



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

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**April 11, 2023**

**The Council** of the City of Fredericksburg, Virginia, held a regular session on Tuesday, April 11, 2023, 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, 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, Fire Chief Michel Jones, Battalion Chief and Deputy Emergency Manager Jack McGovern, Human Resources Director Lesley Moore, 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 Angel Funez at this evening's meeting.

**Parks, Recreation and Events Promotional Video.** City Manager Baroody played the new promotional video from the Parks, Recreation and Events. The video talks about the many activities that are available for families and their kids.

**Consent Agenda Accepted for Transmittal as Recommended (D23-133 thru D23-136).** 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 (7). Councilors Greenlaw, Frye, Devine, Duffy, Gerlach, Graham, and Kelly. Nays (0).

- Resolution 23-22, Second Read, Amending the Fiscal Year 2023 Budget to Appropriate Funds in the Transmit Fund for a Project Administration Agreement with the Northern Virginia Transportation Commission, Grant Carryovers, and Sales of Surplus Property (D23-133).
- Resolution 23-25, Amending the Fiscal Year 2023 Budget to Appropriate in the City Grants Fund for a Virginia Department of Emergency Management State Homeland Security for the City’s Hazardous Materials Response Team (D23-134).
- Transmittal of the Board and Commission Minutes
  - Clean and Green Commission – January 9, 2023 (D23-135).
  - Clean and Green Commission – February 6, 2023 (D23-136).

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

**Hamilton Palmer**, 1500 Caroline Street, stated that he has a client in Confederate Ridge subdivision and he was told by City staff that he could not use the existing driveway. He said they submitted a site plan and received comments from staff. Mr. Palmer stated that City staff said there was an existing easement for the neighbor on this property to use the existing driveway making it a shared driveway. He said he was told by the City that the Attorney reviewed the easement for the neighbor to use the driveway and the easement was null and void. Mr. Palmer said the landowner, their real estate agent and their title company mentioned the easement and the title company insured it. The City said there was an asphalt driveway located on the neighboring lot and they could use that driveway but there is not one.

Mr. Palmer stated that he asked for the curb cut or the permit for the installation of the driveway and Public Works could not provide it. He read a section 72-5 of the City Code and he said that it states "Article shall not apply to any development that is the subject of a site plan, or a recorded subdivision plat, approved prior to October 8, 2013." This subdivision was approved in 1960 and he said 72-52 does not govern this property.

Mr. Palmer requested the Councilor of this ward to contact him.

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

- Correction – Councilor Gerlach

**Correction** – Councilor Gerlach stated that at the last work session meeting he stated incorrectly that the Economic Development Authority (EDA) does not receive

taxpayer dollars, but the City Manager proposed to invest a portion of the taxes raised from the increase in the hotel lodging taxes to go to the EDA. He apologized for any confusion he may have caused.

**Adoption of Minutes.** Councilor Graham moved approval of the March 28, 2023 Public Hearing and Regular Session minutes; motion was seconded by Councilor Frye and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Frye, Devine, Duffy, Gerlach, Graham, and Kelly. Nays (0).

**Fredericksburg Clean and Green Commission – Michael Blashford, Arborist (D23-137).** Councilor Duffy moved to appoint Michael Blashford to the Fredericksburg Clean and Green Commission as the arborist; 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).

**Resolution 23-26, Authorizing the City Manager to Execute a Contract for Health Insurance-Related Services to Anthem Blue Cross and Blue Shield and Dental Insurance Services to Delta Dental of Virginia (D23-138).** After staff presentation Councilor Devine moved to approve Resolution 23-26, authorizing the City Manager to execute a contract for health insurance-related services to Anthem Blue Cross and Blue Shield and dental insurance services to Delta Dental of Virginia; motion was seconded by Councilor Frye and passed by the following recorded vote. Ayes (7). Councilors Greenlaw, Frye, Devine, Duffy, Gerlach, Graham, and Kelly.

**Resolution 23-27, Adopting the Regional Hazardous Mitigation Plan**

**2023 Update (D23-139).** After staff presentation Councilor Devine moved to approve Resolution 23-27, adopting the Regional Hazardous Mitigation Plan 2023 Update; motion was seconded by Councilor Devine and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Frye, Devine, Duffy, Gerlach, Graham, and Kelly.

**City Manager’s Report and Council Calendar (D23-140 thru D23-**

**141).** City Manager Baroody directed the Council’s attention to the Manager’s Update: April is child Abuse Prevention Month, FXBG Earth Day Festival, Spring Community Cleanup Week, Annual Water Disinfection Change and Flushing Begins, Accessory Dwelling units Ordinance Proposal Community Outreach, Wall of Honor, 2023 Midnight Madness, Traffic Safety Initiative, Train Bridges Rehabilitation Project, Boards and Commission Openings, The Parks, Recreation and Events Summer Catalog is now available, Spring Programs, and Fred Focus.

**Adjournment.** There being no further business to come before the Council at this time, Mayor Greenlaw declared the meeting officially adjourned at 7:53 p.m.

*Mary Katherine Greenlaw*

Mary Katherine Greenlaw, Mayor

*Tonya B. Lacey*

Tonya B. Lacey, Clerk of Council

**APPROVED**

**04-25-23**

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