



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

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

---

**August 10, 2021**

**The Council** of the City of Fredericksburg, Virginia, held a public hearing on Tuesday, August 10, 2021, beginning at 8:05 p.m. in the Council Chambers of City Hall.

**City Council Present.** Mayor Mary Katherine Greenlaw. Vice-Mayor Charlie L. Frye, Jr., Council members Kerry P. Devine, Dr. Timothy P. Duffy, Jason N. Graham, Matthew J. Kelly and William C. Withers, Jr.

**Also Present.** City Manager Timothy P. Baroody, Assistant City Manager Mark Whitley, City Attorney Kathleen Dooley, Assistant City Attorney Dori Martin, Community Planning and Building Services Director Charles Johnston, Zoning Administrator James Newman, Fire Chief Mike Jones, Police Chief Brian Layton, Assistant Public Works Director Ray Regan and Clerk of Council Tonya B. Lacey.

**Notice of Public Hearings (D21-\_\_ thru D21-\_\_).** The Clerk read the notice of the public hearings as they appeared in the local newspaper, the purpose being to solicit citizen input.

**Ordinance 21-22, First Read, Amending the Unified Development Ordinance to Permit Additional Height by Special Use Permit for Outdoor Recreation Structures in the Planned Development Commercial (PD-C)**

**District (D21-\_\_).** No speakers. Zoning Administrator Newman presented a PowerPoint presentation and he gave an overview of the PDC Zoning district height limits, definition of outdoor recreation, proposed text amendment language, Map of PDC zoning, location of Funland 1351 Central Park Boulevard, Funland Ride location, view of the ride, ride details, Planning Commission actions, and conclusion.

Councilor Kelly was concerned that the Memorandum of Understanding (MOU) with the Silver Companies that restricted structures from being visible from the river was not included and he wanted to know how this was related to this item. Mr. Johnston explained that the MOU would always be applicable.

Councilor Withers wanted to know how the height went from 135 feet to 155 feet and he asked what project would need 155 feet. Mr. Newman stated that the owner of Funland was at the Planning Commission meeting and he stated there were other outdoor recreational uses that would need to go higher than 135 feet and an example was Top Golf and based on that reason the Planning Commission increased the height to 155 feet so that this would not have to go through a text amendment process again.

Councilor Graham said the Central Park area should allow as much height as possible and he agreed that the view from the river should be protected. He said Funland and Top Golf are the types of businesses that will be the future of commercial property as traditional retail phased out.

Councilor Withers expressed concern that if this height was allowed how would it affect the future redevelopment of the area. Councilor Graham said everyone wanted

the redevelopment of Central Park but there was not an incongruence with these types of development. Councilor Graham they could be weaved into the fabric of the development. He said this would be a great opportunity and he would not want to see the City limit itself.

Councilor Withers made a motion to approve Ordinance 21-22, on first read, amending the Unified Development Ordinance to permit additional height by Special Use Permit for outdoor recreation structures in the Planned Development Commercial (PD-C) District with the exception of Section II D (1) which should read the maximum building height, may be increased to 199 feet for telecommunication towers or 135 feet for outdoor recreation structures; motion was seconded by Councilor Kelly.

Mayor Greenlaw stated that the 155 feet made sense to her as long as they were abiding by the MOU for the river's view shed.

The motion passed by the following recorded votes. Ayes (5). Councilors Frye, Devine, Duffy, Kelly and Withers. Nays (2). Councilors Greenlaw and Graham.

**Amending the Fiscal Year 2022 Budget to Appropriate Federal American Rescue Plan Act Funds.** Assistant City Manager Whitley explained that this was an amendment to the FY2022 budget to appropriate \$5 million in federal pandemic assistance awarded to the City through the American Rescue Plan Act to fund capital projects, homelessness, ongoing City operations and ongoing pandemic response. He said the City was actually awarded \$10.78 million but it has only received \$5.39 million. He said they would bring a plan for what they have received and hold

\$391,000 in reserve to be used in the upcoming budget year along with the additional monies. Mr. Whitley said there were four eligible categories for uses.

This public hearing was held open for additional public comment at the August 25 meeting. The proposal they laid out was \$2 million for capital projects including Motts treatment plant, replacement of pedestrian bridges over the canal, replacement of streetlights in the downtown or a portion of the wastewater plant project. There would be \$1 million for the ongoing COVID response and \$2 million for homeless initiatives.

Mr. Whitley explained that this was just the federal reward money and the state has just adopted a budget in special session to allocate some of the state reward money and he said all the funding may be shifted.

City Manager Baroody spoke on the \$2 million for the homeless initiative. He said he would like the Council to consider this because there was a growing homeless issue in the City and in the region. He said there were no formal plans but he had consensus with the Continuum of Care (COC) to cosponsor an event with the City on September 29 and he was hopeful that partners and stakeholders would be there to tell the greater regions and its electoral leaders what they are doing in regards to homelessness issues. He said there was a lot of great work happening in the region. Recently, the COC crafted a strategic plan and he said it was a good document but it did not mention local government in the plan and he said there was more work the region and localities could do with homelessness issues (chronic). He would like to see the City do something big and bold. Mr. Baroody said he would like to come out of the summit

with \$6-7 million to do something big such as 30-40 units to house the chronic homeless.

Councilor Withers was hopeful that the regional partners would come together and help to resolve this issue.

Councilor Devine said she was in full support of going bold to solve this issue and she suggested that if anyone was reluctant to spend the money this way they should look at the resources spent on this issue currently.

Councilor Kelly said this was a project worth doing but he said the chronic homeless was only a small portion of the homeless and he did not want the others to be forgotten. He noted that this type of facility was costly and it must be a regional effort.

Vice-Mayor Frye expressed his interest in meeting with other Board of Supervisors and Mr. Baroody explained that their intentions are to invite all of the Board of Supervisors to meet on September 29.

Mayor Greenlaw held the public hearing open until August 24 for additional comments from the public.

**Adjourned.** There being no more speakers to come before the Council at this time, Mayor Greenlaw declared the hearing officially adjourned at 8:52 p.m.

---

Mary Katherine Greenlaw, Mayor

---

Tonya B. Lacey, Clerk of Council, CMC