



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. JONATHAN A. GERLACH, WARD TWO
HON. DR. TIMOTHY P. DUFFY, WARD THREE

June 28, 2022

The Council of the City of Fredericksburg, Virginia, held a regular session on Tuesday, June 28, 2022, beginning at 7:30 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, out of town (phoned in), Jonathan A. Gerlach, Jason N. Graham, and Matthew J. Kelly.

Others Present. City Manager Timothy J. Barody, Assistant City Manager Mark Whitley, Assistant City Manager David Brown, City Attorney Kathleen Dooley, Police Chief Brian Layton, Director of Parks, Recreation & Events Todd Brown, Director of Planning and Building Services Charles Johnston, Senior Planner Michael Craig, Zoning Administrator James Newman, Budget Analyst Donna Leahy 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 Councilor Jason N. Graham.

Officer Recognized. Mayor Greenlaw recognized the presence of Officer Gregory Baugher, at this evening's meeting.

Storm Update. Assistant City Manager Brown presented a PowerPoint presentation on the storm damage from June 22. He noted that the storm was focused in the Kenmore area and it followed a south/southeast path. He shared photos taken of damage that occurred in some of the areas. Mr. Brown stated that there would be pavement and sidewalk repairs associated with much of the damage.

Mr. Brown said it was a team effort during the storm event. There were 12 streets closed, over 100 calls received reporting fallen trees or limbs, there were four crews from Public Works removing fallen trees and limbs. The City also opened a convenience center on Thursday and Friday following the storm for those without power. All streets opened and all power was restored by Sunday, June 26.

During the storm event communications were provided to citizens through various means such as Facebook, City Website, Instagram, local media. He noted that over 7,000 people were engaged with the updates.

The continued response will be to remove fallen limbs and cleanup, assessment and removal of hanging broken limbs, removal of stomps and repair of pavements and sidewalks.

Vice-Mayor Frye thanked the entire staff for their work during the storm event. He said there were many panicked calls coming in then they turned into calls of appreciation the next day. He publically thanked the City Police Department for going

the extra mile. He said events like this bring people together and it shows what the City is all about.

Councilor Devine echoed the thanks from the public. She noted the information provided to the public was wonderful and she said she heard many compliments regarding the communication efforts. Councilor Devine said the convenience center was a huge help to people. She said this was a great way for people to get together. She said the crews could not be more helpful and their professionalism was great.

Councilor Gerlach thanked Mr. Brown and his department for the work they do. He said the response was thorough, professional and proactive. He also noted that the R-Board at the Eskimo Hill Landfill would be accepting residential storm related waste at no charge from June 24-28.

Councilor Gerlach also reminded residents that June 30 was the last day to apply for a solar energy audit.

Mayor Greenlaw said she saw all departments represented during this storm. She said she regularly get positive comments about the employees on the streets. She thanked the staff for their work.

Top Dog Award. Mayor Greenlaw announced that the City had won the Top Dog Award. The Top Dog Award goes to the jurisdiction that raises the most money during the Rappahannock United Way drive. She noted that the money raised from the golf tournament was also included in the money raised as well as donations from the Central Rappahannock Regional Library employees. Mayor Greenlaw congratulated the team.

Consent Agenda Accepted for Transmittal as Recommended (D22-__ thru D22-__). Councilor Graham moved approval of the City Manager’s consent agenda; motion was seconded by Councilor Kelly and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Frye, Devine, Duffy, Gerlach, Graham and Kelly. Nays (0).

- Transmittal of a Memo and Ordinance on Motor Vehicle Exhaust Systems (D22-__).
- Transmittal of Board and Commission Minutes
 - Architectural Review Board – April 26, 2021 (D22-__).
 - Architectural Review Board – May 24, 2021 (D22-__).
 - Architectural Review Board – June 14, 2021 (D22-__).
 - Architectural Review Board – June 28, 2021 (D22-__).
 - Architectural Review Board – July 12, 2021 (D22-__).
 - Economic Development Authority – May 9, 2022 (D22-__).
 - Fredericksburg Arts Commission – May 18, 2022 (D22-__).
 - Memorials Advisory Commission – May 20, 2021 (D22-__).
 - Memorials Advisory Commission – November 18, 2022 (D22-__).
 - Memorials Advisory Commission – February 17, 2022 (D22-__).
 - Public Transit Advisory Board – April 6, 2022 (D22-__).

Citizen Comment. The following comments were given and/or submitted to be read during the citizen comment portion of this evening’s meeting.

Amber Peebles, 400 Hanover Street, spoke in regards to the over utilization of the Old Mill Park and the pilot parking program. She said she was in support of the program but spoke out on comments made at the public informational meeting that was held regarding the pilot parking program. She said the argument was made that this pilot program was an attack on low income people, which she disputed. Ms. Peebles stated a second issue that was brought up was accessibility, in which many of the users are from outside of the local area and it causes accessibility issues for local residents. She did not feel anyone was standing up for those local citizens that would like to use the park and she feels the park is for city residents to use for their enjoyment. She asked the Council to keep this in mind.

Elizabeth Melson (D22-__), 38 Barneys View Lane, Flint Hill, VA, President of FairVote Virginia, spoke in support of bringing ranked choice voting to elections in Virginia. Ms. Melson said ranked choice voting makes a difference for representation and gives voters the freedom to support their favorite candidates. See **D22-__** for more information.

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

8A. Ranked choice Voting – Councilor Duffy

Ranked Choice Voting. Councilor Duffy spoke in support of looking into ranked choice voting and he wanted to see if he had Council’s support in getting educated on the subject. He noted that it was being considered in Richmond and

Arlington. He said there was evidence that it encourages more voter participation and people running for office. He said he has spoken to the Registrar, the Chair of the Electoral Board and the City Attorney.

The Council was in support of having a work session to get educated on the subject. It was also requested to have the Electoral Board present for the work session. Vice-Mayor also asked if the Registrar's office would be staffed to do this and City Attorney Dooley said the new registrar would be in office mid-July and she would work with them to see when it would be a good time for them to come to a work session.

Adoption of Minutes. Councilor Graham moved approval of the June 14, 2022 Regular Session minutes; motion was seconded by Councilor Devine and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Frye, Devine, Duffy, Gerlach, Graham and Kelly. Nays (0).

Central Rappahannock Regional Library Board Appointment – Cheryl Miller, Rick Pullen (D22-__). Councilor Devine made a motion to reappoint Cheryl Miller to the Central Rappahannock Regional Library Board; motion was seconded by Councilor Graham and passed by the following recorded votes. Ayes (6). Councilors Greenlaw, Frye, Devine, Duffy, Gerlach and Graham. Nays (1). Councilor Kelly.

Resolution 22-41, Approved, Amending the Fiscal Year 2022 Budget to Appropriate Funds in the City Grants Fund for the Disposable Plastic Bag Tax (D22-__). After a brief staff presentation Councilor Devine made a motion to

approve Resolution 22-41, amending the Fiscal Year 2022 budget to appropriate funds in the City Grants Fund for the disposable plastic bag tax; motion was seconded by Councilor Graham and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Frye, Devine, Duffy, Gerlach, Graham and Kelly. Nays (0).

Resolution 22-42, Approved, Establishing a Fee for Use of Old Mill

Park (D22-__). Parks Recreation and Events Director Brown recalled that Stafford County's Parks and Recreation was implementing a pilot parking program with a charge of \$25 per car entrance fee into the Historic Port of Falmouth park. He said their entrance fee would go for seven days a week from July 22 through Labor Day. Mr. Brown said since Stafford's announcement, city staff has been working on a plan to join them on the same date. Since the June 14 work session staff considered Council's ideas, consulted with Stafford County Parks and Recreation and reached out to some of the parks key stakeholders. He said they also worked with Chief Layton on refining the plan. Mr. Brown said they lowered the price for entrance fee for the park as requested by the Council. The fee will be \$10.00 per car and \$5.00 for walk in visitors. Mr. Brown clarified that the fee would not be charged to City or Stafford residents. The City plans to extend its fee beyond Labor Day by charging on weekends through October 30.

Mr. Brown and Chief Layton facilitated an informational meeting at the Dorothy Hart Community Center which he said healthy dialog was derived from the meeting. Chief Layton noted that charging \$10.00 per car and \$5.00 for walk-ins could change the parking dynamic and people may park in the neighborhood and walk in the park. He

said they are anticipating potential issues with the residents of the neighborhood. Chief Layton said they issued approximately 95 flyers inviting the neighbors to the meeting and many attended and were concerned about the possible parking issue, which they said they already have and they occur mostly on the weekends. When reviewing parking tickets for that area Chief Layton said they can write anywhere from twenty to one hundred parking tickets on the weekend. Chief noted that with Stafford charging for entrance into the park the City could anticipate a problem and with the City charging there could still be an issue. He said the residents could participate in the residential parking program, with 75 percent of the neighborhood agreeing to do so. He said the Police Department would have to do a two-week study to see if they are eligible.

Councilor Graham asked if the permit parking could be used during the weekends only since that is when there are issues with parking and Chief Layton said that is possible. Councilor Graham also thanked the staff for lowering the fees. He also asked if there was any concern that Spotsylvania may begin charging for their parks. City Manager Baroody said he had not spoken with Spotsylvania and he reiterated that this was a pilot program. He said he would be happy to engage with Spotsylvania.

Mayor Greenlaw reminded everyone that there was a Stafford-Fredericksburg Park Authority that managed the parks and when it dissolved there was an agreement that the City would not charge Stafford residents and Stafford would not charge city residents for entrance into the parks. She said that City was operating under that agreement and there was no agreement with other localities.

Councilor Devine reiterated that this was a retro pilot program that had been done before and that City and Stafford residents do not have to pay to use the park.

Vice-Mayor Frye spoke against charging for entrance into the park because he felt like this would be a domino effect where the city residents may have to pay to go to Spotsylvania parks. He spoke on issues he has seen over the years with parks that he did not think were fair and he feels this is one of the same strategies used previously to mover people out of parks. Vice-Mayor Frye had issue with charging for entrance into an old park but having a new multimillion-dollar park and not charging for it.

Councilor Kelly asked for clarification on the pilot program and Mr. Brown stated that they would review and bring the data to Council later in the year. Councilor Kelly said he has spoken with a Stafford colleague asking why they were charging and they said it was because Stafford residents were unable to use the park because of so many non-residents. He noted that Stafford's park was used to get in the water but Old Mill Park was used for many reasons and he felt charging a fee would affect the City because tourism and visitors are crucial to the City. He felt the process was being rushed and that Old Mill Park was not being looked at as an entertainment venue.

Councilor Gerlach said he had spoken with many of the residents that live in the area and they were almost unanimously in favor of charging a fee for access to the park knowing how it may affect their neighborhood. He agreed tourism dollars are critical and he suggested that there could possibly be a voucher program that allows visitors who are staying in the City a free visit into the park. He would like to see this done next year. Councilor Gerlach said currently the city does not have data and this pilot program

would help in collecting this data. He also added that Mr. Brown has 30 years managing parks and he trusts his decision.

Mayor Greenlaw noted that the soccer leagues were one of the things that will have to be dealt with and possibly moved to Dixon Park. She said the City needed to get this overused park under control.

Councilor Graham requested real-time data so that he could understand the issues better.

Councilor Graham made a motion to approve Resolution 22-42, establishing a fee for use of Old Mill Park; motion was seconded by Councilor Devine.

Councilor Duffy was in support of the pilot program because this is a heavily used park without supervision and there needs to be some sort of supervision to this park and he said the fee program would help with that. He said part of the Masterplan was to find a way to recover expenses.

Ms. Dooley requested an amendment to the first bullet on the resolution to reflect the discussions had by Council. The sentence should end at the statement 'for summer of 2022' and the remainder of the sentence should be struck out.

Councilor Graham amended the resolution, bullet number one to read "A park use fee in the amount of ten dollars per car and five dollars per walk-in park user is hereby authorized for implementation at Old Mill Park to be charged every day, between July 22 and October 30, 2022, for summer of 2022." Councilor Devine accepted the change.

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

Resolution 22-43, Approved, Memorandum of Understanding Between City, Micah Ecumenical Ministries, Virginia Supportive Housing and Mary Washington Healthcare to Develop Supportive Housing for Homeless Persons (D22-__). City Manager Baroody introduced the team who has been working on the MOU: Samantha Shoukas, of Continuum of Care (COC), Director of Housing and Community Health Program; Chip Boyles, Executive Director of George Washington Regional Commission (GWRC); Julie Anderson, Director of Real Estate and Development of Virginia Supportive Housing; Meghan Cotter, Executive Servant-Leader for Micah Ecumenical Ministries along with a couple Board members: Fred Rankin, Regis Keddi.

Mr. Baroody reported this has been a long journey and the City has lead the region in support of low income residents and families in the community. The City comprised of less than one percent of Planning District 16 and less than ten percent of the region's population yet it hosts forty-two percent of the entire regions publically supported public housing. In 2018, the City created a pilot program in collaboration with the COC. He reported that after multiple years of working with other jurisdictions that this coming fiscal year all five jurisdictions will be partners in the program.

The GWRC found money to complete an affordable housing study and they are using pieces of that study to implement those pieces into the small area planning. Mr.

Baroody said the topic of discussion would be on the chronic homeless populations. He spoke of how grateful he was for the organizations such as Empowerhouse, Micah Ecumenical Ministries, Thurman Brisben Center and others and their work in the region.

Mr. Baroody reminded the Council that they had agreed to hold aside \$2 million funded by ARPA funds until it could be properly invested in homelessness priorities. He reminded the Council of the homeless summit they hosted last fall. He also reminded the Council that Councilor Gerlach, Mayor Greenlaw, and himself had been invited to go see the Crossing property which was built by Virginia Supportive Housing. He said this was a way for them to understand what Virginia Supportive Housing does and he said they were well equipped to build the type of project that is needed in this region to support the chronic homeless.

Ms. Shoukas presented a PowerPoint to give the Council a more information on the trends in population and homelessness, unsheltered vs the chronic, who the unsheltered is, the solution, investing in housing, housing as a social determinant of health, Ms. Cotter discussed why it was important to do this for the homeless, she also discussed the site selection process and Ms. Anderson reviewed the current properties that they offer and she explained how the Virginia Supportive Housing worked.

Council was excited about the work that has been put into to this project. They also had brief discussion on how to get the other localities to participate and Ms. Anderson said they have a tract record on regional projects in the Hampton Roads area. They reached out to the localities to see if they had CDBG finds they could offer and this

was how they were able to get them to partner. It was also noted that relationships were forming in the region and localities were working more collaboratively together.

Councilor Kelly made a motion to approve Resolution 22-43, Memorandum of Understanding between City, Micah Ecumenical Ministries, Virginia Supportive Housing and Mary Washington Healthcare to develop supportive housing for homeless persons; motion was seconded by Councilor Graham and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Frye, Devine, Duffy, Gerlach, Graham and Kelly. Nays (0).

City Manager's Report and Council Calendar (D22-__ thru D22-__).

City Manager Baroody directed the Council's attention to the Manager's Update: June 22 Storm Update #3, June Celebrated as Pride Month, Public Meeting on Old Mill Park Entrance Fees for Non Residents and Neighborhood Parking, Bankside Trail and VCR Connector Information Meeting, Are You Subscribed to Fredericksburg Alerts, Around the Town Free Trolley Service Returns, Abundant Parking Downtown, COVID-19 Vaccinations, Traffic Safety Initiative, Board and Commission Openings, Parks, Recreation and Events Summer Catalog is now Available, Summer Programs and Fred Focus.

Closed Session Approved. Upon a motion Councilor Devine, moved approval of a Closed session under Va. Code 2.2-3711(A)(3) for a discussion or consideration of the disposition of publicly held real property, specifically, the Mary Washington Monument and Lodge, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the City Council; seconded by Councilor

Graham and passed by the following recorded votes. Ayes (7) Councilors Greenlaw, Withers, Devine, Duffy, Frye, Graham and Kelly. Nays (0).

Return to Open Meeting Approved. Upon the motion of Councilor Devine; seconded by Councilor Graham and passed by the following recorded votes, Council approved a return to an open meeting. Ayes (7) Councilors Greenlaw, Frye, Devine, Duffy, Graham, Kelly and Withers. Nays (0).

Resolution 22-44, Approved, Certifying Closed Meeting. Upon the motion Councilor Devine approved Resolution 22-44 certifying the closed meeting; seconded by Councilor Graham and passed by the following recorded votes. Ayes (7) Councilors Greenlaw, Frye, Devine, Duffy, Graham, Kelly and Withers. Nays (0).

Adjournment. There being no further business to come before the Council at this time, Vice-Mayor Frye declared the meeting officially adjourned at 10:20 p.m.

Mary Katherine Greenlaw, Mayor

Tonya B. Lacey, Clerk of Council