 12, 2018 Work Session](#)

[Minutes - Dec. 17, 2018 Regular Meeting](#)

[Minutes - Dec. 18, 2018 Special Meeting \(Retreat\)](#)

- b. **APPROPRIATION: Certified Local Government (CLG) grant funding for Little High Neighborhood National Register nomination - \$33,714 (2nd reading)**

[Certified Local Government \(CLG\) grant funding for Little High Neighborhood National Register nomination](#)

WHEREAS, the City of Charlottesville, through the Department of Neighborhood Development Services, has received from the Virginia Department of Historic Resources (DHR), funding to support a historic survey for the Little High Neighborhood,

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$12,000 for the fiscal year 2018-2019 received from the Virginia Department of Historic Resources (DHR) is hereby appropriated in the following manner:

Revenue

\$ 12,000	Fund: 209	IO: 1900321	G/L: 430120 (State/Fed Pass Thru)
\$ 21,714	Fund: 209	IO: 1900321	G/L: 498010 (Transfer from C.I.P.)

Expenditure

\$ 33,714 Fund: 209 IO: 1900321 G/L: 530670 (Other contractual services)

Transfer

\$21,714 Fund: 426 WBS: P-00484 G/L: 461209 (Transfer to grants)

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$12,000 for the fiscal year 2018-2019 from the Virginia Department of Historic Resources (DHR).

- c. APPROPRIATION: Reimbursement of Funds for Portland State University ADU Program - \$5,000 (2nd reading)**

[Reimbursement of Funds for Portland State University ADU Program](#)

WHEREAS, the City of Charlottesville has received payment from the Thomas Jefferson Planning District Commission for participation in the Portland State University Accessory Dwelling Unit Cohort program (\$5,000.00);

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$5,000.00 be appropriated as follows:

Revenues:

\$5,000.00 Fund: 426 Project: CP-084 G/L Code: 434675

Expenditures:

\$5,000.00 Fund: 426 Project: CP-084 G/L Code: 599999

- d. APPROPRIATION: Meadow Creek Trail Bridge Grant from VDOT - \$375,000 (Carried)**

[Meadow Creek Trail Bridge Grant from VDOT](#)

- e. APPROPRIATION: 250 Bypass Greenbelt Trail Grant from VDOT - \$500,000 (Carried)**

[250 Bypass Greenbelt Trail Grant from VDOT](#)

- f. APPROPRIATION: Information Technology Funding for Office 365 Licenses - \$53,774 (Carried)**

[Information Technology Funding for Office 365 Licenses](#)

On motion by Ms. Galvin, seconded by Ms. Hill, the CONSENT AGENDA was APPROVED. (Ayes: Dr. Bellamy, Ms. Hill, Ms. Walker, Mr. Signer, Ms. Galvin; Noes: None.)

CITY MANAGER RESPONSE TO COMMUNITY MATTERS (FROM PREVIOUS MEETINGS)

Mr. Murphy provided an update on the status of mobile classrooms and trailers at Walker Upper Elementary. He said City facilities staff and school staff are working on the project there as well as at Greenbrier Elementary. The original plan was not viewed favorably by school staff because of the impact of an access road.

Mr. Murphy said at the January 22, 2019 Council meeting staff would provide feedback on recommendations for additional resources to complete the Comprehensive Plan update.

Mr. Murphy said at the last meeting there had been a number of citizen comments related to data accessibility from the Charlottesville Police Department and Emergency Communications Center's New World system. Mr. Murphy said staff had undertaken a preliminary review and that there is a public meeting of the ECC board the next day where they expect the performance of this database system to be discussed. He said he should have additional information available he can share with Council after that meeting.

COMMUNITY MATTERS

Mr. Michael Payne said this week there would be a joint meeting with the PC to discuss the Capital Improvement Program. The budget process is just beginning. He said it was important to back up what we say in words with deeds. He said the affordable housing fund allocation needed further consideration. He said it should not have been zeroed out. He said there needs to be at least \$80 million for affordable housing and \$50 million for redevelopment of public housing in order to create the more than 4,000 housing units needed.

Ms. Kate Fraleigh spoke in response to recent news articles related to the Charlottesville Police Department. She said vacancies were not a new thing. At the time, under Chief Longo, salaries were also an issue. Other problems are also not new. She said issues like trust take significant work to rebuild.

Dr. Bellamy thanked Mr. Murphy and Mayor Walker for their comments in the media and social media in relation to support for Chief Brackney.

Ms. Emily Little said she worked with Generation 180 and Cville100, two local environmental groups. She said she was speaking in favor of further reduction of greenhouse gases. She called for the City to set aggressive greenhouse gas reduction goals.

Ms. Mary Carey spoke related to transit needs on South Street around Midway Manor. She said the City's response previously has been that it was not possible because the transit buses would hit the speed bump. Ms. Carey said senior citizens need transit services in this area.

Dr. Bellamy asked what would be required to provide this service? Mr. Murphy said it may require changing bus routes and that he would bring an update to Council and the public at the January 22, 2019 meeting.

Ms. Cristine Nardi spoke on behalf of the Center for Nonprofit Excellence regarding the Priority Setting Commission being discussed tonight. She encouraged the Agency Budget Review Team working group to conduct more engagement with the community and local nonprofits before establishing a commission. On timing, Ms. Nardi recommended the process be defined further before appointing a commission. Lastly, she said local nonprofit experts should be considered for involvement on the proposed commission.

Ms. Walker said Council will have to make sure it understands whose interest is in focus with this new approach. She said the ad-hoc committee has been focused on outcome strategies and the people being served. She said many groups who have received funding in the past may not receive it under the new process if approved by Council. She said the community engagement piece is important, engagement of the people being served.

Ms. Sarah Burke spoke on behalf of the Police Civilian Review Board. She noted CRB member Josh Bowers was also present this evening. Ms. Burke said Council would be receiving a letter from her addressing remarks made at the December 17, 2018 Council meeting related to the CRB bylaws. She reiterated the CRB's desire for policing data and said the CRB was simply asking the police department to "open the books."

Ms. Walker responded and said she remembered a meeting she attended with Ms. Burke where she asked the CRB what further information they needed. She said her expectation was CRB was going to return with a more specific request for data.

Ms. Burke agreed there had not been follow up from the entire CRB to Council.

Mr. Tony Wasch said a recent letter to the editor (December 31, 2018 in The Daily Progress) referenced Dr. Bellamy unfairly. He said he felt Dr. Bellamy was a fair and caring man who wants to please everyone. He said he appreciated Dr. Bellamy's service on Council.

Mr. Kevin Cox said he had heard about the name change proposal for Preston Avenue being discussed by members of Council. He said his son came up with a name for the street. Mr. Cox suggested renaming the street after Preston Coiner, someone who deserves such an honor. He said that approach would minimize disruption for businesses (because the street name could remain 'Preston').

Ms. Walker asked if he knew why Dr. Bellamy had proposed a name change? Mr. Cox said he heard it was because Mr. Preston was a slave owner. Ms. Walker said the naming of things was very important as is understanding the history of where these names come from. Ms. Walker said slave owners didn't acknowledge the contribution slaves made and Dr. Bellamy is trying to spark a conversation about true healing and reconciliation.

Dr. Bellamy responded to Mr. Cox. He said Col. Preston was an owner of 29 slaves in Charlottesville and a fundamental purpose of this discussion was to bring awareness to these things. Dr. Bellamy said the road split two black neighborhoods and that was not a mistake. He said this was not the type of individual that should be honored with a street name. Dr. Bellamy said Asalie Minor Preston is another historical figure, and African-American educator, that he said better deserved recognition.

Mr. Bruce Glassco said he was a professor at Piedmont Virginia Community College who is concerned about the global environmental crisis. He said as the City considers settings goals for greenhouse gas reduction targets he hoped they would set an aggressive goal. He invited the community to a Community Climate Forum being held Thursday, January 24, 2019 at 6:30 p.m. in Lecture Hall 29.

Ms. Rosia Parker said she thought Mr. Cox's remarks on Preston Avenue were disrespectful, but she said Council was still not giving respect to those speaking before them. She said the public is still being forced to accept mistakes Council makes. On the Police Civilian Review Board, she said the CRB needs the Chief of Police to work with them.

Mr. Cliff Hul said he was speaking on behalf of the Charlottesville Coalition for the Homeless. He invited Council to an annual meet and greet scheduled for January 30, 2019 being held at the Jefferson Madison Regional Library from 4:30 p.m. to 7 p.m.

Dr. Bellamy responded that there are numerous efforts underway by the City to address the chronically homeless in the community. He said there are currently 47 homeless individuals in the community today and that he was supportive of the effort to create a Crossings II facility to offer housing additional options.

Mr. Josh Bowers spoke on behalf of the Police Civilian Review Board. He said he had a different impression related to his last meeting with Ms. Walker. He said there were additional requests of Council built into the initial draft of the CRB's bylaws. Mr. Bowers said the CRB received certain data, but only what the Police Chief was willing to provide. He said the CRB would bring back a more specific request. He said software systems were not the only problem, he said CRB was given summaries of data, not the underlying data, which it feels is necessary for improved transparency and oversight.

Ms. Walker said she was researching a number of other cities that were sharing law enforcement data, as recommended by the CRB. She said this homework and the dialog would continue. Ms. Hill said she intended to have a collaborative effort with the CRB as well.

Ms. Angelique Kahn said she proposed the scheduling of a private meeting for Chief Brackney with community stakeholders. She volunteered to facilitate the meeting. She said an open and honest discussion was needed about the future of Charlottesville and the safety of residents.

Ms. Emily Dreyfus with the Legal Aid Justice Center said she wanted to echo Mr. Payne's comments on the Capital Improvement Program. She said the \$12 million for the West Main Streetscape is a beautification project that would only serve the wealthy. She said this project should be dropped in favor of affordable housing initiatives. She said the current draft CIP seemed to be short-circuiting housing initiatives and she hoped the work of the Council's Housing Advisory Committee would continue.

Ms. Galvin said, with respect to a sustainable funding source for the Charlottesville Affordable Housing Fund, she had proposed at a previous meeting the "Synthetic TIFF"

approach. Second, Ms. Galvin said we continue to have tension between investments in a multi-modal future and our desire to be more equitable with housing. She said the two goals shouldn't cancel each other out. Ms. Galvin said the West Main Streetscape also repairs sidewalks in disrepair that currently makes things difficult for senior citizens and the handicapped. The current streetscape also doesn't accommodate bus shelters.

Dr. Bellamy said it was important for the public to understand that the Charlottesville Affordable Housing Fund was not being wiped out but the dollars were being transferred to the redevelopment of public housing.

Ms. Walker said this highlights the issue that Council will have to address with respect to bond funding and budget priorities.

Ms. Walker said the City also has to ensure the money is being smartly invested.

Ms. Galvin added that on West Main Street the streetscape will provide improved planting conditions for trees, and the credits we will receive related to the Chesapeake Bay TDML regulations will be very helpful. State funding here will help us advance the City's environmental goals.

Ms. Hill said it would be important to exhaustively identify ways city dollars can be leveraged for housing goals and this will be part of the work of the Housing Advisory Committee.

Mr. Signer said, with respect to West Main, safety was also an issue. He said West Main was a flat corridor connecting the city and was thus one very likely to get people out of their cars and on a bicycle, but today safety is an impediment. He said separated bike lanes are the recommended solution. He also said the University's commitment of \$5 million to improvements in the streetscape and lighting were also important to remember.

Ms. Nancy Carpenter challenged City Council to come up with a housing strategy and to help the most marginalized citizens instead of focusing its attention on West Main Street's streetscape. She said housing was a much higher priority.

Ms. Walker called a 10 minute recess.

The meeting reconvened.

PUBLIC HEARING / ORDINANCE: RELEASE OF STORMWATER DETENTION FACILITY EASEMENT IN SEMINOLE SQUARE NORTH WING (Carried)

[Release of Stormwater Detention Facility Easement in Seminole Square North Wing](#)

Ms. Walker invited Mr. John Blair and Mr. Tony Edwards to discuss the release of a 1985 Stormwater Detention Facility Easement in Seminole Square North Wing.

Mr. Edwards said it would be more beneficial to the City to release the easement instead of maintaining it.

Ms. Walker opened the public hearing.

There were no speakers.

Ms. Walker closed the public hearing.

Council reached consensus to carry the ordinance forward, as presented, to the January 22, 2019 consent agenda.

PUBLIC HEARING / ORDINANCE: UNDERGROUND UTILITY EASEMENT TO DOMINION ENERGY AT RAGGED MOUNTAIN RESERVOIR (Carried)

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

Ms. Walker invited Chris Gensic to speak about the undergrounding of a power line to the Ragged Mountain Reservoir.

Ms. Walker opened the public hearing.

There were no speakers.

Ms. Walker closed the public hearing.

Council reached consensus to carry the ordinance forward, as presented, to the January 22, 2019 consent agenda.

PUBLIC HEARING / ORDINANCE: ZONING TEXT AMENDMENT TO REVISE DEFINITION OF AMUSEMENT CENTERS AND ALLOWABLE ZONING CLASSIFICATIONS (Carried)

[Zoning Text Amendment to Revise Definition of Amusement Centers and Allowable Zoning Classifications](#)

Ms. Walker invited Mr. Brian Haluska to present on the Zoning Text Amendment to Revise Definition of Amusement Centers and Allowable Zoning Classifications. He said this typically covers places where people play pool or arcade games. He said the Planning Commission recommended approval.

Ms. Walker asked about the requirements related to law enforcement incidents and potential consequences for infractions.

Ms. Walker opened the public hearing.

There were no speakers.

Ms. Walker closed the public hearing.

Council reached consensus to carry the ordinance forward, as presented, to the January 22, 2019 consent agenda.

PUBLIC HEARING / ORDINANCE: ZONING TEXT AMENDMENT ON STREET DESIGNATIONS IN MIXED USE ZONES (Carried)

[Zoning Text Amendment on Street Designations in Mixed Use Zones](#)

Ms. Walker invited Mr. Haluska to present the proposed Zoning Text Amendment on Street Designations in Mixed Use Zones. Mr. Haluska said Hillsdale Drive was an example of a new street added as a primary street.

Ms. Walker opened the public hearing.

There were no speakers.

Ms. Walker closed the public hearing.

Council reached consensus to carry the ordinance forward, as presented, to the January 22, 2019 consent agenda.

PUBLIC HEARING / ORDINANCE: ZONING TEXT AMENDMENT MODIFYING THE DEFINITION OF DWELLING UNIT (Carried)

[Zoning Text Amendment Modifying the Definition of Dwelling Unit](#)

Ms. Walker invited Ms. Missy Creasy to present the Zoning Text Amendment Modifying the Definition of Dwelling Unit Types.

Ms. Creasy said examples of dwellings impacted included fraternities and boarding houses. She said the Planning Commission was only interested in addressing the issues at hand, two small changes, related to uses counted as one dwelling unit and a change to the definition of a dwelling unit. She said the Commission will hold a future work session on other dwelling unit issues.

Ms. Walker opened the public hearing.

Mr. Tony Wash spoke and asked for clarification about what will or will not be considered a dwelling unit. Ms. Creasy said the BZA determined a fraternity would not be a dwelling unit. The proposed change would count it as a dwelling unit.

Ms. Valerie Long, an attorney with Williams Mullen, said she was speaking on behalf of her client Pi Kappa Alpha which is proposing renovations and redevelopment of the fraternity property. She said the Board of Zoning Appeals voted 4-1 in favor of her client's interpretation of the ordinance. She said fraternities have long been regulated not as dwelling units. Ms. Long said it appeared the zoning amendment was intended to prevent her client from benefitting from

the BZA's decision. She said the City did not appeal the case to Circuit Court and thus the decision should be deemed final and there should be an express exclusion for her client from this change.

Ms. Hill asked for clarification on the impacts to the fraternity. Ms. Creasy said they are requesting additional residential units on the site. The site plan under review also includes underground parking but not the plan with additional residential units. She said staff was being responsive to the BZA's concerns about City code.

Ms. Galvin asked if a property like this could be grandfathered? Mr. Blair said staff could look at ways to craft the ordinance with respect to the effective date of the ordinance. He said there have been other issues related to the definition of dwelling units identified in past audits by the City Attorney's office.

Ms. Creasy said the Planning Commission was not ready to make extensive changes to the ordinance.

Ms. Galvin asked if ordinance changes related to building heights were a potential model for setting a date when the changes would take effect? Mr. Blair said vested rights would attach if there was a site plan that had been approved. That is not the case here. However, a date could be set into the future as to when projects under consideration would be impacted.

Mr. Murphy suggested Council may want this to come back on the January 22, 2019 regular agenda for more discussion.

Ms. Walker suggested it could be placed on the consent agenda and pulled if needed.

Ms. Walker closed the public hearing.

Council reached consensus to carry the ordinance forward, as presented, to the January 22, 2019 consent agenda.

RESOLUTION: APPROVAL OF COUNCIL MEETING SCHEDULE FOR 2019

[Approval of Council Meeting Schedule for 2019](#)

Mr. Blair reviewed the proposed regular meeting schedule for City Council during 2019. He noted three meetings would move to Tuesday as a result of holidays on Monday's. He noted Ms. Hill suggested moving the summer break from August to September.

Mr. Signer asked for a discussion of alternative meeting times, such as in Albemarle County where one meeting a month is held in the daytime hours.

Dr. Bellamy said if meetings were held earlier in the day some constituents would be unable to attend. Ms. Hill said one option would be to have a public comment portion at the end of a daytime meeting given that attendance at Council meetings drops off during ordinary business items.

Dr. Bellamy said the public likes speaking before Council takes action on business items. Ms. Galvin said public hearings should be held at a time the public was more available in the evenings.

Dr. Bellamy said earlier meeting times would make it more difficult for some people to serve on City Council.

Ms. Hill discussed her proposal to shift the summer break to late July.

On motion by Ms. Galvin, seconded by Ms. Hill, the Council Meeting Schedule for 2019 was APPROVED. (Ayes: Dr. Bellamy, Ms. Hill, Ms. Walker, Mr. Signer, Ms. Galvin; Noes: None.)

Approval of City Council Regular Meeting Schedule for 2019

BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that the following dates are approved for regularly scheduled Council meetings for 2019:

January 7, 2019	July 1, 2019
<i>Tuesday, January 22, 2019</i>	July 15, 2019 – no meeting (summer break)
February 4, 2019	August 5, 2019
<i>Tuesday, February 19, 2019</i>	August 19, 2019
March 4, 2019	<i>Tuesday, September 3, 2019</i>
March 18, 2019	September 16, 2019
April 1, 2019	October 7, 2019
April 15, 2019	October 21, 2019
May 6, 2019	November 4, 2019
May 20, 2019	November 18, 2019
June 3, 2019	December 2, 2019
June 17, 2019	December 16, 2019

Italics indicate an adjusted date due to a holiday.

BE IT FURTHER RESOLVED that these dates will be published on the City's calendar at www.charlottesville.org and posted at the Clerk of Council's office; and

BE IT FURTHER RESOLVED that should Council desire to amend the schedule during the year, they may do so with a majority vote; should such a change occur, it will be publicized with a City press release, updated on the City's calendar, and posted at the Clerk of Council's office.

REPORT: ESTABLISHMENT OF PRIORITY-SETTING COMMISSION TO INFORM COUNCIL FUNDING PRIORITIES

[Establishment of Priority-Setting Commission to Inform Council Funding Priorities](#)

Ms. Walker invited Ms. Kaki Dimock to present on the establishment of a Priority-Setting Commission to inform Council funding priorities. Ms. Dimock reviewed the ad-hoc group's review to date which included involvement by Councilors Walker and Hill.

Ms. Dimock said the workgroup believed an independent commission should set 3-5 priorities annually to determine how Agency Budget Review Team funding should be invested by Council.

Mr. Signer asked if there was any part of the planning process that would include the full Council?

Ms. Dimock said there had been conversations about how to engage not only Council, but also the public and nonprofits. Ms. Walker said Council could provide feedback on the Commission's work.

Ms. Galvin asked about the absence of a specific resolution detailing the Commission role and responsibilities? For example, Council might want certain types of groups to be represented, such as nonprofits.

Ms. Walker said it would be an open application process to join the Commission and Council would review all the applications jointly.

Mr. Signer said he was concerned this might not be a transparent process with only two members of Council involved at this point. He asked if there was a charter for the operation of this Commission?

Ms. Walker said there was not a Charter at this time. She said Council had provided feedback that it wanted another Commission to make the funding priority recommendations, not the initial ad-hoc workgroup.

Ms. Hill said the budget time constraints were what was bringing this to Council to get the Commission started immediately.

Ms. Galvin asked what problem was being solved by this proposal? She said there was a study done that Council had not seen. Ms. Galvin asked about the pros and cons of reforming the ARBT as opposed to creating a new body. She asked if a more formal resolution and charter could be brought back to Council for review.

Mr. Signer said more buy-in was going to be needed for this to be successful.

Ms. Hill suggested a more complete summary could be made to Council at a future meeting.

Ms. Walker said Albemarle County was continuing their ABRT process. Ms. Hill said if the Commission is formed, Albemarle could consider adopting the same process in the future.

Ms. Walker said this approach is very different from what the City has been doing in the past. To be prepared for the next budget cycle, this Commission would need to be formed.

Ms. Galvin said some community partners need to provide further input. Ms. Walker said community partners should not be driving the development of a new process.

Mr. Murphy said it was clear that Council needs to have some priority setting group for the future of the ABRT. He said the City should be in the business of telling the community what issues need to be addressed, such as those in the City's strategic plan, and measured for outcomes.

Ms. Galvin said a specific resolution could outline that the Commission will follow the goals of the strategic plan. She said the current memo doesn't make that approach clear.

Mr. Signer said that since this touches on the budget, Council will need to be more involved.

Ms. Walker said the funding process will ultimately be very visible to the public. She said there would be pushback from the community in response to these changes.

Ms. Dimock said she would share with Council the December 2017 study by UVa's Batten School regarding the ABRT process.

Council reached consensus to have additional information brought back at the January 22, 2019 meeting.

REPORT: RIVANNA AUTHORITY QUARTERLY REPORT (written report only)

[Rivanna Authority Quarterly Report](#)

OTHER BUSINESS

Ms. Hill asked which members of Council would be available at the January 8, 2019 Planning Commission meeting? She confirmed there would be a quorum.

Ms. Creasy returned to say a site plan had been submitted December 26, 2018 regarding the fraternity's proposal discussed earlier in the evening.

MATTERS BY THE PUBLIC

Ms. Long said the fraternity's site plan was for both 512 Rugby and 0 Rugby. It was submitted on December 21, 2018 and accepted for the December 26, 2018 review deadline.

Ms. Walker adjourned the meeting at 9:31 p.m.