

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

July 9, 2019

The Council of the City of Fredericksburg, Virginia, held a public hearing on Tuesday, July 9, 2019, beginning at 7:33 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, 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, Director of Community Planning & Building Services Charles Johnston, Historic Resources Planner Kate Schwartz, Development Administrator Marne Sherman, Economic Development Director Bill Freehling, Public Works Director David King, Budget Manager Deidre Jett and Clerk of Council Tonya B. Lacey.

Notice of Public Hearings (D19-302 thru D19-308). The Clerk read the notice of the public hearings as they appeared in the local newspaper, the purpose being to solicit citizen input.

Ordinance 19-29, First Read Approved, Authorizing the Vacation and Quit-Claim of a Portion of the Alum Springs Road Right of Way to RCKF Fredericksburg Park, LLC (D19-302 thru D19-304). 4 speakers.

Mayor Greenlaw moved item 11B up to be presented with the public hearing and voted on after the public hearing vote since the two items were related.

Community Planning Director Johnston explained that the Telegraph Hill project had been in progress for nearly eight years. The project has had different names Telegraph Hill and Fredericksburg Park which has caused some confusion with the project. Mr. Johnston presented a PowerPoint presentation discussing the project description, project chronology, 2014 General Development Plan, the major issues and solutions, 2017 Subdivision plans and the 2018 Master plans, detail of buffers along Lafayette Boulevard, project cross sections showing relative building heights and the underground manufactured stormwater treatment system. See D19-303 for more information.

Vice-Mayor Withers asked about the large stormwater facilities that are on site and Mr. Johnston said they were temporary facilities for sediment control.

Councilor Graham asked what the street widths were in the development and Ms. Sherman said Rampart Drive would be thirty-six feet in width with parking on each side. Councilor Graham asked where the VCR trail entrance would be and Mr. Johnston said it would shift to the left of its current location and run parallel to Alum Spring Road. He said there would also be a bike trail running through the neighborhood that will run up Lafayette Boulevard. There will also be a bike pedestrian crossing to access Lee Drive.

Councilor Kelly stated that there were several new Council members on the Council since this project was approved and he would like to have the opportunity to hear more about the project. He also suggested holding off on the vote until after the public informational meeting on July 30.

Development Administrator Sherman addressed comments made about people needing more time to learn more about the project, she said there had been public

involvement at the public hearings for the City Council and Planning Commission meetings. She said staff sent notifications out to the neighbors. She said they also had engaged with the National Park Service and they have kept them abreast of it all. Ms. Sherman presented a PowerPoint presentation showing Fredericksburg Park and the portion of Alum Springs Road and VCR Trail realignment (vacation/rededication) and donation of open space, she showed the future land use of the surrounding area, she showed the realignment of Alum Springs Road and what is proposed to be dedicated and vacated and finally she discussed the action steps. See D19-304 for more information.

Councilor Graham asked for the proposed timeline of completing and vacating the VCR trail and how long the trail would be out of service and Ms. Sherman explained that the trail would remain open until the new section was ready to open.

Charlie Keeler, Kettler Land Development was available for questions.

Alex Hanisch Taylor, 117 Springwood Drive, spoke about how difficult it was to get out of her driveway and she was concerned with what this development would do to make that worse. She also said the trail was a little rough and she does not feel safe riding her bike and she would like something done about that.

Hamilton Palmer, 401 Charles Street, said his client received a notice at this home address and he did not get it until today. He said he was concerned about the General Development Plan (GDP) that was approved by Council in 2014 and recorded at the Circuit Court that had the GDP in it. He said the GDP had specific left in left outs at 1319 and 1321 Lafayette Boulevard. He said there was supposed to be a protected U-turn and he was concerned that trucks would not be able to make the U-turn. He said the GDP was not being honored and it was not fair to the owners of 1319 & 1321 Lafayette Boulevard.

Ed Foresman, 224 Braehead Drive, was concerned about the traffic going up the hill and even with the roundabout there would be bottle necking at the top of the hill. His second concern was that there was no safe way to get from the battlefield across Lafayette Boulevard back down to the VCR trail. He said he was happy to hear that there would be a crosswalk but those are not safe either, especially crossing four lanes of traffic. Mr. Foresman said there are times with the trail has been closed. He added that the traffic is bad going up Lafayette Boulevard and it was hard to get out of his neighborhood and he hoped something could be done.

Councilor Duffy agreed it was difficult to get out of Braehead especially to make a left turn. His fear was that the traffic would start cutting through Twin Lakes. He asked if there was a way to educate people to use the roundabout instead of cutting through Twin Lakes. Councilor Duffy said he was encouraged by the bicycle-pedestrian pathway that would allow access to Lee Drive. He said Lee Drive may exacerbate the conflict with people using Lee Drive as a cut through to other nearby areas.

Councilor Kelly apologized to the Council after discussing other topics because the report was only about the right of way. He noted that the City has tried to address all concern of the National Park Service.

Councilor Kelly made a motion to approve Ordinance 19-29, on first read, authorizing the vacation and quit claim of a portion of the Alum Springs Road right of way to RCKF Fredericksburg Park LLC; motion was seconded by Councilor Graham.

Councilor Frye asked staff if they could check into signage for Springwood and other areas that say please do not block.

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

Resolution 19-67, Approved, Authorizing the City Manager to Accept the Donation of Approximately ½ Acre of Land on the Blue and Gray Parkway Known as “Land Bay D” of Fredericksburg Park (D19-327). Vice- Mayor Withers asked staff to address comments made by Mr. Palmer regarding the U-turn for 1319 & 1321 Lafayette Boulevard. Mr. Johnston explained that both city and contracted engineers determined that the median opening should not be continued because it would not be safe and the idea was that those two or three businesses could use the neighborhood because it was such a modest number of businesses. Mr. Johnston assured the public that they were well aware of the problems along Lafayette Boulevard.

Councilor Devine moved to approve Resolution 19-67, authorizing the City Manager to accept the donation of approximately ½ acre of land on the Blue and Gray Parkway known as “Land Bay D” of Fredericksburg Park; motion was seconded by Councilor Graham and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Withers, Devine, Duffy, Frye, Graham and Kelly. Nays (0).

Overturning the Decision by the Fredericksburg Planning Commission Regarding Whether the Vacation of the Public Right-of-Way Containing the 1000 Block of Douglas Street is in Substantial Accord with the 2015 Comprehensive Plan.

Ordinance 19-30, First Read Approved, Authorizing the Vacation and Quit Claim of the 1000 Block of Douglas Street Right of Way to William Street Square, LLC and Liberty Place Partners, LLC (D19-305 thru D19-306). 13 speakers. Economic Development Director Freehling gave a brief

overview stating that in the spring of 2017 the City Council and the Economic Development Authority adopted a Strategic Plan that spoke to goals such as enhancing the City as a tourism destination and ensuring proper parking infrastructures were in place to sustain the growth and enhancing the downtown gateways. He said the proposed project advances those goals and generates new tax revenues.

November 2015, William Square, LLC purchase the 2.88 acre lot the former Free Lance-Star headquarters and Barton Street parking lot. William Square owner Bill Vakos and Company had been evaluating the highest and best use for this property at the gateway into the downtown. Mr. Freehling stated that Mr. Vakos was committed to investing millions of dollars into downtown and delivering a first class project. The William Square project will help in jump starting the Liberty Place project which led Mr. Vakos to inquire about the vacation of the one acre of land (Douglas Street) which divides the two properties. The vacation of this parcel would allow for a pedestrian promenade to be built and in exchange William Square agreed to build a parking garage with approximately 311 parking spaces and it would be the largest parking garage in the downtown and the only one built with private money. Mr. Freehling said William Square has also conditioned the vacation of the right-of-way upon the development of a 98 room hotel that would likely generate \$400,000 of new tax revenue for the City. The hotel proposes to have a meeting facility to accommodate groups of 250-300 people. Mr. Freehling said he believes this hotel will become a key cornerstone of the City's tourism strategy and would introduce thousands to the downtown.

Mr. Freehling added that this project would transform the downtown in positive ways and make the City more proud of its community. This investment would generate close to \$2 million dollars of new annual tax revenue and would be complimentary to the

Liberty Place project. This would represent approximately two percent increase in the annual budget.

Ms. Sherman presented a PowerPoint presentation showing pictures of the alley way from Amelia Street and from William Street, GIS map of the property, a plan showing the lot size of each of the proposed buildings, Comprehensive Plan compliance review, and breakdown of the parking and the location of the parking on the sites. Mrs. Sherman also discussed the action and results if approved or denied. Staff also recommended approval of the proposed resolution and to approve the proposed ordinance. See D19-306 for more information.

Gaye Todd Pitchford, 1107 Douglas Street, She said she has resided at this address all her life. Ms. Pitchford disagreed with staff's assessment that Douglass Street functions as an alleyway, she said the alleyway functions as a thoroughfare and the City would be greatly impacted if it were vacated. She was also concerned about the traffic from the 84 units and she was also concerned about taxes going up. She said low income housing needed to be seriously looked at for Fredericksburg and she would like to see some of the units in the proposed development be for low income residence.

Anne Little (D19-306.1), 726 William Street, said staff mentioned that there had been numerous meetings but the public knows nothing about the project. She said this was a major development in the downtown and the public has had no input. Ms. Little said there needed to be a public forum so the public could get answers to their questions. She also expressed concerns with the end of the pedestrian promenade where the delivery trucks would drive through. See D19-306.1 for more information.

Robert Thomas, 809 Brompton Street, spoke in favor of the project and for the density. He said he has lived in many cities and find that density promotes activity and

better living and for older people provides safe walking neighborhoods in the daytime. He spoke about the alleyway between Brompton and William Streets and said it ceased to exist and it had been turned over to the businesses on William Street and it is noisy and impassible. Mr. Thomas said he had spoken with the City about it and nothing had been done so his concern was how the City would handle a much bigger area where the stakes would be higher. He said he would like to move out of his home into a much smaller place.

Craig Vasey, 804 Marye Street, did not think there was adequate parking and he urged the Council to look into the parking arrangement before voting. He would also like to see plans of what the hotel would look like.

Tom Onley, 601 Amelia Street, said he was caught by surprise with some of the details of this project. He said he was confused at how the City could be taking a vote on Douglas Street vacation when it does not know what the project will be. He asked if there were studies for daily trips, has there been traffic studies, what was the quality of the apartments, what's the long term value of the apartments, and it is unknown the equation of the tax revenue. He wanted to know the cost of supporting the additional people in the apartments. Mr. Onley said he needed to fully understand what this project would be and he suggested slowing it down so that the City could get it right.

Mayor Greenlaw apologized for not letting the applicant Mr. Vakos speak before the public hearing.

Bill Vakos, 10333 Southpoint Landing, Owner of William Square, thanked the Council for their work. He also said the City staff was the best he has ever seen they were fair minded and they have the best interest for the City. He explained that they were asking for first and second read on the project because they were trying to coordinate with Liberty Place's schedule and the parking structure as well as other reasons. Mr. Vakos said he has

had an opportunity in the past to do development into the City and he would like to be part of the progress in the future. ‘

The hotel would be a boutique hotel not a name brand, it would have meeting facilities. He said he has been a hotelier all his life and he was born and raised in the hotel business. He said he also owned several parking garages and surface parking lots in other communities and he feels like he is well qualified. Mr. Vakos clarified that this project would not cost the city one dime. He said they did not ask for any tax increment financing, EDA grants, concessions on permitting but they have provided for a program for both projects (William Square and Liberty Place) that is self-sufficient by code.

Ellen Stokes, 600 Lewis Street, said there was a need for a study within the neighborhood, beyond the William Street corridor. She spoke about the traffic that come through the area and down Winchester Street. She said the delivery trucks are going up on the curbs because there is not enough room. She said the streets needed to be looked at to determine the damage being created by the heavy traffic and trucks. Ms. Stokes also said that many go in the wrong direction on Lewis Street. So she feels a neighborhood study would be beneficial to the neighborhood and any advancements going forward.

Al Merchant, 1083 Winchester Street, asked whether there would be any effort to coordinate the facades between the Liberty Place Project and William Square project.

Patrick Chestnut, 620 Lewis Street, echoed Mr. Merchant’s and Ms. Stokes’ comments, but he added that much of what was proposed was by right and citizens really do not have a say in it. He said so much is up in the air and many were not aware of what was going to happen. He asked what the City would be getting for giving up the land because there was going to be sacrifices to the surrounding community.

Thomas Myer, 614 Lewis Street, spoke about his use of Douglas Street because it was safer for site distance. He also expressed concern about the traffic this project would produce in the area. He wanted to know the traffic impact of the land use for this site.

Robert Courtnage, 407 Fauquier Street, said he was all for downtown development and smart development, but this puts a strain on infrastructure, affordable housing and schools. He wanted to know the benefit for vacating the street.

Ed Foresman, 224 Braehead Drive, said this was the first he had heard of the Douglas Street vacation and he said there was not much information available on the City's webpage to let people know what was going on.

Mayor Greenlaw addressed Mr. Foresman's comments stating that there was a legal requirement to advertise public hearings in the newspaper for two weeks prior to the public hearings and she said the agendas were posted on the website the Thursday prior to the Tuesday of the meeting.

City Manager Baroody said recently they started pushing out information to let citizens know the meetings were televised and he said the packets were on the website and have pages and pages of information about the items that are on the agenda.

David Durham, 615 Fauquier Street, stated that he moved to Spotsylvania County in 1997 and he lived closed to one of Mr. Vakos' developments and in 2013 he moved to Fredericksburg because they wanted to get away from the suburban development that was happening in Spotsylvania. He wanted to move to an area where he could walk around but he fears Vakos and his subsidiary has proposed a suburban type development. He said he would like to see development that understands the urban nature of the area. He said Douglas Street had potential to Mr. Vakos' project if it was left as a street.

Mayor Greenlaw asked the applicant to address the reason for the vacation because several speakers had asked that question. Mr. Vakos said it was not their first consideration, but it had the added benefit of increasing the density slightly on the residential development. He said it helps to have the larger number of apartments but the focus was on a walkable community. Mr. Vakos said he was a preservationist and he was committed to Historic Fredericksburg. He said vacating Douglas Street would help with the cohesiveness of the two properties. He wanted the gateway to be hospitable and orienting and welcoming. Mr. Vakos said his properties were colonial traditional with brick and it would be complimentary to the area. The architecture compatibility with Liberty Place would be different which would be more of a restored architecture. He said this would be a unique opportunity to finish his career where he began.

Councilor Devine said she appreciate Mr. Vakos investment in the community and she wanted people to know that the Douglas Street vacation was a fairly new development and without the vacation the project was a by-right use and there was nothing for the public to weigh in on. She thanked the Planning Commission for their work but added that the Council had more information than the Planning Commission had which was the addition of the hotel. Councilor Devine said she was not in favor of voting first and second read but she would vote for a first read and she requested a public meeting be held prior to the second read to address the impacts on the neighborhood. She also wanted the residential units capped at 85. Councilor Devine also asked staff to address potential changes on Winchester Street and addressing safety issues such as sight lines along Amelia Street.

Councilor Kelly discussed how the City did public outreach when it built the garage and he said the downtown was very important to the City and this was going to be the largest project in the downtown and it would have an impact on the downtown. He said

there needed to be robust communication when a project impacts the downtown. Councilor Kelly did not want to vote to overturn the Planning Commissions decision instead he wanted to send the project back to the Planning Commission with the new information on the hotel.

Councilor Kelly made a motion to send the project back to the Planning Commission for review; motion was seconded by Councilor Graham.

Vice-Mayor Withers said he was unable to support the motion because the project was a by-right use that could be built by-right and they had to comply to the parking issue. He said this would inconvenience some people on Douglas Street. He said he would support voting on first read.

Councilor Graham said he believed the issue was about the information that was available to the Planning Commission and the public. He said this project was a good project for the City but he was not sure about the vacation of the street because it would impact the street grids. He said this was about precedence and the process. Councilor Graham was concerned and said the City should follow a process it would be proud of.

Councilor Duffy said he was hesitant to overturn the Planning Commissions decision but added that the project was by-right and it was a good project that promises to bring a quality hotel, a mixed use development, density that would support jobs and increase traffic downtown. He said he was more concern with the confusion of the public that the City was giving away something and the parking concerns. His final concern was that the City was perceived as getting out ahead of the public. He said he would not vote for second read and he did not see that it would be beneficial to send it back to the Planning Commission for review because the developer was committed to building the hotel.

Councilor Devine made a substitute motion to adopt the resolution overturning the decision by the Fredericksburg Planning Commission regarding whether the vacation of the public right-of-way containing the 1000 block of Douglas Street was in substantial accord with the 2015 Comprehensive Plan; motion seconded by Vice-Mayor Withers.

Councilor Frye was concerned with the perception that the City was meeting and not including the public. He let the public know that the Council have closed sessions and they are noticed why the Council is having the closed session and he said there are also work sessions where they review a lot of projects before they are voted on. He informed the public that those work session meetings are public meetings and they could attend.

Mayor Greenlaw said she would support the substitute motion because the project was by-right and this was a great area of town for a boutique hotel and conference facility. She said this would be beneficial to the City and she added that the developer had not asked for anything. She did not feel the need to resubmit the application to the Planning Commission.

Councilor Kelly was troubled that the Council was leaning toward voting this project on first read without having a public meeting before having final vote in August and Mayor Greenlaw corrected him saying, that was not the intent and they agreed with the suggestion of having a public meeting before the August 13 meeting.

The Council voted to approve the substitute motion by the following recorded votes. Ayes (5). Councilors Greenlaw, Withers, Devine, Duffy and Frye. Nays (2). Graham and Kelly.

The council then proceeded to consider the ordinance vacating the right of way on first reading. However, under Robert's Rules of Order, the adoption of a substitute motion simply places a different primary motion in front of the body for a vote; the action on the

substitute motion is not an official final action of the governing body. Therefore, after the meeting was concluded, the Mayor directed the Clerk of Council to include the resolution placed before City Council by adoption of the substitute motion, in the August 13 City Council meeting packet for final and official action by the City Council.

Ordinance 19-30, First Read Approved, Authorizing the Vacation and Quit Claim of the 1000 Block of Douglas Street Right of Way to William Street Square, LLC and Liberty Place Partners, LLC. Councilor Devine made a motion to approve Ordinance 19-30, on first read, authorizing the vacation and quit claim of the 1000 Block of Douglas Street Right of Way to William Street Square, LLC and Liberty Place Partners, LLC with the additional conditions to schedule a public meeting before the August 13 meeting and cap the housing units to 85 residential units; motion was seconded by Vice-Mayor Withers and passed by the following recorded votes. Ayes (4). Councilors Greenlaw, Withers, Devine and Duffy. Nays (3). Councilors Frye, Graham and Kelly.

Resolution 19-68, Approved, Approving the Final Subdivision Plat for “Riverview on Sophia,” Approximately 0.53 Acres for Development of 13 Single-Family Attached Dwelling Units (D19-307 thru D19-308) no speakers. Councilor Graham made a motion to approve Resolution 19-68, approving the Final Subdivision Plat for “Riverview on Sophia,” approximately 0.53 acres for development of 13 single-family attached dwelling units; 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 10:21 p.m.

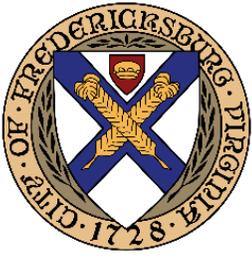
Tonya B. Lacey
Tonya B. Lacey, Clerk of Council, CMC

Mary Katherine Greenlaw
Mary Katherine Greenlaw, Mayor

APPROVED

08-13-19

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HON. CHARLIE L. FRYE, JR., WARD FOUR

July 9, 2019

The Council of the City of Fredericksburg, Virginia, held a regular session on Tuesday, July 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, 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, Director of Community Planning & Building Services Charles Johnston, Historic Resources Planner Kate Schwartz, Development Administrator Marne Sherman, Economic Development Director Bill Freehling, Public Works Director David King, Budget Manager Deidre Jett 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 Chris Menk and Dustin Sullivan, at this evening's meeting.

Welcoming Cedric Rucker, University of Mary Washington Associate Vice-President and Dean of Student Life as the New

Representative to the Commonwealth Transportation Board for the Fredericksburg Region. Mayor Greenlaw recognized Mr. Rucker as the new City Representative on the Commonwealth Transportation Board and she thanked him for his willingness to serve.

Mr. Rucker said he truly enjoyed the embrace of the community and he looked forward to serving the Fredericksburg District.

Public Hearings (D19-302 thru D19-308). 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.

Sarah Perry (D19-309), 206 Charles Street, Director of Downtown Greens, spoke about her concerns with pedestrian safety at the intersection of Charles and Dixon Street. She said with the way the intersection was designed there was never a pause in the traffic from all directions to allow pedestrians to cross. She asked Council to look into this intersection. See D19-309 for more information.

David James (D19-310), President of Historic Fredericksburg Foundation Inc. stated they believe historical items in Fredericksburg should be maintained and left in place. He said if the auction block was going to be moved they wanted the plaque back because it was owned by HFFI. He asked the Council not to remove tangible reminders of the past. See D19-310 for more information.

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

7A. Slave Auction Block Relocation Plan – Mayor Greenlaw & Councilor Frye

7B. Livestream Work Sessions – Councilor Graham

7C. Downtown Greens – Councilor Frye

Slave Auction Block Relocation Plan (D19-311). Mayor Greenlaw explained that the Council voted to remove the auction block and that the regulation and process must be followed because it was a historical item. She said there were many steps that needed to be taken before handing it over to the museum. Mayor Greenlaw said the process would still need the input from the community.

Councilor Frye addressed the comments made during the public comment portion of the meeting. He added that the decision of what to do with the slave auction block was up to the Council. He said the City would be glad to give HFFI the plaque back that was in front of the block because the plaques did not tell the story of the block.

Mr. Baroody reviewed the process that got the Council to the decision they were at. There were discussions and community meetings held by the International Coalition for the Sites of Conscience (ICSC). The Council's desire was to tell a more complete story and the ICSC was hired to help. The ICSC presented a final report to the Council and in addition the Council assigned the Memorials Commission with the task of reviewing the tourism brochures, the tour scripts, the video to make sure the language was there to tell a more complete story. Mr. Baroody noted that at the June 11 meeting the Council voted to remove the auction block from its location to the Fredericksburg Area Museum.

Historic Resources Planner Schwartz reviewed the preliminary planning process and this process would include a number of steps to ensure that Fredericksburg could interpret and understand the historic significance of the block. There were recent archeological investigations of the block which resulted in the findings that the block was not individually

eligible for the National Register of Historic Places, but it was a secondary resource associated with the United States/Planter's Hotel.

Ms. Schwartz added that because the block was a historic object located within the City's historic district the proposed relocation plan would also be reviewed by the Architectural Review Board (ARB). The review should include both the relocation plan for the block and the plan for alterations to the corner of Charles and William Streets. The Memorials Advisory Commission (MAC) will be responsible for planning the interpretation of the site and implementing the recommendations of the ICSC. Ms. Schwartz recommended that at member of the ARB serve as a liaison to the MAC.

Ms. Schwartz stated the after consulting with the Virginia Department of Historic Resources (VDHR) staff and the ARB prior to relocation of the block, it would ensure that the process would reduce the chance of adverse impacts on the historic significance of the district. She said the City would rely on Fredericksburg Area Museum's (FAM) expertise in the display and interpretation of the block inside its facility but it was recommended that the block's historic association with the Planter's Hotel be made clear and that the sandstone be protected.

Ms. Schwartz also added that if a ceremony was desired, city staff, the MAC, the FAM, and others as determined appropriate would work together to plan the ceremony, schedule the events plan for street closures and distribute information to the public.

Public Works Director King assured the Council that the public works department had the capability to move the block from the sidewalk. He said they have the equipment and the expertise to do so. He said the block was not as deep into the ground as they thought and he was confident they could extract it safely. He said a Dovetail Archeologist

would be working alongside them. After extraction of the block they would place it on a custom made crate to transport it to FAM.

Mayor Greenlaw clarified some misconceptions that the block was being gifted to FAM. She clarified that the block was not going to be a gift to FAM but it would be loaned to them to display. Another concern that the Mayor addressed was access to the block and she said that would be part of the agreement.

Councilor Kelly asked if the plans would be reviewed and approved by a preservation organization before the removal takes place and Mr. Baroody said Nancy Moore with MAC and Michael Spencer from the University have looked at the document and made some edits.

Councilor Kelly asked if all the questions from the Museum had been addressed and Mr. Baroody said he had spent several hours working with Ms. Poore and he believes they have been answered but he would let Ms. Poore answer that question.

Councilor Kelly said for the record he was not thrilled that this was taking place and he asked if the block would be removed before there was a plan on how the block would be presented. Mr. Baroody said they were working closely with the museum and they were preparing to accept the block and they were preparing for a long term display.

Ms. Poore, Executive Director of the FAM said they were in discussions, she said there was a process in placing items in the museum. The Museum's Collections Committee would meet to go over the plan. She said they Committee does not usually get involved with loaned items but due to the sensitivity of this item the FAM Board thought it was necessary for them to be involved. She said they have a long term and short term plan for the block but she had to get a structural engineer to determine where the block could be located in the museum. She said the best place for it would be on the main floor and they need to know the size and they would have to have a case built for it. She added that the community would be

engaged as they interpret the piece. Ms. Poore said all Fredericksburg students and teachers are free to the museum but it was a challenge to get the schools to go on field trips but she would keep trying to work with them. She said they will need to work with the Memorials Commission to make sure the stories were integrated.

Councilor Frye thanked Ms. Poore for working with the City. He said he understood the unknowns were hard. He said this was the being of telling Fredericksburg's African American story.

Councilor Frye suggested that maybe at some point the block could be loaned to the National African American Museum for display.

Vice-Mayor Withers made a motion to move forward with the relocation plan; motion was seconded by Councilor Duffy and passed by the following recorded votes. Ayes (6). Councilors Greenlaw, Withers, Devine, Duffy, Frye and Graham. Nays (1). Councilor Kelly.

Suspension of the Rules. Councilor Frye made a motion to suspend the rules in order to meet past 11:00 p.m.; 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).

Councilor Frye said he respected the work of the museum although he knows it will be a lot of work as the stories are gathered. He thanked Ms. Poore and the Council for what they were doing for the future.

Livestream Work Sessions. Councilor Graham explained that there were a lot of robust conversations in the work session and many people cannot make it to the work sessions. Mr. Graham stated that he would like staff to look into live streaming the work sessions. He asked that staff to bring a plan to Council in August.

Downtown Greens. Councilor Frye asked City Manager Baroody to look at the intersection of Charles and Dixon Streets and come up with a plan for the pedestrian's safety.

City Manager's Consent Agenda Accepted for Transmittal as Recommended (D19-312 thru D19-323). 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 (7). Councilors Greenlaw, Withers, Devine, Duffy, Frye, Graham and Kelly. Nays (0).

- Ordinance 19-25, Second Read, Approved, Amending the Unified Development Ordinance to Differentiate Between Small Scale and Large Scale Automotive Sales and Rental Uses, and to Require a Special Use Permit for Small Scale Automotive Sales and Rental Uses in the Commercial Highway Zoning District (D19-312).
- Ordinance 19-26, Second Read, Approved, Rezoning Approximately 28 Acres of Land Located on or Near Route 3 (Plank Road), Between I-95 and U.S. Route 1, from Commercial-Shopping Center (C-SC) to Commercial-Highway (C-H) as Recommended in the Small Area Plan for Area 3 (D19-313).
- Ordinance 19-27, Second Read, Approved, Rezoning Approximately 12.66 Acres of Land Located on or Near U.S. Route 1, Between Fall Hill Avenue and the Rappahannock Canal, from Commercial-Shopping Center (C-SC) to Commercial-Highway (C-H) as Recommended in the Small Area Plan for Area 6 (D19-314).
- Ordinance 19-28, Second Read, Approved, Amending the Official Zoning Map in Order to Adopt a Transect Regulating Plan and Frontage Regulating Plan for the T-5C "Area Core Corridor" Transect in Land Use Planning Area 6 (D19-315).

- Resolution 19-63, Second Read, Approved, Amending the Fiscal Year 2019 Budget in the General Fund and the Public Works Capital Fund (D19-316).
- Transmittal of Board and Commission Minutes.
 - Planning Commission – November 14, 2018 (D19-317).
 - Planning Commission – December 12, 2018 (D19-318).
 - Planning Commission – January 23, 2019 (D19-319).
 - Planning Commission – March 13, 2019 (D19-320).
 - Planning Commission – March 27, 2019 (D19-321).
 - Planning Commission – May 8, 2019 (D19-322).
 - Recreation Commission – May 16, 2019 (D19-323).

Adoption of Minutes. Councilor Devine moved approval of the June 25, 2019 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).

Appointment to the Recreation Commission – DaCorey Carter, Danielle Gibeson, Eric Keeler, Brandon McVade, Sharon Null, Judith Schmidt, Derrick Tepaske, Susan Tyler (D19-324). After the recorded votes taken, DaCorey Carter, Eric Keeler, Brandon McVade and Sharon Null were appointed to the Recreation Commission with a vote resulting between applicants DaCorey Carter, Danielle Gibeson, Eric Keeler, Brandon McVade, Sharon Null, Judith Schmidt, Derrick Tepaske, Susan Tyler. Carter (6) Councilors Greenlaw, Devine, Duffy, Frye, Graham. Gibeson (0). Keeler (7). Councilors Greenlaw, Withers, Devine, Duffy, Frye, Graham, Kelly. McVade (7) Councilors Greenlaw, Withers, Devine, Duffy, Frye, Graham, Kelly. Null (7) Councilors

Greenlaw, Withers, Devine, Duffy, Frye, Graham, Kelly. Schmidt (0). Tepaske (0). Tyler (1)
Councilor Withers.

Appointment to the Stafford Regional Airport Authority – Christopher Hornung (D19-325). Councilor Kelly moved to appoint Christopher Hornung to the Stafford Regional Airport Authority; 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 19-64, Second Read Approved, Amending the Fiscal Year 2019 Budget in the School Grant Fund (D19-326). After staff presentation Councilor Duffy disclosed that he was an Assistant Principal for James Monroe High School in the Fredericksburg Public School system and that he was able to participate in the transaction fairly, objectively, and in the public interest.

Councilor Frye disclosed that his spouse was an employee of the Fredericksburg Public School system and that he was able to participate in the transaction fairly, objectively, and in the public interest.

Vice-Mayor Withers made a motion to approve Resolution 19-64, on second read, amending the Fiscal Year 2019 budget in the School Grant 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).

City Manager's Report and Council Calendar (D19-328 thru D19-329). City Manager Baroody reviewed the Manager's report and Council Calendar. Activities highlighted on the report were as follows: All 12 Fredanthropists Now in Place, New Utility Billing System Begins July 11, Midnight Madness Summer Series Continues, Outdoor Movie

Night at the Police Department, Storm Cleanup, Smokey Bear Celebrates 75th Birthday in Fredericksburg, Lafayette Boulevard Paving Update, New Jet/Vacuum Truck, Great American Campout Event, New Bike Racks, Season Finale of Picnic in the Park, Fred Focus and Free Summer Trolley Service.

Adjournment. There being no further business to come before the Council at this time, Mayor Greenlaw declared the meeting officially adjourned at 11:17 p.m.

Mary Katherine Greenlaw
Mary Katherine Greenlaw, Mayor

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

APPROVED
08-13-19

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