

**MINUTES OF REGULAR MEETING
OF THE NEWPORT NEWS CITY COUNCIL
HELD IN THE CITY COUNCIL CHAMBERS
2400 WASHINGTON AVENUE
FEBRUARY 9, 2016
7:00 P.M.**

PRESENT: Robert S. Coleman; Sharon P. Scott; Tina L. Vick; Dr. Patricia P. Woodbury;
Herbert H. Bateman, Jr.; and Sandra N. Cherry, D. Min.-----6

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

A. Call to Order

Vice Mayor Coleman stated the City Code identified the procedure for citizen participation regarding items on the Council agenda, as well as the opportunity for citizens to address City Council on matters germane to the business of the Council. He explained matters that were germane to the business of Council meant matters that the City Council, by law, were empowered to act upon. This did not include announcements that were personal to an individual, business, or organization. He pointed out copies of the ordinance highlighting citizen participation and encouraged citizens to review the document.

Vice Mayor Coleman requested that cell phones and/or pagers be silenced or turned off.

B. Invocation

The invocation was rendered by Reverend Terry Edwards, St. Augustine's Episcopal Church.

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 Councilwoman Patricia Woodbury.

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

D. Presentations

None

E. Public Hearings

1. Ordinance Amending City Code, Chapter 15, Elections; Article I, Voting Precincts; Section 15-47, Voting Places in Respective Voting Precincts; thereby Authorizing the Relocation of the Denbigh Voting Precinct from Olivet Christian Church to Courthouse Way Community Center and the Relocation of the Downtown Voting Precinct from Fire Station #1 to City Hall, City Council Chambers Lobby

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 amended the City Code, Chapter 15, Elections; Article I, Voting Precincts; Section 15-47, Voting Places in Respective Voting Precincts; thereby authorizing the relocation of the Denbigh Voting Precinct from Olivet Christian Church to Courthouse Way Community Center and the relocation of the Downtown Voting Precinct from Fire Station #1 to City Hall, City Council Chambers Lobby. The Denbigh Voting Precinct had been located at the Olivet Christian Church, but the church was closing its building and selling the property, hence the need to relocate this precinct. The Newport News Electoral Board ("Board") recommended the precinct be relocated to the Courthouse Way Community Center. The Board recognized that Fire Station #1 was too small to accommodate the citizens in the Downtown Voting Precinct, and recommended this precinct be relocated to the City Council Chambers lobby. The City Manager recommended approval.

(No registered speakers)

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

Vote on Roll Call:

Ayes: Coleman, Scott, Vick, Woodbury, Bateman, Cherry

Nays: None

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

Vice Mayor Coleman advised that he had spoken with the Voter Registrar's Office regarding the proposed changes and the procedures to be taken to notify the affected voters. The Voter Registrar, Ms. Vicki Lewis, advised that letters would be mailed to all affected voters to inform them of their new precinct location. The Daily Press reporter covering Newport News, Ms. Theresa Clift, assured that she would write an article regarding the relocation changes as the primary neared. The Voter Registrar also agreed to place signs at the old precincts to advise of the changes in case citizens were to show up on Election Day.

E. Public Hearings Continued

1. Ordinance Amending City Code, Chapter 15, Elections; Article I., Voting Precincts; Section 15-47, Voting Places in Respective Voting Precincts; thereby Authorizing the Relocation of the Denbigh Voting Precinct from Olivet Christian Church to Courthouse Way Community Center and the Relocation of the Downtown Voting Precinct from Fire Station #1 to City Hall, City Council Chambers Lobby Continued

Councilwoman Scott suggested that NNTV be asked to announce the precinct changes on the program "Newport News in Review."

Vote on Roll Call:

Ayes: Coleman, Scott, Vick, Woodbury, Bateman, Cherry

Nays: None

F. Consent Agenda

Councilwoman Scott moved adoption of the Consent Agenda, Items 1 through 5, both inclusive, as shown below; seconded by Councilwoman Vick.

1. Minutes of the Work Session of January 26, 2016

(No registered speakers)

Vote on Roll Call:

Ayes: Coleman, Scott, Vick, Woodbury, Bateman, Cherry

Nays: None

2. Minutes of the Special Meeting of January 26, 2016

(No registered speakers)

Vote on Roll Call:

Ayes: Coleman, Scott, Vick, Woodbury, Bateman, Cherry

Nays: None

3. Minutes of the Regular Meeting of January 26, 2016

(No registered speakers)

Vote on Roll Call:

Ayes: Coleman, Scott, Vick, Woodbury, Bateman, Cherry

Nays: None

F. Consent Agenda Continued

4. Resolution Canceling the Regularly Scheduled Second City Council Meetings of July, August, and December 2016

A RESOLUTION CANCELING THE REGULAR COUNCIL MEETINGS OF JULY 26, 2016, AUGUST 23, 2016, AND DECEMBER 27, 2016. This resolution canceled the regularly scheduled City Council Meetings for July 26, 2016, August 23, 2016, and December 27, 2016. Cancellation of the second regularly scheduled meetings in July and August accommodated summer vacation schedules, and was consistent with City Council action taken in previous years. In the same regard, cancellation of the second meeting in December accommodated holiday vacation schedules. Taking action earlier in the year to officially cancel the three (3) meetings allowed staff sufficient time to plan and schedule agenda items, as well as comply with other requirements for certain items of business. The City Manager recommended approval.

(No registered speakers)

Vote on Roll Call:

Ayes: Coleman, Scott, Vick, Woodbury, Bateman, Cherry

Nays: None

5. Ordinance Authorizing the Acceptance of Streets and Public Improvements in the Turtle Creek Subdivision, Sections 5, 6, and 7

AN ORDINANCE TO ACCEPT SEA TURTLE WAY, LOGGERHEAD DRIVE AND LEONARD LANE, TURTLE CREEK SUBDIVISION, SECTION 5; LEONARD LANE, TURTLE CREEK SUBDIVISION, SECTION 6; AND LOGGERHEAD DRIVE AND LEONARD LANE, TURTLE CREEK SUBDIVISION, SECTION 7; AND THE PHYSICAL IMPROVEMENTS CONTAINED THEREIN AND THEREON INTO THE CITY STREET SYSTEM. This ordinance accepted the streets and public improvements in the Turtle Creek Subdivision, Sections 5, 6, and 7. A final inspection was conducted on January 4, 2016 following the required one-year warranty period of the Turtle Creek Subdivision Sections 5, 6, and 7. The inspection indicated compliance with all requirements. Once accepted, the streets which were constructed at the owner's expense would be eligible for State Maintenance reimbursements to the City. The City Manager recommended approval.

(No registered speakers)

Vote on Roll Call:

Ayes: Coleman, Scott, Vick, Woodbury, Bateman, Cherry

Nays: None

G. Other City Council Actions

None

H. Appropriations

None

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

Mr. Antonio Thompson, 1211-25th Street, Newport News, addressed City Council on the topic of public safety and security, as well as the importance of recycling. He further stated the price of metal and gold had increased. He encouraged Christians to be more open and to enlighten themselves to a greater understanding of the Muslim world.

J. New Business and Councilmember Comments

City Manager Bourey advised that City Council approved an ordinance regarding a Defense Production Zone at its January 26, 2016 Regular Meeting. There was a great deal of discussion surrounding the Defense Production Zone. At the same meeting, Councilwoman Cherry raised concern about some of the issues regarding a provision in the ordinance which exempted from certain City ordinances that the City Manager could then make a decision on the matter. He then worked with the City Attorney's Office to prepare an amendment that would strike that provision and require certain ordinances to come before City Council (a copy of the amended ordinance was distributed to members of City Council and is attached and made a part of these minutes). The City Manager recommended approval.

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 40.2, ENTERPRISE ZONES, TECHNOLOGY ZONES, TOURISM ZONES AND DEFENSE PRODUCTION ZONES, OF THE CODE OF THE CITY OF NEWPORT NEWS, VIRGINIA, ARTICLE IV., DEFENSE PRODUCTION ZONES, SECTION 40.2-34, INCENTIVES AND REGULATORY FLEXIBILITY.

Mr. William C. Bell, Vice President of Human Resources and Administration, Newport News Shipbuilding, a division of Huntington Ingalls Industries, was available to answer questions.

Mr. Tom Cosgrove, Manager of Corporate Citizenship and Government Relations, Newport News Shipbuilding, a division of Huntington Ingalls Industries, was available to answer questions.

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

J. New Business and Councilmember Comments Continued

Councilwoman Vick asked members of the Newport News Shipyard whether they wanted to comment on the matter.

City Manager Bourey advised that he had had conversations with the Shipyard, who had reviewed the ordinance and were comfortable with the matter. Their attorneys had reviewed the ordinance and were also comfortable with the matter.

Vote on Roll Call:

Ayes: Coleman, Scott, Vick, Woodbury, Cherry

Nays: Bateman

City Manager Bourey stated there was also conversation at the January 26, 2016 Regular Meeting of City Council about another item approved by the City Council to have an agreement with the Mariners' Museum of the City to patch the potholes on East Boundary Road in preparation for the One City Marathon, scheduled for March 13, 2016. Councilwoman Cherry expressed concern about a five-year agreement. This was put forward as a convenience. City Manager Bourey stated that he did not want the City to do five years of patching, which would not be cost productive. Following conversations with Mr. Elliott Gruber, Executive Director of the Mariners' Museum, a mutual agreement was made to pursue a strategy to share the cost of paving East Boundary Road, which would come back to City Council. City Manager Bourey stated the City would not go forward with the five years; but did need to go forward with the first year because the One City Marathon was approximately 30 days away (March 13, 2016). He promised to bring back information on the item as soon as possible, so that something else could be done, but not five years of patching. Additionally, the cost was put at "up to \$5,000;" but staff estimated the cost would be approximately \$2,000. He reiterated that a more acceptable resolution would be brought back to City Council as soon as possible.

City Manager Bourey provided an update on the One City Marathon. He advised that City Council was provided a briefing on the One City Marathon at their earlier Work Session. He stated the One City Marathon weekend activities would begin on March 11, 2016 with the Health and Wellness Expo, scheduled for Friday and Saturday, March 11 – 12, 2016. An Opening Event – "Friday Night Kick-Off," would be held at the Downing-Gross Cultural Arts Center (2410 Wickham Avenue), on Friday, March 11, 2016, 5:00 – 8:00 p.m. "Family Fun and Fit Day" would be held on Saturday, March 12, 2016, 12:00 noon – 3:00 p.m., at King Lincoln Park (600 Jefferson Avenue). This event would be for the entire community. On Saturday evening, March 12, 2016, 6:00 p.m., a Pasta Dinner was scheduled at the Newport News Marriott at City Center (740 Town Center Drive). The Keynote Speaker would include Mr. Roger Brown, a retired professional Hall of Fame football player, and owner of The Cove Tavern (711 Lakefront Commons, Newport News) and Roger Brown's Restaurant and Sports Bar (316 High Street, Portsmouth); and a number of elite runners would also participate. The premier events would be held on Sunday, March 13, 2016, to begin with the full Marathon, at 7:00 a.m., at Newport News Park. The Maritime 8K, would begin at 7:45 a.m., at West Avenue and 24th Street; and the Nautical Mile would begin at 10:00 a.m. at West Avenue and 24th Street. He

J. New Business and Councilmember Comments

advised that registration had increased since the 2015 One City Marathon, with a significantly larger crowd expected. City Manager Bourey indicated that he looked forward to reviewing the promotional videos that members of City Council had taped on NNTV.

City Manager Bourey advised that Flat Out Events had insured the One City Marathon course, and if anyone were to get hurt, the runner would fall under the insurance policy of Flat Out Events.

Vice Mayor Coleman and his colleagues participated in the Groundhog Shadow Ceremony at the Virginia Living Museum (524 J. Clyde Morris Boulevard) on Tuesday, February 2, 2016, with the local groundhog, Chesapeake Chuck. There were over 100 school-aged children in attendance. Attendees were disappointed that Chesapeake Chuck saw his shadow, signaling six more weeks of the winter season. Vice Mayor Coleman advised that he would rather go with Punxsutawney Phil's (Pennsylvania) prediction for an early spring season.

Vice Mayor Coleman congratulated the owners of Luigi's Italian Restaurant on the reopening of their facility. Luigi's had a very successful Grand Opening week. They reopened officially on Monday, February 1, 2016, at their original site, located at 15400 Warwick Boulevard.

Vice Mayor Coleman and his colleagues attended and participated in a Habitat for Humanity Ribbon-Cutting Ceremony, on Tuesday, February 2, 2016, at 83 Shoe Lane. The home was built in honor of Habitat for Humanity's Citizens of the Year, Donald and Mary Davis, on land generously donated from Bank of America. The home was funded, and built, by sponsors of the Raise the Roof fundraiser held on February 28, 2015. The homebuyer-to-be was Ms. Wendy Saltzgeber, who would purchase the Habitat home with a zero-interest mortgage. The mortgage payments would be used to help fund future Habitat homes.

Vice Mayor Coleman advised that the City's partnership with New Beech Grove Baptist Church for the Flint, Michigan water crisis far exceeded expectations. He stated over 6,000 cases of water were collected. Newport News City Council members agreed to pay to transport the water, believing that one tractor trailer would suffice, but needed four tractor trailers for the amount of water collected. City Council agreed at the earlier Work Session of February 9, 2016, to fund the cost for the extra trailers. Vice Mayor Coleman thanked Pastor Willard Maxwell for the idea. He further thanked everyone in Newport News and throughout the Hampton Roads Region who came together to make this a reality, and showed that we do help our neighbors in times of trouble, no matter where.

Councilwoman Scott echoed remarks made by Vice Mayor Coleman about the Flint, Michigan Water Drive. She stated that the outpouring of support from citizens across the region was remarkable. She advised that the trucks were scheduled to leave on Saturday, February 13, 2016, and donations were welcomed until that time. The outpouring of love and donations of water to Flint, Michigan showed that "we are our brother's keeper." She extended

J. New Business and Councilmember Comments Continued

kudos to Pastor Maxwell, and citizens throughout Newport News and the Hampton Roads Region.

Councilwoman Scott announced that a Volunteer Recognition/Appreciation Reception was scheduled for Friday, February 12, 2016, 5:30 p.m., at the Denbigh Community Center (15198 Warwick Boulevard) for those that supported the 14th Annual North District Holiday Food Drive in December 2015. All Volunteers were asked to attend to be acknowledged and thanked for their service to the North District.

Councilwoman Scott announced that the Monthly North District Zumbathon Food Drive was scheduled for Friday, February 19, 2016, at 6:30 p.m., at the Denbigh Community Center (15198 Warwick Boulevard). All citizens were welcome to attend and bring non-perishable food items, which would be donated to the food pantries across the North District. Any surplus items were donated to the Food Bank of the Virginia Peninsula.

Councilwoman Scott announced that the next North District Town Hall Meeting was scheduled for Monday, February 22, 2016, at 7:00 p.m., at the Denbigh Community Center (15198 Warwick Boulevard). Dr. Telly Whitfield, Assistant to the City Manager, would provide an update on the One City Marathon events and activities, scheduled for Friday, March 11 - 13, 2016.

Councilwoman Vick extended condolences to Mayor Price and family, on the death of his Aunt, Ms. Gertrude Charity Holmes. Ms. Holmes was 102 years of age.

Councilwoman Vick wished her niece, Ms. Ramona Vick, a Happy Birthday. Ms. Vick was a teacher at Newsome Park Elementary School in Newport News.

Councilwoman Woodbury wished her colleague, Councilwoman Tina Vick, a Happy Belated Birthday. Councilwoman Vick celebrated her birthday on Wednesday, February 3, 2016. She advised that this was the first Habitat House in the Central District, and announced there would be another on Wednesday, February 17, 2016.

Councilwoman Woodbury participated in the Dance Party, held on Saturday January 30, 2016, at the Denbigh Community Center (15198 Warwick Boulevard). The Peninsula Dance Party was sponsored by the City's Active Lifestyles program. The Peninsula Dance Party was becoming quite popular, with over 150 participants on January 30th. She announced the next activity would be a Valentine's Dance/Tea, on Saturday, February 27, 2016, 2:00 – 5:00 p.m., at the Denbigh Community Center (15198 Warwick Boulevard). All citizens were welcome to participate at no fee.

Councilwoman Woodbury offered to sound the horn to begin the One City Marathon. She had practiced by starting the Game Day 10K/5K races at City Center, on Sunday, February 7, 2016. There was a 5K, a 10K, and a Childrens' Fun Run. She encouraged them all to register for the One City Marathon. The Game Day 10K/5K routes circled through the Oyster

J. New Business and Councilmember Comments Continued

Point business park and finished at the Fountain Plaza. Game Day partnered with the Virginia Peninsula Foodbank.

Councilwoman Woodbury and her colleagues attended the Bacchus Wine and Food Festival, at the Virginia Living Museum, on Friday, February 5, 2016.

Councilwoman Woodbury shared that she visited the Newport News Public Schools, and spoke to the children, and played an old tune entitled, "Turn On Your Heartlight." She distributed lighted roses and encouraged them to turn on their heart lights, and do something nice for their family, their neighbors, and their teachers.

Councilwoman Woodbury wished her colleagues, staff, and the citizens a Happy Valentine's Day.

Councilwoman Woodbury dispelled the rumor that she heard at church which said that she had died. She advised that her demise was greatly exaggerated.

Councilwoman Cherry thanked all of the citizens for their attendance and participation at the meeting to express their points of view. She reiterated that their voices mattered. She stated that City Council was committed and they did care.

Councilwoman Cherry advised that she had sent written notice to members of City Council for reconsideration of a resolution authorizing a five-year License Agreement for the maintenance and use of East Boundary Road, which was adopted at the January 26, 2016 Regular Meeting of City Council. She asked for reconsideration of Resolution #12888-16, which authorized the City Manager to execute a five-year License Agreement, by and between the City and the Mariners' Museum, that supported the provision of street repair and materials, as well as labor. The total cost of the repair materials was estimated by the City to be no more than \$5,000 per year. Material costs would come from the General Fund annual operating budget. Installation costs would be absorbed by the Department of Public Works as an operating budget expense.

Councilwoman Cherry indicated that she understood that the East Boundary Road was a scenic route for the One City Marathon, but felt that the City gave generously to the Mariners' Museum on an annual basis. She did not feel that the City should bare the total cost for the repair of East Boundary Road for the next five years. Because this road was a private road, and the City had many public roads that the City dollars could be used to repair. Councilwoman Cherry advised that she had checked with City staff, and \$5,000 was used for repairs to East Boundary Road in 2015. Because the One City Marathon was one month away, she expressed support for up to \$5,000 to repair East Boundary Road.

Councilwoman Cherry moved to reconsider Resolution #12888-16, to remove the City's five year commitment to repair East Boundary Road; seconded by Councilwoman Scott.

J. New Business and Councilmember Comments Continued

Councilwoman Vick asked Councilwoman Cherry to share her thoughts on the matter. Councilwoman Cherry responded, because East Boundary Road was a private road, and was a scenic route, she felt that Council should look more broadly, as there were three modifications for the 2016 One City Marathon. If the City could not reach agreement with the Mariners' Museum to jointly share the costs for East Boundary Road, consideration should be given that the City would not bare the total cost each year, and possibly consider a different route should the One City Marathon continue.

Councilwoman Scott indicated that she understood the rein under which the City was making the repair, but expressed concerned that East Boundary Road was a private road, and if the City continued to bear the cost to improve the roadway for the Mariners' Museum for the One City Marathon, a precedent would be set for repairing private roads with public dollars.

City Attorney Owens responded that the Mariners' Museum was a non-sectarian charity, that the City Council supported with funding, and under the State Code, §15.2.9-53, the City was allowed to make gifts of money or property to non-sectarian charities. He stated the City could make the repair a gift, but this Agreement was set up so that the Mariners' Museum allowed the City to run the Marathon through East Boundary Road; and in exchange, the City would patch the road so that runners were not hurt by falling in potholes.

Councilwoman Scott understood that, but stated there were other facilities in the City, that if the City used a particular street, adjacent to that property, they may ask for funding as well to repair that particular street.

City Attorney Owens advised that the Agreement adopted at the January 26, 2016 Regular Meeting of City Council, had a provision that allowed either party to terminate the agreement with a 90-day written notice.

Councilwoman Woodbury was under the impression that the City Manager would bring this matter back before City Council at another time. City Manager Bourey advised that he had met with the Executive Director of the Mariners' Museum, and would come back to City Council with a different strategy going forward for future years.

Councilwoman Cherry inquired whether City Council needed to do anything since the City Manager promised to bring the matter before City Council at a later date after meeting with the Executive Director of the Mariners' Museum.

City Attorney Owens reminded that there was a motion, and a second, to reconsider Resolution #12888-16, to remove the City's five year commitment to repair East Boundary Road, that needed to be voted on. Under the City Code, to be reconsidered, four favorable votes would be required.

J. New Business and Councilmember Comments Continued

Councilwoman Cherry inquired whether the reconsideration could be what the City Manager shared. City Attorney Owens responded, to-date, the only agreement that was reached with the Mariners' Museum, was the agreement that was before the City Council at the January 26, 2016 Regular Meeting. Councilwoman Scott shared the agreement was for five years. City Attorney Owens concurred. Vice Mayor Coleman reminded that the agreement could be terminated with a 90-day written notice by either party.

Councilwoman Cherry stated, if that were done, the City would be spending up to \$5,000 to pay for a private road, which was not fair to the citizens.

Councilman Bateman inquired whether the City was required to use \$5,000 every year. City Manager Bourey replied, no, the City was not required to use \$5,000 every year. Councilwoman Cherry understood, but advised that the City spent \$5,000 in 2015, and would spend \$2,000 in 2016, and East Boundary Road was still a private road.

Councilman Bateman questioned, whether running the Marathon through the Mariners' Museum, and the course that was set for the Mariners' Museum, was one that should be used again for the Marathon. City Manager Bourey responded that the Mariners' Museum property was a wonderful part of the course. He stated it was very important from an aesthetic standpoint, showing off the assets of the City, and was a part of the course that the City would want to continue. City Manager Bourey reiterated, as the City Attorney pointed out, there was a value for the Mariners' Museum to allow the City to use the property, and supporting the race through East Boundary Road.

Councilman Bateman inquired what that did to the interruption of what happens at the Mariners' Museum on that particular day. He questioned whether there were many travelers that visited the Mariners' Museum that used East Boundary Road otherwise. City Manager responded that travelers would not use East Boundary Road, but would use other roads. He stated there was a disruption for the Museum during that day. City Manager Bourey reminded that the Marathon was run on a Sunday morning in the winter time, so there would be less disruption.

Councilman Bateman inquired, in recognizing a race with stature, and recognized for the manner it was run, whether the City had insurance coverage should someone be hurt as they ran the Marathon. City Attorney Owens responded that the City was self-insured, and did not have a policy that would specifically cover that. He advised that Flat Out Events may have a policy that would cover a runner should they be injured while running the Marathon. He reminded that Flat Out Events was the sponsor of the race. Flat Out Events was the entity that the City retained to organize and run the race. Councilman Bateman inquired whether it was less of an interruption to the citizens of Newport News to run this route through the Mariners' Museum at East Boundary Road than it was to run across the Lion's Bridge. City Attorney Owens responded that the City's Traffic Engineer would have to address that matter. Councilman Bateman inquired, should someone get hurt running across East Boundary Road, twisting or breaking an ankle, whether it would be on the Mariners' Museum insurance policy or the City's

J. New Business and Councilmember Comments Continued

insurance policy. City Attorney Owens replied, should that happen, and the runner was to file a claim, it would be against the City, Flat Out Events, and the Mariners' Museum. Councilman Bateman concluded that keeping East Boundary Road up, in presentable fashion, allowing it to be traversed by hundreds of runners, should interest the City, and the prudent man rule should apply, and the City would not have to spend \$5,000 every year to fix this road. Councilman Bateman stated that he liked the resolution, and would not vote in favor of the reconsideration. Councilwoman Cherry stated the prudent man rule was that the City should not pay \$5,000 or even up to \$5,000 for a private road every year, for up to five years, which was why she wanted to amend the resolution – to remove the five year clause, and handle this on a case-by-case basis.

Councilwoman Woodbury inquired whether Council was asked to vote on the reconsideration only, and not whether to remove the five year clause from the resolution. Councilwoman Cherry concurred – her motion was only to reconsider the resolution.

Councilwoman Woodbury replied this would negate what City Council approved at its January 26, 2016 Regular Meeting. There would have to be a new motion. Councilwoman Scott stated, in Councilwoman Cherry's amended motion, she intended to articulate that the City not be bound by the five years.

City Attorney Owens reminded that the motion to reconsider must be approved first. Councilwoman Cherry inquired what would happen once the City Manager came back with another resolution after having met with the Executive Director of the Mariners' Museum. City Attorney Owens responded the City Manager would have to come back to City Council with an Agreement between the Mariners' Museum and the City. The Resolution agreed to at the January 26, 2016 Regular Meeting of City Council would be negated, and no negotiation would come back prior to the 2016 One City Marathon.

City Manager Bourey indicated that it was not necessary because the One City Marathon was approximately 30 days away and the road had to be paved; but something would be worked out prior to the 2017 One City Marathon.

Councilwoman Woodbury questioned where City Council was after all of the discussion. City Attorney Owens responded that Council needed to vote on the motion to reconsider Resolution #12888-16.

Vote on Roll Call:

Ayes: Scott, Woodbury, Cherry

Nays: Coleman, Vick, Bateman

The motion failed 3:3.

Councilwoman Cherry extended condolences to Mayor Price and family, on the death of his Aunt, Ms. Gertrude Charity Holmes. Ms. Holmes was 102 years of age.

J. New Business and Councilmember Comments Continued

Councilwoman Cherry was delighted to attend Coffee with a Cop, on Thursday, February 4, 2016, 8:00 – 10:00 a.m., at the Belgian Waffle and Steakhouse (14700 Warwick Boulevard).

Councilwoman Cherry reminded residents in the South District, that the South District “Your Voice Matters” Town Hall Meetings would convene, beginning Thursday, February 11, 2016, 6:00 – 7:30 p.m., at the Brittingham-Midtown Community Center (570 McLawhorne Drive) for residents that lived from Mercury Boulevard North to Harpersville Road; and Thursday, February 18, 2016, 6:00 – 7:30 p.m., at the Downing-Gross Cultural Arts Center (2410 Wickham Avenue) for residents from Mercury Boulevard South to the waterfront. All residents were invited to attend. These meetings were a collaborative effort of the Newport News Police Department, the Newport News School Board, and the Newport News City Council.

Councilwoman Cherry wished her niece, Ms. Kimberly Britt, a Happy Birthday.

K. Adjourn

Vice Mayor Coleman adjourned the meeting.

THERE BEING NO FURTHER BUSINESS,
ON MOTION, COUNCIL ADJOURNED AT 7:37 P.M.



Mabel Washington Jenkins, MMC
City Clerk

Robert S. Coleman
Vice Mayor
Presiding Officer

A true copy, teste:

City Clerk