



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. JASON N. GRAHAM, WARD ONE
HON. DR. TIMOTHY P. DUFFY, WARD THREE
HON. CHARLIE L. FRYE, JR., WARD FOUR

January 8, 2019

The Council of the City of Fredericksburg, Virginia, held a public hearing on Tuesday, January 8, 2019, beginning at 7:31 p.m. in the Council Chambers of City Hall.

City Council Present. Mayor Mary Katherine Greenlaw, William C. Withers, Jr., Council members Kerry P. Devine, Dr. Timothy P. Duffy, Charlie L. Frye, Jr., Jason N. Graham and Matthew J. Kelly.

Also Present. City Manager Timothy J. Baroody, Assistant City Manager Mark Whitley, Assistant City Manager Doug Fawcett, City Attorney Kathleen Dooley, Budget Manager Deidre Jett, Director of Community Planning & Building Services Charles Johnston, Senior Planner Michael Craig, Development Administrator Marne Sherman, Director of Economic Development Bill Freehling, Business Development Manager Angela Freeman, Chief Information Officer Suzanne Tills and Clerk of Council Tonya B. Lacey.

Notice of Public Hearings (D19-01 thru D19-04). The Clerk read the notice of the public hearings as they appeared in the local newspaper, the purpose being to solicit citizen input.

Resolution 19-01, First Read, Fiscal Year (FY) 2019 Budget Amendment Authorizing the Appropriation of FY 2018 Carryovers and Approving Additional Appropriations for Certain Capital Projects (D19-01 thru D19-1.2). No speakers. Councilor Duffy disclosed that he was an Assistant

Principal at James Monroe High school but he could participate in the transaction fairly, objectively and in the public interest and Councilor Frye disclosed that his spouse was an employee of the Fredericksburg Public schools but he could participate in the transaction fairly, objectively and in the public interest. This disclosure was made for both school items on the agenda.

After staff presentation Councilor Kelly made a motion to approve Resolution 19-01 on first read, Fiscal Year (FY) 2019 Budget Amendment authorizing the appropriation of FY 2018 carryovers and approving additional appropriations for certain capital projects; motion was seconded by Councilor Devine and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Withers, Devine, Duffy, Frye, Graham and Kelly. Nays (0).

Ordinance 19-01, First Read, Amending the Unified Development Ordinance to Provide for Form-Based Zoning, and to Add Form-Based Regulations to the Commercial-Highway Zoning District and Adopting a Frontage Map for the District (D19-02 thru D19-03). No speakers. After a PowerPoint presentation and brief discussion Councilor Kelly moved to approve Ordinance 19-01, on first read, amending the Unified Development Ordinance to provide for form-based zoning, and to add form-based regulations to the Commercial-Highway Zoning District and adopting a frontage map for the district; motion was seconded by Vice-Mayor Withers and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Withers, Devine, Duffy, Frye, Graham and Kelly. Nays (0).

Ordinance 19-02, First Read, Amending the Unified Development Ordinance Article 5, “Development Standards,” to Revise Requirements for Blocks and Lots, Access, and Parking (D19-04). No speakers. After a

PowerPoint presentation and brief discussion Councilor Kelly moved to approve Ordinance 19-02, on first read, amending the Unified Development Ordinance Article 5, “Development Standards,” to revise requirements for blocks and lots, access, and parking; motion was seconded by Councilor Duffy and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Withers, Devine, Duffy, Frye, Graham and Kelly. Nays (0).

Adjourned. There being no more speakers to come before the Council at this time, Mayor Greenlaw declared the hearing officially adjourned at 8:13 p.m.

Tonya B. Lacey
Tonya B. Lacey, Clerk of Council, CMC

Mary Katherine Greenlaw
Mary Katherine Greenlaw, Mayor

APPROVED

01-22-19

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HON. DR. TIMOTHY P. DUFFY, WARD THREE
HON. CHARLIE L. FRYE, JR., WARD FOUR

January 8, 2019

The Council of the City of Fredericksburg, Virginia, held a regular session on Tuesday, January 8, 2019, beginning at 7:30 p.m. in the Council Chambers of City Hall.

City Council Present. Mayor Mary Katherine Greenlaw, William C. Withers, Jr., Council members Kerry P. Devine, Dr. Timothy P. Duffy, Charlie L. Frye, Jr., Jason N. Graham and Matthew J. Kelly.

Also Present. City Manager Timothy J. Baroody, Assistant City Manager Mark Whitley, Assistant City Manager Doug Fawcett, City Attorney Kathleen Dooley, Budget Manager Deidre Jett, Director of Community Planning & Building Services Charles Johnston, Senior Planner Michael Craig, Development Administrator Marne Sherman, Director of Economic Development Bill Freehling, Business Development Manager Angela Freeman, Chief Information Officer Suzanne Tills and Clerk of Council Tonya B. Lacey.

Opening Prayer and Pledge of Allegiance. Council was led in prayer by Councilor Charlie L. Frye, Jr. followed by the Pledge of Allegiance led by Mayor Mary Katherine Greenlaw.

Officer Recognized. Mayor Greenlaw recognized the presence of Officer Scott Worley at this evening's meeting.

Public Hearings (D19-01 thru D19-04). The regular session was recessed in order to conduct 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.

David McLaughlin, 1420 Kenmore Avenue, spoke in support of moving the Ward 3 Polling place to Walker-Grant Middle school and he spoke highly of the Registrar and how well managed and prepared things went during the last election. Mr. McLaughlin also complimented City Council and staff on how great of a year they had in 2018 and he was looking forward to more of the same the New Year.

David James, (D18-05), President of Historic Fredericksburg Foundation, Inc. (HFFI), Mr. James spoke about HFFI's formal request to appeal the Certificate of Appropriateness (COA) that was issued by the Architectural Review Board (ARB) for 129 Caroline Street. The ARB issued a COA for alterations at 129 Caroline Street and Mr. James said that HFFI holds a preservation easement that says the property cannot be altered. Mr. James said HFFI would consider dropping the appeal if they were given assurance that the Council would provide guidance that the ARB would adhere to in the future, that HFFI be allowed to review and recommend changes to the ARB guidelines and be an active partner in the current efforts to revise the guidelines, that they be given notice when a request for alteration is made on a property covered by one of HFFI's easements and finally they would like the City to agree to revise the 2012 MOU with HFFI. See D18-05 for more information.

Council Agenda Presented. The following items were presented to Council for discussion.

7A. Branding Kickoff Meeting – Councilor Devine

7B. Bump Stock Collection – Councilor Graham

7C. Fredericksburg Gun Giveback – Councilor Frye

Branding Kickoff Meeting. Councilor Devine wanted to bring attention to the branding kickoff meetings that will be held January 16 and 17. She invited everyone to attend one of the many events throughout those two days. She reminded Council that they were invited to a session on January 17 at 6:00 p.m.

Bump Stock Collection. Councilor Graham noted that bump stocks were banned in the United States as of March 21. He announced that Chief Nye said the Police Department would accept bump stocks turned in prior to March 21. He thanked the Fredericksburg Police department for being part of the solution for getting those devices off the streets.

Fredericksburg Gun Giveback. Councilor Frye said 19 firearms were collected at the annual gun giveback and this would bring the total guns collected since 2014 to 175. He thanked the public and everyone who participated including the Fredericksburg Police and Fredericksburg Sheriff's Department.

City Manager's Consent Agenda Accepted for Transmittal as Recommended (D19-06 thru D19-12). Councilor Duffy pulled item 8A and Councilor Kelly pulled item 8D for further discussion. Councilor Kelly moved approval of the remainder of the City Manager's consent agenda items; motion was seconded by Councilor Duffy and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Withers, Devine, Duffy, Frye, Graham and Kelly. Nays (0).

- Resolution 19-02, Granting a Special Exception to Medicorp Properties, Inc. for Installation of One Off-Premise Sign Within the Public Right-of-Way Adjacent to GPIN 7779-57-8741 (D19-07).
- Ordinance 18-24, Second Read, Amending the 2012 Lease with Medicorp Properties, Inc., to Allow Installation of an Additional Sign in the Public Right-of-Way, Adjacent to GPIN 7779-57-8741 (D19-08).
- Resolution 19-03, Fiscal Year (FY) 2019 Budget Amendment Authorizing an Increase in the Appropriation for the Rappahannock Regional Criminal Justice Academy (Fund 736) (D19-10).
- Transmittal of Board and Commission Minutes.
 - Board of Social Services – November 1, 2018 (D19-11).
- Transmittal of Fredericksburg Arts Commission 2018 Annual Report (D19-12).

Ordinance 18-23, Second Read, Changing the Ward 301 Polling Place from Lafayette Upper Elementary School to the Walker-Grant Middle School (D19-06). Councilor Duffy said he pulled this item to make the public aware of the change in polling place for Ward 3 citizens. He also said that notices would be mailed out to the residents as well as advertising it on the website and social media making the public aware of the change.

Councilor Duffy made a motion to approve Ordinance 18-23, on second read, changing the Ward 301 polling place from Lafayette Upper Elementary School to the Walker-Grant Middle School; motion was seconded by Councilor Kelly and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Withers, Devine, Duffy, Frye, Graham and Kelly. Nays (0).

Resolution 19-04, Approving a Fiscal Year (FY) 2019 Budget Amendment Appropriating Funds in the City Grants Fund for Center for Innovative Technology (CIT) Smart Communities Grant (D19-09).

Councilor Kelly pulled this item to inform the public of a smart community's grant the City was taking advantage of. This was in response to an opportunity discovered from the governors IT team. Chief Information Officer Tills said this would allow the City to do analysis on data collected to see if there were trends related to property issues in the City.

Councilor Kelly made a motion to approve Resolution 19-04, approving a Fiscal Year (FY) 2019 budget amendment appropriating funds in the city grants fund for Center for Innovative Technology (CIT) Smart Communities Grant; motion was seconded by Vice-Mayor Withers and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Withers, Devine, Duffy, Frye, Graham and Kelly. Nays (0).

Adoption of Minutes (D19-13). Councilor Devine moved approval of the November 13, 2018 Work Session and the December 8, 2018, 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, Frye, Graham and Kelly. Nays (0).

Resolution 19-05, First Read, Approving a Fiscal Year (FY) 2019 Budget Amendment Appropriating Funds in the General Fund for a Contribution to the Other Post-Employment Benefits (OPEB) Trust Fund (D19-14). After staff presentation Councilor Devine made a motion to approve Resolution 19-05, on first read, approving a Fiscal Year (FY) 2019 budget amendment appropriating funds in the General Fund for a contribution to the Other Post-Employment

Benefits (OPEB) Trust Fund; motion was seconded by Councilor Kelly and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Withers, Devine, Duffy, Frye, Graham and Kelly. Nays (0).

Resolution 19-06, First Read, Approving a Fiscal Year (FY) 2019 Budget Amendment Appropriating Funds in School Grants Funds (D19-15). Councilors Duffy and Frye made their disclosures during the public hearing.

After staff presentation Councilor Devine made a motion to approve Resolution 19-06, on first read, approving a Fiscal Year (FY) 2019 budget amendment appropriating funds in School Grants Funds; motion was seconded by Councilor Duffy and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Withers, Devine, Duffy, Frye, Graham and Kelly. Nays (0).

Resolution 19-07, Initiating Amendments to the Unified Development Ordinance, §72-59 Signage, to Allow Temporary Banners for Up to 60 Consecutive Days, and to Allow Electronic Variable Message Signs Associated with Accessory Drive-Through Uses and Gasoline Sales Uses (D19-16). After staff presentation and a brief discussion Councilor Kelly made a motion to approve Resolution 19-07, initiating amendments to the Unified Development Ordinance, §72-59 Signage, to allow temporary banners for up to 60 consecutive days, and to allow electronic variable message signs associated with accessory drive-through uses and gasoline sales uses; motion was seconded by Vice-Mayor Withers and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Withers, Devine, Duffy, Frye, Graham and Kelly. Nays (0).

City Manager's Report and Council Calendar (D19-17 thru D19-18).

City Manager Baroody reviewed the Manager's report and Council Calendar. Activities highlighted on the report were as follows: Announcing the City of Fredericksburg's Destination Branding Kickoff Event; Four Hour Parking in the Downtown Continues for the Month of January, Winter Restaurant Week Starts Friday, January 18, Family Fun Night New Year's Eve Celebration, DMV Connect Offered in Fredericksburg, The International Coalition of Sites of Conscience, Christmas Tree and Special Refuse Collection, Leaf Collection Season Continues, Gun Giveback Event and Spring 2019 Activities Catalog.

Closed Meeting Approved (D19-19). Upon a motion Councilor Graham, moved approval of a closed session under Virginia Freedom of Information Act Section 2.2-3711 (A)(39) for discussion of confidential memoranda, working papers, and other information related to economic development, related to the Liberty Place project and to a confidential technology business prospect where disclosure of the information would adversely affect the financial interest of the City of Fredericksburg; motion was seconded by Councilor Frye and passed by the following recorded votes. Ayes (7) Councilors Greenlaw, Withers, Devine, Duffy, Frye, Graham and Kelly. Nays (0).

Return to Open Meeting Approved. Upon the motion of Vice-Mayor Withers; seconded by Councilor Devine and passed by the following recorded votes, Council approved a return to an open meeting. Ayes (7) Councilors Greenlaw, Withers, Devine, Duffy, Frye, Graham and Kelly. Nays (0).

Resolution 19-08, Approved, Certifying Closed Meeting. Upon the motion Vice-Mayor Withers approved Resolution 19-08 certifying the closed meeting;

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

Adjournment. There being no further business to come before the Council at this
time, Mayor Greenlaw declared the meeting officially adjourned at 9:55 p.m.

Tonya B. Lacey
Tonya B. Lacey, Clerk of Council, CMC

Mary Katherine Greenlaw
Mary Katherine Greenlaw, Mayor

APPROVED

01-22-19