



CHARLOTTESVILLE CITY COUNCIL MEETING MINUTES

November 18, 2024 at 4:00 PM

Council Chamber

The Charlottesville City Council met on Monday, November 18, 2024. Mayor Juandiego Wade called the meeting to order, and Clerk of Council Kyna Thomas called the roll, noting the following councilors present: Mayor Juandiego Wade, Vice Mayor Brian Pinkston and Councilors Natalie Oschrein and Michael Payne.

Having established a physical quorum, Council considered a request from Councilor Snook made earlier in the day to participate electronically because of a temporary medical condition preventing him from attending in person. Pursuant to Council's adopted procedures and in compliance with the Virginia Freedom of Information statute for meeting participation through electronic communication means, Mr. Snook stated that he was participating from his home in Charlottesville. On motion by Pinkston, seconded by Payne, Council voted 4-0 to approve electronic participation by Councilor Snook (Ayes: Oschrein, Payne, Pinkston, Wade; Noes: none).

On motion by Pinkston, seconded by Payne, Council unanimously approved the meeting agenda.

REPORTS

1. REPORT: Budget Briefing: Organizational Excellence & Equity

City Manager Sam Sanders presented the budget brief on City priorities of Organizational Excellence and Equity. The presentation reviewed a breakdown of the process, and two areas of focus for Organizational Excellence: 1) Collective bargaining, and 2) operational systems increases. Three areas of focus for the Equity priority were: 1) homeless services, 2) social equity, and 3) ADA (Americans with Disabilities Act).

CLOSED MEETING

On motion by Pinkston, seconded by Payne, Council voted 5-0 (Ayes: Oschrein, Payne, Pinkston, Snook, Wade; Noes: none) to meet in closed session as authorized by the Virginia Freedom of Information Act, as follows:

- (1) Under Virginia Code Section 2.2-3711(A)(1) for discussion and consideration of the appointment, performance, and salary of a specific named appointee of the public body; and
- (2) Under Virginia Code Section 2.2-3711(A)(1) for discussion and consideration of prospective candidates to be appointed to the following boards and/or committees: Affordable Housing Fund Committee, Board of Architectural Review, Building Code Board of Appeals, Community Development Task Force, Convention & Visitors Bureau Board, Criminal Justice Board, Charlottesville-Albemarle Airport Commission, Housing Advisory Committee, Minority Business Commission, Retirement Commission, River Basin Commission, Sister Cities Commission, Social Services Board, Solid Waste Authority, Towing Advisory Board, Vendor Appeals Board, Water and Sewer Authority, YMCA Board, and Youth Council.

On motion by Pinkston, seconded by Payne, Council certified by the following vote: 5-0 (Ayes: Oschrein, Payne, Pinkston, Snook, Wade; Noes: none), that to the best of each Council member's knowledge only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the Motion convening the closed session were heard, discussed or considered in the closed session.

On motion by Oschrein, seconded by Payne, Council by a vote of 5-0 appointed the following members to boards and commissions:

- Affordable Housing Fund Committee - Thomas King (At-large)
- Community Development Task Force - Thomas King (At-large) and Greg Self (Belmont Neighborhood representative)
- Convention & Visitors Bureau Board - Daniel Shea (city tourism representative)
- Jefferson Area Criminal Justice Board - Scott Wheeler
- Charlottesville-Albemarle Airport Commission - Benjamin Chambers (city representative)
- Minority Business Commission - Jamaala Hamilton and Marlena Reid
- Retirement Commission - Kai Pacheco (city resident/business owner)
- River Basin Commission - Jason Halbert (city representative)
- Social Services Board - Benjamin Dick and Omwira Nkere

BUSINESS SESSION

City Council observed a moment of silence.

ANNOUNCEMENTS

Councilor Oschrein announced her attendance at the Charlottesville High School 50th anniversary band concert on November 16 and she commended the city schools fine arts program. She announced the December 8 Lewis Mountain neighborhood walk.

Vice Mayor Pinkston announced his attendance at the firefighters graduation ceremony on November 15, and he announce Magic on the Mall beginning this week.

Mayor Wade announced his attendance at the National League of Cities conference.

COMMUNITY MATTERS

Mayor Wade opened the floor for comments from the public.

1. Marta Keane, CEO of the Jefferson Area Board on Aging, shared JABA updates and client testimonials. She announced that a new CEO will begin in January.
2. Nathan Wilson, city resident, spoke about issues with amplified performers on the Downtown Mall.
3. Kate Fraleigh, city resident, spoke about City budget concerns in light of changes that could come with the incoming federal administration.
4. Greer Achenbach, Friends of the Downtown Mall, spoke about proposed revisions to the Downtown Mall cafe regulations, stating that the proposals are overly restrictive.
5. Downing Smith, city resident, spoke about an RFP for potential deer hunting in city parks. He opposed the use of guns and stated that killing deer is not necessary. Regarding rescuing the ...
6. Mo Van de Sompel, city resident, spoke in opposition to the proposed revisions to the Downtown Mall cafe regulations, as submitted by the Board of Architectural Review.
7. Cherry Stewart, member of the Sister Cities Commission, stated that the Sister Cities Commission hosting the state conference on November 16.

CONSENT AGENDA

Clerk of Council Kyna Thomas read the following Consent Agenda items into the record. On motion by Payne, seconded by Oschrein, Council by a vote of 5-0 adopted the Consent Agenda, postponing items 6 & 9. (Ayes: Oschrein, Payne, Pinkston, Snook, Wade; Noes: none)

2. MINUTES: November 4 regular meeting

3. RESOLUTION: Virginia Department of Social Services (V.D.S.S.) Temporary Aid to Needy Families (T.A.N.F.) Grants – \$69,312.67 (2nd reading)

RESOLUTION

**Virginia Department of Social Services (V.D.S.S.) Temporary Aid to Needy Families (T.A.N.F.)
Appropriation of Grant Funds
\$69,312.67**

WHEREAS, the City of Charlottesville has received a Temporary Aid to Needy Families grant from the Virginia Department of Social Services in the amount of \$69,312.67; and

WHEREAS, the funds will be used to support workforce and business development training programs, supportive services, and staffing provided by the Office of Economic Development; and

WHEREAS, the grant award covers the period from July 1, 2024 and June 30, 2025;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$69,312.67 is hereby appropriated in the following manner:

Revenue – \$69,312.67

\$69,312.67 Fund: 209 IO: 1900573 G/L: 430120 State/Fed pass thru

Expenditures - \$69,312.67

\$69,312.67 Fund: 209 IO: 1900573 G/L: 599999 Lump Sum

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$69,312.67 from the Virginia Department of Social Services.

4. RESOLUTION: Resolution to appropriate Virginia Department of Criminal Justice Services Victims of Crime Act Grant Award FY24-\$123,000 (2nd reading)

RESOLUTION

**Appropriation of Charlottesville Student Victim Outreach Program Department of Criminal
Justice Services Victim of Crimes Act Grant
\$123,600**

WHEREAS, the City of Charlottesville has been awarded \$123,600 from the Department of Criminal Justice Services;

WHEREAS, this award requires a 20% match in the amount of \$30,900;

WHEREAS, the funds will be used to support Evergreen, a program operated by the Department of Human Services. The grant award covers the period from July 1, 2024 through June 30, 2025;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$123,600 is hereby appropriated in the following manner:

Revenue – \$154,500

\$123,600 Fund: 209 Cost Center: 3413018000 GL Account: 430120
\$ 30,900 Fund: 209 Cost Center: 3413018000 GL Account: 498010

Expenditures - \$154,500

\$148,140	Fund: 209	Cost Center: 3413018000	GL Account: 519999
\$ 6,360	Fund: 209	Cost Center: 3413018000	GL Account: 599999

Transfer From

\$30,900	Fund: 213	Cost Center: 3413003000	GL Account: 561209
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BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$123,600 from the Department of Criminal Justice Services.

5. RESOLUTION: Resolution to appropriate \$20,000 for the Virginia Department of Education Special Nutrition Program Child and Adult Care Food Program (2nd reading)

RESOLUTION

Appropriation of Virginia Department of Education Special Nutrition Program Child and Adult Care Food Program Reimbursement in the amount of \$20,000

WHEREAS, the City of Charlottesville, through Parks and Recreation, has received approval for reimbursement up to \$20,000 from the Virginia Department of Education Special Nutrition Program to provide free dinner to children attending select drop-in afterschool centers; and

WHEREAS, the grant award covers the period from period October 1, 2024 through September 30, 2025;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that the sum of \$20,000, received from the Virginia Department of Education Special Nutrition Program is hereby appropriated in the following manner:

Revenue – \$ 20,000

Fund: 209	Internal Order: 1900575	G/L Account: 430120
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Expenditures - \$20,000

Fund: 209	Internal Order: 1900575	G/L Account: 530670
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BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$20,000 from the Virginia Department of Education Special Nutrition Program.

6. RESOLUTION: Resolution authorizing Charlottesville Redevelopment and Housing Authority (CRHA) to create a Corporation and/or Limited Liability Corporation (LLC) (2nd reading)

Consideration of this item was postponed to a meeting in December.

7. RESOLUTION: Resolution to appropriate funds from the Supreme Court of Virginia, Recovery Court Docket Grant in the amount of \$240,000 for the Charlottesville/ Albemarle Recovery Court (Carried)
8. RESOLUTION: Resolution to appropriate \$408,437 from the Opioid Abatement Authority Collaborative Partnership Grant (Carried)
9. RESOLUTION: Resolution for Charlottesville-Albemarle Health Department Carryover Request - \$74,625 (Carried)

Consideration of this item was postponed to a meeting in December at the request of staff.

CITY MANAGER REPORT

- **Report: Social Services Advisory Board Annual Report to City Council**

Cherry Stewart, Chair, presented the Social Services Advisory Board Annual Report, highlighting an increase in foster care cases within the past year, changes to the childcare subsidy program, and the reinstatement of interviews for SNAP program eligibility.

ACTION ITEMS

10. ORDINANCE amending City Code Section 2-453(b.3-4) for Police Civilian Oversight Board composition (deferred from October 21)

Eden Ratliff, Deputy City Manager for Administration, summarized the ordinance amendment as presented and reported that the PCOB is reviewing the full ordinance to bring forth recommendations for a comprehensive list of amendments. City Manager Sanders stated that staff will also compile recommendations for ordinance amendments and find areas of agreement with the PCOB to bring forth an agreed upon set of recommendations. In areas of differing opinions, City Council would deliberate.

Councilors discussed challenges facing the Board without having enough members to conduct the work of the Board.

On motion by Pinkston, seconded by Payne, Council by a vote of 5-0 adopted the ordinance to amend the membership composition criteria for the Police Civilian Oversight Board: (Ayes: Oschrin, Payne, Pinkston, Snook, Wade; Noes: none).

AN ORDINANCE TO AMEND AND REENACT CITY CODE SECTION 2-453 REGARDING THE RESIDENCY REQUIREMENTS FOR MEMBERS OF THE POLICE CIVILIAN OVERSIGHT BOARD

11. ORDINANCE amending City Code Section 15-144 (Parking of buses, trucks, etc. between midnight and 6:00 a.m.) (Carried)

Brennen Duncan, City Engineer, introduced the request for ordinance amendments, noting various ways in which people have abused parking.

Council discussed the benefits and challenges of the proposed amendments and agreed to carry the item forward to the Action Agenda for the next regular meeting.

12. RESOLUTION for revisions to Architecture Design Control District Design Guidelines: Chapter 5, Section E. Outdoor Cafes

Jeff Werner, Preservation Design Planner, presented the Board of Architectural Review recommendations for revisions to Architecture Design Control District Design Guidelines: Chapter 5, Section E. Outdoor Cafes.

Per City Code Chapter 28, Sec. 213, leased café spaces require an annual permit issued by the Zoning Administrator. For spaces within an ADC District, that permit requires a design review Certificate of Appropriateness (CoA) for the elements within the leased space, such as furniture, planters, and railings. As currently applied, for cafes with elements that meet the guidelines, the CoA can be issued administratively (a Minor Historic Review, per Chapter 34, Sec. 5.2.6.), with the option for a formal Board of Architectural Review (BAR) review, if warranted (a Major Historic Review, per Chapter 34, Sec. 5.2.7).

On September 17, 2024, and October 1, 2024, the BAR held advertised work sessions regarding the guidelines for Outdoor Cafés. To help evaluate revisions to specific elements, the BAR established a list of broad, guiding principles, which are incorporated into the proposed guidelines. The proposed updates aim

to address the evolution of outdoor cafés in Charlottesville by bringing the guidelines up to date in areas of lighting technology, current private use, public access, and to reaffirm the historic integrity of the districts in which these cafés are located.

James Zehmer, BAR Chair, reviewed the process leading to the recommendations based on existing guidelines, and processes available for appeals to BAR decisions. He stated that there was not much public input at BAR meetings discussing revisions to Architecture Design Control District Design Guidelines.

Following discussion of varying opinions about guidelines for use of the public Downtown Mall space, Councilor Snook expressed a desire to have more time to consider the proposal. Council by unanimous consent agreed to postpone the item to the December 2nd Council meeting.

Mr. Zehmer announced the next BAR meeting on November 19 at 5:30 p.m. at CitySpace.

COMMUNITY MATTERS (2)

Mayor Wade opened the floor for comments from the public.

- Mo Van de Sompel, city resident, requested that Council not make any regulatory changes related to the rumored closing of the Violet Crown on the Downtown Mall.

The meeting adjourned at 8:56 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council