

**MINUTES OF REGULAR MEETING
OF THE NEWPORT NEWS CITY COUNCIL
HELD IN THE CITY COUNCIL CHAMBERS
2400 WASHINGTON AVENUE
January 13, 2009
7:30 P.M.**

PRESENT: Tina L. Vick; Joseph C. Whitaker; Dr. Patricia P. Woodbury; Herbert H. Bateman, Jr.; Joe S. Frank; Madeline McMillan; and Sharon P. Scott-----7

ABSENT: None-----0

1. Invocation

The invocation was rendered by Pastor Kenneth McDade, Rhema Christian Center.

2. Pledge of Allegiance to the Flag of the United States of America

The Pledge of Allegiance to the Flag of the United States of America was led by Councilwoman Tina L. Vick.

3. Public Hearing

(a) Conditional Use Permit, CU-09-255 – Boys and Girls Club and TMTG, LLC

AN ORDINANCE GRANTING CONDITIONAL USE PERMIT CU-09-255 FOR THE HEREINAFTER DESCRIBED PROPERTY FOR THE PURPOSE OF OPERATING A COMMUNITY RECREATION CENTER ON A SITE ZONED M1 LIGHT INDUSTRIAL DISTRICT. This ordinance allowed a Community Recreation Center for the Boys and Girls Club in a 1,612 square foot vacant unit, identified as Suite “N” on a 1.8-acre parcel located at 95 Tyler Avenue and zoned M1 Light Industrial. The Planning Commission voted unanimously (9:0) to recommend to City Council the approval of the conditional use permit, with conditions, and the City Manager concurred with the recommendation.

(No registered speakers)

Vice Mayor Whitaker moved closure of the public hearing; seconded by Councilwoman Vick.

Vote on Roll Call:

Ayes: Vick, Whitaker, Woodbury, Bateman, Frank, McMillan, Scott

Nays: None

Councilwoman Vick moved adoption of the above ordinance; seconded by Vice Mayor Whitaker.

Vote on Roll Call:

Ayes: Vick, Whitaker, Woodbury, Bateman, Frank, McMillan, Scott

Nays: None

4. Consent Agenda

Councilwoman Woodbury moved adoption of the Consent Agenda, Items A through G, both inclusive, as shown below; seconded by Councilwoman Scott.

(a) Minutes of the Work Session of December 9, 2008

Vote on Roll Call:

Ayes: Vick, Whitaker, Woodbury, Bateman, Frank, McMillan, Scott

Nays: None

(b) Minutes of the Special Meeting of December 9, 2008

Vote on Roll Call:

Ayes: Vick, Whitaker, Woodbury, Bateman, Frank, McMillan, Scott

Nays: None

(c) Minutes of the Regular Meeting of December 9, 2008

Vote on Roll Call:

Ayes: Vick, Whitaker, Woodbury, Bateman, Frank, McMillan, Scott

Nays: None

(d) Ordinance Amending Chapter 10 of the City Code Relative to Mopeds

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 10, BICYCLES, MOTORIZED SCOOTERS, OR ELECTRIC POWER-ASSISTED BICYCLES AND MOPEDS, OF THE CODE OF THE CITY OF NEWPORT NEWS, VIRGINIA, ARTICLE I., IN GENERAL, SECTION 10-1, DEFINITIONS; ARTICLE II., EQUIPMENT AND OPERATING RULES, SECTION 10-32 SPEED; SECTION 10-36, HELMETS REQUIRED FOR BICYCLE, MOPED, MOTORIZED SCOOTER OR ELECTRIC POWER-ASSISTED BICYCLE RIDERS; USE OF EARPHONES PROHIBITED; AND TO ADD THERETO A NEW SECTION, NAMELY: SECTION 10-37, CERTAIN SAFETY EQUIPMENT REQUIRED FOR MOPED OPERATORS AND PASSENGERS; IDENTIFICATION REQUIRED. This ordinance amended Chapter 10, of the City Code, Bicycles, Motorized Scooters, or Electric Power-assisted Bicycles and Mopeds, to clarify regulations pertaining to mopeds. The City Code did not parallel the Code of Virginia regarding mopeds, which was confusing to citizens and law enforcement officers. This ordinance was consistent with the State Code in terms of the definition of a moped, the requirement for operators to carry identification, and the maximum operating speed. This ordinance required helmets and eye protection for safety reasons. Moped operation was limited to roadways with posted speeds of 35 mph or less.

Mr. John Brumbaugh, Jr., 161 Princess Margaret Drive, Newport News, indicated that he received a ticket for a moped. The ticket cited him for having a scooter on a road at 25 mph and above. He went to court and was shown the law that stated he was not allowed on the road with a speed over 25 mph. Mr. Brumbaugh stated there were ordinances that did not allow scooters on the road. He stated the Code showed that mopeds were not allowed over 30 mph. He planned to offer a proposal for consideration by the General Assembly.

4. Consent Agenda Continued
 - (d) Ordinance Amending Chapter 10 of the City Code Relative to Mopeds Continued

Mayor Frank briefed Mr. Brumbaugh that the amendment to the ordinance before Council conformed with the Code of Virginia and allowed vehicles to travel on roads where the speed was not in excess of 35 mph. It did require a helmet. Mr. Brumbaugh stated mopeds were limited to a certain speed limit by the code, but were capable of traveling almost 45 mph. He felt there should be tags for mopeds. Some were not allowed to park in apartment complexes without tags or inspection stickers. Mr. Brumbaugh indicated that most mopeds would pass inspection and were Department of Transportation approved.

Mayor Frank reiterated that this ordinance brought the local ordinance in conformity with State law.

Vote on Roll Call:

Ayes: Vick, Whitaker, Woodbury, Bateman, Frank, McMillan, Scott

Nays: None

- (e) Mutual Aid Agreement for Fire, Rescue and Emergency Medical Services (EMS) between the Cities of Suffolk and Newport News

A RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE AND THE CITY CLERK TO ATTEST, ON BEHALF OF THE CITY OF NEWPORT NEWS, VIRGINIA, THAT CERTAIN AGREEMENT FOR MUTUAL AID FOR FIRE AND RESCUE AND EMERGENCY MEDICAL SERVICES BY AND BETWEEN THE CITY OF NEWPORT NEWS, VIRGINIA, AND THE CITY OF SUFFOLK, VIRGINIA, DATED THE 13TH DAY OF JANUARY, 2009. This resolution authorized the City Manager to execute a Mutual Aid Agreement for Fire, Rescue and EMS Services between the Cities of Suffolk and Newport News. The City of Newport News and the City of Suffolk had operated under a standing mutual aid agreement, in effect since 1992. The agreement was reviewed and updated to meet the requirements set forth by City legal counsel. The agreement established the operational parameters should one jurisdiction request emergency services from the other. Each party of the agreement acknowledged that either the provision or receipt of assistance was dependent upon the capabilities of the providing jurisdiction at the time of the request. The City Manager recommended approval.

(No registered speakers)

Vote on Roll Call:

Ayes: Vick, Whitaker, Woodbury, Bateman, Frank, McMillan, Scott

Nays: None

- (f) Mutual Aid Agreement for Fire, Rescue and Emergency Medical Services (EMS) between the Cities of Poquoson and Newport News

A RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE AND THE CITY CLERK TO ATTEST, ON BEHALF OF THE CITY OF

4. Consent Agenda Continued
 - (f) Mutual Aid Agreement for Fire, Rescue and Emergency Medical Services (EMS) between the Cities of Poquoson and Newport News Continued

NEWPORT NEWS, VIRGINIA, THAT CERTAIN AGREEMENT FOR MUTUAL AID FOR FIRE AND RESCUE AND EMERGENCY MEDICAL SERVICES BY AND BETWEEN THE CITY OF POQUOSON, VIRGINIA, AND THE CITY OF NEWPORT NEWS, VIRGINIA, DATED THE 13TH DAY OF JANUARY, 2009. This resolution authorized the City Manager to execute a Mutual Aid Agreement for Fire, Rescue and EMS Services between the Cities of Poquoson and Newport News. The Cities of Poquoson and Newport News had negotiated a mutual aid agreement for the provision of fire, rescue and emergency medical service. The agreement was reviewed and met the requirements recommended by the City's legal counsel. The agreement established the operational parameters should one jurisdiction request emergency services from the other. Each party of the agreement acknowledged that either the provision or receipt of assistance was dependent upon the capabilities of the providing jurisdiction at the time of the request. The City Manager recommended approval.

(No registered speakers)

Vote on Roll Call:

Ayes: Vick, Whitaker, Woodbury, Bateman, Frank, McMillan, Scott

Nays: None

- (g) Resolution of Recognition: Lorraine Austin

A RESOLUTION OF RECOGNITION FOR LORRAINE AUSTIN. This resolution recognized Ms. Lorraine Austin, an original founder of the Habitat for Humanity Peninsula, founded in 1985. Ms. Austin served as the first Board President and Executive Director.

(No registered speakers)

Vote on Roll Call:

Ayes: Vick, Whitaker, Woodbury, Bateman, Frank, McMillan, Scott

Nays: None

5. VDOT Hazard Elimination Safety Improvement Project – 25th Street and Madison Avenue

A PROJECT PROGRAMMING RESOLUTION FOR A HIGHWAY SAFETY IMPROVEMENT PROJECT FOR 25TH STREET AND MADISON AVENUE IN THE CITY OF NEWPORT NEWS, VIRGINIA. This resolution was required by the Virginia Department of Transportation (VDOT) to program a hazard elimination safety improvement project. The City had been successful in obtaining approval for \$25,000.00 for a project on 25th Street and Madison Avenue, in the Southeast Community. This was an urban signalized intersection with 13 accidents in three years, of which nine were caused by "Disregard Stop Light," as the major fault. The signal was replaced by a beautifully landscaped Federal Highway Administration (FHWA)

5. VDOT Hazard Elimination Safety Improvement Project – 25th Street and Madison Avenue Continued

approved roundabout, as a traffic calming measure. This project included 90% federal money from Surface Transportation Program (STP) funds. The City would pay 2% matching funds of the required 10% state and local share of the original estimated amount of \$510.00. No appropriation was necessary at this time.

(No registered speakers)

Councilman Bateman moved adoption of the above resolution; seconded by Councilwoman Scott.

Councilwoman Woodbury requested that data be kept because she had heard that roundabouts were more dangerous.

Vote on Roll Call:

Ayes: Vick, Whitaker, Woodbury, Bateman, Frank, McMillan, Scott

Nays: None

6. Congestion Mitigation and Air Quality (CMAQ) Project – Citywide Signal System Retiming Program

A. Agreement between VDOT and the City of Newport News

A RESOLUTION REQUESTING PROGRAMMING OF A PROJECT SUBJECT TO CONGESTION MITIGATION AND AIR QUALITY PROJECT FUNDING FROM THE VIRGINIA DEPARTMENT OF TRANSPORTATION FOR THE CITY-WIDE SIGNAL SYSTEM RE-TIMING PROJECT, PHASES 12 AND 13. This resolution authorized the City Manager to execute the City/State Agreement to appropriate \$450,000.00 of front funding for the Citywide signal system retiming program, phases 12 and 13 project. The City had been successful in obtaining approval for an additional \$450,000.00 in CMAQ funding to continue the Citywide Signal System Retiming Program. The actual agreement was not available; however, City Council was requested to authorize the execution of what was a standard programming contract. This was a continuation of the retiming program for traffic signals throughout the City. This project involved evaluation of the existing traffic signal operation and development of new signal timing plans for the various traffic patterns and volumes throughout the day. Upon completion of this project, the City would be reimbursed 100% from federal funds through the Virginia Department of Transportation (VDOT).

(No registered speakers)

Councilwoman Vick moved adoption of the above resolution; seconded by Councilman Bateman.

6. Congestion Mitigation and Air Quality (CMAQ) Project – Citywide Signal System Retiming Program Continued

A. Agreement between VDOT and the City of Newport News Continued

Councilwoman McMillan inquired whether this would improve the timing of the lights on Jefferson Avenue and Warwick Boulevard. City Manager Hildebrandt responded it was his hope that it would have some positive influence.

Councilman Bateman inquired about the technology that allowed emergency vehicles to control the light and whether there was a problem with vehicles being stuck at the light if the technology was not disengaged. City Manager Hildebrandt responded that he would seek verification from the Department of Engineering.

Vote on Roll Call:

Ayes: Vick, Whitaker, Woodbury, Bateman, Frank, McMillan, Scott

Nays: None

B. Appropriation

A RESOLUTION APPROPRIATING FUNDS FROM FEDERAL REVENUE FED UPC 83436-CITYWIDE SIGNAL RETIMING (\$450,000.00) TO UPC 83436 CITYWIDE SIGNAL RETIMING (\$450,000.00). This appropriated \$450,000.00 from Federal Revenue – Fed UPC 83436 Citywide Signal Retiming to UPC 83436 Citywide Signal Retiming for the front funding for the Citywide Signal System Retiming Program, Phases 12 and 13 Project. This resolution authorized the City Manager to execute the City/State Agreement to appropriate \$450,000.00 of front funding for the Citywide signal system retiming program, phases 12 and 13 was required by the Virginia Department of Transportation (VDOT) to program a hazard elimination safety improvement project. The City had been successful in obtaining approval for \$25,000.00 for a project on 25th Street and Madison Avenue, in the Southeast Community. This was an urban signalized intersection with 13 accidents in three years, of which nine were caused by “Disregard Stop Light,” as the major fault. The signal was replaced by a beautifully landscaped Federal Highway Administration (FHWA) approved roundabout, as a traffic calming measure. This project included 90% federal money from Surface Transportation Program (STP) funds. The City would pay 2% matching funds of the required 10% state and local share of the original estimated amount of \$510.00. No appropriation was necessary at this time.

(No registered speakers)

Councilman Bateman moved adoption of the above resolution; seconded by Councilwoman Vick.

Vote on Roll Call:

Ayes: Vick, Whitaker, Woodbury, Bateman, Frank, McMillan, Scott

Nays: None

7. Appropriations

Councilwoman Scott moved adoption of Items A and B, as shown below; seconded by Councilwoman Vick.

(a) Emergency Management – Community Emergency Response Team Grant

A RESOLUTION APPROPRIATING FUNDS FROM FEDERAL REVENUE – FY 09 CITIZEN CORPS (\$16,650.00) TO OTHER SUPPLIES (\$16,650.00). This resolution appropriated \$16,650.00 from FY 2009 Homeland Security Program Grant Funds to the Office of Emergency Management. The Office of Emergency Management received an award of Federal pass through grant funds in the amount of \$16,650.00 from the Virginia Department of Emergency Management. The funding was restricted in use to support the creation of a Community Emergency Response Team (CERT) for Newport News. The State did not require any local grant match funding.

(No registered speakers)

Vote on Roll Call:

Ayes: Vick, Whitaker, Woodbury, Bateman, Frank, McMillan, Scott

Nays: None

(b) Fire Department – Hazardous Materials Emergency Preparedness Grant

A RESOLUTION APPROPRIATING FUNDS FROM STATE REVENUE – F-HME PREP PLAN-09 (\$20,000.00) TO CONTRACTUAL SERVICES (\$20,000.00). This resolution appropriated \$20,000.00 from the Virginia Department of Emergency Management to the Fire Department. The Fire Department received federal funds passed through the state for FY 2009. The funding was restricted in use to update the Comprehensive Terrorism Plan and Hazardous Materials Analysis, as required under federal regulations. The grantor required local grant match funding of \$5,000.00. The Fire Department had sufficient funding to support the match requirement. No additional City funding was requested.

(No registered speakers)

Vote on Roll Call:

Ayes: Vick, Whitaker, Woodbury, Bateman, Frank, McMillan, Scott

Nays: None

8. Citizen Comments on Matters Germane to the Business of City Council

Mr. Glen Cox, 4808 Glencoe Way, Williamsburg, Retired Battalion Chief, Newport News Fire Department, President of Newport News Retired Firefighters Association, addressed City Council regarding the proposed elimination of life insurance benefits for retirees. He thanked City Manager Hildebrandt and Director of Finance Laverne Lovett, for meeting with the members of the Association to discuss the changes to the proposed health and welfare benefits package. He urged City Council to not approve the proposal as submitted by the City Manager. Mr. Cox referenced a letter from the City Manager to City employees, and retirees dated

8. Citizen Comments on Matters Germane to the Business of City Council
Continued

November 14, 2008, in which the Manager indicated that although the City funded life insurance was desirable, it was seen as less important than health and dental benefits and would not be subsidized by the City. In order to reduce a fiscal budget deficit in the early 1990s, the City took up life insurance contribution in lieu of a COLA, with retirees paying into the fund, some as many as forty years. Mr. Cox stated, to eliminate the fund in its entirety was an injustice to the retired men and women of Newport News who paid into the plan. Under the group plan, employees had an option of receiving up to three times his/her salary in death insurance benefits. Life insurance was inexpensive and was a comforting benefit to a young family with children. The proposal would do away with a group policy, and provided no avenue for retirees or employees to get reduced group rates. The proposed \$10,000 lump sum benefit reduced retirees benefits by as much as two-thirds. Mr. Cox stressed the importance of the continuation of life insurance for retirees and should be preserved. The Newport News Retired Firefighters Association urged City Council not approve the proposal as submitted by the City Manager as it related to employee life insurance and requested that the City continue to fund the life insurance plan for all in the plan; and if changes had to be made; the City should stay involved in the plan to the extent that employees could receive reduced group rates.

Ms. Gloria DeLoatch, 700 Waterfront Circle, Apt. 601, Newport News, expressed dismay that there was a proposal to move the Martin Luther King, Jr. Plaza project from 25th Street and Jefferson Avenue after it was approved in the Framework for the Future. She was opposed to displacing people out from their homes or destroying buildings to replace them with a sculpture. Ms. DeLoatch was concerned about Dickerson Courts and the number of vacant boarded units, while people still lived in the buildings. She was disturbed that there was no plan or strategy to relocate the residents.

Mr. Bernard Robinson, 1130 37th Street, Newport News, suggested that City Council consider use of the King-Lincoln Park as a alternate location for the proposed Martin Luther King, Jr. Plaza as opposed to moving the Plaza to 25th Street and Wickham Avenue. He suggested a bust of Martin Luther King, Jr. rather than a statue, particularly if the City needed to reduce costs. He further suggested removing the "Lincoln" from King-Lincoln Park and rededicating the Park for the place already named in honor of Dr. Martin Luther King, Jr.

Mr. Brad Clark, 550 14th Street, Newport News, addressed the increase in the City's medical insurance. He mentioned a prior meeting with Director of Finance, Ms. Laverne Lovett, where it was mentioned there would be no increase in medical insurance. He noticed a \$50 increase to his medical insurance upon receiving his December retirement check. Mr. Clark asked City Council to review the matter, suggesting he would be brought out of retirement if benefits continued to increase.

City Manager Hildebrandt responded that the current City system, adopted in 2005, set a \$1 limit on the amount of the City premium for health insurance. That \$1 limit escalates by an inflation factor. As the premiums increased, the cap required the individual retiree to pay more. This had been in place since 2005, and from year-to-year, would have some impact on individual employees. Mr. Clark was experiencing the result of the cap applied to his

8. Citizen Comments on Matters Germane to the Business of City Council
Continued

premium increase, not a new proposal. City Manager Hildebrandt suggested a meeting with Mr. Clark to explain the mechanism.

Ms. Janet N. Britt, 124 Colony Road, Newport News, expressed disappointment with the proposal to relocate the Martin Luther King, Jr. Plaza from 25th Street and Jefferson Avenue to 25th Street and Wickham Avenue adjacent to the Downing Gross Cultural Arts Center. A member of the Downtown Newport News Merchants and Neighbors Association, Inc. and recent graduate of the Citizens Police Academy Class #26, requested the reconsideration regarding the move of the Martin Luther King Jr. Plaza from 25th Street and Jefferson Avenue.

Mr. Frank Barger, 302 Honeysuckle Lane, Yorktown, addressed City Council regarding plans to change the City's retirement benefits, specifically the elimination of life insurance. Mr. Barger stated that he spent 30 years of dedicated service with the City of Newport News. He suggested the following measures be considered in an effort to save money: ask City employees to cease taking home City vehicles; remove City vehicles from the streets during times of high traffic volume; instruct departments to remove space heaters; stop giving tax benefits to companies coming into the City, who only stay for the length of time for which the tax benefits apply, and if the companies leave invoke a fine on the company equal to the amount of benefit received; change the benefits for those employees not yet vested (employed with the City five years or less); and restrict benefits of new employees. Mr. Barger reminded City Council that "a promise made should be a promise kept."

Dr. Sandra Cherry, 646 30th Street, Newport News, represented the Downtown Newport News Merchants and Neighbors Association regarding the proposed site change for the Martin Luther King Jr. Plaza from 25th Street and Jefferson Avenue to 25th Street and Wickham Avenue. City Council reached consensus at the October 28, 2008 Council Work Session for this change. Dr. Cherry advised that moving the Plaza would be disheartening to the community. She questioned whether City Council strayed from the City's organizational principles of commitment, caring and collaboration in the decision to move the Plaza. Having observed the adoption of the Framework for the Future on November 6, 2008, Dr. Cherry reminded that the Framework was "a consensus document that reflected the vision of the citizens of Newport News concerning the physical development of the City, and was developed with professional assistance and guidance for each functional area." The Framework also stated, . . . "the entrances into the City should be made attractive and designed and developed as gateways." The gateways specifically mentioned I-664 at the Monitor Memorial Bridge Tunnel, which spoke to the 25th Street and Jefferson Avenue Corridor. She applauded Mr. Richard Hunt and his triumph for obtaining funding for a sculpture across from the Downing Gross Cultural Arts Center. Such a work of art would continue the synergy on Wickham Avenue, but felt the same energy and synergy should be present on Jefferson Avenue. Dr. Cherry stated the Downtown Newport News Merchants and Neighbors Association supported the City and maintained a positive voice and liaison posture between the community and the City, but could not support Council's decision to relocate the Martin Luther King Jr. Plaza to 25th Street and Wickham Avenue. She urged City Council to reconsider the move of the Martin Luther King Jr. Plaza from 25th Street and Jefferson Avenue to 25th Street and Wickham Avenue.

8. Citizen Comments on Matters Germane to the Business of City Council
Continued

Mr. Travis Hall, 4904 Warwick Boulevard, Newport News, Director of Community Relations at Youth Challenge, requested City support. He stated that Youth Challenge had served the community since 1979. A product of Youth Challenge, he advised that he had become a productive tax-paying citizen. He believed in Youth Challenge so much, that he gave up his career with a Fortune 300 company to answer the call to work at Youth Challenge. Mr. Hall requested that the City financially support the program in an effort to assist to transform the lives of drug-dependent citizens, specifically to annually cover what it would cost to house only two residents in the jail for one year spent in Youth Challenge.

Mr. Ben Burbic, 136 Terri Beth Place, Newport News, requested that City Council abide by promises made to City employees when they were hired. Employees wanted fair compensation for their hard work. He further urged unity among City Council.

Mr. James Diego, Toano, President of Newport News Professional Firefighters Association, expressed concern for the safety of the citizens. He conveyed that recent reductions in the Fire Department's budget had taken units out of service. He stated that citizens should not have to suffer, as demands for service had not decreased. He advised that employees were told that layoffs were possible within the Fire Department, which caused additional stress. He further advised that no study was ever done regarding unit response times, as had been requested. Mr. Diego asked City Council to make correct judgment when it came to public safety.

Mr. L. T. Vaughan, 595 Snug Harbor Lane, Newport News, shared thoughts in an effort to provoke thought amongst City Council. He commented positively about a few sculptures that enhanced the City. He inquired about who commented on the sculptures once selected. He further questioned whether City money was involved. Mr. Vaughan questioned how transparent the Economic Development Authority (EDA) was in its actions. He further questioned whether City Council knew about the sign at the Oyster Point Road entrance in time to make a meaningful decision. The story was not published in the Daily Press until it was too late to cancel the order. Mr. Vaughan stated if City Council knew in time, they approved spending \$747,000 for signs when the City was at a point where money was tight and services might be cut. If Council did not know, he urged action be taken to make the EDA more transparent, specifically about projects where City money was spent. He hoped that Council would take a hard look at the City's transportation and travel budgets. Mr. Vaughan indicated the fancy, expensive walkways at the corner of the Avenue of the Arts and Warwick Boulevard were rough and bumpy. He pointed out that Council needed to take a hard look at how money was spent. Taxpayers needed their diligence.

Mr. A. C. Pulliam, Jr., 239 Falcon Drive, Newport News, complimented the female Council members on their votes at the December 9, 2008 Regular Meeting of City Council, which showed that progress would be made in the downtown area, i.e. Martin Luther King Jr. statue. He suggested that the City was spending money targeted for employees' benefits and the Southeast community on signs for City Center. He further stated that the 911 Emergency System was not working properly, referencing the City's fire and police boats tied up at the docks. He suggested they be put to work or sold.

8. Citizen Comments on Matters Germane to the Business of City Council
Continued

Mr. Sudath Omattaee, 856 25th Street, Newport News, General Manager at the Mini Mart located at 856 26th Street. He advised that he had spent over \$45,000 in construction and upgrades to his store. He indicated that he was unaware of the City's plans to relocate the Martin Luther King Jr. Plaza to 25th Street and Wickham Avenue. He had contacted BP and Exxon to assist in beautification efforts on the corner of Wickham Avenue. He had built a rapport with the community who were very supportive of his efforts over the past 18 years. Mr. Omattaee advised had he known about the City's plans, he would have started his project at another location.

Mrs. Joan Minarik, 114 Linbrook Drive, Newport News, provided suggestions on how to build the community, with the largest being the dissemination of information to the citizens. She expressed concern about the issues involving the firefighters. She requested details about the issues and what could be done to help solve the problem as a community. She expressed a desire to know what was going on in the Southeast community. She further expressed concern about Mr. Omattaee's dilemma with his store. She inquired whether alternatives had been reviewed. Ms. Minarik inquired about City Farm and wanted to pose questions regarding the same. She suggested that Work Sessions be televised in an effort to be better informed. She felt that citizens should be encouraged to respond and asked the City to develop ways to better inform the citizens.

Mr. Mike Minarik, 114 Linbrook Drive, Newport News, expressed concern about the Southeast Waterfront Development initiative and the \$1 million appropriation given to the Newport News Redevelopment and Housing Authority for the administration of the funds. He urged Council to stay away from the EDA. Mr. Minarik indicated that Oyster Point was not an ideal retail location, and questioned why the City was trying to make it so. He indicated Oyster Point was an industrial park and should be recognized for what it was. He expressed concern about debt service and encouraged all citizens to view the City's website to review the budget. He stated that debt service was the fourth highest expenditure in the budget, and was growing annually. Mr. Minarik stated the difference between FY 2008 and FY 2009 in the annual real estate tax was over \$48 million. He inquired what happened to that money. Mr. Minarik was encouraged by new Council members and encouraged them to make sure they had all of the answers to their questions and not to rush making decisions.

Ms. Carol Hogge, 3 Gay Drive, Newport News, advised that her New Year's Resolution was to have the Deep Creek Pier replaced. She advised of damage to the Menchville Marina from a recent storm. She reminded that the Deep Creek Pier, the Deep Creek Road, and the public access to the Deep Creek Harbor was granted by the Meltzers to be used by the public forever.

Ms. Trudy Gooch, 2 28th Street, Newport News, Treasurer for Restore Inner City Peace, made Council aware of the organization's efforts in the community. The organization was established in September 2008 to address violence and crime, and restore peace in the City. Ms. Gooch announced there were several planned initiatives, beginning with a funeral procession and memorial march in celebration for all family members of people and youth who had been killed. The assembly of the procession began at 8:00 a.m. at 44th Street and Marshall Avenue. The

8. Citizen Comments on Matters Germane to the Business of City Council
Continued

march would begin at 9:30 a.m. Restore Inner Peace called for a Cease Fire (known as Operation Cease Fire) from sundown January 16, 2009 until sun-up on January 21, 2009 for the purpose of “no more shootings or killings in Hampton Roads.”

Elder John Shields, 860 15th Street, Newport News, addressed concern regarding discussion about the relocation of the Martin Luther King, Jr. Plaza from 25th Street and Jefferson Avenue. He asked that Council do whatever was necessary to keep the Plaza at that location. He indicated there must be an alternative. Elder Shields reminded that the 25th Street corridor was very important. If necessary, he would agree to a less expensive statue if it meant not relocating the Plaza to 25th Street and Wickham Avenue.

Mr. William Pelkey, 556H Loch Ness Drive, Newport News, teacher of a 7th grade civics class. He sighted several examples he used to teach his class as it pertained to City Council and how decisions were made, i.e. the number of City Halls necessary in one locality, how taxpayer money was spent, etc. Mr. Pelkey urged City Council to keep what the citizens recommended in the Framework for the Future. He urged the construction of a Community Center in the North District. It would be used by the youth, by the citizens, and by the community. He reminded that the center was slated to open on January 13, 2009. Mr. Pelkey stated that because millions of dollars had been spent on the King William Reservoir, did not mean the City should continue spending money. Research shows that the reservoir was not needed. He felt the money could be used on benefits, a community center, or rain barrels. He asked City Council to keep the 7th graders in mind when trying to make decisions.

Mr. Linwood DeBrew, 2108 Marshall Avenue, Newport News, addressed City Council regarding the proposal to relocate the Martin Luther King, Jr. Plaza from 25th Street and Jefferson Avenue. He reminded of a movement begun in the 1960's, where the late Honorable Jessie M. Rattley and others organized a march in commemoration of Dr. Martin Luther King, Jr. At that time, City Council was petitioned to name a park in the Southeast Community, “Dr. Martin Luther King Park.” The park is now known as King-Lincoln Park. Mr. DeBrew expressed opposition to the relocation of the Martin Luther King, Jr. Plaza from 25th Street and Jefferson Avenue to 25th Street and Wickham Avenue.

9. New Business and Councilmember Comments

Councilwoman Vick wished everyone a Happy New Year. She thanked citizens for their attendance and participation, specifically those who expressed their views regarding the relocation of the Martin Luther King, Jr. Plaza.

Vice Mayor Whitaker thanked citizens for their attendance and participation, reminding them to be well informed on issues. He advised citizens that City Council had not reached a decision regarding the relocation of the Martin Luther King, Jr. Plaza. He encouraged citizens to call him.

Councilwoman Woodbury thanked citizens for their attendance and participation. She expressed appreciation for those citizens sharing constructive and good ideas. She advised

9. New Business and Councilmember Comments Continued

that she and Betty Dixon, Newport News School Board, would hold a community meeting on January 14, 2009 at 7:00 p.m. at Warwick High School. Citizens were encouraged to attend and address issues concerning both the City and the School Board. Councilwoman Woodbury advised that Council members attended a seminar on the retirement plan earlier at the Downing Gross Cultural Arts Center. She commended the expert speakers who shared incredible information which could be helpful to help solve the City's problems and concerns related to the retirement benefits. She encouraged Council members to remember the core services of government. She further vowed to work with her colleagues to reach good solutions.

Councilman Bateman thanked citizens for their attendance and participation. He expressed concern about many of the comments made regarding the City's proposed benefit plan and expressed a willingness to speak with individuals regarding the same. Regarding the proposal to relocate the Martin Luther King, Jr. Plaza, Councilman Bateman advised that he was not committed to anything other than making sure it was first class and something the community would embrace. Regarding the request for more transparency of the EDA, Councilman Bateman advised that the minutes of the EDA were available and meetings were open. He advised Mr. & Mrs. Minarik of his willingness to meet and/or speak with them regarding issues facing the City. He further offered to speak to Mr. Pelkey's 7th grade civic class.

Mayor Frank thanked citizens for their attendance and participation. He indicated it was Council's goal, in dealing with the retirement package and employee benefits, to retain employees and not have layoffs. He indicated Council understood the need to be fair to honor its commitments. He indicated they would work together to accomplish that goal to the best of their ability. Mayor Frank reminded that the City's revenues were down and Council recognized that people were under a great deal of stress. He further reminded that it would be a challenging couple of months to deal with the pension issues and the budget, but fortunately, the City had committed hard working employees who would do their best for the taxpayers as well as the citizens. He advised that the Martin Luther King, Jr. Plaza relocation project became an unexpected issue. He indicated there was a plan for the project at 25th Street and Jefferson Avenue, but became so expensive that the City could not figure out how the project would get done, particularly in difficult fiscal times. It appeared that money was available from a variety of sources to make the project happen and to maintain the commitment. It appeared this could be done at 25th Street and Wickham Avenue. He promised that City Council would revisit the matter and obtain more public input prior to reaching a final decision. He advised that the sculpture had been ordered and contracted for, but the land had not. No action had been taken. There were opportunities for Council to decide further how to approach the matter. Mayor Frank indicated that City Council was receiving feedback and input from City staff on the pension issue. He advised that City Council would receive further input at the January 27, 2009 Regular Meeting of City Council. City Council was mindful of the concerns expressed by the citizens and employees. City Council was concerned about the delivery of its primary responsibility – public safety and would review those issues as carefully as possible. Mayor Frank reminded the City would be impacted by the State budget and cuts announced by the Governor. He was unsure of how the Federal Stimulus Package would impact on local government. He encouraged citizens to remain involved.

9. New Business and Councilmember Comments Continued

Councilwoman McMillan thanked citizens for their attendance and participation. She reiterated Vice Mayor Whitaker's statement about it being Council responsibility to keep citizens informed and to provide information. She welcomed communication from the citizens.

Councilwoman Scott wished everyone a Happy New Year. She announced the next North District Town Hall Meeting was scheduled for January 26, 2009 at the American Legion Post 368. No guest speaker was scheduled, citizens were invited to attend and to participate in open discussion. Councilwoman Scott invited City Manager Hildebrandt to the February 23, 2009 North District Town Hall Meeting to speak to the citizens. Councilwoman Scott expressed concern about the stranded individual in the water and requested further details. Councilwoman Scott shared a letter from the Department of Development addressed to a citizen who owned property across from the Downing Gross Cultural Arts Center regarding the acquisition of certain property. She inquired whether this was the City's policy and procedure regarding property acquisition and requested a response from the City Manager. Councilwoman Scott advised that she had received numerous calls and correspondence from employees and citizens concerned about proposed changes to the City's benefits. She thanked the City Manager for making the evaluation of the City's benefits plan a priority.

THERE BEING NO FURTHER BUSINESS,
ON MOTION, COUNCIL ADJOURNED AT 9:34 P.M.

Mabel Washington Jenkins, CMC
City Clerk

Joe S. Frank
Mayor
Presiding Officer

A true copy, teste:

City Clerk