

## **COUNCIL CHAMBER – May 17, 2010**

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

**AWARDS/RECOGNITIONS:** NATIONAL PUBLIC WORKS WEEK; BUSINESS APPRECIATION WEEK; JOB FAIR; BIKE MONTH

Mr. Norris presented proclamations for Mental Health Month, the 20<sup>th</sup> Anniversary of the Virginia Discovery Museum, Building Safety Month, Tourism Week, and Civility Awareness Month. He also noted a proclamation for National Foster Care Awareness Month.

### **ANNOUNCEMENTS**

Mr. Norris announced the 150<sup>th</sup> anniversary of Paul Goodloe McIntire's birthday. He thanked members of the planning committee for the 2010 Community Job Fair and reported over 2,000 job seekers attended. He also announced the City's receipt of the Growth Award from Tree City USA and thanked the Parks and Recreation staff and others in the city who helped us achieve the award this year.

Ms. Edwards announced that the Charlottesville and Albemarle Pregnancy and parenting resource guide has been published. It is available online at [www.ccinfo.org](http://www.ccinfo.org) or call 972-6232. She also thanked the Charlottesville school orchestras for their spring concert last night. Interim grades have been issued.

Mr. Norris announced a public forum on the City Manager search on Wednesday, May 19, 7-9pm, in city council chambers. Citizens can view live on Channel 10 and may call in with questions and comments as well.

### **PUBLIC**

Mr. Bob Fenwick, 901 E. Jefferson St, spoke on dredging and damming and encouraged Council to get accurate facts and move quickly on a decision.

Mr. Downing Smith, 801 Locust Ave., spoke on the Notice of Termination of the City's agreement with Rivanna Water and Sewer Authority. He also spoke on the cost of the new dam and asked Council not to guarantee any debt for anything other than city issued bonds.

Ms. Colette Hall, 101 Robertson Lane, requested that Council authorize the use of their parking stamp for Planning Commission meetings, which may run six hours long. She also asked Dr. Brown if he had further information on how precipitation affects recyclables.

Ms. Betty Mooney, 201 Sunset Ave., thanked Mr. Norris for his reasoned approach at the last Rivanna and Sewer Authority meeting. She hopes Council will support Mr. Norris in reexamining how much water the community needs.

Mr. Stratton Salidis, 704 Grave St., asked Council to reevaluate how much water the City needs. He is concerned that the Meadowcreek Parkway will bypass Charlottesville's main retail areas. He encouraged the use of an express bus service on the 250 Bypass between 29 North and the Barracks Road / Downtown area. He announced a demonstration on Wednesday at Congressman Periello's office encouraging him to vote against reauthorizing the war in Afghanistan and asked Council to attend.

Rev. Ralph Brown, Sr., 706 12<sup>th</sup> St NW, commended Council for their approach to the Dialogue on Race. He urged Council to move with caution, as people who lived in the Vinegar Hill area will not participate in a discussion. He expressed the value of integration and asked Council to identify the people who want to take part in substantive discussion. He said the appropriation for the Winneba delegation is an opportunity to do something positive for the African American community in Charlottesville and will bring life and connection to our brothers and sisters across the water.

#### **COUNCIL RESPONSES TO MATTERS BY THE PUBLIC**

Ms. Szakos showed support for Rev. Brown's sentiments.

Dr. Brown said the bonds addressing water concerns are in the utility budget. He said the parking stamp should be used for Planning Commission meetings. Regarding recyclables, he reported that wet items are not recyclable but do not contaminate the entire truck. Citizens should not leave their newspapers out in the rain. He requested a report from Public Works regarding recycling issues. Regarding Ms. Mooney's concerns over solid waste, there are no bids to privatize at this point. The next RSWA meeting will be a constructive discussion on what we need and how to get it.

Mr. Huja reported that there was a good crowd for the Dialogue on Race. It is now moving into the action phase, and he looks forward to participating.

Ms. Edwards reiterated that citizens who attend public hearings deserve a parking stamp. She thanked Rev. Brown for sharing his thoughts. She said the citizens who were born here, have worked here and will die here, are whose shoulders we stand on, particularly with initiatives such as the Dialogue on Race. Members of our community should not underestimate the value of their presence even when they are not present. There are ways to get involved without always being present, and there is hope for an increase in civic engagement.

Mr. Norris thanked Rev. Brown for pointing out our connection with Africa. He also thanked Mr. Salidis for speaking. He voiced support for express buses and noted that Council will examine public transportation during this summer's Transit Summit.

## CONSENT AGENDA

Mr. Huja removed Allocation of Funds to Assist with Costs Associated with the Sister City, Winneba, Ghana Delegation Visit from the consent agenda.

Mr. Norris removed Belmont Bridge Revenue Sharing from the consent agenda.

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

- a. Minutes of May 3
- b. **APPROPRIATION**      \$5,100 – Donations to Dialogue on Race (2<sup>nd</sup> reading)
- c. **APPROPRIATION**      \$34,150 – Police Overtime for Special Events (2<sup>nd</sup> reading)
- d. **APPROPRIATION**      \$52,031 – New Transit Facility / Rainwater Harvest Grant (carried over)
- e. **RESOLUTION**      2009/2010 Snow Storm costs
- f. **RESOLUTION**      Accept Roy’s Place into City street system
- g. **RESOLUTION**      Accept Carter’s View into City street system
- h. **RESOLUTION**      Amend Commission on Children and Families Operational Agreement
- i. **RESOLUTION**      CTS Replacement Operations Center - Grant of Easement to Albemarle County Service Authority
- j. **RESOLUTION**      Resolution for City to Serve as Fiscal Agent for the Virginia Juvenile Community Crime Control Act
- k. **ORDINANCE**      AN ORDINANCE AMENDING AND REORDAINING SECTIONS 34-164 AND 34-822 OF CHAPTER 34 (ZONING) OF THE CHARLOTTESVILLE CITY CODE, 1990, AS AMENDED, RELATING TO LENGTH OF TIME A SPECIAL USE PERMIT AND PRELIMINARY SITE PLAN MAY REMAIN VALID (carried over)
- l. **ORDINANCE**      AN ORDINANCE TO QUITCLAIM NATURAL GAS LINE EASEMENT LOCATED ACROSS INNOVATION DRIVE AT ITS INTERSECTION WITH AIRPORT ROAD IN ALBEMARLE COUNTY TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION (carried over)

m. **ORDINANCE** AN ORDINANCE AMENDING AND REORDAINING SECTION 15-210 OF ARTICLE V OF CHAPTER 15 (MOTOR VEHICLES) OF THE CHARLOTTESVILLE CITY CODE, 1990, AS AMENDED, INCREASING THE NUMBER OF RESTRICTED PARKING PERMITS ALLOWED FOR 510 VALLEY ROAD. (carried over)

n. **ORDINANCE** AN ORDINANCE AUTHORIZING THE CONVEYANCE OF A PERMANENT EASEMENT AND RIGHT OF WAY TO ALEX AND JOAN GULOTTA FOR A SEWER EASEMENT THROUGH GREENBRIER PARK. (2<sup>nd</sup> reading)

**PUBLIC HEARING/ORDINANCE:** REZONING TIMBERLAKE PLACE TO PUD (2<sup>nd</sup> reading)

Brian Haluska presented on the second reading of a request by the Jefferson Area Board for the Aging seeking approval of a rezoning from R-1S to PUD, with proffers, on property located at 1512 East Market Street. The proffer statement has been modified from its first proffer. Although there will not be a perpetual review of external changes once the building is constructed, the proffer was modified to indicate future changes would still go before the BAR. The PUD would enable a 28-unit multi-family housing facility aimed at residents aged 55 and over.

The public hearing was opened.

Mr. Pete Simms, 1600 East Market St., said his property abuts the parcel, and he has lived there for 24 years. He said all proposals up until now were detrimental to adjoining property owners. However, JABA initiated the process with adjoining land owners and worked out a plan that was unique and will meet the needs of all parties. JABA has been excellent to work with, and Mr. Simms encouraged approval.

Ms. Szakos commended the public and JABA on this process.

On motion by Ms. Szakos, seconded by Dr. Brown, the ordinance entitled “AN ORDINANCE APPROVING A REQUEST TO REZONE PROPERTY LOCATED AT 1512 EAST MARKET STREET TO PLANNED UNIT DEVELOPMENT (PUD)” was approved by the following vote. Ayes: Dr. Brown, Ms. Edwards, Mr. Huja, Mr. Norris, Ms. Szakos. Noes: None.

**PUBLIC HEARING/ORDINANCE:** NEW UTILITY RATES AND SERVICE FEES

Mr. Bernard Wray presented the 2011 water sewer and gas recommendation for the city. There will be a work session with Council on recommendations for a tier rate. The primary benefit of tier rates is water conservation.

Mr. Norris asked what the projected five year costs are related to the community water supply, and how estimates are conducted. Mr. Wray said the rates come from

Rivanna. They have to make some assumptions because they do not have final numbers yet. They are looking to have the 2008 plan updated this summer.

The gas utility average household rate will increase this year. Last year, rates decreased because UVA had a dramatic increase in gas sales. The City passes what they pay for gas dollar for dollar to the consumer.

Ms. Szakos asked for an explanation of how combined percentage increases would affect the average family. Mr. Wray explained that the combined percentage increases would average 6-7% for the average household.

The public hearing was opened.

Mr. Downing Smith, 801 Locust Avenue, said Charlottesville has some of the highest rates in the area. He said bills increase when usage decreases, and this cannot continue.

Ms. Colette Hall, 101 Robertson Lane, said the increase in utility rates is really a tax.

Ms. Dede Smith, 2652 Jefferson Park Cir., asked for further explanation about the source of rate stabilization funds. She commended the City for their green initiatives and asked why rates are increasing while demand is decreasing. She asked if there is a long-term plan to address this.

Ms. Betty Mooney, 201 Sunset Ave., said that as rates increase, citizens will be convinced it is economical to use less water. She asked for a plan for what Council is doing to address rate increases. She said the 2008 CIP from Rivanna is based on old numbers and has not been updated with revised costs.

At Dr. Brown's request, Mr. Wray addressed the issue of stabilizing the water rates and the debt service cycle. Mr. Norris said that if usage declines, your rate may increase, but your bill will still go down.

Mr. Huja asked why operating expense is showing an increase of \$57,747. Ms. Hillebrand explained there are additional fees from the Department of Health and contractual fixed fees on the water side. On the waste water side, about \$10,000 is due to retirement costs. Also, there is an increase that is being taken into account for the first time this year to reflect a long-term trend of an increase in the cost of maintenance supplies, which accounts for about \$20,000.

Mr. Norris thanked speakers for pointing out the need to figure out a long-term solution for a cost-effective water supply plan. However, the sewer system is in need of an upgrade, which cannot be ignored.

On motion by Ms. Szakos, seconded by Dr. Brown, the ordinance entitled “AN ORDINANCE AMENDING AND REORDAINING CHAPTER 31 (UTILITIES) OF THE CODE OF THE CITY OF CHARLOTTESVILLE, 1990, AS AMENDED, TO ESTABLISH NEW UTILITY RATES AND SERVICE FEES FOR CITY GAS, WATER AND SANITARY SEWER” was offered and carried over to the next meeting for consideration.

**PUBLIC HEARING/RESOLUTION:** BOND ISSUE - \$16,000,000

Ms. Krissy Hammill presented the \$16,000,000 bond issue as part of an adopted capital improvement program for the 2009-2010 fiscal year. The City met with rating agencies a few weeks ago and is confident we will maintain a AAA rating. A final and official report is expected later this week. The current sale is scheduled for early June.

Mr. Norris said this has already been approved and adopted into the budget

Ms. Szakos said that Parks and Recreation is the biggest item. She asked if this is largely due to the Smith Complex. Ms. Hammill confirmed that this will come out of fees and will largely pay for itself.

The public hearing was opened.

Ms. Colette Hall, 101 Robertson Ln., said that former City Manager Mr. O’Connell was adamant about retaining our AAA bond rating and trying to maintain a workable debt service. She does not take issue with each project individually, but she wants to know the total number of bonds the City is paying service on.

Mr. Smith, 810 Locust Ave. asked if there is there is an easy way for the citizens to purchase part of this bond issue without having to go through a broker/dealer.

Mr. Norris reassured the public that the City is in excellent financial health. All bond rating proposals were approved during Mr. O’Connell’s tenure.

Ms. Hammill confirmed that \$85.5 million is the City’s total outstanding obligation. We will be just over \$100 million with this commitment. Rating agencies often comment on how low our debt burden is, especially compared to other cities.

Mr. Wray recommended that citizens place as many local dollars as possible.

On motion by Dr. Brown and seconded by Mr. Huja, the resolution was approved by the following vote. Ayes: Dr. Brown, Ms. Edwards, Mr. Huja, Mr. Norris, Ms. Szakos. Noes: None.

**REPORT: NEIGHBORHOOD ADVOCACY**

Mr. Tolbert reported on the February 16 meeting and outlined proposals and suggestions for items that came up during City Council discussions. This position should be in the City Manager's office. Responsibilities may include coordination of all City activities with neighborhoods, maintenance of City websites, improving social networking with citizens, attending a majority of neighborhood meetings, and managing the Neighborhood Leadership Institute. This position is built in to the existing budget.

Mr. Jones communicated with all neighborhood representatives and presidents and met on two occasions with the neighborhoods. He encouraged email and other communication on their thoughts and opinions. Existing staff shows strong support for improving communications with neighborhoods. There were mixed responses from neighborhoods at the April 15<sup>th</sup> meeting. Mr. Jones asked Council for guidance.

Mr. Huja said this position will not do much good because all of us should be neighborhood advocates. This experiment has been tried a few times, specifically about twenty years ago, and it was a failure. It would be a waste of money.

Ms. Edwards said we need to improve communication with the neighborhoods but agreed we do not need to add a position and should instead use the resources we already have. The Assistant City Manager can be responsible for advocacy, which was part of the original plan.

Ms. Szakos said it is important that new City Manager play a part, so we should wait for the position to be filled before we think about the Neighborhood Advocacy position. She said it seems that more affluent neighborhoods do not favor the position and do not see a need for improvement. Neighborhoods such as Locust, Star Hill and Tonsler did not participate in the discussion, which shows the need for outreach.

Dr. Brown agreed with Mr. Huja and Ms. Edwards. In addition to having City Hall meetings, we should schedule Councilors to schedule attendance at neighborhood meetings on a regular basis to assure neighborhoods are not being overlooked. He thinks we should put this idea on hold and does not support staffing the position at this time.

Mr. Norris said that less than five out of twenty-three neighborhoods have well-functioning associations. This does not have to be a staff position, and he is open to ideas. He does not want to put the idea on hold but agreed to wait until the new City Manager is in place.

Mr. Huja seconded the concern that poor neighborhoods are underrepresented.

Mr. Norris concluded that Council will reexamine a new recommendation when the City Manager position is filled.

**REPORT: JEFFERSON SCHOOL**

Mr. Martin Burks presented to Council. The community update on April 29 was well attended, and the report was well received. Mr. Burks discussed the project status, including possible involvement of six non-profit organizations, timeline for operations, and lending options.

Mr. Huja said he is pleased the project has come this far and requested that Council be invited to the opening ceremony.

Dr. Brown said this is a great accomplishment by members of Jefferson Partners.

Ms. Szakos said she appreciates the fact that this is an amazing opportunity for the future of this property.

Mr. Norris asked what the process is from here. Mr. Jones said they are working on finalizing funding and site plans with NDS. Mr. Norris thanked them for their efforts in bringing this project to fruition.

**REPORT: 250<sup>th</sup> Anniversary of the City**

Mr. Ric Barrick reported on plans for the 2012 celebration of the City of Charlottesville's 250<sup>th</sup> Anniversary. The event should be community-driven, not staff-driven and should represent a broad range of historic views of all backgrounds and examine topics that we are proud of as well as those we are not. There are plans in the works to commission a local author to publish a complete history of Charlottesville, the revenue from which would go to local charity. He anticipates that it will take about two years to plan for this event and asked for Council's support to move forward quickly.

Mr. Huja said this is a great opportunity to highlight our community.

Ms. Szakos said there are groups urging us to tell the complete history of Charlottesville. We may want to make Charlottesville a tourist destination during its birthday year. We should work with the tourism bureau to try to get international publicity.

Mr. Jones said there are costs associated with reaching out to international audiences. We could partner with public and private groups.

Dr. Brown said the Tourism Bureau would likely be interested in partnering with us.

Ms. Edwards said we should be clear and honest about the role slaves played in building our community. We may want to get the schools involved with a time capsule.

Mr. Norris said we should develop a local history curriculum for our schools. We should be sure the event is well-coordinated.

Council voiced unanimous support for moving forward with plans.

**RESOLUTION: ALLOCATION OF FUNDS TO ASSIST WITH COSTS ASSOCIATED WITH THE SISTER CITY, WINNEBA, GHANA DELEGATION VISIT - \$15,000**

Mr. Huja said he supports the City's relationship with Winneba and wants to be a good host when they visit, but he does not support paying for plane tickets.

Ms. Edwards said she is not as concerned because of the one-to-one match.

Ms. Szakos said she is comfortable with delegating responsibility to the Sister City Commission for how the money will be spent.

Dr. Brown said he wants to see representation from Winneba schools.

Ms. Szakos and Mr. Huja requested a report from the Committee on how they will spend the funds.

On motion by Ms. Szakos and seconded by Dr. Brown, the resolution was approved by the following vote. Ayes: Dr. Brown, Ms. Edwards, Mr. Huja, Mr. Norris, Ms. Szakos. Noes: None.

**RESOLUTION: BELMONT BRIDGE REVENUE SHARING**

Mr. Norris asked about the opportunity for revenue sharing to help generate funds for repair/replacement of Belmont Bridge. He asked Ms. Tucker if we are successful with the revenue sharing program, would that mean we would have to find \$1 million out of next year's capital improvement budget to reallocate to the Belmont Bridge project. Ms. Tucker confirmed that it is a one to one cash match, which would require this year plus two additional revenue applications. Mr. Tolbert clarified that it would total about \$2.7 million out of the CIP fund. Mr. Norris said this means we would have to reallocate \$2 million for a project we were hoping the state would pay for out of their funds. We have a number of capital projects we need or want to fund, and we will have to pull from them to pay for this project. We should be clear that is what we are doing.

Dr. Brown asked how likely it is that the project will get done if we do not put money towards it. Mr. Tolbert said it would not be repaired until as late as 2018 if we wait on the state, and we do not have a clear indication state funding will definitely happen. The bridge is not in imminent danger of collapse, but there are significant safety issues, and it will take substantial repair dollars to keep it going.

Mr. Norris asked what the process of deciding how we spend revenue sharing dollars is.

Mr. Huja said we should think very carefully about the design of the bridge.

Mr. Tolbert said the bridge engineers are clear that we want a bridge that will fit its setting.

Mr. Norris asked what elevated this project to the top of list. Mr. Tolbert replied that Council said this was a priority. Ms. Szakos said that was a compelling answer. She said we need a process in the future so that it is apparent how projects gain priority.

Mr. Norris said he is frustrated that we will have to put off other projects to pick up a share of the state's burden.

On motion by Mr. Huja and seconded by Ms. Szakos, the resolution was approved by the following vote. Ayes: Dr. Brown, Ms. Edwards, Mr. Huja, Mr. Norris, Ms. Szakos. Noes: None.

**PUBLIC**

Mr. Peter Kleeman, 407 Hedge Street, spoke on capital budget expenditures and asked Council to remember the relationship between the commitment of capital dollars and the amount of capital required to maintain these projects.

The meeting was adjourned.

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President

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Clerk