

COUNCIL CHAMBER – March 7, 2005

Council met in regular session on this date with the following members present: Dr. Brown, Mr. Caravati, Ms. Hamilton, Mr. Lynch, Mr. Schilling.

AWARDS/RECOGNITIONS: BOOK FESTIVAL PROCLAMATION; POISON PREVENTION MONTH; ATHLETIC TRAINING MONTH PROCLAMATION

Dr. Brown presented the proclamations for the Book Festival, Poison Prevention and Athletic Training.

PUBLIC

Mr. Kenneth Jackson, 1437 Rugby Avenue, expressed concern about treatment of pupil transportation employees. He said bus drivers are being threatened by students and nothing is being done. Mr. Jackson said the City should start trimming fat and cutting supervisors. He said the City Manager needs to investigate and make people accountable.

Mr. Paul Wright, President of River Run Homeowners Association, said that the 60,000 watts of light at the Pen Park tennis courts are too bright and they should be fixed.

Mr. Philip Ianna, Professor Emeritis in the Astrology Department at the University of Virginia, 6336 Louisa Road, said he has looked at the lighting at Pen Park, though not at night, and said it is bad lighting and better technology is available.

Mr. John Pfaltz, 1503 Rugby Road, asked the following questions about CityLink: how much of phase 1 will be delivered on July 1; regarding the portal concept, do we have enough licenses; and is development of CityLink justified at a cost of \$1 million a year. He said the City Manager has agreed to meet with him and Jim Moore, and he invited Councilors to be present.

Mr. John Hossack, 617 Davis Avenue, co-President of his neighborhood association, said he feels it is premature to have a final vote on conveying property on Holmes Avenue and would like time to form a neighborhood position. Mr. Hossack said he feels a paper trail is needed for voting machines. Mr. Hossack said we should develop a bike trail along the CSX tracks to the University. He said the bike path on Main Street is a disaster.

Mr. Peter Kleeman, 407 Hedge Street, said he was not able to get background information on the Meadowcreek Parkway interchange. He questioned whether it will be a meaningful improvement.

Ms. Elizabeth Cockerille, former Housing Authority member, 500 South 1st Street, said that Crescent Hall has a number of security, safety and maintenance concerns. She also expressed concern about gentrification of the neighborhood.

Mr. Stratton Salidas, 110 Kent Terrace, said he does not think more administrative costs and testing is the right way for schools. He said students should spent more time studying things relevant to their lives. He said the Meadowcreek Parkway will increase traffic, will take vehicles past the major retail areas of the City, and will subsidize suburban sprawl. He said money should be spent instead on pedestrians, buses and a revamping of the bus service.

Ms. Clara Belle Wheeler, an Albemarle County resident and property owner in the City, expressed concern about the outrageous lighting system at Pen Park. She said it does not fall under the dark skies ordinance. She said there was no Council approval for the expenditure and no notification of the neighborhood. She said the park closes at dark and there is no reason for the lights.

Mr. Art Lichtenburger, 2024 Minor Road, said that the School budget should start with a strategic plan and the current plan is outdated. He said he feels the audit was flawed. He said little input was incorporated from principals and teachers into the budget.

Mr. Alex Gulotta, 2110 Tarleton Drive, echoed Ms. Cockerille's comments. He said maintenance at public housing is dismal and he asked Council to pay attention to this. He asked that maintenance be made one of their highest priorities.

CONSENT AGENDA

Mr. Schilling removed the \$30,000 appropriation for Piedmont Housing Alliance for the housing project on Page Street from the consent agenda.

Mr. Lynch said Mr. Hossack's comment about a paper trail for the voting machines is well taken, and he asked the Electoral board for a report about the feasibility of doing this and a timeline.

On motion by Mr. Lynch, seconded by Ms. Hamilton, the following consent agenda items were approved by the following vote, with the minutes amended by Mr. Lynch. Ayes: Dr. Brown, Mr. Caravati, Ms. Hamilton (except Ms. Hamilton abstained from voting on the minutes due to her absence at the meeting), Mr. Lynch, Mr. Schilling (except Mr. Schilling abstained from voting on the appropriation for the transit demonstration project for Spanish information until he receives and reviews further information). Noes: None. Abstaining: Ms. Hamilton (on approval of the minutes) and Mr. Schilling (on the appropriation for the transit demonstration project).

- a. Minutes of February 22

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| b. | <u>APPROPRIATION:</u> | \$18,362 – Juvenile Accountability Grant
(2 nd reading) |
| c. | <u>APPROPRIATION:</u> | \$52,004 – Domestic Violence Coordinator Grant
(2 nd reading) |
| d. | <u>APPROPRIATION:</u> | \$194,980 – State Reimbursement for Voting
Machines and Purchase of Election Equipment
(carried over) |
| e. | <u>APPROPRIATION:</u> | \$40,000 – Grant for JADE Task Force
(carried over) |
| f. | <u>APPROPRIATION:</u> | \$62,588 – TANF State Grant, Disability Funds
(carried over) |
| g. | <u>APPROPRIATION:</u> | \$67,320 – Grant for Transit Demonstration Project
(Spanish Information (carried over) |
| h. | <u>RESOLUTION:</u> | Authorizing Grant Application for Federal Transit |
| i. | <u>RESOLUTION:</u> | Special Permit for Increased Density at 201-213
15 th Street, N.W. |
| j. | <u>RESOLUTION:</u> | Special Permit for Amusement Center at Fusion
Restaurant |
| k. | <u>ORDINANCE:</u> | “AN ORDINANCE AMENDING AND
REORDAINING CHAPTER 9 (ELECTIONS), ARTICLE II, SECTION 9-
29, OF THE CODE OF THE CITY OF CHARLOTTESVILLE, 1990, AS
AMENDED, RELOCATING THE POLLING PLACE FOR THE
JEFFERSON PARK PRECINCT TO THE CARTER FAMILY LIFE
CENTER ON CHERRY AVENUE” (2 nd reading) |
| l. | <u>ORDINANCE:</u> | “AN ORDINANCE AMENDING AND
REENACTING THE ZONING DISTRICT MAP INCORPORATED IN
SECTION 34-1 OF THE ZONING ORDINANCE OF THE CODE OF THE
CITY OF CHARLOTTESVILLE, 1990, AS AMENDED, BY THE
REZONING OF PARCELS 91,127 AND 128, CITY TAX MAP 23 (PATON
& MOORE STREETS) FROM R-1S AND R-2 TO PUD” (carried over) |
| m. | <u>ORDINANCE:</u> | “AN ORDINANCE AMENDING AND
REENACTING THE ZONING MAP INCORPORATED WITHIN SECTION
34-1 OF THE CODE OF THE CITY OF CHARLOTTESVILLE, 1990, AS
AMENDED, BY THE REZONING OF PARCEL 41, CITY TAX MAP 4, TO
ADD A HISTORIC OVERLAY DISTRICT DESIGNATION TO THE |

PROPERTY (THE “ROCK HOUSE”), AND ALSO AMENDING AND REENACTING SECTION 34-274 OF THE CITY CODE TO ADD THE PROPERTY (1010 PRESTON AVENUE) TO THE CITY’S LIST OF INDIVIDUALLY PROTECTED PROPERTIES”(carried over)

PRESENTATION: SCHOOL BOARD’S PROPOSED FY 2006 BUDGET

Dr. Scottie Griffin, School Superintendent, thanked Council for providing strong financial support. She said the School Board is committed to staying within the amount the City has budgeted. She said the School Board will meet Wednesday to finalize the budget.

Mr. Lynch asked if there is a timetable for evaluation of the remediation programs, and Dr. Griffin said no, they are in the process of evaluating three programs in the area of early childhood education.

PRESENTATION: CITY MANAGER’S PROPOSED FY 2006 BUDGET

Mr. O’Connell listed the major themes of the proposed FY 2006 budget which has a total operating budget of \$106 million: cut the tax rate from \$1.09 to \$1.05 to reduce the impacts of rising real estate assessments; maintain high quality City services; \$2.15 million departmental reductions which includes eliminating 14.25 positions; \$32 million for City School; no tax and fee increases and no new services. The budget funds tax relief for the elderly, Comprehensive Services Act, retirement and health care costs, and a 4% salary increase.

Mr. Schilling said as a clarification, we did in fact have a \$3.3 million tax increase this year. He commended the City Manager for bringing forward a budget with reductions in advance, and said he appreciates that.

Mr. Lynch said he thinks the proposed budget is a great starting point, but thinks there is additional work that could be done. He said he looks forward to hearing from the public.

Ms. Hamilton thanked staff for work on the budget document which she thinks is much more readable than last year’s.

PUBLIC HEARING/RESOLUTIONS/APPROPRIATION: APPROVING MEADOWCREEK PARKWAY INTERCHANGE RFP; STEERING COMMITTEE; PROGRAMMING RESOLUTION; APPROPRIATING \$1.5 MILLION IN STATE FUNDS FOR DESIGN

Mr. O’Connell said that in order to move forward, Council needs to take action on the RFP, Steering Committee, programming resolution and appropriation.

Mr. Jim Tolbert, Director of Neighborhood Development Services, said that Council is being asked to approve the RFP, which he proposed be a two-part contract, and suggested that page 3g be amended to saying the Rieley report “should” be the starting point. He said that the appropriation is for \$1.5 million in State funds, and the 2% local match can be waived if the City manages the project. He said the State funds are subject to repayment if we do not build. He said the steering committee will help select the consultant and will be involved throughout the process.

Regarding the comment made about information for the interchange being difficult to come by, Mr. Tolbert said copies are available in Neighborhood Development Services.

Mr. Tolbert said he was asked to update the 2000 letter Council sent to VDOT and he has attempted to do so.

The public hearing was opened.

Mr. Peter Kleeman, 407 Hedge Street, said he thinks it is premature for the City to reach an agreement with VDOT to manage the project prior to doing the RFP. He said the structure of the steering committee assumes this is a local road, but he thinks it is more than a local road and the structure should reflect that. He said the programming resolution is vague on reimbursement. He suggested that language be written in to indicate under what circumstances funds will not be reimbursable. Regarding the appropriation, he said there has been no analysis of the interchange. He said a feasibility determination should be done, and he thinks there should be a reassessment about whether the entire parkway is necessary.

As there were no further speakers, the public hearing was closed.

Dr. Brown asked if the composition and charge of the steering committee should be limited to the interchange or broadened.

Mr. Lynch suggested adding one Councilor and one Board of Supervisors member.

Mr. Schilling asked if Will Rieley’s position would overlap with other positions, such as Albemarle County Planning Commissioner or landscape architect, and Mr. Tolbert said the intent was to have Mr. Rieley be an ex-officio member.

Ms. Hamilton asked about staff at the federal level.

Mr. Lynch suggested that we ask more than one person from VDOT to staff the committee. He said they could represent interstate interests as well.

Mr. Caravati said he sees the committee’s charge initially as primarily the interchange, and secondly the Parkway itself. He said in the long term he views it as a

regional committee. He said he could go with a Councilor and Board of Supervisor member, and reduce neighborhood representation by one, and add a County Planning staff as ex-officio. He said we should make sure the committee reports to Council.

Dr. Brown agreed we need a Councilor and Board of Supervisor member. He said moving Mr. Rieley in the staff category is appropriate. He supported decreasing the number as recommended by Mr. Caravati and thinks adding a County Planning staff member is a good idea.

Mr. Schilling asked which two neighborhoods would be represented.

Dr. Brown suggested that we not tie that down, but discuss it in detail at a later time. He said the number could be expanded if we feel it would be more fair.

Mr. Lynch said he agrees with Mr. Caravati about the scope, and feels broader is better. He suggested we discuss it with the Board of Supervisors. He said the committee could look at the interface between the City and County portions, especially at Melbourne Road and very northern terminus.

Mr. Caravati said the charge should include language to that effect.

Ms. Hamilton made a motion to approve the composition of the steering committee as discussed, Mr. Caravati seconded the motion, and it was approved by the following vote. Ayes: Dr. Brown, Mr. Caravati, Ms. Hamilton, Mr. Lynch, Mr. Schilling.

Mr. Lynch suggested a baseline charge of work on the interchange. He suggested we write the County about their interest and broadening the charge.

Dr. Brown suggested first talking with the County about their being involved in this phase.

Mr. Schilling asked about the comment made that VDOT has not yet given us the authority to manage the project, and Mr. Tolbert said that the actual agreement will specifically state that the City will manage this project.

Mr. O'Connell said that the responsibility given to the City to manage is project by project.

Regarding the RFP, Mr. Caravati asked why the language regarding the Rieley report as a starting point should be changed to "should," and Mr. Tolbert said it will provide flexibility for alternatives.

Mr. Caravati said he believes the first sentence in paragraph three on page one speaks to Mr. Kleeman's concerns and his. He said we need to make sure we built our road, not VDOT's road.

Mr. Tolbert noted that the design has to be acceptable to VDOT.

On motion by Mr. Lynch, seconded by Mr. Hamilton, the RFP, with language suggested by Mr. Tolbert, was approved by the following vote. Ayes: Dr. Brown, Mr. Caravati, Ms. Hamilton, Mr. Lynch, Mr. Schilling. Noes: None.

Dr. Brown said three issues have been identified in the letter which need decisions: 1) is the replacement park land sufficient; 2) is the language about the interchange what we want; and 3) does the regional transportation network language fit the will of Council.

Mr. Lynch agreed and said the overarching issue is that we need to make clear in the letter that these are the conditions under which we go forward.

Dr. Brown said he would like to see us agree on issues rather than the exact language. Dr. Brown asked for feedback about the park land.

Mr. Lynch said that the map is a good start. He said we should mention that we have verbal assurance from the County that development of the Wetzel farm will result in additional open space and that they will not substitute this park land for open space.

Ms. Hamilton asked if adding language about the farm land will hold things up.

Mr. Tolbert said that clarifying the understanding of their intent is okay.

Mr. Lynch said he would go beyond that and add the land designated in the Jones and Jones study.

Dr. Brown asked that staff add language about the intersection to indicate Council is only supportive if a grade separated interchange is built at the same time as the parkway, and Mr. Lynch agreed.

Mr. Caravati said he does not agree, and does not want to slow the process.

Mr. Schilling concurred with Mr. Caravati, particularly in light of the fact that Council has been told that financing for the interchange is 20 years down the road.

Ms. Hamilton said she agrees if we use generally accepted financing, but other options may be available that will make it a doable project. She said a community group is working on this, and we have been told that if there is broad community support we are likely to get the money. She said it is not necessarily accurate to say funding is 20 years off.

Mr. Schilling said if we are confident of that we should move forward in the least encumbered way.

Mr. Lynch said he would take it a step further. He said the community has a reasonable expectation of funding. He said every year \$13 million goes to the State from Charlottesville and we have been under funded for some time. He made a motion to add language suggested by Dr. Brown in the strongest language as a condition of the parkway.

Dr. Brown seconded the motion and said he thinks there is a consensus that the road without a grade separated interchange will not work.

Ms. Hamilton suggested adding language about the City working with the County to get funding.

Mr. Caravati made a motion to table the motion, Mr. Schilling seconded the motion, and the motion was tabled by the following vote. Ayes: Dr. Brown, Mr. Caravati, Ms. Hamilton, Mr. Lynch, Mr. Schilling.

Mr. Lynch said he thinks we should make the commitment to a regional network stronger, and include the eastern connector and southern parkway.

Mr. Caravati said it is all in the language and he cannot support the proposed language.

Dr. Brown said he will work with staff to create stronger language and will bring it back to Council.

Mr. Lynch said we should insist they be requirements and not suggestions.

Mr. Tolbert said he does not want to issue the RFP until funds are appropriated.

Mr. Lynch said we need to clarify this before we expend money.

On motion by Mr. Caravati, seconded by Mr. Lynch, the appropriation of \$1.5 million of State funds for the Meadowcreek Parkway interchange design study was offered and carried over to the next meeting for consideration.

Mr. Tolbert said the letter and resolution will be brought back for consideration at the second reading of the appropriation.

PUBLIC HEARING/RESOLUTIONS/APPROPRIATION: APPROVING PROGRAMMING RESOLUTION FOR ALTERNATE C FOR HILLSDALE DRIVE EXTENSION; APPROPRIATING \$750,000 IN STATE FUNDS

Mr. Tolbert explained that the Hillsdale Drive steering committee recommended the no build and alternate C alternatives. He said that to move the project forward to preliminary engineering Council needs to approve the resolution authorizing the City

Manager to sign an agreement for the City to manage the project and the appropriation of \$750,000 in State funds.

The public hearing was opened.

Ms. Jackie Carroll, 3276 Gateway Circle, representing the Board of Directors of the Senior Center, said that there are three assisted living facilities, day care centers, Jefferson Area Board for Aging, and neighborhoods that will be impacted. She asked that raised brick bumpers be installed on the road. She said it is imperative that no trucks be allowed on the part of the road at the end of the City property.

Mr. Peter Kleeman, 407 Hedge Street, said there is no signed agreement giving the City the authority to manage the property. He said that unlike Meadowcreek Parkway, this is a local road. He said the vast majority of neighborhoods impacted support the no build alternative. He said that for local roads, residents' input should be given considerable weight. He said there is a bias against people in that community and this should be a no build decision.

Mr. Robert Metzger, President of the Brook mill Neighborhood Association, said it is the desire of the community not to build the extension. He said he has heard that if the road is built it will reduce the tax burden on the City, but he said property will be taken away that is generating taxes.

Mr. John Hossack said that if the no build option is chosen then Park Street will suffer more damage. He said a community approach has to be taken.

Mr. Rick Seaman, 2010 Greenbrier Drive, a member of the steering committee and the Rivanna Trails Foundation, said that in addition to vehicular benefits this road is an opportunity to enhance trails. He said Alternate C will enhance the mobility of residents and will provide an opportunity to extend a pedestrian friendly corridor. He said that if Council goes forward with the road, it will provide a safe, convenient and attractive road. He asked that Rivanna Trails Foundation continue to be involved in the process.

As there were no further speakers, the public hearing was closed.

Mr. Tolbert said Council also needs to adopt a resolution approving alternate C or no build.

Mr. Lynch said he is very much in favor of Alternate C with conditions the steering committee had. He said it is important to have this connection without more of a traffic burden on Route 29. He said no houses actually front on Hillsdale Drive, unlike Park Street. He said it is important not to take neighborhood concerns lightly. He said it will improve the trail network, is the best alternative for the environment, will reduce congestion on Hydraulic Road and Route 29, and will provide better access to the

shopping center. Mr. Lynch made a motion to approve the resolution approving Alternate C with conditions.

Ms. Hamilton seconded the motion. She said she sees the concerns from the neighborhood but also sees the benefit to the community. She noted that the Senior Center Director can approve the road if his safety concerns are addressed. She said there should be aggressive enforcement of the 25 mph speed limit. She said the amenities that will accompany the road will provide significant benefits.

Mr. Caravati said he will support Alternate C. He said he realizes the changes it will bring, but it will offer the opportunity for interconnectivity.

Mr. Lynch said there has also been talk about continuing Hillsdale to the 250 Bypass.

Mr. Schilling said he concurs with what has been said. He also acknowledged the speakers and their concerns. He said this is a balancing act, and we should not be dismissive of their concerns. He said he hopes the neighbors will stay involved.

Dr. Brown concurred.

The resolution approving Alternate C with conditions was approved by the following vote. Ayes: Dr. Brown, Mr. Caravati, Ms. Hamilton, Mr. Lynch, Mr. Schilling. Noes: None.

The resolution authorizing the City Manager to sign the agreement for the City to manage the project was moved by Mr. Lynch, seconded by Mr. Caravati, and approved by the following vote. Ayes: Dr. Brown, Mr. Caravati, Ms. Hamilton, Mr. Lynch, Mr. Schilling. Noes: None.

On motion by Mr. Lynch, seconded by Mr. Caravati, the appropriation of \$750,000 in State funds for Hillsdale Drive was offered and carried over to the next meeting for consideration.

PUBLIC HEARING/ORDINANCE: CONVEYANCE OF CITY RIGHT-OF-WAY ON 7TH STREET

Mr. Brown explained that the City has been asked to sell approximately 100 square feet of right-of-way on 7th Street for \$22 a square foot, or \$2,194.50 to allow the owner to extend the brick wall that is being built next door. He said the City's estimate to rebuild the sidewalk the length of the property, similar to what had been agreed to next door, was \$5,530.95. He said the cost is higher than the sidewalk next door because the owner of that property was required to do a portion of it himself as part of a driveway.

Responding to a question from Mr. Lynch, Mr. Bud Treacle, owner of the property, said that he wanted to slant the four foot brick wall for a distance of 12 feet..

He said if the City charges \$5,500 he probably will not do it. He said he thinks it will look better to extend the wall. He said his first preference would be for the City to give him the right-of-way.

Mr. Lynch asked if an alternative would be to built a new sidewalk just to the curb cut.

Mr. Treacle said that there is no curb cut, just a low sidewalk.

The public hearing was opened.

Mr. Treacle said his purpose in requesting the right-of-way is to improve the appearance.

As there were no further speakers, the public hearing was closed.

On motion by Mr. Schilling, seconded by Ms. Hamilton, the ordinance entitled “AN ORDINANCE AUTHORIZING THE CONVEYANCE OF CITY-OWNED PROPERTY (7TH STREET, N.E. RIGHT-OF-WAY) TO THE SUTTON GROUP, LLC” was offered and carried over to the next meeting for consideration.

Mr. Lynch said he would like to look at the sidewalk.

RESOLUTION: COST SHARING AGREEMENT BETWEEN CITY, ALBEMARLE COUNTY, AND UNIVERSITY OF VIRGINIA FOR ENVIRONMENTAL REMEDIATION AT IVY LANDFILL

Mr. Brown presented a proposed memorandum of understanding for remediation at the Ivy Material Utilization Center. He said the University of Virginia has agreed to pay 7% each year, adjusted by an inflation factor. If the University pre-pays in current dollars, there will be no adjustment for inflation. The City will pay 35.5% after the University’s pays the 7%, and the County pays 64.5% after the 7% is deducted. Mr. Brown said that the City’s payment is contingent on funding in the budget and County and University payment.

Mr. O’Connell said he thinks it is significant that the University has come forward, and he thanked Executive Vice President Leonard Sandridge for taking the initiative, and Mike Gaffney, Chairman of Rivanna Solid Waste Authority.

Mr. Lynch made a motion to approve the agreement, and seconded Mr. O’Connell’s appreciation.

Dr. Brown seconded the motion and the Cost Sharing Agreement was approved by the following vote. Ayes: Dr. Brown, Ms. Hamilton, Mr. Lynch. Noes: Mr. Caravati and Mr. Schilling.

ORDINANCE: CONVEYANCE OF SURPLUS CITY LOTS (1230 HOLMES AVENUE, 1232 HOLMES AVENUE, 5TH AND BERRING STREET)

Mr. Ron Higgins, Planner in Neighborhood Development Services, said that as a result of concern expressed by Council, the properties were reappraised by the Assessor. He said Council has the option of charging for the property, but the cost will be passed onto the buyer. He said questions were also raised about application of the stream protection ordinance. He said the ordinance does not apply to single family dwellings. He said the homes will be built to avoid filling in the cliff. He said staff recommends that Council proceed with the conveyance.

Mr. Lynch thanked Mr. Overton McGee of Habitat for Humanity for meeting with the neighborhood. He said there are a number of things to mitigate. He said he favors selling the property for half of their assessed value on the condition that 1) the neighborhood has assurance that the design proposed is what will be built and that there is review of the design and 2) completion of the sidewalk network to Northeast Park. He recommended taking half of the money the City receives and completing the sidewalk network there. Mr. Lynch made a motion to approve the sale, but was asked to defer a motion until others make comments.

Ms. Hamilton said she does not support charging for the lots. She said we are making an investment in affordable housing, and she does not see it as a gift. She said she supports design approval.

Dr. Brown agreed with Ms. Hamilton and feels it defeats the purpose to charge for the lots.

Mr. Caravati asked if there is a formal structure to meet with the neighborhood.

Mr. McGee said he could have monthly meetings with the neighborhood.

Mr. Caravati said he does not support charging for the properties.

Mr. Lynch made a motion that Council have final site plan review should the neighborhood request it, and Mr. Caravati seconded the motion.

Mr. Brown asked that “neighborhood” be clarified.

Mr. Higgins said that it could be defined as Holmes from Agnes to Elizabeth.

Mr. Lynch said if more than one third of the notified neighbors request review that it be brought back to Council.

Mr. Caravati suggested that staff review occur on the design at the request of the neighborhood.

Design review as suggested by Mr. Caravati was approved by the following vote. Ayes: Dr. Brown, Mr. Caravati, Ms. Hamilton, Mr. Lynch. Noes: None. Abstaining: Mr. Schilling

Mr. Lynch asked that the City consider the neighborhood request for a sidewalk since they will be losing this green space.

Mr. Schilling said that after conversation with the City Attorney he will abstain from voting on the conveyance of properties on Holmes Avenue because he owns property in close proximity to them. He said land is a valuable public asset and he is not comfortable giving it away. He said it places a burden on the rest of tax payers. He said he will not support conveying the Berring Street property.

Mr. Lynch agreed that the City should receive some money back, but will support what Habitat is trying to do.

The ordinance entitled “AN ORDINANCE AUTHORIZING THE CONVEYANCE OF THREE (3) CITY-OWNED LOTS TO PIEDMONT HOUSING ALLIANCE,” which was offered at the February 22nd meeting, to have design review as approved above, was approved by the following vote. Ayes: Dr. Brown, Mr. Caravati, Ms. Hamilton, Mr. Lynch. Noes: Mr. Schilling (on the Berring Street lot). Abstaining: Mr. Schilling (on the Holmes Avenue lots).

RESOLUTION: SPECIAL PERMIT FOR INCREASED DENSITY AT 225 AND 231 14TH STREET, N.W. AND 1410 SADLER STREET

Ms. Ashley Cooper, Planner in Neighborhood Development Services, said that the special permit is being requested to build a 52 unit apartment building. She said a request has been made since the Planning Commission’s consideration of the permit to decrease the setback to 15 feet. She said it is her understanding that the Planning Commission is comfortable with this setback request.

Mr. Jim Grigg, architect for the project, said that the setback request is being made in order to improve the appearance and to add pavilions to break up the large building.

Responding to a question from Mr. Caravati, Mr. Grigg said that the building sits lower on 15th Street.

Mr. Lynch said he appreciates the work to improve the façade and feels that having a handsome building is more important than the setback. He asked if there is a way to further break up the building, adding that he realizes that the City does not have design control.

Mr. Grigg said they are going in that direction.

On motion by Mr. Caravati, seconded by Mr. Lynch, the Resolution Approving the Special Permit for Increased Density at 225 and 231 14TH Street, N.W. and 1410 Sadler Street was approved, with the setback request of 15 feet, by the following vote. Ayes: Dr. Brown, Mr. Caravati, Ms. Hamilton, Mr. Lynch. Mr. Schilling. Noes: None.

RESOLUTION: AUTHORIZING \$5,000 FROM SPECIAL EVENTS FUND FOR BESANCON ART EXHIBIT AT U.VA. ART MUSEUM

Mr. Caravati said he is available to answer questions about this request. He noted that the University of Virginia has donated \$40,000 of State funds for this exhibit.

Dr. Brown said a great event is coming to Charlottesville and he feels Mr. Caravati has made a persuasive case for the City contributing funds. He said he feels the investment will pay off and is a way of showing support.

Mr. Schilling thanked Mr. Caravati for putting together the proposal. He said he spoke with staff at the U. Va. Art Museum today and was told that the exhibit is not contingent on our \$5,000. He said that given that it is going to happen anyway, in lieu of cash, he made a motion to put forward a resolution in support of the exhibit.

Mr. Schilling's motion died for lack of a second.

Ms. Hamilton said she has heard criticism that we are wasting money on art. She said it is difficult to quantify cultural exchanges, but she said they are important, something she realized when she visited Poggio a Caiano, the City's sister city in Italy as part of the Chamber of Commerce delegation. She said the exhibit will include things that City residents may never see otherwise. She said we should make symbolic gestures such as this, and she is in support of the funding. She said she feels it is also important for school children to have an opportunity to see the exhibit.

On motion by Ms. Hamilton, seconded by Mr. Caravati, \$5,000 from Council's Special Event Fund was authorized for the Besancon art exhibit at the U. Va. Art Museum by the following vote. Ayes: Dr. Brown, Mr. Caravati, Ms. Hamilton. Noes: Mr. Lynch and Mr. Schilling.

APPROPRIATION: \$30,000 – PIEDMONT HOUSING ALLIANCE FOR HOUSING PROJECT ON PAGE STREET (2nd reading)

Mr. Schilling said that in looking at the proposal there are not a lot of specifics presented and we really do not know what we are anticipating will be done. Mr. Schilling made a substitute motion requesting that a business case be made for PHA to do the work.

Mr. Caravati said he does not support the motion but suggested that the appropriation be deferred.

Mr. Lynch said he understands that this matter came from neighborhood CIP discussions.

Mr. Tolbert said this is a project the City has been working with the 10th and Page neighborhood on for years. He said the neighborhood wants to beautify the area and we have an opportunity to do this in conjunction with the Piedmont Housing Alliance redevelopment project. He said staff recommends that PHA designs and bids the project and the City reimburse them up to \$35,000 out of the neighborhood money that is available in the CIP from three years ago. He said the project is time sensitive as they are ready to do the work. He said there are no detailed costs because it has not yet been designed.

Mr. Lynch said he has no problem supporting this appropriation.

Ms. Hamilton said these neighborhood have not had infrastructure improvements when other neighborhood have, and she supports the appropriation.

The \$30,000 appropriation to Piedmont Housing Alliance for the housing project on Page Street, which was offered at the February 22nd meeting, was approved by the following vote. Ayes: Dr. Brown, Mr. Caravati, Ms. Hamilton, Mr. Lynch. Noes: Mr. Schilling.

PUBLIC

There were no matters by the public.

OTHER BUSINESS

Mr. O'Connell said that the Elections Study work session will be held on Thursday and the community budget forum will be held on Saturday.

Dr. Brown urged staff to look into the dark skies issue.

Dr. Brown said that following last week's water supply meeting, the Chairman of the Albemarle County Board of Supervisors proposed that the City and County jointly hire an expert attorney to offer a second opinion in light of the fact that the conclusions were challenged at that meeting, and in order to provide assurances that we are fully informed. He said that another Board member has recommended that we meet with some of the regulatory agencies. Dr. Brown said he does not think there is much of a downside to this as long as we know the cost.

Mr. Lynch said he would support this as long as the cost did not exceed \$10,000.

Mr. Schilling said he thinks this would be problematic. He said there would be a lobbying effort to select someone with a differing position, and what is our game plan

if that happens, would we seek a third opinion. He said he likes the second option of meeting with the regulators as this would be far more effective. He said if we then hear something different we can get a second opinion.

Mr. Lynch said that we have been advised that the bladder is too onerous, though it is by far the cheapest alternative. He said he believes that the concern by the regulators is overstated. He said we should find an attorney who can make a compelling case to bring forward the Ragged Mountain option.

Ms. Hamilton said she is inclined to agree with Mr. Schilling, and thinks we would be well served by talking with the regulators. She said if they are willing to listen to the community's priorities, we could find another attorney.

Mr. Caravati said the Rivanna Water and Sewer Authority attorney is well respected and there has been no indication that he would not argue for what we want. He said he feels attorney shopping is wrong. He said he would support talking to the regulators.

Dr. Brown said that the attorney said that he would work for whatever options are chosen.

Mr. O'Connell said that it makes sense to talk to the regulators, though they may not be able to talk about specifics.

Dr. Brown said he will convey to the Chairman of the Board of Supervisors that we are supportive of having some Councilors meet with the regulators.

The meeting was adjourned.