



CITY OF FREDERICKSBURG, VIRGINIA  
CITY COUNCIL

# MINUTES

Council Chambers, 715 Princess Anne Street  
Fredericksburg, Virginia 22401

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

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**May 8, 2018**

**The Council** of the City of Fredericksburg, Virginia, held a public hearing on Tuesday, May 8, 2018, beginning at 7:30 p.m. in the Council Chambers of City Hall.

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

**Also Present.** City Manager Timothy J. Baroody, Assistant City Manager Mark Whitley, Assistant City Manager Doug Fawcett, City Attorney Kathleen Dooley, Budget Manager Deidre Jett, Economic Development Director Bill Freehling, Planning and Development Services Director Charles Johnston, Senior Planner Michael Craig, and Clerk of Council Tonya B. Lacey.

**Notice of Public Hearings (D17-163 thru D17-165).** The Clerk read the notice of the public hearings as they appeared in the local newspaper, the purpose being to solicit citizen input.

**Ordinance 18-07, First Read, Granting the Virginia Department of Transportation a Maintenance Easement Over the City Right-of-Way Opposite 1424 and 1426 Preserve Lane (D18-163).** no speakers. After staff presentation Councilor Ellis made a motion to approve Ordinance 18-07, on first read, granting the Virginia Department of Transportation a maintenance easement over the City

right-of-way opposite 1424 and 1426 Preserve Lane; motion was seconded by Vice-Mayor Withers and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Withers, Devine, Duffy, Ellis, Frye and Kelly. Nays (0).

**Ordinance 18-08, First Read, Rezoning the Hylton Tract, Approximately 90 Acres of Land Between U.S. Route 3 and Cowan Boulevard, From R-2 and C-H to Planned Development Medical Center (D18-164 thru D18-165).** 3 speakers. Staff presented a PowerPoint presentation which covered the following: existing conditions, proposed use, potential impacts and proposed mitigation, Comprehensive Plan compliance, compliance with the Unified Development Ordinance, Planning Commission study/recommendation and Economic Development. See D18-165 for more information.

Mr. Freehling discussed the project and stated that the clinic would range from 400,000 to 500,000 square feet and would be the largest VA outpatient clinic in the country. He said by way of context Mary Washington Hospital was about 615,000 square feet and this facility would be 17% smaller. The building would be a 4-5 story facility. Mr. Freehling said this was the most exciting economic development the City had seen in years. This project was an opportunity to improve the health care option for veterans, it would create significant annual tax revenue which staff believes would offset the expense for the road, it would be a taxable asset approximately \$1.1 million to as much as \$1.8 million. There would be a significant number of jobs, it has the ability to reshape the impression of Fredericksburg from I-95. The extension of Gateway Boulevard would be a key transportation artery that would provide pedestrian connectivity. The City has received letters of endorsement from the Presidents of Mary Washington Healthcare and Mary Washington College.

Staff addressed the concern about what portion of the property that was being rezoned and where the Gateway Boulevard extension ended. Staff stated that the plan was to rezone the entire ninety (90) acres and staff also stated that the road would end at Cowan Boulevard and there were no plans in the near future to extend past Cowan Boulevard.

Vice-Mayor Withers asked Attorney Charlie Payne, the representative for the owner, to consider removing religious institutions, universities and colleges as allowable uses because they were non-profit and the City would be responsible for all the expenses of the road extension and no chance to recoup any of the funds through taxes. Mr. Payne said he did not think that would be an issue. He said they could create a covenant to exclude those uses.

Councilor Frye asked how many job this would create and whether it would be the largest job producer in the City and Mr. Freehling said it would be about 1,000 jobs and it would be one of the top five job producers. Mayor Greenlaw said this was a once in a lifetime opportunity and it would give great job opportunities to the citizens.

**Thomas Shank**, 1316 Preserve Lane, asked if there had been any studies or analysis on the roadways. He was concerned that there was already a lot of traffic on Cowan Boulevard.

Mr. Craig stated that the applicant had submitted preliminary traffic impact analysis and they had identified that there would be a need for additional turn lanes.

Mr. Nelson said they had modeled the traffic on Gateway Boulevard from several iteration of the regional long range plan and as the project gains more definition they would be able to refine the traffic analysis.

Mr. Payne said they could take a big picture look but there must be an infrastructure plan that would include a traffic study that would address all the concerns of the residents prior to the construction of the project.

Mayor Greenlaw noted that if this clinic went forward the developer would have to go through several plans in more detail and they would include traffic studies and mitigation of any traffic impacts. She said there was considerable work that would need to be done.

**Lawrence Thuotte**, 2207 Hays Street, asked if the Hylton Group would donate the land for the extension, he wanted to ensure that no land would be taken through eminent domain. Mr. Payne said that was correct and he said the dedication would have to happen within 90 days if the project were approved for this location.

Councilor Ellis asked if a study could warrant a traffic light at the preserves and Mr. Nelson said it could but a significant amount of engineering would have to occur before that determination could be made.

Councilor Devine said the rezoning was to attract this project and she asked for clarification on what would happen if the VA Clinic does not come. Mr. Craig explained that there were several safeguards put into place: 35 percent of the land use was required for medical use, PDMC zoning district was chosen because it was restrictive and only allows 72 residential units, transportation improvements and land bay planning would be handled in the intermediate planning steps so that if the VA Clinic does not come the planning would continue to be on a holistic level and not piece meal development. If the VA Clinic does not pick this site the Planning Commission would review any master plans. Mr. Craig also added that if the VA Clinic does not come the City was not obligated to build the road.

Councilor Kelly said before second read he would like to have a better number on the jobs and the type of jobs it would bring. He also talked about smart scale and the money that will be available.

Councilor Duffy said he was in support of this great opportunity for the city and region.

Councilor Ellis made a motion to approve Ordinance 18-08, on first read, rezoning the Hylton Tract, approximately 90 acres of land between U.S. Route 3 and Cowan Boulevard, from R-2 to C-H to Planned Medical Center; motion was seconded by Councilor Devine and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Withers, Devine, Duffy, Ellis, Frye and Kelly. Nays (0).

**Adjournment.** There being no more speakers to come before the Council at this time, Mayor Greenlaw declared the hearing officially adjourned at 8:24 p.m.

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

*Mary Katherine Greenlaw*  
Mary Katherine Greenlaw, Mayor

**APPROVED**

**05-22-18**

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**May 8, 2018**

**The Council** of the City of Fredericksburg, Virginia, held a regular session on Tuesday, May 8, 2018, beginning at 7:30 p.m. in the Council Chambers of City Hall.

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

**Also Present.** City Manager Timothy J. Baroody, Assistant City Manager Mark Whitley, Assistant City Manager Doug Fawcett, City Attorney Kathleen Dooley, Budget Manager Deidre Jett, Economic Development Director Bill Freehling, Planning and Development Services Director Charles Johnston, Senior Planner Michael Craig, and Clerk of Council Tonya B. Lacey.

**Opening Prayer and Pledge of Allegiance.** Council was led in prayer by Councilor Bradford C. Ellis followed by the Pledge of Allegiance led by Mayor Mary Katherine Greenlaw.

**Officer Recognized.** Mayor Greenlaw recognized the presence of Officer Melanie Schaffer at this evening's meeting.

**Proclamation for Marine Corps Historic Half Day (D18-160).** Mayor Greenlaw presented a Proclamation to Rick Nealis the Marine Corps Marathon Director proclaiming Sunday, May 20, 2018, Marine Corps Historic Half Day and she encouraged the

citizens of the community to support and cheer on the runners and welcome the spectators with open arms and warm hospitality. Mayor Greenlaw also urged the citizens to embrace the mission of the Marine Corps Marathon Organization by leading an active and healthy lifestyle, to generate community spirit and honor the men and women of the United States Marine Corps.

Mr. Nealis on behalf of the Commander of the Marine Corp Organization, Marine Corps Base Quantico thanked the City and he said for the first time all 50 states were represented as well as 14 countries.

**Proclamation for Stamping Out Hunger (D18-161).** Mayor Greenlaw presented a proclamation to Ms. Paula Schenemann proclaiming May 12, 2018 as Letter Carrier Food Drive Day, and she asked the community to participate in this commendable effort.

Ms. Shenemann explained that the food drive stays in the community and all the food stays locally and goes to the Food Bank.

**Proclamation for Neurofibromatosis Awareness Month (D18-162).** Mayor Greenlaw presented a proclamation to Ms. Connie Sorman recognizing May 2018 as Neurofibromatosis (NF) Awareness Month. Mayor Greenlaw thanked Ms. Sorman for bring this to the City's attention.

Ms. Sorman explained that NF affects 1 and 3,000 but it was relatively unknown. They try to get the word out especially in the month of May through Shine a Light on NF and ask for State and local proclamations. Shine a Light on NF have several famous building light up in green and blue to bring awareness.

**Public Hearings (D18-163 thru D18-165).** The regular session was recessed in order to conduct the scheduled public hearings and immediately reconvened upon their conclusion.

**Citizen Comment.** The following speaker participated in the citizen comment portion of this evening's meeting.

**Karen Polychrones** – 1001 Dorthea Court, belong to a group called Parent of Adults with Asperger's. She has a son on the autism spectrum and she was concerned where he would live as an adult on his own. Ms. Polychrones came to speak with the prompting of Virginia Organizers to make the Council aware of the need for housing for kids like her son. She described the housing as dorm like complexes with around the clock resident advisors. Ms. Polychrones said instead of them becoming a drain on the limited resources this could help them to become self-sustaining and contributors to the community. She offered to work with members of Council on this effort.

**Thomas Schiff** – 300 Prince Edward Street, spoke passionately and in support of affordable housing in the City. He said this issue needed to be resolved.

**Bill Wachter** – 1212 Parcell Street, spoke in support of saving the Alms House.

**Sue Sargeant** – 1318 William Street, Vice President of the College Heights Civic Association spoke about the neighborhood walks they have and the walk around pointing out historic homes in the College area. She said when she saw the siding being pulled off the Alms House she questioned it. She also thanked and appreciated the Archdiocese offering the house up for free as long as said person had it removed from the property.

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

7A. Ward 4 Voting Precinct – Councilor Frye

7B. Alms House Update – Councilor Duffy

**Ward 4 Voting Precinct.** Councilor Frye voiced his concerns about having two precincts and the difficulties of having to travel back and forth between the two to greet constituents. He also expressed concerns that both precincts had two entrances and he asked whether one door could be designated for the entrance to vote instead of allowing the use of both doors. Councilor Frye also was concerned that the because of the lack of parking near the Prince Edward Street facility that constituents had to park at the Original Walker Grant and walk over.

**Alms House Update (D18-166).** Councilor Duffy presented a PowerPoint slide which gave the following history of the house: it was originally built in 1877 in the area between Mason and Randolph Halls on campus, it was moved and served as the Dean's House in 1911 and in the 1920's it was moved to 1616 College Avenue. The house was proposed to be moved for the third time and Councilor Duffy said he would be contacting the Archdiocese of Arlington to consider delay tearing down the house in order to have enough time to move the home. Councilor Duffy laid out the cost to move the home and they were as follows: Dominion Energy \$19,000, Verizon \$38,000, Movers \$40,000 and cutting the trees in order to move the home \$10-15,000. Councilor Duffy stated that Mr. Al Littek was about \$50,000 short in order to move the house. He asked the City Council and the staff for ways to make this affordable by maybe using blight abatement funding or possibly waiving some fees. He also requested \$20,000 in blight abatement funding in order to help save this building.

City Manager Baroody said he would look into it and bring suggestions to the May 22 meeting.

**City Manager's Consent Agenda Accepted for Transmittal as Recommended (D18-167 thru D18-170).** Councilor Kelly moved approval of the City Manager's consent agenda items; motion was seconded by Councilor Duffy and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Withers, Devine, Duffy, Ellis, Frye and Kelly. Nays (0).

- Resolution 18-41, Approving the Virginia Juvenile Community Crime Control Plan for Fiscal Years 2019 and 2020 (D18-167).
- Resolution 18-42, Approving a Fiscal Year 2018 Budget Amendment Appropriating Funds in the City Grants Fund for Public Safety Purposes (D18-168).
- Resolution 18-43, Approving the 2018-2019 Community Development Block Grant Annual Action Plan (D18-169).
- Transmittal of Board and Commission Minutes
  - Recreation Commission – March 15, 2018 (D18-170).

**Adoption of Minutes.** Councilor Ellis moved approval of the April 17, 2018 Public Hearing and the April 24, 2018 Regular Session minutes; motion was seconded by Vice-Mayor Withers and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Withers, Devine, Duffy, Ellis, Frye and Kelly. Nays (0).

**Resolution 18-40, Second Read Approved, Appropriating Funds for Fiscal Year 2019 Beginning July 1, 2018 through June 30, 2019 (D18-171).**

Councilor Duffy disclosed that he was employed by the Fredericksburg School System but he could participate fairly and objectively in the decision.

Councilor Frye disclosed that his spouse was employed by the Fredericksburg School System and he could participate fairly and objectively in the decision.

After staff overviewed the changes to the budget Councilor Kelly made a motion to approved Resolution 18-40, on second read, appropriating funds for Fiscal Year 2019 beginning July 1, 2018 through June 30, 2019; motion was seconded by Vice-Mayor Withers and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Withers, Devine, Duffy, Ellis, Frye and Kelly. Nays (0).

**Resolution 18-44, Adopting the Fiscal Year 2020 – Fiscal Year 2024 Capital Improvements Plan (D18-172).** After Staff presentation Councilor Kelly made a motion to approve Resolution 18-44, adopting the Fiscal Year 2020 – Fiscal Year 2024 Capital Improvements Plan; motion was seconded by Councilor Duffy and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Withers, Devine, Duffy, Ellis, Frye and Kelly. Nays (0).

**Resolution 18-45, Authorizing the Use of \$436,568 in Motor Fuels Taxes for the Virginia Railway Express and \$40,300 for the Potomac and Rappahnock Transportation Commission for Fiscal Year 2019 (D18-173).** After Staff presentation Councilor Kelly made a motion to approve Resolution 18-44, authorizing the use of \$436,568 in motor fuels taxes for the Virginia Railway Express and \$40,300 for the Potomac and Rappahnock Transportation Commission for Fiscal Year 2019; motion was seconded by Councilor Duffy and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Withers, Devine, Duffy, Ellis, Frye and Kelly. Nays (0).

**City Manager’s Report and Council Calendar (D18-174 thru D18-175).** City Manager Baroody reviewed the Manager’s report and Council Calendar. Activities

highlighted on the report were as follows: Personal Property and Real Estate Taxes Due, Broadband Survey, Annual Asphalt Rehabilitation Program, Phase 1 Underway with International Coalition of Sites of Conscience in the City, Picnic in the Park, Fire, Police and Mary Washington Hospital Hold Active Shooter Training, Fire Department Releases 2017 Annual Report and Christmas Parade Sponsorship Proposals.

**Closed Meeting Approved (D18-176).** Upon a motion Councilor Kelly, moved approval of a closed session under Virginia Freedom of Information Act section 2.2-3711(A)(39) for the discussion of confidential information prepared by the City, related to the attraction of a multipurpose outdoor and recreational venue, where competition or bargaining is involved, and where disclosure of the information would adversely affect the financial interest of the City of Fredericksburg; motion was seconded by Councilor Duffy and passed by the following recorded votes. Ayes (7) Councilors Greenlaw, Withers, Devine, Duffy, Ellis, Frye, and Kelly. Nays (0).

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

**Resolution 18-46, Approved, Certifying Closed Meeting.** Upon the motion Councilor Duffy approved Resolution 18-46 certifying the closed meeting; seconded by Councilor Devine and passed by the following recorded votes. Ayes (7) Councilors Greenlaw, Withers, Devine, Duffy, Ellis, Frye, and Kelly. Nays (0).

**Adjournment.** There being no further business to come before the Council at this time, Mayor Greenlaw declared the meeting officially adjourned at 9:54 p.m.

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

*Mary Katherine Greenlaw*  
Mary Katherine Greenlaw, Mayor

**APPROVED**

**05-22-18**