



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 13, 2023

The Council of the City of Fredericksburg, Virginia, held a regular session on Tuesday, May 23, 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, Police Chief Brian Layton, Planning and Building Services Director Charles Johnston, Budget Analyst Donna Leahy and Clerk of Council Tonya B. Lacey.

Opening Prayer and Pledge of Allegiance. Council was led in prayer by Vice-Mayor Charlie L. Frye, Jr. followed by the Pledge of Allegiance led by Councilor Jason N. Graham.

Officer Recognized. Mayor Greenlaw recognized the presence of Officer Stephen Monahan at this evening's meeting.

Proclamation for Immigrant Heritage Month (D23-216). Mayor Greenlaw proclaimed the month of June as Immigrant Heritage Month.

Proclamation for Police Captain Mike Presutto for his 23 Years of Service (D23-217). Mayor Greenlaw presented Captain Presutto with a proclamation congratulating him on his retirement and for his selfless and dedicated contribution to the City and she extended to him the very best for continued success.

General Assembly Wrap-Up – Eldon James and Laura Bateman. Mr. James reported that there had been no action on the budget and he said it would be after the June 20th primaries before they meet again and he did not think it would be approved before the new fiscal year.

Ms. Bateman reviewed the City's legislative program. The School Construction and Modernization reported that both the Senate and House had language in there to help add more money for school construction. She stated that no other local governments had money put in either chambers budget to recognize the increase in costs for Wastewater Treatment Plant upgrades.

Mr. James said there were two bills that impact housing that made it through and they will impact localities by requiring them to provide additional information to the State. The companion bills, House Bill 2046 and Senate Bill 839 will give additional powers to the Director of Housing and Community Development to develop a five-year affordable Housing plans or a long range plan to be updated every five years, and as part of that localities over 3,500 in population will be required to report annually on any changes to housing policies. The guidelines would be received by the City Manager or the Director of the Community Planning and Building Development. The report will be due in the fall.

The other bill, House Bill 1671, requires localities to report annually fee revenues received in connection with any residential development. This will also be coming through the Department of Housing and Community Development. These were the only two housing bills that passed and all others were referred to the Housing Commission. They have four work groups and they will try to sort out a study sent to them on how to streamline local regulation.

There were several bills on short term rentals and they would have restricted local authority over properties managed by any Virginia realtor. Those bills were referred to the Housing Committee for study.

There were also companion bills that would expand local authority to implement mandatory affordable housing programs. This bill was also referred to the Housing Committee for study.

Ms. Bateman informed the Council that because of the redistricting process there would be a lot of new entrants in the General Assembly and there would be a huge shift in the institutional memory in the General Assembly because one fourth of the State Senate was retiring and one third of the House of Delegates was retiring or running for a different office. This change would be an opportunity for the City to pick up some seats on the Senate Finance Committee.

Consent Agenda Accepted for Transmittal as Recommended (D23-218 thru D23-225). Councilor Kelly moved approval of the City Manager's consent agenda; motion was seconded by Councilor Gerlach and passed by the following

recorded votes. Ayes (7). Councilors Greenlaw, Frye, Devine, Duffy, Gerlach, Graham, and Kelly. Nays (0).

- Resolution 23-40, Second Read Approved, Amending the Fiscal Year 2023 Budget to Appropriate Funds in The COVID-19 Relief Funds for a Virginia Department of Criminal Justice Services American Rescue Plan Act Law Enforcement Grant (D23-218).
- Resolution 23-42, Second Read Approved, Amending the Fiscal Year 2023 Budget to Appropriate Funds in the General Fund and Fredericksburg Opportunity Fund (D23-219).
- Resolution 23-45, Second Read Approved, Approving Assignment of Fund Balance and Re-Obligation of American Rescue Plan Act Funds for Fiscal Year 2023 (D23-220).
- Transmittal of the Board and Commission Minutes
 - Architectural Review Board – March 13, 2023 (D23-221).
 - Architectural Review Board – April 10, 2023 (D23-222).
 - Board of Social Services – April 4, 2023 (D23-223).
 - Fredericksburg Clean & Green Commission (D23-224).
 - Public Transit Advisory Board – April 5, 2023 (D23-225).

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

Jessica Kujala – 1508 Winchester Street, spoke on pedestrian and bicycle safety. She said if you are not on the Canal trail, VCR trail or the Heritage trail it can be

dangerous to bike. She said she biked to Dixon Park and she realized how dangerous it was to bike and how dangerous it was for pedestrians. She said there are no warnings for the drivers that there may be pedestrians. She asked to Council to install flashing lights at the crosswalks. She said there are ways to make the whole City feel connected.

James Pates (D23-226)– 1020 Fall Hill Avenue, asked the City to abandon the proposed Accessory Dwelling Unit (ADU) ordinance and he suggested an alternative path. He stated that this was not a local issue and the National Apartment Association and the National Association of Realtors and AARP promote the creation of additional apartments within single family zoning districts. They promote the concept as a means of adding to the supply of affordable housing.

Mr. Pates said many of the residents are tired of Fredericksburg being over developed with new residential development, apartments in particular. He stated that ADU's would do nothing to address affordable housing. Please see D23-226 for more information.

Raymond Herlong (D23-227) – 1009 Prince Edward Street, stated that Accessory Dwelling Units (ADU) mean different things to different people and he said when staff quantified the comments from the Planning Commission meeting they did not do it with clear intent. Some proponents were for granny suites but not ADU and staff listed them as for ADUs. He said the comments should be paired down to only those who made their intentions clear.

He also spoke about sign being stolen, restricting one's right to speak.

Mr. Herlong also read a letter from Beatrice Paolucci, 1500 Caroline Street, who was ill and unable to make the meeting. Ms. Paolucci stated that the City does have a lack of affordable housing but she said it needed to work with neighboring jurisdictions and not allow freestanding ADU's. She said they would destroy existing neighborhood character and remove the little greenspace known as the back yard. It is a false pretense that free standing ADU's would solve the affordable housing crisis. See D23-227 for more information.

Julie Kay (D23-228) – 1616 Franklin Street, stated that there was a beauty salon that turned into a yoga studio and has since closed and it is up for sale. She said the current owners would like to build a two story house on the property and it would take up majority of the lot. She said the owner went to the Board of Zoning Appeals for approval of a variance and it was approved 3-2. Ms. Kay stated that this house would dwarf the surrounding homes and it would negatively impact the surrounding home values and it would not preserve the character of the College Terrace neighborhood. She asked the Council to put this on the agenda to review the BZA's unreasonable decision and override it.

Dana Herlong (D23-229) – 1009 Prince Edward Street, stated that she and her husband had spent a lot of time invested in hours of research, inquiring and attempting to understand the perceived housing issues and challenges in the City. She highlighted what she and the Coalition of other concerned neighbors learned and concluded. See D23-229 for the list. She asked the Council not to accept any recommended ordinance text amendments.

Jesse Dominguez – 1400 Kenmore Avenue, spoke on the state of the wetlands at Dixon Park. He said majority of the water was still water some areas was dried up but there was lots of garbage and he saw a few animals. He was concerned that the animals would not be there if the area is not cleaned up. He said he would like to see a cleanup take place.

Mr. Dominguez also spoke about biking and cars. He said the cars would not slow down as long as there are wide travel lanes. He suggested better public transportation would get cars off the roads.

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

8A. Ward 4 Pedestrian Safety – Vice-Mayor Frye

8B. Fredericksburg Pride – Councilor Devine

Ward 4 Pedestrian Safety – Vice-Mayor Frye addressed pedestrian concerns in Ward 4 – lower Caroline Street (100-200 block) has speeding concerns, Frederick and Princess Anne Street has sight issues because of the redeveloped Janney Building. He said there will be parking spaces eliminated to address the sight concerns.

Vice-Mayor Frye met with a VDOT member about the fatality on Dixon Street to see what could be done to address pedestrians crossing in the area. This area of the roadway belongs to Spotsylvania County but the City's residents are the ones crossing the road. He said he would meet on site with Mr. Brown to see what could be done in these trouble areas.

Councilor Graham said there was a Safe Streets for All grant that GWRC is scheduled to approve at its June 26 meeting. He said they will be the 8th district in the country to approve it. The Rt. 2 and 17 corridors will be the first one that he will champion. He said they could be receiving the grant as early as next summer.

Councilor Graham said this may be an opportunity to narrow the lanes on Route 2.

Councilor Gerlach said he would lend his support to the Safe Streets for All grant.

Councilor Devine said it is a challenge for cyclist on the streets and she agreed the trails were great for cyclist but there needed to be more awareness for bicyclist on the roads.

Fredericksburg Pride – Councilor Devine noted that June was Pride Month and this is the third year recognizing those of the LGBTQ Community. She expressed the importance of recognizing all members of the community. She also highlighted several events that would be taking place.

Adoption of Minutes (D23-230 thru D23-233). Councilor Devine moved approval of the November 22, 2022, December 13, 2022, January 10, 2023 and January 24, 2023 Work Sessions and the May 23, 2023 Regular Session minutes; 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 23-48, Approved, Creating the Renwick Complex Working Group and Appointing Members (D23-234). Councilor Devine moved

to approve Resolution 23-48, creating the Renwick Complex Working Group and appointing members; 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).

Councilor Devine made a motion to appoint Councilor Gerlach and Councilor Kelly to the Renwick Complex Working Group; motion was seconded by Councilor Duffy and passed by the following recorded votes. Ayes (6). Councilors Greenlaw, Frye, Devine, Duffy, Graham, and Kelly. Nays (0). Abstain (1). Gerlach.

Ordinance 23-13, First Read Approved, Amending City Code to Update Small Purchasing Limits in Accordance with the Virginia Public Procurement Act (D23-235). After staff presentation Councilor Graham moved to approve Ordinance 23-13, on first read, amending City Code to update small purchasing limits in accordance with the Virginia Public Procurement Act; motion was seconded by Councilor Duffy 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 (D23-236 thru D23-237). City Manager Baroody directed the Council's attention to the Manager's Update: Unveiling of the New Highway Marker, Early Voting for the June 2023 Dual Primary, Hydrant Maintenance Flushing Program, Executive Plaza, Traffic Safety Initiative, Board and Commission Openings, Spring and Summer Programs, The Parks, Recreation, and Events Summer Catalog 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 8:49 p.m.

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

Mary Katherine Greenlaw
Mary Katherine Greenlaw, Mayor

APPROVED
06-27-23