

**MINUTES OF REGULAR MEETING  
OF THE NEWPORT NEWS CITY COUNCIL  
HELD IN THE CITY COUNCIL CHAMBERS  
2400 WASHINGTON AVENUE  
MARCH 22, 2016  
7:00 P.M.**

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PRESENT: Tina L. Vick; Dr. Patricia P. Woodbury; Herbert H. Bateman, Jr.; Sandra N. Cherry, D. Min.; Robert S. Coleman; McKinley L. Price, DDS; and Sharon P. Scott-----7

ABSENT: None-----0

A. Call to Order

Mayor Price called the meeting to order and welcomed all. He specifically welcomed special guests: the Honorable Mamy E. BaCote, former member of the Virginia House of Delegates; the Honorable Marcia Price, from the Virginia House of Delegates; Mr. Jeff Stodghill, Chairman, Newport News School Board; and Mr. Volker Grap and members of the Jahn Gymnasium Delegation from Greifswald, Germany. Mayor Price shared that the bell he rang at the beginning of each meeting was a gift from former Mayor Arthur Konig of Greifswald, Germany.

Mayor Price 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.

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

B. Invocation

The invocation was rendered by Reverend Terrye Williams, Hilton Christian 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 Sharon Scott.

D. Presentations

1. Resolution of Recognition: The Honorable Mamy E. BaCote, on her Retirement as a Member of the Virginia House of Delegates

The Honorable Mamy E. BaCote accepted the Resolution.

D. Presentations Continued

1. Resolution of Recognition: The Honorable Mamy E. BaCote, on her Retirement as a Member of the Virginia House of Delegates Continued

Mayor Price shared that the City of Newport News wished to honor and recognize the Honorable Mamy E. BaCote upon the conclusion of her distinguished service as a member of the Virginia House of Delegates. He stated that she had engaged in a successful career as an educator in the Newport News Public School System, and was an Adjunct Professor of Political Science at Hampton University.

Mayor Price reminded that Delegate BaCote was first elected in 2003 and served the citizens of the 95<sup>th</sup> District as Delegate from 2004 to 2016. He stated, prior to her election to the House of Delegates, Delegate BaCote served as a member of the Newport News City Council from 1996 to 2004. During her term in the Virginia House of Delegates, she served on numerous committees, to include the Appropriations Committee, the Health, Welfare and Institutions Committee, the Transportation Committee, the Appropriations-Elementary and Secondary Education Subcommittee, the Appropriation-Health and Human Resources Subcommittee, the Transportation-Subcommittee No. 1, the Elementary and Secondary Education Funding Joint Subcommittee, the Board of Veterans Services, and the Commission on Youth. She was a member of the National Council of State Legislators, the Virginia House Democratic Caucus, the Virginia Progressive Caucus, the Women's Reproductive Rights Caucus, and the Virginia Legislative Black Caucus.

Mayor Price advised, in addition to serving as a dedicated advocate for her district, Delegate BaCote was active in several civic and community organizations, to include, but not limited to: the NAACP, the Boys and Girls Clubs of the Virginia Peninsula, the Newport News Chapter of the LINK, Inc., Alpha Kappa Alpha Sorority, Inc., and the YWCA. Delegate BaCote's leadership skills had been recognized, having served as President of numerous Boards, Commissions, and Foundations.

Having been married to the late Theodore E. BaCote, Jr., and raised three children, Mayor Price indicated that Delegate BaCote had completed her sixth full-term in the Virginia House of Delegates, and decided not to seek re-election.

On behalf of his colleagues on the Newport News City Council, Mayor Price recognized and honored the Honorable Mamy E. BaCote on the conclusion of her twelve years as a member of the Virginia House of Delegates, and expressed appreciation for her many contributions to the City, the Hampton Roads Region, and the Commonwealth of Virginia.

2. Presentation by Delegate Marcia Price to the Honorable Mamy E. BaCote, on her Retirement as a Member of the Virginia House of Delegates

The Honorable Marcia Price, Delegate, Virginia House of Delegates, thanked the Honorable Mamy BaCote for her 12 years of dedicated service to the citizens of the 95<sup>th</sup>

D. Presentations Continued

2. Presentation by Delegate Marcia Price to the Honorable Mamy E. BaCote, on her Retirement as a Member of the Virginia House of Delegates Continued

District. Delegate Price stated that representatives of the Senate of Virginia and Virginia House of Delegates spoke admirably of Delegate BaCote for serving with dignity, civility, and compassion. Delegate Price thanked Delegate BaCote, in honor of Women's History Month, for the trail she blazed for women in Virginia politics. Delegate Price presented Delegate BaCote with a plaque and a bouquet of flowers as a small token of appreciation.

Mayor Price shared that it was ironic how he followed Delegate BaCote on the Newport News City Council, and his daughter Marcia, has followed Delegate BaCote on the Virginia House of Delegates.

3. Proclamation: National Fair Housing Month (April)

Ms. Tricia Wilson, Business Development Specialist, Newport News Department of Development, accepted the proclamation.

Mayor Price advised that April 2016 marked the 48<sup>th</sup> Anniversary of Title VIII of the Civil Rights Act of 1968, the Federal Fair Housing Act, which provided for equal opportunity for all Americans in the sale, rental, and financing of housing; and prohibited housing discrimination on the basis of race, religion, sex, age, or national origin.

Mayor Price stated it was the solemn and sworn duty of government, at all levels, to protect and defend the rights of all of its citizens; and oppose housing discrimination whenever and wherever it occurred. He further stated that illegal barriers to equal opportunity in housing that diminished the rights of some citizens diminished the rights of all.

Mayor Price, on behalf of his colleagues on the Newport News City Council, proclaimed April 2016 as Fair Housing Month and called upon the citizens to fully support the intent and purpose of the Federal Fair Housing Act, and pursue policies and practices to achieve those ends, and extort all agencies, institutions, and individuals to do the same.

4. Presentation: Mr. Volker Grap, Sister Cities of Greifswald, Jahn Gymnasium Delegation (Germany)

Mr. Volker Grap, Sister Cities of Greifswald, Jahn Gymnasium Delegation extended warm greetings and best wishes from the Mayor of Greifswald, the Honorable Stefan Fassbinder. It was Mayor Fassbinder's hope that the relationship between Newport News and Greifswald would grow, strengthen and be intensified and extended to the Newport News Public Schools (NNPS), Christopher Newport University, and hopefully other areas. Gifts were distributed to Mayor Price; School Board Chair, Mr. Stodghill; Ms. Kate Helwig, Executive

D. Presentations Continued

4. Presentation: Mr. Volker Grap, Sister Cities of Greifswald, Jahn Gymnasium Delegation (Germany) Continued

Director, Sister Cities Newport News; and Mr. Bud Curtis, President, Sister Cities Newport News. Mr. Grap thanked all of the host families and students for their hospitality.

Mayor Price also exchanged gifts from the City of Newport News to the Greifswald delegation. Other members present were Mr. Klaus Schroeder, and Ms. Anke Gutsche.

E. Public Hearings

1. Ordinance Authorizing Conditional Use Permit No. CU-16-361, to DED, LLC, for the Operation of a Small Motor Vehicle Repair and Service Facility, and an Automobile Leasing Facility on Property Located at 11606 Jefferson Avenue

AN ORDINANCE GRANTING CONDITIONAL USE PERMIT NUMBER CU-16-361 FOR THE HEREINAFTER DESCRIBED PROPERTY FOR THE PURPOSE OF THE OPERATION OF A SMALL MOTOR VEHICLE REPAIR AND SERVICE FACILITY AND AN AUTOMOBILE LEASING FACILITY. This ordinance granted Conditional Use Permit No. CU-16-361 to DED, LLC, for the operation of a small motor vehicle repair and service facility and an automobile leasing facility on property located at 11606 Jefferson Avenue and zoned C2, General Commercial. DED, LLC proposed to use the former used automobile dealership property for a small motor vehicle repair and service facility in addition to a truck rental facility. The request was consistent with the Framework for the Future 2030 Comprehensive Plan land use map and compatible with surrounding uses. On March 2, 2016, the City Planning Commission voted unanimously 7:0 to recommend approval of this request with conditions. The City Manager recommended approval.

Mr. Tim Trant, Kaufman and Canoles, Attorney representing the applicant, 11815 Fountain Way, Suite 400, Newport News, was available to answer questions.

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

Vote on Roll Call:

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

Nays: None

E. Public Hearings Continued

1. Ordinance Authorizing Conditional Use Permit No. CU-16-361, to DED, LLC, for the Operation of a Small Motor Vehicle Repair and Service Facility, and an Automobile Leasing Facility on Property Located at 11606 Jefferson Avenue Continued

Councilwoman Scott moved adoption of the above ordinance; seconded by Vice Mayor Coleman.

Councilwoman Cherry inquired about Item (c) 6 on page 2 of the Ordinance, which stated "Storage of cars in a state of obvious disrepair shall be screened from public view." She questioned how long the cars would be screened, how long the cars could be in storage if they were in disrepair, and whether the cars could be junked there since they were not in public view.

City Manager Bourey asked Ms. Sheila McAllister, Director, Department of Planning, to respond. Ms. McAllister responded that the clause was for cars that were brought in for repair. The cars may not be repaired in one day, but perhaps two days later. If the cars were in an obvious state of disrepair, they must be stored behind the fence. Councilwoman Cherry inquired whether this allowed cars to be stored for longer periods of time. Ms. McAllister responded no. Councilwoman Cherry indicated there was no designated timeframe when the cars were in an obvious state of disrepair. She inquired whether the Department of Codes Compliance could be called to remove the cars when kept behind fencing for a long period of time. Ms. McAllister advised, the property could not become a junkyard, nor a towing service. The cars should only be on the property for repair. The Department of Codes Compliance would be checking to ensure that the cars were moving in and out of the lot. Councilwoman Cherry inquired how the City would know if the cars were behind a screened fence. The Inspectors for Codes Compliance had the ability to go behind the fence to check should a problem arise. Councilwoman Cherry cited an example of a prior issue with a business behind fencing, and because it was on private property, the City could not address the matter.

City Manager Bourey responded there were two different issues being discussed – (1) a vehicle on private property behind a fence; and (2) this was a land use matter before City Council. This use was permitted on the site, but if the use was abused, the City could address that from a land use perspective.

Vote on Roll Call:

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

Nays: None

E. Public Hearings Continued

2. Ordinance Authorizing Conditional Use Permit No. CU-16-363, to Adath Jeshurun Synagogue to Allow for the Construction of an Automobile Gasoline Supply Station with a Convenience Store (7-Eleven) on Property Located at 12646 Nettles Drive

AN ORDINANCE GRANTING CONDITIONAL USE PERMIT NUMBER CU-16-363 FOR THE HEREAFTER DESCRIBED PROPERTY FOR THE PURPOSE OF PERMITTING THE OPERATION OF AN AUTOMOBILE GASOLINE SUPPLY STATION ON A SITE ZONED C1 RETAIL COMMERCIAL DISTRICT. This ordinance granted Conditional Use Permit No. CU-16-363 to Adath Jeshurun Synagogue for the construction and operation of an automobile gasoline supply station with a 7-Eleven Convenience Store on property located at 12646 Nettles Drive and zoned C1 Retail Commercial. The new store and gasoline pumps would replace a vacant structure that formerly housed a synagogue. The request was not consistent with the Framework for the Future 2030 Comprehensive Plan land use map; however, the designation of community facilities was based on the active synagogue and pre-dated the construction of City Center Boulevard. The property had maintained a commercial zoning designation since 1997. On March 2, 2016, the City Planning Commission voted unanimously 7:0 to recommend approval of this request, with conditions. The City Manager recommended approval.

City Manager Bourey advised that some of the neighbors had an issue with individuals cutting through their property because of the physical configuration of where the neighborhood was situated, and where a noise wall was put when City Center Boulevard was constructed. Many individuals wanted to go from the neighborhood to the Jewish Community Center, and the Synagogue where they had attended for years before City Center Boulevard and the noise wall. In order to accommodate that, the City's Department of Engineering was working on a plan to cut an opening in the noise wall to allow individuals to get directly from the neighborhood, through where Spring Street was previously connected, where there was a traffic light, to get to the Jewish Community Center. The City would do that with baffles to protect the noise attenuation; and help the cut through that existed currently.

Mr. Stephen R. Romine, Attorney for the applicant, 999 Waterside Drive, Norfolk, was accompanied by Mr. Ken Barnes, Mr. Jay Qualm, and Ms. Laurie Tucker, with Vertical Construction. They requested that City Council approve Conditional Use Permit No. CU-16-363 to allow a new 3,250 square foot convenience store, with six multi-product dispensers. Focusing on the highlights, Mr. Romine stated the property was zoned Commercial, and it was appropriate for this use since 1997. The parcel consisted of 1.61 acres. He stated that 7-Eleven intended to construct a full-brick building on the site, with a single monument style eight foot sign, meeting City requirements. The applicant would also include a 20-foot landscape buffer along the southern property line, adjacent to the apartments. An eight foot fence would also be added along the rear line on the southern and eastern property lines. Mr. Romine added that circulation would be good on the site, with access from City Center Boulevard (right in/right out) sharing the access with the City to access the BMP property. Nettles Drive would continue to have full access (left and right turns). Referencing the site plan, Mr. Romine advised that the

E. Public Hearings Continued

2. Ordinance Authorizing Conditional Use Permit No. CU-16-363, to Adath Jeshurun Synagogue to Allow for the Construction of an Automobile Gasoline Supply Station with a Convenience Store (7-Eleven) on Property Located at 12646 Nettles Drive Continued

main concern, mentioned by the City Manager, was the sound wall, which came from the east, but terminated before coming across the City property. The City property was to the east of the applicant's property, and contained a BMP. If there was a break in the sound wall, the current cut through on the inside of the sound wall, should be alleviated by virtue of the break in the sound wall. Mr. Romine reiterated that an eight foot fence along the eastern property line would be added to screen the entire side. The orientation of the store was toward the intersection of Nettles Drive and City Center Boulevard. The canopy was in the front, and would be heavily landscaped. The buffer in the rear would heavily screen the apartments. Referencing the architecture, Mr. Romine advised there would be a glass front with full-brick exterior on both the eastern and southern property lines.

Mr. Romine stated that 7-Eleven was a good corporate citizen which significantly contributed to employment and the Newport News tax base. The expected increase in retail sales would enhance tax revenue for the City. The 26 conditions in the staff report were acceptable, with one minor revision to condition #6. The modification would read ". . . traffic improvements as required by the final TIA (Traffic Impact Assessment), as approved by the Engineering Department," rather than what was in the Engineer's report. In summary, Mr. Romine stated the project represented a significant investment and substantial enhancement along City Center Boulevard, provided a nice addition to the corridor, and would have a significant, positive impact on and benefit for the community and the City. He asked City Council approval of Conditional Use Permit No. CU-16-363, with conditions, to allow a new 3,250 square foot convenience store, with six multi-products dispensers.

Councilwoman Vick inquired about the eight foot wall to alleviate traffic noise. Mr. Romine stated it would screen the property from the neighborhood and the City lot. As suggested by City Manager Bourey, a break in the sound wall would allow the people that traversed the property to go out, either on the sidewalk or to cross the intersection. He added that 7-Eleven was a leader in safety, and there would be cameras on site, the property would be fully lit, and very well screened on the southern and eastern sides. It would be open to the intersection, but secure on the rear sides of the property.

Councilwoman Woodbury inquired about not being consistent with the Framework for the Future. City Attorney Owens advised that the applicant was not present for a re-zoning. The property was already zoned C1 and the 7-Eleven could be constructed as a matter of right. The applicant was before City Council for the gas pumps.

Councilwoman Cherry inquired whether this 7-Eleven was a corporate store or a franchise. Mr. Romine responded that all stores were being developed by 7-Eleven, but eventually would be franchised. The Corporate office would have control, but would eventually

E. Public Hearings Continued

2. Ordinance Authorizing Conditional Use Permit No. CU-16-363, to Adath Jeshurun Synagogue to Allow for the Construction of an Automobile Gasoline Supply Station with a Convenience Store (7-Eleven) on Property Located at 12646 Nettles Drive Continued

try to put a franchise there. The Company would build the store, operate the store, and then try to find a local franchisor.

Councilwoman Cherry inquired, what happened to 7-Eleven when it went to a franchise, no longer in corporate hands. Mr. Romine indicated, 7-Eleven was essentially in corporate hands, as oversight from the corporation was serious and there were agreements, and inspections. The model today was that the majority of the stores were franchised.

Councilwoman Cherry inquired about the adjustments to condition #6 regarding the TIA. Mr. Romine responded that the applicant would do everything in the TIA prepared by Mr. Goodloe; but it was changed to do everything in the TIA as approved by the City's Department of Engineering. Councilwoman Cherry wanted clarification. She understood that if more than 5,000 trips were made, 7-Eleven would do a TIA. Mr. Goodloe's statement did not address this. The second statement mentioned there would be no fuel sales. Mr. Romine, said, the project would have fuel sales. Councilwoman Cherry inquired about the results of the TIA.

City Attorney Owens added that the site was vacant and zoned C1, which allowed a convenience store without fuel sales. A 7-Eleven could be constructed as a matter of right, with no fuel sales. The Conditional Use Permit before City Council was to be able to add fuel pumps.

Mr. Romine stated the TIA indicated there were certain requirements to be met to satisfy the Department of Engineering. The requirements recommended by the Department of Engineering was what 7-Eleven would adhere to. It was clearer – to build to the specifications of the Department of Engineering, rather than a report, which was an independent third party report. Councilwoman Cherry inquired whether the TIA was being done because they anticipated generating more than 5,000 units per day. Mr. Romine replied, normally the City would request a TIA if there were some concern, which was what was done. A TIA was not required on all sites. It gave the applicant confidence that the project would work at a particular location with adequate entrances, traffic flow, etc. The City's Department of Engineering would also review this TIA and actually required the applicant to deliver it as a part of the package.

Mr. Cliff Manuel, Minister of the Denbigh Christian Church, 477 Cheshire Court, Newport News, advised that he was speaking for his mother, who was the closest resident to the proposed 7-Eleven. He stated there were numerous car accidents on the corner of the proposed site. He advised of the vast number of 7-Eleven stores in close proximity to one another.

E. Public Hearings Continued

2. Ordinance Authorizing Conditional Use Permit No. CU-16-363, to Adath Jeshurun Synagogue to Allow for the Construction of an Automobile Gasoline Supply Station with a Convenience Store (7-Eleven) on Property Located at 12646 Nettles Drive Continued

Mr. Manuel advised that there had been an influx of children in the small community since City Center Boulevard was opened, many of whom came from an adjacent apartment complex – cutting through neighbor’s yards. He stated the individuals not going to the basketball courts, would still cut through yards in that community. Mr. Manuel had a larger concern with the 7-Eleven being constructed, that individuals would continue to cut through neighbor’s yards, as opposed to taking the alternate route. He stated there was a privacy fence that ran within 20 feet of the sound wall. He suggested extending the privacy fence to the sound wall, which would stop the cut through traffic. Anyone from the City that needed to work on the retaining pond, could access the site by the 7-Eleven through the driveway. Anyone that wanted to walk between that fence and Spring Street, could access via the Spring Street entrance. Extending the privacy fence would not close off accessibility to the City. He felt the walk through would help individuals trying to reach the basketball court. He further stated, the applicant was doing a great job with building the eight foot fence around the 7-Eleven.

Mayor Price asked the City Manager to look into Mr. Manuel’s suggestion. City Manager Bourey agreed to look into the matter. Councilwoman Woodbury agreed that it might be a good fix.

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

Vote on Roll Call:

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

Nays: None

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

Vote on Roll Call:

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

Nays: None

3. Ordinance Authorizing the City Manager to Execute Any and All Documents Necessary to Effectuate the Conveyance of City-owned Property to the Industrial Development Authority (IDA) for the Expansion of Printpack, Inc.

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE AND THE CITY CLERK TO ATTEST ON BEHALF OF THE

E. Public Hearings Continued

3. Ordinance Authorizing the City Manager to Execute Any and All Documents Necessary to Effectuate the Conveyance of City-owned Property to the Industrial Development Authority (IDA) for the Expansion of Printpack, Inc. Continued

CITY OF NEWPORT NEWS ANY AND ALL DOCUMENTS, INCLUDING DEEDS, NECESSARY TO EFFECTUATE THE CONVEYANCE OF CERTAIN CITY OWNED PROPERTY TO THE INDUSTRIAL DEVELOPMENT AUTHORITY OF THE CITY OF NEWPORT NEWS. This ordinance authorized the City Manager to execute any and all documents necessary to effectuate the conveyance of City-owned property in Oakland Industrial Park to the Industrial Development Authority (IDA) for the expansion of Printpack, Inc. Printpack, Inc. expanded its facility in Newport News. The Company's total investment for this expansion included \$25.7 million in real estate and machinery and tools improvements, and the creation of approximately 50 new jobs at the facility. The facility expansion required 2.9 acres of additional land from an adjacent City-owned parcel. Conveyance of the referenced 2.9 acres of land to the IDA would facilitate this important expansion, and would be incorporated by the IDA in its sales transaction with Printpack for Printpack's acquisition of the existing facility. The City Manager recommended approval.

(No registered speakers)

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

Vote on Roll Call:

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

Nays: None

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

Vote on Roll Call:

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

Nays: None

F. Consent Agenda

Councilman Bateman moved adoption of the Consent Agenda, Items 1, and Items 5 through 7, both inclusive, as shown below; seconded by Vice Mayor Coleman.

1. Minutes of the Five-Year Financial Forecast Special Meeting of January 19, 2016

(No registered speakers)

F. Consent Agenda Continued

1. Minutes of the Five-Year Financial Forecast Special Meeting of January 19, 2016 Continued

Vote on Roll Call:

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

Nays: None

5. Resolution Expressing Support for a Joint Land Use Study (JLUS) Among Joint Base Langley-Eustis (JBLE) and Surrounding Communities

A RESOLUTION EXPRESSING SUPPORT FOR A JOINT LAND USE STUDY AMONG JOINT BASE LANGLEY-EUSTIS AND SURROUNDING COMMUNITIES. This resolution expressed support for a Joint Land Use Study (JLUS). Joint Base Langley-Eustis (JBLE) was important to national defense and to the economies of the Commonwealth of Virginia, the Hampton Roads Region, and the City of Newport News. The JLUS was a community-driven, cooperative, strategic planning process that promoted community development that was compatible with military training, testing, and operational missions, and sought to reduce operational impacts on non-military lands. The City of Newport News was designated to serve as the sponsoring agency for the JBLE-JLUS, and to apply for a Community Planning Assistance Grant from the Department of Defense, Office of Economic Adjustment, to fund the study. Award of a Community Planning Assistance Grant required a minimum of 10 percent (10%) of the project's total proposed funding be comprised of non-federal sources. The matching requirement may be in the form of cash, in-kind services (staff time) or a combination of the two. The City Manager recommended approval.

(No registered speakers)

Vote on Roll Call:

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

Nays: None

6. Resolution Supporting an Extension of the Programmatic Project Administration Agreement (PPAA) with the Virginia Department of Transportation (VDOT) for the FY 2014 VDOT Revenue Sharing Program

A RESOLUTION SUPPORTING AN EXTENSION OF A COST SHARING AGREEMENT ENTERED INTO AS A RESULT OF AN APPLICATION TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) FOR AN ALLOCATION OF \$3,422,500.00 THROUGH THE VDOT REVENUE SHARING PROGRAM FOR FY 2014. This resolution supported an extension of the Programmatic Project Administration Agreement (PPAA) as a result of an application to the Virginia Department of Transportation (VDOT). The PPAA would expire June 30, 2016. There was an option in the agreement for a three-year extension. This resolution affirmed the City's commitment to the projects, and was required to

F. Consent Agenda Continued

6. Resolution Supporting an Extension of the Programmatic Project Administration Agreement (PPAA) with the Virginia Department of Transportation (VDOT) for the FY 2014 VDOT Revenue Sharing Program Continued

accept the option for extension. Revenue Sharing Funds were appropriated under separate Council action in accordance with each project schedule. The City Manager recommended approval.

(No registered speakers)

Vote on Roll Call:

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

Nays: None

7. Resolution Authorizing the City Manager to Execute Any and All Documents Necessary to Effectuate and Implement an Amendment to a Lease between DF Fishing Point, LLC and the City of Newport News

A RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE AND THE CITY CLERK TO ATTEST ON BEHALF OF THE CITY OF NEWPORT NEWS ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE AND IMPLEMENT AN AMENDMENT TO A LEASE BETWEEN DF FISHING POINT, LLC AND THE CITY OF NEWPORT NEWS, VIRGINIA, EXTENDING THE TERM THEREOF. This resolution authorized the City Manager to execute any and all documents necessary to effectuate and implement an amendment to a lease between DF Fishing Point, LLC and the City of Newport News. The City had leased space known as Suite 114 in the building located at 11828 Fishing Point Drive for the Police Department since 2006. The current lease between DF Fishing Point, LLC and the City would expire June 30, 2016. An amendment to the lease was needed to continue the use of the space in the building. The proposed Amendment would extend the lease for a period of five (5) years, commencing July 1, 2016 and terminating June 30, 2021, with the City's option to terminate the Lease any time after the third year, with 180 days prior written notice. All other terms and conditions of the existing Lease would remain in full force and effect. The City Manager recommended approval.

(No registered speakers)

Vote on Roll Call:

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

Nays: None

F. Consent Agenda Continued

Councilman Bateman moved adoption of the Consent Agenda, Items 2, 3, and 4, as shown below; seconded by Vice Mayor Coleman.

2. Minutes of the Work Session of March 8, 2016

(No registered speakers)

Vote on Roll Call:

Ayes: Vick, Woodbury, Bateman, Coleman, Price

Nays: None

Abstention: Cherry, Scott (Were not present at the Work Session of March 8, 2016)

3. Minutes of the Special Meeting of March 8, 2016

(No registered speakers)

Vote on Roll Call:

Ayes: Vick, Woodbury, Bateman, Coleman, Price

Nays: None

Abstention: Cherry, Scott (Were not present at the Special Meeting of March 8, 2016)

4. Minutes of the Regular Meeting of March 8, 2016

(No registered speakers)

Vote on Roll Call:

Ayes: Vick, Woodbury, Bateman, Coleman, Price

Nays: None

Abstention: Cherry, Scott (Were not present at the Regular Meeting of March 8, 2016)

G. Other City Council Actions

1. 1 of 2: Resolution Authorizing the City Manager to Execute a Commonwealth's Development Opportunity Fund (COF) Performance Agreement by and Among the City of Newport News, the Industrial Development Authority (IDA) and Printpack, Inc.

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, A COMMONWEALTH'S DEVELOPMENT OPPORTUNITY FUND PERFORMANCE AGREEMENT BY AND AMONG THE CITY OF

G. Other City Council Actions Continued

1. 1 of 2: Resolution Authorizing the City Manager to Execute a Commonwealth's Development Opportunity Fund (COF) Performance Agreement by and Among the City of Newport News, the Industrial Development Authority (IDA) and Printpack, Inc. Continued

NEWPORT NEWS, VIRGINIA ("THE CITY"), THE INDUSTRIAL DEVELOPMENT AUTHORITY OF THE CITY OF NEWPORT NEWS, VIRGINIA ("THE IDA"), AND PRINTPACK, INC. ("PRINTPACK"). This resolution authorized the City Manager to execute a Commonwealth's Development Opportunity Fund (COF) Performance Agreement by and among the City of Newport News, Virginia, the Industrial Development Authority of the City of Newport News, Virginia, and Printpack, Inc. Printpack, Inc. announced a significant expansion of certain operations to increase its capacities in the manufacturing of plastic packaging at its facility located in Oakland Industrial Park. A tri-party COF Performance Agreement was required of the City to confirm support of the Printpack Expansion Project and receive the related grant funds. The City Manager recommended approval.

(No registered speakers)

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

Councilman Bateman inquired about the approximate square footage of the Printpack expansion.

Ms. Florence Kingston, Director, Department of Development, responded the square footage of the Printpack expansion was at least 75,000. City Manager Bourey replied, at least 75,000, and may be beyond 75,000 square feet.

Vote on Roll Call:

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

Nays: None

2. 2 of 2: Resolution Authorizing the Acceptance and Appropriation of \$150,000 in Grant Funds from the Commonwealth's Development Opportunity Fund (COF) for the Printpack, Inc. Expansion Project

A RESOLUTION APPROPRIATING FUNDS FROM COMMONWEALTH'S DEVELOPMENT OPPORTUNITY FUND (\$150,000.00) TO PRINTPACK EXPANSTION (\$150,000.00). This resolution authorized the acceptance and appropriation of \$150,000.00 in grant funds from the Commonwealth's Development Opportunity Fund (COF) for the Printpack, Inc. Expansion Project. With the approval of the tri-party Commonwealth's Development Opportunity Fund Performance Agreement, the City would receive a related grant in the amount of \$150,000.00 for the Printpack Expansion Project. This

G. Other City Council Actions Continued

2. 2 of 2: Resolution Authorizing the Acceptance and Appropriation of \$150,000 in Grant Funds from the Commonwealth's Development Opportunity Fund (COF) for the Printpack, Inc. Expansion Project Continued

resolution allowed City Council to take action and approve the receipt and appropriation of the funds. The City Manager recommended approval.

(No registered speakers)

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

Vote on Roll Call:

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

Nays: None

H. Appropriations

Councilwoman Vick moved adoption of Appropriations, Item 1, as shown below; seconded by Councilwoman Scott.

1. Department of Engineering – FY 2016 Bond Authorization, Public Buildings Category: Construction of the Public Works Warehouse - \$1,000,000

A RESOLUTION APPROPRIATING FUNDS FROM BONDS AUTHORIZED AND UNISSUED (\$1,000,000.00) TO PUBLIC WORKS WAREHOUSE (\$1,000,000.00). This resolution appropriated \$1,000,000.00 from the FY 2016 Bond Authorization, Public Buildings Category, for the construction of the Public Works Warehouse. The scope of the project involved the construction of a new warehouse facility for Public Works. The facility would contain 12,800 square feet of warehouse space, and a 6,900 square foot, two-story office area. The total estimated project cost was \$1,500,000.00. Funding of \$1,000,000.00 was available from previously appropriated Wastewater Operating budget funds. The City Manager recommended approval.

(No registered speakers)

Vote on Roll Call:

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

Nays: None

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

Mr. Antonio Thompson, 1211-25<sup>th</sup> Street, Newport News, addressed City Council on the topic of the City's treasury enrichment, public safety and security, as well as the importance of recycling. He reminded that March was Womens History Month, and shared his excitement to meet and greet the Honorable Mamyé BaCote, former Delegate, Virginia House of Delegates, and the Honorable Marcia Price, Delegate, Virginia House of Delegates, serving the 95<sup>th</sup> District, and looked forward to meeting more elected officials.

Mr. Thompson discussed the legalization of marijuana in an effort to help build the treasury. He further raised the issue about the Flint, Michigan water crisis, suggesting it may spread, as water was a much needed commodity.

Regarding public safety, Mr. Thompson warned that gangsters would be classified as terrorists. All violent criminals and all violent crime would be construed as acts of terrorism. The common thread between terrorists and criminals was violence.

Mr. John Shifflett, 4101 Washington Avenue, Newport News, Vice President of the Newport News Education Foundation, expressed a hope to renew a progressive mindset about funding for school maintenance. He referenced the motto on the Newport News Economic Development website, “. . .Newport News, Virginia is the place ‘Where Great Things Are Happening,’ and highlighted a ‘nationally acclaimed public school system.’ ” Members of the Newport News Education Foundation felt that a place “Where Great Things are Happening,” was one in which citizens and businesses experienced a high quality of life, and benefited from leading edge services. Mr. Shifflett stated that communities thrived due to their unique culture, superior infrastructure, and sound economy. He stated the education and workforce development was the foundation for that success. Mr. Shifflett further stated that the Newport News Public Schools (NNPS) had a long history of returning outstanding results, leading to a nationally acclaimed public school system. He indicated, this was in contrast to the capital dilemma. NNPS needed dependable support to have facilities that were maintained in superior condition at all times. He advised this was not occurring due to the following: (1) The five-year Capital Improvement Plan (CIP) for NNPS had diminished from 27% in 2013, to 21% in 2016; (2) The need for maintenance and renovation continued to grow as age-related issues compounded unabated; (3) Over 70% of the 2016 CIP requests were for roofing and HVAC needs, but only half was funded; (4) NNPS had 20 buildings over 50 years of age; (5) The State discontinued funding for building maintenance; (6) NNPS CIP funding was lower per student than surrounding communities. Mr. Shifflett stated that NNPS needed and hoped for a renewal of the mindset that education was the foundation for being a world-class community (a copy of Mr. Shifflett's remarks are attached in full, and made a part of these minutes).

Ms. Carole Carkhuff, 197 Reville Drive, Newport News, commented about the proposed new shopping center, Wegman's Plaza, on Jefferson Avenue and Brick Kiln Boulevard. She expressed concern about that particular area because Newport News had a number of large, new shopping centers that had been built within the past two to three years. One of the newer

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

centers was Jefferson Commons. Ms. Carkhuff indicated that there was no market in the Jefferson Commons, but there were some nearby, to include restaurants. Each time a new shopping center was built, vacancies were created in other areas. She felt that City Council should take a good look and hold the owners of the shopping areas accountable for the many vacancies in Newport News. Ms. Carkhuff felt that too many vacancies would create a crime situation. Newport News was a great place to live, with a variety of economies. She shared something done in the Fredericksburg area – when vacancies cropped up, City Council got together and decided that it was more important to make the store owners ensure that 80% of the shopping area was full before the City would vote to build more.

Ms. Deborah George Wright, 407 Green Tree Cove, Newport News, shared that she was a 16-year homeowner, resident, and taxpayer of Newport News, a member of the NNPS Foundation Board, and a college educator. She shared that she was a parent of two daughters, both products of the Newport News Public Schools, and both were CNU graduates in Performing Arts. She felt that their success was due to a great City and a dedicated school system. Ms. Wright stated the successful relationship between a school and the City was intrinsic – when one thrived, the other thrived; and when one suffered, the other suffered. As a workforce development practitioner, Ms. Wright stated that she helped build career pathways to jobs, and represented education and business at state, national, and international levels to bring jobs to the region. She indicated the City demonstrated vision in its strategic investments in City Center, the Tech Center, downtown, community centers, and expansions. The success of these depended on a STEM-prepared workforce, STEM prepared instructor, and well-equipped lab space. She relied on City Council to come up with a plan to bring all of the school facilities to standard (a copy of Ms. Wright's remarks are attached and made a part of these minutes).

J. New Business and Councilmember Comments

City Manager Bourey reported that the FY 2017 Recommended Operating Budget was presented to City Council at the March 22, 2016 Work Session. Copies would be made available for review on the City's website [www.nnva.gov](http://www.nnva.gov), and at the libraries throughout the City. He encouraged citizens to participate in the Budget Hearings scheduled for Tuesday, April 12, 2016 7:00 p.m., in the City Council Chambers, 2400 Washington Avenue; and Thursday, April 14, 2016, 7:00 p.m. at the Denbigh Community Center (15198 Warwick Boulevard). The budget was an important document for the City and would help guide the City forward. He thanked Ms. Lisa Cipriano, Director, Department of Budget and Evaluation, and staff (Chad Pritchett, Keith Ferguson, William Keeler, Robyn Rose, Sherry Crocker, Nicole Ellis, and Tylisha Sample). He further thanked all of the City's Department Directors and their staff.

City Manager Bourey thanked numerous staff and volunteers for their hard work on the second One City Marathon, and activities, held Friday, March 11 through Sunday, March 13, 2016. The events were enjoyed by the runners, people throughout the City, staff and departments, particularly Public Works, Parks, Recreation and Tourism, Engineering, Police,

J. New Business and Councilmember Comments Continued

Fire, Communications, and the Sheriff's Office. He further thanked Dr. Telly Whitfield, Assistant to the City Manager, who was the "quarterback" through the entire process, as well as Mr. David Wilkinson, Traffic Engineer, who did an amazing job working through 26 miles of traffic and potential snarls. There were a tremendous number of people cheering the runners, which was truly appreciated, and included high school bands. City Manager Bourey thanked the members of City Council (Bateman, Cherry, and Vick) for their participation in the Maritime 8K. City Manager Bourey acknowledged Mr. James R. McElheney, Director, Department of Vehicle and Equipment Services, as a "marathon star," who cut 29 minutes off of his time from the previous year in the One City Marathon. He expressed gratitude to the community for the tremendous event and show of support.

City Clerk Mabel Washington Jenkins, wished Ms. Jennifer Walker, Chief Deputy City Clerk, a Happy Birthday. Ms. Walker celebrated her birthday on Tuesday, March 22.

Councilwoman Vick echoed remarks of the City Manager regarding the One City Marathon. She stated it was an exciting event for the City of Newport News. The weather cooperated, which made it even better. She thanked the staff that worked hard to put the event together, particularly Dr. Telly Whitfield.

Councilwoman Vick thanked Ms. Lisa Cipriano, Director, Department of Budget and Evaluation, and staff for the way they led the Council and citizens through the budget process. She expressed appreciation for Ms. Cipriano's expertise and knowledge of the budget.

Councilman Bateman thanked the City Manager and staff, particularly Dr. Telly Whitfield, for their hard work on the One City Marathon. He stated it was a great day for the City of Newport News and brought everyone together as ONE CITY, as intended. He was proud of the City and was happy to have been a part of the One City Marathon.

Councilman Bateman thanked City Manager Bourey and staff on the presentation of the FY 2017 Recommended Operating Budget that was presented to City Council at the March 22, 2016 Work Session. He reminded that Newport News citizens had ample time to review the budget and provide comments to members of the City Council. The budget, and a copy of the presentation, was available for review on the City's website [www.nnva.gov](http://www.nnva.gov).

Councilwoman Cherry wished Ms. Jennifer Walker, Chief Deputy City Clerk, a Happy Birthday. (Ms. Walker celebrated her birthday on Tuesday, March 22).

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.

J. New Business and Councilmember Comments Continued

Councilwoman Cherry congratulated all of the City staff for the One City Marathon weekend events. Activities began with a Kick-off event on Friday, March 11, 2016 at the Downing Gross Cultural Arts Center (2410 Wickham Avenue). Guests enjoyed themselves on Saturday, March 12, 2016 at King Lincoln Park (600 Jefferson Avenue), with a Family Fun and Fit Day. She commended the Department of Parks, Recreation, and Tourism for the upkeep of King Lincoln Park. She encouraged citizens to visit King Lincoln Park. She advised that she and Councilwoman Vick competed, and completed the 8K event as part of the One City Marathon. She announced that her completion time had improved from the 2015 8K event. She also got to participate in the Nautical Mile with her 7-year old niece, Miss Zyian Britt.

Councilwoman Cherry congratulated Apostle Charlie Ammons and Pastor Vikki Ammons, on the dedication of their new Restoration Christian Church Worship Center, located at 606 Denbigh Boulevard, Suite 402, on Sunday, March 20, 2016.

Councilwoman Cherry and colleagues attended Coffee with a Cop, on Wednesday, March 16, 2016, 8:30 a.m. – 10:30 a.m., at Hardee's Restaurant (8104 Newmarket Drive, Hampton). It was a great opportunity to speak with residents, and citizens at-large. They also were able to bond with the Hampton Police Department and their recruits. She thanked the South District of the Newport News Police Department, specifically Officer Donald Greathouse and Captain Eric Randall, for hosting Coffee with a Cop.

Councilwoman Cherry announced future Coffee with a Cop events as follows: (1) Wednesday, March 23, 2016, 8:00 a.m. – 10:00 a.m., at The Lunch Bell (694 Town Center Drive); and (2) Wednesday, April 7, 2016, 8:00 a.m. – 10:00 a.m., at Vancosta's Restaurant, 14745 Warwick Boulevard. She advised that a Cola with a Cop event was also being planned, TBA. These events provided the opportunity to meet their law enforcement officers, and other citizens from the community.

Councilwoman Cherry wanted to welcome and thank the Sister Cities delegation from Greifswald, Germany for visiting the City of Newport News. She mentioned that Newport News School Board member, Ms. Shelly Simonds, had contacted her to advise that the Greifswald delegation had made Easter Baskets for her Easter Basket Give-a-way, scheduled for Saturday, March 26, 2016, 1:00 p.m. – 3:00 p.m., at 617 -27<sup>th</sup> Street. The event was for Newport News children only, aged 2 – 12. Councilwoman Cherry was grateful to the delegation who had come to Newport News and become immersed in our businesses and customs.

Councilwoman Cherry reiterated the Easter Basket Give-a-way, on Saturday. All children were to be accompanied by an adult. All adults were required to be accompanied by a child. Baskets were for the children.

Councilwoman Cherry congratulated Dr. Anthony Cooper, Pastor at Miracle Temple Baptist Church (617-32<sup>nd</sup> Street) who would celebrate his 5<sup>th</sup> Pastoral Anniversary on Sunday, April 3, 2016.

J. New Business and Councilmember Comments Continued

Vice Mayor Coleman advised that he, City Manager Bourey, and the City's Budget Director, Ms. Lisa Cipriano, attended the meeting of the Newport News School Board, on Tuesday, March 15, 2016, 6:30 p.m., at the Newport News Public Schools Auditorium, (12465 Warwick Boulevard) when the Schools presented its budget. He thanked Mr. Jeff Stodghill for being a gracious host, and stated it was great to hear about the amazing happenings in the NNPS. He congratulated the members of the School Board for these accomplishments, and on approving the Schools' budget. He reiterated the remarks of Mr. Shifflet and Ms. Wright, the Newport News City Council was committed to education in the community, and to the students, and looked forward to moving forward with the School Board, and working together to provide the most exceptional education possible for all Newport News children.

Vice Mayor Coleman thanked Ms. Wright for mentioning STEM. He shared there were some exceptional students practicing their STEM techniques on the Robotics Teams in the high schools. These were top-notch teams, some recognized nationally. One team with national recognition was the Triple Helix Robotics Team, out of Menchville High School. The Triple Helix Robotics Team received the District Chairman's Award, during the weekend of March 19, 2016, which was the highest honor. The award was not about on-field performance, but about what the team did in its community. Triple Helix placed fifth in the district of 132 teams, earning them a berth at the FIRST Chesapeake District Championship, scheduled April 7-9, 2016, at the XFINITY Center on the campus of the University of Maryland in College Park, where they would compete to earn an invitation to the FIRST Championship in St. Louis, scheduled for the end of April, 2016. He extended congratulations to the Triple Helix Robotics Team.

Vice Mayor Coleman shared that the CAT-5 Cybercanes Robotics Team from Heritage High School received the Rookie Inspiration Award. This team was just getting started. He encouraged all high school students to look into the Robotics Teams. He personally witnessed an incredible competition at Menchville High School two months prior. It was more than building robots, but was about teambuilding and building relationships.

Mayor Price congratulated City Manager Bourey and staff for a very successful One City Marathon weekend. Mayor Price announced the program re-capping the One City Marathon weekend activities would be televised immediately following the Council Meeting on NNTV Channel 48 and Verizon Channel 19.

Mayor Price and his colleagues were excited to welcome Ashley Furniture to Newport News on Wednesday, March 16, 2016. He was honored to announce that Newport News was the first city on the Peninsula for Ashley to open a location.

Councilwoman Scott thanked City Manager Bourey and Ms. Lisa Cipriano, Director, Department of Budget and Evaluation, and staff for the presentation of the FY 2017 Recommended Operating Budget. Councilwoman Scott shared with the citizens that Ms. Cipriano announced that there would be "no new taxes." The Budget staff did a great job of

J. New Business and Councilmember Comments Continued

breaking the budget down so that members of City Council understood it enough to articulate it to the citizens.

Councilwoman Scott commended Ms. Kate Helwig, Executive Director, Sister Cities Newport News, for the tremendous job she did with very few resources; and expected nothing in return. Councilwoman Scott indicated that Ms. Helwig did a great job hosting guests from other countries (Greifswald, Taizhou, and Neyagawa) when visiting Newport News.

Councilwoman Scott advised that she and colleagues attended the Dedication of the Restoration Christian Church Worship Center, located at 606 Denbigh Boulevard, Suite 402, on Sunday, March 20, 2016. She stated it was an awesome event. Afterwards she had a tour of the facility. Pastor Vikki Ammons wanted the citizens in Denbigh, and across the City, to know that they were always welcome. The facility had many programs, had Children's rooms, separated many activities by age groups. These facilities were open for use to the community. Councilwoman Scott encouraged citizens to take advantage of the invitation.

Councilwoman Scott announced the next North District Town Hall Meeting was scheduled for on Monday, March 28, 2016, 7:00 p.m., at the Denbigh Community Center (15198 Warwick Boulevard). There would be Open Discussion. She encouraged citizens to attend to share their thoughts, concerns, and ideas. She stated that a staff member from the City's Department of Planning would be in attendance to provide an update on new projects or developments.

In observance of Women's History Month, Councilwoman Scott congratulated and applauded all women in the City of Newport News who were mothers, aunts, sisters, employers, employees, teachers, etc. She stated the world runs because women were in it. She congratulated women for having two heads, four arms, six ears, six legs, and being able to complete all of the tasks done on a daily basis.

Councilwoman Scott wished Ms. Jennifer Walker, Chief Deputy City Clerk, a Happy Birthday. (Ms. Walker celebrated her birthday on Tuesday, March 22).

Councilwoman Cherry announced that the South District "Your Voice Matters" Town Hall Meeting would not be scheduled for Thursday, April 14, 2016, due to the Budget Hearing scheduled for that date. She asked citizens to attend the Budget Hearing at the Denbigh Community Center (15198 Warwick Boulevard) at 7:00 p.m.

K. Adjourn

Mayor Price adjourned the meeting by addressing the citizens. He stated, "May what you say and do uplift the City of Newport News."

THERE BEING NO FURTHER BUSINESS,  
ON MOTION, COUNCIL ADJOURNED AT 8:24 P.M.

*Mabel Washington Jenkins*  
Mabel Washington Jenkins, MMC  
City Clerk

McKinley L. Price, DDS  
Mayor  
Presiding Officer

A true copy, teste:

City Clerk