

**MINUTES OF REGULAR MEETING  
OF THE NEWPORT NEWS CITY COUNCIL  
HELD IN THE CITY COUNCIL CHAMBERS  
2400 WASHINGTON AVENUE  
March 24, 2009  
7:30 P.M.**

---

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

ABSENT: None-----0

1. Invocation

The invocation was rendered by Vice Pastor David Gunderlach, Reformation Lutheran Church.

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 Madeline McMillan.

3. Public Hearings

(a) Conditional Use Permit – Martell L. Overman, CU-09-260

AN ORDINANCE GRANTING CONDITIONAL USE PERMIT NUMBER CU-09-260 FOR THE HEREINAFTER DESCRIBED PROPERTY FOR THE PURPOSE OF PERMITTING THE OPERATION OF A SMALL MOTOR VEHICLE REPAIR AND SERVICE FACILITY IN A M1 LIGHT INDUSTRIAL DISTRICT AT 4806 MERCANTILE DRIVE. This ordinance allowed by Conditional Use Permit, a Small Motor Vehicle Repair and Service Center, on a .92 acre property, located at 4806 Mercantile Drive, 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.

Mr. Martell Overman, 5800 Jefferson Avenue, Newport News, was available to answer questions.

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

Vote on Roll Call:

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

Nays: None

Vice Mayor Whitaker moved adoption of the above ordinance; seconded by Councilman Bateman.

3. Public Hearings Continued
  - (a) Conditional Use Permit – Martell L. Overman, CU-09-260 Continued

Vote on Roll Call:

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

Nays: None

- (b) Conditional Use Permit – Larisa Properties, LLC, CU-09-261

AN ORDINANCE GRANTING CONDITIONAL USE PERMIT NUMBER CU-09-261 FOR THE HEREINAFTER DESCRIBED PROPERTY FOR THE PURPOSE OF PERMITTING THE OPERATION OF A CAR WASH IN A C1 RETAIL COMMERCIAL DISTRICT. This ordinance allowed by Conditional Use Permit, a car wash in conjunction with a laundromat, on a .82-acre property located at 13182 Jefferson Avenue, and a portion of 13186 Jefferson Avenue, and zoned C1 Retail Commercial. The Planning Commission voted (7:2) to recommend to City Council the approval of the Conditional Use Permit, with conditions, and the City Manager concurred with the recommendation.

Mr. Billie Millner, Attorney, Jones, Blechman, Woltz and Kelly, representing the applicant, Larisa Properties, LLC, and Principals of Larisa Properties, LLC, Mr. Anthony Polyzos (77 Bayfront Drive, Hampton) and Mr. George Polyzos (1105 Patrick Lane, Newport News) requested this matter be continued to the April 14, 2009 Regular Meeting of Council. It was the desire of Larisa Properties, LLC to hold a meeting with the neighbors.

Councilwoman Scott moved to defer this item to the April 14, 2009 Regular Meeting of City Council; seconded by Vice Mayor Whitaker.

Vote on Roll Call:

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

Nays: McMillan

Councilwoman McMillan pointed out an error in the documentation, which indicated there was a car wash at Richneck Road and Jefferson Avenue. There was not a car wash at that intersection, but there was a car wash at Richland Road and Jefferson Avenue; which placed the project one-half mile closer to the proposed site. She further stated the petitions collected from the citizens who objected, were not included in the documentation forwarded to City Council.

Mr. Millner advised that one of the principals could not be present at the April 14, 2009 Regular Meeting of City Council. He respectfully requested the matter be deferred to the April 28, 2009 Regular Meeting of City Council.

Councilwoman Scott moved to reconsider the motion; seconded by Councilman Bateman.

3. Public Hearings Continued
  - (b) Conditional Use Permit – Larisa Properties, LLC, CU-09-261 Continued

Vote on Roll Call:

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

Nays: None

Councilwoman Scott moved to defer this item to the April 28, 2009 Regular Meeting of City Council; seconded by Vice Mayor Whitaker.

Vote on Roll Call:

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

Nays: None

Mayor Frank questioned Condition, Item 5., which stated no vacuum equipment would be installed on the property. He inquired about the operation of a car wash with no vacuum. Ms. Sheila McAllister, Assistant Director, Department of Planning, responded the project was for an automatic car wash, where the vacuums were usually located after leaving the car wash. The applicants had stated they would not install vacuum machines on the site. Mayor Frank inquired why the applicant agreed to this condition. Ms. McAllister responded the applicants stated they never intended to have vacuums because they did not want people loitering on the site.

Mr. Billie Millner stated the car wash had an automatic spray. He described two types, one being a tunnel type, the other being a self-serve, which could lead to loitering.

Mr. Polyzos responded there was a similar site on J. Clyde Morris Boulevard. Mayor Frank pointed out there was a vacuum at the site. He inquired why no vacuums were proposed at this site. Mr. Polyzos responded he would like to have a vacuum, but the Planning staff recommended against the idea. He agreed to that condition.

- (c) Ordinance Vacating Unpaved Portion of Woods Road

AN ORDINANCE CLOSING AND VACATING THAT CERTAIN PORTION OF A STREET KNOWN AS WOODS ROAD, IN THE CITY OF NEWPORT NEWS, VIRGINIA, AS SHOWN ON THE PLAT ATTACHED HERETO AND MADE A PART OF THIS ORDINANCE. This ordinance vacated the unpaved portion of Woods Road, 30 feet in width and 290 feet in length, located Northwest of Forrest Drive. A request was received from Anderhold Properties, L.L.C. (Anderhold), and Robert L. Hodges (Hodges), for the City to vacate a 30-foot wide unimproved street. Anderhold owned 26 and 28 Forrest Drive, which abutted one side of the unimproved street, and Hodges owned the abutting strip of property on the other side of the paper street. Vacation of the referenced unimproved street would facilitate the proposed Forrest Landing apartment project, which had applied for federal housing tax credits. An interdepartmental review was conducted, resulting in the reservation of a 15-foot sewer easement requirement. Anderhold and Hodges agreed to pay the City Assessor's appraised values of \$6,525 and \$4,350, for Parcels A and B, respectively.

3. Public Hearings Continued

(c) Ordinance Vacating Unpaved Portion of Woods Road Continued

Mr. Scout Troutman, 308 35<sup>th</sup> Street, Virginia Beach, was available to answer questions.

Councilwoman Scott moved closure of the public hearing; seconded by Councilwoman Vick.

Vote on Roll Call:

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

Nays: None

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

Vote on Roll Call:

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

Nays: None

4. Consent Agenda

Vice Mayor Whitaker moved adoption of the Consent Agenda, Items A and B, both inclusive, as shown below; seconded by Councilwoman Vick.

(a) Minutes of the Work Session of March 10, 2009

Vote on Roll Call:

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

Nays: None

(b) Minutes of the Regular Meeting of March 10, 2009

Vote on Roll Call:

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

Nays: None

5. Williamsburg Project Development Agreement

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 PROJECT DEVELOPMENT AGREEMENT FOR LONG TERM WATER SUPPLY BY AND BETWEEN THE CITY OF NEWPORT NEWS, VIRGINIA, AND THE CITY OF WILLIAMSBURG, VIRGINIA, DATED THE 1<sup>ST</sup> DAY OF APRIL, 2009. This resolution authorized the City Manager to execute the Project Development Agreement (PDA) between the City of Newport News and the City of Williamsburg. Williamsburg would receive two million gallons per day (2 MGD) of raw or

5. Williamsburg Project Development Agreement Continued

treated water, which was 10% of the expected yield of the King Williams Reservoir. The cost to Williamsburg for a 2 MGD safe yield share, at \$12.5 million/MGD, was \$25 million total. Williamsburg would pay its proportion (10%) of variable and fixed operation and maintenance costs. The PDA prohibited resale of water and required enactment of water restrictions, as stringent as those imposed on Newport News Waterworks' customers during times of drought. There was a similar PDA already in place with the James City Service Authority. The City Manager recommended approval.

City Manager Hildebrandt asked Ms. Eileen M. Leininger, Assistant Director, Department of Public Utilities, to provide detail regarding the Agreement and the status of the King William Reservoir Project. He advised the King William Reservoir would be the source of the water that would be provided to the City of Williamsburg under this Agreement.

Ms. Leininger stated the Williamsburg PDA and the James City Service Authority PDA both hinged on the King William Reservoir Project. She advised there were three key permits for the King William Reservoir Project: (1) the DEQ Permit, (2) the VMRC Permit, and (3) the Corps Permit. There were conditions in each Permit that the City had been actively working on to satisfy the Permit requirements.

The DEQ Permit was scheduled for renewal in 2012. There were five requirements in that permit: (1) Completion of a Conservation Plan, which was completed, submitted, and approved by DEQ; (2) Submission a Salinity Plan, which was completed, submitted, and approved by DEQ; (3) Preparation of an Eco-Monitoring Plan, which was submitted, and approved by DEQ; (4) Submission of the Operation and Maintenance Plan to DEQ; and (5) Mitigation Plan, the largest requirement of the DEQ Permit. Ms. Leininger advised a large number of acres would be mitigated. This was an active project to include the design of many mitigation sites and purchase of some mitigation banks. She advised all DEQ conditions were on track and ahead of schedule. The mitigation plan would be submitted to DEQ well in advance of the due date.

The largest condition of the VMRC project was that a fish monitoring study be undertaken for eight years. The study was in its fourth year. Ms. Leininger indicated discussions were underway with Virginia Commonwealth University, Old Dominion University, and Randolph Macon University to establish an endowment for the study of the Mattaponi River. A fish passage improvement study was another condition of the VMRC permit, and Waterworks investigated removal of a dam on the Pamunkey River to satisfy this condition.

The third permit was the Corps permit, which was set to expire July, 2020 and required wetland mitigation. The Mitigation Plan for the DEQ would also serve for the Corps Permit. There was a need to protect a threatened plant in the Corps permit, which was done with a conservation easement in James City County. There were cultural and historical conditions in the Corps permit. Archeological investigations of the mitigation sites were in progress, and would move into Phase II archeological investigations of the reservoir pool once the land for the reservoir was acquired by King William County.

5. Williamsburg Project Development Agreement Continued

Ms. Leininger advised that reservoir design work had begun. A consultant was performing geo-technical investigation in King William County. The Department of Public Utilities was also working with King William County on a recreation facility that the City would build on the reservoir. She advised there would be up to five recreation sites on the reservoir, one of which the City would assist in building.

Ms. Leininger indicated a lot of work was going on and the City was managing the work in-house, even though consultants were being hired to do much of the work. She introduced the Project Manager, Mr. Ron Harris.

Ms. Leininger added that King William County was making great progress with the land acquisitions. She reminded that the City had provided funding to King William County to allow the continuance of land acquisitions. The County had either closed or was under contract for approximately half of the parcels for the reservoir.

The Department of Public Utilities was in the process of issuing a Request For Proposal (RFP) for the design of the intake, which should be issued in May or June, 2009. She further advised that fish studies and salinity studies were continuing, with hopes to begin construction in 2012, when the Department expected to receive the renewal of the Virginia Water Protection Permit.

Ms. Leininger stated that the City of Williamsburg had participated with the Regional Raw Water Study Group since its inception. The King William Reservoir Project was designed to meet the demands of the City of Williamsburg, James City County and the Newport News Waterworks service area. Ms. Leininger advised that the Williamsburg City Council had approved (4:0) the PDA on March 12, 2009. She reiterated that Williamsburg would receive 2 MGD out of the project, or 10% of the yield of the King William Reservoir. The cost to them would total \$12.5 million per MGD, for a total of \$25 million. The first payment per the agreement was due not later than June 29, 2009. The second payment would be due no later than June 2024 and would be escalated based on a construction cost index. The City of Williamsburg would receive raw or treated water, at their choice. They have a water treatment plant and a reservoir. The City of Newport News had agreements with the City of Williamsburg, for many years, to provide them raw water to supplement the reservoir when precipitation was low. Williamsburg also wanted the option, if needed, to provide a particular location in their service area with treated water instead of raw water. This PDA allowed for that.

Ms. Leininger indicated that Williamsburg would pay 10% of the operations and maintenance costs. The City was making lease payments to King William County for the lease for the land. Lease payments were considered operation and maintenance. James City County (who would receive 20% of the yield), would pay 20%.

During a drought, the City of Williamsburg would enact restrictions as stringent as those required of Waterworks customers; and conversely, if in a period that was wetter than normal, Williamsburg would be allowed to take 2.5 MGD. The PDA commits the City to provide 2 MGD in the unlikely event that the King William Project did not reach completion.

5. Williamsburg Project Development Agreement Continued

Regarding the financing of the King William Reservoir Project, the City would finance via three sources: (1) the System Development Fee, which Council had adopted a 10-year plan to increase every year; (2) rates of water customers; and (3) contributions of partners – City of Williamsburg and James City County. The payment from Williamsburg, and what was received from James City County, would allow Waterworks to increase its reserves, as well as delay having to go back to the bond market. Some of the money would be used to fund project costs to delay going back to the bond market until 2011.

Ms. Leininger strongly urged Council support of the Williamsburg PDA.

City Manager Hildebrandt reminded there was a temporary financing agreement with King William County since they did not issue bonds to purchase the land. Under that agreement, the City of Newport News would not make lease payments until King William County borrowed money and reimbursed the City of Newport News those costs.

Councilwoman Vick inquired about the recreation facility. Ms. Leininger responded the King William Reservoir was large and there would be sites for up to five recreation facilities. The City committed, through the King William Reservoir Development Agreement, to King William County, to develop the first recreation area for them.

Councilwoman Woodbury questioned the recreation centers. Ms. Leininger reiterated there were spots for up to five recreation areas, but the City would only finance one. Councilwoman Woodbury questioned the number of condemnations that occurred for King William County to acquire this land. Ms. Leininger responded there had been no condemnations, to date. King William County was currently working with willing sellers up front. There may be condemnations in the future.

Councilwoman Scott inquired whether the recreation component had recently come up. City Manager Hildebrandt responded recreation sites had been in the agreement since 1992. The City was only recently coming to the point of designing the first recreation area, which Newport News was obligated to build for King William County. The other four recreation sites were allowed by the County, but they would have to develop the areas if they chose to do so. He stated this would include boat launches, picnic areas, swimming areas, etc.

(No registered speakers)

Vice Mayor Whitaker moved adoption of the above resolution; seconded by Councilman Bateman.

Vote on Roll Call:

Ayes: Scott, Vick, Whitaker, Bateman, Frank

Nays: McMillan, Woodbury

6. Virginia Community Development Block Grant for the Neighborhood Stabilization Program

A RESOLUTION OF THE COUNCIL OF THE CITY OF NEWPORT NEWS AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR THE NEIGHBORHOOD STABILIZATION PROGRAM. This resolution authorized the City Manager to execute necessary documents to submit an application for a \$2 million grant, to the Virginia Department of Housing and Community Development, for the new Neighborhood Stabilization Program (NSP). The NSP was a new initiative authorized under the Housing and Economic Recovery Act of 2008. NSP was intended to provide emergency financial assistance to help states and cities recover from the effects of foreclosures, abandoned properties and declining property values. Administered by the Virginia Department of Housing and Community Development, NSP funds could be used to purchase and rehabilitate abandoned and foreclosed homes for resale to income eligible homeowners. This program required that the funds be used to benefit lower to moderate income citizens, similar to the U. S. Department of Housing and Urban Development's (HUD) Community Development Block Grant funds. Three target areas were proposed to address foreclosures, in the Southeast community, in the Nicewood area, and in Courthouse Green. There was a requirement that \$250,000 be contributed toward the program, with \$150,000 from the Federal HOME grant, matched with money from the City and \$100,000 of the match would help support the grant. The City Manager recommended approval.

Councilwoman McMillan emphasized the City did not have the grant and that Council was approving the application for the grant. She stated the program was not ready to be implemented until the money was received.

Councilwoman Scott inquired how this would be administered, and how it would be decided who would benefit. City Manager Hildebrandt asked Mr. Hugh Forehand, Community Development Director, Newport News Redevelopment and Housing Authority (NNRHA), to provide a brief explanation.

Mr. Forehand stated the NSP would be administered by the NNRHA as an amendment to the existing contract with the City. NNRHA would attempt to acquire properties that were in foreclosure and would make the same available to homeowners. The applicants would be pre-qualified and pre-screened, and ready to become homeowners. This process would become a continuation to the program already in place, enabling a seamless transition.

Councilwoman Scott inquired whether this would benefit someone already in a home, with a pending foreclosure. Mr. Forehand responded these would be houses already in foreclosure, and held by a trustee. NNRHA wanted to emphasize homeownership and to avoid, to the greatest extent possible, the properties becoming rental properties.

Councilwoman Vick inquired whether the majority of the money coming to this locality would have to be used for acquisition and rehabilitation of the property. Mr. Forehand replied yes. He advised the application was for approximately \$2.2 million.

6. Virginia Community Development Block Grant for the Neighborhood Stabilization Program Continued

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

Vote on Roll Call:

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

Nays: None

7. Amendment to Juvenile Detention Services Agreement between the Cities of Hampton 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 FIRST AMENDMENT TO THE JUVENILE DETENTION SERVICES AGREEMENT BY AND BETWEEN THE CITY OF HAMPTON, VIRGINIA, AND THE CITY OF NEWPORT NEWS, VIRGINIA, DATED THE 24<sup>TH</sup> DAY OF MARCH, 2009. This resolution authorized the execution of the first amendment to the Juvenile Detention Services Agreement between the Cities of Hampton and Newport News, Virginia. City Council adopted the Juvenile Detention Services Agreement on March 19, 1990. The Agreement provided for the shared cost of its three component programs: Secure Detention, Less Secure Detention, and the Outreach Program. The amendment to the Agreement reflected the closure of the Less Secure Detention Facility on October 1, 2008, and the addition of the Electronic Monitoring Program. The Cities acknowledged the closure and reference to the Less Secure Detention Facility and the obligations of both Cities under the Agreement were deleted from the Agreement, retroactive to October 1, 2008. Closing the Less Secure Detention Facility saved the City \$850,000 annually. The City Manager recommended approval of this agreement that would formalize the closure of the facility.

(No registered speakers)

Mayor Frank inquired whether this proposal had been discussed with the Juvenile Court Judges. City Manager Hildebrandt responded this proposal had been discussed with the Judges before the facility was closed in the fall of 2008. City Manager Hildebrandt indicated this resolution documented the transaction and amended the agreement that called for the City to operate a Less Secure Facility.

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

Vote on Roll Call:

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

Nays: None

8. Resolution of Support for the Peninsula Alcohol Safety Action Program

A RESOLUTION OF SUPPORT FOR THE PENINSULA ALCOHOL SAFETY ACTION PROGRAM (PENINSULA ASAP). This resolution showed support for the Peninsula ASAP. The Commonwealth of Virginia enacted laws to create programs for probation, education and rehabilitation of persons convicted of driving motor vehicles while under the influence of alcoholic beverages or other drugs. These programs were known as Alcohol Safety Action Programs or ASAPs. Since 1975, Peninsula ASAP served the Cities of Newport News, Hampton, Williamsburg, Poquoson and the Counties of York and James City, and later Charles City. This Resolution of Support allowed the City to reaffirm participation in Peninsula ASAP and satisfy State certification requirements to document local government involvement in the program. There was no fiscal impact. The City Manager stated this was a routine action and confirmed the City's participation in the long-standing program. He recommended approval.

Ms. Kathryn B. Hall, Executive Director, Peninsula ASAP, was available for questions.

(No registered speakers)

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

Vote on Roll Call:

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

Nays: None

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

Mr. Gerald Loose, Sergeant, NNPD, 611 Ashford Place, Newport News, addressed Council regarding the retirement program, specifically the elimination of non-salary earnings and overtime from the calculation of the average final compensation (AFC). The Retirement Review Committee recommended the elimination of overtime from calculation of the AFC because it was believed not to be equitable. Sergeant Loose indicated the elimination of overtime from the AFC was the most inequitable of the recommendations because it did not treat everyone fairly. He advised the only people affected would be hourly workers. He urged Council to view overtime differently, i.e. time in service. Sergeant Loose stated that overtime was inherent in a police officer's job. He was of the belief that 99.9% of it was required.

Mr. Erik Kempf, Newport News Police Officer, 38 Carolyn Drive, Newport News, gave 100% of himself in his job since being hired in 1995. He made numerous sacrifices with his family and worked numerous hours of overtime. In return, he expected benefits, now and when he retired. He was hopeful that Council would vote to help employees keep the retirement benefits he was promised upon his being hired in 1995. He stated that he remained committed to his job and to the City.

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

Mr. John Procyson, 305 Normandy Lane, Newport News, thanked the City Manager for not proposing a real estate tax increase. He focused his comments on the Economic Development Authority (EDA). He spoke on the Newport News Economic Summit and suggested that an economic tsunami would drown Newport News taxpayers. He pointed out that less than one third of the jobs created by economic development were held by Newport News residents. In contrast, Mr. Procyson indicated that 100% of the local incentives and tax breaks were paid by Newport News taxpayers. He suggested that every employer in Newport News who received any incentives be required to pay a "head tax" for every non-Newport News citizen on their payroll. Mr. Procyson expressed further concern with EDA claims about revenue generated by new business. He stated that almost every dollar in tax revenue that City Center retail businesses collect for the City is a dollar that previously was taken in at Patrick Henry Mall or Port Warwick, or the "mom and pop stores" that were forced out of business because of unfair competition. Mr. Procyson indicated that very few new tax dollars were generated. He suggested the City pay for every business in town, not just City Center. He reminded of lost promises and jobs lost by Wolsely North America and Symantec. He recommended abolishing the EDA. Mr. Procyson further recommended the formation of a Peninsula Economic Development Authority. On a personal note, he suggested the four women on City Council stick together.

Ms. Pricillia Burnett, retired Newport News Police Officer, 106 Tillerson Drive, Newport News, stated there were outstanding officers in the Newport News Police Department and indicated it was unfair to cut benefits of those employees working with the Police or Fire Departments, or Waterworks. She addressed the 13% pay increase received by Mr. Harold Roach, Director, Department of Codes Compliance. She further stated the City was in need of people that would work and do what was in the best interest of the City. She suggested the money that went toward City Center, and the signs at City Center, could have been better spent on a recreation center affording people a place to go. Ms. Burnett commented on promotions in the Newport News Police Department, and further commented that Newport News was the most diverse City in the area, but did not have a Police Department that reflected this diversity. She provided a detailed review of the promotion process within the Police Department.

Ms. Carol Hogge, 3 Gay Drive, Newport News, read a letter from Mr. John Quarstein regarding the Deep Creek Pier, advising of the potentially long process to create a historical district in the Deep Creek area (a copy is attached and made a part of these minutes.)

Mr. Mike Minarik, 114 Linbrook Drive, Newport News, indicated the Newport News Economic Summit had pointed out some positive aspects of Newport News, which citizens should be proud of, i.e. Newport News Shipyard and the new businesses coming in. The diverse labor pool in Newport News was quite important, but posed the questions, where would people live? And why don't they live in Newport News? Mr. Minarik indicated the perception of Newport News was the crime rate, the schools; and the need to change the perceptions. He was surprised that his neighborhood was included in the Neighborhood Stabilization Program. He suggested the need to encourage home ownership among citizens. He recommended exploring a Homestead provision similar to the Washington, DC area, which gave citizens an incentive to buy. Mr. Minarik stated the key to getting citizens to speak positively about Newport News was to seek pride in one's

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

community. As businesses prosper, he reiterated encouraging citizens to buy, and live in Newport News.

Ms. Kimberly Winn, Newport News, commented about the importance of the West Avenue Library to the children and to the community; as well as its great historical value. She indicated the need for a library in the North District, stating the Grissom Library was the only library above Denbigh Boulevard. She urged Council support more community efforts.

Ms. Winn expressed support for keeping the Dr. Martin Luther King, Jr. Plaza at 25<sup>th</sup> Street and Jefferson Avenue. This site was the site originally presented to the community.

Ms. Winn expressed support for public safety employees, and the need for their retirement benefits. She urged City Council honor the promises made to these individuals.

Ms. Winn suggested there be more advertisement and public discussion when businesses come to the City, enabling the citizens to have a say in what comes into their community.

Ms. Winn inquired about the North District Recreation Center. She indicated the citizens wanted the facility. There was a need for more recreation centers for the citizens, particularly the youth. A recreation center would provide an opportunity for positive programming for children.

Regarding the King William Reservoir, Ms. Winn indicated that many of the citizens were against the project from an economical and environmental point of view. She urged that City Council consider the wants of the citizens and what was best for the community.

Ms. Winn suggested that something be done to promote homeless shelters. The City should do something when people fall into situations where they are in need of housing.

Mr. Kelly Place, 213 Waller Mill Road, Williamsburg, questioned the priorities of the City government and how they do, or do not, help some of the underserved areas. He indicated he liked to help people and wanted to get involved in disadvantaged communities; however, he looked at the King William Reservoir and the fundamental things it was predicated on, and realized things would go from bad to worse in terms of how underserved areas would be taken care of. Mr. Place stated the King William Reservoir project was predicated on a 50 to 100% population increase on the Peninsula. There was no way that many people could be put in the area, which means there would be a much smaller rate base of people to have to pay for the reservoir. It was calculated that it would take \$3,600 per water bill payer. Mr. Place felt that amount of money was the most regressive of taxes and would impact the poor and the underprivileged far more than the average person. He further stated this was reflective illustrative of the lack of proper care the City showed to underserved areas. He indicated that taxes would have to sky rocket to pay for infrastructure needs that would never be met. Mr. Place pointed out the City had engaged in improper "strong arm" tactics to get various people in the region, i.e. Williamsburg City Council, to acquiesce to Newport News' wants, needs and desires on the

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

King William Reservoir. He felt Newport News, by engaging in attempts to circumvent or intimidate the permitting authority, contaminated state water policy and would take years to undo damage that the KWR project had caused.

10. New Business and Councilmember Comments

Councilwoman McMillan congratulated Ms. Sabine Hirschauer, the City's reporter from the Daily Press, on receipt of the Journalism award for her story on the overcrowding of the City Jail.

Councilwoman McMillan announced that March was Clean Communities Month. She commended the City's Business Recycling Coordinator, Mr. Dan Baxter, Department of Public Works, for his work with the business community and promoting business recycling, as well as the education component. She encouraged participation in the Denbigh Warwick Business Association's Clean to the Curb program. She promoted the Adopt-A-Spot Program and encouraged citizens to contact the City's Department of Public Works to volunteer for the program. Councilwoman McMillan announced the hazardous waste drop-off at Gildersleeve Middle School, scheduled for Saturday, March 28, 2009, 9 a.m. – 2 p.m.

Councilwoman Scott thanked citizens for their attendance at the North District Town Hall Meeting on Monday, March 23, 2009.

Councilwoman Scott advised about consideration of a roundabout on Gwynn Circle. She indicated that many of the residents in the area did not want the traffic-calming measure. She requested an explanation for the roundabout, the implementation, and the cost. City Manager Hildebrandt responded that the roundabout, and a few speed bumps were being tested in an effort to respond to the community's concern about speeding in the area. He promised to provide additional information to City Council.

Councilwoman Scott advised that bus passes were available for youth, ages 6 to 16. A new bus pass would be issued in June.

Councilwoman Scott offered congratulations to the Women of Distinction who were honored by the YWCA at the Newport News Marriott Hotel. Councilwoman Patricia Woodbury was the guest speaker for the event. She encouraged the women to "keep on keeping on." She added there were three types of people: "People who make things happen, People who watch to see what happens, and those who sit around and wonder what happened."

Councilwoman Vick offered congratulations to the young readers who were given awards under the "Battle of the Books" during the evening's Presentation portion of the Council agenda, particularly Booker T. Washington Middle School.

Councilwoman Vick commented on the extraordinary treatment and information received during a recent tour at Northrop Grumman and the Apprentice School.

10. New Business and Councilmember Comments Continued

Councilwoman Vick announced a meeting/discussion on the restoration of rights for ex-felons at the First Baptist Church East End on Wednesday, March 25, 2009, 6 p.m. The meeting was hosted by the Honorable Flora Crittenden, former State Delegate.

Vice Mayor Whitaker commended Mayor Frank for the excellent job at the Newport News Economic Summit held at the Newport News Marriott Hotel.

Vice Mayor Whitaker commended Councilwoman Woodbury for her speech during the YWCA Woman of Distinction Awards Luncheon.

Councilwoman Woodbury offered congratulations to the young readers who were given awards under the "Battle of the Books" during the evening's Presentation portion of the Council agenda, Booker T. Washington Middle School, and St. Andrews Day School.

Councilwoman Woodbury offered congratulations to Councilwoman Sharon P. Scott, one of the Women of Distinction honored by the YWCA at the Newport News Marriott Hotel.

Councilwoman Woodbury offered congratulations to Ms. Sabine Hirschauer, the City's reporter from the Daily Press, on receipt of the Journalism award for her story on the overcrowding of the City Jail.

Councilwoman Woodbury thanked the citizens for their attendance and participation at the Council Meeting. She encouraged citizens to contact their Council representatives to share their needs and wants.

Councilman Bateman thanked City Manager Hildebrandt and staff for their hard work on the budget process and what was done to forecast the difficulties on the revenue side of the budget. He further thanked them for their recommendations and innovations in an attempt to reduce expenses and find revenue.

THERE BEING NO FURTHER BUSINESS,  
ON MOTION, COUNCIL ADJOURNED AT 8:58 P.M.

Mabel Washington Jenkins, CMC  
City Clerk

Joe S. Frank  
Mayor  
Presiding Officer

A true copy, teste:

City Clerk