



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

---

**September 14, 2021**

**The Council** of the City of Fredericksburg, Virginia, held a public hearing on Tuesday, September 14, 2021, beginning at 8:00 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, Senior Planner Michael Craig, Zoning Administrator James Newman, Development Administrator Marne Sherman, Fire Chief Mike Jones, Public Works Director Diane Beyer, Transit Director Jamie Jackson, Chief Information Officer Suzanne Tills 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.

**Resolution 21-75, First Read Approved, Amending the Fiscal Year 2022 Budget to Appropriate Federal Funding Made Available by the American Rescue Plan Act of 2021 (D21-\_\_).** 2 speakers. Assistant City Manager Whitley explained that this resolution would appropriate \$5 million from the American Rescue Plan: \$2 million for homelessness initiatives, \$2 million for capital projects and \$1 million for continued pandemic response.

**Hamilton Palmer (D21-\_\_)**, 1500 Caroline Street, had questions related to the \$2 million for the Homelessness Initiative. He wanted to know how much would be used for homeless residents, how many homeless were there and he stated that they would need professional services and he wanted to know how it would be funded next year.

**Rene Rodriguez (D21-\_\_)**, 22 Pawnee Drive, stated that he would like to see \$100,000 of the \$2 million set aside for the homeless initiative to be used to address workforce housing. Secondly, he would like to see another \$60,000 of that money used for restoring the rental housing inspection program position.

Councilor withers asked if the \$2 million towards the homeless initiative could be shifted to something else. Mr. Whitley noted that any major shifts would have to comeback before the Council but the use of the money had to stay within the parameters of the program.

Councilor Kelly commended Mr. Baroody for trying to make the homeless initiative a regional effort, he was supportive of the resolution.

Councilor Devine made a motion to approve Resolution 21-75, first read, amending the Fiscal Year 2022 budget to appropriate Federal Funding made available by

the American Rescue Plan Act of 2021; motion was seconded by Councilor Duffy and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Frye, Devine, Duffy, Graham, Kelly and Withers. Nays (0).

**Implementation of the 2020-2021 Community Development Block Grant Programs for the Consolidated Annual Performance and Evaluation Report (D21-\_\_).** no speakers. Mr. Craig reported that this was a public hearing on the draft CAPER for the City's Community Development Block Grant (CDBG) program. He explained that the CDBG was a Federal Grant provided by the Department of Housing and Urban Development that the City administers. The report was an end of the year report on how grant funding was spent throughout the year.

Mr. Craig highlighted that in project year 2020 the City expended \$79,905.88 in CDBG funds, 40% of the funds were spent removing architectural barriers within 3 homes that allowed the residents to keep living in their homes. Another 28% of the funds went towards home repair in three units to include plumbing, roofing or electrical work. The remainder of the funds went towards four other programs such as homeowner's assistance, Central Virginia Housing Coalition to operate the Lend-a-Hand program and their intense financial program. They provided funds to Legal Aid works to increase their capacity to provided assistance to citizens facing foreclosure, eviction and utility shut-off. They also assisted with helping find decent and affordable housing and provide education on landlord-tenant laws and renters legal rights. Funds are also provided to help with HIV-Aids Services to those who have low to moderate income levels. These funds help to assistant at risk persons in the City.

Council commented on how important this program was to the community and the opportunity it provides the citizens of Fredericksburg.

**Ordinance 21-23, First Read Approved, Rezoning Approximately 1.25 Acres of Land, Identified as 1201 Princess Anne Street, Along with the Adjacent Vacant Lot, from Commercial-Transitional CT to Residential R-4 (D21-\_\_).** no speakers. After staff's PowerPoint presentation Councilor Kelly stated that this property was iconic and he wanted to know why the applicant was not offered an easement and Mr. Newman said the applicant said she had not found an easement holder that could meet her requirements and it was her belief that having the property subject to an easement lowered the value of the property. Rezoning was the applicant's way of showing preservation by reduced density, larger lot size requirements and additional review by the City and the Architectural Review Board.

Clerk Lacey read a letter from the applicant which asked the Council to take action as soon as possible.

After some discussion Councilor Withers made a motion to approve Ordinance 21-23, on first read, rezoning approximately 1.25 acres of land, identified as 1201 Princess Anne Street, along with the adjacent vacant lot, from Commercial-Transitional CT to Residential R-4; motion was seconded by Councilor Devine and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Frye, Devine, Duffy, Graham, Kelly and Withers. Nays (0).

**Ordinance 21-24, First Read Approved, Amending Fredericksburg City Code Chapter 70, Taxation, to Add a New Article XVI Imposing a Five-Cent Tax on Disposable Plastic Bags Provided to Consumers at Certain Retailers (D21-\_\_).**

Assistant City Attorney Martin presented a PowerPoint presentation and she discussed the Senate Bill 11 (2020) Authorizing localities to impose a tax on plastic bags, method of collection, exemptions, appropriation of revenue, outreach and timeline.

**Sue Eubanks (D21-\_\_)**, 1424 Franklin Street, spoke in support of the tax and she encouraged everyone to stop feeling the need for plastic bags and start using reusable bags.

**Adam Lynch (D21-\_\_)**, 3219 Fall Hill Avenue, spoke on behalf of the Friends of the Rappahannock in support of the tax. He said this was a small first step on the journey towards eliminating disposable plastic bags in Fredericksburg.

**Christi Carver (D21-\_\_)**, 111 Caroline Street, thanked the Council for considering the tax and she noted that other localities had seen a decrease in plastic bag liter since enacting the tax.

**Marisa Payne (D21-\_\_)**, 209 Hanover Street, spoke in support of the plastic bag tax. She noted that this tax would discourage people from using plastic bags and start carrying reusable bags.

**Erika Boka (D21-\_\_)**, King George, VA, urged the Council to follow Roanoke and apply a fee of 5 cents for plastic bags.

**Kristen Taylor (D21-\_\_)**, spoke in support of the bag tax for the purpose of discouraging the use of them and as a source of revenue that could be utilized to implement additional environmental impact mitigation measures.

**Paul Cseko (D21-\_\_)**, 321 Braehead Drive, spoke in support of the plastic bag tax.

**Pamela Baldwin (D21-\_\_)**, 6376 Twin Lanes Drive, King George, spoke in support of the plastic bag tax.

**Diane Shea (D21-\_\_)**, 15 Eagle Bluff Street, 22406, spoke in support of the plastic bag tax and gave the following as reasons why: the General Assembly had given cities the authority to address plastic bag pollution, the cost of collecting discarded plastic bags falls on the City's budget, recycling plastic bags was not the answer and they do not have a viable market.

**Heather Martley (D21-\_\_)**, 4923 Herring Run Drive, Baltimore, Maryland, spoke in support of the plastic bag tax.

Councilor Devine made a motion to approve Ordinance 21-24, on first read, amending Fredericksburg City Code Chapter 70, Taxation, to add a New Article XVI imposing a five-cent tax on disposable plastic bags provided to consumers at certain retailers; motion was seconded by Councilor Withers and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Frye, Devine, Duffy, Graham, Kelly and Withers. Nays (0).

**Adjourned.** There being no more speakers to come before the Council at this time, Mayor Greenlaw declared the hearing officially adjourned at 9:13 p.m.

---

Mary Katherine Greenlaw, Mayor

---

Tonya B. Lacey, Clerk of Council, CMC