

NOTICE OF SPECIAL MEETING

A SPECIAL MEETING OF THE CHARLOTTESVILLE CITY COUNCIL WILL BE HELD ON Monday, December 5, 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 Barbara Ronan

SECOND FLOOR CONFERENCE ROOM – December 5, 2011

Council met in special session on this date with the following members present: Dr. Brown, Mr. Huja, Mr. Norris, Ms. Szakos, Ms. Edwards (who arrived after the motion was made).

On motion by Ms. Szakos, seconded by Dr. Brown, Council voted (Ayes: Dr. Brown, Mr. Huja, Mr. Norris, Ms. Szakos; Noes: None) to meet in closed session for consultation with legal counsel regarding the negotiation of the terms and conditions of a community water supply cost sharing agreement with the Albemarle County Service Authority, as authorized by Virginia Code sec. 2.2-3711(A)(7).

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 CHAMBERS – December 5, 2011

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

ANNOUNCEMENTS

Mr. Norris announced that the City Parks & Recreation Department had received a Facility of Merit award for the Smith Aquatic Center – one of only 5 public community facilities out of 60 public facilities in North America awarded such a prestigious honor over the past 6 years. He praised City staff and the architects and presented the award to

Brian Daly, Director of Parks & Recreation. Mr. Daly showed a brief slide show on other projects awarded the honor and the unique features of the Smith Aquatic Center.

Ms. Szakos announced the upcoming Town Hall meeting on December 8 at the Meadows Church to hear from the Meadows Neighborhood. Dinner and child care will be provided.

Mr. Huja reminded everyone that the Holiday Market will take place every Saturday from November 5 through December 24. He encouraged everyone to shop local.

Ms. Edwards announced the Charlottesville High School PTO Prent Social on December 6, and the Winter Band Concert on the same evening.

Mr. Norris said the Citizens Advisory Panel (community policing issues) will meet on December 15 at City Space. There will be a SPCA Blanket Drive (goal is 1500 blankets) this month and there are drop-off locations throughout City Hall. A meeting on the Master Planning Process for McIntire Park East will be on December 12 at Charlottesville High School. He said citizens can participate in the design plan.

MATTERS BY THE PUBLIC

Pat Napoleon, 700 Lyons Avenue. Ms. Napoleon stated that freedom of speech was compromised because of comments by Ms. Szakos several weeks ago when Ms. Napoleon said she wasn't able to understand what was said by all of the Council members. She said Council ignored the rule of law by allowing Occupy Charlottesville to stay in Lee Park, and complained about lack of equal treatment. Ms. Napoleon said Council sanctioned a possibly dangerous situation and health risks by doing so. She did not think taxpayers should fund the Occupy Charlottesville movement. Ms. Napoleon cited lack of oversight and irresponsible leadership by Council. She wanted the Councilors and the City Manager to personally assume the costs to the City of Occupy Charlottesville.

Joanna Salidis, 129 Goodman Street. She objected to any secret discussions of a full height dam at Ragged Mountain because there was a joint decision in 2010 to compromise on dam height and now the plan appears to allow the dam to be built to the full height. Ms. Salidis objects to the current approved plan because it lacks many of the features agreed upon in the compromise. She said the City owns Ragged Mountain, Sugar Hollow and South Fork Reservoirs. She claimed we will lose the investment the City has in land if current plan goes forward. She invited Council to examine her documentation, and not rush through negotiations to meet an arbitrary deadline.

Brandon Collins, 536 Meade Avenue. Mr. Collins claimed new projects don't have enough affordable housing as part of the plan. He spoke about the Burnet Commons Phase 2 project and the need to increase the affordable housing units. Mr. Collins questioned whether Dogwood Properties housing would still be offered as affordable housing. Mr. Collins asked whether there has been input from public housing residents on the CRHA Memorandum of Understanding on redevelopment. He suggested Council

schedule a work session for new councilors to discuss redevelopment, and have town hall meetings in public housing areas. Mr. Collins supports formation of a Human Rights Commission. He urged Council not to open the Meadow Creek Parkway.

Colette Hall, 101 Robertson Lane. Ms. Hall said a Human Rights Commission would not be as accountable as an elected council, and would not have the legal and fiduciary responsibilities that an elected board would. Ms. Hall said Council can't authorize a commission to impose penalties on offenders. It would be unconstitutional and such a commission would be very costly if created.

Stratton Salidis, 704-B Graves St. Mr. Salidis would like to see Lee Park become a 24/7 free speech zone. He doesn't believe overnight camping is necessary, but a longer range solution is necessary. He stated Council is ready to take away 200 acres of public space and flood it (dam plan) and this land could be made available to homeless. He asked Mr. Huja if he has researched whether only 20% of water users will be able to get water until new pipeline is built. He urges Council not to rush into action on the dam issue. Mr. Salidis reminded Council they must have a supermajority to give away City land. With respect to the Meadow Creek Parkway, he urged Council not to allow the County portion of the road to be opened. He said that VDOT and the County shouldn't have built their portion before the City was ready to build the Interchange and McIntire Rd Extended.

Brenda Lambert, 301 Monte Vista Avenue. Ms. Lambert read a letter from the Legal Aid Justice Center supporting the Human Rights Commission plan. Their clients frequently face discrimination and need a way to address issues of discrimination.

Gloria Rockhold, 1417 Lester Drive. Ms. Rockhold said she is a member of the Dialogue on Race Committee and a voice for the Latino community. She supports the Human Rights Commission because of housing and pay discrimination. Ms. Rockhold stated there is no institutional recourse for victims of discrimination.

Jim Shea, 301 Monte Vista Avenue. Mr. Shea referred to the courage of the people who integrated City schools. He emphasized that protest was a part of that movement, but the power of law was necessary. Mr. Shea credited Council for approving an apology for the destruction of Vinegar Hill. He said Council has the ability to do the opposite of what the Council in the 1950's did – create a commission that will bring the power of government to fight discrimination.

Jason Cook, 693 Country Green Road. Monticello High School students researched and presented their opinion on the Meadow Creek Parkway. They opposed the parkway because of the impact on McIntire Park. Mr. Cook said all the money spent on road construction could be used for schools.

Gary Elwell, 1947 Michael Place. Mr. Elwell said he is a local tennis pro and opposes the business activity policy for Parks and Recreation. He stated the policy is too arbitrary and he doesn't use tennis courts unless they are not in use. Mr. Elwell said the policy

requires 15% service fee for those approved under the policy – that charge will need to be passed on to the student. He said it is not just a pool issue; it affects everyone.

Mr. Rick Turner, 1663 Brandywine Drive. Mr. Turner said he speaks on behalf of the Albemarle Charlottesville NAACP. He supports the proposed Human Rights Commission because racism is still present (structural and institutional racism). The Dialogue on Race Committee was an important first step but now we need the Human Rights Commission to hold people accountable for their racist actions. Complaints of discrimination are often dismissed and civil rights ignored so we need the commission.

Carmen Farfan, 2405 Peyton Drive. Ms. Farfan, through an interpreter, said she supports the Human Rights Commission. She has been a victim of discrimination after working 7 years for the same company. She complained that she was forced to sign documents written in English. She said her story is the same as many Latinos in Charlottesville.

Bailee Hampton. Ms. Hampton expressed disappointment with Council (except for Ms. Szakos) regarding the eviction of Occupy Charlottesville from Lee Park because they were promised a opportunity to find another location. They were told they would have 3 days to clean up the park but the next night the police came. Ms. Hampton complained that proper protocol was not followed by the police. She said the Occupy Charlottesville group was making a good faith effort to find another location but they were required to leave the park anyway.

Herbert Stahl, 1014 Grove Street. Mr. Stahl complained about police behavior during arrests of protesters in Lee Park. He said the Police Chief didn't honor his promises, and accused Council of saying one thing and doing another – e.g. investing City money in corrupt banks.

John Pfaltz, 1503 Rugby Road. Mr. Pfaltz questioned how problems will be solved by creating a Human Rights Commission. He objected to spending \$200,000 a year to fund a commission that lacks real power. Mr. Pfaltz posed various questions on what other types of discrimination (age, gender, etc.) would be investigated, and what punishments could be enforced. He supports opening the Meadow Creek Parkway.

Michael Sloan. Mr. Sloan stated the homeless issue is still a problem. He asked Council to use the field in back of Riverview Park for a tent city. Employment for homeless would be helped if City would use them for cleaning up streets and facilities. He stated he can't go to PACEM with his pet and urged Council to try to find something to help the homeless.

Jeffrey Fogler, 215 Spruce Street. Mr. Fogler urged Council to adopt the Human Rights Commission. He said children of color are discriminated against (arrest rates, imprisonment, etc.) and it is an indictment of the juvenile justice system.

Timothy Hulbert, 2246 Brandywine Drive. Mr. Hulbert stated that he works for the Chamber of Commerce. He supports opening the County portion of the Meadow Creek

Parkway. He is concerned about the turn radius at Park Street and Melbourne Avenue, and this would be an opportunity to fix it. Mr. Hulbert questioned whether a Human Rights Commission is the most effective tool to combat discrimination, and wondered about unintended consequences.

COUNCIL RESPONSES TO MATTERS BY THE PUBLIC

Dr. Brown stated that much of the “blame” for removing the Occupy Charlottesville group has been directed at the Mayor, but Mr. Norris really worked hard at finding another location and should be given credit for his efforts. He said it was a joint Council decision, except for Ms. Szakos.

Ms. Szakos said she felt strongly about First Amendment rights and continues to do so. However, the City is not the enemy of Occupy Charlottesville, and people were trying to do the right thing. She praised Jason Cook and his fellow Monticello High School students for getting involved. Ms. Szakos praised Señora Farfan for coming to speak and telling her story. She thanked Mike Sloan for coming and speaking on the homeless issue.

Ms. Edwards said her philosophy about public comment is that happy people give encouragement; angry people give ideas. She said that she thought removing the Occupy Charlottesville group from Lee Park was the best decision to make in that situation. She is glad that social issues have come before Council -- need to hear from both sides.

Mr. Huja said he was impressed by the comments made by the Occupy Charlottesville group at the last meeting.

Mr. Norris wants to get a status update on the Dogwood Properties from City staff. He likes the idea of a work session on redevelopment of public housing. Mr. Norris said he was concerned about Mr. Elwell’s comments on the business activity policy. Dr. Brown said he planned to pull it from the consent agenda for discussion. Mr. Norris directed the City Manager to follow up on the protester’s complaint about police abuse. Mr. Jones said they interviewed the parties and are taking it very seriously. Mr. Jones thanked Chief Longo and his officers for their behavior in enforcing the curfew at Lee Park.

CONSENT AGENDA

Dr. Brown asked that Consent Agenda Item K (Business Activity Policy) be removed for discussion, and Mr. Norris asked that Consent Agenda Item F (Year End Appropriation) be removed for discussion. Ms. Szakos expressed her gratitude at the donation of the sculpture for McIntire Park.

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

- a. Minutes of November 7 and November 10
- b. APPROPRIATION: State Criminal Alien Assistance Program Grant - \$16,738 (2nd reading)
- c. APPROPRIATION: Charlottesville Police Foundation Contribution - \$2,376.14 (2nd reading)
- d. APPROPRIATION: Bullet Proof Partnership DOJ Grant - \$4,300.92 (2nd reading)
- e. APPROPRIATION: Proceeds (\$250,000) from Sale of 409 Stadium Road (2nd reading)
- f. ~~APPROPRIATION:~~ ~~Fiscal Year 2011 Year End Appropriation (2nd of 2 readings)~~ *Removed from Consent Agenda for discussion on Regular Agenda*
- g. APPROPRIATION: Highway Safety Grant - \$422,869 (carried over)
- h. APPROPRIATION: Reimbursement for Extraditions - \$6,959.22 (carried over)
- i. APPROPRIATION: Reimbursement for Voting Machines - \$7,920 (carried over)
- j. RESOLUTION: Acceptance of Sculpture in McIntire Park
- k. ~~RESOLUTION:~~ ~~Business Activity Policy for Parks & Recreation Facilities (1st of 1 reading)~~ *Deferred – no action taken*
- l. RESOLUTION: Acquisition of Land on Jefferson Park Circle
- m. RESOLUTION: University Community Next Generation Innovation Project
- n. ORDINANCE: Abandon Gas Line Easement in Pavillions Subdivision (Albemarle County)
- o. ORDINANCE: Rezone Property at Elliott Ave, Burnett Street and Lankford Avenue to PUD (carried over)

PUBLIC HEARING/ORDINANCE: NDS Fee Schedule Changes

Mr. Tolbert, Director of NDS, outlined the reasons for imposing most of the fees and explained the new fees. Mr. Huja asked how the City fees compare with Albemarle County fees. Mr. Tolbert said historically our fees have been lower. Ms. Szakos asked how the combined preliminary and final site plan application fee compared to charging fees separately. Mr. Tolbert said it is cheaper for the applicant to combine the applications. Dr. Brown asked if the fees would discourage non-profits from holding special events. Mr. Tolbert said the venues for most special events are already approved so there's no need for an inspection (new fees don't affect most special events). Dr. Brown was concerned about the cost of the City's fees compared to other localities. Mr. Tolbert said overall the City charges lower fees than most localities.

Mr. Norris opened the public hearing. Neil Williamson (Free Enterprise Forum) objected to the City charging users for the whole cost of the on-line permitting system. He stated that on line permitting was supposed to save money (less staff time, no paper). Having no other speakers, the public hearing was closed.

Mr. Tolbert responded that the City is not yet at the point of on-line permitting – it's simply a permit system for data retrieval and storage and tracking of permits. The City still has to deal personally with people requesting permits. The funds received from the fees can be used to upgrade the system in the future.

On motion by Mr. Huja, seconded by Dr. Brown, the ordinance was carried over to the next meeting.

REPORT: CITY MARKET UPDATE

Mr. Brian Daly reported to Council on the recommendations from the City Market Task Force. He introduced Carla Jones, Erica Stratton and Natalie Roburn, the student team who worked with City staff on creating and conducting a survey on City Market matters. They reported the results of the survey to date and the workshops held.

Mr. Daly said staff members are using the survey responses to examine the impact of the City Market on downtown businesses, and how the market can attract customers at all socioeconomic levels. The survey work is continuing into next year.

Mr. Norris thanked the students for their work and commented on a parallel survey being done to determine the reasons people don't use City Market.

Ms. Szakos said it's important to know where customers live and zip codes do not distinguish City from Albemarle County residents. Ms. Carla Jones said quite a few tourists use the market.

Ms. Edwards said it is valuable to have actual data and research in addition to anecdotal information. She appreciated the attention the survey gave to the neighborhoods surrounding the City Market.

Dr. Brown favors the plan to do a survey on why people don't use the City Market, especially focusing on the lack of diversity of the customers.

Mr. Norris asked Mr. Daly about the status of a permanent location. Mr. Chris Engel, Assistant Director of the Economic Development Department, responded it was premature to weigh in conclusively on where the City Market should be located. The design competition in 2007 didn't accommodate the current market structure. He said a mixed-use project is feasible but needs more research.

Mr. Daly said more empirical data is needed on the idea of a Market District, which might be open 7 days a week with dedicated buildings. Dr. Brown commented that we need information that reveals why people choose to live and operate businesses downtown – is the City Market an incentive? Mr. Huja remarked on the importance of walkability in urban areas. He wondered whether the current location is the best use of the land, but wants Council to explore other downtown locations. Mr. Norris agreed with the need for more information on the attraction of the City Market for business and residential development.

REPORT: HUMAN RIGHTS COMMISSION

Mr. Jones gave background information on the proposal to create a Human Rights Commission, which was one of the recommendations of the Dialogue on Race Committee. He identified the list of concerns: (1) Type of commission; (2) Need for enabling legislation; (3) Level of need in the community; and (4) Costs. Mr. Jones said the staff needs to survey other localities which have created such a commission before making any formal recommendation.

Dr. Brown questioned whether such a commission would have authority to deal with discrimination against children. Mr. Jones responded that the commission would be able to investigate complaints.

Ms. Edwards said it is important for education and outreach efforts started by the Dialogue on Race Committee to continue.

Ms. Szakos said she believes such a commission is needed but is willing to wait for due diligence to take place. She suggested it could be created in phases over time, but would not want it to replace the Dialogue on Race Committee.

Mr. Norris stated the Dialogue on Race Committee wasn't meant to be a permanent committee but believes there is still work to be done. He suggested a Human Rights Commission could look for patterns of institutional racism, and evaluate how well existing mechanisms are working. Mr. Norris said he supports formation of the commission but its charge should not include investigatory powers.

Mr. Huja said he was reluctant to spend \$200,000 a year to form a commission at this point. He will wait for the City Manager's report and recommendation.

Ms. Szakos suggested input from the Equal Employment Opportunity Commission and the Piedmont Housing Alliance. She asked when the matter would come back to Council. Mr. Jones said he hoped to put it on a January 2012 agenda. Mr. Huja said we should not rush the issue.

Dr. Brown said funding should be decided through the budget process.

Mr. Norris thanked the Dialogue on Race Committee for their work.

REPORT/ORDINANCE: MEADOW CREEK PARKWAY – CONDITIONS FOR OPENING FOR PUBLIC TRAVEL

Mr. Tolbert reported that construction is complete on the County portion of the Meadow Creek Parkway. The Albemarle County Board of Supervisors has requested VDOT to open the road, even though the City conditioned its easement to VDOT on not opening any part of the roadway until all sections are complete. It was anticipated that the City projects (McIntire Road Interchange and McIntire Road Extended) would be started within a year after the County portion was constructed, but it may now be 2014 before the City projects are done. The intersection of Melbourne Road and Park Street is entirely in the County so the landscaping and traffic signal work has been done. The City Traffic Engineer has examined VDOT traffic studies and agreed with their conclusion that there would be an acceptable small increase in traffic on Melbourne Road and Grove Road.

Mr. Huja asked Mr. Tolbert to read the conditions staff recommends before Council approves an early opening of the Meadow Creek Parkway. Mr. Tolbert cited 5 conditions: (1) Speed limit of 25 mph on the Parkway approaching the intersections; (2) Agreement between VDOT and the City to allow the City to maintain traffic signals at the intersections; (3) Improvement in turn lanes at Melbourne Road; (4) Exclusive right turn lane at Rio Road/CATEC intersection; and (5) Provide left turn lane on southbound Rio Road at CATEC intersection.

Mr. Norris asked who would pay for the improvements. Mr. Tolbert responded that VDOT has the funding and would pay for them.

Dr. Brown asked about the time line. Mr. Tolbert said it should take about 4 weeks to construct the improvements required under the conditions.

Ms. Szakos asked what would happen if the City voted against the proposed ordinance. Mr. Tolbert said VDOT and the County would probably open it anyway although he deferred to the City Attorney for his opinion. Mr. Craig Brown said the City could sue VDOT. Mr. Tolbert said that stating the City's position in an ordinance is important. Ms. Szakos said she understood the frustration caused by the delay in getting the City projects constructed, but cited the traffic problems that could occur in opening early the County roadway.

Mr. Huja commented that safety would be improved by the conditions in the ordinance.

Dr. Brown inquired about the possibility of joint recommendations by City and County. Mr. Tolbert said the staff has talked with VDOT officials, and Mr. Jones said there have been discussions with County staff in which the safety considerations were stressed.

Mr. Tolbert said staff would monitor traffic problems and make traffic signal adjustments if necessary.

Dr. Brown said he would support the early opening because of the long delay in getting the City projects completed. Mr. Norris said the School Board was strongly opposed to a partial opening of the roadway, and the City owes them a chance to review and comment.

On motion by Dr. Brown, seconded by Mr. Huja, the ordinance was carried over to the next meeting.

The meeting was recessed for 10 minutes.

**REPORT/RESOLUTION: REDEVELOPMENT OF PUBLIC HOUSING –
CRHA/CITY MEMORANDUM OF UNDERSTANDING**

Ms. Kathy McHugh, Housing Development Specialist, presented information on the collaboration between the City and the Charlottesville Redevelopment and Housing Authority (CRHA) on the redevelopment of certain public housing sites, and requested approval of certain action items in the MOU in order to move forward. Ms. McHugh explained about federal funding restrictions and the need to use the non-profit Charlottesville Development Corporation as the entity to undertake the redevelopment activities. Ms. Amy Kilroy, CRHA, discussed the need for Requests for Proposals for redevelopment of Crescent Halls and the Levy Avenue site, and transferring funds from the Capital Improvements Program contingency fund or FY2013 Charlottesville Housing Fund for pre-development work. She stated public housing residents would be involved in the planning and decision making, following up on informational meetings having already been held. Ms. Melissa Thackston, NDS, stated that the resolution does not involve a new appropriation of money at this time but is simply to move the project forward with funds already allocated to housing needs.

Mr. Huja asked if the RFPs for the 2 sites will be prepared by staff and are they ready, and Ms. Thackston said the RFPs will be done by staff and they are ready to proceed. Mr. Huja said it is important to get comments from adjacent property owners, and would like the re-designed Charlottesville Development Corporation board to have members with relevant experience.

Ms. Szakos said she fully supports the redevelopment project.

On motion by Ms. Edwards, seconded by Ms. Szakos, the resolution was approved unanimously (Ayes: Dr. Brown, Ms. Edwards, Mr. Norris, Mr. Huja, Ms. Szakos; Noes: None).

**REPORT/RESOLUTION: ALLOCATION OF FUNDS (\$24,000) FOR VINEGAR
HILL MONUMENT**

Ms. Elizabeth Breeden, member of the Dialogue on Race Committee, expressed the Committee's support for a monument to remember the lessons of Vinegar Hill. A sculpture to be located at the Jefferson School is recommended because it will make "invisible history" more visible. She discussed a nationwide invitation for sculpture designs, which would require funding. Ms. Breeden said funds would be raised from private organizations (\$100,000-\$200,000) to create the sculpture, but the process to search for designs would cost \$24,000, and the funds are available in the Percent for Art Fund. She gave examples of other localities that have provided funding to secure proposals for art designs.

Mr. Norris said this is not new funding, and gave them names of organizations that support the request.

Mr. Huja said he supports the idea of the Vinegar Hill Monument, but is concerned about the costs. He said the City has never used Percent for Art funds to pay for the process of securing artwork, and has not paid more than \$15,000 for any one sculpture. He doesn't see the need for the City to contribute as much as \$24,000 because (1) the comparison of funding by other larger cities to Charlottesville's ability to fund isn't fair; and (2) we can get a good jury panel without a stipend. He understands that the City may need to pay for a final design.

Dr. Brown expressed concern about initiating the process without having the funds in place to actually create the sculpture. He would like to see some successful fundraising accomplished prior to committing to searching for a design.

Ms. Szakos commented that funding from the Percent for Art fund seems appropriate, and that the Vinegar Hill monument would be different from all the Confederate soldier statues.

Mr. Huja said the Percent for Art guidelines say the money has to be spent for sculptures, and would like to see funding partners in place. Ms. Breeden responded that funds are still needed to commission a sculpture, and people won't make donations without a design in place and the City's support in the commission process.

Mr. Norris had questions about the budget submitted for the \$24,000. Mr. Huja thinks this is an opportunity to use the Percent for Art funds if no other needs are identified, but asked how it can be done for less money. Ms. Breeden said she will look for donors outside the area for the sculpture and the Jefferson School developers will search for donors locally for the renovation of Jefferson School.

Ms. Edwards said she favors a monument to remember the Vinegar Hill experience, and believes Percent for Art fund is appropriate to fund this. She asked Ms. Breeden if the budget can be re-worked. Ms. Breeden said she could reduce the number of proposals solicited.

Mr. Huja moved that the amount be reduced from \$24,000 to \$15,000, but there was no second.

Ms. Szakos moved that the resolution be adopted as is, but there was no second.

Mr. Norris made a motion that the amount of funding be reduced from \$24,000 to \$18,000, and Mr. Huja seconded the motion. The resolution was approved, as amended, by a unanimous vote (Ayes: Dr. Brown, Ms. Edwards, Mr. Norris, Mr. Huja, Ms. Szakos; Noes: None).

ORDINANCE: TAX ABATEMENT PROGRAM FOR REHABILITATED PROPERTIES

Ms. Kathy McHugh explained the history of the tax abatement program, and said it would expire September 30, 2012 if no action is taken. She reviewed the figures on how the program has benefitted the City, and recommended that the maximum value of the property be limited to \$600,000 (currently at \$506,000). She also recommended that the program be extended 10 years (to September 30, 2022).

Mr. Huja said he supports the program but has a problem with a maximum value of \$600,000 because it doesn't help middle income property owners. He said it gives a subsidy to people who can afford renovations without help from the City.

Dr. Brown didn't object to the \$600,000 limit but does have a problem with extending it for 10 years. He prefers that Council have a chance to review it again in 5 years. Dr. Brown questioned how you can determine whether the tax abatement option influences the decision to renovate a home, and would like to see some survey data.

Ms. Szakos said she fully supports the program.

Dr. Brown made a motion to keep the threshold limit at \$506,000 and extend the program for 5 years. Mr. Huja seconded the motion. The ordinance was carried over to the next meeting.

APPROPRIATION (2ND READING): YEAR END APPROPRIATION

Mr. Roger Voisinet presented his request for \$500,000 of the surplus funds from FY2011 to be spent on a revolving fund (administered by LEAP program) to support solar and renewable energy projects. There is a need for capitalization in order to receive federal and state grants. Local businesses could invest in energy efficient systems. Mr. Norris stated a revolving fund would return the energy savings to the City. Mr. William Van der Linde said he supports a fund that homeowners and private businesses could use to expand energy efficiency.

Mr. Huja said he supports energy efficiency but it would have to be a revolving loan fund that would charge interest to cover costs.

Dr. Brown commented that LEAP provides grants to homeowners for energy efficiency and this could be similar program for businesses.

Mr. Norris stated that it would be different because it is renewable energy source fund, and not just energy efficient measures.

Mr. Jones said he would recommend funding it from the CIP contingency fund, not the surplus from the year end appropriation. Staff would like time to study the proposal.

Ms. Szakos said she supports the idea of the fund but was not in favor of approving it at this time.

Mr. Huja suggested that other sources of funding be investigated – he said the CIP contingency is needed for other things.

On motion by Mr. Huja, seconded by Dr. Brown, the appropriation was approved by a unanimous vote (Ayes: Dr. Brown, Ms. Edwards, Mr. Norris, Mr. Huja, Ms. Szakos; Noes: None).

RESOLUTION: BUSINESS ACTIVITY POLICY FOR PARKS & RECREATION FACILITIES

Dr. Brown asked Mr. Brian Daly about the application to conduct a business activity in Parks and Recreation facilities. Mr. Daly explained that the intent is to govern the use of parks and facilities. It would not prohibit business activities, just regulate them. He said the application allows people to use the facilities with permission, similar to facility rental agreements.

Mr. Huja questioned the fee structure, and Mr. Daly explained how the fees are calculated and that applications would be time limited (preferably less than 90 days).

Dr. Brown asked Mr. Daly to provide an example of how it would work for an occasional use. Mr. Daly responded that one could be hired as a City instructor and the terms would be negotiated with the instructor. Dr. Brown said he is uncomfortable with the policy because it is too broad.

Mr. Huja asked how facilities would be monitored and the policy enforced. Mr. Norris asked if private instruction is a problem other than at the pools. Mr. Daly said the problem is not widespread but there is a need to address it system-wide and not just at one facility.

Mr. Huja said a policy is needed but it needs to be flexible.

Dr. Brown said he doesn't support the policy but would rather see a policy that specifically addresses the problem at the pools. He asked if facilities are available for reservation, and Mr. Daly said the tennis courts are. Dr. Brown asked if private schools rent out tennis courts, and Mr. Daly responded positively.

Mr. Norris asked is we can have separate policies for indoor vs. outdoor facilities.

Mr. Craig Brown suggested that Council defer action on this item and staff can work on different options for policies.

Ms. Szakos suggested that Parks & Recreation have a definite time period for approval or denial of an application, and that soliciting of funds without written permission should be addressed in the policy.

MATTERS BY THE PUBLIC

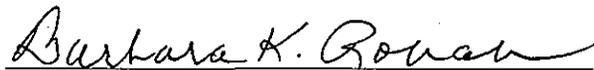
Mr. Peter Kleeman stated that the original conditions imposed by Council on opening the Meadow Creek Parkway should be honored. He believes VDOT does not have the authority to use City land, and it's a matter of political will. Mr. Kleeman wants City Council to stand by their decision.

Mr. Robert Smith opposes the Meadow Creek Parkway, and said he believes this is a taking of land by VDOT. He stated that urban renewal, public housing and interstates have all been public policy mistakes. He complained about the Democratic Party having total control in Charlottesville, and opposes the Human Rights Commission. Mr. Smith also said there is a problem with homeless shelters not allowing pets.

Dominique Morris: Mr. Morris said he supports the First Tee program funding because it teaches kids core values and not just how to play golf.

Mr. Norris commented that when the Occupy Charlottesville group was removed from Lee Park, PACEM was able to accept almost every homeless person in Lee Park.

The meeting was adjourned.



Acting Clerk of Council