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ROUGH DRAFT

Verbatim Transcript

**City Council of the City of Alexandria
Saturday, January 25, 2003
Public Discussion Period
Comments about Windmill Hill Park
Docket Item No. 2**

2. Public Discussion Period.

Mayor: Julie Crenshaw to be followed by Sarita Schotta.

- (c) Julie Crenshaw, good morning, everyone. We're back here again after a nice holiday, but I think some of the issues that were part of last year are again are a part of this year. I am referring to the decision on Windmill Hill Park that was made under very difficult circumstances. At the last, let's see, I guess it was the November meeting, I shared with you photographs, actual photographs of the location that was considered and actually was said to the Council to be where dogs could actually go into the water, and given the black and yellow danger signs and other things, I think it is pretty clear that that is not possible. I don't wish to belabor the many different things that people are saying that they would like done differently not because they didn't get what they want, but because they are concerned that it is not a reasonable plan. It is not workable. It has high cost, and it creates a lot of dangers. What I would like to say is that given misinformation was presented to this Council, and Mrs. Woodson was lied to, which she will tell you herself. This is not good government. And, if one of your Council Members was lied to, this entire Council was lied to. I know that Mrs. Woodson is sort of placed in a difficult situation with coming forward to ask for a public hearing. She does have a second, and I know she has someone else who will go along with her sitting to your left, Mr. Mayor. The question is, Mr. Euille. Mr. Euille, I don't think Joyce Woodson is in the trick box today. I think you're in the trick box today. You have

been having meetings with many people to talk about this little area, and you have even had a meeting with some of the members of one location to try to cut a deal on what can be done with this dog park. Given that your colleague has been lied to, and you originally put forth the vote for everything to stay exactly the same it was, it was not your amendment. Where are you, Mr. Euille, in this? Are you just talking with these people? Or, are you willing to come forward and be that fourth vote out of honesty? Thank you.

Mayor: Sarita Schotta to be followed by Terri Hallihan.

Schotta: Good morning, Mr. Mayor and Council. You should have two handouts relevant to this. One is bright lemon and the other is goldenrod. This should help wake you up or whatever this morning.

Mayor: The distinction being? You want us to see them.

Schotta: On the one, that's the two-page piece, the goldenrod gaining some perspective on land use and environmental impact of Old Town's one-quarter acre of Union Street Dog Park. This is by an oceanographer in our neighborhood who will be here another time to discuss this in some detail. I don't even pretend to be an oceanographer but there are a few high points on here to give you perspective on the quarter acre and how it fits into the larger picture. The Potomac River, which is the second largest tributary to the Chesapeake, drains almost twelve thousand square miles or almost seven million five hundred thousand acres. And, one of the major problems that he sites, is if West Virginia has no program regulating environmental pollution, from poultry which produces over a hundred and fifty thousand tons of manure a year, and unfortunately, West Virginia is in the head waters of the Potomac River. They have given many of the agriculturalists there some very favorable legislation on this. He goes on and speaks about the and some of the floods from '85 to '96, as many as three hundred thousand chicken/turkey carcasses in the river at one time. This has happened more than once. And, also that the Blue Plains Sewage Treatment Plant receives forty-three percent of its wastewater from the District, forty-seven percent from the suburbs, including Montgomery County, Fairfax, Loudoun and so forth, even Dulles Airport. Approximately three hundred million gallons of sewage is processed each day at Blue Plains. This generates a thousand seven hundred tons of

sludge a day. The plant is the largest along the Potomac River and has an immense effect on the river in his view. He also talks about the in an average year that there are eighty-two overflow events in the Anacostia River, seventy-five in the Potomac and thirty in Rock Creek. So, it's much more complex than the poop is poop assertion. He can give more detail. This is something that he produced in about three or four hours after the last meeting, and he will be here at another time. The lighter one is a grid, mine, just indicating, I think how the citizens feel that this whole issue has been built on sort of not on a house of cards, but on one myth after the other which are demonstrable. And, I point out that it goes back a few years to an alleged action by the Board at Founders Park. It was never taken, and it seems that every time it came up to leave the dog park where it was, even casually, then something else happened, either another task force was thrown out and so forth. So, I think this pretty much summarizes this. And, I guess another issue here is that we are asking for more respect of our time. We have come back and back and back on these. I think this demonstrates, and I can give you detail on how these, for instance, a vote was taken at one of the task force meetings when the the staff didn't like it. And, the staff, rather than coming forward with a paper like this or even more detailed, just changed the vote and went on. And, I think this will help you understand why we're still here, why we want this set straight and correct. Thank you very much.

Mayor: Yeh, let me while we're talking about correctness, let's go ahead and be correct. First off, you know in your grid you indicate that I denied a request for a hearing and a revote. This never happened. Now,

Schotta: Where are you on this?

Mayor: The first block, Sarita. It says, "Mayor denied request for hearing and revote." Now, I have never denied a request for a hearing or a revote. Fact,

Schotta: Are we going having one?

Mayor: No, listen to me. Fact is, there has never been a motion made by a member of this Council for a rehearing and a revote. It hasn't happened. Okay. And, so, for you to say that I've denied something is wrong.

Schotta: Well, I...

Mayor: It's wrong.

Schotta: Are you going to propose it? Or...

Mayor: First off, first off, you know, you have been around here for a long, long time. You watch the operations of the Council and the Mayor doesn't make a motion.

Schotta: True.

Mayor: Okay. But, for you to say that I've denied something is inaccurate. It's wrong. No, it is.

Schotta: Well, I would say at the Old Town Civic Association I think you had said this should be put away, not raised again, and dismissed. Then I guess that's....

Mayor: No, no, I think again in the interest of being accurate, I have said that we have had numerous meetings. We have had numerous public hearings. We have had numerous occasions when you and other citizens have come down and made requests, you know, but I have never, and so my feeling is that we have had more than ample discussion, more than ample public hearing on this matter. I mean Members of Council even came down to the Old Town Civic Association's yearly, Julie, I see you're shaking your head, and you can shake your head, that's fine. But, you know, we came down to the Old Town Civic Association and spent three hours a week before Christmas to talk about this issue. I mean we have had ample, ample public hearing discussion about this item.

Schotta: So, I take it that you will support a revote.

Donley: No, that's not what I said.

Schotta: Oh!

Donley: I indicated that I have never denied a revote. The next speaker is Terri Hallihan to be followed by Phyllis Sidorsky.

Speck: Mr. Mayor.

Donley: Mr. Speck.

Speck: Sorry about this, but I wasn't really, I don't usually look at this stuff too carefully, but since people put things down on paper and then present it as though it were fact, let's be clear of a couple of things. I've never made a statement that Windmill Hill Park would be ideal for retail, categorically, absolutely not. Now, don't get up Sarita because I know what you're going to say. When I was talking about the issue, and I made a statement that said that this is a valuable piece of, and I said retail, when I meant to say residential. I immediately corrected myself. Everyone knows that. You know, even I occasionally mis-speak, and everyone understood what I was saying, so for you to put this down in writing as a statement of fact is really, I think, abusing the privilege of being a citizen activist. So.

Donley: Terri, to be followed by

Eberwein: Mr. Mayor.

Donley: Okay, Ms. Eberwein.

Eberwein: I just want to indicate that although I'm given a lot of credit here for a lot of things, I think this sort of sets a new precedent that when anyone makes a motion on any project in this City, that they should be given full credit for everything that happens along with that motion. Whether it's ARHA or anything else and be given full credit as if the rest of the Council does not exist, because that's sort of is what is implied in this paper. I think it sets a new precedent for ignoring the democratic process and how we operate as a Council.

Donley: Terri, go ahead, to be followed by Phyllis Sidorsky.

Hallihan: Terri Hallihan and I live on Pommander Walk. I've appeared here at open mike three times before to discuss the safety issue and that's one of the things I'm here to talk about again because today I walked the Wilkes Street Tunnel Trail here. All right. I walk that tunnel quite frequently. All right. And in walking that tunnel today, the existing configuration of that tunnel does not have a clear line of sight. If you go and walk that tunnel and you start to enter it from Union Street,

you cannot see through the tunnel. And, I, as an individual, want to insure that when I'm entering an area such as that, that I am safe and that I can see what impediments may be there whether they are bushes or there are other individuals and to identify those people as to whether I want to chance walking through that tunnel to go to Safeway or CVS or to Shuman's Bakery, or whether I want to continue down Union Street and then go another route to get there. All right. Now, the new configuration, those of us that were in the area and saw some of the plans as to how that tunnel was to be straightened thought that it was going to be straightened. But, the new configuration, and if you go and look at that, that is now a curve. It's a curve with a little "s" on the end of it to connect it back to the sidewalk between the elevated boardwalk that goes into the playground area. You are not, you cannot have a good line of sight when you turn onto that sidewalk under the new configuration to walk through the Wilkes Street tunnel. I urge you to consider that the purpose behind that was to straighten the tunnel, now to straighten the trail. I understand that the issue over that is that the guide wire is there for the one pole and if the guide wire is being changed to the other side then it impacts even more the proposed change of the dog park. But, I implore the City Council to really consider what avenue you are placing citizens in because when I talked to Sari, to Sandra yesterday with regard to the mow line and the fence that will be there, with that new configuration and the mow line being added on the side of that, the fence is going to be constructed and when that fence is there, you're going to be looking through probably two sections of that fence if you want someone that's walking, excuse me, driving down Union Street to look from Union Street through the Wilkes Street tunnel, their vision, line of sight is going to be impeded. And, so I ask you to consider straightening that trail instead of the curved trail that's there. The second issue that you need to be aware of is that when someone is recovering from surgery and they do not have the strength and they cannot walk up the hillsides that are there on Franklin, Gibbon, Wolfe or Duke Street in order to get over to the Safeway or anything on Royal which is flat or they're trying to get to Washington Street, they typically might take the Wilkes Street Tunnel because it is much flatter, drops you out on Royal Street, which is also flat, and you can head that way. But, with the other configuration that we're planning, our elder citizens may choose not to take that area because of the impediments that are going to be placed there with a fence and the existing proposed new

sidewalk. Thank you very much.

Euille: Mr. Mayor.

Mayor: Mr. Euille.

Euille: Terri, are you suggesting that this new configuration is something different from what was presented to the Council as part of the Concept Plan?

Hallihan: It's a small look at what's here and that aspects going to be on the side, I don't think that anyone realized the impact that redesign would have until the forms were being built and the concrete being poured.

Euille: So, we've all seen it, but now that it's under construction, on its way, you're suggesting now that there are some serious safety implications as a result. Okay.

Hallihan: Yes, I am.

Pepper: Mr. Mayor.

Euille: Not a new plan or anything?

Hallihan: No, thank you.

Mayor: Mrs. Pepper.

Pepper: I think that when it was presented to us we never, it never even crossed our mind that the sidewalk would be configured in this way. This is really kind of a, it really is an "s" shaped way in there could be some problems with it. I walked it so I know. And, this really is not what I thought I was getting, although I have to confess I just assumed that it would be a straight shot. And, I don't know what you're going to do about this. I want to suggest, you know, earlier when I guess when Sarita was talking about would we like to make a motion to rescind this decision, I just don't think that this Council or this City or that neighborhood is going to have any peace if we don't have a public hearing. I did ask for a public hearing earlier and was not able to get sufficient support. And, I think that we should have a public hearing on whether or not we want the dog park there on the

west side of Union Street or can we leave it where it is. I think we should have that public hearing with the idea of deciding whether or not we want to rescind this decision. So, I'm going to move that we do have a public hearing with that thought in mind, and I hope that David isn't going to speak up and say, "Well, my golly we've now had seven different opportunities to discuss this," because we've heard that point.

Cleveland: Second.

Pepper: And I don't count the Old Town Civic Association Meeting that we all attended as a substitute for a public hearing even though they really did have an opportunity to speak, but it's not the same thing because it's not an official City Council meeting. So, my motion is for a public hearing with the idea of looking into the possibility of rescinding that decision to move the park.

Cleveland: Second.

Mayor: We have a motion by Mrs. Pepper, seconded by Mr. Cleveland. Question for Mrs. Pepper. Would your motion also include a request that all work be suspended because that is what would have to happen?

Pepper: Yes, yes, that's what I would like to have.

Mayor: Okay. So, no other improvements would be made in the meantime?

Pepper: In the meantime.

Mayor: So, everything is going to be held up.

Pepper: At least the area that they are working on right now with the dog park. Yes, please.

Mayor: All right. I just wanted to get that clarification. Is there any discussion on the motion?

Woodson: Yes, Mr. Mayor.

Mayor: Ms. Woodson.

Woodson: What I'd like to do on Tuesday, I will move to rescind the approval given by Council for the Windmill Hill Park Plan, and consider amendments to the plan at that time. I think the confusion about having another public hearing, at least in my mind, is that this is a recommendation that was given to us. It wasn't a mandate. We didn't change a mandate. It was a recommendation. We have heard from the public. I don't think there's anything new or different to hear. We've heard from the public at every public hearing that we've had thus far. We've heard from the public in lots of other different ways. I think they've made themselves very clear what it is they want to achieve and what they don't want to achieve. And, I think I've made myself very clear, but I do have some other ideas and at this point, I just want to make notice that I am going to move to rescind the approval on Tuesday, January 28.

Mayor: Okay. Is there any other discussion on the motion.

Euille: Mr. Mayor.

Mayor: Mr. Euille.

Euille: I'm not opposed to having another public hearing, but for some of the same reasons as just expressed by Mrs. Woodson, I think we have enough information. I'm not sure what additionally we'll gain by having another public hearing. The City staff, Sandra Whitmore and her staff, have been meeting with citizens that have come up with some ideas and suggestions to sort of tweak the plan that was adopted by this Council. But it's my understanding that staff needs to have approval and authority from the City Council to even move forward with those tweaking recommendations. And, I believe through meetings, again, citizens meeting with staff, and there have been numerous meetings, a lot of the issues that have come forward to this body publically and some in writing have been reviewed, considered and are close to some form of, you know, resolution or compromise. So, you know, I just want us to have a public hearing for the sake of having a public hearing and hearing from citizens and hearing all of the same things over and over again. If Ms. Woodson is suggesting that based on information that we all know, most of us know, and the governmental staff, I think, can provide it to us in terms of some of the issues and their present status and that staff perhaps is in agreement with or can agree with, I think expedites the

process. Because what really concerns me is delay and suspending the work that is scheduled and planned and then, you know, we end of getting into a situation where it's going to cost us more in the end simply because we have a contractor that has a contract to perform and when you halt a contractor from its work, the clock starts ticking for delay costs.

Mayor: Is there any further discussion?

Pepper: Yes, Mr. Mayor.

Mayor: Mr. Speck.

Speck: Well, I mean there's a couple of issues about this and yes, I will say, that we have continued to have public hearings and public hearings of this issue over and over again. And, my opinion the two and half hours in which all the Members of Council were attending the Old Town Civic Association meeting in which there were no time limits on how long people could ask questions or engage was tantamount to a public hearing, and that it was an opportunity for the public and the Council to have a very full and thorough discussion wasn't enough. So, let's just be clear on something. No one should misunderstand what the intent behind having another public hearing is, it is to change the decision. Okay. There's nothing subtle about this. And, if that's what we want to do, then you know that's why there are seven people so that there can be a vote. The problem is a couple of things. One is that the work is in progress, so stopping the work means there's not going to be any volleyball court down there for people that raised that issue. You've got, you know, I guess the sidewalk is two-thirds done. I'm down there a lot too as Terri knows, and I respectfully disagree with her point about the safety issue. You know people go through that tunnel from all different angles and always have other than just using the sidewalk, and I don't think the line of sight represents anything that would be perceived to be to create a safety hazard in any form, but I understand that, you know, people have different concerns and fears. But, where we are at this point, is into the project. You're going to have cost issues associated with stopping the work, and, you know, we get back to the same point and the amount of time we've spent on this which is driven by the issue of how much land and exactly where we want to dedicate for the purpose of dogs being able to run off leash is just a matter of

frankly we sort of lost some perspective on what's important and what isn't. As I said when we had the meeting at the Old Town Civic, I think this is a proxy for other things. Proxy for people feeling like recommendations from a citizen's task force were not adhered to and regardless of what the history or whether there was unanimity of the task force or anything else. You know in general when Members of Council want to have a public hearing on an issue, there's usually a willingness to go along with that. We do that all the time. This one, I think, though, the reluctance on the part of the Council to do this has been a function of recognizing what the purpose of the public hearing is. So, maybe what we need to do is rather than going through another public hearing, and another hearing in which people continue to tell us why they don't like the decision, maybe we need to docket this for our own discussion as to whether we want to do something fundamentally different.

Euille: Mr. Mayor.

Speck: I'm not sure what exactly we gain from having another public hearing when we recognize already that the battle lines have been fairly clearly drawn. If we want to make a different decision, then maybe that's what we ought to be doing or at least discussing whether we want to make a different decision.

Mayor: Ms. Eberwein.

Eberwein: Yeh, I couldn't agree with David more with regard to perspective. I think the fact that this continues to come up over and over again is a serious lack of perspective from what I see as a fairly small group of citizens who have some agendas that have been stated publicly and some that have not. And, I suppose if we have a public hearing then it's fair, I think, to bring some of those unstated agendas and comments that have been made in public forward so that the City really gets a real flavor for the fact that certain members of the volleyball team have indicated to me both privately and apparently publicly, that one of the reasons they don't want it moved is because they swear rather loudly and they don't want to disturb their neighbors. This has been stated to me over and over again and I've been told don't tell anybody, but we're afraid if we move, we'll disturb our neighbors and we kind of like using very foul language. It seems to me rather an amusing thing to set public policy based on a group

of grown men who want to swear loudly. I've heard a lot about the safety of children and the park is fenced. The children's area is fenced. With chain link, I might add. For some reason that has never seemed to bother the citizens in that area before that it's chain link fencing. I sat in a meeting, and I hope if Council Members are going to be honest and straightforward and not just respond to people who come up and present whatever you want to define that yellow piece of paper as. I hope they will sit through of a tape of the Waterfront Committee meeting that I sat through last Tuesday where we had citizens from that area, including Sally Masterson, come forward and talk about the professional dog walkers who take their dogs down, take the dogs down there in vans, let them out, let them do their duty, their business, call them back into the van and drive away without picking up. I hope they listen to other citizens who said that the conflicts between pedestrians and off-leash dogs down there is constant, and that it has become very verbally abusive, and that it extends far beyond the off-leash area. I hope they listen to that Waterfront Committee tape and listen to the people from Founders Park who have said that the rules are not being obeyed and that the animal control officer comes up and turns his light on and everybody all of a sudden runs over to the bollard area which was infamously called at the Waterfront Committee "The Sandra Whitmore Bollard Area" that no one obeys, no one pays any attention to and that everyone glombs to as soon as the light goes on and as soon as the truck drives away they continue to have everybody use the entire park for an off-leash area. I hope that my colleagues will listen to those comments and realize that I've been listening to them for two years. I also went again to Chesapeake Bay, and I'm sorry that I did not listen to Ms. Pepper a few months ago as she talked about the how the issue did not come up at the Committee. I actually wasn't paying attention to be quite frank as she spoke for a long time, but I did go to a meeting recently and the staff came up to me to indicate that she had requested all of the records of what had been discussed and that Ms. Crenshaw had sent all of this information and had had MCOG staff in an uproar trying to provide her with information. Essentially, I can clear the record right now. It came up under the discussion of OTHER at the end of the agenda. It was informal discussion but it included all members. I talked with Ruth Griggs, and I have an offer for any of my colleagues who are interested. By the way, I would point out that we don't regulate West Virginia chicken and turkey farms, we only are able to regulate the impacts

that Alexandria has on the quality of the Potomac River. And, again, we are under constraints in 2010 that will put severe restrictions on local jurisdictions in meeting the water quality requirements for the Chesapeake Bay and every jurisdiction will be asked to do whatever is within their own jurisdictional power to decrease impacts on the water. But Steward Froydberg of that group at MCOG and Dr. Ted Graham have offered to meet with myself and Ms. Pepper, if she is really interested, and that's fine, if she is not, with T.J. Murphy who is their expert on fecal coliform and any other Council Member whose interested. Certainly, I don't purport that this impact is the worst impact on the river, that would be foolish. I do have a scientific background. I have never made that claim, but it is an impact as well as the erosion is an impact. And members of the task force themselves wrote a letter and I would urge you to go back through the record and read the letter of Jack Sullivan who is a member of the task force. What he spoke to is the impacts of dogs on the waterfront and the impacts on wildlife and the impacts on being able to plant water grasses and other fragile types of things that hold the shoreline, and how that is torn up when you have uninhibited access through shallow water. I mean, again, we can bring this up again, but ultimately, I am in absolute agreement with the Mayor and other Members of Council that this is a question of not saying that dogs are not allowed on the river, but that they shall be leashed and that people who are afraid of off-leashed animals will not be impacted by it on our waterfront. We have very little waterfront to take a large chunk of it and turn it over to off-leash animals in my view is irresponsible. I know that doesn't make me popular with those members of the public who do not view it the same way as I do, but I believe the waterfront is for the entire City, and to take a small section of that area which is small in and of itself and to have it only for off-leash dogs because no pedestrian wants to go into an off-leash dog area to enjoy the waterfront. Again, emphasizing we allow you to go anywhere you want to with the dogs on-leash. But it's a public policy issue, and I, quite frankly, am disturbed that a small group of folks has kind of taken the process and turned it into something where they claim to represent the majority of the City. I don't think you do. The comments I get from my constituents elsewhere in the City, including many from your area, is that you don't. They don't care if it gets moved across the street as long as it's safe and healthy and allows people to use the waterfront. And, if you want to have this public hearing and if the rest of Council wants

to succumb to this small group of individuals who have all kinds of different agendas which they don't bring up publicly, that's fine. And, if we lose, that's fine, too, but I think the rest of the citizens ought to be quite aware of who voted and how and what they voted for. Just like you're being made aware of these terrible things that the City did in trying to revise a plan that I'm certainly not happy with all of the elements either. The original idea, of course, that the rest of the citizens wanted was to have something where we could have it accessible to the entire City and also to provide an educational learning experience for children, and that has been lost totally in the rhetoric over the dogs.

Pepper: Mr. Mayor.

Donley: Mrs. Pepper, then Mr. Euille.

Pepper: I would like to say that I really do feel that this public hearing is the only way that we're going bring closure on this, and I would like other speakers who are here today to comment on that if there are other speakers that are still talking on this issue. Anyway, the reason is because we don't know how the vote is going to turn out on Tuesday, and if it is defeated and we do not rescind the amendments, then what happens is the discussion ends and the Old Town residents that are particularly concerned, which is not to say they're the only ones because we all got e-mail from Marguerita Lange, I believe. Anyway, what I'm saying is that this would end the discussion and then they would never get that opportunity really to have that public hearing. So, for better or for worse, I think we should have the public hearing and with and at that time decide what we want to do about rescinding the amendments.

Mayor: Mr. Euille.

Cleveland: I won't be here on Tuesday.

Euille: Yes, Mr. Mayor. Councilman Speck made a suggestion, offered a suggestion rather, that maybe that this should be a discussion that the Council as a whole should have, and I don't totally disagree with that. Part of the problem with our process as a body is the fact that we don't have standing committees. I mean most of us serve on regional boards and other things, but we don't have a committee on

education, we don't have a committee on land use or anything, but a lot of these things perhaps can be discussed and would have been resolved and then through a Council committee recommendation coming back to the Council as a whole. But we have advisory boards and commissions and they somewhat substitute and serve for those purposes. However, you know and we don't have time right now to devote to as a full Council dealing with a lot of these issues again because of the way we're formally structured, that's not to say we shouldn't consider restructuring ourselves in the future, however. But, I thought that I had yesterday in talking with some folks that maybe the Mayor should appoint a couple Members of Council to a little committee, I don't want to call it a task force, but to a committee to work with staff, again, I want to indicate and point out that at least, the meetings that staff have had leading up to today were citizen groups, those for and against different items and concerns about safety, and the relocation of the volleyball court and so forth. They have really made some significant knowledgeable accomplishments, but again, staff doesn't have the authority to resolve these without the direction from the Council, but I think if a committee could meet with staff and have some additional input, gain some additional input and meet with citizens, come back with a formal recommendation to this body as a whole, that may suffice, but I'm not opposed to the entire Council having this discussion.

Speck: Mr. Mayor.

Mayor: Mr. Speck.

Speck: First of all, go back to the point that was made previously about closure. There's not going to be closure on this unless we make a decision that is consistent with what some people have been asking us for. I mean that is just the way that's going to be that it's pretty clear that there's going to be unwillingness to accept certain decisions we've made by certain people. You know, that's okay. I mean that's sort of why we keep having meetings month after month is because people have issues they want to bring up, but we should not delude ourselves into thinking that this is ever going to reach closure unless we make a decision that is fundamentally different than the one that we made previously. However, if we are going to have a specific discussion next Tuesday in that Ms. Woodson has indicated that she intends to make some substantive motions which I

think would lead to some substantive discussion on our part, it's not then clear what the topic of the public hearing would be other than another opportunity to vent which people have every single month during what we call sometimes the open mike period as we are going through right now. So, based on the fact that there appear to be actions taking place, I'm going to move to table the motion on the public hearing which would be predicated on whatever discussion we have next Tuesday, and then determine what we're going to do from there.

Mayor: We have a motion by Mr. Speck to table the motion by Mrs. Pepper. Is there a second to the motion to table?

Eberwein: Second.

Mayor: It's been seconded. A motion to table is not debatable.

Pepper: Mr. Mayor.

Mayor: A motion to table is not debatable. Is there anything else you need to add to your motion? All those in favor of motion say "aye"; those opposed "no." The motion then passes "no", in the affirmative?

Cleveland: No, I voted "no."

Mayor: Mrs. Pepper...Okay

Pepper: I don't want it tabled is what I'm saying.

Mayor: The motion to table passes 5-to-2. (Cleveland and Pepper voting no.)

Pepper: Mr. Mayor.

Mayor: Mrs. Pepper.

Pepper: I would like to note though that I'd like to know if Ms. Woodson then will be bringing up her motion to rescind because Bill Cleveland would not be here on Tuesday...

Cleveland: That's right. I will not be here, and I announced that.....

Pepper: and I would not want that, I mean that would not be a fair discussion.

Woodson: Absolutely, and I knew that he was not going to be here that's not what my intention is. I intend to request that it be docketed for the next meeting because he's not going to be here. I'm just giving you notice that I'm going to bring up a motion to rescind, and we will docket it so that he is here for that discussion because I did know that.

Mayor: Very good. Okay.

Pepper: The other thing is I'm not sure that one more committee or task force is really going to do it or even if the City Council discussing this issue at a work session is going to do it. I think all of that might be very nice, and I certainly wouldn't oppose those things, but I think that there's so much question about one more task force, and the Council I think pretty much is certainly not clamoring for opportunities to discuss this among themselves that I know of, and what I would, but what we do hear is there is concern about the process, and about the fairness, and about having your full say. And, that is why a public hearing just to put that to rest is something that I think we need to take seriously.

Mayor: Okay. And, I hear what you're saying. I just want to make a couple of quick comments and then we're going to proceed with the other speakers. And, I don't think confusion or disagreement with the process should be confused with disagreement with the decision. But that's what we're talking about Del, and we are a decision making body. We make decisions and then we implement those decisions. We try to do so as expeditiously and efficiently as possible. I've talked with a number of citizens about, you know, some potential changes to the plan, you know, moving the volleyball court. Those kinds of things, and I think those are good suggestions, and I think in the normal, in most instances even with those who might disagree with the decision, we get down and we work to make the best plan possible. For me, this is a land use decision. It doesn't have anything to do with pollution, and it doesn't have anything to do with some of the other extraneous issues or facets that have been globbed onto this. It boils down do you want to have a dog park on the waterfront or across the street. You know and I think in most

instances, in most neighborhoods, they're going to welcome the inclusion of the dog park as an amenity, and they're going to work to make it better. Now, and I do want to make just one comment on the perspective. I mean this is not unlike the remarks I made when I was down at the Old Town Civic Association. You know, we, as a body, as staff and certainly as citizens have spent much, much too much time on this issue. We have spent more time as a Council addressing this than we have addressed the redevelopment of the Berg, housing people. It's wrong, plain and simple. We have spent more time on this than we have talked about improvements at Lyles Crouch School down in this area. My venture to say that the school is a tad more important and there might be some out there that disagree with me, and that's okay, but housing people, educating children, providing public safety, that's where we should be putting our attention. That should be the priority of this City. That should be the priority of this Council.

Pepper: Mr. Mayor, I'd like to respond to that.

Mayor: No, we're going to the next speaker.

Speck: Mr. Mayor.

Pepper: Mr. Mayor.

Mayor: We're going to the next speaker. The next speaker is Phyllis Sidorsky.

Pepper: That's not fair.

Cleveland: He's the leader, Del.

Speck: Mr. Mayor.

Mayor: No. Mr. Speck, no.

Speck: inaudible....

Mayor: If you want to ask a question about a specific aspect and not continuing this debate then we're going to go to other speakers.

Speak: We're in agreement about the amount of time we spent. We do need to clarify the status of the work. The sidewalk is about two-thirds finished. My recommendation is that we finish the sidewalk because leaving it unfinished right now is worse than nothing at all. If for some reason we decide to change our decision, the costs of removing that sidewalk and putting another one back is considerably more than what we're doing. We ought to go ahead and finish the sidewalk, just clear the rubble, while we are determining what else we are going to do, but leaving the sidewalk incomplete like this is worse, that's the worse decision you could make on this. So, unless there's some disagreement, I think the direction to Council should be to finish the sidewalk. Good, Okay, finish the sidewalk.

Mayor: Phyllis Sidorsky. I'm sorry that you've been waiting, too.

Sidorsky: I'm sorry, too. I hate to be addressing a group where I feel very hostile feelings. Thank you Council and thank you, Mr. Mayor for letting me speak. I've never done this before, and I don't like speaking in public, and I do feel terribly intimidated.

Mayor: Don't.

Sidorsky: I'm Phyllis Sidorsky. I've lived in Alexandria for nearly thirty years and I've enjoyed painting

Mayor: Wait, wait, wait. I want to get my glasses out. That is beautiful.

Sidorsky: many scenes in Alexandria including those

Mayor: That is beautiful.

Sidorsky: Thank you. It's for sale. Along the waterfront.

Mayor: It's for sale? Now, the open mike has become a period for commercials. That's okay, though.

Sidorsky: My husband and I walk our dog around Windmill Hill Park almost every day. And I got to tell you he's always on a leash, he never goes into the play area, he's a grayhound. He's been abused. He's very quiet, well behaved orderly and I carry bags in both pockets. All right. After attending many hearings and seeing what I believe to be

the approved plan, I am now disheartened to find the City embarking on a new development moving the walk. And to my mind this is a safety issue and it's one that doesn't affect Mr. Speck because he's young and spry, and he's not a senior citizen. Okay.

Mayor: But he's not going to be young and spry forever.

Sidorsky: But as I see it, moving the sidewalk is brought with a variety of dangers, especially for older citizens. The plan which I understood was accepted provided both recreational areas while enhancing the waterfront's natural beauty. The bulkhead of the waterfront is a natural beauty and I believe the date to address the bulkhead issue, bulkhead, sorry, is 2006, so why are we doing this sidewalk now? The action should be deferred to maximize the versatility of the park to provide enjoyment, not just to athletes and dog owners, but to all residents of Alexandria and for them to be safe. Thank you.

Mayor: Thank you. The next speaker is Jon Wilbor to be followed by Marjory Scott.

Wilbor: Good morning, Kerry, Members of Council.

Mayor: Jon.

Wilbor: Kerry, did you get any sleep last night, you look awfully tired this morning, sir.

Mayor: I slept well. How about you?

Wilbor: The same, the same, you ready?

Mayor: Yeh.

Wilbor: Okay. Mr. Mayor this morning, I'm going to represent the Old Town Civic Association and just to be consistent I would like to address Windmill Hill Park. Once again the Civic Association asks for a public hearing on the amended plan that you all adopted. And we ask as you noted that all work on the park cease until we've had that public hearing and made a final decision. I disagree with David and his statement that, in fact, we got to go ahead and finish the pathway that's now under construction. The original pathway is still there.

People could use it if we just taped off the new path and direct people back to the original path that leads to the Wilkes Street tunnel. The topic this morning, we've discussed many items, but I want to discuss this morning on behalf of the Civic Association, the alignment of the new pathway from the Wilkes Street tunnel out to the Union Street sidewalk. When David made his motion for the amended plan, I don't think it was specified what the alignment for the pathway would be. The neighborhood and concerned citizens are worried that this new serpentine path that leads from the tunnel out to the sidewalk is a major safety issue and I'll describe it this way. It is the same width as the existing walk, but on the south side instead of having a runoff area of two bicyclers and three bicyclers going abreast, you would run into a drainage ditch. You run off and down a small embankment. But that's not the major safety issue. The safety issue is this. If you are walking from Union Street and you are proceeding to the tunnel on the pathway that the task force outlined and the pathway that is there now, you walk to an open field and you see the mouth of the tunnel in front of you from the time you leave Union Street until the time you enter the tunnel. The new path, the mouth of the tunnel is not visible. It's blinded by an embankment leading down from the totlot above. The heavily treed embankment covered with underbrush. Once you start around what is now a blind curve ultimately headed into the tunnel, you can't see what's behind you. Any vagrant, mugger or robber once the sun starts to go down could easily hide in the shadows of the underbrush or the trees along that embankment. Once you've passed this position, that person steps onto the trail behind you, you have maybe two seconds to react. Do you run straight ahead into the tunnel? Do you run into the embankment? Or, God forbid, in fact, it happens, but if there is a fence in place on the north side of the trail do you try to run that way, but you can't because there's a high iron fence there. Now to run a little of hysteria, David, who were you with in Viet Nam?

Speck: What?

Wilbor: Were you in the service in Viet Nam?

Speck: No.

Wilbor: No, okay. For those of us on the ground, we've created a killing area here. It was an area where I...

Mayor: All right, Jon, first off you're times up. Secondly, I think you've made your point and

Wilbor: We'd ask that the work on the trail,

Mayor: Maybe...

Wilbor: Just a second, Kerry. I said it was a hysteria, and I didn't want to get on your terms, but that's what we'd call it in the business. It's a dangerous area and we ask that we revisit the alignment of the trail.

Mayor: Maybe we ought to revisit maybe even keeping the whole tunnel open. If it's that much of a concern, maybe that's what we should do except, you know, that will have detractors as well. All right, you made your point Jon.

Speck: Mr. Mayor, I just want to clarify something for you since we've already spent another hour on this topic which wasn't even docketed. Do you intend since you represented Old Town, on the appeal do you intend to take up more time today presenting the appeal to the BAR on the docket today?

Wilbor: No, Carolyn Merck, president of the civic association will represent the civic association.

Speck: Is that item going to be deferred for today or are you going to take up more time asking us to overturn the Board for which you consistently come before Council and ask us to uphold them? I mean I'm fed up with the amount of time that we're spending. We understand that the appeal of the BAR is another proxy issue. I just want to know since some of you are here from Old Town. Are we going to take up another hour or two today on the BAR appeal?

Wilbor: David, I can't tell you how much time you're going to take up on it.

Mayor: All right, thank you.

Wilbor: But now gentlemen, I understand your frustration, but you don't take your battles.

Mayor: Jon, Jon, Jon, your three minutes are up. Thank you. Marjory thanks for being patient, to be followed by Roger Wesley.

Scott: Good morning, Mayor Donley, and Members of City Council. My name is Marjory Scott and I'm representing the waterfront neighborhood. Now, it is not the time to lavish money on a park, the City does not have the revenue. And, I yield my remaining two minutes to Julie. Thank you.

Mayor: Now, Julie, actually Julie's had her time. Is there anything else you want to add?

Scott: I yielded my remaining two minutes to her.

Crenshaw: She can do that. I know.

Mayor: Oh, you do?

Crenshaw: I understand, yes. Yes, I do know something about Roberts Rules..

Mayor: Well, actually, if she wants to yield it, it's my decision whether she yields it, it's not your decision. All right, she can have thirty seconds, let's go.

Crenshaw: I understand your anger, believe me. It makes me angry as well. What I wanted to do is to thank Mrs. Pepper and to say for coming forward and offering this, and also to say, that I don't live in this area down here. I don't belong to Old Town Civic, and I don't own a dog. Okay. I don't live in the neighborhood. It's not my neighborhood park. I don't have a neighborhood park. All of the parks are my neighborhood parks and I treat them that way. What concerns me is the fact, the information was put incorrectly and everyone was wondering what is this new plan that we didn't understand. One of the reasons that I have asked for the public hearing is to put all of the information forward so that you're not getting hearsay. You're not getting snip its of pieces of this and that. Put it all forward. What is the plan? Let people comment on that plan. It's not so much that people don't like what you've done. It's that people are concerned about things that you are unaware of that relate to safety and children and all of these things.

Mayor: Thank you, Julie. Roger Wesley is the next speaker to be followed by Mary Jane DeWeerd.

Wesley: Thank you, Mr. Mayor, Mr. Vice Mayor and Honorable Members of the Council. I, too, want to address Windmill Hill Park, and I know it's seemed to be a tired subject. I have to tell you all that this is my first chance to ever speak before this Council. The first chance that I've ever had to address this issue and to Councilwoman Eberwein, in particular, I have to admit I do have an agenda. It's good government. It's honest laws that are executed after full public hearings and the reason we're asking for a public hearing on this issue, and I do thank Councilwoman Woodson and Pepper for proposing the rescission. We never had a public hearing on this volleyball court issue. And, I've listened to the tape of the 5/28 meeting of this Council where the option was considered without the input of the public. Now, what's my role? We came here in 1982. We own property there on Janney's Lane. We've certainly haven't been here as long as the Mayor and other Members of the Council, but we try from the get go to active in this community. My children went to St. Mary's. My wife substituted taught over there. I spent several years working in the homeless shelters under Father Casey who we all know and love. And, when the opportunity came to join this little volleyball group through Paige Elliott, Tim's wife who teaches is a librarian over there, was another opportunity to get involved in this community. And those of you who have never walked down there in the mornings on Wednesdays and Thursdays and watched these people play and you see people walking their dogs coming in and jumping in playing with us, you can't really appreciate the joy and the legacy really that this volleyball experience has had for all of us. Folks it's never, never too late to change and do the right thing. It's the greatest legacy, I think to provide full public opportunity for people to come and address these issues, and if, we'd done this in the beginning, I think we would have had closure by now. I don't believe that the good people of Old Town ever wanted this change, and I continue to believe that his Council will in the end do the right thing, have a full hearing on this, let everybody from Old Town come on in and weigh in on this subject. I want to thank you for giving me the chance.

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