



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

April 23, 2019

The Council of the City of Fredericksburg, Virginia, held a public hearing on Tuesday, April 23, 2019, beginning at 7:47 p.m. in the Council Chambers of City Hall.

City Council Present. Mayor Mary Katherine Greenlaw, Vice-Mayor William C. Withers, Jr., Council members Kerry P. Devine, Dr. Timothy P. Duffy (via phone-medical), 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, Assistant City Manager Doug Fawcett, City Attorney Kathleen Dooley, Director of Community Planning & Building Services Charles Johnston, Senior Planner Michael Craig, Zoning Administrator James Newman, Community Development Planner Susanna Finn, Director of Economic Development Bill Freehling, Transportation Administrator Erik Nelson and Clerk of Council Tonya B. Lacey.

Notice of Public Hearings (D19-157 thru D19-62). The Clerk read the notice of the public hearings as they appeared in the local newspaper, the purpose being to solicit citizen input.

Ordinance 19-11, First Read Approved, Rezoning Approximately 0.13 Acres of Land Located at 317 Bridgewater Street From Commercial/Office-Transitional (C-T) to Commercial-Highway (C-H) (D19-157 thru D19-158). no speakers. After staff presentation and brief comments

Councilor Devine moved approval of Ordinance 19-11, on first read, rezoning approximately 0.13 acres of land located at 317 Bridgewater Street from Commercial/Office-Transitional (C-T) to Commercial-Highway (C-H); 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).

Motion to Suspend the Rules. In order to place Ordinance 19-11 on for second read, Councilor Devine moved to suspend the rules; 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 19-11, Second Read Approved, Rezoning Approximately 0.13 Acres of Land Located at 317 Bridgewater Street From Commercial/Office-Transitional (C-T) to Commercial-Highway (C-H) (D19-157 thru D19-158). Councilor Devine moved approval of Ordinance 19-11, on second read, rezoning approximately 0.13 acres of land located at 317 Bridgewater Street from Commercial/Office-Transitional (C-T) to Commercial-Highway (C-H); 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).

Resolution 19-34, Approved, Vacating and Terminating the Deed of Easement from Liberty Place Partners, LLC, for Public Parking at the Liberty Place Parking Garage (D19-159 thru D19-160). no speakers. After staff presentation Councilor Devine moved approval of Resolution 19-34, vacating and terminating the deed of easement from Liberty Place Partners, LLC, for public parking at the Liberty Place parking garage; motion was seconded by Vice-Mayor Withers and passed by

the following recorded votes. Ayes (6). Councilors Greenlaw, Withers, Devine, Duffy, Frye and Graham. Nays (1). Councilor Kelly.

Ordinance 19-12, First Read Approved, Ratifying the Vacation of a Portion of the Amelia Street Right of Way with no Further Conditions

(D19-161). no speakers. After staff presentation and brief comments Councilor Devine moved approval of Ordinance 19-12, on first read, ratifying the vacation of a portion of the Amelia Street right of way with no further conditions; motion was seconded by Vice-Mayor Withers and passed by the following recorded votes. Ayes (6). Councilors Greenlaw, Withers, Devine, Duffy, Frye and Graham. Nays (1). Councilor Kelly.

Motion to Suspend the Rules. In order to place Ordinance 19-12 on for second read, Councilor Devine moved to suspend the rules; motion was seconded by Vice-Mayor Withers and passed by the following recorded votes. Ayes (6). Councilors Greenlaw, Withers, Devine, Duffy, Frye and Graham. Nays (1). Councilor Kelly.

Ordinance 19-12, Second Read Approved, Ratifying the Vacation of a Portion of the Amelia Street Right of Way with no Further Conditions

(D19-161). Councilor Devine moved approval of Ordinance 19-12, on second read, ratifying the vacation of a portion of the Amelia Street right of way with no further conditions; motion was seconded by Vice-Mayor Withers and passed by the following recorded votes. Ayes (6). Councilors Greenlaw, Withers, Devine, Duffy, Frye and Graham. Nays (1). Councilor Kelly.

Ordinance 19-13, First Read Approved, Creating Rights-of-Way and Conveying Easements on City-Owned Property Required for the

Reconstruction of the Chatham Bridge (D19-162). no speakers. After staff presentation and brief comments Councilor Devine moved approval of Ordinance 19-13, on first read, creating rights-of-way and conveying easements on city-owned property required for the reconstruction of the Chatham Bridge; 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).

Motion to Suspend the Rules. In order to place Ordinance 19-13 on for second read, Councilor Devine moved to suspend the rules; 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 19-13, Second Read Approved, Creating Rights-of-Way and Conveying Easements on City-Owned Property Required for the Reconstruction of the Chatham Bridge (D19-162). Councilor Devine moved approval of Ordinance 19-13, on second read, creating rights-of-way and conveying easements on city-owned property required for the reconstruction of the Chatham Bridge; 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).

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
05-14-19



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April 9, 2019

The Council of the City of Fredericksburg, Virginia, held a regular session on Tuesday, April 9, 2019, 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., Council members Kerry P. Devine, Dr. Timothy P. Duffy (via phone- medical), Jason N. Graham and Matthew J. Kelly.

City Council Absent. Councilor Charlie L. Frye, Jr., working.

Also Present. City Manager Timothy J. Baroody, Assistant City Manager Mark Whitley, Assistant City Manager Doug Fawcett, Assistant City Manager Doug Fawcett, City Attorney Kathleen Dooley, Assistant City Attorney Robert Eckstrom, Director of Public Works David King, Budget Manager Deidre Jett, Business Manager Angela Freeman, Senior Accountant Jennifer Brody 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 Ryan Merrell, at this evening's meeting.

Proclamation for Worker’s Memorial Day (D19-189). Mayor Greenlaw presented a proclamation to Mr. Kendall Martin and Mr. Vance Ayres recognizing April as Workers’ Memorial Month. She said this was a time to reflect on the thousands of American workers who were killed by workplace injuries and occupational disease.

Mr. Martin and Mr. Ayres represented iron workers and elevator construction workers. They said they lose many each year to injuries and the thanked the Mayor for this recognition.

Proclamation for the 50th Anniversary of Municipal Clerk’s Week May 5-11, 2019 (D19-188). Mayor Greenlaw presented Clerk of Council Lacey with a proclamation proclaiming May 5-11 as Municipal Clerk’s Week. She also extended her appreciation to Clerk Lacey and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent as they celebrate this 50th Anniversary.

Public Hearings (D19-190). The regular session was recessed in order to conduct scheduled public hearings and immediately reconvened upon their conclusion.

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

Christa Stabler, 2000 Idlewild Boulevard, thanked the Council for making the City Schools a priority, responding to emails and phone calls, encouraging parent, teachers and the community and for the additional funding for the schools.

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

7A. International Coalition of Sites of Conscience Report – Mayor Greenlaw

7B. Regional Workforce Housing Planning – Councilor Kelly

International Coalition of Sites of Conscience Report. Mayor Greenlaw announced that they would be bringing a recommendation at the May 14 meeting.

Regional Workforce Housing Planning. Councilor Kelly stated that the City had put its efforts on hold to see if they could work regionally and all five localities agreed to put up \$20,000 to look at the housing stock and see what options there are and to also put together a strategic plan.

City Manager’s Consent Agenda Accepted for Transmittal as Recommended (D19-191 thru D19-197). Councilor Kelly moved approval of the City Manager’s consent agenda items; motion was seconded by Councilor Devine and passed by the following recorded votes. Ayes (6). Councilors Greenlaw, Withers, Devine, Duffy, Graham and Kelly. Nays (0).

- Approving the Virginia Municipal League Policy Committee Nominations (D19-191).
- Transmittal of Board and Commission Minutes
 - Board of Social Services – February 7, 2019 (D19-192).
 - Economic Development Authority – March 11, 2019 (D19-193).
 - Economic Development Authority – March 25, 2019 (D19-194).
 - Green Committee – March 12, 2019 (D19-195).
 - Historic Preservation Working Group – September 19, 2018 (D19-196).
 - Historic Preservation Working Group – March 6, 2019 (D19-197).

Adoption of Minutes (D19-198 thru D19-199). Councilor Graham moved approval of the February 26 & March 12, 2019 Work Session Minutes and the April 9, 2019

Public Hearing and Regular Session minutes; motion was seconded by Vice-Mayor Withers and passed by the following recorded votes. Ayes (6). Councilors Greenlaw, Withers, Devine, Duffy, Graham and Kelly. Nays (0).

Resolution 19-42, Approved, Releasing Prior Allocations of Motor Fuels Tax Funds for Various Projects (D19-200). After staff presentation Councilor Devine made a motion to approve Resolution 19-42, releasing prior allocations of motor fuels tax funds for various projects; motion was seconded by Councilor Duffy and passed by the following recorded votes. Ayes (6). Councilors Greenlaw, Withers, Devine, Duffy, Frye, and Graham. Nays (0).

Resolution 19-43, Approved, Authorizing Use of \$1,459,898 of Motor Fuels Tax Funds for Various Transportation Projects (D19-201). After staff presentation Councilor Devine made a motion to approve Resolution 19-43, authorizing use of \$1,459,898 of motor fuels tax funds for various transportation projects; motion was seconded by Councilor Duffy and passed by the following recorded votes. Ayes (6). Councilors Greenlaw, Withers, Devine, Duffy, Frye, and Graham. Nays (0).

Ordinance 19-15, First Read Approved, Setting the Real Estate Tax Rate at \$0.85 Per Every \$100.00 of Assessed Value of Real Estate for Fiscal Year 2020 (D19-202). After staff presentation Councilor Kelly stated that he would support a \$0.05 tax increase. He explained why he was asking the citizen to pay a little more for their public services. He noted that the budget started at \$115 million and it was down to \$101 million. He explained that the local government was different than State and Federal because the local government provided services for the people. Councilor Kelly stated that the budget could not be cut any further because insurance cost continue to rise,

the Governor required additional funding to give teachers a raise, jail issues and CSA were becoming more expensive. He also noted that one penny would be going towards wastewater and stormwater issues which are required by the state. The state also has new rules for localities that use body cameras, this new rule requires the City to hire an additional Commonwealth Attorney to review the footage. He said these are some of the pressures the City faces.

Councilor Devine said it is never an easy decision to raise taxes but it is easier when the money stays local. She thanked the staff and the citizens for their involvement. Councilor Devine said the Council was hopeful that the additional funding for schools would go to teachers and she explained how the City was at the bottom when it comes to receiving state funding for schools.

Councilor Duffy thanked the staff for a great budget document. He also informed the public that the Council serves on several boards and they are able to see how the money is spent. He said he was grateful for the work that had been done throughout the City. Councilor Duffy said he was looking forward to continued discussion with the schools and citizens. He said the most important thing a municipality does is educate its children.

Vice-Mayor Withers also thanked the staff for an excellent budget and he spoke about the cuts and how important it was to retain employees and to do so sometimes taxes have to be raised in order to pay them properly.

Mayor Greenlaw thanked staff for an excellent balanced budget. She explained that government at the local level takes care of essential services that touch the citizens every day. She stated that the State balances its budget on the back of local governments. Mayor Greenlaw said she loved the community engagement but she encourage the citizens to get engaged on the state level.

Councilor Kelly made a motion to approve Ordinance 19-15, on first read, setting the Real Estate Tax rate at \$0.85 per every \$100.00 of assessed value of real estate for Fiscal Year 2020; motion was seconded by Councilor Devine and passed by the following recorded votes. Ayes (6). Councilors Greenlaw, Withers, Devine, Duffy, and Graham. Nays (0).

Ordinance 19-16, First Read Approved, Setting a Tax Rate for Tangible Personal Property Used by Data Center (D19-203). After staff presentation and some discussion Councilor Devine made a motion to approve Ordinance 19-16, on first read, setting a tax rate for tangible personal property used by data center; motion was seconded by Councilor Duffy and passed by the following recorded votes. Ayes (6). Councilors Greenlaw, Withers, Devine, Duffy, and Graham. Nays (0).

Ordinance 19-17, First Read Approved, Amending the Water, Sewer fees Rates and Charges (D19-204). After staff presentation Councilor Kelly made a motion to approve Ordinance 19-17, on first read, amending the water, sewer fees rates and changes; motion was seconded by Councilor Devine and passed by the following recorded votes. Ayes (6). Councilors Greenlaw, Withers, Devine, Duffy, and Graham. Nays (0).

Ordinance 19-18, First Read Approved, Increasing the Refuse Collection Fees (D19-205). After staff presentation Councilor Devine expressed concerns that everyone was not required to pay for trash services. She noted that everyone generates trash so everyone should be required to pay for the service. She also encouraged citizens to recycle more and create less trash.

Vice-mayor Withers also added that it would help with recycling cost if people would take recycled glass directly to the center instead of putting it with the rest of the recycle.

Councilor Devine made a motion to approve Ordinance 19-18, on first read, increasing the refuse collection fees; motion was seconded by Councilor Kelly and passed by the following recorded votes. Ayes (6). Councilors Greenlaw, Withers, Devine, Duffy, and Graham. Nays (0).

Ordinance 19-19, First Read Approved, Increasing Fees for Zoning and Land Use Application, Plan Review, Land Disturbance, and the Downtown Parking Fund (D19-206). After staff presentation there was some discussion on how low the parking fee is and that parking was not the best use of the land in the downtown. Assistant City Manager Fawcett added that all the parking matters have been referred to the parking committee and recommendations would be coming back to Council.

Councilor Graham made a motion to approve Ordinance 19-19, on first read, increasing fees for Zoning and Land Use Application, plan review, land disturbance, and the downtown parking fund; motion was seconded by Councilor Kelly and passed by the following recorded votes. Ayes (6). Councilors Greenlaw, Withers, Devine, Duffy, and Graham. Nays (0).

Ordinance 19-20, First Read Approved, Amending the City's Elderly and Disabled Tax Relief Program by Increasing the Limitation on Applicant Eligibility from \$200,000 in Assets to \$300,000 in Assets (D19-207). After staff presentation and a little discussion Councilor Kelly made a motion to approve Ordinance 19-20, on first read, amending the city's elderly and disabled tax relief program by increasing the limitation on applicant eligibility from \$200,000 in assets to \$300,000 in assets; motion was seconded by Vice-Mayor Withers and passed by the following

recorded votes. Ayes (6). Councilors Greenlaw, Withers, Devine, Duffy, and Graham. Nays (0).

Resolution 19-44, First Read Approved, Amending the Fee Schedule for Building Permits, Inspections and Certificates in Accordance with City Code Section 18-43 (D19-208). After staff presentation Vice-Mayor Withers made a motion to approve Resolution 19-44, on first read, amending the fee schedule for building permits, inspections and certificates in accordance with City Code Section 18-43; motion was seconded by Councilor Kelly and passed by the following recorded votes. Ayes (6). Councilors Greenlaw, Withers, Devine, Duffy, and Graham. Nays (0).

Resolution 19-45, First Read Approved, Appropriating Funds for Fiscal Year 2020 Beginning July 1, 2019 through June 30, 2020 (D19-209). After staff presentation Councilor Duffy disclosed that he is an Assistant Principal at James Monroe High School but he could participate in the transaction fairly, objectively and in the public interest.

Councilor Kelly made a motion to approve Resolution 19-45, on first read, appropriating funds for Fiscal Year 2020 beginning July 1, 2019 through June 30, 2020; motion was seconded by Vice-Mayor Withers and passed by the following recorded votes. Ayes (6). Councilors Greenlaw, Withers, Devine, Duffy, and Graham. Nays (0).

City Manager's Report and Council Calendar (D19-210 thru D19-211). City Manager Baroody reviewed the Manager's report and Council Calendar. Activities highlighted on the report were as follows: Upcoming FY 2020 Budget Meetings Schedule, Join the Fredericksburg Police Family, Annual Mother-Son Dance, Picnic in the Park Kicks

Off with Storybook Day on May 7, Storm Damage Update, Fees Waived at Landfill, City's Asphalt and Concrete Rehab Gets Underway, Farmer's Market Opens April 20, Social Services Promotes April is National Child Abuse Prevention Month, Arbor Day Celebration, Students Learning About Local Government and Building and Property Maintenance Quarterly Reports.

Adjournment. There being no further business to come before the Council at this time, Mayor Greenlaw declared the meeting officially adjourned at 8:57 p.m.

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

Mary Katherine Greenlaw
Mary Katherine Greenlaw, Mayor

APPROVED

05-14-19

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