

NOTICE OF SPECIAL MEETING

A SPECIAL MEETING OF THE CHARLOTTESVILLE CITY COUNCIL WILL BE HELD ON Monday, April 3, 2017, 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 Sarah Brazelton

SECOND FLOOR CONFERENCE ROOM – April 3, 2017

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. Fenwick, Council voted, (Ayes: Ms. Szakos, Ms. Galvin, Mr. Signer, Mr. Fenwick,; Noes: None; Absent at time of vote: Mr. Bellamy) 1. Discussion and consideration of prospective candidates for appointment to City boards and commissions, as authorized by Virginia Code sec. 2.2-3711 (A) (1); and, 2. Consultation with legal counsel regarding a response in the pending litigation involving the removal of the Robert E. Lee statue; for legal advice regarding a challenge to Albemarle County restrictions on City-owned property at the Ragged Mountain Natural Area; and for legal advice regarding a court action challenging the real property tax assessment on the Water Street Parking Garage, as authorized by Virginia Code sec. 2.2-3711 (A) (7).

On motion by Ms. Szakos, seconded by Mr. Bellamy, Council certified by the following vote (Ayes: Ms. Galvin, Ms. Szakos, Mr. Fenwick, Mr. Signer; Noes: None; Absent at time of vote: Mr. Bellamy), 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 - April 3, 2017

ROLL CALL

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

AWARDS/RECOGNITIONS/ANNOUNCEMENTS

Mr. Fenwick recognized Mr. Daniel Montoya Castro for obtaining his Eagle Scout award.

Ms. Szakos announced that City Hall will be closed on April 13th in observance of Thomas Jefferson's birthday.

Ms. Galvin announced upcoming Council meetings. She announced the Council Budget Work Session-Wrap up and Final Discussions that will take place on Thursday, April 6 at 5:00 pm at City Space. Ms. Galvin announced the Joint Council & Planning Commission Work Session taking place on Tuesday, April 11 at 6:00 pm at City Hall in the Council Chambers. She also announced the next City Council Meeting taking place on Monday, April 17 at 7:00 pm at City Hall in the Council Chambers.

Mr. Maurice Jones, City Manager, clarified that the budget work session for April 6th is classified as "if necessary".

Ms. Galvin asked Mr. Jones when the Councilors will know if the April 6th meeting is taking place.

Mr. Jones said that during tonight's meeting a decision will be made about the April 6th work session.

Mr. Signer announced the Mayor's Challenge for Water Conservation. He said that this is the City of Charlottesville's fourth consecutive year joining cities across the country in asking our residents to take part in the national Wyland Mayor's Challenge for Water Conservation. Mr. Signer encouraged Charlottesville residents to conserve water, save energy, reduce pollution on behalf of the City of Charlottesville, and pledge their commitment at www.mywaterpledge.com throughout the month of April.

Mr. Signer read the proclamation in recognition of Mr. Robert Bobby L. Bishop's service to the community through his small business the Wayside Barbershop. Mr. Signer invited him to the front and Mr. Bishop said a few words.

APPOINTMENTS TO BOARDS AND COMMISSIONS

On motion by Mr. Fenwick, seconded by Mr. Bellamy, the following appointments were made to Boards and Commissions: to the Charlottesville-Albemarle Airport Authority, Michael Prichard; Citizen's Transportation Advisory Committee, Adam Moore, Travis Peitila; Jefferson Area Board of Aging Board of Directors, J. Brian Jackson; Parks and Recreation Advisory Committee, Marlene Jones; Personnel Appeals Board, Teresa Vice-Moore; Region Ten Community Services Board, John Kronstain; Tree Commission, Lynn Rush, Mark Rylander, Peggy Van Yahres, Roxanne White. (Ayes: Mr. Signer, Mr. Bellamy, Mr. Fenwick, Ms. Galvin, Ms. Szakos; Noes: None.)

CITY MANAGER RESPONSE TO MATTERS BY THE PUBLIC

Mr. Maurice Jones, City Manager, reported that Mr. Paul Nelson expressed concern of the closing of PACEM's winter sheltering initiative for the homeless, which is scheduled to end on April 19th. Mr. Jones said that Mr. Nelson addressed homelessness in general and the cost

associated with it. He reported that the Thomas Jefferson Area Coalition for the Homeless (TJAC) conducted a study in 2012 that showed that local cost estimates are around \$20,000/year/ person to address homelessness here in our community. Mr. Jones said that this is the reason why the city supports the Haven's programs and have invested in long term solutions for the homeless like permanent supportive housing and rapid rehousing programs. He reported that the city also funds emergency shelter services at PACEM and the Shelter for Help in Emergency. Mr. Jones reported that the staff at the Haven and PACEM has been working with their guests to find safe and permanent housing options before the end of the season. He also reported that PACEM extended their season of sheltering this year by a couple of weeks. Mr. Jones said that there are no plans in place to make the PACEM program year round. He said that in the proposed budget for next year that the city has put a considerable amount of money towards affordable housing in our community. Mr. Jones said that in the past the city has used the affordable housing funds for projects like the Crossings which addressed homeless issues here in the city.

Mr. Jones said that there was a question about a discussion on opiate use in our community and whether the Police Officers will carry Narcon on patrol. He reported that our officers do not carry Narcon at the moment. Mr. Jones said that the department is reviewing their policy and assessing costs associated with carrying Narcon. He said that all of our Fire Fighters and EMT's have access to Narcon in their vehicles and can use them on the scene of an overdose. Mr. Jones said that thankfully the City of Charlottesville has not seen the same degree of opiate overdoses. He said that they are keeping a close eye on the situation.

Ms. Szakos asked Mr. Jones if he had a response to two other items that were brought up in Matters by the Public during the March 20th meeting. She said that one was the crosswalk at the Library and how the city enforces vehicles stopping for pedestrians at crosswalks.

Mr. Jones said that if a Police Officer sees a car that does not yield to a pedestrian crossing the cross walk then the Police Officer is supposed to write a ticket. He also said that there were some policy issues surrounding this discussion.

Ms. Szakos asked Mr. Jones whether first responders are still receiving any down payment and closing cost assistance for purchasing a home.

Mr. Jones said that the Police Foundation offers help for Police Officers and that the Charlottesville Area Association of Realtors (CAAR) used to offer down payment and closing costs assistance to first responders and he will check to see if they are continuing to do so.

MATTERS BY THE PUBLIC

Mr. Signer read the rules of conduct for the Matters by the Public.

Mr. Benjamin Randolph, 423 Meade Avenue, said that he wanted to speak about the special use permit on 1011 East Jefferson Street. He said that he is generally in favor of development along the Little High neighborhood; however, in this case the developers have requested a density of over four times that allowed by right. Mr. Randolph said that he would like the developers to limit the density to two or two and a half times the density allowed by right. He said that the developers have requested an increase in the allowed density from 21

dwelling units per acre to 87 dwelling units per acre. Mr. Randolph said that the developers propose to build a 126 unit apartment building on less than one and a half acres next to a low density residential neighborhood. He asked the Council to take this into consideration when they vote on the SUP 1011 East Jefferson Street special use permit.

Ms. Tina Rees, 520 Lexington Ave, said that she became the primary care giver for her parents and she said it was a very difficult transition. She said that she went to JABA for information and she found them to be a valuable resource in the community. Mr. Rees reported that her parents are in the JABA Daycare program so that she can work and have someone to take care of her parents. She said that the staff at JABA is very compassionate and very respectful. Ms. Rees said that there is not anything else like JABA in the community when it comes to their resources and programs.

Ms. Althea Cupo, Waynesboro, said that she wanted to speak about the Lee Statue and Lee Park. Ms. Cupo said that she supports re-contextualizing the statues and she listed the reasons for her position. She suggested having both sides of the issue come together and work on gathering oral history and primary sources to collaborate to present their findings in an exhibit in Lee Park. Ms. Cupo said that this method was incredibly successful in Australia in a similar situation.

Mr. Gene Philippi, Albemarle County, said that his first reaction to the Ragged Mount Natural Area (RMNA) proposal of allowing bikes was positive. After seeing the next map for the planned trails Mr. Philippi believes that there are too many trails. He asked Council to consider reducing the number of planned trails.

Mr. David Rogers, 2739 McElroy Drive, said that he sent an email to Council about the amount of money that Council is spending on removing the Robert E. Lee statue. Mr. Rogers said that his old position was that it would be better to spend money on current community needs. He reported that Mr. Bellamy responded to his email and pointed out to Mr. Rogers that the city could do both. Mr. Rogers said that Mr. Bellamy reminded him to think about symbolic victories. He congratulated City Council on taking the step to remove the statue.

Ms. Rebecca Quinn, 104 4th Street, said that she is excited to see that the City Market is offering the compostable scrap drop off locations. Ms. Quinn also said that she put in a FOIA request about the impact of the proposed trails on regulated wetlands and threaten endangered species in the Ragged Mountain Natural Area. She said that she knows about the bio survey that there is documentation about trail planning and avoiding sensitive areas. Ms. Quinn said that there was not a definitive answer in regards to the regulated resources. She brought Council's attention to the steep slope outside of the main library and that it is bare.

Mr. Eric Hurt, 1502 East Market Street, said his comments tonight are about the proposed Woolen Mills Historic District. Mr. Hurt said it seems to him that Neighborhood Development Services (NDS) is putting a hold on the process for the foreseeable future. He said that he believes that NDS has enough information to make a decision. Mr. Hurt said that the petition that a majority of Woolen Mills residents have signed and soon to be updated is still viable despite what the city has been advised. He reported that the petition asks for Council not to pass the

district if the residents are not offered an opt-out option. Mr. Hurt said that he hopes the petition will show sufficient evidence that the residents of Woolen Mills are not interested in the historic district.

Mr. Melvin Burruss, 912 Evergreen Rd, said that he supports Council's efforts to create a Black Youth Coordinator position, since it is very critical. Mr. Burruss said that the rates for Excel Summer School Camp were raised by the Charlottesville City School Board. He said that he understands that Council has plans to give the School Board another \$2,000,000. Mr. Burruss asked Council to speak to the Charlottesville City School Board about retracting the higher rate for the summer school camp. He pointed out that a lot of the kids who will be using the program are from single adult homes and the camp will keep the children occupied and off the streets.

Mr. Jason Ivy, 1808 East Market Street, said that he worked together with Mr. Eric Hurt on the petition so that a no opt out clause means do not pass the district. Mr. Ivy said that the Woolen Mills Neighborhood Association Board has ignored the petition and the board lobbied the city to do another vote despite the wishes of the residents. He asked Council to not allow the conservation overlay to move forward and respect the will of the residents. Mr. Ivy said that if another vote is called then he asks for transparency in the methodology of the voting process.

Mr. Cliff Hull, 1990 Avon Street Extended, said that he opposes moving the statues and listed the reasons supporting his position. He suggested renaming the park and adding other Virginian statues to the park. Mr. Hull said that he would prefer funds for homelessness is redirected to a shelter instead of the Salvation Army. He said that he is a small business owner and the way to address the scuttle bug is to address it directly.

CONSENT AGENDA

- a. **Minutes for March 20, 2017**
- b. **APPROPRIATION: Proffer Payment from The Inn at Vinegar Hill LLC - \$100,000 (2nd reading)**

[Proffer Payment Inn at Vinegar Hill](#)

WHEREAS, the City of Charlottesville has received payment from The Inn at Vinegar Hill, LLC on behalf of 315 West Main Street (\$100,000) as required by the for Rezoning (City Application No ZM-07-08-20) Statement of Final Proffer Conditions for the Ridge/McIntire/ West Main Street Rezoning; and

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$100,000 be received as payment from The Inn at Vinegar Hill, LLC, to be appropriated as follows:

Revenues:

\$100,000 Fund: 426 Project: P-00904 G/L Code: 434675

Expenditures:

\$100,000 Fund: 426 Project: P-00904 G/L Code: 599999

- c. APPROPRIATION: Market Street Parking Garage Revenue - \$146,200 (2nd reading)**

[Market Street Parking Garage](#)

WHEREAS, the City of Charlottesville recently executed a contract for parking garage management services that requires a monthly reimbursement of expenses and management fee;

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

Revenues

\$146,200 Fund: 105 Cost Center: 2412004000 G/L: 434370

Expenditure

\$146,200 Fund: 105 Cost Center: 2412004000 G/L: 530670

- d. APPROPRIATION: Strategic Investment Account Contribution - \$1,000,000 (2nd reading)**

[Strategic Investment Account Contribution](#)

WHEREAS, the Economic Development Authority of the City of Charlottesville, has received funds in the amount of \$1,000,000 as a result of the completion of a ground lease agreement in which the City of Charlottesville provided the original capital;

WHEREAS, the City's policy and practice has been to appropriate all proceeds from land sales to the strategic investment account until they can be further deployed;

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

Transfer from:

\$1,000,000 Fund: 974 Cost Center: 7101001000 G/L: 561426

Transfer to:

\$1,000,000 Fund:426 WBS: P-00167 G/L: 599999

- e. APPROPRIATION: Supplemental Appropriation of FY 2017 Transit Grants - \$97,528 carried**

[FY 2017 Transit Grants](#)

f. RESOLUTION: Piedmont Workforce Network - Chief Local Elected Officials Agreement

[Piedmont Workforce Network](#)

RESOLUTION

BE IT RESOLVED by the Council for the City of Charlottesville, Virginia, that the Mayor hereby authorizes Council Kathy Galvin to sign the following document, in form approved by the City Attorney or his designee.

Agreement (effective July 1, 2017 through June 30, 2019) by Chief Local Elected Officials of the Piedmont Workforce Network (Local Workforce Development Area 6) for Continued Implementation of the Workforce Innovation and Opportunity Act.

g. RESOLUTION: Grant application for Safe Routes to School program

[Safe Routes to School program](#)

RESOLUTION

Supporting Safe Routes to School (“SRTS”) Projects

WHEREAS, obesity is one of the most serious threats to American public health, ranking third among preventable causes of death in the United States;

WHEREAS, motor vehicle crashes are also a leading cause of death and injury to children;

WHEREAS, between 1969 and 2009 the percentage of children walking and biking to school dramatically declined from 48 percent to 13 percent;

WHEREAS, the Safe Routes to School program, created by Congress in 2005, aimed to increase the number of children engaged in active transportation when traveling to school by funding (1) infrastructure projects, located within two miles of a public school, that directly increase safety and convenience for public school children walking and/or biking to school, and (2) noninfrastructure projects designed to encourage public school children to walk and bicycle to school;

WHEREAS, Safe Routes to School projects are a proven, effective approach to increasing the number of children actively traveling to school by foot or bike;

WHEREAS, Safe Routes to School projects provide important health, safety, and environmental benefits for children, including reducing risk of obesity/chronic disease and pedestrian/bicycle injuries as well as improving air quality;

WHEREAS, the need for Safe Routes to School projects is especially strong in low-income areas, which suffer from a disproportionately high incidence of both childhood obesity/chronic

disease and pedestrian and bicycle injuries and often have inferior pedestrian and bicycle infrastructure;

WHEREAS, Safe Routes to School projects make it safer and more convenient for all residents to walk and bike to destinations, further promoting public health;

WHEREAS, a goal of the City of Charlottesville's current Comprehensive Plan, Bicycle and Pedestrian Master Plan, Complete Streets Resolution and Healthy Eating Active Living Resolution supports active transportation options, which can be met in part by implementation of Safe Routes to School projects;

NOW, THEREFORE, BE IT RESOLVED that the City of Charlottesville affirms its commitment to active transportation and supporting Safe Routes to School infrastructure and non-infrastructure projects.

h. ORDINANCE: Quitclaim of Gas Easement to VDOT on Georgetown Rd (2nd reading)

[Quitclaim of Gas Easement](#)

TO QUITCLAIM PORTIONS OF A NATURAL GAS LINE EASEMENT WITHIN GEORGETOWN ROAD AND SOUTH BENNINGTON ROAD LOCATED IN ALBEMARLE COUNTY TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION

Mr. Bellamy asked Mr. Jones and his colleagues to confirm whether item B. on the consent agenda, the Proffer Payment from the Inn at Vinegar Hill LLC, was the third payment that the city has received.

Mr. Jones confirmed that Mr. Bellamy was correct.

Mr. Bellamy said that he spoke to his colleagues and wanted to point out that the payment will go to the Charlottesville Redevelopment and Housing Authority (CRHA).

Mr. Jones said that there were some restrictions put in place as part of the agreement. He said that the money is supposed to be used specifically for redevelopment purposes.

Ms. Szakos asked whether the \$100,000 that is going towards CRHA can be used for renovations as well as redevelopment.

Mr. Jones said that he was unsure whether the restrictions would permit CRHA to use the funds for rehab; however, he said that it probably would be allowed.

Ms. Szakos asked if the \$100,000 has to be spent by March 1, 2021.

Mr. Jones confirmed that the latest payment has to be spent by March 1, 2021.

Mr. Alex Ikefuna, Director of Neighborhood Development Services (NDS), said that he believes the funds are just for redevelopment. He said that the agreement is worded where CRHA has to use the funds for West Haven or any projects owned by CRHA for redevelopment.

Mr. Bellamy asked Mr. Ikefuna if the previous \$200,000 has already been allocated to CHRA.

Mr. Ikefuna said that none of the funds have been allocated to CHRA because they do not have a redevelopment plan to invest the money.

Mr. Bellamy asked Mr. Ikefuna if the funds would be dispersed once CRHA has a redevelopment plan and if the funds could be used for site plans and other things to get the process started.

Mr. Ikefuna said that Mr. Bellamy was correct and that CRHA could use the funds for site plan development, site preparation or actual construction costs.

Ms. Galvin said she wants to comment on item G. the resolution for the Grant Application for Safe Routes to School program. She said that it was after a school board lunch and asked Mr. Jones to give an update on the Safe Routes to School program. Ms. Galvin said she was impressed with Mr. Jones' update on the program. She said that Clarke Elementary, Jackson-Via Elementary, Buford Middle School, Burley Moran Elementary and Venable School have all received federal grant money to improve intersections and sidewalks so that children can walk safely to school. Ms. Galvin said that there is data that says one in five of our fifth graders are obese and it is an issue the community needs to take seriously. She said that the mini grants of \$1000 to support bike/ped activities at Venable School, Buford Middle School, Clarke Elementary, Burley Moran Elementary, Jackson-Via Elementary and Walker. Ms. Galvin reported that this particular grant is to get a Safe Routes to School Coordinator. She said that the city has acquired \$1,220,239 in grants through the NDS staff's hard work, particularly Ms. Amanda Poncy.

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

PUBLIC HEARING /ORDINANCE: HISTORIC CONSERVATION DISTRICT ZONING TEXT AMENDMENTS Carried

[Historic Conservation District](#)

Ms. Mary Joy Scala, Preservation and Design Planner with NDS presented to Council.

Ms. Galvin thanked Ms. Scala for answering all of her questions. She said that she will be offering up amendments to the process and not the content of the ordinance.

Mr. Signer opened the public hearing.

Ms. Rebecca Quinn, 104 4th Street, said that her concern was with exempting from review the paint colors when she attended the Planning Commission's Public Hearing. She said that everyone should be concerned about the pink house and pink polka dot house both of which have occurred in historic districts. Her question is that should that be allowed to happen. Ms. Quinn asked if there would be any recourse for neighbors or for citizens if someone painted their house pink.

Mr. Bill Emery, 1604 East Market Street, said that the conservation district ordinance has been administered in a manner that is consistent with its purpose and intent. Mr. Emery said that it protects the character, space and scale of historic neighborhoods through reviews of proposed demolitions and new construction without imposing onerous fees and design requirements. He said that the conservation district overlay is the only zoning tool available to humble historic neighborhoods to moderate the pace of teardowns and to encourage considerate and appropriately sized new construction.

Having no further speakers, Mr. Signer closed the public hearing.

Ms. Galvin said that to address the public's concerns about safeguarding the physical character of neighborhoods and the affordability of adding another layer of review when moderate and lower income homeowners seek to make home improvements.

On motion by Ms. Galvin the Ordinance: Historic Conservation District Zoning Text Amendments was seconded by Mr. Bellamy.

Ms. Galvin proposed the following motion to further amend the Conservation District Ordinance:

SECTION 34-345 b. Applications shall be submitted to the director by a property owner, contract purchaser or lessee of the property, or by the authorized agent of any such person, at no charge to the applicant.

- Delete- "Each application shall be accompanied by the required application fee as set forth within the most recent zoning fee schedule approved by city council."

SECTION 34-347 b. Failure of the BAR to act on an application determined to be subject to BAR review within thirty (30) days after receipt thereof shall be deemed approval.

- Delete-"sixty (60)".

Ms. Galvin explained the rationale behind the proposed amendments. She said that this tool is the only tool that neighborhoods have right now to safeguard the character absent a re-write of the city's zoning ordinances. Ms. Galvin said that she hopes that over the next year or two that there will be a wholesale revision of the zoning ordinances so that districts like this may not be necessary anymore. She said the proposal waives the application fee and cuts the BAR review time in half due to some of the financial challenges faced by some homeowners.

Ms. Szakos offered a friendly amendment to Ms. Galvin's proposal. She suggested rewording the section concerning the BAR 60 day review time. Ms. Szakos quoted the ordinance

and said "that failure of the BAR to act on application determined to be subject to BAR review" does not narrow it down since BAR reviews many different projects in the city. She suggested adding the language 'failure to BAR to act on an application under this ordinance that staff has determined to be subject to BAR review'.

Ms. Galvin accepted Ms. Szakos' friendly amendment.

Ms. Szakos asked what the budgetary impact would be for not charging the application fee throughout the city in all existing districts.

Ms. Scala said that there are five different fees and they are identical in ACD and historic conservation districts. She said that the fees are established in a fee schedule annually that Council reviews. Ms. Scala said that the schedule is not put into the ordinance because Council may want to change the fees more often than they would want to consider a zoning text amendment. She recommended to Council leaving the fee structure in place even if Council wants to change the fees. Ms. Scala described the fee schedule and the three fees that would impact homeowners who want to do home improvements is \$100 and \$125. She advised Council to keep the demolition and new construction fees at \$375.

Ms. Szakos asked how many are received every year and Ms. Scala said that in historic districts they may receive one application every two months.

Ms. Szakos said that she would like to call out the first three fees, the initial administrative fees, fees for addition and minor construction of existing structures and BAR appeals of those projects. She asked that those fees be free and the demolition and new construction fee be subject to the same fees.

Ms. Galvin said she would be willing to entertain Ms. Szakos' amendment, however she wants more discussion.

Mr. Bellamy expressed his concerns over the amendment and asked how to strike a balance in the ordinance.

Ms. Galvin addressed Mr. Bellamy's concerns.

Mr. Fenwick said he was concerned that there was no community engagement on the amendment to the existing ordinance. He also suggested only waiving the fee for people of moderate means like the city does with other programs.

Ms. Szakos made a friendly amendment to only waive the first three fees in the fee schedule and to have staff or Ms. Galvin come back and offer language for the next review. She said that the Planning Commission had a public hearing already on this subject and this is the second opportunity for public engagement.

Ms. Galvin clarified that she accepts adding 'under this ordinance' to SECTION 34-347 b. She said that she also accepts adding 'each application would be accompanied by the application

fee minus fees for the initial administrative review, and minor construction of existing structures and BAR appeals' to her own amendment to SECTION 34-345 b.

Mr. Brown pointed out that the fees for the BAR appeals is for the initial administrative review and the minor construction of existing structures. He said that this would not waive the BAR appeals fee for the demolition or the new construction determinations.

Ms. Galvin agreed with Mr. Brown.

Mr. Bellamy said he is fine with the changes.

PUBLIC HEARING: CITY COUNCIL'S PROPOSED FY 2018 BUDGET

[City Council's Proposed FY 2018 Budget](#)

Mr. Maurice Jones, City Manager said that Ms. Leslie Beauregard, Assistant City Manager will present the amendments to the City Manager's proposed budget. He said that the public hearing will be on the Council's proposed budgets and the second reading of the budget will occur next Tuesday.

Ms. Beauregard presented to Council and answered clarifying questions.

Ms. Szakos said that her initial proposal of the new position was as a neighborhood advocate and that language is not in the title.

Ms. Beauregard said that she is not sure what to call the position that would encompass the community engagement, neighborhood advocate and place making planner and design.

Ms. Szakos said that NDS could just put all of the descriptions in the title.

Ms. Galvin said that her intention was not to delete the community engagement piece of the proposed position.

Mr. Fenwick said that the citizens want neighborhood protection and to add it to the position.

Mr. Jones said that this is an indication that Council needs to have a conversation about the specifics of the position.

Ms. Beauregard said that she will put community engagement back into the position.

Mr. Jones said that the city received a request from JAUNT for an additional \$17,714 for FY18. He said that the request is in response to news that JAUNT received last week about a reduction in state funding. Mr. Jones said that the requested funds from the city would be the city's share of the loss of funding from the state. He said that this could be a possible amendment to the budget.

Ms. Szakos asked where the money would come from.

Ms. Beauregard said the money would come from the line item that would go into the CIP contingency. She said that they can make all of the adjustments for the next reading.

Ms. Szakos said she is in favor of allocating the funds to JAUNT.

Mr. Bellamy asked the Council to discuss adding to the city budget/ calendar an commemoration of the 50th anniversary of the assignation of Reverend Dr. Martin Luther King Jr.

Ms. Szakos said that the Council priority fund to consider a onetime use for the commemoration of the 50th anniversary of the assignation of Reverend Dr. Martin Luther King Jr.

Ms. Galvin agreed with Ms. Szakos.

Mr. Signer opened the public hearing.

Mr. Melvin Burruss, 912 Evergreen Rd, said that he supports the Black Youth Achievement Coordination position. He said it is a critical position especially if we want to uplift our young people. He said that the additional \$2,000,000 is going to the Charlottesville City Schools even though the Excel Summer Camp fees have been raise. Mr. Burruss is concerned over the increased fees and its impact on the single mothers who have several children and working several jobs. He asked Council to talk to CCS about lowering the fees.

Mr. Bill Emory, 1604 E. Market Street, said that he heard of the FTE position that Ms. Galvin suggested. He said that there has been a lot of community engagement over the years. Mr. Emory said the problem is implementation. He suggested that the person in this position could read the comprehensive plan and find out where things have fallen through the cracks. Mr. Emory gave examples.

Mr. Paul Long, 1410 Grady Ave, said that Cville weekly had an article about the assessments and he said that the only person on Council who addressed the rise in assessments were Mr. Signer. Mr. Long said that Mr. Bellamy and Mr. Fenwick did not contest the rise in assessments and planned to use the additional revenue to the city to fund some projects. He said he thought that was unfair and said that they should work to keep the assessments lower.

Having no further speakers, Mr. Signer closed the public hearing.

ORDINANCE: TAX LEVY FOR FY2018 Carried

[Tax Levy for FY2018](#)

On motion by Ms. Szakos, seconded by Mr. Bellamy, ORDINANCE: Tax Levy for FY2018 was carried.

APPROPRIATION: BUDGET APPROPRIATION FOR FY2018 Carried

[Budget Appropriation for FY2018](#)

On motion by Ms. Szakos, seconded by Mr. Fenwick, APPROPRIATION: City Council's Proposed FY 2018 Budget was carried.

Ms. Szakos requested information for the next discussion about the summer camp. She said that she had heard that the fees were not being raised; however, she was not sure if Mr. Burruss was referring to the same summer camp.

Mr. Bellamy pointed out the Black Youth Achievement position was not brought up by Ms. Beauregard because Council had already discussed it in a prior budget session. He said that tonight she was presenting the amendments that had been discussed at the last budget work session. Mr. Bellamy said that Mr. Long's points were valid and that he shares Ms. Galvin's position on the assessments.

Ms. Galvin discussed her position on the real estate tax assessments.

Mr. Jones confirmed that the city cannot phase in the tax assessments.

Mr. Fenwick said that he would characterize the budget as balanced and he is pleased with where the budget is heading.

Mr. Signer encouraged anyone who wants to know what is happening with their tax dollars to review the budget. He said that Council has made some progressive choices and he enumerated those budget items. Mr. Signer thanked Mr. Bellamy for his equity package and staff for their hard work on the budget.

Mr. Jones asked if Council believes there needs to be a budget work session this Thursday.

Council agreed that there does not need to be a budget work session.

Council took a recess at 8:58 p.m.

Mr. Signer called the meeting to order at 9:04 p.m.

REPORT: PLACE DESIGN TASK FORCE ANNUAL REPORT

[PLACE Design Task Force](#)

Mr. Signer announced that there was a change in the agenda for item 6. He said that it will be moved to a meeting in the future.

RESOLUTION: CRITICAL SLOPE WAIVER FOR 162 BAYLOR LANE

Critical Slope Waiver

Ms. Carrie Rainey, City Planner with Neighborhood Development Services (NDS) presented to Council.

Mr. Fenwick asked when the critical slope ordinance was enacted.

Ms. Rainey said the ordinance was enacted in January 2006.

Mr. Fenwick asked if she knows of how many request for waivers come through and how many are granted.

Ms. Rainey said that she does not know the number of requests or waivers granted. She said that staff could look into it and get back to Council.

Ms. Szakos said she supports this and said that the Housing Advisory Committee (HAC) recommends that any city owned property should prioritize affordable housing. She stressed the importance that when the time comes to build a single family home on this property that priority be given to affordable housing.

On motion by Ms. Szakos, seconded by Ms. Galvin, the RESOLUTION: Critical Slope Waiver for 162 Baylor Lane was approved. (Ayes: Mr. Bellamy, Ms. Szakos, Ms. Galvin, Mr. Signer, Mr. Fenwick; Noes: None.)

RESOLUTION

APPROVING A REQUEST FOR WAIVER OF CRITICAL SLOPES PROVISIONS PURSUANT TO CITY CODE SECTION 34-1120(B)(6) FOR 162 BAYLOR LANE

WHEREAS, the Parks and Recreation Department, on behalf of the City of Charlottesville, owner of property designated on City Tax Map 26 as Parcel 45.001, consisting of approximately 0.139 acres, and addressed as 162 Baylor Lane in Carter's View Subdivision (the "Property"), seeks a waiver of the critical slopes requirements of City Code Sec. 34-1120(b)(6) in order to allow the Property to be sold as a buildable lot (the "Project"); and

WHEREAS, the Planning Commission considered this request at their regular meeting on March 14, 2017, and recommended approval of the request, with conditions, to waive the critical slopes requirements, pursuant to City Code Sec. 34-1120(b)(6); and

WHEREAS, upon consideration of the information and materials provided by the applicant, and the recommendation of the Planning Commission, the City Council finds and determines pursuant to City Code Sec. 34-1120(b)(6)(d)(i) that the benefits of allowing disturbance of the critical slopes in connection with the Project outweigh the public benefits of the undisturbed slopes; now, therefore,

BE IT RESOLVED by the Council for the City of Charlottesville, Virginia that the request by the Parks and Recreation Department of the City of Charlottesville for a waiver of the critical slopes requirements for the above-described Project to be developed on the Property, is hereby granted, conditioned upon the following:

1. The builder obtains an Agreement in Lieu of an Erosion and Sediment Control Plan even if the site does not exceed 6,000 square feet of land disturbance.
2. Roof drains are piped into the existing storm water system unless otherwise directed by the engineering department.
3. Land disturbing activities shall be limited to the front 2/3 of the site and only disturb the minimal critical slopes necessary to build the single family residence.
4. A pedestrian access easement shall be preserved in the same location as the platted public drainage easement that crosses the southwesterly side of the Property.

REPORT: Ragged Mountain Trails Update

[Ragged Mountain Trails Update](#)

Mr. Brian Daly, Director of the Parks and Recreation Department presented to Council and answered clarifying questions.

Ms. Szakos said that many people have looked at the proposed trail maps and since it is a small map and the lines are thick it looks like there are a lot of trails. She said that in real life the trails would be less than hair width going around this size of a property. Ms. Szakos said that there are not gigantic trails going up next to each other, it is just the way it is printed. She asked if that is a fair assessment.

Mr. Daly agreed with Ms. Szakos' assessment. He said that if the trails were shown to actual scale then they would be invisible.

Ms. Szakos said that the Mr. Daly came back to Council so that construction would take place now instead of July.

Mr. Daly said that is one consideration.

Ms. Szakos said that time is of the essence and they want to have the trails available for use as soon as possible.

Ms. Galvin asked Mr. Brown what action staff is looking for from Council in regards to some of the issues raised by Albemarle County.

Mr. Brown said that Mr. Daly is asking Council to approve the layout of the trails.

Mr. Daly said that they are responding to Council's specific direction on this by bringing this back to you in the time frame. He said they want to assure that Council is in agreement that they have met the conditions in the original resolution in December 2016 and that the plan looks feasible. Mr. Daly said that once construction begins the trail may move a little bit to avoid one thing or another.

Mr. Signer said that there is an ongoing discussion with the concerns of the Board of Supervisors at Albemarle County. He said that they hope to resolve the dueling ordinances issue legally and are having a very constructive dialogue with the County.

Mr. Signer said that the city is passionately committed to water quality and they would never take any action to damage the quality of the water.

On motion by Ms. Szakos, seconded by Ms. Galvin, to adopt this plan and authorize the beginning of construction of the trails. (Ayes: Ms. Szakos, Ms. Galvin, Mr. Signer; Noes: Mr. Bellamy, Mr. Fenwick.)

MATTERS BY THE PUBLIC

Mr. Mason Picket, Albemarle County, said that he loves the freedom wall and he uses the wall frequently. He said that he is extremely careful about the words he uses and only uses facts. Mr. Picket said that recently someone has disagreed with his statements and he said that person has every right to disagree with his position. He said that the young man and young woman who disagree with him lied. Mr. Picket said that through email he was called a white supremacist and a misogynist. He said that he was not a supremacist or a misogynist.

Ms. Signer adjourned the meeting at 9:36 p.m.

Approved by Council
April 17, 2017



Acting Clerk of Council