



Regular Session 11/12/19

DEC 27 2019

FREDERICKSBURG
CIRCUIT COURT

was thrilled to see this come to fruition. She spoke of how great it would be to have a gathering place in the downtown.

Councilor Kelly said he supported building the park but he was concerned with the cost, the loss of parking, the loss of usable space and design. He said he could not support it because of the costs with all the other things the City have coming in the near future.

Councilor Graham said he originally was not in support but he would support this long time effort.

Councilor Duffy said he was in support of the project and this would benefit the City for years to come.

Councilor Devine made a motion to approve Resolution 19-99, awarding the Contract to Construct the Riverfront Park; motion was seconded by Councilor Duffy and passed by the following recorded votes. Ayes (6). Councilors Greenlaw, Withers, Devine, Duffy, Frye and Graham. Nays (1). Councilor Kelly.

Resolution 19-100, Approved, Granting a Certificate of Appropriateness for the Relocation of the Slave Auction Block to the Fredericksburg Area Museum (D19-__). Historic Resources Planner Schwartz gave a brief overview of the Architectural Review Board (ARB) process for this application. She said in response to City Council action on June 11, 2019 to relocate the block from its original location a certificate of appropriateness (COA) was filed in July. The application was presented to the ARB in a public hearing on August 12, 2019 and at that time the Board took no action due to procedural concerns with the application. At the September 9 meeting the City Attorney requested a work session with the ARB to seek their consultation and the meeting was scheduled for September 23 and they discussed possible courses of action. The

application was continued to the October 14 meeting and there was public comment heard at all four of the meetings. At the October 14, meeting a motion to deny was made and it failed with a vote of two voting in favor, one opposed, three abstained, and one conflict of interest. The ARB's 90-day review period expired on October 20 therefore an appeal of the ARB non-action was submitted to the City Council. At the initial August 12 ARB hearing the staff recommendation was for approval with some conditions regarding interpretation consultation and have been incorporated into the relocation plan.

City Manager Baroody added that this comes after 2 ½ years of collective community work which started in August 2017. The City hired International Coalition for Sites of Conscience (ICSC) and they produced three phases of work. Their years' worth of work lead to three reports, more than 200 people participated in their more than one dozen public meetings. After the Council received the third report from ICSC they determined that the Memorials Commission would be the body to help tell the more complete African American story. Mr. Baroody added that if all three items on the agenda were approved staff would move forward with the removal of the slave auction block in December and have it placed in the Museum.

City Attorney Dooley reviewed the letter she sent to the ARB discussing criteria and the Comprehensive Plan. She said the block at its current location fulfills many of the goals she discussed in the letter but the City heard from a large segment of the community that communicated clearly that the continued presence of the block on the street corner was problematic and created a sense of not belonging or a sense of not being part of the community.

ARB Chair Mr. Gerlach thanked the ARB for going through this process and the public for participating in the discussions. He said he trusted the City Council will do the right thing.

Councilor Frye made a motion to approve Resolution 19-100, granting the Certificate of Appropriateness for the relocation of the slave auction block to the Fredericksburg Area Museum; motion was seconded by Councilor Devine.

Councilor Kelly read a quote by a University of Mary Washington student in the Free-Lance Star, and the student asked the City Council to rethink its decision of the removal of the auction block. He also read a quote from the New York Times where a gentleman wrote about walking up on the slave action block when visiting the city. He acknowledged the block was hurtful but said that was why it was important to stay where it was as a reminder. He said these items were more powerful in the context of where they originated.

Councilor Duffy said this was a very difficult decision for him but he understood the power of the historical context, but he had to concede to the anguish that the block gave to generations of African Americans and others so he was please to make the change to remove it.

Councilor Frye said this was a tough decision but it opened up conversations in the community. He said many were able to learn more from each other. He said the City failed many African Americans because it has a rich African American history but it was never told.

Mayor Greenlaw said this was an auction site and auctions sell property and the slaves were not treated as humans they were considered property. She said the City did this the right way and it listened to everyone and that was the reason the Council changed its position.

Councilor Devine said she appreciated the community dialog and the dialog caused her to change her vote. She said her initial vote was to keep the context to tell the story but the site was challenging to tell the story more fully but it could be done through the museum. She said the African American history in the City consist of slavery and the protest and she looked forward to telling more of the African American History.

The motion passed by the following recorded votes. Ayes (6). Councilors Greenlaw, Withers, Devine, Duffy, Frye and Graham. Nays (1). Councilor Kelly.

Resolution 19-101, Approved, Approving the Relocation Plan for the Slave Auction Block (D19-__). After staff presentation Councilor Frye made a motion to approve Resolution 19-101, approving the relocation plan for the slave auction block; motion was seconded by Councilor Graham and passed by the following recorded votes. Ayes (6). Councilors Greenlaw, Withers, Devine, Duffy, Frye and Graham. Nays (1). Councilor Kelly.

Resolution 19-102, Approved, Approving a Loan Agreement with the Fredericksburg Area Museum for the Slave Auction Block (D19-__). After staff presentation Councilor Frye made a motion to approve Resolution 19-101, approving a loan agreement with the Fredericksburg Area Museum for the Slave Auction Block; motion was seconded by Councilor Duffy and passed by the following recorded votes. Ayes (6). Councilors Greenlaw, Withers, Devine, Duffy, Frye and Graham. Nays (1). Councilor Kelly.

Resolution 19-103, Approved, Initiating an Amendment to the 2015 Comprehensive Plan to Amend Chapter 7, "Residential Neighborhoods