



CITY OF FREDERICKSBURG, VIRGINIA
CITY COUNCIL

MINUTES

Council Chambers, 715 Princess Anne Street
Fredericksburg, Virginia 22401

HON. MARY KATHERINE GREENLAW, MAYOR
HON. WILLIAM C. WITHERS, JR., VICE -MAYOR, WARD TWO
HON. KERRY P. DEVINE, AT-LARGE
HON. MATTHEW J. KELLY, AT-LARGE
HON. BRADFORD C. ELLIS, WARD ONE
HON. DR. TIMOTHY P. DUFFY, WARD THREE
HON. CHARLIE L. FRYE, JR., WARD FOUR

October 25, 2016

The Council of the City of Fredericksburg, Virginia, held a regular session on Tuesday, October 25, 2016, beginning at 7:30 p.m. in the Council Chambers of City Hall.

City Council Present. Mayor Mary Katherine Greenlaw, Vice-Mayor William C. Withers, Jr. and Council members Kerry P. Devine, Dr. Timothy P. Duffy, Bradford C. Ellis, Charlie L. Frye, Jr. and Matthew J. Kelly.

Also Present. City Manager Timothy J. Baroody, Assistant City Manager Mark Whitley, City Attorney Kathleen Dooley, Community Planning and Building Development Director Charles Johnston, Zoning Administrator Michael Craig, Historic Resources Planner Kate Schwartz, Interim Economic Development Director Bill Freehling, Budget Manager Deidre Jett, Public Works Director Doug Fawcett and Clerk of Council Tonya B. Lacey.

Opening Prayer and Pledge of Allegiance. Council was led in prayer by Councilor Matthew J. Kelly followed by the Pledge of Allegiance led by Mayor Mary Katherine Greenlaw.

Officer Recognized. Mayor Greenlaw recognized the presence of Officer Stu Butterfield at this evening’s meeting.

Wall of Honor Ceremony – Nancy Moore, Chair of Memorials

Advisory Commission (D16-__). The Chair of the Memorials Advisory Commission Nancy Moore gave a brief overview of the wall of honor process and she called on each of the representatives of the nominees to give a brief description of the person's life and their many contributions to the Fredericksburg community and Vice-Chair Michael Spencer revealed the names on the wall and Ms. Moore presented each of the families with a certificate. The 2016 Wall of Honor honorees were Barbara Malone Crookshanks, Charles Spurgeon Rowe, Ralph H. Smith and Gladys Todd.

Columbia Gas Update – Robert Innes, Columbia Gas (D16-__). Mr.

Innes updated that they were in week seven (7) of a ten (10) week project in the Hazel Hill neighborhood. As of this week they restored 5 buildings with the natural gas. They had installed sixteen (16) total service lines and half of the neighborhood had the main in place. They decided to extend the main just outside of Hazel Hill so they could have a two way feed in there for system integrity. He said they would continue to work with Hazel Hill management team, City Staff, and with the residence of Hazel Hill. He said the work should be complete mid-November.

Mr. Scott Kline of Hazel Hill thanked the City for all the support and he thanked Columbia Gas for keeping the work site neat and safe for the tenants.

Councilor Frye said this was a rocky road but he was pleased with the progress that had been made.

Welcoming of Este, Italy Sister City Representative Dr. Giuseppe

Lava on behalf of Mayor Roberta Gallana – Kathryn Willis, President of the

Este Sister City Association said the organization had been in existence for 2 years and they had accomplished a great deal to advance the relationship between Este and the City. Ms. Willis said Neil Reed, a potter in the City, recently returned from a two week sponsored art exchange to represent Fredericksburg. The organization was currently working with LibertyTown to have a show to exhibit Mr. Reed's work. Ms. Willis introduced Dr. Giuseppe Lava the representative from Este who brought greetings from Mayor Roberta Gallana. Dr. Lava was here to work on a partnership between Mary Washington Hospital and the Regional Medical Center in Este in collaborative learning projects.

Dr. Lava said he was glad to be here and to share in friendship. He presented the Mayor with a clock for the City to represent prosperity and friendship.

Public Hearings Conducted (D16-__ thru D16-__). The regular session was recessed in order to conduct the scheduled public hearings and immediately reconvened upon their conclusion.

Citizen Comment. The following speaker participated in the citizen comment portion of this evening's meeting.

Eric Bonds (D16-__), 437 Hanson Avenue, Professor at the University of Mary Washington, stated that he asked his political sociology course to undertake a community involved project. One of the suggestions was to consider renaming the Jefferson Davis Highway, within the Fredericksburg limits. The project was to help students develop democracy skills, and encourage them to think about democracy in an active sense. The students did historical research about Jefferson Davis and the origin of the highway name, meet with Councilor Kelly and with other community members. Mr. Bonds added that

Jefferson Davis was not honored for his wisdom or his heroic acts as others might remember, but because he was a symbol of white supremacy. Mr. Bond said he would like to see the City make a decision as the City of Alexandria did by renaming the highway. He also suggested the City form a Taskforce to looking into the possibility of a name change. See **D16-__** for more information.

William West, 1311 Princess Anne Street, noted that Jefferson Davis Highway was renamed by the state legislature and that is who would have to make the change. He also said that there were strict laws against nonprofit educational organizations participating in the political process which is what he thought was happening. Finally, he said the instructor referred to democracy in the Marxists tone. He said many had ancestors in the war. He requested the Council disregard the request

Drew Shannon, College Avenue, student of Mary Washington, spoke in support of renaming Jefferson Davis Highway. He said this was a name that misrepresents the values of the community. Mr. Shannon said by allowing Jefferson Davis' name on the Highway was an endorsement to his values. He said it was the City's duty to reflect our values and to remove his name from the highway.

John Johnson (D16-__), 6009 Fox Point Road, 22407, spoke in opposition of changing the name of Jefferson Davis Highway. He said erasing history is a crime against future generations. It diminishes their legacy. Mr. Johnson said history was a valuable resource and he noted that many visitors come to the area to absorb some fragment of whatever historical era they are interested in. See **D16-__** for more information.

Chris Ezelle (D16-__), 1327 Dogleg Drive, Locust Grove, VA, warned the Council of the many direct and indirect cost for changing the name of a major highway.

He also added that someone must prepare a petition and circulate to every person/business located along that stretch of highway. Mr. Ezelle noted that in recent years the Council had been reluctant to approve “private-interest” requests for street renaming without a substantial rationale given the costs. See **D16-__** for more information.

Roy Perry (D16-__), 1032 Conway Road, spoke in opposition of changing the name of Jefferson Davis Highway. Mr. Perry gave a brief history of Jefferson Davis and others who owned slaves. He stated that he did not understand the motive behind the class or instructor, but added if they were offended by Jefferson Davis they should be equally offended by the name Mary Washington by which the University bears her name. See **D16-__** for more information.

Kyra Ketch (D16-__), College Avenue, a student at University of Mary Washington spoke in support of changing Jefferson Davis Highway name. She spoke of the history of Jefferson Davis and Ms. Ketch said this was an opportunity to brand the City as a more welcoming community. Ms. Ketch added that there are economic and social benefits of becoming more welcoming. The City has great historical significance, but Ms. Ketch said there was great disparity in whose history had been chosen to be memorialized. Ms. Ketch said Route One was an inappropriate place to remember Jefferson Davis. See **D16-__** for more information.

Teresa Roane, Richmond, VA, a historian, spoke in opposition of changing the name of Jefferson Davis Highway. Ms. Roane gave a brief history of Jefferson Davis and she said history was complex and we are meant to study, it not eradicate it. She added that changing street signs and other aspects of history was the beginning of a slippery slope. See **D16-__** for more information.

Jacqueline Ferris (D16-__), 1110 Braze Road, 22405, spoke in opposition of changing the name of Jefferson Davis Highway. She said the City was falling into the prey of slowly chipping into history with the removal of flags and anything southern. Ms. Ferris gave a brief summary on Jefferson Davis' history. She asked that the City not fall into another attack and abolishment of American History. See **D16-__** for more information.

Jenna Bernstien, spoke in opposition of changing the name of Jefferson Davis Highway. She passionately spoke of her time on some of the battlefields where soldiers had lost their lives. She said there were other positive ways to help the community other than erasing the history.

Elizabeth Hiatt (D16-__), 1701 College Avenue, University of Mary Washington College student, spoke in support of changing the name of the Jefferson Davis Highway. Ms. Hiatt gave a brief history on how the street name became Jefferson Davis Highway. She said the City must confront the implications of celebrating symbols of racism, hatred and violence and confront the history behind commemorating these symbols. See **D16-__** for more information.

Yanina Angelini, 1405 Princess Anne Street, spoke in support of changing the name of Jefferson Davis Highway. She said she was appalled by the revisionism. She said it was anti-American to have Jefferson Davis name on the highway.

Charles McKnight Anderson, 4202 Oak Hill Road, said the enthusiasm of the college students was to be admired but their intentions and their efforts were misguided. He said when we acknowledge figures from the past it was not an endorsement for all that they did throughout their life. Mr. Anderson said before citizens are forced to bear the

cost of renaming the highway they should have an opportunity to have their voices heard by referendum or taskforce.

Neil Russell, Del Plains, VA, spoke on the history of the war in Virginia. Mr. Russell said people needed to be remembered for what they did. He said the south has done so much for the country. Mr. Russell said he was proud to be a Virginian and people not from Virginia want to come here and change things.

Motion to Suspend the Rules. – Councilor Kelly made a motion to spend the rule to allow the Council to meet past the 11:00 hour; motion was seconded by Councilor Devine and passed by the following recorded votes. Ayes (5). Councilors Greenlaw, Devine, Duffy, Ellis, and Kelly. Nays (2). Councilors Withers and Frye.

Council Agenda Presented. There were no items presented to Council for discussion.

7A. Jefferson Davis Highway Renaming – Councilor Kelly

7B. High Speed Rail – Councilor Kelly

Jefferson Davis Highway Renaming – Councilor Kelly gave context to the discussion. He said many lost their lives within a few miles of the City, more than any other place in the world fighting a war that defined this nation. Councilor Kelly had a few concerns after listening to the discussions. He said the history was filled with both good and bad and it is what defines us not a street name. He also said people define the City and he said this City was very diverse.

Councilor Kelly said the students needed to learn that the country was in a bad state because many will not discuss issues with each other and respect other's opinions. He noted that the United Daughters of the Confederacy and the Sons of the Confederate

Veterans no longer advocate slavery and to imply that the stigma remains was unfair. Councilor Kelly added that history was very important and learning from it was extremely important. The Civil War was important to the City's history and the economics of it.

Councilor Kelly said he had great faith in the City and there were many smart thinking people who have brought the City through this history and he would like everyone to talk about this. The students have the right to their opinions but some of the comments made should not have been made. Councilor Kelly said the National Park Service had offered to have the discussion but everyone must be able to work together.

Councilor Kelly made a motion to allow the National Park Service to take up the conversation to include the students; and to set up a working group with the National Park Service; motion died for lack of a second.

Mayor Greenlaw was not opposed to having dialog or a working group. She said this was a community decision and the community was capable of making the decision.

Councilor Devine added that the discussion was about a lot of things and one was the democratic process and democracy involved freedom of speech. She said she was glad to hear from so many. Councilor Devine said any action from the Council at this point would be premature because it seemed as if the issue was being handed off to the Council without all the research being done. Changing a highway name is larger than simply changing a name. It would involve a lot because it would involve many businesses and homes and much more. Councilor Devine said she would like to have this discussion after the students completed the assignment and do some of the research to see what it would take to engage some local interest, what the costs of signage would be, what the cost to businesses would be for changing all of their marketing and advertising materials and GPS

systems. She added that at this point she had no idea what it would take to change the name. She reminded everyone that the Council recently decided against changing the name of Fall Hill Avenue when it was proposed because of the impacts on the residence and businesses on Fall Hill and instead named the new bridge in honor of someone instead. Councilor Devine said there were immense costs and pieces to the project and it was premature to set up a committee. She said the City was much more than the name on a street.

Councilor Ellis said there was lots of passion and he appreciated everyone's viewpoints. He said this was a phenomenal opportunity they had to speak to this issue. He applauded the zeal and willingness but he said the students seemed to lack some understanding of history and he said they needed to take time to understand the opposition of the proposal. Councilor Ellis said this was our history and it could not be ignored or eradicated and he encouraged the students to make their own history and have something named after them.

Councilor Duffy thanked Councilor Kelly for his comments. As a history major he found it intriguing to hear the comments. He said it was an honor to be a part of the process and he appreciated everyone who came out.

Vice-Mayor Withers said even though the Council did not sanction the committee Councilor Kelly could talk to this topic on his own. He said they did not change the Fall Hill Avenue name because of the historic significance of its name, as well as the affects it would have on the businesses and residents.

Councilor Frye thanked the students and everyone else for coming out to give their opinions. He said everyone's opinion was valuable. He thanked Mr. Bonds for working

with his students. Councilor Frye also suggested Mr. Kelly that if he moved forward with any committees that he made it open to the public. He wanted to make sure the public was informed. Councilor Frye suggested if there was a committee formed that the people were not handpicked.

Mayor Greenlaw thanked everyone and she hoped everyone learned something from this process.

High Speed Rail - Councilor Kelly announced that Hap Connors with the Commonwealth Transportation Board would be hosting a High Speed Rail and Public Transportation presentation at 7:00 p.m. on Thursday, October 27 in the Council Chambers. He said the City Council would have to start meeting on this topic.

City Manager's Consent Agenda Accepted for Transmittal as Recommended (D16-__ thru D16-__). Following review and as recommended Councilor Kelly moved approval of the City Manager's consent agenda items; motion was seconded by Vice-Mayor Withers and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Withers, Devine, Duffy, Ellis, Frye and Kelly. Nays (0).

- Transmitting the MCI License Agreement (D16-__).
- Transmitting the 4-Hour Holiday Parking (D16-__).
- Resolution 16-94, First Read, Amending the Fiscal Year 2017 Budget to Recognize Debt Service Payments Received from the Rappahannock Regional Solid Waste Management Board for the Solid Waste Revenue Bonds, Series 2015D (D16-__).

- Resolution 16-95, Amending the Fiscal Year 2017 Budget to Recognize Special Welfare Fund Activity
- Resolution 16-96, Amending the Fiscal Year 2017 Budget by Appropriating \$12,640 in the City Grants Fund for a Library of Virginia Records Preservation Grant
- Resolution 16-97, Authorizing the Mayor to Approve the Assignment of the Mary Washington Lodge License
- Transmittal of Boards and Commission Minutes (D16-___).
 - Architectural Review Board - June 13, 2016 (D16-___).
 - Architectural Review Board - June 27, 2016 (D16-___).
 - Architectural Review Board - July 11, 2016 (D16-___).
 - Architectural Review Board - July 25, 2016 (D16-___).
 - Architectural Review Board - August 8, 2016 (D16-___).
 - Board of Social Services - August 11, 2016 (D16-___).
 - Clean and Green Commission - August 8, 2016 (D16-___).
 - Clean and Green Commission - September 12, 2016 (D16-___).
 - Planning Commission - August 31, 2016 (D16-___).
 - Planning Commission - September 14, 2016 (D16-___).
 - Public Transit Advisory Board - June 1, 2016 (D16-___).
 - Public Transit Advisory Board - July 13, 2016 (D16-___).
 - Recreation Commission – July 21, 2016 (D16-___).

Adoption of Minutes (D16-___). Councilor Devine moved approval of the September 27, 2016 Public Hearing and Regular Session minutes; motion was seconded

by Councilor Kelly and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Withers, Devine, Duffy, Ellis, Frye and Kelly. Nays (0).

Reappointments to the Memorials Advisory Commission – Jervis Hairston and Paula Raudenbush (D16-__). Councilor Devine made a motion to reappoint Jervis Hairston and Paula Raudenbush to the Memorials Advisory Commission; motion was seconded by Councilor Ellis and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Withers, Devine, Duffy, Ellis, Frye and Kelly. Nays (0).

Reappointment to the Board of Zoning Appeals – James Jarrell (D16-__). Councilor Kelly made a motion to reappoint James Jarrell to the Board of Zoning Appeals; motion was seconded by Councilor Devine and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Withers, Devine, Duffy, Ellis, Frye and Kelly. Nays (0).

Appointment to the Cable Commission – Andrew Wolfenbarger (D16-__). Councilor Devine made a motion to appoint Andrew Wolfenbarger to the Cable Commission; motion was seconded by Councilor Kelly and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Withers, Devine, Duffy, Ellis, Frye and Kelly. Nays (0).

Appointment to the Fredericksburg Clean and Green Commission – Kyle Snyder and Janice Olsen (D16-__). After the recorded votes taken, Kyle Snyder was reappointed to the Clean and Green Commission with a vote resulting between applicants Kyle Snyder and Janice Olsen. Snyder (6) Councilors Greenlaw, Withers, Devine, Duffy, Ellis, Frye. Olsen (1) Councilor Kelly.

Appointments to the Planning Commission – Christopher Hornung and Steven Slominski (D16-__). After the recorded votes taken, Christopher Hornung and Steven Slominski were appointed to the Planning Commission with a vote resulting between applicants Christopher Hornung, Steven Slominski and Rene Rodriguez. Hornung (6) Councilors Greenlaw, Withers, Devine, Duffy, Ellis, Frye. Slominski (7) Councilors Greenlaw, Withers, Devine, Duffy, Ellis, Frye, Kelly. Rodriguez (1) Councilor Kelly.

Resolution 16-98, Approved, Approving Economic Incentives for the NBB, LLC Mixed Use Project (D16-__). – After staff presentation Councilor Kelly made a motion to approve Resolution 16-98, approving economic incentives for the NBB, LLC mixed use project; motion was seconded by Vice-Mayor Withers and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Withers, Devine, Duffy, Ellis, Frye and Kelly. Nays (0).

Ordinance 16-24, First Read Approved, Revising the Purposes and Duties of the Recreation Commission (D16-__). – Councilor Duffy made a motion to approve Ordinance 16-24, on first read, revising the purposes and duties of the Recreation Commission; motion was seconded by Councilor Devine and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Withers, Devine, Duffy, Ellis, Frye and Kelly. Nays (0).

Approving the Holiday Schedule (D16-__). – After staff presentation Councilor Kelly made a motion to approve the holiday schedule as presented; motion was

seconded by Vice-Mayor Withers and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Withers, Devine, Duffy, Ellis, Frye and Kelly. Nays (0).

Resolution 16-99, Amending the Fiscal Year 2017 Budget by Using \$25,000 of General Fund Contingency for the Wheeled Refuse Cart Program (D16-__). – After staff presentation Vice-Mayor Withers made a motion to approve Resolution 16-99, amending the Fiscal Year 2017 budget by using \$25,000 of General Fund Contingency for the Wheeled Refuse Cart Program; motion was seconded by Councilor Kelly and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Withers, Devine, Duffy, Ellis, Frye and Kelly. Nays (0).

Resolution 16-100, Authorizing the City Manager to Apply for \$150,000 in Fiscal Year 2018 Virginia Department of Transportation Revenue Sharing Funds and \$450,000 in Highway Safety Improvement Funds (D16-__). – After staff presentation Councilor Kelly made a motion to approve Resolution 16-100, authorizing the City Manager to apply for \$150,000 in Fiscal Year 2018 Virginia Department of Transportation Revenue Sharing Funds and \$450,000 in Highway Safety Improvement Fund; motion was seconded by Councilor Duffy and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Withers, Devine, Duffy, Ellis, Frye and Kelly. Nays (0).

City Manager's Report and Council Calendar (D16-__ thru D16-__). City Manager Baroody reviewed the Manager's report and Council Calendar. Activities highlighted on the report were as follows: High Speed Rail Study Public Meeting' 2016 Holiday Ornament Available Soon, Window Wonderland Back for Sixth

Year, Police Department Employees Participate in National Coffee with a Cop Day; the Police Department Partners with Sugar Shack Donuts for a Special Olympic Fundraiser, Annual Fire Department Open House Draws a Large Crowd, Train Station Power Washed and Motts Reservoir Extends Fall Hours.

Adjournment. There being no further business to come before the Council at this time, Mayor Greenlaw Declared the meeting officially adjourned at 11:35 p.m.

Mary Katherine Greenlaw, Mayor

Tonya B. Lacey, Clerk of Council, CMC