



CITY OF FREDERICKSBURG, VIRGINIA  
CITY COUNCIL  
**MINUTES**

Council Chambers, 715 Princess Anne Street  
Fredericksburg, Virginia 22401

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

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**February 11, 2020**

**The Council** of the City of Fredericksburg, Virginia, held a regular session on Tuesday, February 11, 2020, beginning at 7:30 p.m. in the Council Chambers of City Hall.

**City Council Present.** Vice-Mayor William C. Withers, Jr., Council members Kerry P. Devine, Dr. Timothy P. Duffy, Charlie L. Frye, Jr. (8:03), Jason N. Graham and Matthew J. Kelly.

**City Council Absent.** Mayor Mary Katherine Greenlaw (out of town).

**Also Present.** City Manager Timothy J. Baroody, Assistant City Manager Mark Whitley, Assistant City Manager Doug Fawcett, City Attorney Kathleen Dooley, Community Planning and Building Services Director Charles Johnston, Senior Planner Michael Craig, Community Development Planner Susanna Finn and Clerk of Council Tonya B. Lacey.

**Opening Prayer and Pledge of Allegiance.** Council was led in prayer by Councilor Matthew J. Kelly followed by the Pledge of Allegiance led by Cub Scout Troop 46 and Boy Scout Troop 46.

**Officer Recognized.** Mayor Greenlaw recognized the presence of Sgt. Scott Worley, at this evening's meeting.

**Citizen Comment.** The following speakers participated in the citizen comment portion of this evening's meeting.

**Alex Lynch**, from Friends of the Rappahannock, spoke about President Teddy Roosevelt and his work on preserving open space. He spoke about the sprawl that was happening in the area which causes pollution in the Rappahannock River. He said the City must protect its open spaces and make future growth within our existing footprint. He said growing up and not out would be the best approach.

**Jon Gerlach**, 809 Charlotte Street, spoke in support of the Archeology ordinance, and the Unified Development Ordinance text amendment on infill lots. He also spoke about Richmond's Crossover day at the General Assembly. He said they would be considering new legislation that would affect the City and he encouraged everyone to contact their representative before March.

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

7A. Population Estimates – Councilor Graham

7B. City Council Staff – Councilor Frye

7C. 2020 Census – Councilor Duffy

7D. Report on Visit to VML Legislative Day – Vice-Mayor Withers

**Population Estimates.** Councilor Graham said as the City grows there would be a lot of impacts on the City and he said sprawl needed to be taken into account. He said while doing the Small Area Plans he would like to see what the density increases would look like. Councilor Graham said by 2100 the City could have a population of 100,000 and he would like to have staff get population estimates along with the Small Area Plans.

**City Council Staff.** Councilor Frye publicly thanked City Manager, City Attorney and the Clerk of Council for their work and support of the Council. He said there was a professionalism that the public does not get to see and he thanked all of staff.

**2020 Census.** Councilor Duffy spoke of the work that the Complete Count Committee was doing and he stressed how important it was for everyone to be counted. He said the City would lose thousands of federal dollars for every person not counted.

Community Development Planner Finn said the Census was less than 3 months away. She said flyers had been posted in various places and offices throughout the City as well as with utility billing. She said they were awarded \$2500 from the State and they plan to use the funds to do a video around town and it would be posted on social media. Ms. Finn also noted that they were working with the University of Mary Washington and the University had created their own committee to make sure the students were counted. They will also work with the schools to educate the students so they can get their families to complete a census.

Vice-Mayor Wither noted that the City would lose approximately \$2000 for every person not counted. Ms. Finn also explained that the Census information would not be shared, the information was confidential.

**Report on VML Legislative Day.** Vice-Mayor Withers asked City Attorney Dooley to discuss their visit to VML Legislative Day in Richmond. Ms. Dooley said they left materials with the City's delegations. She said the City's number one priority was funding from the State's Water Quality Improvements Fund as it relates to the potential consolidation of three wastewater treatment plants into one plant. The governor's budget had \$120 million dollars in it for wastewater treatment plant upgrades and she felt the city's project was favorably viewed by Department of Environmental Quality.

Ms. Dooley said there was legislation the City requested to support regional provision of child services act services which were currently being provided privately but the thought was that it could be done cheaper if it were a regional effort. This legislation died and she said they would pursue it again next year.

Ms. Dooley said the City also sought local authority on single use plastics and there was legislation but the bill died.

Ms. Dooley said there was also legislation to give localities the option to act on carrying firearms in certain public locations and it passed the Senate and would be going to the House. There was a bill that caught Ms. Dooley by surprise, the public sector collective bargaining which the City had not taken a stance on.

Vice-Mayor Withers spoke of great how great of an advocate Ms. Dooley was for the City and he spoke of how good her relationship was with the people in Richmond.

**City Manager's Consent Agenda Accepted for Transmittal as Recommended (D20-\_\_ thru D20-\_\_).** Councilor Kelly 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 Withers, Devine, Duffy, Frye, Graham and Kelly. Nays (0).

- Transmittal of the FRED Transit Fourth Quarter Progress Report (D20-\_\_).
- Transmittal of Board and Commission Minutes (approved minutes can be found on the board/commission webpages after they are approved at subsequent meeting of said board/commission).
  - City Council/School Board Working Group Minutes – October 30, 2019(D20-\_\_).

- City Council/School Board Working Group Minutes – December 14, 2019(D20-\_\_\_).
- Clean & Green Commission – January 9, 2020(D20-\_\_\_).
- Fredericksburg Arts Commission – July 17, 2019(D20-\_\_\_).
- Fredericksburg Arts Commission – August 21, 2019(D20-\_\_\_).
- Fredericksburg Arts Commission – September 18, 2019(D20-\_\_\_).
- Fredericksburg Arts Commission – October 16, 2019(D20-\_\_\_).
- Fredericksburg Arts Commission – November 20, 2019(D20-\_\_\_).
- Public Transit Advisory Board – December 11, 2019 (D20-\_\_\_).

**Adoption of Minutes.** Councilor Devine moved approval of the September 10, 2019 Work Session and the January 28, 2020, public hearing and regular session minutes; motion was seconded by Councilor Duffy and passed by the following recorded votes. Ayes (6). Councilors Withers, Devine, Duffy, Frye, Graham and Kelly. Nays (0).

**Resolution 20-06, Approved, Supporting Consolidation of Wastewater Treatment Facilities with Spotsylvania County (D19-\_\_\_).** After staff presentation and a brief discussion Councilor Devine made a motion to approve Resolution 20-06, supporting consolidation of wastewater treatment facilities with Spotsylvania County; motion was seconded by Councilor Duffy and passed by the following recorded votes. Ayes (6). Councilors Withers, Devine, Duffy, Frye, Graham and Kelly. Nays (0).

**Ordinance 20-01, Second Read Approved, Amending the Unified Development Ordinance to Require the Preservation and Accommodation of Archaeological Resources (D20-\_\_\_).** Staff gave a brief presentation and

Councilor Kelly made a motion to approve Ordinance 20-01, on second read, amending the Unified Development Ordinance to require the preservation and accommodation of archaeological resources; motion was seconded by Councilor Devine and passed by the following recorded votes. Ayes (6). Councilors Withers, Devine, Duffy, Frye, Graham and Kelly. Nays (0).

**Ordinance 20-02, Second Read Approved, Amending the Unified Development Ordinance to Regulate Infill Development in the R-2, R-4, R-8 and CT Zoning Districts (D20-\_\_).** After staff presentation Councilor Duffy made a motion to approve Ordinance 20-02, on second read, amending the Unified Development Ordinance to regulate infill development in the R-2, R-4, R-8 and CT Zoning Districts; motion was seconded by Councilor Devine and passed by the following recorded votes. Ayes (6). Councilors Withers, Devine, Duffy, Frye, Graham and Kelly. Nays (0).

**Resolution 20-07, Approved, Initiating Amendments to the Unified Development Ordinance to Make Revisions in the Definitions of “Dwelling, Duplex,” “Dwelling, Single-Family Attached,” and “Dwelling, Multi-Family” Use Types, and to Revise Development Standards for Townhouses (D20-\_\_).** After staff presentation Councilor Graham requested research on why multi-family was not permitted in the CT Zoning district.

Councilor Graham made a motion to approve Resolution 20-07, initiating amendments to the Unified Development Ordinance to make revisions in the definitions of “Dwelling, Duplex,” “Dwelling, Single-Family Attached,” and “Dwelling, Multi-Family” use types, and to revise development standards for townhouses; motion was seconded by

Councilor Kelly and passed by the following recorded votes. Ayes (6). Councilors Withers, Devine, Duffy, Frye, Graham and Kelly. Nays (0).

**Resolution 20-08, Approved, Initiating Amendments to the Unified Development Ordinance to Amend Off-Street Parking Regulations (D20-**

**\_\_\_)**. Mr. Johnston presented a PowerPoint presentation to discuss why staff was proposing the changes, the Comprehensive Plan Guidance, Land Use Revitalization Objective, minimum off-street parking ratios, Smart Code Model, Smart Code Transects, Recalibrated parking standards, shared Parking Factor, required number of spaces and downtown parking district.

Councilor Kelly expressed concern that other factors such as Virginia Railway Express may play in the parking, he said it would be important for staff to comeback within the year to report on how well it was working.

Councilor Devine was in support and she expressed how much she liked the focus on transit and bicycle use. She said she would prefer the focus be on the commuter and not on parking-in-lieu.

Councilor Graham thought the parking-in-lieu fees were too high because it does not discourage less car. He said future development should not be concern with parking and he would like to reduce the parking requirements.

Councilor Duffy made a motion to approve Resolution 20-08, initiating amendments to the Unified Development Ordinance to Amend Off-Street Parking Regulations; motion was seconded by Councilor Frye and passed by the following recorded votes. Ayes (6). Councilors Withers, Devine, Duffy, Frye, Graham and Kelly. Nays (0).

**Resolution 20-09, Approved, Initiating Amendments to the Unified Development Ordinance to Add the Creative Maker District and Consolidating Form-Based Regulations in a New Appendix 72-A; Initiating Amendments to the Official Zoning Map to Rezone 78 Acres of Land to the New Creative Maker District, and Applying Transect and Frontage Maps and Designations in the District (D20-\_\_).** After staff

presentation Councilor Graham made a motion to approve Resolution 20-09, initiating amendments to the Unified Development Ordinance to add the Creative Maker District and consolidating form-based regulations in a New Appendix 72-A; initiating amendments to the Official Zoning Map to rezone 78 acres of land to the New Creative Maker District, and applying transect and frontage maps and designations in the district; motion was seconded by Councilor Frye and passed by the following recorded votes. Ayes (6). Councilors Withers, Devine, Duffy, Frye, Graham and Kelly. Nays (0).

**City Manager's Report and Council Calendar (D19-\_\_ thru D19-\_\_).**

City Manager Baroody directed the Council's attention to the Manager's report and Council Calendar. Activities highlighted on the report were as follows: City Celebrates African American History Month, Construction of Riverfront Park to Begin and Parking Changes, E-Checks Now Being Accepted, City Acquires 30 New Sidewalk Buttlers, Public Works Director Dave King Retires, Congratulations to the Central Rappahnnock Regional Library – Fredericksburg Branch, Chatham Bridge Rehabilitation Project, Spencer Devon Remains Open During the George Street Closure, Closure of Upper Caroline Street – Replacement of

Sanitary Sewer System Detour on the Heritage Trail, The College Heights/Sunken Road Storm Rehabilitation, Fred Focus and Building and Property Maintenance Quarterly Reports.

**Adjournment.** There being no further business to come before the Council at this time, Vice-Mayor Withers declared the meeting officially adjourned at 9:40 p.m.

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William C. Withers, Jr., Vice-Mayor

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Tonya B. Lacey, Clerk of Council, CMC

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