

**MINUTES OF REGULAR MEETING
OF THE NEWPORT NEWS CITY COUNCIL
HELD IN THE CITY COUNCIL CHAMBERS
2400 WASHINGTON AVENUE
April 28, 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 Reverend Dr. William J. Marshall, First Baptist Church East End.

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 Vick.

3. Public Hearings

(a) 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 parcel 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. The City Manager had received a letter from legal counsel representing the applicant requesting that this item be deferred until the May 26, 2009 Regular Meeting of City Council.

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) were available for questions.

Vice Mayor Whitaker moved to defer this item to the May 26, 2009 Regular Meeting of City Council; seconded by Councilman Bateman.

Vote on Roll Call:

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

Nays: None

3. Public Hearings Continued
 - (b) Conditional Zoning – Community Housing Partners Corporation, CZ-09-267

AN ORDINANCE TO AMEND AND REORDAIN ORDINANCE NO. 5028-97 BY AMENDING THAT CERTAIN MAP ENTITLED, “ZONING DISTRICT MAP” (CONSISTING OF REAL ESTATE TAX ASSESSMENT MAPS 001 THROUGH 322 AND KEPT ON FILE IN THE OFFICES OF THE DEPARTMENTS OF CODES COMPLIANCE AND PLANNING) DATED THE 10TH DAY OF JUNE, 1997, WHICH SAID MAP IS MADE A PART OF THE SAID ORDINANCE NO. 5028-07. This ordinance changed the zoning of 2.07 acres, which was part of the Checed Warwick Senior Housing Complex located at 15319 Warwick Boulevard, from F7 Medium Density Multiple Family Dwelling with proffers, to R7 Medium Density Multiple Family Dwelling with revised proffers. The revised proffers removed the Housing and Urban Development Section 202 funding reference and included other proffers that would improve the site and building design. The Planning Commission voted (8:1) to recommend to City Council the approval of the change of zoning, with revised proffers, and the City Manager concurred with the recommendation.

Mr. John Bolton, 100 W. Franklin Street, Suite 300, Richmond, representing the applicant, was available for questions.

Councilwoman McMillan inquired about the lack of parking spaces. She indicated that the original project had a proffer that no one could live there who was not 62 years of age or older, and commented that the new proffers for this stage of the development did not mention the 62 year-old age requirement. She questioned why there were fewer parking spaces than there were units. She inquired whether the number of parking spaces could be increased in this new area of development. Mr. Bolton responded, the new phase contemplated 35 units. With the addition of this phase, there would be five additional parking spaces added between the Checed Warwick and Checed Creek project. Additionally, Mr. Bolton advised that the zoning only required one parking space per unit. The previous phase contemplated 37-38 units. He advised there would be a net gain over the zoning. Councilwoman McMillan inquired whether there was a projection for many residents younger than 62 years of age.

Mayor Frank pointed out that the proffer stated that each housing unit occupant would satisfy the following: had celebrated his/her 62nd birthday.

Councilman Bateman inquired about guest parking for visitors. Mr. Bolton replied that he did not get involved in the property management; he only ensured that the zoning requirements had been met.

Councilwoman Vick inquired about the vote from the Planning Commission meeting. Mr. Bolton recalled the Planning Commission voted 7:1 to approve the change in zoning.

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

3. Public Hearings Continued

- (b) Conditional Zoning – Community Housing Partners Corporation, CZ-09-267
Continued

Vote on Roll Call:

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

Nays: None

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

Vote on Roll Call:

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

Nays: None

- (c) Zoning Text Amendment – City of Newport News, ZT-09-269, Permitting for
Development in Floodplain

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 45, ZONING ORDINANCE, OF THE CODE OF THE CITY OF NEWPORT NEWS, VIRGINIA, ARTICLE XXXI., OVERLAY ZONING DISTRICTS AND REGULATIONS, DIVISION 2, FLOODPLAIN DEVELOPMENT REGULATIONS, SECTION 45-3114, PERMIT REQUIRED. This ordinance amended Section 45-3114 of the City's Zoning Ordinance, which would eliminate the 30-day approval or disapproval action by the Director of Codes Compliance, for a permit to develop property located within the Floodplain. The Planning Commission voted unanimously (8:0) to recommend to City Council the adoption of this amendment and the City Manager concurred with the recommendation.

(No registered speakers)

Vice Mayor Whitaker moved closure of the public hearing; seconded by Councilman Bateman.

Vote on Roll Call:

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

Nays: None

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

Vote on Roll Call:

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

Nays: None

3. Public Hearings Continued
 - (d) Zoning Text Amendment – City of Newport News, ZT-09-272, Requirement of a Conditional Use Permit for Homeless Shelters

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 45, ZONING ORDINANCE, ARTICLE IV., SUMMARY OF USES, SECTION 45-402, SUMMARY OF USES BY DISTRICT, BY AMENDING USE “B.” ENTITLED RESIDENTIAL. This ordinance amended Section 45-402 of the City’s Zoning Ordinance, which would require by Conditional Use Permit, Homeless Shelters in the R7 Medium Density Multiple Family Dwelling and F8 High Density Multiple Family Dwelling Districts. The Planning Commission voted unanimously (8:0) to recommend to City Council the adoption of this amendment. The City Manager concurred with the recommendation.

(No registered speakers)

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

Vote on Roll Call:
Ayes: Vick, Whitaker, Woodbury, Bateman, Frank, McMillan, Scott
Nays: None

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

Vote on Roll Call:
Ayes: Vick, Whitaker, Woodbury, Bateman, Frank, McMillan, Scott
Nays: None

- (e) Ordinance Vacating a Portion of Kingstowne Road

AN ORDINANCE CLOSING AND VACATING THAT CERTAIN PORTION OF A STREET KNOWN AS KINGSTOWNE ROAD, IN THE CITY OF NEWPORT NEWS, VIRGINIA, AS SHOWN ON THE PLAT ATTACHED HERETO AND MADE A PART OF THIS ORDINANCE. This ordinance closed and vacated a portion of Kingstowne Road, subject to reservation of a 15 foot-wide waterline easement payment to the City, by the abutting landowner of the City Assesstor’s appraised value of the vacated portion of Kingstowne Road, and approval of a permanent alternate turnaround by the Department of Engineering. A request was received from Union Investment 2, LLC (Union), for the City to vacate a 3,903 square-foot portion of Kingstowne Road. Union owned the property which abutted the right-of-way. An interdepartmental review was conducted, to which no objections were noted. The reservation of a 15-foot waterline easement was required, and a permanent alternate turnaround needed to be approved by the Department of Engineering. Union agreed to pay \$9,400, the City Assessor appraised value, of the vacated portion of right-of-way. The City Manager recommended approval.

(No registered speakers)

3. Public Hearings Continued

(e) Ordinance Vacating a Portion of Kingstowne Road Continued

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 Councilwoman Scott.

Vote on Roll Call:

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

Nays: None

4. Consent Agenda

Councilman Bateman moved adoption of the Consent Agenda, Items A through E, both inclusive, as shown below; seconded by Vice Mayor Whitaker.

(a) Minutes of the Special Budget Work Session of April 7, 2009

Vote on Roll Call:

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

Nays: None

(b) Minutes of the Work Session of April 14, 2009

Vote on Roll Call:

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

Nays: None

(c) Minutes of the Regular Meeting of April 14, 2009

Vote on Roll Call:

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

Nays: None

(d) Resolution in Support of Youth PROMISE Act

A RESOLUTION OF THE COUNCIL OF THE CITY OF NEWPORT NEWS, VIRGINIA, IN SUPPORT OF THE YOUTH PROMISE ACT (H.R. 1064). This Resolution supported the Youth Promise Act (H.R. 1064). H. R. 1064, the Youth Prison Reduction through Opportunity, Mentoring, Intervention, Support, and Education Act (Youth Promise Act), was

4. Consent Agenda Continued
 - (d) Resolution in Support of Youth PROMISE Act Continued

introduced by Congressman Robert C. "Bobby" Scott. The Act established an advisory panel to assist the Office of Juvenile Justice and Delinquency Prevention in developing standards and practices to prevent juvenile delinquency and criminal street gang activity. The panel would also be engaged in collecting data to assess needs and existing resources for combating these issues. The Youth PROMISE Act would award grants to localities for intervention and prevention programs involving juvenile delinquency and criminal street gang activities.

(No registered speakers)

Vote on Roll Call:

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

Nays: None

- (e) Resolution in Recognition: St. George's Episcopal Church

A RESOLUTION IN RECOGNITION OF ST. GEORGE'S EPISCOPAL CHURCH. This Resolution recognized the 50th Anniversary of St. George's Episcopal Church, which started in the Denbigh area of Newport News, Virginia in 1959.

(No registered speakers)

Vote on Roll Call:

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

Nays: None

5. Consolidated Plan for Housing and Community Development – Annual Action Plan FY 2009-2010

A RESOLUTION OF THE COUNCIL OF THE CITY OF NEWPORT NEWS APPROVING THE CONSOLIDATED PLAN FOR HOUSING AND COMMUNITY DEVELOPMENT ANNUAL ACTION PLAN FOR THE CITY OF NEWPORT NEWS INCLUDING THE PROPOSED USE OF COMMUNITY DEVELOPMENT BLOCK GRANT AND HOME FUNDS AND CERTIFICATIONS FOR FISCAL YEAR 2009-2010 AND AUTHORIZING SUBMISSION OF THIS PLAN TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT. This resolution approved the City's Fiscal Year 2009-2010 Update for the Consolidated Plan for Housing and Community Development, known as the Annual Action Plan. This was the City's update to the 2006-2010 Plan that identified the needs for housing and community development, the resources available to meet the needs and the priorities for directing those resources. The Plan was required by the U. S. Department of Housing and Urban Development (HUD), and must be approved by that agency in order for the City to receive Community Development Block Grant (CDBG) funds each year. HUD entitlement funding for both of these Programs was estimated to be \$2,686,590 for Fiscal Year 2009-2010. The City Manager recommended approval.

5. Consolidated Plan for Housing and Community Development – Annual Action Plan FY 2009-2010 Continued

(No registered speakers)

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

Vote on Roll Call:

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

Nays: None

6. Waterworks' Identity Theft Prevention Program

A RESOLUTION TO ADOPT AN IDENTIFY THEFT PREVENTION PROGRAM FOR THE NEWPORT NEWS DEPARTMENT OF PUBLIC UTILITIES. This resolution adopted the Waterworks' Identity Theft Prevention Program for the Department of Public Utilities (Waterworks). The federal government amended the Fair Credit Reporting Act of 1970, through the FACT Act, which required agencies to establish guidelines for use by financial institutions and creditors concerning identity theft, with regard to account holders and/or customers. Known also as the "Red Flags Rule," the Identity Theft Rules required Waterworks, which was considered a creditor, to establish a policy to be enforced by May 1, 2009, that identified and detected the relevant "red flags" of identity theft. Prior to this amendment, Waterworks had informal identity theft procedures in place for some time; however, the new law required a more formal program, with the City Council's approval of the initial policy. No additional staff or resources were needed to administer the program. The City Manager recommended approval.

(No registered speakers)

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

Vote on Roll Call:

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

Nays: None

7. Congestion Mitigation and Air Quality Improvement Project City-Wide Wayfinding Sign Program Phase I

- A. Resolution Ratifying Funding and Authorizing Project

A RESOLUTION OF THE COUNCIL OF THE CITY OF NEWPORT NEWS RATIFYING CONGESTION MITIGATION AND AIR QUALITY PROJECT FUNDING FROM THE VIRGINIA DEPARTMENT OF TRANSPORTATION FOR A WAY FINDING SIGN PROJECT AND GRANTING AUTHORITY TO PROCEED WITH THE PROJECT. This resolution ratified funding for a Congestion Mitigation and Air Quality Improvement Project from the Virginia Department of Transportation (VDOT). The City

7. Congestion Mitigation and Air Quality Improvement Project City-Wide Wayfinding Sign Program Phase I Continued

A. Resolution Ratifying Funding and Authorizing Project Continued

received a Congestion Mitigation and Air Quality Grant from VDOT, for the fabrication and installation of 29 Wayfinding Signs around the mid-city area of the City. This was the first phase of a City-wide program to place Wayfinding Signs that better directed motorists to destinations within the City. The City Council was requested to authorize the execution of all agreements to effectuate the administering and front-funding of this construction project. Upon completion of this project, the City would be reimbursed 99.6% from Federal and State funds through VDOT. The City Manager recommended approval.

(No registered speakers)

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

Councilwoman Vick inquired about the size of the signs. City Manager Hildebrandt responded the signs were the more standard signs found along the right-of-ways.

Councilwoman Scott questioned whether the decision to place the signs was made by the City or VDOT. She further inquired whether Denbigh would get signs as there had been questions about the sense of identity in the Denbigh community. Mr. Everett Skipper, Director, Department of Engineering, responded the City had participated with VDOT in the selection of the locations, planning, engineering processes, etc. He indicated the next phase involved the East End of the City, but was not certain of which phase the North District would be included. It was intended that the entire City would eventually receive the program.

Vote on Roll Call:

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

Nays: None

B. Appropriation of Funds

A RESOLUTION APPROPRIATING FUNDS FROM REVENUE FROM THE COMMONWEALTH – VIRGINIA DEPARTMENT OF TRANSPORTATION (\$500,988.00) AND VDOT LOCAL GRANT MATCH (\$2,012.00) TO VDOT – CONGESTION MITIGATION AND AIR QUALITY GRANT CITY WIDE WAYFINDING SIGN PROGRAM – PHASE 1 (\$500,988.00) AND VDOT MATCH – WAYFINDING SIGN PROGRAM – PHASE 1 (\$2,012.00). This resolution appropriated \$503,000.00 of Front-Funding for the Congestion Mitigation and Air Quality Improvement Project – Citywide Wayfinding Sign Program Phase1. The City received Congestion Mitigation and Air Quality grant funding in July 2005, in the amount of \$383,000.00 (State/Federal Funds). Based on market changes and a more detailed engineering estimate, it was determined that a more accurate cost for construction of this project was \$503,000.00. In February/March 2009, the City requested the Hampton Roads Metropolitan Planning Organization, through the Transportation Technical Committee, an

7. Congestion Mitigation and Air Quality Improvement Project City-Wide Wayfinding Sign Program Phase I Continued

B. Appropriation of Funds Continued

additional \$120,000.00 in grant funds. An appropriation for front-funding in the amount of \$503,000.00 was necessary to fund the complete construction costs of this project. The City would be 99.6% reimbursed from Federal and State funds through VDOT. The City's cost for this project was \$2,012.00.

(No registered speakers)

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

Vote on Roll Call:

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

Nays: None

8. Pine Avenue Sanitary Sewer Rehabilitation Design Project

A RESOLUTION APPROPRIATING FUNDS FROM 2008 VIRGINIA REVOLVING LOAN FUND (\$97,000.00) TO PINE AVENUE SANITARY SEWER REHABILITATION (\$97,000.00). This resolution appropriated \$97,000.00 from the City's 2008 Virginia Revolving Loan Fund (VRLF) for the Pine Avenue Sanitary Sewer Rehabilitation Project. The project proposed the rehabilitation and replacement of existing degraded sanitary sewer pipes to prevent sewage infiltration, and to comply with the Hampton Roads Sanitary Sewer Regional Consent Order. Environmental Engineering and Technology, Inc. was selected under an existing annual services contract to perform the required design services for this project. The appropriation included a 5% contingency from the City's 2008 Virginia Revolving Fund. Debt service on sanitary sewer improvements financed through the VRLF was paid with sewer user fees. The City Manager recommended approval.

(No registered speakers)

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

Vote on Roll Call:

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

Nays: None

9. Sanitary Sewer Rehabilitation Project – Kingstowne Drive

A. Appropriation of Funds

A RESOLUTION APPROPRIATING FUNDS FROM 2008 VIRGINIA

9. Sanitary Sewer Rehabilitation Project – Kingstowne Drive Continued

A. Appropriation of Funds Continued

REVOLVING LOAN FUND (\$64,000.00) TO KINGSTOWNE SANITARY SEWER REHABILITATION (\$64,000.00). This resolution appropriated \$64,000.00 from the City's 2008 Virginia Revolving Loan Fund for the Kingstowne Drive Sanitary Sewer Rehabilitation Project. The project proposed the installation of a cured-in-place liner in the existing sanitary sewer pipes along Kingstowne Drive to correct deficiencies in the pipes caused by cracks and deterioration, thus resulting in groundwater infiltration in the area sewers. The appropriation included a 5% contingency from the City's 2008 Virginia Revolving Fund. Debt service on sanitary sewer improvements financed through the VRLF was paid with sewer user fees. The City Manager recommended approval.

(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

B. Award of Bid – Tri-State Utilities, Inc.

Vice Mayor Whitaker moved to award the bid for the Kingstowne Drive Sanitary Sewer Rehabilitation Project to Tri-State Utilities, Inc., which was selected as the lowest bidder at \$61,000.00; seconded by Councilman Bateman. Tri-State Utilities, Inc. was the low bidder and had successfully performed similar projects for the City in the past.

(No registered speakers)

Vote on Roll Call:

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

Nays: None

10. Appropriation

Vice Mayor Whitaker moved adoption of Item A, as shown below; seconded by Councilwoman Vick.

(a) Parks, Recreation & Tourism – CIP Request: \$800,000.00

A RESOLUTION APPROPRIATING FUNDS FROM FY 2009 AUTHORIZED AND ISSUED – PARKS AND RECREATION (\$800,000.00) TO PARK FACILITIES (\$800,000.00). This resolution appropriated \$800,000.00 from the Parks and Recreation category of the FY 2009 Capital Improvements Plan (CIP) to the Department of Parks, Recreation & Tourism. The City had several critical park repair and replacement projects for which these

10. Appropriation Continued

(a) Parks, Recreation & Tourism – CIP Request: \$800,000.00 Continued

funds were requested. Most of these projects had reached the point where immediate action was needed to correct safety and usability issues. The projects included the following:

- \$375,000.00 to provide maintenance dredging of the heavily silted boat channels at Huntington Park and Leeward Marina. Up to \$50,000.00 in additional funding would be provided, if needed, through the City's Leeward Marina Revolving Fund.
- \$210,000.00 for replacement of the 18-year old wooden Fort Fun playground in Huntington Park.
- \$95,000.00 to replace the deteriorated floating docks at the Huntington Park Boat Ramp.
- \$75,000.00 to replace a picnic shelter at Huntington Park that was destroyed in a windstorm. The replacement shelter would be slightly larger to accommodate the demand for larger picnic facilities.
- \$45,000.00 to replace the wooden walkways and fishing pier located on the waterfront at Denhigh Park.

The source of funding recommended for the Park Improvements Project was bonds authorized and issued. The City's FY 2009 Bond Authorization that allowed for capital project appropriations from the approved CIP was \$30,000,000.00. Of this \$30,000,000.00, there was \$3,332,000.00 designated for Parks and Recreation. Approval of this resolution reduced the total FY 2009 bond authorization available for appropriation by \$800,000.00, from the balance of \$29,070,207.00 to \$28,270,207.00, and also reduced the amount available for appropriations from the Parks and Recreation category by \$800,000.00 from \$3,332,000.00 to \$2,532,000.00. The City Manager recommended approval.

(No registered speakers)

Mayor Frank inquired whether the replacement for the wooden Fort Fun Park would be wooden or modern materials. Mr. Michael Nealer, Administrator, Department of Parks Recreation and Tourism, responded that Fort Fun would be replaced with the plastic and metal modular tech playgrounds which had been used with success at Riverview Farm Park.

Councilwoman McMillan inquired whether environmentally friendly materials would be used. Mr. Nealer responded they would incorporate as much environmentally friendly materials into the project as possible.

Councilwoman Vick inquired about insurance to help with the damage. City Manager Hildebrandt advised the City was self-insured.

Councilman Bateman inquired about various sponsors being solicited for sponsorships when Fort Fun was originally built and whether sponsors could be re-solicited. Mr.

10. Appropriation Continued

(a) Parks, Recreation & Tourism – CIP Request: \$800,000.00 Continued

Nealer responded Parks was looking for a way to incorporate types of things where community support was involved into the new design.

Vote on Roll Call:

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

Nays: None

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

Ms. Carol Hogge, 3 Gay Drive, Newport News, addressed Council as an advocate for the rebuilding of the Deep Creek Pier. She inquired about rumors regarding the closing of the Menchville Marina.

Mayor Frank instructed the City Manager to have staff look into the matter and get back with Ms. Hogge. City Manager Hildebrandt responded there were no plans to close the City's Menchville Marina, particularly after having spent \$350,000 to replace the bulkhead. Mayor Frank reiterated that the City had spent a great deal of money for improvements to the Menchville Marina and there were no plans to close it.

Mr. Kelly Place, 213 Waller Mill Road, Williamsburg, advised City Council of their opportunity not to follow available options on the King William Reservoir (KWR) project. He pointed out the March 13, 2009 federal court decision ruling the KWR project as arbitrary and capricious on several different counts. Mr. Place suggested that healing begin as there had been a long battle between a number of people, and there was now an opportunity to restore calm and goodwill. He encouraged the City not to spend more of the citizen's money, but to divert the revenues from Waterworks to solve the City's problems. He stated no amount of money or political strong arming could change the facts that underlie the KWR project and asked Council to recognize the trends that had occurred which showed that the fundamental rationale behind the KWR project was not valid. Mr. Place indicated that pursuing options to keep the flawed project alive would exacerbate the City's problems, and cost the City's water rate payers massive amounts of money.

City Manager Hildebrandt advised that the affects of the federal court decision was being reviewed with outside legal counsel and would provide Council a recommendation on the proper course of action. He stated the Justice Department would be the agency to decide. That decision had not been made.

12. New Business and Councilmember Comments

City Manager Hildebrandt announced, as a result of the refunding of the City's Waterworks bonds, the City was able to realize a saving of \$1.7 million in interest costs for FY 2010. He recommended that some of the money be used to offset the fee increase proposed in the City Manager's Recommended Fiscal Year 2010 Operating Budget, reducing the consumption charge from 5.3% to 4%, to give water rate payers some relief.

12. New Business and Councilmember Comments Continued

City Manager Hildebrandt thanked City Council for the recognition provided to the Newport News Police Department for National Police Week and to the Public Services employees of the City. He commended Chief Fox for his leadership. He further commended the City's workforce, who were committed to the values of caring, commitment and collaboration. He thanked them for their hard work.

Councilwoman Vick announced that she had been appointed to the Peninsula Council for Workforce Development, which had received \$250,000 of federal stimulus funds, for summer jobs and youth program for ages 14 -24. She felt this would help educate young people and help them develop a work ethic, and would helpfully deter crime and help the youth fight against gang memberships. She thanked Ms. Izabela Cieszynski, Director, Department of Libraries and Information Services, and staff for their hard work to help implement this program, as well as the recruiting of young people for the program.

Councilwoman Vick thanked Councilwoman Scott for her kind invitation to the April 27, 2009 North District Town Hall Meeting to provide information about the summer jobs program.

Councilwoman Woodbury commented that Council members Scott and McMillan had successfully thrown out balls at the opening games for the Denbigh Youth Baseball League.

Councilwoman Woodbury commented on the opening of the Heart Haven House, a house for people with disabilities, an effort by the Methodist Churches.

Councilwoman Woodbury commended Hampton Roads Transit (HRT) for lowering their budget requests.

Councilwoman Woodbury commended the Newport News Police Department for their work.

Councilwoman Woodbury announced a Town Hall Meeting was scheduled on Monday, May 4, 2009, 7:00 p.m. at Warwick High School, co-hosted with Betty Dixon, Newport News School Board member.

Councilman Bateman thanked Tricia Wilson, Business Development Specialist, Department of Development, and Mr. Hugh Forehand, Community Development Director, Newport News Redevelopment and Housing Authority, for their hard work in compiling the information for the Consolidated Housing Plan.

Councilman Bateman thanked citizens for their attendance and participation related to the City Manager's Recommended FY 2010 Operating Budget. He thanked City Manager Hildebrandt and staff for their hard work throughout the budget process and the work that helped achieve and maintain the bond rating.

12. New Business and Councilmember Comments Continued

Councilwoman McMillan acknowledged the comments about her lack of pitching skills during the opening game of the Denbigh Youth Baseball League.

Councilwoman McMillan reminded about a Job Fair on May 14, 2009, sponsored by the Denbigh Warwick Business Association, in conjunction with their community partners, at the Boys & Girls Club, 429 Thorncliff Drive, Newport News, 9 a.m. – 12 noon. Twenty-five entities would be represented.

Councilwoman Scott thanked citizens for their attendance and for sharing their views.

Councilwoman Scott asked City Manager Hildebrandt to give consideration to a homeless service center, where people could go for information, a shower, use of a phone, etc.

Councilwoman Scott announced the next North District Town Hall Meeting was scheduled for April 27, 2009 at the American Legion Post 368. No guest speaker was scheduled; citizens were invited to attend and participate in an open discussion.

Councilwoman Scott advised that her pitching ability was a result of working out in the gym 3-4 days each week.

Councilwoman Scott thanked citizens for their attendance and participation at the April 27, 2009 North District Town Hall Meeting. She thanked Councilwoman Vick for her attendance and sharing information about the Summer Jobs program, as well as Lieutenant Boswell from the North Precinct, who shared information about the decrease in crime, as well as a group to discuss the initiative, Feeding Future Leaders. She encouraged participation in the initiative. A meeting was scheduled for April 30, 2009, 6:30 p.m. and May 7, 2009, 6:30 p.m. at the Midtown Community Center for any groups interested.

THERE BEING NO FURTHER BUSINESS,
ON MOTION, COUNCIL ADJOURNED AT 8:25 P.M.

Mabel Washington Jenkins, CMC
City Clerk

Joe S. Frank
Mayor
Presiding Officer

A true copy, teste:

City Clerk