

COUNCIL CHAMBER - April 17, 2017**ROLL CALL**

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

AWARDS/RECOGNITIONS/ANNOUNCEMENTS

Ms. Galvin announced the Help List contest that ends this Friday.

Ms. Galvin said that she had the opportunity to participate in the TomTom Founder's Summit Luncheon at which the launch of the Charlottesville Renewable Energy Alliance was celebrated. She said that eight renewable energy companies located here in our area have come together to form the Alliance. Ms. Galvin said that the CvilleREA aims to establish Charlottesville as the renewable energy hub of the Southeast, to advocate for the growth of the renewable energy economy, and to support the community's transition to sustainable energy practices.

Ms. Galvin read the Arbor Day proclamation and invited Ms. Ineke Dickman to the front to accept the proclamation. Ms. Dickman said a few words about Arbor Day Celebration.

Ms. Szakos announced the Dogwood Festival that is running through April 23rd. She announced the various festival upcoming events.

Ms. Szakos read the Child Abuse Prevention Month proclamation. She invited Ms. Brittany Selkregg to the front to accept the proclamation and say a few words. Ms. Selkregg, with Ready Kids, said a few words.

Mr. Bellamy acknowledged Chief Thomas who was in the chambers. He read the proclamation concerning the life of Police Officer James Willy Jones who was the first African American to join the City of Charlottesville Police Department. Mr. Bellamy asked the family of Mr. Willy Jones to come to the front and they said a few words.

Mr. Fenwick said that he was appreciative in seeing Chief Thomas about the officers making an effort to communicate with the pedestrians on the downtown mall.

Mr. Fenwick said he recognized Zack from Charlottesville High School.

Mr. Fenwick announced that this weekend brings the Charlottesville ECO FAIR. This annual event brings our community together to celebrate the earth and spread awareness about important environmental issues. He said that the ECO FAIR will take place on the Downtown Mall near the Pavilion on Sunday April 23 from 11am to 5pm

Mr. Fenwick also announced the Rivanna Household Waste collection taking place on April 28th.

Mr. Signer announced the water conservation contest. He said that you can help the city be the most water-wise in the country by taking the water conservation pledge at www.mywaterpledge.com throughout the month of April. Mr. Signer said that people can visit this website www.charlottesville.org/waterconservation to find our more information.

Mr. Signer announced Gone but Not Forgotten: Unearthing Memories at Daughters of Zion Cemetery. He said that the event will be on Wednesday April 19, 2017 at the Special Collections Library in the Harrison-Small Auditorium at the University of Virginia.

CITY MANAGER RESPONSE TO MATTERS BY THE PUBLIC

Mr. Maurice Jones, City Manager, said that Mr. Melvin Burruss asked Council about weighing in on the sliding scale fee of the Excel Summer Camp at the City Schools. Mr. Jones said that the schools did increase the fees for the summer program to help cover the costs of the initiative. He reported that there is a sliding scale fee for tuition based on income level.

Mr. Jones said that Ms. Rebecca Quinn was concerned about the new trail alignment at Ragged Mountain and their proximity to environmentally sensitive areas. He said that the trail alignments at Ragged Mountain have been intentionally located to try to avoid those areas, which has been the staff's goal since the beginning of the design process. Mr. Jones said that as the trails are being constructed staff will keep an eye out for sensitive flora which may have been dormant during the winter and staff will make adjustments accordingly. He said that Ms. Quinn was also concerned with the slope in front of the Jefferson Madison Regional Library (JMRL) facility on Market Street. Mr. Jones said that the library staff shares her concern and the library staff has reached out to her to discuss this problem. He said that the library's recent attempts to cover the bare slope have not had a lot of success. Mr. Jones said that he believes it is in part because of a large tree that is shading that area. He said that they will continue to try to address the bare slope and look for a solution.

MATTERS BY THE PUBLIC

Mr. Signer reviewed the rules of conduct for matters by the public.

Ms. Barbara Cruickshank, 324 Parkway Street, said that in 2015 after hearing from the public, City council passed a resolution about pesticides being used in the city. Ms. Cruickshank said that the resolution that was signed indicated that the city would eliminate the pesticides on school grounds and city parks. She said that after two years this has not been done. Ms. Cruickshank said that after reading the IPM, however, she noted that the city made progress. She asked Council if they will do what they said they would do in 2015.

Ms. Colleen Keller, 1824 Field Road, said that she is the Director of the Charlottesville Free Clinic and she is very grateful to Council for permitting the Free Clinic to do renovations. She reported that the renovations are complete and the benefit to the community has been visible already. Ms. Keller listed the many benefits of the renovations on the community and the patients.

Mr. Benjamin Randolph, 423 Meade Avenue, said that he is here to speak on the 1011 East Jefferson St special permit. He said that the developer is asking for an increase in density that is out of proportion to the surrounding neighborhood. Mr. Randolph said that there is a lack of affordable housing units in the development. He said that the developers designated 4 units as affordable out of the 126 units in the development. Mr. Randolph asked the developers come back with a different proposal.

Ms. Nancy Carpenter 921 Henry Ave., said that she wants to comment on the April 3rd historic conservation text amendment and the motions that were made. She said that it regards the waiving of the application fees and the review time for BAR from 60-30 days. She said that she is not sure how the motion deals and interacts with the form based code or how it addresses affordable housing. Ms. Carpenter said that the short response time for BAR also means a short response time for the neighborhoods to do community engagement about specific issues.

Mr. Ben Doherty, 104 Village Court, said that he commends the Council's leadership for removing the Lee Statue. He asked Mayor Signer to remember proclaiming the city as a Capital of Resistance. Mr. Doherty said that the city cannot be a Capital of Resistance and hold up white supremacy at the same time.

Ms. Jalane Schmidt, 11 Altamont Circle, said that she encourages the Council to continue removing the statue at Lee Park. She said that the Blue Ribbon Commission considered installing a marker to remember the Lynching of John Henry Brown. Ms. Schmidt asked that Council appropriate funds to install the lynching marker.

Ms. Rebecca Quinn, 104 4th St, said that the Historic Resources Committee (HRC) should participate in renaming the Lee Park. Ms. Quinn read the HRC's mission statement and she asked Council to ask Parks and Recreation Advisory Committee to include the HRC in the renaming process. She also said that Albemarle County postponed their latest meeting because it was not properly noticed. Ms. Quinn said that she cannot always find the notices for all of the meeting that the Councilors attend.

Ms. Genevieve Keller, 504 1st N. Street, said that she supports the historic conservation amendment. She said that she is not sure that Council understands the National Historic Conservation list. She suggested several courses of actions for the Lee Statue.

Mr. Henry McHenry, Albemarle County, said that the statue issue has not generated any common ground. He said his concern is to produce community conversation. Mr. McHenry proposed an ongoing venue for communication among citizens and would like to meet with Council to discuss his idea.

Mr. Bellamy asked when the issue of the special use permit that Mr. Randolph was speaking about, will be brought before Council.

Ms. Szakos said that it will come before Council in May. She also said that she wanted to address Ms. Carpenter's comments because it is an item on the consent agenda. Ms. Szakos said

she wanted to clarify that that is not a city wide change. She said it is just for the new piece of overlay language for the two particular neighborhoods that are specifically historic overlay districts. Ms. Szakos said it was about the things that are added on to them that other neighborhoods don't have.

Ms. Galvin said in response to Ms. Quinn's comments about consulting with the HRC. She said that she believes is that the resolution that Council adopted with regards to creating a master plan for the historic parks of both Lee and Jackson and to transform the Jackson statue in place, specifically listed the HRC as one of the consultants. She said that Council is not specifically discussing the master plan resolution tonight.

Mr. Jones agreed with Ms. Galvin about the HRC being one of the consultants included in the historic parks master planning resolution.

Ms. Szakos expressed her gratitude to Ms. Robertson and PC.

On motion by Ms. Szakos, seconded by Ms. Galvin, a. Minutes for April 3, 2017 was Approve. (Ayes: Mr. Bellamy, Mr. Signer, Mr. Fenwick, Ms. Galvin, Ms. Szakos; Noes: None.)

Mr. Signer asked for item E. to be removed and Council agreed.

CONSENT AGENDA

- a. **Minutes for April 3, 2017**
- b. **APPROPRIATION: Supplemental Appropriation of FY 2017 Transit Grants - \$97,528 (2nd reading)**

[Supplemental Appropriation of FY 2017 Transit Grants](#)

WHEREAS, a new Federal Capital Grant of \$97,528 has been awarded to Charlottesville Area Transit for FY17;

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

Revenue (Capital)

\$97,528	Fund: 245	Cost Center: 2804001000	G/L: 431110
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Expenditures (Capital)

\$97,528	Fund: 245	Cost Center: 2804001000	G/L: 541040
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BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$97,528 from the Federal Transit Administration.

- c. **APPROPRIATION: Reimbursement from RWSA for Paving Costs to Ragged Mountain Roadway - \$11,796.48 Carried**

[Reimbursement from RWSA](#)

- d. **APPROPRIATION: Domestic Violence Services Coordinator Grant - \$49,336 Carried**

[Domestic Violence Services Coordinator Grant](#)

- e. **APPROPRIATION: ~~Use of Charlottesville-Albemarle Convention & Visitors Bureau Fund Balance for Marketing - \$100,000~~**

[CACVB Fund Balance for Marketing](#)

- f. **RESOLUTION: Fund Transfer from CIP Reserve to Comprehensive Plan 2018 Account - \$100,000**

[Fund Transfer from CIP Reserve to Comprehensive Plan 2018 Account](#)

RESOLUTION

Transfer from CIP Contingency Account to Comprehensive Plan 2018 Project \$100,000

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

\$100,000 Fund: 426 WBS: CP-080 G /L Account: 599999

Transfer To

\$100,000 Fund: 426 WBS: P-00935 G/L Account: 599999

- g. **ORDINANCE: Historic Conservation District Ordinance Amendments (2nd reading)**

[Historic Conservation District Ordinance Amendments](#)

AMENDING ARTICLE II (OVERLAY DISTRICTS) OF CHAPTER 34 (ZONING) OF THE CODE OF THE CITY OF CHARLOTTESVILLE, 1990, AS AMENDED, RELATING TO HISTORIC CONSERVATION OVERLAY DISTRICTS.

On motion by Ms. Szakos, seconded by Mr. Fenwick, Consent Agenda with item E. removed was approved. (Ayes: Mr. Bellamy, Mr. Signer, Mr. Fenwick, Ms. Galvin, Ms. Szakos; Noes: None.)

RESOLUTION: ADOPTION OF HISTORIC CONSERVATION DISTRICT DESIGN GUIDELINES

[Adoption of Historic Conservation District Design](#)

Ms. Mary Joy Scala, Preservation & Design Planner, Department of Neighborhood Development Services presented to Council and answered clarifying questions.

Ms. Szakos asked about the building scale and building form sections. She said that the new language notes that other things may be approved. Ms. Szakos asked who would approve it.

Ms. Scala said that it would be approved by the Board of Architectural Review (BAR).

Ms. Szakos asked that the language clearly state the approving body as the BAR in this section and the following section under roof forms may be approved.

Ms. Szakos asked about paragraph 2 under Building Roof and Porches. She read the line of text from the guidelines and asked whether the word 'should' in the guidelines is a requirement.

Ms. Scala said that as much as a guideline can be a requirement.

Ms. Szakos also asked how many is 'many' as used in the guidelines.

Ms. Szakos said that 'many' is vague for such a strong recommendation. She said that she would be more comfortable going back to using the wording 'strongly recommended'.

Ms. Galvin said that her question relates to the Demolitions section item number 6 and is in regards to Mr. Bill Emery's comments from earlier today. She asked if the language 'character and continuity in the district' be added to the section of the guidelines and if that would be ok. Ms. Galvin said that Mr. Emery cited the Architectural Control District guidelines.

Ms. Scala said that these demolition guidelines are identical to the Architectural Control District and she agreed that it may be appropriate to add the wording to item 6 under Demolitions.

Council agreed to the changes

Ms. Galvin explained Ms. Carpenter's comments. She said that the demolition fees stay the same and that the changes are because this was not an affluent neighborhood.

On motion by Mr. Fenwick, seconded by Ms. Szakos, RESOLUTION: Adoption of Historic Conservation District Design Guidelines with amendments was approved. (Ayes: Mr. Bellamy, Mr. Signer, Mr. Fenwick, Ms. Galvin, Ms. Szakos; Noes: None.)

**RESOLUTION
ADOPTING AMENDMENTS TO THE HISTORIC CONSERVATION DISTRICT
DESIGN GUIDELINES**

BE IT RESOLVED that the Council for the City of Charlottesville hereby adopts the attached Historic Conservation District Design Guidelines, as amended by Council on April 17, 2017.

RESOLUTION: INITIATE ZONING TEXT AMENDMENTS FOR LEGAL AUDIT OF THE ZONING ORDINANCE

[Initiate Zoning Text Amendments](#)

Mr. Craig Brown, City Attorney, presented to Council.

On motion by Ms. Szakos, seconded by Ms. Galvin, RESOLUTION: Initiate Zoning Text Amendments for Legal Audit of the Zoning Ordinance was approved. (Ayes: Mr. Bellamy, Mr. Signer, Mr. Fenwick, Ms. Galvin, Ms. Szakos; Noes: None.)

**RESOLUTION
INITIATING ZONING TEXT AMENDMENTS
TO AMEND AND RE-CODIFY CHAPTER 34 OF THE CODE OF THE CITY OF
CHARLOTTESVILLE (1990) (ZONING)**

BE IT RESOLVED by the City Council of the City of Charlottesville that City Council hereby finds and determines that certain amendments of Chapter 34 (Zoning) of the City Code are required by the public necessity, convenience, general welfare or good zoning practice, and therefore, City Council hereby initiates such zoning text amendments, as set forth within the Legal Audit which has been presented by the City Attorney's Office, and City Council hereby refers the proposed Legal Audit to the Planning Commission for its review and recommendations, and for a joint public hearing with City Council. The Commission is requested to report its recommendations back to City Council within 100 days after its first regular meeting following the date of this resolution, in accordance with Va. Code Sec. 15.2-2285.

RESOLUTION: THOMAS JEFFERSON COMMUNITY LAND TRUST ALLOCATION OF FUNDS FOR NASSAU STREET DEVELOPMENT - \$240,000

[TJCLT Allocation of Funds](#)

Ms. Stacy Pethia, Housing Program Coordinator, presented to Council and answered clarifying questions.

Ms. Galvin asked if anything prohibits the Thomas Jefferson Community Land Trust (TJCLT) from building townhouses because the needs of units are so great.

Mr. Keith Smith said that it will be single family detached for the current four units. He said that it does not mean that in the future that they cannot build multifamily homes.

Mr. Bellamy said that it is \$60,000 for each lot and asked if Habitat will come to the city for funding.

Mr. Smith said that Habitat already has funding for construction.

Mr. Bellamy asked whether the city will be asked to help with the down payments.

Mr. Smith said that if someone needs the down payment assistance it will be through an existing program.

Mr. Fenwick asked if the lots are already identified.

Mr. Smith said that it is four specific lots.

Mr. Fenwick asked how they are going to make sure that this product will benefit city residents.

Mr. Smith said that the information is in the packet and is part of the process. He said that it is for city residents or employees.

Mr. Signer asked if the requested funds will go to operational costs or electing an Executive Director (ED).

Ms. Pethia said that the TJCLT is run by a volunteer board. The TJCLT recently received an anonymous \$100,000 for an ED to make TJCLT sustainable.

Mr. Signer asked Ms. Pethia to comment on the strategic plan and use of the Affordable Housing Fund.

Ms. Pethia explained why this project guarantees affordable for the long term.

Ms. Galvin said that lot size matters. She said that they have to open up the number of lot types so that the city can be strategic.

The other Councilors agreed with Ms. Galvin's statement.

Mr. Bellamy asked how much the homeowner will pay for the land lease.

Ms. Pethia said that the homeowner will pay \$25 monthly.

Mr. Smith said that for the Habitat houses they waive the \$25 monthly lease fee.

Mr. Bellamy commented on how people build wealth. He pointed out that building wealth will be impeded because they will not have access to the land.

Ms. Szakos offered another point of view on land trust use.

Mr. Fenwick asked if the owner would pay the real estate taxes.

Mr. Smith said that the property owner pays the taxes. Ms. Pethia said that she will look into who pays the taxes.

Mr. Smith said to look at the tax records and that the house could be worth more than the land.

Ms. Galvin asked if the assessment of the land stays low because it is owned by the TJCLT.

Mr. Frasier Bell, Chair of the TJCLT, said that the city assesses the land as any other piece of land.

Ms. Galvin said that the TJCLT is leveraging the money from the affordable housing fund.

Mr. Fenwick asked for clarification on the real estate taxes.

Mr. Bell said that the person who has to buy the house later has to qualify at 80% AMI.

Mr. Bellamy said that this sounds like predatory lending.

Mr. Bell said that the homeowner gets 25% of the equity when they sell. He said that the real estate taxes are paid by the homeowner.

Ms. Galvin suggested tabling the issue in order to get more clarification on the possibility of controlling the assessment and whether the rebate program for real estate taxes for low income housing can be applied to the CLT homes.

Ms. Galvin said that she will table her motion to delay the vote because of the assurance that there can be some reduction in taxes.

Mr. Signer said that this shows how affordable housing is complicated in Charlottesville. He said that the TJCLT model is better than renting but not as good as owning.

Mr. Alex Ikefuna, Director of Neighborhood Development Services said that the CLT model is not related to predatory lending. He said that this is one way of many to become a homeowner. Mr. Ikefuna related the history of the CLT.

On motion by Ms. Szakos, seconded by Ms. Galvin, RESOLUTION: Thomas Jefferson Community Land Trust Allocation of Funds for Nassau Street Development - \$240,000 was approved. (Ayes: Mr. Signer, Ms. Galvin, Ms. Szakos; Noes: Mr. Bellamy, Mr. Fenwick.)

Ms. Szakos asked if there could be special designation for CLT and if Council could do that to waive real estate taxes.

RESOLUTION

Allocation of \$240,000 from the Charlottesville Affordable Housing Fund (CAHF) for the Purchase and Development of Properties on Nassau Street by the Thomas Jefferson Community Land Trust

BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$240,000 is hereby allocated from previously appropriated funds in the Charlottesville Affordable Housing Fund to the Thomas Jefferson Community Land Trust for costs related to land acquisition of land and construction of four (4) homes on Nassau Street for an affordable homeownership project.

Fund: 426 Project: CP-084 G/L Account: 530670

Thomas Jefferson Community Land Trust \$240,000

ORDINANCE: INCREASE IN SALARY COMPENSATION FOR CITY COUNCIL MEMBERS Carried

[Increase in Salary Compensation for City Council Members](#)

Mr. Craig Brown, City Attorney, presented to Council.

Mr. Fenwick asked Mr. Brown how much Council currently receives.

Mr. Brown said that for Council members make \$14,000/year and the Mayor makes \$16,000/year at the moment. He said that the ordinance would put the amount per year up to the maximum that the state allows.

Ms. Galvin said that it is an important to discuss this issue. She explained the time commitment for a Councilor to sit on the dais. Ms. Galvin also said that the salary does not cover all the work that Council does. She said that an increase would allow people of color or people of limited incomes to survive and persevere this job while being fruitful on the dais.

Ms. Szakos said that she does not think it should be a full time job for any Councilor. She listed the reasons why she thinks the Councilor position should continue to be part time position. Ms. Szakos said she is in favor of going up to the recommended maximum salary.

Mr. Signer asked for salary information on comparable jurisdictions with comparable workloads by the second reading.

Mr. Bellamy said that it would be difficult to work on less than a living wage and to serve on Council if that person wants to help their family.

The ORDINANCE: Increase in Salary Compensation for City Council Members, was offered by Ms. Galvin, seconded by Mr. Bellamy, and carried over to the next meeting for consideration.

Mr. Signer called a recess at 8:57 p.m.

Mr. Signer reconvened the meeting at 9:08 p.m.

RESOLUTION: WELCOMING CITY UPDATE

[Welcoming City Update](#)

Ms. Szakos asked the body to consider this in three pieces. She asked for an update on the process that we have had for Welcoming Cities, the resolution minus the final paragraph, and a separate motion and consideration of the \$10,000 grant to Legal Aid.

Council agreed to consider this section in three pieces.

Mr. Maurice Jones, City manager, presented to Council.

On motion by Ms. Galvin, seconded by Ms. Szakos, RESOLUTION: Welcoming City Update with amendments was approved. (Ayes: Mr. Bellamy, Mr. Signer, Mr. Fenwick, Ms. Galvin, Ms. Szakos; Noes: None.)

Mr. Signer said that he wanted to craft the cities policy on immigration. He explained where the city is in the process. Mr. Signer also explained what the Legal Aid Justice Center plans to do with the \$10,000 grant.

On motion by Ms. Szakos, seconded by Ms. Galvin, RESOLUTION: Legal Aid Justice Center Immigration Services Allocation of Funds was approved. (Ayes: Mr. Bellamy, Mr. Signer, Mr. Fenwick, Ms. Galvin, Ms. Szakos; Noes: None.)

Ms. Szakos said that she wants the funds to Legal Aid Justice Center to be used for the City residents.

Mr. Signer read and explained the resolution.

Ms. Szakos said that the funds for the Legal Aid Justice Center come from the council's priority fund.

Welcoming City Update Resolution April 17, 2017

WHEREAS, Charlottesville City Council passed a Welcoming City Proclamation on October 5, 2015, and

WHEREAS, the recent executive actions and immigration enforcement announcements by the administration, paired with intimidating and divisive statements, have created a climate of fear, rumor and distrust of federal, state and local governments, and

WHEREAS, Charlottesville City Council seeks to address this climate of fear by providing a positive statement of our values and actions to a community seeking reassurance,

BE IT THEREFORE RESOLVED, the City of Charlottesville embraces the values of a Welcoming City, and we stand for the principle that all members of this community are our neighbors and deserve trust and protection, and that those values should be embodied by our public safety, law enforcement and social services professionals, and

BE IT FURTHER RESOLVED, the City Council upholds Attorney General Mark Herring's January 2015 conclusion that localities in Virginia can and must have discretion when faced with federal mandates regarding immigration issues, and

BE IT FURTHER RESOLVED, as a locality, we have limited public resources, both in terms of staff and funds, for public safety, law enforcement, and social services, and we believe that our professionals should employ those limited resources to meet their obligations under local and state law and to serve all the members of our community, consistent with the values of a Welcoming City, and

BE IT FURTHER RESOLVED, in service of providing vulnerable populations with information about their rights and resources available to them in our Welcoming city, we request that the Office of Human Rights prepare, promulgate and maintain a research guide on these topics for the public, and to work with appropriate partners in our government and our community to ensure that these populations have access to the guide and underlying resources,

NOW THEREFORE BE IT RESOLVED, that whereas public safety is a paramount mission of local government, that we defer to the considered judgment of our law enforcement and public safety professionals that the limited and welcoming approach to immigration questions they currently employ, which emphasizes local discretion and the maintenance of trust between residents and our public safety professionals, is our best option for maintaining security in our local community.

RESOLUTION

Legal Aid Justice Center Immigration Services Allocation of Funds

BE IT RESOLVED, in this time of confusion, intimidation and fear regarding immigration, we approve an allocation of \$10,000 be provided to our non-profit partner, Legal Aid, to support a program providing legal services to immigrants in our community.

REPORT: REMOVAL OF ROBERT E. LEE STATUE[Removal of Robert E. Lee Statue](#)

Mr. Maurice Jones, City Manager, presented to Council.

Ms. Szakos said that she has brought a motion for the Lee Statue and Lee Park.

Ms. Galvin said that she would prefer the last 'be it resolved' in Ms. Szakos' motion be a separate motion. She said that making two motions would allow the Council members who want to move forward with renaming the park have an opportunity to vote.

Ms. Szakos said she would prefer to keep the text all in one motion.

Mr. Signer pointed out that the agenda states that this item is a report. He said that whenever a resolution contains a matter of policy, like Ms. Szakos' current motion, then there needs to be an opportunity of public engagement. Mr. Signer acknowledged that there are probably three votes to discuss the motion tonight.

Mr. Signer asked if there are three Council members who support discussing Ms. Szakos' motion even though Council was supposed to discuss the report.

Mr. Bellamy and Mr. Fenwick said they support the discussion of Ms. Szako's motion.

Ms. Szakos read her motion.

Mr. Bellamy seconded.

Ms. Galvin offered a friendly amendment and asked if the last 'be it resolved' be taken out of the resolution and move forward as a separate motion.

Ms. Szakos and Mr. Bellamy agreed to Ms. Galvin's s friendly amendment.

Ms. Szakos explained her reasons for her support of the removal of the statue.

Mr. Fenwick explained why he supports removing the statues and reviewed the myths v. facts circulating the area.

Ms. Galvin explained the position that the City is in in regards to litigation for the removal of the statues.

Mr. Brown said that there is a pending court case challenging the right to remove the statue. He said that the ultimate result will be geared to a contractual agreement for someone to take the statue. Mr. Brown said that his advice is for that agreement of removing the statue to be contingent on a favorable ruling in the court case. He does not think it needs to be in the resolution.

Mr. Brown said that one statement in the resolution needs more work on the wording. He said that the following sentence 'the statue will not be displayed for any particular ideology' is ambiguous. Mr. Brown said that he thinks it is perfectly fine to say that the display will preferably be in an educational, historic or artistic context. He said that he believes the wording is ambiguous and not everyone reading the request for bids (RFB) would attach the same meaning to it. He said that his other concern is how to remedy the situation if someone agreed to that but then did not abide by it. Mr. Brown said that normally in a breach of contract when you sell something is to get it back.

Ms. Szakos said that it is the will of Council that the statue will not be placed on the highway with a billboard saying Welcome to the Confederacy. She asked Mr. Brown if they do not outline that in the request for bids, would they have to pick that organization.

Mr. Brown said that Council, if the RFB is worded correctly could contain their discretion. He said that the invitation to bid could reserve the discretion to pick someone that Council believes is most appropriate. He also said that Council would not have to choose the highest bid, but someone they trust.

Ms. Szakos asked if they could leave the bullet item there for now.

Mr. Brown said that he is simply expressing his concerns about the wording. He said that Council could reserve the right to approve the wording before the RFB goes out. He also said that once the wording for the RFB is written that Council would receive a copy for informational purposes. Mr. Brown said that if there are concerns then the text could come back to the body as a whole.

Mr. Bellamy explained the reason why he supports removing the statue and that he agrees with Mr. Jones' and Ms. Szakos' suggestions about renaming the park. He said that he knows that the next time that the Parks and Recreation Advisory Board meets is on May 17th. Mr. Bellamy said he would like to ask them to hold a special meeting in regards to the renaming Lee Park.

Mr. Jones said that Council could request a special meeting of the Parks and Recreation Advisory Board.

Mr. Fenwick said that the Historic Resources Committee should also be part of the renaming process as well.

Mr. Bellamy asked Mr. Jones to explain his timeline for getting feedback from the public.

Mr. Jones said that the 45 days suggestions are based on sending out the survey and information in the utility bills. He said it takes at least four cycles to get the information back if they use the utility bills.

Mr. Bellamy said that he does not believe that the city needs to go the utility bill route. He does not think it will be burdensome to get the names from the community in 30 days.

Mr. Signer listed his reasons for not removing the statues.

Ms. Galvin said she appreciates Ms. Szakos' work and that her position is unchanged since February.

On motion by Ms. Szakos, seconded by Mr. Bellamy, RESOLUTION: The Disposition of the Robert E. Lee Statue was approved with amendments. (Ayes: Mr. Bellamy, Mr. Fenwick, Ms. Szakos; Noes: Mr. Signer, Ms. Galvin.)

Ms. Szakos said that the dates for renaming the park would need to be finalized for the next motion.

Mr. Bellamy asked Mr. Jones if it is possible to have Mr. Daly come up. Mr. Jones said yes.

Mr. Bellamy asked Mr. Daly if the P&R Advisory Committee could have a joint meeting with the Historic Resources Committee on or before May 17th.

Mr. Brian Daly, Director of Parks and Recreation, said that he does not know the regular meeting schedule for the Historic Resources Committee. He said that the Parks and Recreation Advisory Board have occasionally met off schedule in the past. Mr. Daly said that in the past the special meetings were called to discuss the master planning process.

Ms. Szakos asked Mr. Daly his opinion on the timing.

Mr. Daly said that it is a little rapid and said that if the Parks and Recreation Advisory Board could bring naming ideas to their June meeting it would allow the opportunity for the Historic Resources Committee to meet. He also pointed out that it will take several days to review the suggested names.

Ms. Szakos said that she left a week to review the data.

Mr. Daly said that a week seems fine.

Ms. Szakos asked if the entries were received by May 10th would the Parks and Recreation Advisory Board be prepared to vote on the names by May 17th.

Mr. Daly said that they could do their best to vote on the names.

Ms. Szakos said that she would suggest that staff winnow the entries before the names go to the Parks and Recreation Advisory Board.

Mr. Bellamy clarified the timeline for the naming contest.

Ms. Galvin asked if this is enough time to allow the Historic Resources Committee to weigh in on the entries.

Mr. Fenwick said that the Historic Resources Committee should be involved in the naming process. He said that the Historic Resources Committee meets on the second Monday of the month. Mr. Fenwick explained why he believes the Historic Resources Committee should be involved in the process.

Ms. Szakos asked for a joint report from the Parks and Recreation Advisory Board and the Historic Resources Committee.

Mr. Daly said that the Historic Resources Committee and the Parks and Recreation Advisory Board would separately review the top 10 entries and then make a separate recommendation to Council.

Ms. Szakos said that she wants to make a friendly amendment. She said that she wants to add the following language. 'The top five appropriate* suggestions will be submitted to the Parks and Recreation Advisory Board for consideration at their May 17th meeting and to the Historic Resources Committee meeting for their consideration; and each body will make a recommendation to Council to include no more than three choices.'

Mr. Bellamy asked Mr. Daly if the Historic Resources Committee needs to meet or if they can just discuss the issue over email on the same day as the Parks and Recreation Advisory Board.

Mr. Daly reviewed the process and timeline as he understood it.

Mr. Signer suggested that Mr. Jones be charged with addressing Council concerns and outlining the timeline.

Mr. Bellamy said he is fine with using Mr. Daly's suggested route.

Ms. Szakos asked if Council can request that the Historic Resources Committee hold a special meeting for the renaming of the park.

Mr. Fenwick said that it is important to include the Historic Resources Committee in the process because of the expertise of the committee members.

Ms. Szakos asked Mr. Bellamy if he is ok with the changes that Ms. Szakos suggested.

Mr. Bellamy said he struggles with adding the Historic Resources Committee to the motion.

Mr. Signer asked who favors including the Historic Resources Committee. All Council members except Mr. Bellamy favored including the Historic Resources Committee in the naming process.

Ms. Szakos clarified her position in that Council is asking the Historic Resources Committee to winnow down the top five names for the park and not to generate names. She said that ultimately Council will make the decision.

On motion by Ms. Szakos, seconded by Mr. Bellamy, RESOLUTION: The Re-naming of Lee Park as amended was approved. (Ayes: Mr. Bellamy, Mr. Signer, Mr. Fenwick, Ms. Galvin, Ms. Szakos; Noes: None.)

Resolution
The Disposition of the Robert E. Lee Statue

WHEREAS City Council voted on February 6, 2017, to remove the statue of Robert E. Lee from the park currently known as Lee Park, and to change the name of the park; and

WHEREAS City Council instructed staff to analyze options to carry out this decision, and to present them for within 60 days to City Council, which they have done; and

WHEREAS Council has considered this report and decided that a Request for Proposals is the option it prefers;

THEREFORE, BE IT RESOLVED that the City of Charlottesville will issue a Request for Bids for sale of the statue, and will advertise this RFB widely, including to organizations responsible for sites with historic or academic connection to Robert E. Lee or the Civil War, with the following criteria for award:

- The statue will not be displayed to express support for a particular ideology.
- The successful applicant will pay for or take responsibility for removal and transportation.
- The removal and transportation will be carried out in a manner that preserves the integrity of the sculpture.
- The display of the statue will preferably be in an educational, historic or artistic context.
- The purchaser will repair any damage to the park incurred as a result of the removal.
- Some preference will be given to proposals that include a plan for maintenance of the statue's National Register of Historic Places listing.

BE IT FURTHER RESOLVED that if no responsive proposals are received, Council may consider donation of the statue to an appropriate venue.

Resolution
The Re-naming of Lee Park

BE IT RESOLVED that the City will hold a contest to select a new name for the park according to the following procedure:

- Announcement of the contest will be made immediately and widely disseminated, and entries will be received through May 10.
- The top five appropriate* suggestions will be submitted to the Parks and Recreation

Advisory Board for consideration at their May 17th meeting and to the Historic Resources Committee meeting for their consideration; and each body will make a recommendation to Council to include no more than three choices.

- Council will select the new name at its June 5 meeting.
- A drawing for a prize will be taken from among the contestants who made the winning suggestion.

* Names that are offensive or that espouse neo-Confederate positions will not be considered. The City Manager will be the final arbiter of appropriateness.

REPORT: IVY CREEK FOUNDATION

[Ivy Creek Foundation](#)

Ms. Diana Foster, Secretary of Ivy Creek Foundation presented to Council and answered clarifying questions.

Mr. Signer said that he was confused about what Ms. Foster needed from Council. He said that they do not have a resolution that was noticed to the public.

Ms. Foster said that they have talked to City and County Parks & Recreation Departments and they are both supportive of Ivy Creek's efforts to move forward. She also said that they want Council's blessing before moving forward in their plans.

Mr. Fenwick asked if they would need funding as well.

Ms. Foster agreed with Mr. Fenwick.

Ms. Szakos asked Mr. Jones how to move forward.

Mr. Jones said that Council could make a motion for staff to continue working with the Ivy Creek Foundation.

Ms. Galvin asked about how both City and County residents have been brought into the discussion.

Ms. Foster listed the various ways that the Ivy Creek Foundation has reached out to the community.

Ms. Galvin asked if any trails will be changed.

Ms. Foster replied that the trails will stay the same. She said that the Recreational Access Funding from VDOT will put in an extra turn lane from Earlysville Road. The funds will redo the entry drive all the way to the parking lot. Ms. Foster said that since it is a recreational site the funds will help bring the main trails up to ADA compliance

Mr. Signer asked about the budget range.

Ms. Foster said that for the road work it will cost about a couple hundred thousand and if the VDOT funding comes through then the amount will be reduced.

Mr. Signer asked Mr. Daly about the Parks and Recreation budget of pipeline of un-funded projects and whether this project needs to be added and how it needs to be added to the list.

Mr. Daly said that the Ivy Creek staff came up with this project as opposed to the project being driven by staff. He commented on the process that Ivy Creek Foundation took to come to present to the City. Mr. Daly summarized the needs that this plan would address. He said that it would queue up for the next CIP submissions in December 2017.

Ms. Galvin moved to approve the direction of the Ivy Creek Foundation.

Mr. Fenwick seconded.

REPORT: Ivy Creek Foundation was approved. (Ayes: Mr. Bellamy, Mr. Signer, Mr. Fenwick, Ms. Galvin, Ms. Szakos; Noes: None.)

REPORT: COMMUNITY HEALTH IMPROVEMENT PLAN

[Community Health Improvement Plan](#)

Dr. Denise Bonds, Health Director at the Thomas Jefferson Health District, presented to Council and answered clarifying questions.

Ms. Szakos asked how we can have so many providers for Mental Health and yet that the community identified mental health as an area of improvement.

Dr. Bonds said that cost is still a barrier and that a stigma campaign should also help bring remedy the situation. She said that she will look into the granular data.

Ms. Szakos asked about the drug and narcotic arrest rate and whether the arrest rate is by where the people were arrested and not by where the people live.

Dr. Bonds said that she will clarify but that she believes the data displays where the people live who were arrested. She said that she will clarify that information and send it to Council.

Mr. Bellamy thanked Dr. Bonds for her hard work and the information she presented.

Ms. Galvin reviewed the data from the food and soda expenditures compared to income area. She said that the lowest expenditures for fruits and vegetables and the highest expenditures for soda were in one of the lowest income census tracks. Ms. Galvin said that she looked at the Strategic Investment Area (SIA) report and the report stated that there are about 13,050 households in the SIA. She said that the number of households is only 1/3 of the rooftops that are

needed for a contemporary modern format grocery store. Ms. Galvin noted that there will not be a new grocery store with healthy food in the SIA until it grows. She said that in Charlottesville 31% of African American fifth graders are obese compared to 6.5% of White fifth graders. Ms. Galvin asked if Council was interested in directing staff and the Thomas Jefferson Health Department to look into the healthy corner store initiative. Ms. Galvin also suggested that the staff and TJHD work with the SIA Redevelopment Manager to identify feasible sites and partners in the SIA. She asked that staff report back to Council in six to nine months with a recommended resolution for adoption and a strategy to move forward.

All Councilors said that they are interested.

REPORT: MURRAY/VAN YAHRES MEMORIAL GROVE IN MCINTIRE PARK

[Murray/Van Yahres Memorial Grove in McIntire Park](#)

Ms. Peggy Van Yahres, Mr. Chris Van Yahres and Ms. Roxanne White presented to Council.

On motion by Ms. Galvin, seconded by Mr. Signer, RESOLUTION: Murray/Van Yahres Memorial Grove in McIntire Park was approved. (Ayes: Mr. Bellamy, Mr. Signer, Mr. Fenwick, Ms. Galvin, Ms. Szakos; Noes: None.)

RESOLUTION

To adopt the Chamber Promenade to the Murray Van Yahres Memorial Grove as part of the East McIntire Park Plan

WHEREAS the Chamber Promenade to the Murray Van Yahres Memorial Grove - McIntire Park (herein referred to as the Memorial Grove) is in keeping with the "**McIntire Park East Schematic Park Plan**" designed by Mahan Rykiel that was adopted by City Council on March 16, 2015 and the product of extensive public engagement; and

WHEREAS the Memorial Grove design was presented to the Parks and Recreation Advisory Committee on January 18, 2017 and met with unanimous approval; and

WHEREAS the Memorial Grove will be privately funded and maintained and include a tree maintenance endowment fund to care for the large oak trees in The Great Lawn for many years into the future,

BE IT RESOLVED that City Council hereby approves of and adopts the Chamber Promenade to the Murray Van Yahres Memorial Grove for inclusion into the McIntire Park East Plan and the City's public park system.

REPORT: INTEGRATED PEST MANAGEMENT REPORT (Written Report Only)

[Integrated Pest Management Report](#)

**REPORT: QUARTERLY UPDATE BY RIVANNA WATER AND SEWER AUTHORITY
AND RIVANNA SOLID WASTE AUTHORITY (Written Report Only)**

[Quarterly Update by RWSA & RSWA](#)

OTHER BUSINESS

Ms. Galvin said that she forwarded the information to Council. She said that it is about giving the Mayor approval to put his name to a letter endorsing an effort by the Piedmont Environmental Council to support a CACF strengthening systems greenways proposal. Ms. Galvin said that their counterpart in Albemarle County is doing the same.

Ms. Szakos asked if this obligates the city to match any funds.

Ms. Galvin said no.

Council agreed and the Mayor will sign it.

MATTERS BY THE PUBLIC

Ms. Genevieve Keller, 504 1st N. Street, said that she it is unclear from the agenda as to when the Councilors will vote on an item. Ms. Keller asked if there was a way to make this clearer to the public.

Ms. Galvin, Ms. Szakos and Mr. Signer agreed with Ms. Keller's observations.

Ms. Galvin said that there are times in the staff memos that Council can opt to do some other action. However, in those instances there is not a resolution attached. She said that this is what prompts Council to create resolutions when they want to take other actions.

Mr. Signer adjourned the meeting at 11:15 pm.

Approved by Council
May 1, 2017



Acting Clerk of Council