

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

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

ABSENT: None-----0

A. Call to Order

Mayor Price called the meeting to order and welcomed all. He 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 Pastor Justin White, City Life 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 Cherry.

D. Presentations

1. 2017 One City Marathon – Announcement of Charitable Partners

Mayor Price reminded that the Newport News One City Marathon was established to promote local pride, encourage healthy lifestyles, and gain greater exposure for the City. The marathon was achieving those goals – people were coming together – getting serious about their health – and recognizing what made the community special. He announced that the 3rd Annual One City Marathon Weekend, presented by Newport News Shipbuilding, would be held March 10 - 12, 2017.

Mayor Price stated that the first race established a tradition of supporting local non-profits that improved the lives of families in the area through an official charitable partnership program. Previous recipients supported childhood literacy, provided food for their neighbors, and served others in times of crisis. The One City Marathon contributed over \$40,000 to organizations in a two year period, which made the One City Marathon one of the most generous races of its size in the United States. The Marathon had become a signature event,

D. Presentations Continued

1. 2017 One City Marathon – Announcement of Charitable Partners Continued

which could not have been accomplished without great corporate sponsors, specifically, the Newport News Shipyard. Mayor Price invited Mr. Bill Bell, Vice President of Administration and Human Resources, to the podium to say a few words on behalf of the City's presenting sponsor.

Mr. Bell shared the one question he heard often – why did Newport News Shipbuilding, the company that built the greatest ships, aircraft carriers, and submarines on the planet, feel it was appropriate and necessary to sponsor the Newport News One City Marathon. Mr. Bell responded by stating that Newport News Shipbuilding cared deeply about the health of its shipbuilders and their families. Newport News Shipbuilding offered free flu shots to its employees, established a 5K event, in which over 1,400 shipbuilders and their families participated, and sponsored the American Heart Walk. Mr. Bell stated all of the events helped shipbuilders, their families, and the community, pay attention to their health. Newport News Shipbuilding found it appropriate to sponsor the One City Marathon because they were in the City, and had partnered with the City for over 130 years, and could think of no better way to continue to celebrate the partnership than to continue being the presenting sponsor of the One City Marathon. He introduced City Manager James Bourey to announce who would be the beneficiaries of the charitable events.

City Manager Bourey stated that the 2017 Charitable Partnership process began early to allow more opportunities to increase awareness, engage supporters, and raise funds. He stated that three youth development non-profit agencies were selected as the 2017 One City Marathon charitable partners. Each of the agencies worked to help youth identify and manage emotions, form healthy relationships, and make positive choices to guide them to become productive citizens of the 21st century.

The first non-profit charitable partner – Alternatives, Inc., worked to inspire youth to reach their potential and inspire adults to recognize the same potential. For over 40 years, Alternatives worked to build the social and emotional intelligence of all youth on the Virginia Peninsula, serving 3,343 Newport News residents during FY 2014-2015. City Manager Bourey invited Ms. Kathy Johnson, Executive Director, Alternatives, Inc., to the podium.

Ms. Johnson, on behalf of the Board and staff of Alternatives, Inc., stated they were thrilled to be a part of the One City Marathon. She advised that Alternatives, Inc. would work to engage youth and AmeriCorps members to serve as volunteers for the One City Marathon. She stated they were excited about promoting healthy, creative, and principled young people throughout the City of Newport News and the Virginia Peninsula.

City Manager Bourey announced the second non-profit charitable partner – The Center for Child and Family Services (CCFS). He stated that CCFS had assisted Newport News residents since 1943. The Center provided conflict resolution and job readiness skills for at-risk youth, financial literacy courses, and mental health therapy for families, as well as offen-

D. Presentations Continued

1. 2017 One City Marathon – Announcement of Charitable Partners Continued

der re-entry programs. More than 1,000 Newport News residents were assisted through CCFS during FY 2015-2016. City Manager Bourey invited Mr. Mike Edmunds, Executive Director, CCFS, to the podium.

On behalf of the CCFS Board of Directors, staff, and the clients served, Mr. Edmunds thanked the City Manager and members of City Council for their dedication to the non-profit community, and support of the One City Marathon. He stated the CCFS had provided counseling and support services since 1943, by helping to empower people to face life's challenges. Funds raised from association with the 2017 One City Marathon would support the youth services programs, which included youth violence prevention, mental health counseling, and support services for abused and neglected children. Mr. Edmunds advised that it was an honor to be chosen as one of the partners for the 2017 One City Marathon and looked forward to a wonderful event.

City Manager Bourey announced the third non-profit charitable partner – Parents Against Bullying (PAB). He stated that PAB was a grass roots organization that strived to prevent bullying and provided support to youth and families affected. PAB facilitated ongoing mentorships, workshops, and weekly group meetings; and hosted large awareness campaigns. Over 2,300 Newport News residents participated in the 2015 "1,000 Youth March." City Manager Bourey invited Ms. Shanta Miller-Synaker, Founder and CEO, to the podium.

Ms. Miller-Synaker stated that PAB was excited about the 2017 One City Marathon. She expressed excitement about the new partner-relationships that would be built as a result. PAB supported the youth and their families to spread awareness and to be the support to let youth know that it was okay to speak up and out against bullying, as silence was a deadly killer. PAB would walk hand in hand with the youth to stop youth violence and to speak up about bullying.

City Manager Bourey thanked the Ms. Johnson, Mr. Edmunds, and Ms. Miller-Synaker for their work in the community. He stated that each partner would benefit from money raised through pledge campaigns, direct on-line contributions, and proceeds from the race. He encouraged citizens to give, to register for a race, and learn more about the aforementioned organizations by visiting the website at onecitymarathon.com. He further encouraged citizens to participate in the 2017 One City Marathon Weekend, presented by the Newport News Shipbuilding on March 10-12, 2017.

(Members of City Council joined the City Manager, Mr. Bell, and charitable partners for a joint picture).

D. Presentations Continued

2. Resolution of Recognition: Honoring Mr. Michael Motley, Volunteer with the Newport News Police Department (NNPD) Community Education and Outreach Center

Mr. Michael Motley, Volunteer, NNPD, accepted the resolution.

Mr. Michael Motley served as a volunteer at the NNPD's Community Education and Outreach Center in the Hilton Village neighborhood of Newport News. He retired from the Marva Maid Dairy after 45 years of service and began volunteering in 2004 at the NNPD Community Education and Outreach Center at its original location in Patrick Henry Mall. Mr. Motley assisted with the transition when the NNPD Community Education and Outreach Center moved in 2005 to a site in Hilton Village that once housed a gas station. A renovation project occurred in 2011-2012 to refurbish the museum and create a meeting space that is used by civic and community groups.

The Police Museum is a centerpiece of the Community Education and Outreach Center, where Mr. Motley serves as its Curator. With his storytelling ability and vast knowledge about the history of the NNPD, Mr. Motley helped bring history to life as he shared facts and his knowledge with visitors at the Center. Mr. Motley consistently made himself available when groups requested use of the meeting space at the Center.

For his dedication, Mr. Motley was recognized by the NNPD as Volunteer of the Quarter from October – December 2012, and Volunteer of the Year for 2012.

Mayor Price, on behalf of the members of the Newport News City Council, recognized and honored Mr. Michael Motley for volunteering over 5,800 hours of his time at the NNPD Community Education and Outreach Center, and expressed sincere appreciation for his service to the citizens of Newport News and his commitment to the mission of the NNPD.

Mr. Motley received a standing ovation from members of City Council and citizens in attendance.

E. Public Hearings

1. Ordinance Authorizing the City Manager to Execute a Lease for Property Located at 524 J. Clyde Morris Boulevard to the Virginia Living Museum, Inc.

AN ORDINANCE 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 LEASE BY AND BETWEEN THE CITY OF NEWPORT NEWS, VIRGINIA, AND THE VIRGINIA LIVING MUSEUM, INC. DATED THE 9TH DAY OF AUGUST, 2016. This ordinance authorized the City Manager

E. Public Hearings Continued

1. Ordinance Authorizing the City Manager to Execute a Lease for Property Located at 524 J. Clyde Morris Boulevard to the Virginia Living Museum, Inc. Continued

to execute a Lease between the City of Newport News and the Virginia Living Museum, Inc. for property located at 524 J. Clyde Morris Boulevard. The City of Newport News (City) had leased property at 524 J. Clyde Morris Boulevard to the Virginia Living Museum, Inc. (VLM) since September 22, 1966. The lease between the City and the VLM would expire August 31, 2016. The new lease would contain the same terms and conditions as the current lease. The term of the proposed lease would be for a five-year period, to commence September 1, 2016, and terminate August 31, 2021. The City Manager recommended approval.

(No registered speakers)

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

Vote on Roll Call:

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

Nays: None

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

Councilman Bateman filed a declaration in accord with Section 2.2-3115H of the Virginia Code. He declared, pursuant to subdivision A.3 of §2.2-3112 of the Virginia Conflict of Interest Act, for the City Council Agenda of August 9, 2016, (i) as Agenda item E.1., the City Manager recommended to the Newport News City Council that property be leased at 524 J. Clyde Morris Boulevard to the Virginia Living Museum for a period of five (5) years, (“the transaction”); (ii) that the tenant was the Virginia Living Museum; (iii) that he was an employee of TowneBank, and the Virginia Living Museum was a client of the bank; however, he did not personally represent or provide services to the tenant; (iv) that he had no personal interest affected by the transaction; and (v) that he was able to participate in the transaction fairly, objectively, and in the public interest (a signed written declaration was filed with the City Clerk prior to the City Council meeting at which the transaction was considered – August 9, 2016; and is attached and made a part of these minutes).

Vote on Roll Call:

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

Nays: None

E. Public Hearings Continued

2. Ordinance Authorizing the City Manager to Execute a Deed of Easement to Lumos Networks, Inc., for the Installation of Fiber Optic Cable on City-owned Property Located at 100 City Farm Road

AN ORDINANCE 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 DEED OF EASEMENT BY AND BETWEEN THE CITY OF NEWPORT NEWS AND LUMOS NETWORKS, INC., DATED THE 9TH DAY OF AUGUST, 2016, FOR AN EASEMENT TO INSTALL FIBER OPTIC CABLE ON CERTAIN CITY-OWNED PROPERTY LOCATED AT 100 CITY FARM ROAD IN THE CITY OF NEWPORT NEWS. This ordinance authorized the City Manager to execute a Deed of Easement by and between the City of Newport News, Virginia, and Lumos Networks, Inc. (Lumos) to install fiber optic cable on City-owned property located at 100 City Farm Road. A request was received from Lumos to grant a utility easement to accommodate the installation of fiber optic cable to the privately-owned telecommunications tower located on the parcel. The expiration of the easement coincided with the City's land lease to the owner of the telecommunications tower to ensure the City had maximum flexibility should the land lease not be renewed. Lumos had agreed to the fair market value of \$300 for the short-term utility easement. The City Manager recommended approval.

(No registered speakers)

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

Vote on Roll Call:

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

Nays: None

Vice Mayor Vick moved adoption of the above ordinance; seconded by Councilman Harris.

Councilwoman Woodbury observed that Lumos agreed to the fair market value of \$300 for the short-term utility easement; but in the contract, \$10.00 was mentioned. City Attorney Owens replied that the actual consideration was for \$300.00, the \$10.00 was standard language in a deed.

Vote on Roll Call:

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

Nays: None

E. Public Hearings Continued

3. Ordinance Authorizing the City Manager to Execute an Agreement Allowing an Encroachment in a City Right-of-Way, Adjacent to Property at 694 J. Clyde Morris Boulevard

AN ORDINANCE AUTHORIZING AN ENCROACHMENT UPON THE EAST SIDE OF RIGHT OF WAY KNOWN AS J. CLYDE MORRIS BOULEVARD ADJACENT TO 694 J. CLYDE MORRIS BOULEVARD, NEWPORT NEWS, TAX ID. NO. 214000224, AND TO AUTHORIZE THE CITY MANAGER TO EXECUTE AN ENCROACHMENT AGREEMENT BETWEEN JOSEPH A. BUFFA AND PAMELA A. BUFFA AND THE CITY OF NEWPORT NEWS. This ordinance authorized the City Manager to execute an Encroachment Agreement upon the east side of the City's right-of-way known as J. Clyde Morris Boulevard, adjacent to 694 J. Clyde Morris Boulevard. Joseph A. and Pamela A. Buffa owned a parcel of real property known as 694 J. Clyde Morris Boulevard, Newport News, Virginia. A survey obtained by the owners showed that the existing parking lot on the property encroached a few feet upon the City's J. Clyde Morris right-of-way, and the owners wished to maintain the existing portion of the parking lot. City staff reviewed the request and location, and determined there was no objection to the encroachment as described in the proposed Encroachment Agreement prepared by the City Attorney's Office. The City Manager recommended approval.

Mr. Tom Waltz, 11832 Fishing Point Drive, Newport News, was available to answer questions.

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

Vote on Roll Call:

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

Nays: None

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

Councilwoman Cherry inquired what was at 694 J. Clyde Morris Boulevard. City Attorney Owens replied that this was the location of the former Joe and Mimma's Restaurant.

Councilwoman Cherry advised that the City would be granted property rights. The City was named as an additional insured for liability purposes. She questioned whether a copy of this policy had been filed with the City. City Attorney Owens responded, no, not yet, but it would have to be. The City would receive a copy once the Encroachment Agreement had been delivered. City Attorney Owens stated this was a standard practice. With most leases, where the City was leasing property; the City ensured that the property owner listed the City as an additional insured. The City had a certain standard amount that was required as a

E. Public Hearings Continued

3. Ordinance Authorizing the City Manager to Execute an Agreement Allowing an Encroachment in a City Right-of-Way, Adjacent to Property at 694 J. Clyde Morris Boulevard Continued

minimum. Should someone get hurt, and sued the City, there was extra coverage to protect the City.

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

Councilman Bateman filed a declaration in accord with Section 2.2-3115H of the Virginia Code. He declared, pursuant to subdivision A.3 of §2.2-3112 of the Virginia Conflict of Interest Act, for the City Council Agenda of August 9, 2016, (i) as Agenda item E.3., the City Manager recommended to the Newport News City Council approve an encroachment agreement by ordinance (“the transaction”); (ii) that the applicants for the said encroachment agreement were Joseph A. Buffa and Pamela A. Buffa; (iii) that he was an employee of TowneBank, and Joseph A. Buffa and Pamela A. Buffa were clients of the bank; however, he did not personally represent or provide services to them; (iv) that he had no personal interest affected by the transaction; and (v) that he was able to participate in the transaction fairly, objectively, and in the public interest (a signed written declaration was filed with the City Clerk prior to the City Council meeting at which the transaction was considered – August 9, 2016; and is attached and made a part of these minutes).

Vote on Roll Call:

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

Nays: None

F. Consent Agenda

Councilman Bateman moved adoption of the Consent Agenda, Items 1 through 7, both inclusive, as shown below; seconded by Councilwoman Cherry.

1. Minutes of the Special Meeting of July 12, 2016

(No registered speakers)

Vote on Roll Call:

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

Nays: None

F. Consent Agenda Continued

2. Minutes of the Organizational Meeting of July 12, 2016

(No registered speakers)

Vote on Roll Call:

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

Nays: None

3. Minutes of the Work Session of July 12, 2016

(No registered speakers)

Vote on Roll Call:

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

Nays: None

4. Minutes of the Special Meeting of July 12, 2016

(No registered speakers)

Vote on Roll Call:

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

Nays: None

5. Minutes of the Regular Meeting of July 12, 2016

(No registered speakers)

Vote on Roll Call:

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

Nays: None

6. Ordinance Amending City Code, Chapter 6, Animals and Fowl; All Chapters and Sections

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 6, ANIMALS AND FOWL, OF THE CODE OF THE CITY OF NEWPORT NEWS. This ordinance amended the City Code, Chapter 6, Animals and Fowl; all chapters and sections, to bring it into alignment with the State Code, to modernize the terminology throughout, and revise the chapter's layout. Chapter 6 (Animals and Fowl) of the City's Code of Ordinances, had not had a major review in years. Consequently, many of the existing codes related back to when the City was appreciably more agricultural in nature, and as such, were no longer relevant. Other codes need to be revised to be properly aligned with State statutes, as well as contemporary terminology. Additionally, the Chapter layout, terminology, and definitions needed some revi-

F. Consent Agenda Continued

6. Ordinance Amending City Code, Chapter 6, Animals and Fowl; All Chapters and Sections Continued

sion and simplification to improve readability and understanding. The City Manager recommended approval.

(No registered speakers)

Vote on Roll Call:

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

Nays: None

7. Ordinance Amending City Code, Chapter 26, Motor Vehicles and Traffic; Article V., Permit for Operation of Oversize or Overweight Vehicles or Moving Houses; Section 26-89, General Authority to Issue; and Section 26-94, Permit Fees and Charges

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 26, MOTOR VEHICLES AND TRAFFIC, OF THE CODE OF THE CITY OF NEWPORT NEWS, VIRGINIA, ARTICLE V., PERMIT FOR OPERATION OF OVERSIZE OR OVERWEIGHT VEHICLES OR MOVING HOUSES, SECTION 26-89, GENERAL AUTHORITY TO ISSUE; AND SECTION 26-94, PERMIT FEES AND CHARGES. This ordinance amended the City Code, Chapter 26, Motor Vehicles and Traffic; Article V., Permit for Operation of Oversize or Overweight Vehicles or Moving Houses; Section 26-89, General Authority to Issue; and Section 26-94, Permit Fees and Charges. In accordance with City Code, the operation of any vehicles over City streets or combinations of width, height, length or weight, which exceeded that permitted by State law, required a permit issued by the Department of Engineering. Section 26-89 was revised to change the reference from 'Restricted Blanket Permit' to 'Super Load Blanket Permit' and identified a 'Single Trip Super Load Permit.' Section 26-94 was revised to remove the reference that prohibited blanket permits for Super Loads. The City Manager recommended approval.

(No registered speakers)

Vote on Roll Call:

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

Nays: None

G. Other City Council Actions

1. Resolution Authorizing the City Manager to Execute a Second Amendment to the Project Development Agreement By and Between the City and Tri-City Management, Inc. (Windy Knolls Condominiums)

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 SECOND AMENDMENT TO PROJECT DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF NEWPORT NEWS, VIRGINIA, AND TRI-CITY MANAGEMENT, INC., DATED THE 9TH DAY OF AUGUST, 2016. This resolution authorized the City Manager to execute a second amendment to the Project Development Agreement by and between the City of Newport News, Virginia, and Tri-City Management, Inc. (TCM) (Windy Knolls Condominiums). The City received a request from TCM to amend the terms of the development agreement with the City regarding the future mix of residential units at the complex. City Council was briefed on this issue at its July 12, 2016 Work Session. Since that time, staff had gathered additional information and finalized the terms of the development agreement. The proposed amendment would permit the Windy Knolls development to consist of 52 condo units for sale, and the balance of the residential units would be apartments built and maintained to certain standards. Of the 304 residential units, 52 would remain condos, 168 apartments, and 42 existing condo units that were rented as apartments, would be withdrawn from the Condo Homeowners Association, and an additional 48 apartments would be constructed on existing vacant land within the development, thereby increasing the units to a total of 310. Approval of the amendment would allow TCM and the Condo Association to implement their negotiated agreement. The City Manager recommended approval.

Ms. Diane Blumber, 522 Knolls Drive, #305, Newport News, urged members of City Council to approve the resolution authorizing an amendment to the Project Development Agreement for Windy Knolls Condominiums. She indicated that this had been a long process and the residents would like to see the matter resolved.

Mr. Joseph Blumber, 522 Knolls Drive, #305, Newport News, stated that he desired to live in a harmonious community. He indicated that a vote to amend the Project Development Agreement for Windy Knolls Condominiums would allow his desire to become a reality. He referenced an e-mail message listing many reasons for City Council to consider when making a decision. It was his hope that City Council would vote in favor of the proposed amendment for the Project Development Agreement for Windy Knolls Condominiums.

Mr. Chip Dicks, 1802 Bayberry Court, Suite 403, Richmond, Virginia, was available to answer questions.

Ms. Tonia Peake, Peake Law Group, P.C., 1318 Clemons Way, Midlothian, Virginia, was available to answer questions.

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

G. Other City Council Actions Continued

1. Resolution Authorizing the City Manager to Execute a Second Amendment to the Project Development Agreement By and Between the City and Tri-City Management, Inc. (Windy Knolls Condominiums) Continued

Councilwoman Scott commended the developer, the attorneys, and the residents of Windy Knolls, for working together to come up with a plausible solution to the situation. She agreed with Ms. Blumber that this had been a lengthy process. She had met with many of the residents, both individually and collectively, and was glad to have the matter resolved.

Councilwoman Woodbury indicated that the Windy Knolls Project was the first issue to be discussed when she was elected to City Council in 2008. She, too, was delighted that there had been a compromise, and that a solution was found to which everyone was happy.

Vote on Roll Call:

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

Nays: None

2. Resolution Approving the Issuance of up to \$104 Million of Revenue Bonds by the Economic Development Authority of the City of Newport News (EDA) for the Benefit of Virginia Baptist Homes, Inc. d/b/a LifeSpire of Virginia

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWPORT NEWS, VIRGINIA, ON THE ISSUANCE OF UP TO \$104,000,000 OF REVENUE BONDS BY THE ECONOMIC DEVELOPMENT AUTHORITY OF THE CITY OF NEWPORT NEWS, VIRGINIA FOR THE BENEFIT OF VIRGINIA BAPTIST HOMES, INC., D/B/A LIFESPIRE OF VIRGINIA. This resolution approved the issuance of revenue bonds by the Economic Development Authority of the City of Newport News, Virginia (EDA) in an amount not to exceed \$104 million for the benefit of Virginia Baptist Homes, Inc., D/B/A LifeSpire of Virginia. Virginia Baptist Homes, Inc. (the Applicant) owned and operated three continuing care retirement communities in Henrico County, Culpeper County, and Newport News. The facility in Newport News, the Chesapeake, is located at 955 Harpersville Road. In 2006, the EDA of Henrico County, Virginia, and the Peninsula Ports Authority of Virginia, issued bonds which financed and refinanced prior obligations of the Applicant, which prior obligations financed the acquisition, construction, and equipping of its three continuing care retirement communities. The Applicant planned to refund the 2006 Bonds, refinance an existing line of credit, and finance capitalized interest on the bonds, a debt reserve fund for the bonds, and cost of issuance related to the issuance of the current bonds. The EDA was scheduled to hold the necessary hearing at its August 5, 2016 meeting, and was expected to adopt an inducement and final resolution for the bond issuance. The EDA recommended that City Council provide the required jurisdictional approval of the bond issuance. The affiliated localities also approved the bond issuance, Henrico County on July 21, 2016, and Culpeper County on July 28, 2016. The City Manager recommended approval.

G. Other City Council Actions Continued

2. Resolution Approving the Issuance of up to \$104 Million of Revenue Bonds by the Economic Development Authority of the City of Newport News (EDA) for the Benefit of Virginia Baptist Homes, Inc. d/b/a LifeSpire of Virginia Continued

(No registered speakers)

Mr. Thomas W. Bruno, Bond Attorney, McGuire Wood and Battle, Richmond, Virginia, was available to answer questions.

Mr. Jonathan Cook, President and CEO, Virginia Baptist Homes, Inc., d/b/a LifeSpire of Virginia, was available to answer questions.

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

Councilwoman Scott questioned the reason the City was backing bonds for the benefit of Virginia Baptist Homes, d/b/a LifeSpire of Virginia. City Manager Bourey replied that this was a refinancing of their bonds. He further advised that any bonds going through the process were required to have the approval of the City Council. City Attorney Owens added that the approval of the elected representatives of the particular jurisdiction was required. Councilwoman Scott inquired whether it was based on the amount of the bond. City Attorney Owens responded that it did not matter the amount of the bond, but was under the State Code in order to receive the tax exempt bond financing. He further advised that a portion of this project was located in the City of Newport News.

Vote on Roll Call:

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

Nays: None

- (3) Resolution Denying Jurisdictional Approval of Newport News Redevelopment & Housing Authority (NNRHA) Issuance of Multi-Family Housing Revenue Bonds in an Amount Not to Exceed \$16 Million for the Ivy Tower Apartments Project

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWPORT NEWS, VIRGINIA DENYING JURISDICTIONAL APPROVAL OF THE ISSUANCE BY THE NEWPORT NEWS REDEVELOPMENT AND HOUSING AUTHORITY OF ITS MULTIFAMILY HOUSING REVENUE BONDS FOR THE BENEFIT OF IVY TOWER APARTMENTS (FORMERLY KNOWN AS THE TOWERS) LOCATED IN THE CITY OF NEWPORT NEWS, VIRGINIA. This resolution denied the jurisdictional approval of NNRHA issuance of Multi-Family Housing Revenue Bonds in an amount not to exceed \$16 million for Ivy Tower Apartments. Ivy Tower Associates, Limited Partnership, desired to acquire and renovate an existing 140-unit apartment complex, known as The Towers Apartments, at 700

G. Other City Council Actions Continued

- (3) Resolution Denying Jurisdictional Approval of Newport News Redevelopment & Housing Authority (NNRHA) Issuance of Multi-Family Housing Revenue Bonds in an Amount Not to Exceed \$16 Million for the Ivy Tower Apartments Project Continued

Waterfront Circle. In order to assist with the financing of the project, Ivy Tower Associates, Limited Partnership sought NNRHA's issuance of the Multi-Family Housing Revenue Bonds in an amount not to exceed \$16 million. NNRHA approved a resolution at its July 19, 2016 Board Meeting for issuance of the bonds for the benefit of Ivy Tower Apartments and held the required public hearing. Since NNRHA was the issuer of the bonds, and the project was located in Newport News, City Council was required to consider the NNRHA's request for approval or denial of the bond issuance. Since the City was awarded a \$500,000 Choice Neighborhood Initiatives Grant (CNI), a planning process to engage citizens in the Southeast Community would begin to formulate a transformation plan that would serve as a guide for future revitalization efforts. The Ivy Towers housing complex was within the boundaries of the CNI planning area and given the City's initiative to develop a transformational community driven short and long range plan, it would be premature to make a long-term commitment to the Ivy Towers project.

The City Manager announced that this item had been withdrawn by the applicant. No City Council action was necessary (a copy of the letter requesting withdrawal is attached and made a part of these minutes).

H. Appropriations

Councilwoman Scott moved adoption of Appropriations, Items 1 through 5, as shown below; seconded by Vice Mayor Vick.

1. Department of Libraries and Information Services – Neisser Bequest: Main Street Library

A RESOLUTION APPROPRIATING FUNDS FROM NEISSER BEQUEST INTEREST REVENUE (\$9,217.00) TO NEISSER BEQUEST – TRAINING (\$7,835.00) AND NEISSER BEQUEST – SPEAKER SERIES (\$1,382.00). This resolution appropriated \$9,217.00 of interest earned in FY 2016 from the Neisser Bequest to the Newport News Department of Libraries and Information Services for the Main Street Library. On April 12, 2005, Dr. Herbert H. Neisser left a bequest of approximately \$2 million to the Main Street Library. The adopted guidelines stated that eighty-five percent (85%) of the interest earned each year was to be used for projects that directly benefited the Main Street Library, with the remaining 15% returned to the endowment. Interest earned in FY 2016 was \$10,844, making \$9,217 available to the Main Street Library. No local funds were required for this appropriation. The City Manager recommended approval.

H. Appropriations Continued

1. Department of Libraries and Information Services – Neisser Bequest: Main Street Library Continued

(No registered speakers)

Vote on Roll Call:

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

Nays: None

2. Department of Public Works - FY 2017 Additional State Revenue for Street and Highway Maintenance: Residential Street Reconstruction/Resurfacing Contracts

A RESOLUTION APPROPRIATING REVENUE TO FORCE ACCOUNT – STREET/HIGHWAY MAINTENANCE GENERAL FUND REVENUE (\$302,276.00) AND STREET/HIGHWAY MAINTENANCE FUND (\$302,276.00) AND APPROPRIATING EXPENDITURES TO CONTRACTUAL PAVING/PUBLIC WORKS DEPARTMENT (\$302,276.00) AND STREET/HIGHWAY MAINTENANCE FUND QUALIFIED ASPHALT/RESURFACING (\$302,276.00). This resolution appropriated \$302,276.00 of additional FY 2017 Street and Highway Maintenance State Revenue to the Department of Public Works for Residential Street Reconstruction/Resurfacing Contracts and right-of-way maintenance. The City had been notified that FY 2017 State Revenue and Highway Maintenance would be \$302,276.00 more than estimated. The additional funds would be appropriated to Public Works' General Fund operating budget, which was the Department that would oversee the contracts and work. Subsequently, the funds would be moved to the Street/Highway Maintenance Fund, which was required by State accounting practices to be in a separate fund. No other local funds were required for this resolution. The City Manager recommended approval.

(No registered speakers)

Vote on Roll Call:

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

Nays: None

3. Department of Parks, Recreation and Tourism – FY 2016 Capital Improvements Plan (CIP): Various Construction Projects, Renovations and Repairs of Parks and Recreation Facilities and Amenities

A RESOLUTION APPROPRIATING FUNDS FROM BONDS AUTHORIZED AND UNISSUED (\$850,000.00) TO PARKS AND RECREATION IMPROVEMENTS (\$850,000.00). This resolution appropriated \$850,000.00 from the FY 2016 CIP to the Department of Parks, Recreation and Tourism for various construction projects, renovations, and repairs of Parks and Recreation facilities and amenities. CIP funds in the Parks

H. Appropriations Continued

3. Department of Parks, Recreation and Tourism – FY 2016 Capital Improvements Plan (CIP): Various Construction Projects, Renovations and Repairs of Parks and Recreation Facilities and Amenities Continued

and Recreation category were designated for various construction projects, renovations, and repairs of parks and recreation facilities and amenities. The FY 2016 CIP funds were requested for dredging boat channels and refurbishment of selected tennis courts. The City Manager recommended approval.

(No registered speakers)

Vote on Roll Call:

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

Nays: None

4. Department of Development - FY 2016 Bond Authorization: Southeast Community Redevelopment Initiatives

A RESOLUTION APPROPRIATING FUNDS FROM BONDS AUTHORIZED AND UNISSUED (\$1,500,000.00) TO SOUTHEAST COMMUNITY REDEVELOPMENT INITIATIVES (\$1,500,000.00). This resolution appropriated \$1,500,000.00 from the FY 2016 Bond Authorization for the Southeast Community Redevelopment Initiatives. Numerous redevelopment activities had been undertaken to complement the investments already made by the City, the Economic Development Authority (EDA) of the City of Newport News, the Newport News Redevelopment and Housing Authority (NNRHA), and private property owners. The first milestones of the Brooks Crossing Project had been reached, with both the South Police Precinct and Jim's Local Market operational, and two phases of infrastructure nearing completion. The City would move to implementing the final phase of infrastructure, utility upgrading, relocation, and undergrounding and installation of light poles, vital to attracting private investment. It was requested that the remaining \$1.5 million in the FY 2016 Bond Authorization, Community Development Category, be appropriated for continued project investment in the Southeast Community. The City Manager recommended approval.

(No registered speakers)

Councilwoman Cherry referenced an August 3, 2016 Memo to City Council, from the City Manager, regarding the appropriation for Southeast Community Redevelopment Initiatives, and inquired whether the final phase of infrastructure was from 25th Street traveling South. City Manager Bourey responded this was for additional work in Brooks Crossing for infrastructure, as well as for the Newport News Housing and Redevelopment Authority (NNRHA). Councilwoman Cherry inquired about the reference in the memo to the 2400 block of Jefferson Avenue. City Manager Bourey indicated that he would get that information and forward it to members of City Council. He advised that part of the 2500 block

H. Appropriations Continued

4. Department of Development - FY 2016 Bond Authorization: Southeast Community Redevelopment Initiatives Continued

of Jefferson Avenue involved the development of NNRHA property.

Vote on Roll Call:

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

Nays: None

5. Waterworks Department - FY 2016 Capital Improvements Plan (CIP): Beach Road 12-Inch Dip Waterline Replacement Project

A RESOLUTION APPROPRIATING FUNDS FROM BOND PROCEEDS GENERAL OBLIGATION BONDS (\$3,600,000.00) TO CONSTRUCTION (\$3,199,295.00) AND CONTINGENCIES (\$400,705.00). This resolution appropriated \$3,600,000.00 for Engineering and Construction Services associated with the Beach Road 12-inch Dip Waterline Replacement. The Project involved replacing an existing 8-inch cast iron pipe originally installed in 1938 which would help provide additional water flow to the Fox Hill area in Hampton. This project was included in the CIP for the Waterworks Department previously approved by City Council. The City Manager recommended approval.

(No registered speakers)

Councilwoman Woodbury inquired whether the City of Hampton would contribute to the Project since Beach Road was located in Hampton. City Manager Bourey responded that the Waterworks Department was entirely funded as an Enterprise Fund, paid for by the fees. The City of Hampton would not contribute.

Vote on Roll Call:

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

Nays: None

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

Mr. David Niesel, 178 Normandy Lane, Newport News, commented on the proposed traffic calming measures for Maxwell Lane. He reminded members of City Council that he had addressed them on the same matter in January 2016 and again on July 12, 2016. He shared that Mr. Mohamed Elrahhal, Engineer I, Department of Engineering, had communicated with the residents to the best of his ability regarding the project.

Mr. Niesel mentioned, as discussed at a previous meeting, sandbags were tried as a potential traffic calming measure on June 15 – 16, 2016; but less than 24 hours later, the sandbags were destroyed when a gentleman pushed the sandbags with a bobcat from the corner of

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

Normandy and Maxwell Lanes into his yard and against the curb. The Engineering Department did replace those sandbags. Mr. Niesel understood that bump-outs would not be an option because some of the citizens voiced vehemently against them, the Fire Department also spoke against the bump-outs, which restricted the flow of the firetrucks through the intersections. Mr. Niesel shared that the average stopping for those traveling down Normandy Lane and turning right onto Maxwell Lane was four out of ten; but when the bump-out was tested, 80-90% of the vehicles were required to stop at the stop sign. He reiterated the fact that he and his family had almost been hit several times because of failure to stop at the stop sign. He felt that bump-outs were not aggressive, but appropriate, particularly for the intersection of Maxwell and Normandy Lanes.

Mayor Price asked the City Manager to update the audience on the discussion and decisions made during the City Council Work Session earlier (August 9, 2016).

City Manager Bourey advised that a lengthy discussion was held at the City Council Work Session earlier (August 9, 2016) about the history of the entire effort to do some traffic calming on Maxwell Lane. He advised that Mr. Everett Skipper, Director, Department of Engineering, described the initial discussion, and the suggestion for street humps, which were rejected due to the enormous amount of opposition; followed by the idea of bump-outs, which was subject to a tremendous amount of opposition. The packet of improvements and recommendations that the Department of Engineering presented to City Council included the following: painted parking lanes, raised bulb areas (1 ½ inches) in a domed-like area at the corners to identify where those lanes were; as well as additional enforcement, to include City Council adopting an ordinance to establish an additional \$200 fine for speeding in the area, with increased enforcement by the Police Department; plus the addition of rumble strips to identify that travelers were approaching a condition that required drivers to slow down. City Manager Bourey advised that the suggested measures would be implemented as soon as possible.

Mr. A. C. Pulliam, Jr., 239 Falcon Drive, Newport News, advised that Newport News was the greatest City in the World due to its geographic location. He distributed a drawing showing the waterfront area around the Christopher Shores and Stuart Gardens neighborhoods (a copy is attached and made a part of these minutes). He stated that Newport News did not have a beach – only Huntington Park. A sand sweeper was purchased for Huntington Park only, years ago. He referenced his aforementioned drawing of the waterfront area, citing, 3,149 feet of beach from Petersen's Yacht Basin to the area of privately owned property. The beach was 225 wide, with two gazebos/picnic shelters. Toward the end of the beach, there was an area specified with a sign, "For City Vehicles only. Strictly Enforced." The property along the edge, was Stuart Gardens property, or private property. Mr. Pulliam advised that Newport News was "missing the boat," having a nice beach for the residents. Creating a beachfront could be done in a short amount of time with very little money, and should be done as soon as possible.

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

Mr. Pulliam expressed concern that the Newport News Police Department only had five (5) police dogs. He suggested, in an effort to remove guns and criminals off of the streets, when a car was stopped, bring a dog to the scene, who would be sharp with finding a gun or weapon.

Mr. Pulliam indicated that he was pleased by the discussion regarding proposed traffic calming measures for Maxwell Lane heard at the City Council Work Session earlier (August 9, 2016), but expressed concern about the rumble strips and suggested adding them at a later time should all other efforts fail. He further stated, regarding the additional \$200 fine, that drivers should be allowed 10 miles per hour (mph) over the speed limit. If the additional fine for speeding were enforced strictly, the speed limit should be 35 mph and not one mile over the limit.

Mr. John Goodwin, 201 Maxwell Lane, Newport News, commented on the proposed traffic calming measures for Maxwell Lane. He advised that he had also attended the City Council Work Session earlier (August 9, 2016), and had heard the discussion. Mr. Goodwin felt the additional \$200 fine for speeding alone would stop a great deal of the speeding on Maxwell Lane. He personally liked the rumble strips suggestion, and preferred them over speed bumps. He thought the suggestions presented at the City Council Work Session were a perfect solution to the problem.

City Manager Bourey stated for clarity, the 30-day period alluded to was to bring an ordinance back to increase the fine for speeding. All other recommendations would be implemented prior to a 30-day period.

Mr. Roy Jackson, a retired employee of the Newport News Fire Department, 19 Courtney Avenue, Newport News, expressed displeasure with the local City government. He stated that he worked many years in the Fire Department putting his life on the line 24 hours each day and sometimes, for 48 consecutive hours, and 96 consecutive hours during a disaster. Mr. Jackson looked forward to his retirement, having reached that point in 2004. He was amazed that seven members of City Council could vote on anything that they wanted to approve or disapprove. He referenced City Council's vote to reject Wegmans Supermarket, because Kiln Creek residents did not want it due to the increased traffic that would travel through their neighborhood, which was not a big deal.

Mr. Jackson continued by stating that Newport News employees received a three percent (3%) pay raise. He recalled reading a Daily Press article two weeks previously, that the City Manager received a three percent (3%) pay raise, which amounted to approximately \$15,000; and on top of that, the article stated that City Council gave the City Manager several thousand dollars to put into his retirement account – approximately \$15,000. Mr. Jackson shared more of the article, advising that the City Attorney received a large increase, plus \$17,000 put into his retirement account for one year. He further shared that the City Clerk received \$8,000 put into her retirement account. Mr. Jackson asked whether anyone could guess what City of

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

Newport News retirees received in their retirement accounts. His response – City retirees did not receive one dime to put into their retirement accounts, asking whether that was what the City thought about the employees that had worked for the City for numerous years, putting their life on the line for the citizens of Newport News. Mr. Jackson questioned the City Manager about why City retirees did not receive a pay increase.

Mayor Price advised that Mr. Jackson was not to have a dialogue with the City Manager, but to share his concerns. Mr. Jackson stated that City retirees deserved an answer, as well as respect.

Mr. Howard Wood, 170 Maxwell Lane, Newport News, commented on the proposed traffic calming measures for Maxwell Lane, which as far as he knew, had been ongoing for four years. He and his wife had taken an active part and ensured that the appropriate paperwork had been completed by the residents of Maxwell Lane. Mr. Wood advised that he had spoken with City Manager Bourey earlier regarding the matter, which shed some light on the matter and answered some questions, particularly about the bump outs. Mr. Wood stated the bump outs were wrongly engineered from the beginning, and should be revisited. The traffic calming measures for Maxwell Lane had exploded into something much larger. He thought it odd that it took the City Council four (4) years to respond to the outcry by the residents. He also mentioned attempting to reach Councilwoman Woodbury, who did return one of his calls, which was six months prior. Mr. Wood suggested that City Council move ahead with resolving the issues dealing with traffic calming measures on Maxwell Lane as it was a safety matter. He gave kudos to the Newport News Police Department, who had been the resident's only avenue to resolve the issue. Mr. Wood asked that as members of City Council made plans, to please share those plans with the residents. The residents deserved to know that their children, grandchildren, and they would be safe on Maxwell Lane. There had been people in the area, but not living on Maxwell Lane, attend the Public Hearings, out vote the residents on more than one occasion. He stated the bump outs worked. It was he that called the police after witnessing the gentleman remove the sandbags from Maxwell Lane since they were the only people that would respond.

Mr. John Procyson, 305 Normandy Lane, Newport News, which was off of Maxwell Lane. Mr. Procyson addressed the issue of income and equality. He questioned why the rich got richer and the poor and the middle class struggle to stay afloat. He stated that not much could be done by City Council to change the bloated wealth of the top one percent (1%) in the country, and had little control over the private sector, but in the City of Newport News, whose motto was "One City," City Council could make a real change in the lives of the City employees. He suggested that the practice of giving "across the board pay raises" be ceased. A three percent pay raise for an employee earning \$30,000 equaled \$900 per year; but for the City Manager, a three percent pay raise equaled \$6,554, or seven times as much as the employee earning \$30,000. Mr. Procyson indicated, to make matters worse, the City Manager received an extra \$15,000 added to his retirement fund, for a total of \$21,000 plus. Mr. Procyson indicated this was a raise equal to two-thirds of the bottom salary workers' pay for an entire year. Mr. Procyson suggested,

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

every employee should receive the exact same pay increase, which would stop the income and inequality gap from getting any wider. This solution did not require raising taxes, or raising the minimum wage.

Mr. Procyson provided a copy of his letter to President Barack Obama in hopes that he would implement the suggestion before he left office. Mr. Procyson suggested that City Council implement the same (a copy of Mr. Procyson's memorandum to President Obama is attached and made a part of these minutes). To reinforce his remarks about economic inequality, two events bared witness: (1) City Council gave developers (rich folks) \$42 million to help in the construction of the Tech Center; and (2) City Council planned to give the Newport News Shipyard \$46 million to build "stuff." Mr. Procyson asked, "why?" The Shipyard was a multi-million dollar, private corporation that made tens of millions of dollars in profit. Top executives made multi-millions in salaries, plus stock options.

Mr. Procyson indicated that the City's Economic Development Director advised that the City must help ensure the Shipyard remained in Newport News. Mr. Procyson disagreed, and questioned, where would the Shipyard move?

Mr. Procyson asked members of City Council how they slept at night and how they faced hungry children. He suggested that most members of the Newport News City Council should resign, effective immediately.

Ms. Deborah Dail, 138 Maxwell Lane, Newport News, commented on the proposed traffic calming measures for Maxwell Lane. She advised that she had also attended the City Council Work Session earlier (August 9, 2016), and had heard the discussion. She thanked members of City Council for listening to the City's Engineers proposal regarding traffic calming measures for Maxwell Lane. Ms. Dail spoke about the danger for those residents that lived on Maxwell Lane and how they were affected entering and exiting their driveways. She expressed support for the proposed measures, and hoped that the rumble strips would also be approved. Regarding the parking lanes, she doubted that citizens would park on Maxwell Lane due to the number of accidents that had occurred. Ms. Dail pointed out that there was an elementary school zone and they were also affected. She added that the safety of the residents and the children should far surpass drivers getting from one end of Maxwell Lane to another. Ms. Dail thanked the staff of the City's Department of Engineering for all of their hard work, as well as the Newport News Police Department for having a presence on Maxwell Lane. She stated should the proposals not work, and slow vehicles, that City Council would revisit some the issues and recommendations that were brought forward previously.

Mr. Antonio Thompson, 1211-25th 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, commodity investment and the legalization of marijuana.

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

Mr. Thompson warned that the shootings would continue and would escalate. He further stated the importance of gun training, particularly for children. Mr. Thompson stated, with regard to children and guns, that we teach them how to clean a gun, use a gun, and responsibly when to use a gun. He stated that surveillance cameras should be present across the City. He commented about responsible gun ownership in connection with the Newport News Police Foundation.

Ms. Kashonda Mitchell, 1906 Madison Avenue, Newport News, advised that she was the mother of four, each a part of the Original B.R.O.T.H.A.S. She commented about the killings occurring in the East End (Downtown Newport News), specifically citing the shooting of three young children on Monday, August 8, 2016, ages, 14, 10, and 8. She advised that she had resided in the East End for 33 years, and expressed concern regarding her safety and that of her children, especially with the excess gang activity in the community. A single mother, with no father, Ms. Mitchell inquired what could be done to protect the children and keep them safe. She put her children in the Original B.R.O.T.H.A.S. to take them off of the streets. She indicated the East End was no longer safe. She suggested more activities and organized programs for the children like many of the neighboring municipalities. Newport News had no activities in the East End for children.

Miss Honesty Mitchell, 1906 Madison Avenue, Newport News, shared that she was nine years of age. She further shared that she nor her brothers and sister could walk to the park in the evening without hearing gunshots from Ridley Circle. They attended the Original B.R.O.T.H.A.S. facility, where they were fed, played games, clothed and helped. The children were allowed to hangout and watch television at the facility.

Mr. Michael Benton, 1904 Jefferson Avenue, Newport News, advised that he was a member of the Original B.R.O.T.H.A.S.. He observed that the young children in the East End were very talented, but felt there was nothing for the children to do. Children only observed people standing on the corners, selling drugs, and shooting. He referenced the shooting of three young children on Monday, August 8, 2016. The Original B.R.O.T.H.A.S. helped the community, trying to give the children something to do. Mr. Benton shared that he did volunteer work at the facility, feeding children and adults. Residents in the community look for the leaders to do something about the senseless shootings and violence. He vowed to do what he could to assist, even if it meant talking to the youth on the streets. He stated help was needed. He urged members of City Council to assist. They approved funds for gas stations and supermarkets, but funds were needed to help the children to provide them with something to do or someplace to go.

Minister Curtis Harris, 1904 Jefferson Avenue, Newport News, commended Mayor Price for his work in the community. Referencing the shooting of three young children on Monday, August 8, 2016, he advised when children were hurt, so was he. Mothers come into the Original B.R.O.T.H.A.S. facility seeking help from the senseless violence and shootings that were occurring in the Southeast Community (East End). He advised that his team of the Original

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

B.R.O.T.H.A.S. would go to 36th Street, Chestnut Avenue, with people, or in spite of people, going door-to-door in an attempt to figure things out. They could not wait for another forum, but planned to respond to the issues and problems, and not just sit and watch the children get killed. Referencing Mr. Thompson's remarks about given children guns, Minister Harris advised that he tried to teach the children to get away from that mindset. He advised that he did not come to address the black race or the white race, but the human race as All Lives Matter. He addressed members of City Council as human beings that cared about the children, not in their official capacity as a member of City Council. He looked for the police officers to lock-up the criminals, and to let them know that they did not run the City of Newport News. Enough is enough. It began with the citizens, not with the Council. His message to preachers, "don't come preaching to me about saving lives and remain within the four walls of the church, nor preach about "The Great Commission," but to get outside of the four walls and begin to help the community. The people make Newport News great, not the buildings.

Ms. Darlisha Moore, 13232 Christy Lane, #9, Newport News, commended the members of City Council for the great work they did for citizens of Newport News. She further commended the Newport News Police Department with regard to keeping the streets and the citizens safe. She commented about a personal issue she had with the Department of Human Services, and not responding in a timely manner as far as for people in need of benefits. She traveled to the Satellite Office in Denbigh on her lunch break to get an issue resolved because the Caseworker did not answer her calls. Ms. Moore advised that her issue was resolved.

Mr. Thomas Blackman, 204 Maxwell Lane, Newport News, long-time resident of the City, commented on the proposed traffic calming measures for Maxwell Lane. With 24-years of law-enforcement experience, advised that he had conducted numerous traffic studies related to speeding. He observed that most speeders traveled 10-15 miles over the posted speed limit on Maxwell Lane. He indicated that citizens that voted or spoke against the traffic calming measures for Maxwell Lane, did not live on Maxwell Lane. He stated this was not a political issue, but one of safety, and should be dealt with.

Ms. Sandra Wood, 170 Maxwell Lane, Newport News, commented on the proposed traffic calming measures for Maxwell Lane, and expressed appreciation for the City Manager's response to her earlier.. Ms. Wood advised that she had also spoken with Fire Chief R. B. Alley, and several police officers about the matter. She indicated that the speed limit should not be increased on Maxwell Lane. She understood that police officers did allow 10 mph over the posted speed limit, and expressed her opposition to that practice. Ms. Wood expressed support for the bump outs, which definitely helped. Residents needed something to calm the traffic along Maxwell Lane, and did not feel safe with the speeding and intimidating driving practices along the street. Ms. Wood stated that she had the right to live safely on Maxwell Lane, and to remain safe, as well as her grandchildren.

J. New Business and Councilmember Comments Continued

Regarding the Southeast Community Redevelopment Initiatives, and Councilwoman Cherry's inquiry about the 2400 block of Jefferson Avenue, City Manager Bourey confirmed that the area was for property acquisition for the NNRHA.

City Manager Bourey addressed the comment that the developer for the Tech Center would receive \$42 million. He replied that was false.

City Manager Bourey addressed the comment about his raise and indicated that the deferred compensation was not an increase in compensation, but a three percent (3%) increase. He felt the misunderstanding was made by the way the article on increases was reported in the newspaper. He stated that the City staff did not receive a three percent (3%) increase across the board, but received merit-based increases based on performance.

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 all of the members of City Council cared about the residents, where they lived, as well as the City overall. She reminded the citizens that their voices were heard. There was good discussion about traffic calming measures on Maxwell Lane, and felt that those measures could be implemented quickly.

Regarding remarks made by Kashonda Mitchell, Councilwoman Cherry advised that there were some things that were happening in the Southeast Community for the children. There were free programs and activities for school-aged children in the Southeast Community. She and her colleagues had discussed doing a better job at getting the information out about what was happening in the community that was free for the children and for the parents.

Councilwoman Cherry thanked members of the NNPD for their leadership in the National Night Out Kick-Off Event, on Saturday, July 30, 2016, in the Target parking lot, located at 12130 Jefferson Avenue, from 10:00 a.m. – 2:00 p.m. Residents were able to speak to vendors and enjoy family-friendly activities and entertainment. She and her colleagues had the opportunity to participate in several events on Tuesday, August 2, 2016, from 6:00 p.m. – 8:30 p.m., joining neighbors as the City observed National Night Out, sending the message that crime would not be tolerated in our neighborhood.

Councilwoman Cherry extended congratulations to Mr. Elmer Woodard, Assistant Administrator, Community Maintenance Division, on his retirement from the City's Department of Public Works. She wished him the best in his new journey, and extended thanks for his service to the City of Newport News (20 years total; 1 year in Public Works).

Councilwoman Cherry advised that she and Councilwoman Scott attended the Newport News Police Department Youth Leadership Academy Graduation Ceremony, on Friday, August 5, 2016, 5:00 p.m., at Hines Middle School (561 McLawhorne Drive). She stated that it was a great experience and provided valuable experience for the youth in the community to be engaged with law enforcement. She believed attendance in the week-long academy helped

J. New Business and Councilmember Comments Continued

strengthen the youth's core values. Those in attendance were set to become productive citizens in the City of Newport News. Councilwoman Cherry announced that the Police Department Youth Leadership Academy was another free opportunity for the youth in the community.

Councilwoman Cherry announced the 2016 Back-to-School Community Fest, scheduled for Saturday, August 20, 2016, 1:00 – 3:00 p.m., on the lawn of the history James A. Fields House, 617-27th Street. The event was free and open to Newport News students, grades K-12. Children and youth under 17 years of age must be accompanied by an adult to receive school supplies. She advised that approximately 500 back packs were distributed in 2015, and hoped to distribute at least 600 in 2016. Donations of school supplies were welcomed. The event was in partnership with the Downtown Newport News Merchants and Neighbors Association, Inc. and the James A. Fields House, Inc.

Councilman Harris thanked all of the citizens for their attendance and participation at the meeting to receive their valuable feedback. He advised that the City Council was here to serve the citizens and anytime they could receive information, it helped them to enhance the City of Newport News.

Councilman Harris extended congratulations to the 44 students that graduated from the Summer program for students in the City of Newport News that had experienced challenges, yet overcame those challenges and persevered and were able to accumulate the credits needed to graduate. The graduation ceremony was held at Heritage High School on Tuesday, August 9, 2016.

Councilman Harris extended condolences to the family of Mr. Arnold Coates, who died tragically on Friday, July 29, 2016. Mr. Coates was a Denbigh High School graduate and military veteran, serving the United State Army with four deployments to Iraq and Afghanistan, receiving various awards, to include the National Defense Medal, the Global War on Terrorism Expeditionary Medal, and the Global War on Terrorism Service Medal.

Councilman Harris advised that City Council had a discussion about the tragic shooting of three young children on Monday, August 8, 2016, ages, 14, 10, and 8, at the City Council Work Session earlier (August 9, 2016). He advised that he would like to be a part of a program to get guns out of the hands of people that did not need guns. He looked forward to a dialogue with anyone and everyone that had programs in the community and wanted to work collaboratively to get the guns out of the hands of people, particularly the youth. Councilman Harris acknowledged two advocates. Minister Curtis Harris, Original B.R.O.T.H.A.S. and Reverend Eric "Duke" McCaskill, Royal Virtues Posse (RVP). Reverend McCaskill planned to take a young group on a Summer Enrichment Excursion to Atlanta, Georgia. He encouraged citizens to continue to support these programs in an effort to give youth something to do to stay out of trouble.

J. New Business and Councilmember Comments Continued

Councilman Harris announced that Pastor Willard Maxwell, New Beech Grove Baptist Church (325 Tabbs Lane), would host an “In Touch Community” Basketball Tournament, on Friday, August 12, 2016, 9:00 a.m. – 5:00 p.m., at the Denbigh Community Center (15298 Warwick Boulevard). Admission was free. The Tournament, “Bringing Us Together,” in an effort to promote love and unity, was open to all, ages 12 – adult. The Newport News Police Foundation, NNPD, NNFD, Sheriff’s Department, and other civic organizations would be present to discuss opportunities for employment and educational scholarships. There would be demonstrations by the fire and police departments, performances by local groups and organizations, music, food and fun. He encouraged the citizens to participate and get involved in this event.

Mayor Price invited citizens to attend the 2nd Annual 2016 Play Ball event, on Wednesday, August 10, 2016, 5:00 – 8:00 p.m., at the TowneBank Athletic Park, 741 Adams Drive, next door to the South Morrison Family Education Center. Activities would include baseball drills, face painting, an obstacle course and slide. Hot dogs and chips would be available free of charge. Mayor Price would also participate in the dunk tank.

Mayor Price announced that he, along with Delegate Marcia Price, and Senator Mamie Locke, would host a Town Hall and Community Fair on Sunday, August 14, 2016, 3:00 – 6:00 p.m. at Heritage High School (5800 Marshall Avenue). There would be information resources, a bounce house, games, food vendors, and a school supply give-a-way.

Mayor Price reminded that the August 23, 2016 Regular Meeting of the Newport News City Council had been cancelled. The next City Council meeting would be held on Tuesday, September 13, 2016.

Councilwoman Scott thanked all of the citizens for their attendance, and participation in the political process, particularly when it pertained to their community. She advised, if members of City Council were unaware of what was occurring in the community, and how citizens were affected, it would be difficult to make decisions in their best interest.

Councilwoman Scott advised that she attended and participated in National Night Out activities in the Southeast Community for the first time. She had an opportunity to interact with citizens in the Southeast Community, moving on to the Central, and her district in the North. She stated that all other districts had outshined the North District in the 2016 National Night Out events. She commended the NNPD and the communities throughout the City for their hard work on planning the National Night Out events – bringing citizens together with activities, food, and fun for all.

Councilwoman Scott shared that she had the opportunity to hang out with the Newport News Police at the NNPD Youth Leadership Camps. The leadership skills being taught to the youth were very important, but also the interaction between the police and the young people. She stated this was a golden opportunity for the youth to see the police officers on a

J. New Business and Councilmember Comments Continued

human level. They were not dressed in uniform, but came out in street clothes, and interacted with the youth as they would interact with their own children. She encouraged citizens to have their young people participate in the Newport News Police Leadership Camp. She advised that the youth were not allowed to bring electronic devices to Camp.

Councilwoman Scott advised that there was an Explorer Program through the Newport News Police Department, which was held every Thursday at the Community Education and Outreach Center. This too, was a free program, each Thursday, where the youth are able to learn what a police officer's job entailed. She encouraged parents to take their children.

Councilwoman Scott reiterated remarks made by Councilman Harris regarding the "In Touch Community" Basketball Tournament, on Friday, August 12, 2016, 9:00 a.m. – 5:00 p.m., at the Denbigh Community Center (15298 Warwick Boulevard). She added that there were many outdoor activities for children, including bounce toys and outdoor games for the children while the adults were inside competing against the first responders.

Councilwoman Scott announced the 2016 Community Fest and Back-2-School Celebration, on Saturday, August 13, 2016, 11:00 a.m. – 2:00 p.m., at the Denbigh Community Center (15198 Warwick Boulevard). This celebration was sponsored in part by Restoration Christian Church, Newport News Department of Parks, Recreation and Tourism, and herself. The Hampton-Newport News Continentals, and the Denbigh Alumnae of Delta Sigma Theta Sorority, Inc. had donated back-to-school supplies. There would be free food and drinks, free school supplies, a talent showcase, 3 on 3 basketball, and fun and games for all ages.

Councilwoman Scott announced that the next North District Town Hall Meeting was scheduled for Monday, August 22, 2016, 7:00 p.m., at the Denbigh Community Center (15298 Warwick Boulevard). The guest speakers for the event would be Newport News School Board Members, Mr. Douglas Brown and Mr. Marvin Harris, to provide updated information on buses, bus routes, and classrooms. She invited all young people going back to school, their parents, and grandparents, who want to know what was going on in the Newport News Public School System to attend.

Councilwoman Scott extended get well wishes and a speedy recovery to Deputy Vicki Gaffney, Community Relations Officer (CRO) with the Newport News Sheriff's Office. Deputy Gaffney was a member of the Newport News Sheriff's Department's Resources Team, and was a vital asset to the community, and was missed throughout the City.

Vice Mayor Vick thanked the citizens for their attendance and participation. She was glad that a resolution was reached regarding the proposed traffic calming measures on Maxwell Lane. She believed an additional \$200 fine for speeding would be a deterrent. She looked forward to positive results from the measures that would be implemented.

J. New Business and Councilmember Comments Continued

Vice Mayor Vick was empathetic for the families of the victims of the tragic shooting of three young children on Monday, August 8, 2016, ages, 14, 10, and 8. The violence was upsetting and occurred nationwide. She speculated that people knew the perpetrators of the shootings, bringing crime into the Southeast community, and encouraged them to find a trustworthy adult to share when criminal activity happened.

Regarding remarks made by Kashonda Mitchell, Vice Mayor Vick stated that it was disheartening to hear that more activities were needed. The SPARK Program, a Summer Program for Arts Recreation and Knowledge, was free for children, as was STEP (Summer Training and Enrichment Program). She encouraged citizens to visit the City's website at www.nnva.gov to review the many activities, programs, and events that would be of benefit.

Vice Mayor Vick was appreciative of the comments received from Ms. Deborah Dail regarding traffic calming measures on Maxwell Lane. She also thanked her for attending the City Council Work Session earlier (August 9, 2016) to hear the discussion.

Vice Mayor Vick extended Happy Birthday wishes to her daughter, Teunsha Vick. Ms. Vick would celebrate her 31st birthday on Thursday, August 11, 2016.

Councilwoman Woodbury indicated that she was aware of the long trip from the North End to City Hall, and she looked forward to the day when City Council meetings would be held throughout the City in different locations, which she had been an advocate for some time.

Councilwoman Woodbury indicated that the National Night Out Kick-Off event was wonderful. She indicated that she was scheduled to attend three National Night Out activities that had been cancelled; but managed to attend four others, which were vital.

Councilwoman Woodbury was disheartened to hear that citizens thought more activities were needed, since there were so many in the City that were free, and were not advertised. She brought her grandson weekly to the Downing-Gross Cultural Arts Center (2410 Wickham Avenue), where there was a wonderful steel drum program, which was also free.

Councilwoman Woodbury extended congratulations to Minister Curtis Harris and members of the Original B.R.O.T.H.A.S. for their hard work and dedication. She had attended many of their events, and was aware of how they went out into the community, going from door-to-door, trying to make a difference in the lives of individuals. She also extended congratulations to Reverend Duke McCaskill who had been active in the community for many years, taking young people on trips and making sure they received good experiences. She stated there were resources, and empathized with Ms. Kashonda Mitchell, the single mother that spoke earlier, and could understand how hard it was to find out about what resources were available. She felt the City had to do a better job to get the word out to the citizens.

J. New Business and Councilmember Comments Continued

Councilwoman Woodbury and her colleagues accepted an invitation to attend a Worship Service at Zion Baptist Church (633-20th Street, Newport News), entitled, "Together We Stand," to pray with members of City Council, Newport News Police Department, Sheriff's Office, and members of the surrounding community, in light of the myriad of events that had taken place in Baton Rouge, Louisiana; Dallas, Texas; and Falcon Heights, Minnesota. Members and City Officials exited the sanctuary and prayed on the outside of the church at Jefferson Avenue, standing hand in hand in prayer and solidarity as communities, races, and as people during this time in the nation. She complimented the Pastor, Reverend Dr. Tremayne Johnson, for bringing people together.

Councilwoman Woodbury wished all of the young people returning to school and the teachers a wonderful school year.

Councilwoman Woodbury thanked all of the citizens for their attendance and participation and for sharing their concerns and views as City Council needed to hear from them.

Councilman Bateman thanked Ms. Keshonda Mitchell for her attendance and participation. He empathized with her because she was afraid to allow her children outside of the home based on things occurring in the community. He advised that there were many options for children in Newport News. He encouraged her and other parents in the same situation to contact any member of the Newport News City Council, who would find something for the children. He reiterated that there were many wonderful programs in the City of Newport News, i.e. Original B.R.O.T.H.A.S., C. Waldo Scott Center for HOPE, Downing-Gross Cultural Arts Center, Boys & Girls Clubs, and the Peninsula Fine Arts Center to name a few. He stated there were places for children that were safe, where they are active, and out of trouble. He further stated, citizens could not let the actions of a few people in this town, take away all that was great in the City. We must persevere and turn things around and extol the virtues that made Newport News a great City in which to live.

Regarding Maxwell Lane, Councilman Bateman stated there was always a good speed hump controversy in Newport News. He appreciated all of the comments shared regarding the matter. He was hopeful that the parties would come together in a civil fashion to reach a solution, and felt it was done. He was appreciative of the resident's patience.

Councilwoman Woodbury liked Mr. Pulliam's idea about more police dogs.

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 8:49 P.M.

Mabel Washington Jenkins

Mabel Washington Jenkins, MMC
City Clerk

McKinley L. Price, DDS
Mayor
Presiding Officer

A true copy, teste:

City Clerk