

NOTICE OF SPECIAL MEETING

A SPECIAL MEETING OF THE CHARLOTTESVILLE CITY COUNCIL WILL BE HELD ON Monday, June 5, 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 Paige Rice

SECOND FLOOR CONFERENCE ROOM – June 5, 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. Galvin, seconded by Mr. Fenwick, Council voted, (Ayes: Ms. Szakos, Ms. Galvin, Mr. Signer, Mr. Fenwick; Noes: None; Absent at Time of Vote: Mr. Bellamy) for consultation with legal counsel for advice regarding a possible resolution of the claims pending in the litigation between Charlottesville Parking Center, Inc. and the City of Charlottesville where such consultation would adversely affect the City's litigating posture, as authorized by Virginia Code sec. 2.2-3711 (A) (7).

On motion by Ms. Galvin, seconded by Mr. Signer, Council certified by the following vote (Ayes: Ms. Galvin, Ms. Szakos, Mr. Fenwick, Mr. Signer, Mr. Bellamy; Noes: None;), that to the best of each Council Member's knowledge, only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the motion convening the closed session were heard, discussed or considered in the closed session.

Council 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 Mr. Fenwick, seconded by Ms. Szakos, Council voted, (Ayes: Ms. Szakos, Ms. Galvin, Mr. Signer, Mr. Fenwick, Mr. Bellamy; Noes: None;) to reconvene in closed session for consideration of prospective candidates for appointment to boards and commissions, as authorized by Virginia Code sec. 2.2-3711 (A) (1).

On motion by Mr. Bellamy, seconded by Mr. Fenwick, Council certified by the following vote (Ayes: Ms. Galvin, Ms. Szakos, Mr. Fenwick, Mr. Signer, Mr. Bellamy; Noes: None;), that to the best of each Council Member's knowledge, only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the motion convening the closed session were heard, discussed or considered in the closed session.

COUNCIL CHAMBERS - June 5, 2017

ROLL CALL

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

AWARDS/RECOGNITIONS & ANNOUNCEMENTS

Ms. Galvin announced voter registration deadlines.

Mr. Signer read a proclamation in memory of Ms. Jean Zearley, member of the Social Services Advisory Board, who recently passed away. Ms. Diane Kuknyo, Director of Social Services, was present to accept the proclamation on behalf of Ms. Zearley's family. Mr. Signer asked for a moment of silence in her memory.

Mr. Signer recognized June as Pride Month. This Saturday from 2-6pm is a potluck picnic at Washington Park, and a march from the IX Park to the Free Speech Wall will also take place.

Mr. Signer announced a monthly office hour on Wednesday at 12:00 - 1:00 p.m. in the Mayor's Office at City Hall.

Mr. Bellamy presented a proclamation to the J.F. Bell Funeral Home in celebration of 100 years of service. Mr. Bell and Ms. Burks were present to accept the proclamation.

Mr. Bellamy announced the Juneteenth Jam on Friday, June 16 and Saturday, June 17 at the Jefferson School African American Heritage Center.

Mr. Bellamy announced the Alex Zan "Think-Shop" on Thursday, June 29 at 10:30 a.m. in the Burley Middle School Auditorium.

Mr. Bellamy wished everyone in the LGBTQ community a happy pride month.

Mr. Fenwick read a proclamation in recognition of Men's Health Month.

BOARDS & COMMISSIONS

On motion by Mr. Fenwick, seconded by Ms. Szakos, the following appointments were made to Boards and Commissions: to the PLACE Design Task Force, Rachel Lloyd, Andrew Mondeschein; to the Tree Commission, Laura Knott; to the Charlottesville Youth Council, Margaret Anne Doran, Harrison Greenhoe, Aleena Haidari, TaMarah Jenkins, Eve Keesecker, Noelle Morris, LaAisa Thomas, and Ben Yates. (Ayes: Ms. Szakos, Ms. Galvin, Mr. Signer, Mr. Fenwick, Mr. Bellamy; Noes: None.)

MATTERS BY THE PUBLIC

Mr. Signer read guidelines for public comment.

Dr. Rick Turner, City resident, said lies have left us spiritually disabled and empty. He referenced the speech given by the mayor of New Orleans regarding the removal of monuments. He said it will take time to change hearts and minds, but meanwhile we must take a stand for our children and grandchildren and set the record straight.

Mr. Kenneth Jackson, 1534 Cherry Ave., said Council is generating an atmosphere of hate and intolerance, asking for equality but not giving it. He suggested Council go into the Black community to find out what they think about the statue. He said they do not care about it. Council should say any kind of hate is not welcomed here.

Mr. Paul Nelson, 765 Denali Way, said he wants Council to take care of people who are homeless or have various types of disabilities. It is important for you to take care of that demographic of Charlottesville citizens. Please provide funding for housing for the homeless and disabled. There is not enough support for people trying to get food stamps. Please take an active approach to resolve these issues and give equal access to resources for everyone in the City.

Mr. John Heyden, Westwood Rd., said he views the posters around town created with the hashtag "kill your local Nazi" as a death threat and should not be tolerated. He said he and his friends were recently assaulted on the Downtown Mall while having dinner.

Mr. Signer ordered the meeting suspended twice due to disruptions. The meeting was resumed.

Mr. Heyden asked where free speech ends and his personal rights begin.

Mr. Signer said anyone who violates the rules from this point on will be removed.

Mr. Jason Kessler, City resident, said he believes in the first amendment and the right of people to peaceably assemble. He said a peaceful rally on May 13 was protected speech.

Due to repeated disruption, Mr. Signer ordered the meeting suspended. Police officers removed several individuals who refused to follow meeting procedures. The meeting was resumed.

Mr. Kessler said all people have the right to organize regardless of color. He said there will be a rally on August 12 for anyone who wants to support right wing policies. He named groups that are "anti-white KKK."

Ms. Karenne Wood said for hundreds of years, Native American people have not been invited to the table. She suggested Lee Park be renamed Monacan Park. She said Monacan people do not live in Charlottesville for historic and economic reasons. She said that what matters is how we talk about history and commemorate the past.

Ms. Nikuyah Walker spoke about arrests of two individuals made this past week. The manner in which they were arrested says a lot about how the City's Police Department functions. She asked who authorized the arrests and said we need to reflect on how people are treated by the police department.

Ms. Amanda Korman with the Women's Initiative spoke about the importance of access to mental health services in the community. She gave information on services for mental health or substance abuse. Go to the website womensinitatives.org for more information.

Mr. Charles Rogers, Jefferson St., lives at Riverdale Assisted Living. He said he has lived in Charlottesville all his life, and he knows Lee and Jackson were traitors. He said slavery was a criminal enterprise and a disgrace to the country. He suggested moving the statues to the University Confederate Cemetery.

Mr. Mason Pickett called on Councilors and SURJ to stop posting exchanges on social media because it encourages mob behavior. He asked why Council does not speak out against both sides equally.

Mr. Brian Wimer, 712 Graves St., said he wants to talk about the word "love". This summer is the 50th anniversary of "The Summer of Love" in San Francisco. At IX this month, it is "Love Month", and there will be a two-day love fest with 40 bands.

Ms. Jalane Schmidt, 11 Altamont Cir. reiterated the suggestion to rename Lee Park as "Monacan Park". Jackson Park should be renamed "Emancipation Park" in recognizing of our legal history.

Mr. Don Gathers said the statue is a chunk of rock, plain and simple. This matter has manifested itself in ways we could not have anticipated. We must all coexist regardless of whether we agree in order to ensure our future.

Mr. Clifford Hall, 112 W. Market St., said the Charlottesville Coalition of Homeless is here to change perceptions about homeless individuals. He said the coalition has six benchmarks. They are looking to educate and promote civil obedience by being productive members of society and are giving back to the community by volunteering.

Mr. Bellamy said Mr. Jones and staff have been working to try to address issues brought forward by the Haven regarding homelessness and housing issues.

Mr. Fenwick thanked Ms. Korbin for her work with the Women's Health Initiative, and he encouraged those in need of assistance to go for a consultation.

Ms. Galvin thanked those who allowed others to speak and be heard at tonight's meeting. She said this has been a challenging week for Charlottesville. She said we must listen to each other, or we will devolve into the worst kind of violence.

CONSENT AGENDA

- a. Minutes for May 15, 2017**
- b. APPROPRIATION: Virginia Trees for Clean Water Grant - \$5,500 (2nd reading)**

[Virginia Trees for Clean Water Grant](#)

WHEREAS, the City of Charlottesville has received \$3,500 from the Virginia Department of Forestry through the Virginia Trees for Clean Water Grant in order to contribute to the Pen Park Canopy Replacement Project; and

WHEREAS, the City will contribute \$2,000 in funds from the Parks Department for cash-match, with the remainder match supplied by in-kind volunteer labor;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that the sum of \$3,500 received from the Virginia Department of Forestry is hereby appropriated in the following manner:

Revenue

\$3,500	Fund: 209	IO: 1900281	GL: 430120
\$2,000	Fund: 209	IO: 1900281	GL: 498010

Expenditure

\$5,500	Fund: 209	IO: 1900281	GL: 599999
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Transfer

\$2,000	Fund: 105	CC: 3671001000	GL: 561209
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BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$3,500 from the Virginia Department of Forestry.

- c. **APPROPRIATION: Funds Transfer for the Thomas Jefferson Health District Building to the Joint Health Department Building Fund (carried)**

[Thomas Jefferson Health District Building](#)

- d. **APPROPRIATION: Additional Funding for Family Services Program - \$82,694 (carried)**

[Family Services Program](#)

- e. **RESOLUTION: Health Department Lease by City/Albemarle County to Commonwealth of Virginia**

[Health Department Lease](#)

RESOLUTION

BE IT RESOLVED by the Council for the City of Charlottesville, Virginia, that the City Manager is hereby authorized to sign the following document, in form approved by the City Attorney or his designee.

Second Amendment to Deed of Lease dated July 1, 1995, between City of Charlottesville and County of Albemarle, Virginia (“Lessors”) and the Commonwealth of Virginia, Department of General Services (“Lessee”), also commonly referred to as the Health Department Lease.

f. ORDINANCE: Utility Rates for Fiscal Year 2018 (2nd reading)

[Utility Rates for Fiscal Year 2018](#)

AMENDING AND REORDAINING CHAPTER 31 (UTILITIES) OF THE CODE OF THE CITY OF CHARLOTTESVILLE, 1990, AS AMENDED, TO ESTABLISH NEW UTILITY RATES AND SERVICE FEES FOR CITY GAS, WATER AND SANITARY SEWER.

g. ORDINANCE: Retirement Plan Amendments (2nd reading)

[Retirement Plan Amendments](#)

AMENDING AND REORDAINING SECTION 19-63 OF ARTICLE III, AND SECTIONS 19-92, 19-93, 19-94, 19-95, 19-96, 19-98, 19-104, 19-104.1, 19-107 AND 19-111 OF ARTICLE IV, OF CHAPTER 19 (PERSONNEL), OF THE CODE OF THE CITY OF CHARLOTTESVILLE, 1990, AS AMENDED, RELATING TO CHANGES TO THE SUPPLEMENTAL RETIREMENT OR PENSION PLAN

h. ORDINANCE: Quitclaim Gas Easement to VDOT - Founders Place (carried)

[Quitclaim Gas Easement to VDOT](#)

Ms. Szakos asked about item d. and whether this is expected to be the level of funding from the state from now on. Ms. Kuknyo said this is being added to the base budget going forward.

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

PUBLIC HEARING / RESOLUTION: BOND ISSUE - \$15,250,000

[Bond Issue](#)

Mr. Cullinan presented to Council and gave an overview of the bond sale. He thanked Ms. Krisy Hammill for her hard work on this process.

On motion, the public hearing was opened.

Ms. Collette Hall, 101 Robertson Ln., said the City must curb spending and increase fiscal responsibility.

Mr. Paul Nelson asked about the debt ratio in Charlottesville. He asked what the ratio looks like, and how much more debt the City will incur as a result of that being improved.

Having no further speakers, the public hearing was closed.

Mr. Cullinan said this bond issue is 6.4%, which is within the City's long-term financial policy targets. This will be about \$1 million per year over 20 years. We are also retiring debt as well. The total debt service will be about \$7.2 for this year.

At the request of Ms. Galvin, Ms. Hammill described the factors that go into the City's bond rating.

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

Ms. Galvin said staff is implementing recommendations from the Efficiency Study, which will be reported at an upcoming meeting.

RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS OF THE CITY OF CHARLOTTESVILLE, VIRGINIA, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$15,250,000, TO FINANCE THE COSTS OF CERTAIN PUBLIC IMPROVEMENT PROJECTS AND PROVIDING FOR THE FORM, DETAILS AND PAYMENT THEREOF.

PUBLIC HEARING / RESOLUTION: AUTHORIZATION TO RENEW LEASE AGREEMENT FOR 608 RIDGE STREET

[Renew Lease Agreement for 608 Ridge Street](#)

Ms. Stacy Pethia, Housing Development Specialist, presented to Council.

Mr. Fenwick asked what percentage of the investment in the property the City is looking to recoup. Ms. Pethia said the City invested about \$500,000 into the rehabilitation of the property, not including donated materials and services. The property would be sold at a loss if placed on the market at present.

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

Ms. Galvin moved the resolution to authorize the lease with amendments. Mr. Bellamy seconded.

Mr. Galvin read the amendments for the public.

“WHEREAS, there is a clear community benefit derived from supporting LEAP; and

WHEREAS, allowing LEAP to continue to lease 608 Ridge Street at a below market rate rent may not be ultimately in the best interest of the City as it seeks to recoup Charlottesville Affordable Housing Fund (CAHF) monies used to purchase and renovate this property;

BE IT FURTHER RESOLVED the Council for the City of Charlottesville, Virginia directs the City Manager to investigate and recommend to City Council alternative arrangements for LEAP within nine (9) months of approving this resolution, whether the lease should be renewed for an additional one year.”

Council voted and resolution passed as amended. (Ayes: Ms. Szakos, Ms. Galvin, Mr. Signer, Mr. Fenwick, Mr. Bellamy; Noes: None.)

**RESOLUTION
TO AUTHORIZE THE LEASE OF CITY OWNED LAND AT 608 RIDGE STREET
TO LOCAL ENERGY ALLIANCE PROGRAM (LEAP)**

WHEREAS, there is a clear community benefit derived from supporting LEAP; and

WHEREAS, allowing LEAP to continue to lease 608 Ridge Street at a below market rate rent may not be ultimately in the best interest of the City as it seeks to recoup Charlottesville Affordable Housing Fund (CAHF) monies used to purchase and renovate this property;

BE IT RESOLVED by the Council for the City of Charlottesville, Virginia, that the City Manager is hereby authorized to sign the following document, in form approved by the City Attorney or his designee:

Lease Agreement dated July 1, 2017 between the City of
Charlottesville and the Local Energy Alliance Program (LEAP)
for the property located at 608 Ridge Street.

BE IT FURTHER RESOLVED the Council for the City of Charlottesville, Virginia directs the City Manager to investigate and recommend to City Council alternative arrangements for LEAP within nine (9) months of approving this resolution, whether the lease should be renewed for an additional one year.

PUBLIC HEARING / ORDINANCE: CEMETERY ACCESS EASEMENT AT BUFORD MIDDLE SCHOOL (carried)

[Cemetery Access Easement](#)

Mr. Brown presented to Council.

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

On motion by Mr. Bellamy, seconded by Ms. Szakos, the ordinance carried for a second reading.

PUBLIC HEARING / ORDINANCE: CONVEYANCE OF CITY LAND AT INTERSECTION OF GRADY AVENUE AND PRESTON AVENUE (carried)

Conveyance of City Land

Mr. Brown presented to Council.

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

On motion by Mr. Bellamy, seconded by Ms. Galvin, the ordinance carried for a second reading.

Mr. Signer called for a recess at 8:51 p.m. and reconvened the meeting at 9:17 p.m.

RESOLUTION: LEE AND JACKSON PARKS RENAMING

Lee and Jackson Parks Renaming

Mr. Maurice Jones presented to Council.

Ms. Szakos asked for clarification on whether Emancipation Park was put forward as a suggestion to either body, as it was suggested in person and via e-mail. Mr. Jones said he would look into this.

Ms. Galvin proposed the name "Liberty Square" or "Library Square" for Lee Park; for Jackson Park, she proposed "Justice Square" or "Courthouse Square".

Ms. Szakos proposed the name "Justice Park" for "Jackson Park". She said we already have a Courthouse Square, so that may be confusing. She proposed the name "Emancipation Park (or Square)" for Lee Park, more strongly reflecting and honoring the 90 years of history.

Mr. Signer said the Request for Proposal (RFP) will put new monuments into these parks. He proposed "Progress Park", "Unity Park", or "Emancipation Park" for Lee Park, the latter of which he finds most compelling. He suggested "Freedom Park" for Jackson Park, but he said he also finds "Justice Park" powerful.

Ms. Szakos suggested Council consider renaming the park at the beginning of West Main Street to Monacan Park at a later meeting. Ms. Galvin asked that Elliot Rhodeside get in touch with Ms. Karenne Wood.

Mr. Fenwick said the matter of the statues is now in court and will likely be resolved at the state level. He said he favors "Central Park" for Lee Park and "Court Square Park" for Jackson Park. He said he did not think we should name the park "Emancipation Park" with the possibility that the Lee Statue would remain. He said we should also reconsider the park RFP.

Mr. Bellamy made a motion to change the name of Lee Park to Emancipation Park and Jackson Park to Justice Park. Ms. Szakos seconded the motion. Mr. Bellamy explained his

reasoning behind each of the names. He said this is an opportunity for Council to show bold leadership and shows the power of wishful thinking.

Mr. Signer asked for clarification on the implementation of the new names. Mr. Jones said staff will implement Council's direction to change the park names as quickly as possible.

Ms. Galvin asked for a friendly amendment to call Lee Park "Emancipation Square." Mr. Bellamy said he would be amenable to this. Mr. Signer said "Park" is a better reflection of the history of this area and the activities therein. Ms. Szakos said this has been a park for a long time. Mr. Fenwick said he supports changing the name to Emancipation Square.

After consensus, a vote was called on the motion as originally made. The motion passed. (Ayes: Ms. Szakos, Ms. Galvin, Mr. Signer, Mr. Fenwick, Mr. Bellamy; Noes: None.)

**A RESOLUTION APPROVING AN AMENDMENT TO THE NAME(S) OF LEE PARK
and JACKSON PARK CHANGING THE NAME OF THE PARK(S) TO
EMANCIPATION PARK and JUSTICE PARK**

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 the April 17, 2017, meeting of City Council; and

WHEREAS City Council has received updates and recommendations from the Historical Resources Committee, Community Members via survey, and in collaboration with a variety of stakeholders;

NOW THEREFORE, BE IT RESOLVED that the City of Charlottesville will change the name of Robert E. Lee Park to Emancipation Park, and change the name of Jackson Park to Justice Park.

REPORT: DEER MANAGEMENT UPDATE AND URBAN ARCHERY ORDINANCE RECOMMENDATIONS

[Deer Management Update](#)

Mr. Murphy presented to Council and gave an update on staff's deer management research. Staff recommends Council endorse staff working with the City Attorney's office to prepare an ordinance for approval in July with the eligibility criteria noted in the Council materials.

Mr. Signer said he supports allowing this activity on residential parcels greater than half an acre in size as a good middle ground. He said the requirement for a 10 foot tree stand puts an added measure of safety to the ordinance.

Ms. Szakos said she understands the need for this, although she is still squeamish. She asked for a statement that says archery equipment can only be used for deer hunting. She also

asked that the ordinance specify that arrows cannot be shot from the permitted property onto another property. She requested that the Bedford language be added as well: “A hunter discharging a bow shall use reasonable care to ensure the arrow does not cross any property line and enter any property on which the hunter does not have permission to hunt. The discharge of an arrow across or over the boundaries of a property for which no permission has been given by the property owner shall create a rebuttable presumption that the use of the bow and arrow was not conducted with reasonable care.”

Mr. Fenwick asked about the budgetary impact. Mr. Murphy said there is not a budgetary impact for the proposed approach.

Mr. Bellamy asked about someone not being able to afford hunting on their property. Mr. Jones said this is not something the City has contemplated at this point.

Ms. Szakos moved to add five minutes.

Ms. Szakos asked is this addresses landlords who have given permission to hunt on their property, but who have tenants who do not want this to occur. Mr. Brown said the ordinance as currently drafted requires permission from the owner and not the occupant. Ms. Szakos asked to include a stipulation for notice to people who live on the property.

Mr. Brown asked Council if they wish to prohibit target practice in the City, which is not currently prohibited according to City ordinance. Council agreed they would contemplate that at another time.

Mr. Brown suggested language requiring notice to occupants.

There was Council consensus for the half acre threshold.

OTHER BUSINESS – Response to Withdrawal from Paris Climate Agreement

Mr. Signer said there has been a group effort of City Council and City staff on climate protection and announced that he signed his name onto the Climate Mayors Group. Mr. Signer proposed a RESOLUTION IN RESPONSE TO THE ANNOUNCED UNITED STATES WITHDRAWAL FROM THE PARIS CLIMATE AGREEMENT for consideration on the June 19 agenda. He said there is a separate group called the Mayor’s Compact, which is a much more robust, specific component in compliance. This has to do with standard metrics for gathering data and filing a climate plan. Mr. Signer said he wants to discuss the Mayor’s Compact along with the resolution at the next Council meeting.

Ms. Szakos said our governor joined other governors of various states in saying that the Commonwealth will meet with the protocols of the Paris Climate Accord, which may make collecting metrics easier.

OTHER BUSINESS – Lee Statue Plaque Removal

Mr. Bellamy asked Council to consider adding a resolution to a future agenda directing staff to remove the current plaque from in front of the Lee Statue and include new language that demonstrates the lost cause narrative of the Civil War in addition to the empowerment of all people.

Ms. Szakos said she supports this, but the plaque may belong to someone else, and she asked Mr. Brown to look into the City's options.

Mr. Signer said he had some concerns, but he is comfortable commending this to Mr. Jones.

Ms. Galvin said she would like this to ultimately be coordinated with the master planning effort, to improve upon the content and design of the plaque. Mr. Jones said any short-term measures would be temporary, and this will be included with the master plan Request for Proposal.

Meeting adjourned at 10:15 p.m.

A handwritten signature in cursive script that reads "Gaige Rice". The signature is written in black ink and is positioned above a horizontal line.

Clerk of Council