

**MINUTES OF REGULAR MEETING
OF THE NEWPORT NEWS CITY COUNCIL
HELD IN THE CITY COUNCIL CHAMBERS
2400 WASHINGTON AVENUE
August 8, 2006
7:30 P.M.**

PRESENT: Sharon P. Scott; Joseph C. Whitaker; Charles C. Allen; Joe S. Frank; William F. Haskins; and Madeline McMillan-----6

ABSENT: Herbert H. Bateman, Jr.-----1

MOTION MADE BY COUNCILWOMAN MCMILLAN; SECONDED BY VICE MAYOR ALLEN; AND CARRIED UNANIMOUSLY TO EXCUSE COUNCILMAN BATEMAN FROM THIS MEETING.

1. The invocation was rendered by Father Joe Majewski, St. Jerome Catholic Church (City Council and members of the audience sang Happy Birthday to Father Majewski who was celebrating his birthday).

2. The Pledge of Allegiance to the Flag of the United States of America was led by Councilwoman Sharon P. Scott.

3. Public Hearings

(a) Conditional Use Permit CU-06-198, Tuy Quoc Nguyen

Mayor Frank presented AN ORDINANCE GRANTING CONDITIONAL USE PERMIT NUMBER CU-06-198 FOR THE HEREINAFTER DESCRIBED PROPERTY FOR THE PURPOSE OF PERMITTING THE OPERATION OF A SMALL MOTOR VEHICLE REPAIR AND SERVICE FACILITY IN A C2 GENERAL COMMERCIAL DISTRICT AT 15412 WARWICK BOULEVARD. He advised this granted a Conditional Use Permit for the operation of a small motor vehicle repair facility on a 2.51 acre parcel zoned C-2 General Commercial at 15412 Warwick Boulevard. The Planning Commission voted 9:0 to recommend to City Council the approval of this application, and the City Manager concurred with the recommendation.

(No Speakers)

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

Vote on Roll Call:

Ayes: Scott, Whitaker, Allen, Frank, Haskins, McMillan

Nays: None

3. Public Hearings Continued

(a) Conditional Use Permit CU-06-198, Tuy Quoc Nguyen Continued

Councilwoman McMillan moved adoption of the above ordinance; seconded by Councilman Haskins.

Vote on Roll Call:

Ayes: Scott, Whitaker, Allen, Frank, Haskins, McMillan

Nays: None

(b) PDFO-06-01, Port Warwick Conservancy

Mayor Frank presented AN ORDINANCE APPROVING AN APPLICATION FOR AN OFF-SITE SIGN TO BE LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF JEFFERSON AVENUE AND LOFTIS BOULEVARD WHICH SIGN SHALL CONFORM TO THE REQUIREMENTS STATED HEREIN AND TO THE REQUIREMENTS OF SECTION 33.01-6(f) OF THE NEWPORT NEWS CITY CODE. He advised this approved a permit for an off-premises sign of 112, plus or minus, square feet consisting of seven flats at Port Warwick behind the North entrance wall at the intersection of Jefferson Avenue and Loftis Boulevard. The Planning Commission voted 9:0 to recommend to City Council the approval of this permit request and the City Manager concurred with the recommendation.

(No Speakers)

Councilman Haskins moved closure of the public hearing; seconded by Vice Mayor Allen.

Vote on Roll Call:

Ayes: Scott, Whitaker, Allen, Frank, Haskins, McMillan

Nays: None

Councilman Haskins moved adoption of the above ordinance; seconded by Vice Mayor Allen.

Vote on Roll Call:

Ayes: Scott, Whitaker, Allen, Frank, Haskins, McMillan

Nays: None

(c) Zoning Text Amendment ZT-06-225, City of Newport News

Mayor Frank presented AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 45. ZONING ORDINANCE, OF THE CODE OF THE CITY OF NEWPORT NEWS, VIRGINIA, ARTICLE XXIX., NONCONFORMING USES, SECTION 45-2902, RECONSTRUCTION.

3. Public Hearings Continued

(c) Zoning Text Amendment ZT-06-225, City of Newport News Continued

Mayor Frank presented AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 45. ZONING ORDINANCE, OF THE CODE OF THE CITY OF NEWPORT NEWS, VIRGINIA, ARTICLE XXXII., BOARD OF ZONING APPEALS, SECTION 45-3203, PROCEDURE FOR REVIEW AND APPROVAL OF VARIANCES; AND SECTION 45-3207, APPEALS TO COURT OF RECORD.

He advised these ordinances amended the City's Zoning Ordinance text for consistency with recent changes to the Code of Virginia to allow properties with variances to become conforming, and extend the time allowed to rebuild structures in areas under federal disaster declarations. The Planning Commission voted 9:0 to recommend to City Council the approval of this Zoning Text amendment and the City Manager concurred with the recommendation.

(No Speakers)

Councilman Whitaker moved closure of the public hearing; seconded by Councilman Haskins.

Vote on Roll Call:

Ayes: Scott, Whitaker, Allen, Frank, Haskins, McMillan

Nays: None

Councilman Whitaker moved adoption of the above ordinances; seconded by Councilman Haskins.

Vice Mayor Allen clarified this dealt with non-conforming uses that were to be re-constructed after the property had been destroyed by an act of God. Sheila McAllister, Assistant Director, Department of Planning, confirmed this statement.

Vote on Roll Call:

Ayes: Scott, Whitaker, Allen, Frank, Haskins, McMillan

Nays: None

(d) Sale of City-Owned Property – 2911 Roanoke Avenue

Mayor Frank presented AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE AND THE CITY CLERK TO ATTEST ON BEHALF OF THE CITY OF NEWPORT NEWS ANY AND ALL DOCUMENTS, INCLUDING DEEDS, NECESSARY TO EFFECTUATE THE CONVEYANCE OF CERTAIN CITY OWNED PROPERTY TO DAVID L. MERRYMAN. He advised this authorized the execution of any and all documents to effectuate the sale of City-owned property located at 2911 Roanoke Avenue to David Merryman. This property was conveyed to the City by Circuit Court order arising from a

3. Public Hearings Continued

(d) Sale of City-Owned Property – 2911 Roanoke Avenue Continued

tax suit filed by the City for delinquent taxes. Mr. Merryman owned the adjacent property at 2909 Roanoke Avenue and would combine these lots to build a single-family home. He would pay the assessed value of \$5,000.00 for 2911 Roanoke Avenue. A review by all appropriate City departments determined there were no objections to the sale of this property.

(No Speakers)

Vice Mayor Allen moved closure of the public hearing; seconded by Councilman Haskins.

Vote on Roll Call:

Ayes: Scott, Whitaker, Allen, Frank, Haskins, McMillan

Nays: None

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

Vice Mayor Allen expressed concern, although he supported the ordinance, and inquired whether there was some design criteria for the property in terms of complying with the existing design of the neighborhood. He indicated he would like to have conditions placed on these dispositions. City Attorney, Stuart Katz, responded that City Manager, Randy Hildebrandt, had also recommended conditions, which would be included when the contract of sale was prepared, as well as the condition that there be some design review approved by the Director of the Department of Planning.

Vote on Roll Call:

Ayes: Scott, Whitaker, Allen, Frank, Haskins, McMillan

Nays: None

(e) Lease Renewal of City-Owned Property to the Virginia Living Museum

Mayor Frank presented A RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE AND THE CITY CLERK TO ATTEST ON BEHALF OF THE CITY OF NEWPORT NEWS ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE AND IMPLEMENT A LEASE BETWEEN THE CITY OF NEWPORT NEWS, VIRGINIA, AND THE VIRGINIA LIVING MUSEUM. He advised this authorized the execution of any and all documents necessary to effectuate the lease of City-owned property located at 524 J. Clyde Morris Boulevard to the Virginia Living Museum. This 20.96 acres of

3. Public Hearings Continued

(e) Lease Renewal of City-Owned Property to the Virginia Living Museum Continued

city-owned property was originally leased to the museum in 1966, and the lease was subsequently renewed on several occasions. The lease would expire August 31, 2006, and the Virginia Living Museum wished to again enter into a lease with the City for this property. This new lease, for a five-year term, contained the same conditions.

(No Speakers)

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

Vote on Roll Call:

Ayes: Scott, Whitaker, Allen, Frank, Haskins, McMillan

Nays: None

Councilwoman McMillan moved adoption of the above resolution; seconded by Councilman Haskins.

Councilman Haskins inquired about the possibility of establishing the value of the 20.96 acres. This could prove beneficial should the City offer a match, when the State allowed funds to the museum. City Manager Hildebrandt indicated he would ask the City Assessor's Office to determine the value of the property and would keep the same of record should the City need to offer an in-kind match of funds.

Vote on Roll Call:

Ayes: Scott, Whitaker, Allen, Frank, Haskins, McMillan

Nays: None

4. Consent Agenda

Councilman Haskins moved adoption of the Consent Agenda, Items A through O, with the exclusion of H; as shown below; seconded by Councilman Whitaker.

(a) Minutes of Work Session of July 11, 2006

Vote on Roll Call:

Ayes: Scott, Whitaker, Allen, Frank, Haskins, McMillan

Nays: None

(b) Minutes of Special Meeting of July 11, 2006

4. Consent Agenda Continued

(b) Minutes of Special Meeting of July 11, 2006 Continued

Vote on Roll Call:

Ayes: Scott, Whitaker, Allen, Frank, Haskins, McMillan

Nays: None

(c) Minutes of Regular Meeting of July 11, 2006

Vote on Roll Call:

Ayes: Scott, Whitaker, Allen, Frank, Haskins, McMillan

Nays: None

(d) Codifying the Renamed Department of Parks, Recreation, and Tourism

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 29, PARKS, SQUARES AND RECREATIONAL FACILITIES, OF THE CODE OF THE CITY OF NEWPORT NEWS, VIRGINIA, ARTICLE I., IN GENERAL, SECTION 29-3, ESTABLISHMENT AND COMPOSITION OF DEPARTMENT OF PARKS AND RECREATION. This ordinance codified the renamed Department of Parks, Recreation and Tourism. This amendment to the City Code formalized the use of Department of Parks, Recreation and Tourism in place of Department of Parks and Recreation throughout the Code. This official name change reflected what the department had been called since 1995.

(No Speakers)

Vote on Roll Call:

Ayes: Scott, Whitaker, Allen, Frank, Haskins, McMillan

Nays: None

(e) Community Services Board Performance Contract

A RESOLUTION EXPRESSING THE APPROVAL OF THE NEWPORT NEWS CITY COUNCIL FOR THE STATE FISCAL YEAR 2007 COMMUNITY SERVICES BOARD PERFORMANCE CONTRACT. This resolution approved and authorized the execution of the Fiscal Year 2007 Performance Contract with the Hampton-Newport News Community Services Board (CSB). This contract contained some externally imposed requirements and some long-term unchanged Department of Mental Health, Mental Retardation and Substance Abuse Services requirements that the Community Services Boards and the Department have to meet. The Performance Contract was the document mandated by the General Assembly to provide performance accountability to the State by local community services boards. The contract translated the State funding to the CSB into core services, and the estimated number of consumers to be served in each category.

(No Speakers)

4. Consent Agenda Continued

(e) Community Services Board Performance Contract Continued

Vote on Roll Call:

Ayes: Scott, Whitaker, Allen, Frank, Haskins, McMillan

Nays: None

(f) Establishing Date for Annual Employee Services Awards Program Banquet

A REQUEST TO SCHEDULE THE ANNUAL EMPLOYEE SERVICE AWARDS PROGRAM BANQUET FOR THE EVENING OF WEDNESDAY, MARCH 28, 2007. This is the annual City-sponsored program that recognized employees with ten or more years of service with the City. In the fall of each year, City Council approved the date for this function since a long lead time was needed to secure a facility and make necessary arrangements to present a program of this magnitude. In keeping with past practice, the date recommended immediately followed the date of a regularly scheduled City Council meeting.

Vote on Roll Call:

Ayes: Scott, Whitaker, Allen, Frank, Haskins, McMillan

Nays: None

(g) Relocation of Briarfield Voting Place

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 15, ELECTIONS, OF THE CODE OF THE CITY OF NEWPORT NEWS, VIRGINIA, ARTICLE I., VOTING PRECINCTS, SECTION 15-47, VOTING PLACES IN RESPECTIVE VOTING PRECINCTS. This ordinance approved the relocation of the Briarfield Voting Place to Fire Station #7, located at 5844 Marshall Avenue. The relocation was necessitated by the Briarfield Elementary School renovation project. Permission was obtained from the Fire Department to use Station No. 7 for the new voting place.

(No Speakers)

Vote on Roll Call:

Ayes: Scott, Whitaker, Allen, Frank, Haskins, McMillan

Nays: None

(i) Inclusion of Meadow Drive in the Residential Parking Permit Program

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 26, MOTOR VEHICLES AND TRAFFIC, OF THE CODE OF THE CITY OF NEWPORT NEWS, VIRGINIA, ARTICLE IX., RESIDENTIAL PARKING PERMIT PROGRAM, SECTION 26-226, DESIGNATED RESIDENTIAL PERMIT PARKING AREAS, BY ADDING MEADOW LANE. This ordinance amended the City Code to include Meadow Drive in the City's Residential Parking Permit Program. Homeowners on this street met the City Code requirements by present-

4. Consent Agenda Continued

(i) Inclusion of Meadow Drive in the Residential Parking Permit Program Continued

ing a petition signed by more than 75% of the homeowners requesting participation in the Residential Parking Program. This street is situated off Shoe Lane, parallel to Moore's Lane North near Christopher Newport University. The University supported the inclusion of this street in the program.

Mr. Gary Burns, 1 Meadow Drive, expressed support for the Residential Parking Permit Program. He indicated it would increase the quality of life for the residents on Meadow Drive and mitigate an increasing insurance liability problem.

Ms. Peggy Hewes, 12 Meadow Drive, expressed support for the Residential Parking Permit Program. She indicated the importance of the program for the residents on Meadow Drive.

Vote on Roll Call:

Ayes: Scott, Whitaker, Allen, Frank, Haskins, McMillan

Nays: None

(j) Acceptance of Ceremonial Tea House from Christopher Newport University

A RESOLUTION FORMALLY ACCEPTING OWNERSHIP OF THE CEREMONIAL TEA HOUSE STRUCTURE FROM CHRISTOPHER NEWPORT UNIVERSITY. The Tea House was relocated from the Christopher Newport University campus to Newport News Park in 2005 and was integrated into the Peace Garden. This action formally accepted ownership of this structure now that it was under control of the City.

(No Speakers)

Vote on Roll Call:

Ayes: Scott, Whitaker, Allen, Frank, Haskins, McMillan

Nays: None

(k) Postponement of Payment of Sewer Assessments for Eligible Property Owners

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 33, SEWERS AND SEWAGE DISPOSAL, OF THE CODE OF THE CITY OF NEWPORT NEWS, VIRGINIA, ARTICLE V., POSTPONEMENT OF PAYMENT OF SEWER ASSESSMENTS FOR CERTAIN PROPERTY OWNERS, SECTION 33-71, ELIGIBILITY REQUIREMENTS. This ordinance amended the City Code to change the eligibility requirements for property owners to qualify for the postponement of the payment of sewer assessments. This program was similar to the City's Real Estate Tax Relief Program for elderly and disabled homeowners. This action amended the income and net worth limits to be more in line with the City's tax relief program.

4. Consent Agenda Continued
- (k) Postponement of Payment of Sewer Assessments for Eligible Property Owners Continued

(No Speakers)

Vote on Roll Call:

Ayes: Scott, Whitaker, Allen, Frank, Haskins, McMillan

Nays: None

- (l) Renewal of Lease for Office Space in Teagle Building

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 FULL SERVICE LEASE BY AND BETWEEN TEAGLE BUILDING, LLC AND THE CITY OF NEWPORT NEWS, VIRGINIA, DATED THE 8TH DAY OF AUGUST, 2006, FOR SUITES 2-A AND 2-C IN THE TEAGLE BUILDING FOR THE OFFICE ON CHILDREN, YOUTH AND FAMILIES. This resolution approved the renewal of an office space lease in the Teagle Building for the City's Office on Children, Youth and Families. This lease renewal was for 3,740 square feet of office space for a term of five years. The monthly rental rate would be \$3,719.00 and would increase by 2% annually. All other terms and conditions of this lease were the same.

(No Speakers)

Vote on Roll Call:

Ayes: Scott, Whitaker, Allen, Frank, Haskins, McMillan

Nays: None

- (m) Resolution of Recognition – Mrs. Effie C. Ashe

A RESOLUTION OF RECOGNITION FOR MRS. EFFIE C. ASHE. This resolution recognized Mrs. Effie C. Ashe for her service to this community and as a member of the Newport News School Board. The resolution expressed City Council's appreciation for the innumerable and invaluable contributions that Mrs. Ashe made to the City of Newport News and the entire Peninsula.

(No Speakers)

Vote on Roll Call:

Ayes: Scott, Whitaker, Allen, Frank, Haskins, McMillan

Nays: None

- (n) Virginia Department of Transportation Projects – Jefferson Avenue and Thimble Shoals Boulevard

4. Consent Agenda Continued
 - (n) Virginia Department of Transportation Projects – Jefferson Avenue and Thimble Shoals Boulevard Continued

A RESOLUTION APPROVING DESIGN FEATURES FOR VDOT PROJECTS AFFECTING JEFFERSON AVENUE AT THIMBLE SHOALS BOULEVARD. This resolution requested the Virginia Department of Transportation (VDOT) program two projects that would complete the planned improvements for Thimble Shoals Boulevard and its intersection with Jefferson Avenue. These two projects extended the completed Thimble Shoals Boulevard improvements from Channel Drive to Jefferson Avenue and provided intersection improvements at the corner of Jefferson Avenue and Thimble Shoals Boulevard. The improvements would include dual left turn lanes from Jefferson Avenue onto Thimble Shoals Boulevard. Also included were improvements on Thimble Shoals Boulevard from Jefferson Avenue to Channel Drive, which would connect the completed improvements and the intersection improvements. No City funding was necessary at this time.

(No Speakers)

Vote on Roll Call:

Ayes: Scott, Whitaker, Allen, Frank, Haskins, McMillan

Nays: None

- (o) Grant Policy for Designated Non-Profit Organizations – Personal Property Tax

A RESOLUTION REVISING THE POLICY, DATED AUGUST 12, 2003, FOR MAKING GRANTS TO DESIGNATED NONPROFIT ORGANIZATIONS IN LIEU OF AD VALOREM TAX EXEMPTION. This resolution amended the City Code to clarify that tangible personal property tax was included in the City's Policy for making grants to designated non-profit organizations. As written, the current ordinance was vague on the treatment of personal property tax for grants to non-profit organizations. This amendment clarified the requirements and the process for non-profit organizations to qualify and be granted exemption for tangible personal property tax in the same manner as real estate tax. The Commissioner of Revenue recommended the adoption of this amendment to the policy.

(No Speakers)

Vote on Roll Call:

Ayes: Scott, Whitaker, Allen, Frank, Haskins, McMillan

Nays: None

Councilman Haskins moved adoption of the Consent Agenda, Item H as shown below; seconded by Councilman Whitaker.

- (h) Amendment to Resolution that Provided Jurisdictional Approval for the Issuance of Variable Rate Tax Exempt Revenue Bonds – Christopher Newport University

4. Consent Agenda Continued
 - (h) Amendment to Resolution that Provided Jurisdictional Approval for the Issuance of Variable Rate Tax Exempt Revenue Bonds – Christopher Newport University

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWPORT NEWS, VIRGINIA, REPEALING RESOLUTION NO. 11216-06 AND APPROVING THE ISSUANCE OF VARIABLE RATE TAX EXEMPT REVENUE BONDS BY THE INDUSTRIAL DEVELOPMENT AUTHORITY OF THE CITY OF NEWPORT NEWS, VIRGINIA, FOR THE BENEFIT OF CHRISTOPHER NEWPORT UNIVERSITY FOUNDATIONS. This resolution repealed the resolution adopted by City Council on July 11, 2006 that provided jurisdictional approval for the issuance of variable rate tax exempt revenue bonds for Christopher Newport University, and provided approval of a revised resolution. This corrected the omission of several properties involved that were not identified in the earlier resolution. These bonds were to refinance the debt incurred in connection with the acquisition improvement and equipping of student housing, office space, athletic facilities and other projects for which the original bonds were issued. City Council's approval of these refinancing bonds neither guaranteed the bonds nor financially obligated the City in any way.

(No Speakers)

Councilman Haskins stated this resolution allowed Christopher Newport University (CNU) to borrow \$19 million, which had no affect on the debt the City would have to pay. This would be paid for by CNU, not the City of Newport News.

Vote on Roll Call:

Ayes: Scott, Whitaker, Allen, Haskins, McMillan

Nays: None

Abstention: Frank (Law Firm, David, Kamp & Frank represents the CNU Foundation).

5. Newport News Arts Commission Funding Recommendations
 - A. Appropriation of State Grant Funds

A RESOLUTION APPROPRIATING FUNDS FROM VA COMMISSION FOR THE ARTS LOCAL GOVERNMENT CHALLENGE GRANT (\$5,000.00) TO VA COMMISSION FOR THE ARTS GRANT SUPPORT FOR THE PERFORMING ARTS (\$5,000.00). This resolution appropriated \$5,000.00 of annual State Grant Revenue from the Virginia Commission for the Arts for allocation to various local performing and fine arts organizations. Already approved in the City's Fiscal Year 2007 General Fund Operating Budget was \$252,745.00 of City grant funding in support of the performing arts, which would be combined with the State grant revenue to be dispersed among various local performing and fine arts organizations. The Newport News Arts Commission, using a competitive grant application process, annually makes recommendations to City Council for specific allocations of these monies.

5. Newport News Arts Commission Funding Recommendations Continued

A. Appropriation of State Grant Funds Continued

(No Speakers)

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

Vote on Roll Call:

Ayes: Scott, Whitaker, Allen, Frank, Haskins, McMillan

Nays: None

B. Funding Allocations

A RESOLUTION APPROVING SPECIFIC GRANT AWARDS TO VARIOUS LOCAL PERFORMING AND FINE ARTS ORGANIZATIONS IN ACCORDANCE WITH RECOMMENDATIONS FROM THE NEWPORT NEWS ARTS COMMISSION. Each fiscal year, the Newport News Arts Commission, through a competitive application process, made recommendations to City Council for allocations of City and State grant funds to various local performing and fine arts organizations. The organizations recommended for funding, along with their specific amounts, are contained in the attached resolution.

(No Speakers)

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

Vote on Roll Call:

Ayes: Scott, Whitaker, Allen, Frank, Haskins, McMillan

Nays: None

6. Professional Design Services Agreement – Fire Station No. 3

A. Appropriation of Funds

A RESOLUTION APPROPRIATING FUNDS FROM FY 2007 BONDS AUTHORIZED AND UNISSUED – PUBLIC BUILDINGS (\$380,000.00) TO ARCHITECTURAL AND ENGINEERING SERVICES FOR THE DESIGN OF FIRE STATION NO. 3 (\$380,000.00). This resolution appropriated \$380,000.00 from Fiscal Year 2007 Bonds Authorized and Unissued to fund a professional architectural and engineering design services agreement for Fire Station No. 3. This project replaced the then existing Fire Station No. 3, which was built in 1933, but was inadequate to house both apparatuses and personnel. The City purchased a 2.56-acre parcel at the corner of Jefferson Avenue and Sedgefield Drive as the site for this relocated fire station in late 2005. The City's Architecture and Engineering Selection

6. Professional Design Services Agreement – Fire Station No. 3 Continued
 - A. Appropriation of Funds Continued

Committee completed its review of proposals for professional engineering and design services for the project.

(No Speakers)

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

Vote on Roll Call:

Ayes: Scott, Whitaker, Allen, Frank, Haskins, McMillan

Nays: None

- B. Authorization to Execute Professional Design Services 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 AGREEMENT FOR PROFESSIONAL ARCHITECTURAL SERVICES BY AND BETWEEN THE CITY OF NEWPORT NEWS, VIRGINIA, AND DJG, INC. DATED THE 8TH DAY OF AUGUST, 2006, FOR THE CONSTRUCTION OF A NEW FIRE STATION NO. 3. This resolution authorized the execution of a professional architectural and engineering design services agreement with the firm of DJG, Inc. for the Fire Station No. 3 project. Fee negotiations had been conducted with this firm and agreement reached on a fee of \$355,000.00 for the design, along with additional fees with the amount of \$25,000.00 for related support work. The City's Architectural and Engineering Selection Committee recommended this agreement with DJG, Inc.

(No Speakers)

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

Councilwoman McMillan inquired about the omission of the address from the agreement. City Attorney Katz responded that generally, the building official did not assign street address numbers to buildings until a building permit was issued.

Vote on Roll Call:

Ayes: Scott, Whitaker, Allen, Frank, Haskins, McMillan

Nays: None

7. Virginia Department of Transportation Agreement – Phase II of the Warwick Boulevard Improvement Project

7. Virginia Department of Transportation Agreement – Phase II of the Warwick Boulevard Improvement Project Continued

A. Sanitary Sewer Facilities Adjustment

1. Appropriation of Funds

A RESOLUTION APPROPRIATING FUNDS FROM FY 2007 BONDS AUTHORIZED AND UNISSUED – STREETS AND BRIDGES (\$530,000.00) TO WARWICK BOULEVARD FROM NUTMEG QUARTER PLACE TO NETTLES DRIVE SANITARY SEWER ADJUSTMENTS (\$530,000.00). This resolution appropriated \$530,000.00 from Fiscal Year 2007 Bonds Authorized and Unissued as the City's betterment costs associated with the adjustments of sanitary sewer facilities for the Warwick Boulevard Improvement Project from Nutmeg Quarter Place to Nettles Drive. City Council had previously appropriated funding for the first phase of this overall project that involved the J. Clyde Morris intersection. This new funding involved the portion of the betterment costs in the next phase from Nutmeg Quarter Place to Nettles Drive.

(No Speakers)

2. Authorization to Execute 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 AGREEMENT BY AND BETWEEN THE CITY OF NEWPORT NEWS, VIRGINIA, AND THE COMMONWEALTH OF VIRGINIA, DEPARTMENT OF TRANSPORTATION DATED THE 8TH DAY OF AUGUST, 2006, FOR THE ADJUSTMENT OF SANITARY SEWER FACILITIES FOR THE WARWICK BOULEVARD IMPROVEMENTS PROJECT FROM NUTMEG QUARTER PLACE TO NETTLES DRIVE. This resolution authorized the execution of the customary City/State Agreement with the Virginia Department of Transportation (VDOT) for the adjustment of sanitary sewer facilities associated with Phase II of the Warwick Boulevard Improvement Project. This agreement committed the City to compensate VDOT for the betterment sanitary sewer work within the project area. The betterment work included the replacement or rehabilitation of approximately 2,350 feet of City sanitary sewer pipe ranging in size from 8 to 15 inches. This work corrected numerous deficiencies found in the pipes that would have had to be addressed anyway, and would extend the useful life of these sewers.

(No Speakers)

Councilwoman McMillan moved adoption of the above resolutions; seconded by Councilman Haskins.

Councilman Haskins inquired whether the \$530,000.00 in debt service was paid from sewer user fees. City Manager Hildebrandt responded yes, and that this resource was used to pay for similar type projects.

7. Virginia Department of Transportation Agreement – Phase II of the Warwick Boulevard Improvement Project Continued

A. Sanitary Sewer Facilities Adjustment

2. Authorization to Execute Agreement Continued

Vote on Roll Call:

Ayes: Scott, Whitaker, Allen, Frank, Haskins, McMillan

Nays: None

B. Waterworks Facilities Adjustment

1. Appropriation of Funds

A RESOLUTION APPROPRIATING FUNDS FROM WATERWORKS CAPITAL IMPROVEMENTS PROJECTS BONDS AUTHORIZED AND UNISSUED BALANCE (\$1,981,500.00) TO WATERWORKS WARWICK BOULEVARD PIPELINE PROJECT (\$1,981,500.00). This resolution appropriated \$1,981,500.00 from Waterworks Capital Improvements Bonds Authorized and Unissued to cover the Waterworks betterment costs that were associated with Phase II of the Warwick Boulevard Improvement Project. Funding for these betterment costs were programmed in the City's Capital Improvements Plan. The Virginia Department of Transportation was to progress bill Waterworks for the betterment costs based on the unit prices in the overall highway contract.

(No Speakers)

2. Authorization to Execute 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 AGREEMENT BY AND BETWEEN THE CITY OF NEWPORT NEWS, VIRGINIA, AND THE COMMONWEALTH OF VIRGINIA, DEPARTMENT OF TRANSPORTATION DATED THE 8TH DAY OF AUGUST, 2006, FOR THE ADJUSTMENT OF WATER FACILITIES FOR THE WARWICK BOULEVARD IMPROVEMENTS PROJECT FROM NUTMEG QUARTER PLACE TO NETTLES DRIVE.

(No Speakers)

Councilman Haskins moved adoption of the above resolutions; seconded by Vice Mayor Allen.

Councilman Haskins indicated that although more money for Waterworks and Sanitary Sewer Usage was being spent, much of the improvements were being paid for by the project from the State.

7. Virginia Department of Transportation Agreement – Phase II of the Warwick Boulevard Improvement Project Continued

B. Waterworks Facilities Adjustment Continued

2. Authorization to Execute Agreement Continued

Vote on Roll Call:

Ayes: Scott, Whitaker, Allen, Frank, Haskins, McMillan

Nays: None

C. Project Agreement

1. Appropriation of Funds

A RESOLUTION APPROPRIATING FUNDS FROM FY 2007 BONDS AUTHORIZED AND UNISSUED – STREETS AND BRIDGES (\$206,380.00) TO WARWICK BOULEVARD FROM NUTMEG QUARTER PLACE TO NETTLES DRIVE (\$206,380.00). This resolution appropriated \$206,380.00 from Fiscal Year 2007 Bonds Authorized and Unissued, which represented the City's 2% share of the adjustment, relocation and installation of water and sanitary sewer facilities for the Warwick Boulevard Improvements Project. Regional Surface Transportation Program and State Urban program funds contributed to this particular work, and the City committed to its usual 2% City Match, estimated to cost \$206,380.00. The actual costs would be known upon completion of this particular work on the project.

(No Speakers)

2. Authorization to Execute Agreement

A RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE AND THE CITY CLERK TO ATTEST, ON BEHALF OF NEWPORT NEWS, VIRGINIA, THAT CERTAIN AGREEMENT FOR PROJECT CONSTRUCTION, OPERATION, AND MAINTENANCE BY AND BETWEEN THE CITY OF NEWPORT NEWS, VIRGINIA, AND THE VIRGINIA DEPARTMENT OF TRANSPORTATION DATED THE 8TH DAY OF AUGUST, 2006, FOR THE WARWICK BOULEVARD WIDENING PROJECT AT J. CLYDE MORRIS BOULEVARD. This resolution authorized the execution of the customary City/State Agreement with the Virginia Department of Transportation (VDOT) that obligated the City to pay its two percent share of the costs for the the adjustment, relocation and installation of water and sanitary sewer facilities for the Warwick Boulevard Improvement Project. VDOT advertised and received bids for this work and planned to award construction to the low bidder, which was Suburban Grading and Utilities, Inc. Construction would begin at Nettles Drive and proceed southward, with an expected completion date of 2008.

(No Speakers)

7. Virginia Department of Transportation Agreement – Phase II of the Warwick Boulevard Improvement Project Continued

C. Project Agreement Continued

2. Authorization to Execute Agreement Continued

Councilman Haskins moved adoption of the above resolutions; seconded by Vice Mayor Allen.

Vote on Roll Call:

Ayes: Scott, Whitaker, Allen, Frank, Haskins, McMillan

Nays: None

8. Roanoke Avenue Sanitary Sewer Replacement Project - Phase I

A. Appropriation of Funds

A RESOLUTION APPROPRIATING FUNDS FROM FY 2006 VIRGINIA REVOLVING LOAN FUND (\$197,000.00) TO ROANOKE AVENUE SANITARY SEWER – PHASE I (\$197,000.00). This resolution appropriated \$197,000.00 from the proceeds of the City's Fiscal Year 2006 Virginia Revolving Loan Program to fund Phase I of the Roanoke Avenue Sanitary Sewer Replacement Project. This project was the initial phase of a program to renovate all sanitary sewers on Roanoke Avenue from Garden Drive to 80th Street. Phase I involved the replacement or rehabilitation of deteriorated public sanitary sewers on Roanoke Avenue north to 41st Street. Road pavement damaged by sewer construction would be restored as part of the project.

(No Speakers)

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

Councilman Haskins indicated this was a much needed project, replacing possibly the oldest sanitary sewers in the City.

Vote on Roll Call:

Ayes: Scott, Whitaker, Allen, Frank, Haskins, McMillan

Nays: None

B. Award of Bid

Vice Mayor Allen moved to award the bid for Phase I of the Roanoke Avenue Sanitary Sewer Replacement Project to the low bidder, Inner View, Ltd., in the amount of \$187,145.00; seconded by Councilman Whitaker. The low bidder had not performed work for the City, however, the City's Department of Engineering completed its due diligence on the

8. Roanoke Avenue Sanitary Sewer Replacement Project - Phase I Continued
 - B. Award of Bid Continued

Company and recommended award of the bid. City Manager Hildebrandt pointed out that the project cost was originally estimated at \$300,000.00, and this was a rare occasion where the bid was much lower than the estimate.

(No Speakers)

Vote on Roll Call:

Ayes: Scott, Whitaker, Allen, Frank, Haskins, McMillan

Nays: None

9. Pump Station #44 Repair Project
 - A. Appropriation of Funds

A RESOLUTION APPROPRIATING FUNDS FROM FY 2006 VIRGINIA REVOLVING LOAN FUND (\$158,000.00) TO PUMP STATION NO. 44 REPAIRS (\$158,000.00). This resolution appropriated \$158,000.00 from the proceeds of the City's Fiscal Year 2006 Virginia Revolving Loan Program to fund the Pump Station No. 44 Repair Project. This project involved the renovation of the discharged piping and valve systems at this pump station, located at Jefferson Avenue and Denbigh Boulevard, with a service area at Jefferson Avenue north of Denbigh Boulevard. A significant part of this project was the maintenance of existing sanitary sewer service while the station's valves and piping were replaced.

(No Speakers)

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

Vote on Roll Call:

Ayes: Scott, Whitaker, Allen, Frank, Haskins, McMillan

Nays: None

- B. Award of Bid

Councilwoman McMillan moved to award the bid for the Pump Station No. 44 Repair Project to the low bidder, M & W Construction Corporation, in the amount of \$149,806.00; seconded by Councilwoman Scott. The low bidder had performed work on similar projects for the City and the City's Department of Engineering recommended award of the bid.

(No Speakers)

9. Pump Station #44 Repair Project Continued

B. Award of Bid Continued

Vote on Roll Call:

Ayes: Scott, Whitaker, Allen, Frank, Haskins, McMillan

Nays: None

10. Receipt of Bids for Utility Easement – 99 Jefferson Avenue

One (1) bid was received and opened from Dominion Virginia Power to grant a utility easement over City-owned property located at 99 Jefferson Avenue in the Seafood Industrial Park, and was forwarded to the City Manager for review and evaluation. This grant of utility easement was advertised pursuant to State Code requirements pertaining to such transactions that were for a term greater than five years. This easement contained 105 square feet and was needed for the transmission and distribution of electric power to parcel 16 in the Seafood Industrial Park. A public hearing was advertised for the September 12, 2006 City Council meeting to consider an ordinance that would grant the easement to the successful bidder.

(No Speakers)

11. Stormwater Ordinance Amendment

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 37.1, STORMWATER MANAGEMENT, OF THE CODE OF THE CITY OF NEWPORT NEWS, VIRGINIA, ARTICLE III., STORM SEWER DISCHARGE, SECTION 37.1-22, VIOLATIONS AND PENALTIES. This ordinance amended the City Code relative to Stormwater to prohibit the placement of certain objects in front of curb drop inlets. This amendment prevented obstructions in front of these drop inlets which impede the flow of stormwater runoff from the street. Impeding the flow of runoff causes flooding damage to adjacent properties. A violation of this regulation would constitute a misdemeanor.

(No Speakers)

Councilwoman McMillan moved adoption of the above ordinance; seconded by Councilman Haskins.

Vote on Roll Call:

Ayes: Scott, Whitaker, Allen, Frank, Haskins, McMillan

Nays: None

12. Public Works Sludge Facility Project

A. Appropriation of Funds

12. Public Works Sludge Facility Project Continued

A. Appropriation of Funds Continued

A RESOLUTION APPROPRIATING FUNDS FROM FY 2006 VIRGINIA REVOLVING LOAN FUND (\$53,000.00) TO PUBLIC WORKS SLUDGE FACILITY (\$53,000.00). This resolution appropriated \$53,000.00 of the proceeds from the City's Fiscal Year 2006 Virginia Revolving Loan for the Public Works Sludge Facility Project. This project involved the expansion at the City's sludge drying facility located at the closed Denbigh Solid Waste Landfill site. This facility was used to dewater sludge generated from the cleaning of the City's sanitary sewers, which is then removed and disposed of properly.

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

Vote on Roll Call:

Ayes: Scott, Whitaker, Allen, Frank, Haskins, McMillan

Nays: None

B. Award of Bid

Councilwoman Scott moved to award the bid for the Public Works Sludge Facility Project to the low bidder, S. A. Seaman Concrete Construction Company in the amount of \$50,500.00; seconded by Councilwoman McMillan. The low bidder had not performed work for the City, however, the City's Department of Engineering conducted its due diligence on the Company and as a result, recommended award of the bid.

(No Speakers)

Vote on Roll Call:

Ayes: Scott, Whitaker, Allen, Frank, Haskins, McMillan

Nays: None

13. Appropriations

Councilwoman McMillan moved adoption of Items A through K, with the exception of H, all inclusive, as shown below, seconded by Councilwoman Scott.

(a) Fire Department – Emergency Medical Services

A RESOLUTION APPROPRIATING FUNDS FROM STATE REVENUE (\$66,084.00) AND LOCAL GRANT MATCH (\$113,016.00) TO OFFICE OF EMERGENCY MEDICAL SERVICES GRANT (\$179,100.00). This resolution appropriated \$66,084.00 of State Revenue, and \$113,016.00 of Local Grant Match from the City's Fiscal Year 2007 Operating Budget for equipment purchases for the Fire Department's Emergency Medical Services Division. The State portion of this appropriation came from the Office of Emergency Medical

13. Appropriations Continued

(a) Fire Department – Emergency Medical Services Continued

Services using its Consolidated Grants Program. The items to be purchased included an advanced life support pediatric training mannequin, infant airway management training mannequins, and a medic unit.

(No Speakers)

Vote on Roll Call:

Ayes: Scott, Whitaker, Allen, Frank, Haskins, McMillan

Nays: None

(b) Victim Witness Program

A RESOLUTION APPROPRIATING FUNDS FROM VA DEPARTMENT OF CRIMINAL JUSTICE SERVICES (\$59,124.00) AND FEDERAL REVENUE (\$236,486.00) TO VICTIM WITNESS PROGRAM GRANT (\$295,610.00). This resolution appropriated \$59,124.00 of State Grant Revenue, and \$236,486.00 of Federal Grant Revenue for the City's Victim Witness Program. This program provided a variety of services and referral assistance to victims and witnesses of crime. This grant funding paid for staff and supplies to support the services offered by the program. There was no local grant match required.

(No Speakers)

Vote on Roll Call:

Ayes: Scott, Whitaker, Allen, Frank, Haskins, McMillan

Nays: None

(c) Asset Forfeiture Funds – Commonwealth's Attorney's Office

A RESOLUTION APPROPRIATING FUNDS FROM STATE ASSET FORFEITURE REVENUE (\$45,000.00) TO ASSET FORFEITURE – COMMONWEALTH'S ATTORNEY (\$45,000.00). This resolution appropriated \$45,000.00 of State Asset Forfeiture Funding for use by the Commonwealth's Attorney's Office. Asset forfeiture funds accrue to the City as a result of participation in the prosecution of drug cases, and the resultant confiscation of cash and the sale of property used by the defendants in such cases. The Commonwealth's Attorney's Office intended to use this appropriation to provide support for its new attorney and staff support positions. No local funds were required as match for this appropriation.

(No Speakers)

Vote on Roll Call:

Ayes: Scott, Whitaker, Allen, Frank, Haskins, McMillan

Nays: None

13. Appropriations Continued

(d) New Traffic Operations Warehouse

A RESOLUTION APPROPRIATING FUNDS FROM VIRGINIA MUNICIPAL LEAGUE INSURANCE PROGRAM (\$553,649.00) AND SELF INSURANCE RESERVES (\$450,000.00) TO TRAFFIC OPERATIONS BUILDING REPLACEMENT (\$1,003,649.00). This resolution appropriated \$553,649.00 of insurance claim proceeds, and \$450,000.00 from the City's self-insurance reserves for construction of a new traffic operations warehouse. This facility would replace the building and its contents that were destroyed by fire in January 2006. The estimates for the new pre-engineered building included site utilities, grading and drainage work totaled \$450,000.00. The estimate to replace the warehouse's contents totaled \$540,869.00. The City's excess insurance coverage would pay \$553,649.00 toward replacing the building and its contents, so another \$450,000.00 from the City's self-insurance reserve funds was required to complete the funding needed.

(No Speakers)

Vote on Roll Call:

Ayes: Scott, Whitaker, Allen, Frank, Haskins, McMillan

Nays: None

(e) Additional Personnel Funding – Commonwealth's Attorney's Office

A RESOLUTION APPROPRIATING ADDITIONAL REVENUE FROM THE COMMONWEALTH (\$152,315.00). This resolution appropriated \$152,315.00 of State Compensation Board Revenue to supplement the Commonwealth's Attorney's Office personnel costs for FY 2007. This appropriation would provide additional funding from the State as reimbursements for positions that had been added to the Commonwealth's Attorney's Office subsequent to the adoption of the City's FY 2007 operating budget. The Commonwealth's Attorney's Office budget retained the \$130,000.00 in additional funding provided in the City's FY 2007 Operating Budget for additional positions. The City's funding would be used to make up the variance between State approved salary amounts and the actual costs associated with new hires.

(No Speakers)

Vote on Roll Call:

Ayes: Scott, Whitaker, Allen, Frank, Haskins, McMillan

Nays: None

(f) Court Appointed Special Advocate Program

A RESOLUTION APPROPRIATING FUNDS FROM COMMUNITY SUPPORT (\$78,000.00), VA DEPARTMENT OF CRIMINAL JUSTICE SERVICES (41,808.00), VA DEPARTMENT OF SOCIAL SERVICES (\$31,757.00), NATIONAL COURT

13. Appropriations Continued

(f) Court Appointed Special Advocate Program Continued

APPOINTED SPECIAL ADVOCATE ASSOCIATION (\$45,000.00), VIRGINIA LAW FOUNDATION (\$7,500.00) AND VA DEPARTMENT OF CRIMINAL JUSTICE SERVICES (\$5,000.00) TO COURT APPOINTED SPECIAL ADVOCATE PROGRAM (\$209,065.00). This resolution appropriated \$78,0000.00 from the City's Fiscal Year 2007 Operating Budget and \$131,065.00 of Revenue from two Commonwealth of Virginia Departments and private sources for the City's Court Appointed Special Advocate Program (CASA). The CASA program trains community volunteers to serve as advocates for children found by the court to be, or at risk of being, abused and/or neglected. The volunteers advocate for the children's placement in safe, permanent and nurturing homes. These funds would be used to enhance volunteer coordination and training, and support the daily operations of the CASA program.

(No Speakers)

Vote on Roll Call:

Ayes: Scott, Whitaker, Allen, Frank, Haskins, McMillan

Nays: None

(g) Annual Citywide Traffic Calming Improvements Program

A RESOLUTION APPROPRIATING FUNDS FROM FY 2007 BONDS AUTHORIZED AND UNISSUED – STREETS AND BRIDGES (\$75,000.00) TO TRAFFIC CALMING (\$75,000.00). This resolution appropriated \$75,000.00 from Fiscal Year 2007 Bonds Authorized and Unissued as the annual funding for the City's City-wide traffic calming improvements program. The next scheduled series of improvements were targeted to reduce speeding and cut-through traffic on local and connector streets in residential communities. Most of the improvements were scheduled in response to public requests for traffic calming measures to improve vehicular operating conditions. Annual appropriations to support the traffic calming program were requested for a full year as a lump sum total to allow for greater efficiency in advancing projects administratively. This appropriation would also fund the purchase of portable traffic calming devices for temporary testing of projects.

(No Speakers)

Vote on Roll Call:

Ayes: Scott, Whitaker, Allen, Frank, Haskins, McMillan

Nays: None

(i) Purchase of School Buses

A RESOLUTION APPROPRIATING FUNDS FROM FY 2007 BONDS AUTH-

13. Appropriations Continued

(i) Purchase of School Buses

ORIZED AND UNISSUED – SCHOOLS (\$1,415,000.00) TO SCHOOL BUSES (\$1,415,000.00). This resolution appropriated \$1,415,000.00 from Fiscal Year 2007 Bonds Authorized and Unissued for the purchase of school buses. The School Division would use this portion of its allocation in the Interim Capital Improvements Plan to purchase 27 buses. Nineteen of these new buses would replace buses that were purchased in 1990 and were being retired. The other eight would be additions to the fleet. The School Division replaces buses on a 15-year cycle.

(No Speakers)

Vote on Roll Call:

Ayes: Scott, Whitaker, Allen, Frank, Haskins, McMillan

Nays: None

(j) Information Technology Investment Fund

A RESOLUTION APPROPRIATING FUNDS FROM FY 2007 GENERAL FUND OPERATING BUDGET (\$715,000.00) TO HARDWARE REPLACEMENT (\$315,000.00) AND PERMITTING SYSTEM DEVELOPMENT (\$400,000.00). This resolution appropriated \$715,000.00 from the Fiscal Year 2007 General Fund Operating Budget for the City's newly created Information Technology (IT) Investment Fund. This funding was appropriated in the FY 2007 City Operating Budget with the intent of establishing and funding the new IT Investment Fund. At the July 11, 2006 Regular Meeting of City Council, a resolution was approved that created the fund and outlined the procedures that required City Council's approval of IT projects. This resolution appropriated two such projects that would fund replacement, and software development for a new permitting system.

(No Speakers)

Vote on Roll Call:

Ayes: Scott, Whitaker, Allen, Frank, Haskins, McMillan

Nays: None

(k) City Treasurer Cashiering and Remittance Processing Systems Improvements

A RESOLUTION APPROPRIATING FUNDS FROM GENERAL FUND FUND BALANCE RESERVES (\$50,000.00) TO CITY TREASURER'S FY 2007 OPERATING BUDGET CONTRACTUAL SERVICES (\$50,000.00). This resolution appropriated \$50,000.00 from General Fund Fund Balance Reserves to modify the cashiering and remittance processing systems in the City Treasurer's Office. These system modifications were necessitated by the elimination of the City decal, and implementation of the vehicle license fee. The City Treasurer

13. Appropriations Continued

(k) City Treasurer Cashiering and Remittance Processing Systems Improvements Continued

requested this funding now to provide the lead-time necessary to get these systems functional in time to implement the new vehicle license fee policy.

(No Speakers)

Vote on Roll Call:

Ayes: Scott, Whitaker, Allen, Frank, Haskins, McMillan

Nays: None

(h) USS Monitor Center

A RESOLUTION APPROPRIATING FUNDS FROM FY 2007 BONDS AUTHORIZED AND UNISSUED – DEVELOPMENT (\$500,000.00) TO USS MONITOR CENTER (\$500,000.00). This resolution appropriated \$500,000.00 from Fiscal Year 2007 Bonds Authorized and Unissued as the second installment of the City's financial commitment for the USS Monitor Center Project. This installation was included in the bond authorization ordinance that was approved by City Council for the Interim Capital Improvements Plan. The City's first installment of \$200,000.00 was appropriated and disbursed for the project in September 2005. The approved Capital Improvements Plan contained a total commitment of \$2,700,000.00 by the City for this project. All preparations were on schedule for the Monitor Center to celebrate its grand opening in March 2007.

(No Speakers)

Vote on Roll Call:

Ayes: Scott, Whitaker, Allen, Haskins, McMillan

Nays: None

Abstention: Frank (Law Firm of David, Kamp and Frank represented the Mariners' Museum and he had done legal work for them in the past).

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

Ms. Patty VonOhlen, 9801 River Road, Newport News, advocated lowering the real estate tax rate to offset the rise in appraised values, and offered solutions, i.e. cap tax to current level and index any increase in revenue to the City to the Consumer Price Index.

Ms. Pixie Killebrew, Hilton Terrace, expressed concern about the rise in real estate taxes in the last few years. She presented statistics to support her position and included a comparison of tax rates and revenue (attached and made a part of these minutes.)

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

Mr. Bill VonOhlen, 9801 River Road, Newport News, requested that revenue from real estate taxes be pegged to a different index, such as per capita income or the consumer price index, and assessments be frozen.

15. New Business and Councilmember Comments

(a) City Manager Hildebrandt presented A RESOLUTION APPROPRIATING FUNDS FROM FY 2005 GENERAL FUND RESERVES (\$1,368,350.00) TO TAX CLAIM/M&T (\$1,368,350.00).

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

Vote on Roll Call:

Ayes: Scott, Whitaker, Allen, Frank, Haskins, McMillan

Nays: None

(b) Councilwoman Scott announced that the next North District Town Hall Meeting was scheduled for Monday, August 28, 2006 at American Legion Post 368, 368 American Legion Drive, Newport News, at 7:00 p.m. Dr. Marcus Newsome, Superintendent, Newport News Public Schools would be the guest speaker.

(c) Councilwoman McMillan expressed empathy to CNU students involved and affected by the fire at Madison Hall on Friday, August 4, 2006. She expressed gratitude to the Newport News Fire Department who responded to the fire, and extended best wishes to the students who were injured.

THERE BEING NO FURTHER BUSINESS,
ON MOTION, COUNCIL ADJOURNED AT 8:23 P.M.

Mabel V. Washington, CMC
City Clerk

Joe S. Frank
Mayor

A true copy, teste:

City Clerk