

**NOTICE OF SPECIAL MEETING**

A SPECIAL MEETING OF THE CHARLOTTESVILLE CITY COUNCIL WILL BE HELD ON Monday, October 1, 2018, AT 4:30 p.m. IN THE Second Floor Conference Room, 605 E. Main Street.

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 Brian Wheeler

**SECOND FLOOR CONFERENCE ROOM –October 1, 2018**

Council met in closed session on this date with the following members present: Ms. Walker; Ms. Hill; and Ms. Galvin. Mr. Signer arrived at 4:34 p.m. and Dr. Bellamy arrived at 4:37 p.m.

Ms. Walker called the meeting to order at 4:33 p.m.

On motion by Ms. Hill, seconded by Ms. Galvin, Council voted (Ayes: Ms. Walker; Ms. Hill; and Ms. Galvin. Noes: None. Absent: Dr. Bellamy; and Mr. Signer.) to meet in closed session as authorized by Va. Code sec. 2.2-3712, specifically: Virginia Code Section 2.2-3711(A)(1) for the purpose of discussion of the consideration of prospective candidates to serve as appointees to the Charlottesville Planning Commission, the Jefferson-Madison Regional Library, the Charlottesville Human Rights Commission, the Rivanna River Basin Commission, the Piedmont Virginia Community College Board, and the Charlottesville Sister Cities Commission ; and as authorized by Virginia Code Section 2.2-3711(A)(29) to discuss a public contract involving the expenditure of public funds where the discussion in open session would adversely affect the negotiating strategy and bargaining position of the Charlottesville City Council, specifically the interviews of prospective City Manager search firms; and as authorized by Virginia Code Section 2.2-3711(A)(8) for consultation with legal counsel for specific legal advice pertaining to the Freedom of Information Act and Charlottesville City Charter regarding meeting minutes; and as authorized by Virginia Code Section 2.2-3711(A)(1) for discussion of the performance of the City Council Chief of Staff.

Ms. Walker made the following declaration: “Pursuant to Virginia Code Section 2.2-3115(H), I have filed a written declaration with the Clerk of Council stating that I am an employee of the Department of Parks and Recreation and I am able to fairly and objectively participate in the hiring of a City Manager.”

On motion by Ms. Hill, seconded by Ms. Galvin, Council certified by the following vote (Ayes: Ms. Walker; Ms. Hill; Dr. Bellamy; Ms. Galvin; Mr. Signer. Noes: None. Absent: 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.

Ms. Walker adjourned the meeting at 6:30 p.m.

## **COUNCIL CHAMBER - October 1, 2018**

### **CALL TO ORDER**

Ms. Walker called the meeting to order at 6:37 p.m.

### **ROLL CALL**

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

### **ANNOUNCEMENTS**

Ms. Hill read an announcement from the City Voter Registration Office.

Dr. Bellamy asked for a moment of silence to recognize Quintus Brooks who lost his life in an automobile accident this morning.

Ms. Galvin read an announcement from the Office of Economic Development.

### **PROCLAMATIONS**

Ms. Galvin read a proclamation related to A Day Without Water being observed October 10, 2018.

Ms. Walker read a proclamation related to domestic violence and declared October 2018 as Domestic Violence Awareness month.

### **BOARDS AND COMMISSIONS**

On motion by Ms. Hill, seconded by Ms. Galvin, Council approved the following appointments: to the Human Rights Commission: Olivia Patton; to the Jefferson Madison Regional Library Board: Lisa Woolfork; to the Planning Commission: Taneaia Dowell, Gary Heaton, Jody Lahendro, Rory Stolzenberg; to the PVCC Board: M. Gaston; to the Rivanna River Basin Commission: Heather Hill; to the Sister City Commission: Douglas Moseley. The motion passed. (Ayes: Dr. Bellamy, Ms. Galvin, Ms. Hill, Mr. Signer, Ms. Walker; Noes: None)

### **CONSENT AGENDA**

Mr. Louis Schultz shared concerns about Council minutes and the appointment this evening of Mr. Brian Wheeler to Interim Clerk of Council. He called for greater transparency by Council in the holding of its meetings.

Ms. Walker responded that Mr. Wheeler did not intend to apply for the Clerk of Council position and she said several staff were helping with the transition period while Council hires a new Clerk. Ms. Walker said City Attorney John Blair was working to ensure meeting minutes were completed and published online.

Mr. Shultz asked if Mr. Blair could address why former City Manager Maurice Jones had a loan forgiven.

Mr. Blair responded that Mr. Jones' contract called for a repayment of the balance of a loan if his contract was terminated. There was a resolution by Council on July 2, 2018 that approved an alternative arrangement for Mr. Jones' exit from City employment and based upon that the \$80,000 loan was forgiven based on the contract from 2015.

Ms. Walker told Mr. Shultz that the update provided by Mr. Blair was the only information that would be shared at this time.

Ms. Walker asked Mr. Wheeler to read the Consent Agenda.

**a. Minutes for September 17, 2018 Council meeting**  
[Minutes for September 17, 2018 Council meeting](#)

**b. APPROPRIATION: Appropriation of VML Insurance Programs (VMLIP) Grant - \$2,000 (2nd reading)**  
[Appropriation of VML Insurance Programs \(VMLIP\) Grant - \\$2,000 \(2nd reading\)](#)

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that \$2,000 from VMLIP is to be appropriated in the following manner:

**Revenues - \$2,000**

Fund: 105      Cost Center: 2443001000      G/L Account: 451022

**Expenditures - \$2,000**

Fund: 105      Cost Center: 2443001000      G/L Account: 530210

**c. APPROPRIATION: 2017 Edward Byrne Memorial Justice Assistance Grant - \$25,033 (2nd reading)**  
[Edward Byrne Memorial Justice Assistance Grant](#)

**WHEREAS**, the City of Charlottesville, through the Police Department, has received the U.S. Department of Justice, Office of Justice Programs' Bureau of Justice Assistance 2017 Edward Byrne Memorial Justice Assistance Grant (JAG) in the amount of \$25,033 to be used for approved law enforcement equipment.

**WHEREAS**, the grant award covers the period from period October 1, 2016 through September 30, 2020

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of \$25,033, received from the U.S. Department of Justice, Office of Justice Programs' Bureau of Justice Assistance, is hereby appropriated in the following manner:

**Revenue \$ 25,033**

Fund: 211                      I/O: 1900314                      G/L: 431110 Federal Grants

**Expenditure \$ 25,033**

Fund: 211                      I/O: 1900314                      G/L: 520060 Uniforms and Clothing

**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$25,033 from the U.S. Department of Justice, Office of Justice Programs' Bureau of Justice Assistance.

**d.      APPROPRIATION: Victim Witness Assistance Program Grant \$257,024 (2nd reading)**

[Victim Witness Assistance Program Grant](#)

**WHEREAS**, The City of Charlottesville, through the Commonwealth Attorney's Office, has received an increase in the Victim Witness Program Grant from the Virginia Department of Criminal Justice Services in the amount of \$224,024; and **WHEREAS**, the City is providing a supplement in the amount of \$33,000, the source of which is the Commonwealth's Attorney's operating budget;

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that the sum of \$224,024 is hereby appropriated in the following manner:

**Revenues**

\$ 56,006      Fund: 209 Cost Center: 1414001000 G/L Account: 430110  
 \$168,018      Fund: 209 Cost Center: 1414001000 G/L Account: 430120  
 \$ 33,000      Fund: 209 Cost Center: 1414001000 G/L Account: 498010

**Expenditures**

\$243,000      Fund: 209 Cost Center: 1414001000 G/L Account: 519999  
 \$ 14,024      Fund: 209 Cost Center: 1414001000 G/L Account: 599999

**Transfer \$**

33,000              Fund: 105 Cost Center: 1401001000 G/L Account: 561209

**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$224,024 from the Virginia Department of Criminal Justice Services.

**e. APPROPRIATION: FY 2019 Transit Grant Funds - \$707,657.64 (2nd reading)**  
[2019 Transit Grant Funds](#)

**WHEREAS**, a Federal Operating Grant of \$1,605,573 and State Operating Grant of \$1,947,527 have been awarded to the City of Charlottesville, the combined amounts of operating grants are \$274,402 more than previously budgeted; and

**WHEREAS**, a Federal Grant has been awarded to JAUNT in the amount of \$534,025 and these funds must pass through the City of Charlottesville; and

**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 (Operating)**

\$225,125 Fund: 245 Cost Center: 2801003000 G/L: 430080 State Assistance  
 \$49,277 Fund: 245 Cost Center: 2801003000 G/L: 431010 Federal Assistance

**Expenditures (Operating)**

\$274,402 Fund: 245 Cost Center: 2801003000 G/L: 599999 Lump Sum

**Revenue (JAUNT)**

\$534,025 Fund: 245 Cost Center: 2821002000 G/L: 431010 Fed Assistance

**Expenditures (JAUNT)**

\$534,025 Fund: 245 Cost Center: 2821002000 G/L: 540365 JAUNT Payment

**Revenue (Capital)**

(\$18,400) Fund: 245 Cost Center: 2804001000 G/L: 430110 St Grants  
 (\$92,000) Fund: 245 Cost Center: 2804001000 G/L: 431110 Fed Grants  
 \$9,630.64 Fund: 245 Cost Center: 2804001000 G/L: 435990 Warehouse Sales

**Expenditures (Capital)**

(\$100,769.36) Fund: 245 Cost Center: 2804001000 G/L: 541040 Acq. Com-Veh.

**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$1,947,527 from the Virginia Department of Rail and Public Transportation and \$2,139,598 from the Federal Transit Administration.

**f. APPROPRIATION: Virginia Housing Solutions Program Grant Award - \$484,785**  
**(2nd reading)**  
[Virginia Housing Solutions Program Grant](#)

**WHEREAS**, The City of Charlottesville, through the Department of Human Services, has received the V. H. S. P. Grant from the Virginia Department of Housing and Community Development in the amount of \$484,785;

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that the sum of \$484,785 is hereby appropriated in the following manner:

**Revenues**

\$375,405 Fund: 209 IO: 1900313 G/L: 430110 State Grant  
 \$109,380 Fund: 209 IO: 1900313 G/L: 430120 Federal Pass-Thru State

**Expenditures**

\$484,785 Fund: 209 IO: 1900313 G/L: 530550 Contracted Services

**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon receipt of \$484,785 in funds from the Virginia Department of Housing and Community Development.

**g. APPROPRIATION: VDOT Primary Extension Paving Project Funds - \$31,441 (carried)**

[VDOT Primary Extension Paving Project](#)

**h. APPROPRIATION: Insurance Reimbursement for Fire Truck Settlement - \$89,369.91 (carried)**

[Insurance Reimbursement for Fire Truck Settlement](#)

**i. RESOLUTION: Transfer of Funds for Citywide Sign and Street Survey - \$142,500**

[Transfer of Funds for Citywide Sign and Street Survey](#)

**RESOLUTION**

**Transfer of Existing CIP Funding to Citywide Sign and Street Survey Project \$142,500**

**BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that \$142,500 in previously appropriated funding is hereby transferred in the following manner:

**Transfer From**

|          |           |              |                     |
|----------|-----------|--------------|---------------------|
| \$71,000 | Fund: 427 | WBS: P-00219 | G/L Account: 599999 |
| \$42,300 | Fund: 426 | WBS: SS-009  | G/L Account: 599999 |
| \$13,400 | Fund: 426 | WBS: SS-012  | G/L Account: 599999 |
| \$8,500  | Fund: 426 | WBS: P-00981 | G/L Account: 599999 |
| \$7,300  | Fund: 426 | WBS: CP-082  | G/L Account: 599999 |

**Transfer To**

|           |           |              |                     |
|-----------|-----------|--------------|---------------------|
| \$142,500 | Fund: 426 | WBS: P-00999 | G/L Account: 599999 |
|-----------|-----------|--------------|---------------------|

**j. RESOLUTION: CIP Transfer from Fueling Station Projects for Fleet Shop Improvements - \$380,000**

[CIP Transfer from Fueling Station Projects for Fleet Shop Improvements](#)

**RESOLUTION Capital Funding Transfer from Fuel Station Projects for Fleet Shop Improvements \$380,000**

**WHEREAS**, the City of Charlottesville, is renovating the Fueling Stations at the 4th Street location and Avon Street locations and the entire amount of the previously appropriated funding will not be required for completion of the project;

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that the following is hereby transferred from previously appropriated funds in the following manner:

Transfer From  
\$380,000      Fund: 426      WBS: P-00940      G/L Account: 599999

Transfer To  
\$380,000      Fund: 426      WBS: P-01001      G/L Account: 599999

**k. RESOLUTION: Approve Revised Role for Charlottesville Area Transit (CAT) Advisory Board**

[Approve Revised Role for Charlottesville Area Transit \(CAT\) Advisory Board](#)

**RESOLUTION TO AMEND THE CAT ADVISORY BOARD**

**l. RESOLUTION: Transfer of Funds from SIA Fund to Form Based Code Account - \$40,707**

[Transfer of Funds from SIA Fund to Form Based Code Account](#)

**RESOLUTION**

**Capital Fund Transfer from SIA Implementation to Form-Based Code \$40,707**

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that the additional funding for the Strategic Investment Area FormBased Code and housing strategy workshops is hereby transferred in the following manner:

Transfer From;  
\$40,707      Fund: 426      WBS: P-00818      G/L Account: 599999

Transfer To  
\$40,707      Fund: 426      WBS: P-00947      G/L Account: 599999

**m. RESOLUTION: Appointment of Interim Clerk of Council**  
[Appointment of Interim Clerk of Council](#)

**RESOLUTION APPOINTMENT OF INTERIM CLERK OF COUNCIL**

**BE IT RESOLVED** by the Council for the City of Charlottesville, Virginia, that Brian Wheeler, employed by the City of Charlottesville as the Director of Communications, is hereby appointed Interim Clerk of Council until a permanent Clerk of Council is appointed by this Council.

**n. ORDINANCE: Create Permit Parking Zone in Belmont (2nd reading)**

[Create Permit Parking Zone in Belmont](#)

**AN ORDINANCE TO AMEND AND REORDAIN SEC. 15-204 OF THE CODE OF THE CITY OF CHARLOTTESVILLE, 1990, AS AMENDED, TO ESTABLISH A NEW PERMIT PARKING ZONE IN THE BELMONT NEIGHBORHOOD**

Ms. Galvin asked for item k., the revised role for CAT advisory board, to be forwarded to the Regional Transit Partnership board.

On motion by Ms. Hill, seconded by Ms. Galvin, the Consent Agenda passed. (Ayes: Dr. Bellamy, Ms. Galvin, Ms. Hill, Mr. Signer, Ms. Walker; Noes: None)

**CITY MANAGER RESPONSE TO COMMUNITY MATTERS (FROM PREVIOUS MEETINGS)**

Mr. Murphy responded to items from previous meeting related to: 1) Carmelita Wood's concern about several transit routes, and transit staff followed up with her regarding changes to routes 4 & 6; 2) Rosia Parker's comments on reflectors on Eighth and West Main Street; 3) Tanesha Hudson's inquiry on Vinegar Hill and her request for information on tax receipts before and after urban renewal and he said staff are waiting to hear back from her; 4) Mr. Signer's question on use of funds by the Legal Aid Justice Center; 5) Ms. Galvin's question about a proposal for a flash-freeze facility that was being discussed as a concept in 2014 and Mr. Murphy said that project is not currently active; 6) Nancy Carpenter's question about our housing voucher program with the Charlottesville Redevelopment and Housing Authority and he said staff is awaiting a quarterly report but that he is not aware of anyone turning a voucher back in; 7) Myra Anderson's comments on Region 10 and Mr. Murphy met with Executive Director and Board Chair and discussed their willingness to engage in a conversation on the diversity of their staff. Mr. Murphy suggested Council could hear from Region 10 in their annual report or hold a work session on Behavioral Health issues.

Dr. Bellamy asked Mr. Murphy about Region 10's former Sankofa Center and funding challenges. Mr. Murphy said the challenge related to funding and utilization. Dr. Bellamy said there is an increasing desire by African-Americans to see other African-Americans for mental



health resources and he suggested using funds in the Council's Equity Package account to help reopen or otherwise get the initiative back up and running.

Ms. Galvin suggested this could be part of a future work session on Behavioral Health. Mr. Murphy said he would ask Ms. Sarah Brazelton to get that scheduled on the Council calendar.

Ms. Galvin commented on the CRHA vouchers topic.

Mr. Murphy responded to a question from Dr. Bellamy related to the unfinished Landmark Hotel on the Downtown Mall. He asked Mr. Blair to share his research on spot blight.

Mr. Blair shared his research and emphasized that there must be a structural deficiency that is a threat to public health, safety and welfare. The acquisition of the property via eminent domain would require a fair market value price.

Mr. Blair said that once blight is identified the property owner has to be given the opportunity to abate the blight. The City could also make repairs and place a tax lien on the property.

## **COMMUNITY MATTERS**

Mr. Jeff Fogel spoke about the Charlottesville Police Department and its procedures for handling complaints. He said the rules require the Internal Affairs officer to explain the justification of the findings and that that has not happened. On another matter, he said the department can no longer extract statistics from its database related to Stop and Frisk interactions. Mr. Fogel also expressed concern about the terms under which former Chief Al Thomas left the organization.

Ms. Galvin asked for staff to follow-up on data collection and Stop and Frisk data.

Mr. Larry Scott spoke about the housing situation. He said while renting is a very important housing option, that home ownership is very important. He said he has lived in a Habitat for Humanity home since 2004 and he described the stability it brought to his family. He thanked Council for its past support of Habitat and their consideration again this year.

Ms. Sally Duncan, an Albemarle County resident and UVA student, described the absence of streetlights on Grady Avenue and that she believes it is a significant public safety issue. She asked the City to prioritize lighting in the capital budget, change the approval procedures for streetlights, and to take other steps to work with UVA to fund and prioritize new street lighting.

Ms. Galvin said that she thought this was being addressed by the City and the University of Virginia with a lighting study. Mr. Murphy responded with a description of that program and the funding priorities. He said additional information will be brought back to Council in November 2018.

Dr. Bellamy said this would be a significant expenditure and he thinks UVA could be a partner in funding this initiative.

Ms. Mary Carey expressed concern about the possibility of the West2nd development being resurrected on the City Market lot. On the CRHA voucher program, she commented on the challenge of finding affordable housing in the city.

Mr. Garrett Trent ceded his time to Mr. Hunter who expressed the importance of home ownership.

Mr. Richard Tremblay spoke on behalf of the Habitat for Humanity Board of Directors and in support of the funding from the Charlottesville Affordable Housing Fund recommended later in the agenda to support Habitat.

Mr. Peter Krebs spoke on behalf of the Piedmont Environmental Council. He thanked City staff for getting the McIntire Pedestrian Bridge in place. He reminded the community of the upcoming Clark Elementary 5k race and he mentioned a Saturday walk from the Jefferson School to Monticello organized by the Charlottesville Clergy Collective. Later in October, he said the City schools will be hosting walk to school events. He also mentioned the PEC is working to have Mr. Charles Brown come to Charlottesville in November.

Ms. Katrina Turner brought to Council's attention the case of her son, which was handled by the Charlottesville Police Department. She asked for Council to follow-up on numerous issues related to her son's arrest. She said she wants to know why he was arrested. She asked for more information on the video recorded from the arrest which was mentioned by Chief RaShall Brackney in a recent letter to Ms. Turner.

Ms. Walker said she had shared an email with Ms. Turner with the information she had available on the matter.

Ms. Gloria Beard presented flowers to Ms. Walker and thanked her for her service.

Dr. Bellamy responded to Ms. Beard's comments on Crescent Halls and the work of the Charlottesville Redevelopment and Housing Authority's Redevelopment Committee. He said an RFP has been awarded to Riverbend Development and two sites have been identified for new housing developments.

Ms. Walker thanked the people that have worked on the public housing redevelopment initiative over the past decades.

Mr. Randy Rogers spoke representing the Jefferson Area Board for Aging and thanked the City for its support. He highlighted one initiative related to insurance counseling and that JABA is focusing on Medicare Open Enrollment.

Ms. Nancy Carpenter encouraged the community to learn about the history of Jackson P. Burley and Burley High School. She also commended the Hate Free Schools organization and

their work with both City and Albemarle County schools. Near her home, she said there is a concern about on street parking, which was recently moved up the street, and she said it is now creating a bottleneck when two cars are parked on opposite sides of the road. She encouraged Council to develop regional housing and funding strategies in its upcoming joint meeting with the Albemarle Board of Supervisors.

Ms. Rosia Parker shared concerns about the Charlottesville Police Department and Police Chief RaShall Brackney. She expressed concerns about the Sage Smith case. Ms. Parker also encouraged members of Council to spend a night in Westhaven.

Ms. Karen Katz shared concerns about issues in the Belmont-Carlton neighborhood, in particular in areas where residential homes come up next to business establishments. She said she wanted to know more about the process for grant funding and rezoning matters. She asked about the obligation developers and the City have to notify residents about changed services or new development. She said she is a new resident and wants to learn more about these issues and the role of the neighborhood associations.

Ms. Hill shared that with rezoning there are mailings to property owners within a certain radius, signs placed at the location and community meetings.

Ms. Galvin asked Mr. Murphy about the Neighborhood Leadership Institute, which was a program that used to be run by the City to help citizens learn how local government works. She asked Mr. Murphy for an update on what it would take to restore that educational program as part of the new community engagement effort with the Comprehensive Plan.

Mr. Murphy asked for clarification as to whether this is intended to expose residents to all departments and what they do versus a leadership program. Ms. Galvin said she didn't think those goals were mutually exclusive. She also said it was important for the City Manager to continue the quarterly meetings with Neighborhood Association Leaders. Mr. Murphy said those meetings continue to happen and the issues they raise continue to be evaluated and addressed by staff.

Mr. Signer said that neighborhood associations in Charlottesville vary greatly in their level of organization, structure, and frequency of meetings.

Mr. Walt Heineke expressed his support for survivors [of sexual assault]. On police Stop and Frisk data, he said there needs to be a response to Mr. Fogel's allegation that the data cannot be accessed. Mr. Heineke expressed his strong support for the City's affordable housing initiatives. He asked Council to make specific goals for the future. On community engagement and public input, he said it is not effective and it is a crisis Council needs to address.

Dr. Bellamy responded to Mr. Heineke and asked about the goal of 4,000 affordable housing units by 2023. He notes that the city is land-locked and that past goals of 15 percent affordable housing in the City have not been achievable for a variety of reasons.

Mr. Brad Slocum spoke about water security and global warming. Mr. Slocum shared his concern about global conflicts caused in part by drought and climate change. He encouraged Council to review carefully future water demand studies by the Rivanna Water and Sewer Authority.

Ms. Angeline Conn shared concerns about the challenges undocumented immigrants face in the community. She said minor offenses should not lead to someone being reported to ICE.

Dr. Bellamy said that driving without a license is not a question for the Jail Board but one for the Commonwealth Attorney. He said there is a separate initiative to help get these citizens other forms of identification. Mr. Murphy pointed out that other states allow undocumented citizens to get a driver's license, but Virginia is not one of those states. Mr. Murphy said this could be included in the Council's legislative packet for the General Assembly. Mr. Murphy said he wanted greater clarification on data from the Jail Board as to what people are actually being arrested for with respect to driving infractions.

Ms. Walker says she has some reservations about the initiative to create a local identification card.

Mr. Blair responds to Ms. Conn's past input on Sanctuary Cities. He noted there have been seven bills considered by the General Assembly and that the ones that have been passed by the House and Senate have been vetoed by Virginia Governors.

Ms. Walker called on Mr. Blair to respond to an earlier comment. He noted that there was a confidential settlement agreement that settled an employment dispute in December 2017 with the former Police Chief Alfred Thomas. He said the agreement included confidentiality terms on both parties.

The Mayor called for a 10 minute recess.

**PUBLIC HEARING / ORDINANCE\*: REZONING 1206 CARLTON AVENUE FROM R-2 TWO-FAMILY RESIDENTIAL TO R-3 MULTI-FAMILY RESIDENTIAL (carried)**

[Rezoning 1206 Carlton Avenue from R-2 Two-family Residential to R-3 Multi-family Residential](#)

Ms. Walker invited Missy Creasy to make a staff report. She said developer Justin Shimp has submitted a rezoning petition on behalf of the property owner and that he would like to make a presentation.

Ms. Creasy described the public hearing that was held before the Planning Commission in July which City Council was unable to attend, thus the second public hearing being held this evening.

Ms. Creasy shared the concerns from citizens that have been raised about the project and noted that the Planning Commission recommended denial of the rezoning.

Dr. Bellamy asked if the property is rezoned from R2 to R3 what the difference in number of units that could be built would be. Ms. Creasy said they can have two units on site now, with the rezoning and special use permit it could be up to six units.

Kelsey Schlein and Justin Shimp of Shimp Engineering made a presentation on behalf of the property owner to Council.

Ms. Schlein said the property if rezoned would go from two units by-right to six 2-bedroom units. She emphasized the goal of the project is to help the City offer a variety of housing types that include these smaller residences.

Ms. Schlein said the site would have one-way circulation of traffic into and out of the site and room for seven parking spaces.

Mr. Shimp said that it is hard to find parcels that can create housing at this level of affordability with adequate parking in the amount required by the ordinance. He said he supports building housing without the expectation of 2-3 parking spaces per unit.

Ms. Walker asked if the developers have spoken with the neighbors with respect to their concerns about the paving of the alley. Mr. Shimp said that he believes they have the right to improve the entire alley but that it is a decision that will be made with the final site plan.

Ms. Walker asked how long they will commit to keeping the affordable unit of housing affordable. Mr. Shimp responded they can commit to ten years. The proffer is as follows: "(i) affordable housing: one unit will be designated affordable and will rent at a rate set by HUD home rents, making the unit affordable to those with income of up to 80 percent AMI for a period of not more than 10 years." Ms. Walker asked if they would consider 60 percent AMI. Mr. Shimp said he would take that into consideration.

Ms. Galvin asked about other rezoning options such as R-2. Mr. Shimp said he thinks that R-2 would allow about four units.

Ms. Galvin asked about compliance with the 2013 Comprehensive Plan. She said R-3 zoning is not what was anticipated at this location, and asked why additional consideration wasn't given to R-2 zoning.

Ms. Walker opened the public hearing.

Mr. Frederick Schmidt shared a petition signed by him and his neighbors in opposition to the rezoning. Mr. Schmidt said that spillover parking would affect other residents and that there is an existing traffic congestion issue. He said the rezoning would be inconsistent with the Comprehensive Plan.

Mr. Rory Stolzenberg spoke in favor of the development. He said he believes neighborhoods across the city need to share the burden of additional density with developments of this type.

Having no further speakers, Ms. Walker closed the public hearing.

Mr. Blair advised Council that if they are comfortable having this on the next consent agenda they can make that recommendation, otherwise if Council doesn't want this on the consent agenda it would be on the agenda as a separate action item.

Dr. Bellamy expressed a preference for a 60 percent AMI level on the affordable unit.

Ms. Galvin said she sees this situation as being part of a breakdown in the development review process. She said the public is not privy to what is happening because a developer is coming up with his own plan without engaging the community and following the Comprehensive Plan. Ms. Galvin said the City's vision is out of sync with the zoning.

Mr. Signer said that the recent housing study indicated we need more supply. Housing is scarce and that increases costs. He said it is hard to get projects like this underway because there is a lag between the approval of a Comprehensive Plan and a new development coming forward.

Ms. Galvin noted that the nearby Riverbend Development project will add over 100 units to the area. She said this is a tragic condition where this development was not planned, it is reflective of the City's failure to do adequate long range planning.

Mr. Signer encouraged the public to watch how the City invests its own affordable housing funds. Most affordable housing will be built by private developers.

Dr. Bellamy shared what he thinks Ms. Galvin has made some good points about the lack of alignment with the Comprehensive Plan and the need for long range planning.

Ms. Hill said she visited the site earlier in the day and she thinks there will be significant traffic challenges.

Ms. Walker asked when the City will decide to plan long term? This is a project we say that is needed, that will provide housing, but that is largely not affordable. Why didn't we have this conversation related to Riverbend Development's Belmont project?

Ms. Galvin said the Riverbend project is by-right and no one on the Council today was on Council when the 2003 Comprehensive Plan was approved. She said if we allow the re-zoning's on a piecemeal basis we are constantly undermining the community's will.

Ms. Walker said the community will need to have discussions about how it wants to grow in a more equitable way.

Council reached consensus to bring this back as a separate action item at the October 15, 2018 meeting.

**PUBLIC HEARING / ORDINANCE\*: Zoning Text Amendments - Requiring Temporary Use Permits for Temporary Surface Parking Facilities and Temporary Construction Yards (carried)**

[Zoning Text Amendments - Requiring Temporary Use Permits for Temporary Surface Parking Facilities and Temporary Construction Yards](#)

Ms. Missy Creasy, Neighborhood Development Services Assistant Director, presented the staff report related to Zoning Text Amendments for Temporary Use Permits for Temporary Surface Parking Facilities and Temporary Construction Yards.

Ms. Creasy said that screening of these uses has been a critical issue and topic of public feedback. She said language has been added to specify screening requirements using either landscaping, walls or fences.

Ms. Walker opened the public hearing and having no speakers, closed the public hearing. .

Ms. Galvin said she would support this being on the next meeting's consent agenda and Dr. Bellamy supported that as well.

**PUBLIC HEARING / RESOLUTION\*: Special Use Permit for 140 Emmet Street North (Gallery Court Hotel)**

[Special Use Permit for 140 Emmet Street North \(Gallery Court Hotel\)](#)

Ms. Heather Newmyer, City Planner, presented the staff report to Council.

Ms. Newmyer reviewed the steps taken by the Planning Commission on this project. A public hearing was held in September and the Planning Commission recommended approval of the project by a five-to-two vote. Ms. Newmyer said that staff suggested that the curb line not be moved as a new condition, so that future streetscape initiatives are not impacted.

Mr. Vipul Patel, the property owner and developer, made a presentation to Council on the Gallery Court Hotel project.

Mr. Patel reviewed the history of the site and described the new hotel that would replace the one destroyed by a fire in 2017. He said the September 11, 2018 public hearing by the Planning Commission had both supporters and critics.

Members of the development team described the architecture, landscape plans, and traffic studies.

Mayor Walker opened the public hearing.

Ms. Jessica Otey spoke in opposition to the project. She said she thinks a smaller hotel can be built on the site. She said 60 feet high would be acceptable, but not 80 feet. Ms. Otey said she is not opposed to density, and recognizes that the University needs accommodations, but she said that there is not a community benefit for a taller hotel and that financial viability is not a sufficient reason to approve.

Mr. Andrew Grimshaw shared his concerns about the height of the proposed hotel. He said that 80 feet is too tall. Mr. Grimshaw added that the area is already heavily congested with traffic and he questions the community benefit.

Ms. Vestea Gordon said the proposed hotel is too big and that there will be no benefit to the neighborhood. [She ceded the remainder of her time to Ms. Serena Thomas.] Ms. Thomas reads a letter on behalf of city resident Ms. Bitsy Waters who opposes the increased height and density.

Ms. Anna Askounis, a member of the Lewis Mountain Neighborhood Association Board of Directors, said she is opposed to the Special Use Permit. She said the Association is concerned about the height, the traffic and the aesthetics. She doesn't want a repeat of the building heights on West Main Street.

Mr. Peter Gray said the proposed Special Use Permit is not in the public interest. He said he believes it will have a significant negative impact in the entrance corridor.

Mr. Bill Rockwell spoke as co-chair of the Lewis Mountain Neighborhood Association. He expressed the Association's concerns about the project and asked Council to deny the request. He said it would be out of scale and out of context in the corridor.

Ms. Julia Jones said she applauded the owner in his efforts to rebuild the hotel but asked Council to deny the Special Use Permit. Ms. Jones said a by-right building can be built or the property sold to another developer.

Mr. Scott Ruffner spoke in favor of the Special Use Permit. He said he believes the additional height of the hotel is in keeping with the context of the nearby buildings and parking garages.

Mr. Rory Stolzenberg spoke in favor of the project. He said more hotel rooms would be a positive development. He asked if we can allow buildings to tower over the 10th and Page neighborhood on West Main, why can't we do it here?

Mr. John Elliott spoke in opposition to the hotel project. He said this type of architecture is cheapening the character of the community, and that Charlottesville is becoming Anyplace U.S.A.

Having no further speakers, Mayor Walker closed the public hearing.

Ms. Galvin asked Ms. Newmyer about the building setbacks and if the cafe is in the public Right of Way.



A member of the hotel development team responded by showing the area of the site plan. He said the setback to the face of the building ranges from 5 to 20 feet along Emmet Street.

Ms. Galvin asked if the added height is allowed by the Special Use Permit and Ms. Newmyer confirmed that it is.

Ms. Hill said she can support the project given the topography in the area and that she applauds the developer for including parking within the project. She said she heard the community concerns but that she believes there would be benefits in terms of revenue and hotel inventory.

Mr. Signer said that in the absence of a compelling public policy rationale we shouldn't grant Special use Permits. In this case, he said he doesn't see the arguments for it.

Ms. Walker said she supports the project. She noted we have numerous chain hotels around the city, but here we have a local independent business owner contributing to the city overall.

Dr. Bellamy said the tax revenues could be used for affordable housing initiatives. He asked what it would take to designate the funds from this location to that initiative and how to address the additional height.

Ms. Galvin said she believes the SUP in this case supports good urban design. As to community benefit, right now she says it is a gray field site generating \$8,000 in annual real estate property tax revenues. The hotel, if built, she said would generate \$565,000 in annual real estate property tax revenues. The traffic impact is minimal and it is within walking distance of the University.

On motion by Ms. Galvin, seconded by Ms. Walker, Ms. Galvin moved to adopt the Resolution Granting Special Use Permit for 140 Emmet Street North (Gallery Court Hotel). The motion passed. (Ayes: Dr. Bellamy, Ms. Galvin, Ms. Hill, Ms. Walker; Noes: Mr. Signer)

**RESOLUTION GRANTING A SPECIAL USE PERMIT FOR ADDITIONAL BUILDING HEIGHT FOR PROPERTY LOCATED AT 140 EMMET STREET NORTH (“GALLERY COURT HOTEL”)**

Mayor Walker called for a 10-minute recess.

**RESOLUTIONS\*: Allocation of FY2019 Charlottesville Affordable Housing**

**Funds:**

**RESOLUTION: AHIP Critical Rehab & Repair Project - \$375,000**

**RESOLUTION: Carlton Views III, LLC Carlton Views III Development Project - \$1,440,000**

**RESOLUTION: Habitat for Humanity of Greater Charlottesville Equity Housing Initiative - \$585,000**

### Allocation of FY2019 Charlottesville Affordable Housing Funds

Dr. Stacy Pethia, Housing Program Coordinator for the City, presented the staff report.

Dr. Pethia shared highlights of the Housing Advisory Committee's funding recommendations from the Charlottesville Affordable Housing Fund.

Dr. Pethia noted that the Carlton Views III project funds should be contingent upon the developer receiving both a successful rezoning and Low Income Housing Tax Credits.

Mr. Phil D'Oronzio described the membership of the Housing Advisory Committee of which he is Chairman.

Ms. Walker shared concerns she has received about both Carlton Views and Habitat for Humanity with respect to construction quality. She asked staff to ensure taxpayer dollars are invested in quality homes. She said she has shared the concerns received by email with Mr. Murphy.

Dr. Pethia responded that her office has also received some concerns about Carlton Views and City inspectors have been on site and asked for improvements.

Dr. Bellamy said he visited the site earlier in the day and that he did not like what he saw, and has heard from others, about the Carlton Views project's construction quality and site management.

Mr. Blair reviewed with Council a potential "claw back provision" related to properties not meeting the City's expectations. Mr. Murphy clarified that the City Attorney's office would need additional time to evaluate what could be inspected and how specifically to make a requirement like this work.

On motion by Ms. Hill, seconded by Ms. Galvin, Mr. Hill moved to approve the allocation of FY 2019 Charlottesville Affordable Housing Funds towards the AHIP Critical Rehab & Repair Project in the amount of \$375,000. The motion passed. (Ayes: Ms. Galvin, Ms. Hill, Mr. Signer; Noes: Dr. Bellamy, Ms. Walker).

On motion by Ms. Hill, seconded by Ms. Galvin, Ms. Hill moved to approve the allocation of FY 2019 Charlottesville Affordable Housing Funds towards the Carlton Views III, LLC Carlton Views III Development Project in the amount of \$1,440,000. The motion passed. (Ayes: Ms. Galvin, Ms. Hill, Mr. Signer; Noes: Dr. Bellamy, Ms. Walker).

On motion by Ms. Hill, seconded by Ms. Galvin, Ms. Hill moved to approve the allocation of FY 2019 Charlottesville Affordable Housing Funds towards the Habitat for Humanity of Greater Charlottesville Equity Housing Initiative in the amount of \$585,000. The motion passed. (Ayes: Dr. Bellamy, Ms. Hill, Ms. Walker, Mr. Signer, Ms. Galvin; Noes: None.)

**RESOLUTION Allocation of Charlottesville Affordable Housing Fund (CAHF) for Albemarle Housing Improvement Program’s Critical Rehab & Repair Project -- \$375,000**

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Charlottesville, Virginia that the sum of \$375,000 be allocated from previously appropriated funds in the Charlottesville Affordable Housing Fund (CAHF) to the Albemarle Housing Improvement Program for the purpose of providing funds for the Critical Rehab & Repair program.

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

Albemarle Housing Improvement Program \$375,000

**RESOLUTION Allocation of Charlottesville Affordable Housing Fund (CAHF) for Carlton Views III, LLC Carlton Views III Development Project -- \$1,440,000**

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Charlottesville, Virginia that the sum of \$1,440,000 be allocated from previously appropriated funds in the Charlottesville Affordable Housing Fund (CAHF) to the Carlton Views III, LLC for the purpose of providing funds for the Carlton Views III affordable housing development project.

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

Carlton Views III, LLC \$1,440,000

**RESOLUTION Allocation of Charlottesville Affordable Housing Fund (CAHF) for Habitat for Humanity of Greater Charlottesville Equity Housing Initiative-- \$585,000**

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Charlottesville, Virginia that the sum of \$585,000 be allocated from previously appropriated funds in the Charlottesville Affordable Housing Fund (CAHF) to Habitat for Humanity of Greater Charlottesville. for the purpose of providing funds for the Equity Housing Initiative.

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

Habitat for Humanity of Greater Charlottesville \$585,000

**RESOLUTION\*:Allocation of Funds (\$200,019.40) for Completion of City-wide Housing Strategy**

[Allocation of Funds \(\\$200,019.40\) for Completion of City-wide Housing Strategy](#)

Dr. Pethia invited Mr. Sunshine Mathon with the Piedmont Housing Alliance to present an overview of the proposed completion of a Citywide Housing strategy.

Dr. Bellamy asked about the specifics of the community engagement strategy. Mr. Mathon said local organizations can apply for this project in total or in part.

Ms. Galvin asked for a more detailed explanation of the housing strategy itself. She said she would like the proposal to include specifics related to its relationship to land use policy and tax policy, and to UVA and the County. She asked if this project should be managed by the City Manager's Office and whether we have thought through the scope and management.

Mr. Mathon said the level of comprehensiveness in his previous projects in another city suggest it will require significant involvement of many city departments and the evaluation of numerous potential tools. He said it may have been left out of the description simply because it was assumed to be the case.

Ms. Hill asked Mr. Murphy what resources might be required for a cross-departmental analysis. He said he would want meet with department heads to discuss this at a meeting this week. Mr. Murphy asked for additional feedback from Council about density, locations and growth management.

Mr. Mathon said he agrees that how much density and where it is located needs assessment with a look at what is feasible with the land that is available.

Mr. Signer said he has misgivings about doing this work with consultants. He said the community has pushed back on the use of consultants on other initiatives. He said he is concerned the product would ultimately not be implemented and perhaps instead we should put the resources into expanding the City's staff to develop the Housing Strategy.

Ms. Hill said she is concerned that we do not have a comprehensive strategy today and if we do not invest in this, now that it will not happen.

Ms. Walker asked Mr. Murphy if existing staff resources could do this. Mr. Murphy said the community still needs to be engaged on the density question and that work needs to be integral to this process.

Ms. Galvin commented on staff capacity and said that it is very hard for them to step back and look at challenges comprehensively.

Ms. Walker asked if we would consider hiring a new staff member. Ms. Galvin responded that she thought that would be an issue for the next City Manager once that person is hired.

Ms. Galvin asked that the Housing Strategy be coordinated with the Zoning Code audit, that it be comprehensive in nature, and make sure to conduct a literature search of related initiatives, and to look carefully at the management of the project across departments.

On motion by Dr. Bellamy, seconded by Ms. Hill, Dr. Bellamy moved to approve the allocation of \$200,019.40 in funds for the Completion of a Citywide Housing Strategy as

amended by Council. The motion passed. (Ayes: Dr. Bellamy, Ms. Hill, Ms. Galvin; Noes: Ms. Walker, Mr. Signer).

**Allocation of Charlottesville Affordable Housing Fund (CAHF) for Completion of a Comprehensive Housing Strategy -- \$200,019.40**

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Charlottesville, Virginia that the sum of \$200,019.40 be allocated from previously appropriated funds in the Charlottesville Affordable Housing Fund (CAHF) for development of a comprehensive Housing Strategy.

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

Housing Strategy Development \$200,019.40

**OTHER BUSINESS**

Ms. Hill asked if Council would meet on Wednesday to continue the closed session from 2-3 p.m. on Wednesday October 3. Council agreed.

Ms. Walker asked Council and Mr. Murphy about support for a new City Engineer position in the Neighborhood Development Services Department. Mr. Murphy said he does not have a recommendation tonight. Ms. Galvin suggested this be discussed at a future meeting when staff can share additional information.

Ms. Walker brought up the Agency Budget Review Team review that is underway and concerns that have been raised about the scope of the review. Ms. Walker said everything they will recommend will ultimately come back to Council.

Ms. Galvin referred to the original scope and advisory committee and said she interpreted that as something that was going to be appointed by the City Manager. Ms. Galvin said if Council is appointing a body it needs to be done like other boards and commissions.

Ms. Walker says she asked people to participate on this committee and that it is the most diverse advisory group that the City has. Ms. Walker said the charge she and Ms. Hill are pursuing is to review the ABRT process.

Mr. Blair noted that if the members have not been appointed officially by Council then the ARBT Review Committee's meetings would not be official public meetings subject to FOIA.

Ms. Walker said they have been meeting and the group wants these meetings to continue. Mr. Murphy asked if the question is whether to evaluate the process or prioritization of requests. From the staff perspective, the expectation was the focus would be by the Mayor and Vice Mayor on the process and not the prioritization of spending and that funding is being held level this year in recognition of that.

Ms. Walker asked if there is support for this ARBT Review Committee to continue its work. Ms. Galvin said she can support this work with the additional explanation provided. Mr. Signer also asked that the group receive a disclaimer that the committee's work is not an official action by Council.

Ms. Walker said the group was set to go through June, but now it would stop in February and Council will then have to appoint a board to make funding decisions.

Ms. Hill raised a question related to legal advice Council is receiving related to two constituent issues and whether that can be shared with the community. Council reached consensus to share that information.

### **MATTERS BY THE PUBLIC**

Mr. Sean Tubbs with the Piedmont Environmental Council asked Council to consider input he shared in writing and distributed to Council with respect to the Memorandums of Understanding that will be discussed at the joint meeting with the Board of Supervisors this week. He asked for consideration of transportation issues in particular.

Mayor Walker adjourned the meeting at 12:35 a.m.