

**MINUTES OF REGULAR MEETING
OF THE NEWPORT NEWS CITY COUNCIL
HELD IN THE CITY COUNCIL CHAMBERS
2400 WASHINGTON AVENUE
October 12, 2010
7:00 P.M.**

PRESENT: Joseph C. Whitaker; Dr. Patricia P. Woodbury; Herbert H. Bateman, Jr.;
Madeline McMillan; Sharon P. Scott; and Tina L. Vick-----6

ABSENT: McKinley L. Price, DDS -----1

A. Call to Order

Vice Mayor McMillan reminded that comments on matters germane to the business of City Council should deal with issues or topics that the City Council was empowered to address.

B. Invocation

The invocation was rendered by Minister Princess Lipscomb Abbott, Way to Eternal Life Church.

Vice Mayor McMillan welcomed Minister Abbott and advised that October 12th was the commemoration of Minister Abbott's birthday and wedding anniversary.

C. 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 Girl Scouts of America, Junior Troop 1480, Our Lady of Mount Carmel School, Newport News. Members of the troop included: Anne Marie Dickens, Brittany Vieitez, Grace Lineberry, Lily Van Treck, Mary-Elise Alworth, Megan Domzal, Nina Robertson, Paula Ann Robertson, and Sydney Garrett. Troop Leaders were Ms. Shari-Ann Robertson and Ms. Debby Vieitez.

MOTION MADE BY COUNCILWOMAN VICK; SECONDED BY COUNCILWOMAN SCOTT; AND CARRIED UNANIMOUSLY TO EXCUSE MAYOR PRICE FROM THIS MEETING.

D. Presentations

(1) Proclamation: Lights on Afterschool – October 21, 2010.

Ms. Marhonda Williams, Program Supervisor, Youth Programs Division, Department of Parks, Recreation and Tourism, accepted this Proclamation.

Vice Mayor McMillan proclaimed October 21, 2010 as Lights on Afterschool in the City of Newport News, and called upon the citizens in the community to engage in innovative afterschool programs and activities that ensure the lights stay on, and the doors stay open, for all children after school.

D. Presentations Continued

(1) Proclamation: Lights on Afterschool – October 21, 2010 Continued

Ms. Williams thanked members of City Council for their support. She stated that the program was located in 19 elementary schools, middle schools and community centers throughout the City of Newport News. She invited everyone to attend the Lights on Afterschool Open House on Thursday, October 21, 2010, 4 p.m. – 6:30 p.m., to be held in each of the 19 locations. A Lights on Afterschool Exhibit would be on display at the Downing-Gross Cultural Arts Center from October 15, 2010 – October 31, 2010 showing artwork from the children of Newport News.

(2) Virginia Municipal League – “Go Green Virginia”

Vice Mayor McMillan advised that members of City Council attended the Virginia Municipal League (VML) 2010 Annual Conference in Hampton on October 3 – 5, 2010. She advised this annual meeting was attended by representatives from all of the cities, towns, and counties in the Commonwealth of Virginia. For the past three years, VML had encouraged cities, towns, and counties in Virginia to establish environmental practices that protect the environment, establish projects that would be consistent in the future to have green areas, and to reduce carbon emissions. The VML Program, “Go Green Virginia,” certified communities as green communities. She announced that Newport News was a recipient, only one of two Peninsula cities to receive the honor; the other being Williamsburg. Newport News was a certified green government. She accepted a plaque on behalf of the City; but stated gratitude went to the staff and employees under the leadership of City Manager, Neil A. Morgan. She stated that, in the future, Newport News would be not just a certified green government, but hopefully a Gold certified green government.

The City Manager accepted the recognition on behalf of the City employees. He stated the City workforce was committed to making the community a greener place, as was the City Council, and would work to do better.

E. Public Hearings

None

F. Consent Agenda

Councilman Whitaker moved adoption of the Consent Agenda, Items 1 through 3, both inclusive, as shown below; seconded by Councilwoman Vick.

(1) Minutes of the Work Session of September 28, 2010

Vote on Roll Call:

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

Nays: None

F. Consent Agenda Continued

- (2) Minutes of the Special Meeting of September 28, 2010

Vote on Roll Call:

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

Nays: None

- (3) Minutes of the Regular Meeting of September 28, 2010

Vote on Roll Call:

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

Nays: None

G. Other City Council Actions

- (1) Ordinance Amending and Reordaining City Code, Chapter 26, Motor Vehicles and Traffic; Article I, In General; Section 26-2, Compliance with Chapter, General Penalty for Violations

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 26, MOTOR VEHICLES AND TRAFFIC, OF THE CODE OF THE CITY OF NEWPORT NEWS, VIRGINIA, ARTICLE I, IN GENERAL, SECTION 26-2, COMPLIANCE WITH CHAPTER; GENERAL PENALTY FOR VIOLATIONS. This ordinance amended and reordained the City Code, Chapter 26, Motor Vehicles and Traffic; Article I, In General; Section 26-2, Compliance with Chapter, General Penalty for Violations, to bring the City Code into compliance with the Code of Virginia. State Law provided for traffic infractions to be punishable by a fine up to two hundred fifty dollars (\$250.00). City Code, Chapter 26, stated that a violation of the chapter constituted a traffic infraction punishable by a fine of not more than two hundred dollars (\$200.00). This change for traffic infractions violating the chapter would be consistent with the Code of Virginia, which established a fine up to two hundred fifty dollars (\$250.00). The City Manager recommended approval.

(No registered speakers)

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

Vote on Roll Call:

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

Nays: None

- (2) Ordinance Amending and Reordaining City Code, Chapter 2, Administration; Article II, City Council; Division 1, Generally; Section 2-21, Time and Place of Regular Meetings

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 2, ADMINISTRATION, OF THE CODE OF THE CITY OF NEWPORT NEWS, VIRGINIA,

G. Other City Council Actions Continued

- (2) Ordinance Amending and Reordaining City Code, Chapter 2, Administration; Article II, City Council; Division 1, Generally; Section 2-21, Time and Place of Regular Meetings Continued

ARTICLE II., CITY COUNCIL, DIVISION 1.; GENERALLY, SECTION 2-21, TIME AND PLACE OF REGULAR MEETINGS. This ordinance amended and reordained the City Code, Chapter 2, Administration; Article II, City Council; Division 1, Generally; Section 2-21, Time and Place of Regular Meetings to provide the City Manager the authority to cancel meetings. City Code, Chapter 2, Section 2-21 identified a cumbersome cancellation procedure for City Council Meetings. In addition, it did not identify a mechanism for the City Manager to recommend cancellation of a meeting after the occurrence of the last regular meeting. In consultation with the City Attorney, this ordinance incorporated State enabling legislation that identified the procedure or process for an unanticipated cancellation of a regular meeting. The ordinance made clear that consultation with City Council was required and brought it in line with the Code of Virginia. The City Manager recommended approval.

(No registered speakers)

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

Vote on Roll Call:

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

Nays: None

- (3) Ordinance Amending and Reordaining City Code, Chapter 2, Administration; Article I, In General; Section 2-14, Authority to Accept Revenue; Bad Check Charge

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 2, ADMINISTRATION, OF THE CODE OF THE CITY OF NEWPORT NEWS, VIRGINIA, ARTICLE I, IN GENERAL, SECTION 2-14, AUTHORITY TO ACCEPT REVENUE BY COMMERCIALY ACCEPTABLE MEANS; SERVICE CHARGE; BAD CHECK CHARGE. This ordinance amended and reordained the City Code, Chapter 2, Administration; Article I, In General; Section 2-14, Authority to accept revenue by commercially acceptable means; service charge; bad check charge; in order to recover fees due to a stop payment order. City Code, Chapter 2, Section 2-14, provided, in part, for recovery of a fee for bad checks passed to the City, as a result of insufficient funds, no account in the check writer's name, or the closure of the account. State law authorized, in addition, recovery of the bad check fee when a check was returned because of a stop payment order. This change added checks that were returned due to a stop payment order, which entitled the City to recover its processing costs. The City Manager recommended approval.

(No registered speakers)

G. Other City Council Actions Continued

- (3) Ordinance Amending and Reordaining City Code, Chapter 2, Administration; Article I, In General; Section 2-14, Authority to Accept Revenue; Bad Check Charge Continued

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

Vote on Roll Call:

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

Nays: None

H. Appropriations

Councilwoman Scott moved adoption of Appropriations Item 1 through 7, both inclusive, as shown below; seconded by Councilman Whitaker.

- (1) Newport News Fire Department (NNFD) – American Veterinary Medical Foundation Disaster Training Grant

A RESOLUTION APPROPRIATING FUNDS FROM L-AM VET MED FNDTN-11 (\$5,000.00) TO EDUCATION/TRAINING SUPPLIES (\$5,000.00). This resolution appropriated \$5,000.00 from FY2011 Local Revenue to the Newport News Fire Department for Disaster Training Sponsorship of the Hampton Roads Emergency Pet Sheltering Training Program. The City was awarded funds in the amount of \$5,000.00 from the American Veterinary Medical Foundation. The funding was restricted in use to the support of Pet Shelter Operations training. No local funding was required for this grant. The City Manager recommended approval.

(No registered speakers)

Vote on Roll Call:

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

Nays: None

- (2) Department of Juvenile Services (DJS) – U. S. Department of Agriculture (USDA) Grant

A RESOLUTION APPROPRIATING FUNDS FROM FEDERAL FUNDS RECEIVED FOR FY10 SECURE (\$137,813.00) AND INTEREST RECEIVED FOR FY 10 SECURE (\$479.00) TO FOOD SUPPLIES (\$138,292.00). This resolution appropriated \$138,292.00 in Federal Grant funds from the United States Department of Agriculture (USDA), to be used by the Department of Juvenile Services (DJS) for its in-resident school program. The City was awarded a grant in the amount of 138,292.00 to be used by the Department of Juvenile Services. The Department of Juvenile Services had received this grant funding since FY 1985 because it operated a USDA-designated in-resident school program. The grant guidelines allowed the grant monies to be used for food purchases or the repair/purchase of food service

H. Appropriations Continued

- (2) Department of Juvenile Services (DJS) – U. S. Department of Agriculture (USDA) Grant Continued

equipment used to prepare reimbursable meals. No local funds or match was required. The City Manager recommended approval.

(No registered speakers)

Vote on Roll Call:

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

Nays: None

- (3) Court Appointed Special Advocate (CASA) Program

A RESOLUTION APPROPRIATING FUNDS FROM STATE REVENUE – DCJS (\$45,440.00) FEDERAL REVENUE – VOCA (\$35,065.00) LOCAL REVENUE – COMMUNITY SUPPORT (\$78,000.00) AND CASA DONATIONS (\$4,904.00) TO CASA PROGRAM (\$163,409.00). This resolution appropriated \$163,409.00 from the Virginia Department of Criminal Justice Services (DCJS) in State Revenue, the Victims of Crime Act (VOCA) Program in Federal funds, and CASA donations to the Court Appointed Special Advocate (CASA) Program. The CASA program trained community volunteers to serve as advocates for children found by the Juvenile and Domestic Relations Court to have been abused or neglected, or at risk of being abused or neglected. CASA volunteers advocated for placement in safe, permanent and nurturing homes. The State grant represented annual funding received from the Virginia Department of Criminal Justice Services for the CASA program. In addition to the \$80,505.00 in State and Federal Grant funds, this transaction included \$78,000.00 of local funds (Community Support) and CASA Donations of \$4,904.00. The City Manager recommended approval.

(No registered speakers)

Vote on Roll Call:

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

Nays: None

- (4) Upper Warwick Boulevard Corridor

A RESOLUTION APPROPRIATING FUNDS FROM FY 2009 BONDS AUTHORIZED AND ISSUED (\$200,000.00) TO UPPER WARWICK CORRIDOR IMPROVEMENTS (\$200,000.00). This resolution appropriated \$200,000.00 from the 2009 Bond Authorization for improvement along the Upper Warwick Boulevard corridor. This appropriation allowed for various improvement and beautification projects consistent with the Warwick Boulevard Corridor Study, Community Maintenance initiatives, and other efforts to improve the Upper Warwick Boulevard Corridor. The funds were part of the 2009 Bond Authorization. The City Manager recommended approval.

H. Appropriations Continued

(4) Upper Warwick Boulevard Corridor Continued

(No registered speakers)

Vote on Roll Call:

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

Nays: None

(5) Newport News Fire Department (NNFD) – Virginia Department of Fire Programs: FY 2011 Aid to Localities (ATL) Grant

A RESOLUTION APPROPRIATING FUNDS FROM STATE REVENUE – STATE FIRE PROGRAM GRANT-11 (\$462,237.00) TO PUBLIC RELATIONS AND EDUCATION/TRAINING (\$10,000.00), RESERVE – EMERGENCY ISSUES (\$200,000.00) AND EQUIPMENT – OTHER (\$252,237.00). This resolution appropriated \$462,237.00 from FY 2011 State Revenue to the Newport News Fire Department (NNFD) for various programs, activities, equipment, facilities, and vehicle acquisition. The City was awarded funds in the amount of \$462,237.00 from the Virginia Department of Fire Programs (VDFFP) through Aid to Localities (ATL) funding. The funding was restricted in use to firefighter training programs, improvement to training facilities, protective equipment for personnel, and the purchase of tools and other equipment. No local funding was required for this State grant. The City Manager recommended approval.

(No registered speakers)

Vote on Roll Call:

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

Nays: None

(6) Department of Engineering – Triton Court Pump Station Project

A RESOLUTION APPROPRIATING FUNDS FROM FY 2009 BONDS AUTHORIZED AND ISSUED (\$520,000.00) TO TRITON COURT PUMP STATION PROJECT (\$520,000.00). This resolution appropriated \$520,000.00 from the Sanitary Sewer Extension category of the 2009 Bond Authorization for the Triton Court Pump Station Project. The project proposed the construction of a sewage pump station and force main that would tie into HRSD's main line located at the intersection of J. Clyde Morris Boulevard and Thimble Shoals Boulevard. The purpose of the pump station and force main was in anticipation of future development and to ensure compliance with the regional consent order. Environmental Engineering and Technology, Inc. (EE&T) was selected under an existing annual services contract to perform the required design services for this project. Construction was anticipated to occur in phases over the next several years. The source of funds was FY 2009 Bonds Authorized and Issued. The appropriation included a 5% contingency. The City Manager recommended approval.

(No registered speakers)

H. Appropriations Continued

- (6) Department of Engineering – Triton Court Pump Station Project Continued

Vote on Roll Call:

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

Nays: None

- (7) Office of Self-Insurance – General Fund Reserve

A RESOLUTION APPROPRIATING FUNDS FROM GENERAL FUND RESERVE FOR SELF INSURANCE (\$650,000.00) TO OTHER CLAIMS (\$650,000.00). This resolution appropriated \$650,000.00 from the General Fund Reserve for Self Insurance to settle claims made against the City. The City Attorney advised the City Manager and City Council of these claims which the City must pay. Best management practices dictate that funds for such claims be appropriated as needed during the fiscal year. This appropriation allowed \$650,000.00 from the General Fund Reserve for use by the Office of Self-Insurance. The City Manager recommended approval.

(No registered speakers)

Vote on Roll Call:

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

Nays: None

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

Mr. Mike Minarik, 114 Linbrook Drive, Newport News, commented on the Huntington Pointe Project. He expressed concern and asked City Council to make sure the builder has enough “skin in the game.” He understood that the developer takes out the loan and the City was not borrowing the money.

Regarding the City’s surplus, Mr. Minarik stated RETRO and other citizens would like to see a reduction in the real estate tax rate. The citizens should receive some tax relief. He suggested saving the surplus and paying down on the City’s debt.

Mr. Minarik stated there was a great deal of talk about the Aaron Brooks Project, and the City was spending money to purchase Peddlers Village property in anticipation of this “pipe dream.” Mr. Minarik indicated he would like to see something more positive. The only persons making money were the seller of the property.

Mr. Minarik commented on the Jefferson Avenue Corridor. He agreed that the corridor was unsightly, but indicated there was more at stake in the area. In order to make the project workable, the City needed to work with the citizens in the Corridor. The people needed to be uplifted. The City needed to invest in its citizens. Mr. Minarik mentioned the Kalamazoo Promise, a project that would help elevate and encourage young people to complete high school

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

and have it financed. The City could not continue to have the "Build it and They Will Come" mentality. Mr. Minarik stated that City Center was nice, but few citizens could afford to shop there. It was not built to accommodate the citizens. He indicated there needed to be something in City Center that citizens could take advantage of.

Ms Joan Minarik, 114 Linbrook Drive, Newport News, commented on the Southeast Community Redevelopment Project. She was encouraged to see so much publicity about the project. She indicated everyone would profit when the City was enhanced. She had many questions about the project. She suggested the City put out regular updates on the status of the Southeast Community Redevelopment Project, particularly for citizens that could not attend City Council Work Sessions on a regular basis. Her questions included: (1) What was the private sector doing and how were they being encouraged to buy into the project so that taxpayers were not footing the entire bill; (2) What was happening to the people being relocated? Are we finding housing for them or are they being pushed out and having to find someplace to live; (3) Once people move into new housing, are the people able to afford to keep the houses up? (4) Is the City helping the citizens develop the skills needed to acquire jobs? (5) Is the City looking at retail? (6) What type shops would come into the area? Are they shops that citizens want in their community? Can they support the retail? (7) Regarding the quality of life, citizens were worried about safety in the community, even though certain types of crime were decreasing.

Mr. Roy Jackson, 19 Courtney Avenue, Newport News, retired Newport News Firefighter, expressed concern regarding the lack of fire apparatus in certain parts of the City and the fire stations; and a lack of manpower. He cited examples, indicated he live in the district of Fire Station 8, off of J. Clyde Morris Boulevard, and stated there was only one fire engine in the station. He further stated there was only one fire engine in the Hilton Station, as well as at Newport News Park, Fire Station 4, and Fire Station 5 in Lee Hall. Mr. Jackson had a fire at his home and when he called the fire department the engine was at Station 6 on Oyster Point Road. Mr. Jackson heard many calls and responses through his scanner. When there was only one engine dispatched, there was one officer, one driver, and one person on the engine. Even though times were tight, Mr. Jackson felt there should be at least two pieces of equipment at each station.

Mr. Stewart Fleming, 26 Langhorne Road, Newport News, commented on his unsuccessful efforts to bring about fairness or a change in the assessed value of his home. That effort continued to be unsatisfactory, which caused him to take a thorough look at City records. He expressed concern, and challenged everyone to go to the City records, look at any residential street of any residential area that had houses smaller than 1,600 square feet; and to look at the selling price of one of those houses. He indicated that many of the sales considerations showed \$0, which meant that particular house transferred for no money. Mr. Fleming indicated that he continued this practice at two dozen different streets throughout the City and in every case, the number of sales totaled 15. In every subdivision, there would be at least eight of the sales with \$0 showing up as the sales consideration. When properties sold, Mr. Fleming indicated they did not change hands for no money, except on rare occasions. He stated that sales taxes were paid and the transactions were recorded at the Courthouse. Mr. Fleming, having met with Clerk of Court, Mr. Rex Davis, stated the transactions were being recorded at the amount the property sold for.

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

When the record appeared in the official record, it appeared as \$0 for the sales transaction. Mr. Fleming stated the records were being falsified by the people who had the responsibility for recordkeeping.

Mr. James Rudisill, 512 Wildley Road, Seaford, advocated for the homeless and commented on immediate needs of the homeless. He stated there were approximately 200 homeless individuals in the Newport News area, and 150 would be staying in PORT Shelters, where they would sleep on the floors of churches during the night. He explained the individuals were allowed to check in at 6:30 p.m., but would have to leave at 6:30 a.m. The shelters allowed individuals to stay one week at a time, which meant they would stay in approximately 22 different churches during the period of the winter. Mr. Rudisill urged that the City open some of the empty buildings for daytime shelter for homeless individuals. He shared about the emergency stopgap project that his wife and a number of other citizens were working on to help some of the homeless survive the winter. Mr. Rudisill spoke of another category of homeless citizens that would not go into homeless shelters, but lived under the bridges and in the woods.

Mrs. Mary Rudisill, 512 Wildley Road, Seaford, Director of Fig Tree Haven, commented on a major initiative to assist the homeless. She stated that Fig Tree Haven was a non-profit organization that helped the homeless. Its major project undertaken was to supply the homeless with survival backpacks allowing the homeless to survive the winter outside. She urged the citizens of Newport News to help put the backpacks together. A list of items needed for the backpacks included backpacks, ponchos, towels, wash cloths and a number of toiletries. A list of the needed items is attached and made a part of these minutes. Items should be taken to 128 32nd Street, at the Smart Ministries Building, on Tuesday – Thursday, and Saturday and Sunday, between the hours of 8:00 a.m. – 2:30 p.m.

Councilwoman Woodbury requested a copy of the needed items to share with area churches.

Mr. Jahad Ali, 715 Briarfield Road, Newport News, stated the City Code specified that every cab company maintain a physical location within the City of Newport News, operate 24 hours per day, and maintain log sheets and dispatch records for the company. He further stated that most cab companies in Newport News did not abide by this law. He asked the Taxi Advisory Board why Yellow Cab, a multi-million dollar corporation, was not required to have a proper place of business in Newport News with all daily log sheets and dispatch records for the safety of the drivers. He was told that Yellow Cab was in compliance with the guidelines of the City Code. Mr. Ali conducted an investigation and found that Yellow Cab's physical location in Newport News was 15432 Warwick Boulevard, Suite A, and that no log or dispatch records were kept at the location. He asked why Yellow Cab was allowed to cut costs by not abiding by the City's guidelines. Mr. Ali indicated the safety of the Yellow Cab drivers was a risk if there were no dispatch records or log sheets at that location. He further indicated if small cab companies must abide by the City Code, larger cab companies should also have to abide by the same Code. He asked that City Council watch over the Advisory Board, which had been manipulated and made corrupt by larger cab companies. Yellow Cab had monopolized the City of Hampton and attempted to do the same in the City of Newport News. Mr. Ali asked that City

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

Council look into the matter with an open mind to ensure that cab drivers and Newport News citizens were treated equally. He requested that property actions be taken if one company failed to operate under the provisions of the City Code. All cab companies should be treated the same, despite race, gender, or economic status.

Councilwoman Vick inquired whether Mr. Ali was a cab driver. Mr. Ali replied that he drove a cab for North End Cab Company.

City Manager Morgan responded the allegations made were a combination of criminal and civil matters. He advised that the Newport News Police Department, to the extent this was within their purview, would investigate the allegations. City Council would be advised of the findings.

Ms. Shardasia Jacobs, 6012 Green Ash Court, Suffolk, advised there had been several issues regarding the taxi cab industry and the City of Newport News. These issues had been neglected or ignored. She further advised that many of the issues had been presented to the Taxi Cab Advisory Board, who did not respond. One severe issue regarded the taxi companies that had signed contracts with private companies for less than the meter rate. Ms. Jacobs indicated that these companies were in violation of Section 41-50 of the Newport News City Code, (a), which stated, "Unless otherwise provided in this article, the rates prescribed by this section shall be charged and collected for the transportation of passengers by a taxicab, and no different rate shall at any time be charged or collected for such service." Ms. Jacobs pointed out, on March 2, 2010 at the Taxicab Public Hearing, a representative from the City Attorney's Office informed the attendees that the meter rates had been set forth by the customers, and not for the taxicab drivers or the taxicab company. She stated the private companies that these cab companies had signed contract rates with for less than the meter rates, were in fact customers. Lieutenant Tietjens, at the same Hearing, agreed that it was against the Code to pick up a customer and charge a fare below the meter rate. If it was unlawful for a driver to do this, should it not also be unlawful for a cab company to do the same? Taxi cab businesses were doing exactly what Lieutenant Tietjens said was unlawful for the drivers to do. Ms. Jacobs reiterated that these cab companies were in violation of the City Code. More importantly, the particular contracts presented the cab company owners with an opportunity to cheat the drivers out of money they should be compensated. There were Newport News cab companies who participated in these corrupt practices. She asked that City officials get involved to prohibit these cab companies from signing contracts with private companies that compromise the meter rates.

Ms. Avanti Johnson, 715 Briarfield Road, Newport News, indicated that she attended the Taxi Advisory Board meeting on October 5, 2010 and had submitted a letter to brief everyone on the issues (a copy of this letter is attached and made a part of these minutes). Ms. Johnson had been with Orange Cab Company. As a former employee, she indicated the company was in direct violation of the City Code. Taxi cabs were not allowed to operate solely as medical transportation. The income of Orange Cab Company was generated mostly by medical trips. Ms. Johnson further advised that Orange Cab Company did not follow the City's guidelines regarding meter rates. Orange Cab Company exploited its workers for personal gain. The drivers were

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

underpaid for the work performed. Ms. Johnson questioned Mr. Mohiyidine Cheikh being allowed to serve on the Taxi Advisory Board when he was in direct violation of the taxi regulations. Ms. Johnson indicated that she wanted justice to prevail for herself and the current employees. She had documentation proving that she operated mainly as a medical transportation vehicle while she worked for Orange Cab Company. She urged City Council to investigate this matter.

Vice Mayor McMillan assured Ms. Johnson that the City Manager would look into the situation.

J. New Business and Councilmember Comments

City Manager Morgan announced that Jefferson Avenue at 47th Street was closed due to a serious sanitary sewer leak. He advised the contractor would be working around the clock. It was hoped that Jefferson Avenue would be reopened by Friday. He apologized for the inconvenience and asked citizens to avoid the area and use an alternate route.

Reacting to Mr. Mike Minarik's comments about information related to the Lower Jefferson Avenue Project, City Manager Morgan advised that a full presentation was made to City Council at the September 28, 2010 Work Session regarding the project. Another excellent source on project information was the monthly Department of Engineering Project Status Report, which was also available on line to all citizens.

Councilwoman Vick extended belated Happy Birthday wishes to Councilwoman Sharon Scott, who celebrated her birthday October 10, 2010.

Councilwoman Vick stated that she was a strong advocate of helping people become self-sufficient, and believed the answer to that was allowing people to have employment. She announced that Thomas Nelson Community College would host a Job Fair on Thursday, October 14, 2010, 9:00 a.m. – 2:00 p.m., at the Peninsula Workforce Development Center, located at 600 Butler Farm Road, Hampton. Mr. Franz Albertini was the contact for this effort. Citizens were encouraged to bring their resume as employers would hold interviews on the spot.

Councilwoman Woodbury extended belated Happy Birthday wishes to Councilwoman Sharon Scott, who celebrated her birthday October 10, 2010.

Councilwoman Woodbury commented on the grand opening of a new store, DEAL\$, located in the Jefferson Crossing Shopping Center at 12725 Jefferson Avenue, Newport News. She had the pleasure of cutting the ribbon at the celebration. She indicated it was a Dollar Tree Plus, with everything a Dollar Tree carried, plus more. She encouraged citizens to investigate.

Councilwoman Woodbury commented on the Disabilities Awareness Day, held Saturday, October 9, 2010, at Patrick Henry Mall. There were 24 vendors, fun and games for everyone. She commended all for being a part to make this event successful for so many.

J. New Business and Councilmember Comments Continued

Councilwoman Woodbury thanked everyone for attending her Town Hall Meeting, held in conjunction with Ms. Betty Dixon, Newport News School Board member, on Monday, October 11, 2010, to discuss City and School Board issues. There was a great deal of discussion and many questions, which showed citizen interest in their community. Councilwoman Woodbury announced that the Town Hall Meetings were moved to the second Monday night in each month. The next meeting would be held November 8, 2010, at 7:00 p.m., at Warwick High School. Assistant City Manager Cynthia Rohlf would be the guest speaker, and would discuss the issues going on to beautify the City and to advise citizens of the tax abatement program.

Councilwoman Woodbury congratulated her granddaughter, Madeline Patricia Bauer, who was named Homecoming Queen at Menchville High School.

Vice Mayor McMillan thanked the employees of the Department of Parks, Recreation and Tourism for the great job done on the 2010 Fall Festival of Folklife. She advised, as always, they did a wonderful job.

Vice Mayor McMillan congratulated Madam Annie Daniels for being selected by the Library of Virginia as an honoree for the 2011 African American Trailblazers Virginia History program. Her life would be saluted and honored in a traveling exhibit that would be on display throughout the Commonwealth. The exhibit would be held February 2011. She was pleased to have a member of the Newport News community being honored by the State. Vice Mayor McMillan extended congratulations to Madame Daniels on behalf of the Newport News City Council.

Councilman Bateman inquired about the graffiti problem in the City. He commended the City Manager for doing an amiable job getting staff to react to some of the graffiti popping up throughout the City. He asked the City Manager to expand on the plan to tackle the graffiti problem and advise citizens how to deal with the matter.

City Manager Morgan stated that graffiti was a growing problem. He urged citizens to advise property owners of the graffiti. City staff would also contact property owners and request that the graffiti be removed. In many cases, property owners willingly removed graffiti. Citizens could also call the Department of Codes Compliance at (757) 926-8053, who would contact property owners of graffiti and work with them to have the graffiti removed. City forces could remove graffiti with an owner's permission. As part of the City's Community Maintenance initiative, the City was looking at a new ordinance, permitted by State law, which would allow a more systematic approach.

Councilman Bateman mentioned graffiti could also be found on electric transformers, not just on private property. City Manager Morgan advised the Dominion Virginia Power had granted the City blanket permission to paint transformers. The City Farm had the paint in their possession.

Councilman Bateman thanked the City Manager and staff for the productive City Council Retreat held on September 30, 2010. There were a number of issues discussed. He

J. New Business and Councilmember Comments Continued

stated that City Manager Morgan continued to impress with him his insights as to the direction of the City. He felt everyone gained momentum moving forward on how to run the City.

Councilman Bateman thanked the citizens for their attendance and participation in the meeting. He expressed appreciation for the comments received.

Councilwoman Scott extended belated Happy Birthday wishes to Ms. Clede Jones, who also celebrated her birthday on October 10, 2010, as well as Ms. Geneva Brown and Former Newport News Fire Chief Kenneth Jones, who celebrated their birthday during the month of October.

Councilwoman Scott reminded that October was Breast Cancer Awareness Month and urged citizens to open their hearts and purses to support this worthy cause if approached.

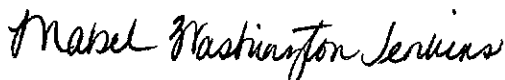
Councilwoman Scott, responding to the speakers regarding the taxi cab issues, indicated that the matter was given to the City Manager and the Chief of the Newport News Police Department. She assured the citizens that the situation was being investigated and their complaints and concerns did not fall on deaf ears.

Councilwoman Scott announced the next North District Town Hall Meeting was scheduled for October 25, 2010, at 7:00 p.m., at American Legion Post 368. There would be open discussion.

Councilwoman Scott further advised that the Denbigh Deltas would have Community Action night to discuss three referendum items coming up on Election Day, November 2, 2010. The Denbigh Deltas would hold a Voter Education segment on the referendum items on the November ballot.

K. Adjourn

THERE BEING NO FURTHER BUSINESS,
ON MOTION, COUNCIL ADJOURNED AT 8:10 P.M.



Mabel Washington Jenkins, MMC
City Clerk

A. Madeline McMillan
Vice Mayor
Presiding Officer

A true copy, teste:

City Clerk