



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

April 25, 2023

The Council of the City of Fredericksburg, Virginia, held a regular session on Tuesday, April 25, 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. Baroody, Assistant City Manager Mark Whitley, Assistant City Manager David Brown, City Attorney Kathleen Dooley, Finance Director Robyn Shugart, Assistant Finance Director Richard Lawrence, 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 Captain Rashawn Cowles at this evening's meeting.

Potential New Bridge River Crossing – Ian Oils, FAMPO (D23-152).
Councilor Graham introduced Mr. Ian Olis, Executive Director of Fredericksburg Area

Metropolitan Planning Organization. He was asked to brief the Council on the potential project of a new bridge crossing the river.

Mr. Olis presented a PowerPoint presentation and he discussed: Why do we need to do the study, he did a comparison of the MPO Area Bridge and Lane Comparison, Where is the local traffic going, Southbound Destinations, Northbound Destinations, Comparison – Significant Traffic, Identified Options, Easement Locations, Volume/Capacity Ratio Change – All Vehicles, Expected Bridge Volume, Planning Level Costs and Funding. See D23-152 for more information.

Councilor Devine stated her appreciation that environmental concerns were being taken into account and she said Options 1 and 2 did the most to protect the easement. She also asked if there were any safety benefits costs available and Mr. Olis said he did not have that yet. He said before the next level of analysis they would need to have an environmental and engineering study done.

Councilor Duffy noted the importance of doing this because it has become a liability for the City when something occurs on Interstate-95. Mr. Olis explained what happens to the roadways when there is a backup on I-95.

Councilor Gerlach noted that the current population of Fredericksburg, Stafford and Spotsylvania was 330,000 and he asked Mr. Olis if he knew what the estimated population would be in the year 2050. Mr. Olis said the population doubles roughly every twenty years, which estimates about 600,000.

Councilor Graham stated that at the next FAMPO meeting they would be holding a vote to include the study to get the next level analysis.

Consent Agenda Accepted for Transmittal as Recommended (D23-153 thru D23-158). 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).

- Transmittal of the Board and Commission Minutes
 - Architectural Review Board – January 9, 2023 (D23-153).
 - Board of Social Services – February 2, 2023 (D23-154).
 - Economic Development Authority – March 13, 2023 (D23-155).
 - Fredericksburg Arts Commission – January 17, 2023 (D23-156).
 - Fredericksburg Arts Commission – February 15, 2023 (D23-157).
 - Public Transit Advisory Board – February 1, 2023 (D23-158).

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

Anne Little, 726 William Street, Executive Director of Tree Fredericksburg, wished the Council a happy Arbor Day on April 26. The City celebrated Arbor Day on April 12 and it honored Mayor Greenlaw for her environmental support and advocacy for city trees. Ms. Little said they also planted a tree in honor of Mayor Greenlaw in Hurkamp Park. The City has been a Tree City for 36 years and it is one of the oldest Tree Cities in Virginia.

Ms. Little thanked the City Manager and staff for all of their support for the trees and urban forest. She said they have 60 tree stewards serving the City, 21 new stewards

graduated this spring. Tree Fredericksburg volunteers donated over 5800 volunteer hours to the City valued over \$176,000. They secured over \$55,000 in grant money to help with the urban forest program.

She spoke of the ice storms that came through the City last winter and the wind storms over the summer that took down hundreds of mature trees throughout the City and this fall they were able to replant over 450 trees along the City streets and in the parks. There were an additional 250 trees planted at the schools. Tree Fredericksburg gave away or sold 10,000 native trees or shrubs. And the tree stewards continue to do the installation of the Christmas trees and the summer flowers in the downtown planters.

Ms. Little spoke of the importance of the trees to prevent heat island effects that is found in many cities. She thanked the Council for their support and she urged the Council to come and plant with them in the fall.

Ralph Joseph, 913 Cornell Street, stated he has live here for nearly 40 years. He is a member of the Fredericksburg Neighborhood Committee, a grassroots volunteer organization, that was recently formed over the concern of the threats to single family neighborhoods. These neighborhoods make Fredericksburg a special place low crime, safe streets, parks, walking trails, trees, history and single family homes and neighborhoods well maintained and managed by homeowners. Mr. Joseph expressed his concerns for the neighborhoods and the City as a whole, in particular, the increased population and density of the City with allowing accessory dwelling units (ADU) in neighborhoods. He said these dwelling will impact parking, traffic and city services and

it all come with tax increases for new city employees, schools, law enforcement and social services.

Mr. Joseph said there were obvious flaws in the City's proposal one in particular is that there has been no data produced by the Planning Department, no studies undertaken of the missing housing, no facts produced to the public showing that Fredericksburg has a problem that ADU's will solve. He stated that the City does not have an accurate count of apartments and rental units the City already has. In his opinion the City has not demonstrated a need for ADU's. He asked the Council not to take any action on ADU's until the Planning Department goes back to the drawing board and has done all its homework.

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

8A. Planning Department Recognition – Vice-Mayor Frye

Planning Department Recognition – Vice-Mayor Frye thanked Mr. Mike Craig and Mr. Bailey Thompson for helping to assist a family that was facing eviction. He said they both went above and beyond to help the resident. He noted that as she was being evicted Mr. Thompson was with her the entire time and it was comforting to the resident. Vice-Mayor said through resources given to the resident she was able to find housing and Micah helped to expedite the paperwork to get her housing.

Adoption of Minutes (D23-159 thru D23-160). Councilor Graham moved approval of the October 25, 2022, November 9, 2022 Work Session minutes and April 11, 2023 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).

Disclosures. Councilor Duffy disclosed that he is employed by the Fredericksburg Schools and he can participate in all budget matters related to schools fairly, objectively and in the public interest.

Councilor Frye disclosed that his spouse is employed by the Fredericksburg Schools and he can participate in all budget matters related to schools fairly, objectively and in the public interest.

Ordinance 23-07, First Read Approved, Setting the Real Estate Tax Rate at \$.89 per Every \$100 of Assessed Value of Real Estate for Fiscal Year 2024 (D23-161). After staff presentation Councilor Graham moved to approve Ordinance 23-07, on first read, setting the Real Estate tax rate at \$.89 per every \$100 of assessed value of Real Estate for Fiscal Year 2024; motion was seconded by Councilor Gerlach and passed by the following recorded vote. Ayes (7). Councilors Greenlaw, Frye, Devine, Duffy, Gerlach, Graham, and Kelly.

Ordinance 23-08, First Read Approved, Amending Water and Sewer Rates and Charges (D23-162). After staff presentation Councilor Gerlach moved to approve Ordinance 23-08, on first read, amending water and sewer rates and charges; motion was seconded by Councilor Devine and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Frye, Devine, Duffy, Gerlach, Graham, and Kelly.

Amending the Tax Rate for Certain Motor Vehicles as a Separate Classification of Tangible Personal Property, to Offset the Increase in Assessed Values in Motor Vehicles Due to Supply Chain Disruptions Attributed to the Pandemic, for Fiscal Year 2024. This item was pulled from the agenda because action was not needed on this item.

Resolution 23-28, Approved, Setting the Personal Property Tax Relief Percentage for the 2023 Billing in Accordance with the Changes to the Personal Property Tax Relief Act of 1998 (D23-163). After staff presentation Councilor Graham moved to approve Resolution 23-28, setting the personal property tax relief percentage for the 2023 billing in accordance with the changes to the Personal Property Tax Relief Act of 1998; motion was seconded by Councilor Frye and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Frye, Devine, Duffy, Gerlach, Graham, and Kelly.

Ordinance 23-09, First Read Approved, Amending Emergency Medical Services Transport Fees (D23-164). After staff presentation Councilor Gerlach moved to approve Ordinance 23-09, on first read, amending emergency medical services transport fees; motion was seconded by Councilor Devine and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Frye, Devine, Duffy, Gerlach, Graham, and Kelly.

Ordinance 23-10, First Read Approved, Amending the Tax on Transient Lodging (D23-165). After staff presentation Councilor Devine moved to approve Ordinance 23-10, on first read, amending the tax on transient lodging; motion was seconded by Councilor Graham and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Frye, Devine, Duffy, Gerlach, Graham, and Kelly.

Ordinance 23-11, First Read Approved, Increasing the Elderly and Disabled Relief from Real Estate Taxes (D23-166). After staff presentation Councilor Duffy moved to approve Ordinance 23-11, on first read, increasing the elderly and disabled relief from real estate taxes; motion was seconded by Councilor Gerlach and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Frye, Devine, Duffy, Gerlach, Graham, and Kelly.

Resolution 23-29, First Read Approved, Budgeting and Appropriating Funds for Fiscal Year (FY) 2024 Beginning July 1, 2023 through June 30, 2024 (D23-167). After staff presentation Councilor Graham moved to approve Resolution 23-29, on first read, budgeting and appropriating funds for Fiscal Year (FY) 2024 Beginning July 1, 2023 through June 30, 2024; motion was seconded by Councilor Devine and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Frye, Devine, Duffy, Gerlach, Graham, and Kelly.

Resolution 23-30, Approved, Committing Unassigned General Fund Balance for School Operations (D23-168). After staff presentation Councilor Devine moved to approve Resolution 23-30, committing unassigned General Fund

Balance for school operations; motion was seconded by Councilor Graham and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Frye, Devine, Duffy, Gerlach, Graham, and Kelly.

Resolution 23-31, Approved, Authorizing the City Manager to Execute the Incentive Application to the Virginia Opioid Abatement Authority and to Execute all Documents in Connection Therewith (D23-169). After staff presentation and brief discussion Councilor Graham moved to approve Resolution 23-31, authorizing the City Manager to execute the incentive application to the Virginia Opioid Abatement Authority and to execute all documents in connection therewith; motion was seconded by Councilor Devine and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Frye, Devine, Duffy, Gerlach, Graham, and Kelly.

Resolution 23-32, Approved, City Manager to Authorize the Virginia Opioid Abatement Authority Cooperative Agreement (D23-169). Councilor Graham moved to approve Resolution 23-32, City Manager to authorize the Virginia Opioid Abatement Authority Cooperative Agreement; motion was seconded by Councilor Gerlach 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 (D23-170 thru D23-171). City Manager Baroody directed the Council's attention to the Manager's Update: Arbor Day, FXBG Earth Day Festival, 2023 Midnight Madness, April is Child Abuse

Prevention Month, Spring Community Cleanup Week, Annual Water Disinfection Change and Flushing Begins, Accessory Dwelling Units Ordinance Proposal Community Outreach, Wall of Honor, Train Bridges Rehabilitation Project, Board and Commission Openings, The Parks, Recreation and Events Summer Catalog, Spring Programs, and Fred Focus.

Councilor Devine thanked City Manager Baroody for always being accessible to the public and to the City Council.

Resolution 23-33, Extending the time for Planning Commission to Review the Accessory Dwelling Unit Proposed Regulation (D23-172). After staff presentation Councilor Graham thanked the Planning Commission and staff for the numerous sessions held and for making the topic as transparent as possible.

Councilor Graham moved to approve Resolution 23-33, extending the time for Planning Commission to Review the Accessory Dwelling Unit Proposed Regulation; motion was seconded by Councilor Frye and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Frye, Devine, Duffy, Gerlach, Graham, and Kelly.

Adjournment. There being no further business to come before the Council at this time, Mayor Greenlaw declared the meeting officially adjourned at 8:57 p.m.

Tonya B. Lacey
Tonya B. Lacey, Clerk of Council

Mary Katherine Greenlaw
Mary Katherine Greenlaw, Mayor

APPROVED
05-09-23