

NOTICE OF SPECIAL MEETING

A SPECIAL MEETING OF THE CHARLOTTESVILLE CITY COUNCIL WILL BE HELD ON Monday, April 4, 2011, AT 6:00 p.m. IN THE Second Floor Conference Room.

THE PROPOSED AGENDA IS AS FOLLOWS:

Closed session as provided by Section 2.2-3712 of the Virginia Code

BY ORDER OF THE MAYOR

BY Paige Barfield

SECOND FLOOR CONFERENCE ROOM – April 4, 2011

Council met in special session on this date with the following members present: Dr. Brown, Ms. Edwards, Mr. Huja, Mr. Norris, Ms. Szakos.

On motion by Ms. Szakos, seconded by Mr. Huja, Council voted (Ayes: Ms. Edwards, Mr. Huja, Mr. Norris, Ms. Szakos. Noes: None) to meet in closed session pursuant to section 2.2-3712 of the Virginia Code, for 1) Consultation with legal counsel for legal advice regarding the negotiation of the terms and conditions of a cost sharing agreement between the City of Charlottesville and the Albemarle County Service Authority for implementation of a community water supply plan, as authorized by Virginia Code sec. 2.2-3711 (A)(7); and 2) Consideration of prospective candidates for appointment to City boards and commissions, as authorized by Virginia Code sec. 2.2-3711 (A)(1).

On motion by Ms. Szakos, seconded by Mr. Huja, Council certified by the following vote, (Ayes: Dr. Brown, Ms. Edwards, Mr. Huja, Mr. Norris, Ms. Szakos. Noes: None), that to the best of each Council Member's knowledge, only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the motion convening the closed session were heard, discussed or considered in the closed session.

COUNCIL CHAMBER – April 4, 2011

Council met in regular session on this date with the following members present: Ms. Edwards, Mr. Norris, Dr. Brown, Ms. Szakos, Mr. Huja.

AWARDS AND RECOGNITIONS

Mr. Norris recognized members of the community who were recently recognized by the Charlottesville Planning Commission were asked to step forward. On behalf of

City Council, Mr. Norris congratulated all individuals and organizations who were honored by the Planning Commission.

Mr. Norris read a proclamation announcing the month of April as Child Abuse Prevention Month. Ms. Diane Kuknyo from the Department of Social Services was present to accept the proclamation.

Mr. Norris read a proclamation announcing the month of April as Minority Health Month. Mr. Randy Jones was present to accept the proclamation.

ANNOUNCEMENTS

Ms. Szakos announced the next Our Town Charlottesville meeting Thursday, April 14 at Mt. Zion Baptist Church from 6:00 p.m. – 8:00 p.m. for the Ridge St./Burnett Commons neighborhoods.

Mr. Norris said Charlottesville City Schools opening Kindergarten registration starts Thursday April 28th at 6pm. Bring a birth certificate, social security card, a current medical physical, and proof of city residency.

CAT is offering a Youth Ride Free program for youth in Charlottesville and Albemarle offering access to transit during the summer. Call CAT at (434) 970-3349 for more information.

MATTERS BY THE PUBLIC

Mr. Randy Page, 1401 Wellford St., said he has been an advocate for the western side of McIntire Park for a long time, and replacing the current softball fields would incur more cost than benefit. Other serious projects in town deserve our attention over spending money to move softball fields.

Ms. Vanthi Nguyen, 1116 Little High St., presented a petition posted by Joanna Salidis, a member of Citizens for a Sustainable Water Supply Plan, with 362 signatures as of 6pm tonight. The petition asked for the community's water needs to be met through dredging South Fork Rivanna Reservoir. Namely: 1) prioritize dredging, 2) aggressively pursue accurate information on which to base decisions, 3) stop all progress towards an earthen dam, and 4) commit to a water plan that is environmentally conservative. Citizens can go to cvillewater.info to sign the petition.

Mr. John Cruickshank, 324 Parkway St., with the Piedmont Group of the Sierra Club, said he believes water needs can best be met with water conservation, phased repair of the dam at Ragged Mountain, and dredging at South Fork Reservoir. Please secure the money for dredging the Rivanna Reservoir before making agreements to build a dam. He asked those who support dredging first to stand.

Mr. Bob Fenwick, 901 E. Jefferson St., said all talk on the budget is focused on spending, but we should focus on the saving side as well. He asked Council to revitalize the program wherein taxpayers who have money saving ideas can share in a percentage of the savings. He asked how assessments can go up when the value of commercial real estate is going down. He said he supports the boxing club idea from the last meeting.

Ms. Rebecca Quinn, 104 4th St., said she wanted to thank Dr. Brown for pointedly ensuring that Council's interests were heard and acted upon at the recent Rivanna Board meeting. She asked for follow-up on an RFP for dredging, research meetings on the Lower Ragged Mountain Dam, and ask when RWSA will estimate the impact the dam and pipeline will have on City and County rates.

Mr. Scott Beyer, 2556 Summit Ridge Trail, said construction of the SRO will begin soon, and he wants to discuss the way we build around it to reduce potentially negative effects. Clustering of social services creates negative effects unless surrounded by other multi-use facilities. Future projects around it should be allowed equal density to allow for counter-balance. The City should encourage further development across the street. Surround our SRO with an intensity of uses that will maximize its positive while minimizing its negatives.

Mr. James Richardson, 115 E. High St., said the new wayfinding signs that were recently installed downtown and sidewalks have been installed directly in the middle of the sidewalk in some places, leaving barely three feet on either side. Please fix existing installation problems, and look at how the planning and engineering processes work to make sure they are concurrent with the City's goal of improving pedestrian mobility.

Mr. Brian Carr, 100 Ridge St., said some people have objected to funding to the Haven, but it is important to have resources such as the Haven available to help anyone who may need it, especially when one in four children in the U.S. live in poverty.

Ms. Elizabeth Breeden, 981 Old Lynchburg Rd., said after ten years of exploring the value of public art, she thinks art in a child's life is valuable. As the manager of Art in Place, the craftsmanship is exquisite, and the piece "Azure Butterfly" adds value to the spirit of Charlottesville. Please support the purchase of this piece at one fifth of its actual value.

Mr. Brandon Collins, 536 Meade Ave., encouraged Council to accept zoning changes for the music halls. It was an open process, and everyone who participated is comfortable with what the Planning Commission came up with. He said he is against renaming the Pavilion and things a progressive Council could stop this trend. He asked for it to be removed from the consent agenda. It is not too late to rethink the water supply plan. Dredge first, then consider the dam later. He agreed with Mr. Carr about the Haven and requested that Council give them the full \$45,000 the originally requested.

Mr. Jacob Wolf, 614 Monticello Ave., thanked Mr. Tolbert for his work shepherding forward the music hall proposal. He said it was about 90% of what his group wanted to have happen. The Planning Commission decision was not actually unanimous. He expressed concerns about two of the zones; one in the downtown area, and one in Belmont.

Ms. Bailee Elizabeth, 613 Blenheim Ave., has been working on the music zoning issue since January and said what the zoning board has presented to Council is exactly what the music community wants. Please do not allow the Pavilion to be called the nTelos Pavilion. Feed people over spending money on a clock.

COUNCIL RESPONSES TO MATTERS BY THE PUBLIC

Mr. Huja said he encouraged Mr. Fenwick's ideas about savings. He asked Mr. Jones to look into wayfinding signs on the sidewalks; sidewalks should be treated the same as roadways.

Ms. Szakos thanked Mr. Page for his well-researched comments about the softball fields. She said Mr. Fenwick's ideas about tax payers helping to save money is a good idea. The City does not raise money by raising assessments. They theoretically reflect actual property value. She suggested Mr. Fenwick speak with Mr. Wes Bellamy about the boxing club. She told Mr. Carr that the Haven has withdrawn their request from funding because they understood this was a year there was a freeze to funding on non-profits and did not want to disrespect that process. She asked citizens to consider donations.

Ms. Edwards thanked Mr. Page for his information about the softball fields. She suggested Mr. Beyer meet with Mr. Collins and Mr. Carr at the Azure Butterfly to have a discussion about their diverse opinions about SROs and this community. She echoed Mr. Wolf and Mr. Collins' thanks to Mr. Tolbert for his work on the music halls.

Dr. Brown said Council has never made a decision on how to program the fields at McIntire Park. He said he wants to look at what the kids need more than what the adults need, so he is more interested in rectangular fields.

Mr. Norris thanked Mr. Page for his comments. Mr. Bill Mueller, director of SOCA, said he does not support taking softball away from McIntire, but would like to see the City and County working together to find additional rectangular field space elsewhere. He thanked Ms. Ngyuen for bringing forward the petition and thanked Ms. Salidis for prompting the effort. He said Mr. Beyer's use of the word SRO differs slightly from Virginia's use of the term, and it is a different beast. SROs here have security and reduce crime in the neighborhood. He thanked Mr. Wolf and Ms. Elizabeth for their work on music halls.

On motion by Mr. Huja, seconded by Ms. Edwards, Council made the following appointments to the Tree Commission: Martha A. Derthick, Bill Emory, Robin Hanes, J. Mike Henrietta, Mo Nichols, Barry Owens, Dorothy Smith, Maynard Snipe and Elizabeth Waters. The motion carried unanimously.

CONSENT AGENDA

Ms. Szakos requested the renaming of the Pavilion be pulled for further discussion.

On motion by Ms. Szakos, seconded by Mr. Huja, the following consent agenda items were approved: (Ayes: Mr. Huja, Ms. Edwards, Mr. Norris, Dr. Brown, Ms. Szakos; Noes: None.)

- a. Minutes of March 7
- b. APPROPRIATION: \$95,000 – U.S. Department of Agriculture (USDA) Summer Food Service Program (2nd reading)
- c. APPROPRIATION: \$92,029 – Police Department – Insurance Recovery and Misc. Revenue and Fees (2nd reading)
- d. RESOLUTION: \$6,000 – Purchase of Azure Sculpture from 2009-2010 Art in Place Show
- e. RESOLUTION: SUP for 1417 Emmet St.
- f. RESOLUTION: CDBG and HOME Funding
- g. RESOLUTION: Transfer of Funds to Wayfinding Account - \$23,500
- h. ORDINANCE: Voting Precinct Reconfiguration (2nd reading)
- i. ORDINANCE: Tax Exemption for Disabled Veterans (2nd reading)
- j. ORDINANCE: Overlay Zoning Restriction for 233 4th St NW / Individually Protected Property Designation (Jefferson School) (carried)
- k. ORDINANCE: Telecommunications Franchise – Windstream (carried)
- l. ~~RESOLUTION:~~ ~~Pavilion Naming Rights (1st of 1 reading)~~

PUBLIC HEARING: CITY COUNCIL'S PROPOSED FY 2012 BUDGET

Ms. Beauregard presented to Council. She reviewed budget amendments Council and staff made, which totaled \$368,137.

The public hearing was opened.

Mr. Paul Long, 1410 Grady Ave., urged Council to take the plight of the homeless into consideration in the upcoming budget. The Salvation Army is the only establishment providing overnight housing. The homeless population is not monolithic and should not be a moral stigma. He asked Council to use \$2 million from last year's budget surplus to

support non-profits who are aiding the homeless and to appropriate money to the Haven regardless of the freeze on funding to non-profit organizations.

Mr. Brandon Collins, 536 Meade Ave., agreed with Mr. Long and said if there is money available from a surplus from last year, please consider priorities here in Charlottesville. If you are serious about being a green city, expand public transportation to full service on Sundays and late night service.

Ms. Colette Hall, 101 Robertson Ln., spoke on affordable housing.

The public hearing was closed.

Ms. Szakos thanked people for coming out to speak on the budget.

ORDINANCE: ANNUAL TAX LEVY (carried)

Mr. Jones said we are not proposing an increase in tax rates for this year.

On motion by Mr. Huja, seconded by Ms. Szakos, the ordinance carried.

ORDINANCE: ANNUAL BUDGET APPROPRIATION FOR FY 2012 (carried)

Mr. Huja said the Haven has withdrawn its request and recommended removing it from this year's budget. Ms. Szakos said they were sincere in withdrawing their request and did not want to be put in the position of accepting the money. Ms. Edwards read the email The Haven sent to Council. Dr. Brown said he was skeptical of funding the Haven and felt that Council came up with a good compromise. The Haven withdrew their request because they did not like the politics of it, and the politics of it were Council's fault.

Ms. Szakos said there are at least five non-profits dealing with human services projects who did not apply for funding this year. Council can work on their policy of how they support non-profits later in the year. Ms. Edwards said that the Haven clarified it will not have to close its doors if they do not receive this funding. The Haven is dedicated to following the same process as other non-profits to obtain funding, and Council should honor their request to withdraw. She said Ms. Hall is correct that balancing the budget is the most important and difficult thing Council will do.

Mr. Norris said his concern over dropping the appropriation for the Haven is that Council asked the Haven to work with City staff and other key stakeholders on development of a downtown satellite employment center. He still believes this is critical, not just for helping the homeless, but for assisting anyone in our community who needs help finding work. Ms. Szakos volunteered to bring that to the Piedmont Workforce Council.

Council will remove the Haven from the budget but will continue to address poverty and homelessness in other ways.

Mr. Jones thanked Ms. Beauregard and the rest of the budget team for putting together this year's budget. Ms. Szakos said they were very responsive to Council's requests and to members of the public.

On motion by Ms. Szakos, seconded by Mr. Huja, the ordinance carried.

REPORT/RESOLUTION: BELMONT BRIDGE SIDEWALK REPAIR

Mr. Tolbert presented to Council. Estimates for repairing the sidewalk on the east side are in the neighborhood of \$300,000. This is not a wise expenditure given we do not know how long it will be until the bridge is torn down. Staff proposed installing a permanent black aluminum fence along the sidewalk. Mr. Tolbert met with Ms. Szakos and Mr. Huja, and they approved this approach. The total cost is approximately \$14,000. Mr. Tolbert explained why other options were not viable.

Mr. Huja said this is a better solution than what we had last time. Dr. Brown thanked people who worked on the project. Mr. Norris said if this were a pathway for vehicles, we would not close it down. However, he agrees the proposal is better than it was. Ms. Edwards said if Council was appalled at the wayfinding signs being placed in the middle of the sidewalk, they should not be willing to let the sidewalk go unrepaired for up to six years, or perhaps longer. Mr. Tolbert said staff is installing an LED crosswalk on the south side of the bridge to make it safer to cross at that location. Ms. Edwards said she is concerned over safety because of how fast vehicles travel in that area. Mr. Jones said we can increase enforcement at that location.

On motion by Mr. Huja, seconded by Dr. Brown, the resolution passed. (Ayes: Mr. Huja, Dr. Brown, Ms. Szakos; Nays: Ms. Edwards, Mr. Norris.)

REPORT/ORDINANCE: ZONING TEXT CHANGES FOR MUSIC HALLS (carried)

Mr. Tolbert presented to Council. He thanked the group of young folks who worked on this process. The change in code would change the provision that requires an SUP to establish a restaurant or music hall to a by-right use in almost all cases, with the exception of two or three current establishments.

On motion by Mr. Huja, seconded by Ms. Edwards, the motion carried. Ms. Edwards said she seconded on behalf of Ms. Baylee Elizabeth.

REPORT: CITY/COUNTY SERVICE CONSOLIDATION REPORT

Mr. Jones reported to Council. There are three areas: Annexation/Revenue Sharing/LCI, Fire and Rescue Services and Social Services. LCI met and decided focus of the group should be the schools. They concluded that consolidating services may not be the best route to take, but both groups identified other areas for collaboration in the future.

Mr. Huja said he was part of the Social Service group and was in the minority because he thought money could be saved by simply halving the staff.

Dr. Brown said John Conover argued forcefully for consolidation or join initiative to occur, and it will have to come from the County Board of Supervisors and Council because staff has too much invested in the status quo to push for change. He said Council had an opportunity to do something big and did not take advantage of the opportunity.

Ms. Edwards said a lot of good things came out of the meeting. She said she hopes there will be opportunities in the future to collaborate because poverty knows no boundaries. She thanked Delegate Toscano for providing the ambience for the meeting to help facilitate conversation and set the tone for potential collaboration in different areas.

Ms. Szakos said any ways we can become one community instead of two would be positive developments. The City and County do a lot of collaboration, even though we are separate.

Mr. Norris said since both Charlottesville and Albemarle have new chief executives, there may well be opportunities in the future for Mr. Foley and Mr. Jones to put their heads together and pursue other collaboration and consolidation opportunities. He welcomed an effort from the county to stand down on threats such as taking money from the city schools.

OTHER BUSINESS**JPA BRIDGE**

Mr. Tolbert explained the JPA Bridge construction process and timing. The utility department thought they would be finished on Shamrock before VDOT got started on the JPA Bridge project, but weather and contracting issues caused delays. There will be one lane open at all times, and workers will ensure traffic flows as smoothly as possible. They estimate the project will be completed within two weeks.

MURAL ON WEST MAIN ST.

Staff hopes the mural serves as an educational opportunity for those involved. This painting is by code required to be approved by the BAR. It was not done beforehand, but the operator of Random Row filed an application on the artists' behalf. Ms. Scala has it scheduled for the next BAR meeting, which will be April 19th in Chambers. The headmaster of the school will attend, along with several of the students involved. The BAR will also speak on the importance of process.

Mr. Norris said we need a better process for encouraging murals and public art in parts of the City where it really does liven up the streetscape. Mr. Tolbert said staff has communicated with public and private schools.

PAVILION NAMING RIGHTS

Ms. Szakos explained what some of the issues are and explained the terms of the lease. She said she does not feel comfortable denying it because it is within the letter of the law. The City does not get profit from the naming rights, but the Pavilion should use their influx of funds to increase diversity of programming, give access to non-profits, and work to give back to the community.

Mr. Huja asked about signage. Mr. Tolbert said this will all be done in compliance with code. Dr. Brown asked if it will go to BAR. Mr. Tolbert said if it is appropriate, it will go to the BAR.

Ms. Edwards thanked Ms. Szakos for having it pulled; she does not support the resolution because of the lack of time for public input. People have not had the time to understand the process and the history.

Mr. Hutto said they have worked in the past to bring in a diverse group of artists and are committed to continuing. Non-profits often are able to use the facility during the day. We will continue to have the venue available for non-profit work and work on diversity of performers.

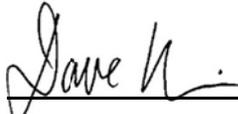
Mr. Norris said this was something Pavilion management was given the right to do eight years ago, and to deny them that right now would be a breach of contract.

On motion by Dr. Brown, seconded by Ms. Szakos, the resolution passed. (Ayes: Mr. Norris, Dr. Brown, Ms. Szakos, Mr. Huja; Noes: Ms. Edwards.)

MATTERS BY THE PUBLIC

Mr. Scott Bandy, 1639 Cherry Ave., distributed a handout to Council.

The meeting was adjourned.

A handwritten signature in cursive script, appearing to read "Dave K.", written over a horizontal line.

President

A handwritten signature in cursive script, appearing to read "Yuzge Bayfield", written over a horizontal line.

Clerk