



CITY OF FREDERICKSBURG, VIRGINIA  
CITY COUNCIL  
**MINUTES**  
Council Chambers, 715 Princess Anne Street  
Fredericksburg, Virginia 22401

HON. MARY KATHERINE GREENLAW, MAYOR  
HON. CHARLIE L. FRYE, JR., VICE -MAYOR, WARD FOUR  
HON. KERRY P. DEVINE, AT-LARGE  
HON. MATTHEW J. KELLY, AT-LARGE  
HON. JASON N. GRAHAM, WARD ONE  
HON. JONATHAN A. GERLACH, WARD TWO  
HON. DR. TIMOTHY P. DUFFY, WARD THREE

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**August 8, 2023**

**The Council** of the City of Fredericksburg, Virginia, held a public hearing on Tuesday, August 8, 2023, beginning at 7:39 p.m. in the Council Chambers of City Hall.

**City Council Present.** Mayor Mary Katherine Greenlaw. Vice-Mayor Charlie L. Frye, Jr. Council members Kerry P. Devine, Dr. Timothy P. Duffy, Jonathan A. Gerlach and Jason N. Graham.

**City Council Absent.** Matthew J. Kelly, out of the country.

**Others Present.** City Manager Timothy J. Barody, Assistant City Manager David Brown, City Attorney Kathleen Dooley, Assistant City Attorney Dori Martin, Planning and Building Services Director Charles Johnston, Principle Planner Michael Craig, Community Development Planner Bailey Thompson, Budget Analyst Donna Leahy and Clerk of Council Tonya B. Lacey.

**Notice of Public Hearings (D23-240 thru D23-273).** The Clerk read the notice of the public hearings as it appeared in the local newspaper, the purpose being to solicit citizen input.

**Ordinance 23-15, Second Read Failed, Amending the Unified Development Ordinance §72-84, Definitions, and Article 72-4, Use**

**Standards, to Establish Regulations Governing the Use of Accessory Dwelling Units (Version 2 Interior Only) (D23-327 thru D23-349).** 29

speakers. Principle Planner Craig gave a brief PowerPoint presentation. In his presentation he reviewed the general conditions of the proposed ADU ordinance which were: only with single family detached dwelling unit, maximum 1 ADU per lot, only one kitchen in the ADU, no increase in maximum occupancy, no short-term residential rental use and applications require notice to neighbors. The ordinance only permits ADUs that are internal or attached to the principle structure and it will be limited to the greater of 600 square feet or 40% of the total gross floor area. An exterior entrance is permitted only on the side or rear of the principle dwelling and addressing policy applies to separate entrance. The proposed ordinance will clarify definition of an owner and require owner-occupancy throughout the period of use of the ADU. It will also require off-street parking on City streets with limited parking supply.

Mr. Craig explained that enforcement would occur in two instances the first would be the application for a new ADU and the zoning permit would verify: ownership requirement (owner-occupancy), occupancy requirement (definition of a family), compliance with design criteria on size and entrance location, acknowledgment on prohibition of short-term rental, compliance with building code/obtainment of building permits if necessary, compliance with tax code/obtainment of Landlord License and verification of parking by Zoning Administrator. If a requested zoning permit does not affirmatively address all the requirements it will be denied.

The second enforcement has to do with existing ADUs and they will be subject to the zoning code, building code, and the taxation code. Mr. Craig said If there is a question or complaint on an existing ADU and they do not affirmatively address all zoning code, building code and taxation code requirements items and they will be considered illegal and will be in violation of the Zoning Ordinance and notice of violations will be issued. A property owner that submits evidence to the Zoning Administrator that an Accessory Dwelling Unit was occupied before April 25, 1984 and has been occupied since that date, with vacancy periods of not more two continuous years, shall receive a determination of legal non-conforming use from the Zoning Administrator. This determination will allow the use to continue, without any modifications required to comply with the 2023 ordinance.

Staff recommended approval of the ordinance on second read.

**Anne Little (D23-328)**, 726 William Street, urged the Council to go slow to make sure they get the ordinance right. She said she was not against ADUs for families who want to help their family who may need assistance. She said they do not want to see more rental properties and absentee landlords.

Ms. Little expressed her concern with the impact ADUs will have on the historic downtown neighborhoods. She stated that neighborhoods with Homeowner Associations could choose to block ADU's from their neighborhoods but those in the historic downtown cannot and this is why they were speaking out.

Ms. Little said the larger concern they have is growth of the City which will require more police, fire, courts, city staff, schools, water treatment and roads. She urged the Council to slow down and make sure the ordinance protects all citizens.

**Michael Casey**, 1305 Prince Edward Street, stated he had first-hand knowledge from the citizens regarding the ordinance because he had just finished a campaign for the House of Delegates to represent Fredericksburg, Stafford and Spotsylvania. He was able to speak to residents directly, as he knocked on doors of over 1000 people. He said after talking to all those people not one person was in favor of the ordinance. He echoed the concerns about infrastructure and the impacts.

**Ray Herlong (D23-329)**, 1009 Prince Edward Street, and a volunteer with the Community Group, Fredericksburg Neighborhood Coalition. He stated that this was a motivation by some to embed autonomous apartments throughout the single family communities. He said these apartments would attract developers, reduce home ownership, raise housing prices and degrade the quality, character and beauty of the neighborhoods.

Mr. Herlong suggested the ADU units be allowed by special use permit to provide hearing process, establish performance criteria which can be revoked if abused, anchor the performance criteria to the property, even after a sale and assure the neighbors rights are respected and protected.

Mr. Herlong expressed concern that the second read ordinance did not contain owner-occupancy and he said the ordinance was flawed and would not be embraced. He asked the Council to seriously consider the risk of the ordinance.

**Mary Marr Rose**, 409 Hanover Street, said she was not fully opposed to ADUs and she could see the value in them. She thought this version of the ordinance was much improved but still needed work. She wished this was based on more data and she wished it was for existing rooms in a house and existing structures. She was concerned about new construction.

Ms. Rose had many questions like: the definition of ADU, can she bring in a tiny home or converted van, a yurt, why build out and not up. She had many more questions that she said she would submit.

**Alma Withers (D23-330)**, 1103 Kenmore Avenue, asked the Council to institute a robust rental inspection program for the citizens. She said a rental inspection program was essential to the health and well-being of the citizens especially the most vulnerable. She said there will always be those who do not want to follow the rules and that is when the rental inspection program will come into play.

Ms. Withers was also concerned with losing greenspace and overcrowding in neighborhoods. She expressed her shock to learn that there were over 60% rental units in the City and growing. The rental inspection program will allow people to live in safe and sanitary dwellings.

**Ralph Joseph (D23-331)**, 913 Cornell Street, listed three important issue with the ordinance: ADU creation, by right, owner occupancy of a property with an ADU, and rental inspection program. He said special use permits act as insurance policies for all property owners ensuring the zoning ordinance standards will be maintained and

managed by the City and by right was divisive. Mr. Joseph said all citizens need to feel assured that the City is in control, managing and overseeing all development.

Mr. Joseph had concerns about the definition of owner, which includes LLC. He also asked why the rental inspection program was going to be addressed in the future and not now. He asked the Council to delay a vote until these issues could be addressed.

**Jackie Emery (D23-332)**, 605 Fauquier Street, stated that she visited Fairview, Darbytown and Mayfield neighborhoods and she looked at occupied rental and vacant properties and she took pictures of some of the blighted properties. She said before ADUs are addressed these blighted properties needed to be addressed. Ms. Emery said majority of the homes were owned by LLC's and most of the owners do not live in the City. Many of the LLC's show up all over the City in areas with rundown rental properties. She felt that the revised ADU ordinance gave special treatment to LLC's providing them with an occupancy loophole.

**Amber Peebles**, 400 Hanover Street, she said the ADU was a way to get more taxes for finances that are struggling. She said there was one word absent from all the discussions and that word was standards. She said there are none when it comes to ADUs and the City. She said schools were underperforming, homelessness, crumbling sidewalks, increase in crime and massive rentals. She said the City does not care how people live because they have done nothing about the condition of the rentals. She asked the Council to join her in cleaning up the City. She said ADUs are just a band-aid

on a bigger problem. She recommended the Council wait and listen to the citizens who have put in so much time and research.

**Dennis Lister**, 1108 Rappahannock Avenue, said he has been in College Heights for 44 years and there has been seven ADUs within two blocks of his house. He said all are owner occupied and they have not been a problem. He said that was the key. He said those in his neighborhood are kept up because they are owner occupied. He said the bad looking houses are the rental houses. He said he was not keen on ADUs but if they are going to be approved he would like them to be owner occupied.

**Lindsey Gould**, 1109 Prince Edward Street, she said her parents gave this house to her and her husband and it was technically an ADU because in the 1940's her great grandmother turned it into two apartments. She also owned 1107 Prince Edward and she turned that into five apartments in the 1940's as well, it was later sold and has been rentals and it looks bad because it is not being taken care of. She spoke of an incident where someone busted into their home but she complained that when she reached out to the responding Police officer she never got back in touch with them. She said she has complained about the parking and no one has ever come by to check it out. She said safety and parking are issues for her and the City was not addressing either of them. She urged the Council to take more time.

**Sue Sargeant (D23-333)**, 1301 William Street, spoke as the President of the College Heights Civic Association. Ms. Sargeant addressed the ADU's by right and stated that it empowers developers to put more housing into green spaces and the adjoining

neighbors end up being the enforcers when they notice the overcrowding. She also spoke of issues that are occurring in Alexandria, Arlington, and Fairfax.

Ms. Sargeant second issue was with the Limited Liability Corporation (LLC) owners and she spoke about the loopholes found in Provo, Utah that allowed corporations to overbuild ADUs in the Provo neighborhoods.

Finally, Ms. Sargeant talked about the Rental Inspection Program and she asked the Council if they would consider reinstating the program by fiscal year 2025.

**Bill Hayes**, 1105 Walker Drive, as a resident of the Village of Idlewild and the Vice-President of the homeowner's association he said his community was split on the ADU issue. He said the sympathize with the low income housing challenge facing the City. He said the concern of the citizens must be taken seriously.

He said there were two issues that come to mind for the homeowner's association and the first was trash and recycling and the accelerated wear and tear on amenities. He said trash and recycling would require two extra bins and the neighborhood would lose its character by having numerous bins lined up along the streets and alleyways several times a week. He said this will result in additional cost and higher HOA fees. He said allowing ADU's will require those residing in them to use the amenities and cause them to use reserve funds for the upkeep of the amenities sooner than they would.

He asked if the Council had considered the impact ADU's would have on Homeowner's Association.



**Dana Herlong (D23-334)**, 1009 Prince Edward, said she hoped the Council has heard the citizens regarding the ADU issues and that they have considered the implications and the consequences. She said if ADU must be considered a vital tool and pushed to be permitted, she asked that the Council delay the vote. She said the proposed ordinance offers no protection for single-family homeowners.

Ms. Herlong said the Fredericksburg Neighborhood Coalition opposes the ADU ordinance text amendment and they asked for the following changes: do not allow the ADU By-right, do not allow LLC owners to designate any member as an owner and mandate a rental inspection programs to be placed into effect now or prior to implementation of the ADU ordinance.

**Rupert Farley**, 1305 Caroline Street, stated he was surprised at how many people wanted the government to take charge, such as the rental inspection program. He said the inspection program to him was too much of an over reach for him. He said ADU's are a step toward automobile independency. He said the more density the easier it is to maintain a public transit system where people will not need cars.

Mr. Farley said he was in favor of ADUs but he was disappointed that it did not include garage apartments.

**Scott Regan (D23-335)**, 900 N. Glebe Road, Arlington, VA, a fellow at the Institute for Justice, wrote in support of the ADU amendment but he said it needed one critical caveat: it should allow external ADUs.

The Institute for Justice is a national nonprofit that protects constitutional rights and one of their areas of expertise is property rights, including zoning ordinances.

Mr. Regan said they support all ADU's but the Council's' proposal to allow certain ADUs is a profound step forward, certain half measurers in the ordinance would dull the salutary impact. Most importantly it should allow both internal and external ADUs. He said in a historic City like Fredericksburg, the backyard cottages help to close an ever widening gap between supply and demand without sacrificing local values. See D23-332 for more information.

**Jason Williams (D23-336)**, 1302 City View Lane, stated that while he supports ADU there are details that still need to be resolved. One of which is granny suites, and he stated that some of the requirements proposed are overly burdensome and unnecessary. He said there should be a difference in regulations between someone wanting to rent a portion of their home and someone who wants to modify their home to accommodate aging parents or young adult children.

**Joshua Morgan Brock (D23-337)**, 612 Lewis Street, stated that while he agrees with the provisions in the revised ADU ordinance, which intends to prevent corporate development of residential areas. Mr. Brock took issue with the limitations which restricts ADUs from being detached from the primary structures. He said this was an arbitrary restriction that will not restrict corporate development any more than the other residency and size regulations are already doing. He said it would restrict the freedom of property owners to construct according to their needs and abilities and he said it seems like it would prevent more ADU production.

Mr. Brock stated that removing this limitation and allowing detached ADUs would allow owners to construct on their properties ADUs that meet their needs without further exposing residential properties to corporate development.

**Steve Spratt (D23-338)**, 710 Virginia Avenue, stated that ADUs in Fredericksburg have some benefits, but additional restrictions would help to prevent most of the problems associated with ADU's: they should not be allowed by right, LLC owners should be required to live on the property and zoning inspections would encourage owners to maintain their property.

**Ellen Brown (D23-339)**, 1407 Dandridge Street, requested the Council to defer their vote and she said she was in agreement with the Fredericksburg Neighborhood Coalition's request to: not allow ADUs by-right, do not allow LLC owners to appoint any member, such as a tenant, as an owner within the corporation, but require owner to occupy the property during ADU use and mandate the Rental Inspection Program to be effective concurrent with the implementation of the ADU ordinance.

**Mary Weaver Mann (D23-340)**, 1413 Winchester Street, stated that the following changes will help to make the ordinance more effective and they are: do not allow ADUs to be approved by-right; do not allow LLC to appoint any member as the property owner and mandate a rental inspection program to be effective concurrent with the implementation of the ordinance.

**Joel Fletcher and John Copenhaver (D23-341)**, 911 Sylvania Avenue, asked the Council to vote down the flawed ADU ordinance. They would like to see it contain language that would protect homeowners and not allow for uncontrolled development.

They were afraid that as written it would lead to overcrowded neighborhoods, increased street traffic, parking and other problems.

**Jeffery L. Adams (D23-342)**, 1615 Stafford Avenue, stated that he was in favor of the following changes: do not allow ADU's buy right, do not allow LLC owners to appoint any member, such as a tenant, as an owner within the corporation, but require the property owner to occupy the property during ADU use and mandate a rental inspection program to be effective concurrent with the implementation of the ADU ordinance.

**John and Rosemarie McKeown (D23-343)**, 910 Monroe Street, spoke in opposition to documents authorizing ADU in the city. They stated that no property owner should be affected or bear the burden of such a flawed process and decision.

**Thomas F. Fines (D23-344)**, 1300 Rappahannock Avenue, spoke in opposition to ADU dwellings in the City. He said he does not see the need to increase rental units because there are too many in the City now. He said if ADUs are allowed they must be owner occupied, and they should not allow LLC to own rental property and there should be a rental inspection program.

**Shirley Grant (D23-345)**, 802 Cornell Street, stated that she would hate to see city homes become more rental units. She said the ordinance needed to be modified to be more effective and equitable to the neighborhoods. She suggested the following changes: do not allow ADU's buy right, do not allow LLC owners to appoint any member, such as a tenant, as an owner within the corporation, but require the property owner to occupy the property during ADU use and mandate a rental inspection program to be effective concurrent with the implementation of the ADU ordinance.

**Rebecca Light (D23-346)**, 207 Pitt Street, asked the Council to make the following revisions to the ordinance: allow the Accessory Dwelling Unit definition to stand with no revision, require a special use permit, owner occupancy and implantation of the rental inspection program.

**Ron Smith (D23-347)**, 1318 William Street, requested the Council defer its vote and he said the Council's vote should be stronger than the Planning Commission's 4-3 vote. He asked the Council to not allow ADU's buy right, do not allow LLC owners to appoint any member, such as a tenant, as an owner within the corporation. It should be a human being who possesses more than fifty percent ownership in the dwelling. He said it is encouraging to see the ADU revision state: require the property owner to occupy the property during ADU use. Finally, he would like it to mandate a rental inspection program to be effective concurrent with the implementation of the ADU ordinance.

**Paula Chow (D23-348)**, 132 Caroline Street, requested the Council not allow ADU's buy right, do not allow LLC owners to appoint any member, such as a tenant, as an owner and ADU permits should also have follow up inspections upon completion that follow the building codes for habitable dwellings.

**Cynthia Hoffman (D23-349)**, 504 George Street, spoke in opposition of the revised ADU ordinance. She said there has not been full consideration of the totality and finality of the ordinance. She urged the Council to keep ADUs as specially permitted dwellings, perhaps use the expanded conditions as roadmaps for approval only allowing 8-10 per year.

Councilor Graham made a motion to approve Ordinance 23-15, on second read, Amending the Unified Development Ordinance §72-84, Definitions, and Article 72-4, Use Standards, to Establish Regulations Governing the Use of Accessory Dwelling Units (Version 2 Interior Only); motion was seconded by Councilor Gerlach.

Councilor Devine thanked everyone who came out, emailed, called or stopped her on the street over the months. From the beginning the Council heard about the need of housing options for aging in place, caregivers, adult children and it has been the filter in which she has considered this issue. She said after careful consideration and listening more closely she is not in favor of moving forward at this time. She stated that there are still issues that need addressing such as the rental inspection program and the need to address upkeep and landlord issues.

Councilor Duffy stated that at the last meeting he made the substitution motion to come up with a compromise but he was going to follow the lead of Councilor Devine. He said there are bigger issues that need to be taken care of in the City. He was very appreciative of everyone who came out to address the topic.

Councilor Graham also thanked everyone for coming out to discuss over the past few months. He said ADUs were near and dear to him and as a way to provide housing for all walks of life. He said the reason he has been pushing for this for so long is for families to live in a multigenerational situation and to provide more opportunity for residents of all walks of life. He said there was no financial agenda or hidden agenda and the opportunity for people to enjoy the lifestyle that most live every day. He said ADU

would not degrade the quality of life. He was hopeful that the City would open its doors to all who wants to live in the City.

Vice-Mayor Frye stated that there were just as many who were in support as there were not in support. He said it is the Council's job to explore options. He said there are many who could benefit from living in an ADU. He said he would be in support of ADUs for families because the reality is that the young adult cannot afford to live in the City.

Councilor Gerlach thanked the public for being so involved. He said he was strongly in support of the revised ADU ordinance. He explained why he was in support; he is an attorney that does estate planning. He's done a lot of reeeding of client properties into family trust and LLC's. He said many do this to preserve their generational wealth so the ownership can be transferred to their children, but the main reason is the elderly person preserving their own assets.

Councilor Gerlach said the ordinance would support homeownership through successive generations. He said aging in place is a private matter and independence is very important. This is simply allowing a kitchen to have your family member live independently.

Councilor Gerlach explained that an LLC is a form of ownership and he said you would not allow a tenant to be your LLC because it does not make sense. He spoke about the tax relief program although, it is a great program for the elderly it does not help a lot of people.

Mayor Greenlaw stated that she voted against the ordinance and she would continue to do so.

The motion fails on a 3-3 vote with Councilors Greenlaw, Devine and Duffy voting against.

**Adjourned.** There being no speakers to come before the Council at this time, Mayor Mary Katherine Greenlaw declared the hearing officially adjourned at 9:04 p.m.

*Mary Katherine Greenlaw*

Mary Katherine Greenlaw, Mayor

*Tonya B. Lacey*

Tonya B. Lacey, Clerk of Council, MMC

APPROVED

08-22-23





CITY OF FREDERICKSBURG, VIRGINIA  
CITY COUNCIL  
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**August 8, 2023**

**The Council** of the City of Fredericksburg, Virginia, held a regular session on Tuesday, August 8, 2023, beginning at 7:30 p.m. in the Council Chambers of City Hall.

**City Council Present.** Mayor Mary Katherine Greenlaw. Vice-Mayor Charlie L. Frye, Jr. Council members Kerry P. Devine, Dr. Timothy P. Duffy, Jonathan A. Gerlach, and Jason N. Graham.

**City Council Absent.** Matthew J. Kelly, out of the country.

**Others Present.** City Manager Timothy J. Baroody, Assistant City Manager David Brown, City Attorney Kathleen Dooley, Assistant City Attorney Dori Martin, Planning and Building Services Director Charles Johnston, Principle Planner Michael Craig, Community Development Planner Bailey Thompson, Budget Analyst Donna Leahy and Clerk of Council Tonya B. Lacey.

**Opening Prayer and Pledge of Allegiance.** Council was led in prayer by Vice-Mayor Charlie L. Frye, Jr. followed by the Pledge of Allegiance led by Councilor Jason N. Graham.

**Officer Recognized.** Mayor Greenlaw recognized the presence of Deputy Jett at this evening's meeting.

**Proclamation for SPCA 80<sup>th</sup> Anniversary (D23-316).** Mayor Greenlaw presented a proclamation proclaiming the month of August as the celebratory month for the SPCA in celebration of their 80<sup>th</sup> Anniversary.

**Consent Agenda Accepted for Transmittal as Recommended (D23-317 thru D23-326).** Councilor Graham moved approval of the City Manager's consent agenda; motion was seconded by Councilor Devine and passed by the following recorded votes. Ayes (6). Councilors Greenlaw, Frye, Devine, Duffy, Gerlach and Graham. Nays (0).

- Resolution 23-51, Amending the Rappahannock Area Law Enforcement Mutual Aid Agreement (D23-317).
- Resolution 23-52, Amending the Fiscal Year 2024 Budget to Increase the Appropriation in the Rappahannock Area Office on Youth Fund (D23-318).
- Transmittal of the Board and Commission Minutes
  - Architectural Review Board – April 5, 2023 (D23-319).
  - Architectural Review Board – May 8, 2023 (D23-320).
  - Architectural Review Board – May 22, 2023 (D23-321).
  - Fredericksburg Arts Commission – April 19, 2023 (D23-322).
  - Fredericksburg Arts Commission – May 17, 2023 (D23-323).
  - Fredericksburg Arts Commission – June 21, 2023 (D23-324).
  - Public Transit Advisory Board – June 7, 2023 (D23-325).
  - Recreation Commission – March 23, 2023 (D23-326).

**Public Hearing (D23-327 thru D23-349).** The regular session was recessed in order to conduct scheduled public hearings and immediately reconvened upon their conclusion.

**Citizen Comment.** The following comments were given and/or submitted to be read during the citizen comment portion of this evening's meeting.

**Melissa Schneider (D23-350)**, 400 Hanover Street, said she was inspired by Vice-Mayor Frye at the last meeting and she came with ideas for the young men and women in the City. She presented a presentation that discussed why are young men and women resolving conflicts in violent ways, a plea from Mr. Gantt to treat this as a crisis, there is no quick fix, a three prong approach, how can the city be more present in the affected neighborhoods or all neighborhoods, what can other neighborhoods, businesses, ecumenical and civic groups do, what can the affected neighborhoods do, and don't outsource resolving the problem. Please see **D23-350** for more information on these ideas.

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

8A. General Comments – Vice-Mayor Frye

8B. Schools in Session – Councilor Devine

**General Comments** – Vice-Mayor Frye thanked Ms. Schneider for her thoughts and ideas to help with youth violence in the City. He said he has been involved and the City tries to do a lot and he said they try to make it a priority for those who

don't have a vote. Vice-Mayor Frye said he benefitted from many of the programs in the City as he was growing up. He said the loss of two teenage boys took a toll on him. He thanked Ms. Schneider for taking the time to put her thoughts to paper.

**Schools in Session** – Councilor Devine reminded everyone that school is in session and she warned drivers to be looking out for kids riding or biking to school and to be looking out for those that are at the bus stops. She asked everyone to keep their heart and eyes open she said a lot of issues start at bus stops and continue to school. She asked that everyone support families, students and teachers.

Vice-Mayor Frye expressed his excitement that Dr. Duffy was at James Monroe with the kids.

**Adoption of Minutes.** Councilor Devine moved approval of the June 27, 2023 Public Hearing and Regular Session minutes and the July 11, Regular Session meeting; motion was seconded by Councilor Graham and passed by the following recorded votes. Ayes (6). Councilors Greenlaw, Frye, Devine, Duffy, Gerlach and Graham. Nays (0).

**Appointment to the Building Code Appeals Board – Patrick Farrell, R. Allen Merryman, John Mersiovsky (D23-351).** Councilor Devine made a motion to appoint Patrick Farrell, R. Allen Merryman and John Mersiovsky to the Building Code Appeals Board; motion was seconded by Councilor Duffy and passed by the following recorded votes. Ayes (6). Councilors Greenlaw, Frye, Devine, Duffy, Gerlach and Graham. Nays (0).

**Appointment to the Recreation Commission – Kevin Brown (D23-352).** After the recorded vote was taken, Kevin Brown was appointed to serve on the Recreation Commission with a vote resulting between applicants Kevin Brown and Marla McCauley Denardi. Brown (6); Denardi (0).

**Resolution 23-53, Approved, Initiating an Amendment to the 2015 Comprehensive Plan to Designate a 56-Acre Parcel in Small Area 9 for Future Open-Space Use (D23-353 thru D23-354).** After staff presentation Councilor Gerlach moved to approve Resolution 23-53, initiating an amendment to the 2015 Comprehensive Plan to designate a 56-acre parcel in Small Area 9 for future open-space use; motion was seconded by Councilor Devine and passed by the following recorded votes. Ayes (6). Councilors Greenlaw, Frye, Devine, Duffy, Gerlach and Graham. Nays (0).

**City Manager’s Report and Council Calendar (D23-355 thru D23-256).** City Manager Baroody directed the Council’s attention to the Manager’s Update: Community and School Safety, National Night out, Check out the New and Improved Playground at Dixon Park, New Patrol Vehicle, Fredericksburg Featured on ABC 7, Around the Town Trolley, Water Bill Assistance, Traffic Safety Initiative, Parks, Recreation and Events Fall Catalog and Fred Focus.

**Adjournment.** There being no further business to come before the Council at this time, Mayor Greenlaw declared the meeting officially adjourned at 9:46 p.m.

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

*Mary Katherine Greenlaw*  
Mary Katherine Greenlaw, Mayor

**APPROVED**  
**08-22-23**