

July 10, 2008

**WILLIAMSBURG CITY COUNCIL  
JULY 10, 2008  
MINUTES**

The Williamsburg City Council held its regular monthly meeting on July 10, 2008, at 2:00 p.m., in the Council Chambers of the Stryker Building.

**ATTENDANCE**

Present were Ms. Zeidler, Ms. Knudson, and Messrs. Haulman, Freiling and Braxton. Also present were City Manager Tuttle, City Attorney Phillips, and City Clerk Crist.

Attending: Deputy City Attorney Workman, Economic Development Manager DeWitt, and Department Heads Hudson, Serra, Clayton, Weiler, Walentisch, and Yost. Assistant City Manager Miller and Planning Director Nester were out of town.

**CALL TO ORDER**

Mayor Zeidler called the meeting of the 2008-2010 Council to order. The mayor welcomed Ms. Knudson.

**COUNCIL MINUTES**

*Mr. Freiling Moved That City Council Approve the Minutes of June 9 and 12, 2008. The Motion Was Seconded by Mr. Haulman.*

**Recorded Vote on the Motion:**

*Aye: Mr. Freiling, Mr. Braxton, Ms. Zeidler, Mr. Haulman, Ms. Knudson*

*No: None*

**Matters of Special Privilege**

**Youth Career Café, Presentation by Matthew James, President and CEO, Peninsula Council for Workforce Development**

Mr. Braxton, the city's representative to the Peninsula Workforce Development Consortium, said that the city and two counties have made a concerted effort to get a Youth Career Café started in the Williamsburg area. He introduced Mr. Matthew James who will be promoting the program in the Historic Area.

Mr. James provided Council members with a packet of information about the Youth Career Café (YCC) and made a PowerPoint presentation about the program (attached). The mission of the YCC is to prepare youth for the workplace. The café is a place where youth ages 14-21 can prepare for the real world, learn to navigate the business world, and make school relevant to workforce readiness skills. Mr. James said that the café at Patrick Henry Mall and the one in Hampton have been outstanding successes, having helped 3,000 kids in the last twelve months. The program helps young people to learn workforce readiness skills consistent with the skills learned in school. They receive help with career assessments, choices, employment, financial assistance, and tutoring. Young people serve on the Board of Directors which gives them buy-in. Mr. James explained the program's funding and noted it receives no federal monies. This program is a benefit to the community as well as the kids. Mr. James has been working with the Williamsburg Chamber about possible locations for a Historic Triangle location.

Mayor Zeidler thanked Mr. James for the presentation.

Council members and Mr. James discussed:

- A Needs Assessment for the Upper Peninsula. The model for being successful. A regional assessment was done through the schools before the program started, including an exiting survey of high school

seniors. Less than 50% of students said they were ready to go to work or aware of career options. The success of the program is directly related to the business outreach performed by staff.

- The synergy that would be created by having a Historic Triangle center located near schools and the community college.
- This model is efficient and effective from a financial standpoint (about \$50 per student).
- This program is different from school system career counseling programs and the One-Stop Centers. It compliments what is being done and fills the gaps not offered by the school system, and targets kids ages 14-21.
- The challenges of a suburban setting are good communication with the school division, location, transportation, a comfortable environment and outreach to kids and families.
- A Williamsburg location will provide kids with information about careers that may not be physically located in this area.
- The YCC has worked closely with the Williamsburg Chamber about workforce studies and issues.
- Rental cost for space tends to be low because the project is based as a community benefit, and positioned as a non-traditional use with non-traditional retail rent. The financial key is finding the right location and right landlord. A retail location works best and can serve to bring in additional foot traffic to a mall, for instance.
- At the request of Mr. James, **Mr. Shawn Avery**, Vice-President of the Council for Workforce Development, fielded Council's questions about service to the youth. About 1500 youth have been served at the two current locations. Staff coordinates appointments to assist youth.
- The YCC works with schools, employers, and business community to customize the program to community needs.
- Mr. James will make presentations to all governing bodies and school boards in the Historic Triangle.
- The next step is to identify a location in the area.

**Mr. Richard Schreiber** commented that the 2006 Workforce Study reported that over 50,000 jobs will need to be filled in the next ten years in the Historic Triangle. There is a need to start educating students early on to be active parts of the workforce when they graduate. Career Café helps young people to identify and prepare for a career. It teaches them all aspects of preparing for employment and gives them self-confidence as they enter the workforce. He was confident that once a location and costs are identified, there will be a reasonable financial package for participants that will support this program and will help businesses in the years to come.

### **Monthly Financial Statement**

*The Financial Report was received and ordered filed.*

### **End of the Fiscal Year Report**

Mr. Tuttle introduced Mr. Serra to provide the highlights of fiscal year 2008 operations.

Mr. Serra reviewed a PowerPoint presentation to summarize General Fund Revenues and Expenditures on a cash basis at this point and subject to audit over the next several months. Estimated General Fund Reserves were reviewed. In general, revenues were higher than projected and expenditures lower for an estimated operating surplus of \$2.4 Million. Mr. Serra explained the city expended approximately \$10.7 Million for capital projects for 2008. Reviewing the total Unreserved Fund Balance, after adjustments and deducting FY 2009 Projects, the balance of unreserved funds is estimated to be \$15.9 Million. That figure represents about 48% of the city operating budget and higher than the city's reserve policy of 35%. The city's Finance and Audit Committee will hear the audited financial statements in November with a presentation to Council in December. Mr. Serra concluded by a review of the trends in revenue growth during the 1998-2008 fiscal years.

Mayor Zeidler thanked Mr. Serra for the report.

### **Monthly Departmental Operating Reports**

*The Monthly Departmental Reports were received and ordered filed.*

**Waller Mill Reservoir:** Mr. Tuttle noted that the monthly report indicates that the water level was 2.5 inches below full because of recent dry months, but rainfall increased in July.

Mr. Clayton reported 1" of rain for July and said the city is not anticipating having to buy water. If the reservoir level drops to 80-85%, the city would consider purchasing water.

### **Planning Report**

#### **Revised Comprehensive Plan Coordination, Proposed Resolution #08-11**

Reference for this item was Mr. Nester's report dated July 10, 2008. Ms. Murphy said that the proposed resolution is for the adoption of a revised process for the coordination of the Comprehensive Plans for James City County, York County, and the city. The revised schedule would move the date of the update from 2010 to 2012 with preliminary work starting in summer 2010. The city's cycle would be delayed one year and York County delayed two years. James City County would accelerate its cycle by two years. Both counties are expected to consider this matter at their July meetings. Adoption of the resolution was recommended.

Mayor Zeidler thanked Ms. Murphy. Mr. Haulman noted that this was something the three jurisdictions have tried to accomplish for a long time.

*Mr. Freiling Moved that City Council Adopt Proposed Resolution #08-11, A Resolution Endorsing A Process for Coordination of the 5-Year Cycles for Reviewing and Updating the Comprehensive Plans of James City County, York County, and the City of Williamsburg. The Motion Was Seconded by Mr. Haulman.*

#### *Recorded Vote on the Motion:*

*Aye: Mr. Freiling, Mr. Braxton, Ms. Zeidler, Mr. Haulman, Ms. Knudson*

*No: None*

(SEE ATTACHED ADOPTED RESOLUTION #08-11)

### **City Manager Reports**

#### **Accepting Certain Streets into the City Street System, Proposed Resolution #08-12**

Reference for this item was Mr. Tuttle's report dated July 1, 2008.

Mr. Clayton provided a brief background about subdivision and city maintenance of Port Anne streets. While VDOT does not provide maintenance funds to the city for all Port Anne streets, they have accepted some and have agreed to add two more: Brewhouse Avenue and Cove Point Lane. Mr. Clayton recommended that Council approve the proposed resolution.

Mr. Freiling stated that he lives in Port Anne, but since VDOT has already agreed to take over two streets in Port Anne, pending formal Council resolution, his ability to make an objective decision is not influenced by his residency.

*Mr. Freiling Moved That City Council Adopt proposed Resolution #08-12, A Resolution Requesting Maintenance Funds from the Virginia Department of Transportation for Certain Streets in the City. The Motion was Seconded by Mr. Haulman.*

#### *Recorded Vote on the Motion:*

*Aye: Mr. Freiling, Mr. Braxton, Ms. Zeidler, Mr. Haulman, Ms. Knudson*

*No: None*

(SEE ATTACHED ADOPTED RESOLUTION #08-12)

#### **Mutual Aid Agreement Between City of Newport News and City of Williamsburg, Proposed Resolution #08-13**

Reference for this item was Mr. Tuttle's report dated June 24, 2008. Mr. Tuttle said the city has several mutual aid agreements with other jurisdictions and he recommended that Council adopt the proposed resolution adopting authorization of the agreement.

Chief Weiler explained that the city has several reciprocal agreements with Peninsula localities. The city has an informal agreement with Newport News, but the process to get a response is cumbersome. The proposed mutual aid agreement will especially benefit Williamsburg, and will smooth out the process for the provision of mutual aid in

situations involving rescue, fire protection, and emergency medical services. The Newport News Fire Chief and City Attorney have agreed to this arrangement.

*Ms. Knudson Moved That City Council Adopt Proposed Resolution #08-13, Authorizing the City Manager to Execute the Agreement for Mutual Aid for Fire and Rescue and Emergency*

*Medical Services Between the City of Newport News and City of Williamsburg. The Motion Was Seconded by Mr. Haulman.*

*Recorded Vote on the Motion:*

*Aye: Mr. Freiling, Mr. Braxton, Ms. Zeidler, Mr. Haulman, Ms. Knudson*

*No: None*

(SEE ATTACHED ADOPTED RESOLUTION #08-13)

### **VDOT Revenue Sharing Funds, Proposed Resolution #08-15**

Reference for this item was Mr. Tuttle's report dated July 3, 2008. Mr. Tuttle explained that there are currently no road projects currently in the city's capital plan for the coming years for which to use VDOT Revenue Sharing Funds, but there is a significant amount of city sidewalk projects in the city. The program has become increasingly competitive and the city would offer a local match of \$300,000 (more than a 50% match) in order to improve competitiveness of its application. The application for \$250,000 in Revenue Sharing Funds would be used to upgrade or install new sidewalks at:

- Rte. 199 - Jamestown Road to Holly Hills Carriage Homes
- Nassau Street - Francis Street to Court Street (tour bus drop off/loading zone)
- Richmond Road - College Corner to WaWa Store
- S. Henry Street - Court Street to DeWitt-Wallace Gallery
- S. Boundary Street - College Corner to Grigsby Street

Mr. Tuttle recommended adoption of the resolution. The order of the projects listed is the same as they appear in the Five-Year Plan (with the exception of Nassau Street).

Mr. Freiling and Mr. Tuttle discussed the possibility of receiving the grant funds. Mr. Tuttle felt the requested amount was reasonable and the matching funds appropriate. VDOT looks at the amount of transportation they get for the dollar, and the sidewalk projects would not be as competitive. The city will move forward with the first two projects during the next year, and if the funding is not received, the other projects will wait.

Mr. Clayton said the city anticipates the Jamestown Road project being completed by next July.

Mr. Tuttle responded to Mr. Braxton that our VDOT District office know and understand the city's projects.

*Mr. Freiling Moved That City Council Adopt Proposed Resolution #08-15, A Resolution Supporting A Revenue Sharing Program Application For Sidewalk Improvements, and That the City Manager Be Authorized to Apply for VDOT 2009 Revenue Sharing Funds. The Motion Was Seconded by Ms. Knudson.*

*Recorded Vote on the Motion:*

*Aye: Mr. Freiling, Mr. Braxton, Ms. Zeidler, Mr. Haulman, Ms. Knudson*

*No: None*

(SEE ATTACHED ADOPTED RESOLUTION #08-15)

### **Comprehensive Agreement for Phase II Kiwanis Park Renovations**

Reference for this item was Mr. Tuttle's report dated June 30, 2008. Mr. Tuttle said that last month City Council authorized staff to undertake final negotiations for completion of a Comprehensive Agreement under PPEA with David A. Nice, Inc. for the Phase II renovations of Kiwanis Park. Staff has worked on this agreement and the Comprehensive Agreement provisions have been agreed upon by both parties with additional alternates to the base contract to add value, save energy and conserve water.

Mr. Tuttle recommended that Council authorize execution of the agreement.

*Mr. Freiling Moved That City Council Authorize Staff to Enter Into a Comprehensive Agreement With David A. Nice, Inc. for the Phase II Kiwanis Park Renovation Project in the Amount of \$1,722,915, Subject to Final Review and Approval by the City Attorney. The Motion Was Seconded by Mr. Braxton.*

*Recorded Vote on the Motion:*

*Aye: Mr. Freiling, Mr. Braxton, Ms. Zeidler, Mr. Haulman, Ms. Knudson*

*No: None*

**Support for Anheuser-Busch Companies, Proposed Resolution #08-14**

Reference for this item was Mr. Tuttle's report dated July 3, 2008.

Mr. Tuttle said that the genesis of the resolution was that the new Historic Triangle Collaborative group discussed what should be done about the acquisition of Anheuser-Busch Properties.

The Mayor said that people in the community and others representing Anheuser-Busch have approached Council asking what could be done. There is concern that this takeover is not just the take over of the brewery, but also a water park and theme park, and could impact our community. The resolution provides good public expression that Anheuser-Busch has been a good neighbor and corporate citizen.

Mr. Haulman suggested a wording change to the second paragraph, second line of the resolution, omitting the words "*of its shareholders, employees, suppliers, customers, partners, and*" so that the sentence would read: "*WHEREAS, the City wishes to go on record strongly supporting Anheuser-Busch in its determination to fend off an unwelcome buyout in the best interests of this community; and*".

Mr. Freiling did not object but said he felt that keeping AB independent and in control of these resources was in the best interests of employees of that company, but Council's focus is the community. It is important that we support AB who has been a tremendous partner in community development, but for what they do for us on the tourism front—they have a quality product and promote that product for the benefit of all of us.

Mr. Braxton, Ms. Zeidler, and Ms. Knudson concurred with Mr. Haulman's suggested language.

Mr. Tuttle said that the other jurisdictions are contemplating a similar resolution.

*Mr. Haulman Moved That City Council Adopt the Proposed Resolution, Regarding the Anheuser-Busch Companies, As Amended. The Motion Was Seconded by Mr. Braxton.*

*Recorded Vote on the Motion:*

*Aye: Mr. Freiling, Mr. Braxton, Ms. Zeidler, Mr. Haulman, Ms. Knudson*

*No: None*

(SEE ATTACHED ADOPTED RESOLUTION #08-14)

**NEW BUSINESS**

**City Council Committee List:** Mayor Zeidler read the list of committee members (attached), for the next two years.

**Calendar of Meetings**

Council members received the calendar. Mr. Tuttle had nothing to add.

**OPEN FORUM**

Mayor Zeidler asked for comments.

**Mr. Gary Shelley, 205 Indian Springs**, reiterated his position about the purchase and costs associated with 110 Harrison Avenue. He recapped the figures associated with the purchase and the involvement of Mr. Kranbuehl in the purchase. Council did not have an appraisal or inspection report of the property, nor did they have public comment about the purchase because they knew there would be opposition. A *Flat Hat* article responded to the purchase. Council's lack of transparency is a reminder of how it treats citizens that do not own their own homes. The house is overpriced at \$450,000 and is still on the market at taxpayers' expense. He addressed the contract between the city and WRHA, and urged the city to foreclose on the property and manage it as a rental as affordable housing. This would open up public dialog and would show good will on the part of Council.

No one else wished to speak. The session was closed.

#### **CLOSED SESSION**

Mr. Haulman Moved That City Council go into closed session pursuant to Section 2.2-3711 of the Code of Virginia for the purpose of discussing one personnel matter per subparagraph 1 concerning the City manager's annual evaluation. The Motion Was Seconded by Mr. Freiling.

Recorded Vote on the Motion:

Aye: Freiling, Braxton, Zeidler, Haulman, Knudson

No: None

The meeting adjourned at 3:15 p.m. The Mayor called a five-minute recess.

#### **OPEN SESSION**

At 4:28 p.m. Council met in Open Session.

Mr. Haulman Moved the Certification of Closed Meeting. The Motion was Seconded by Mr. Freiling.

Recorded Vote on the Motion:

Aye: Freiling, Braxton, Zeidler, Haulman, Knudson

No: None

#### **Certification of Closed Meeting**

Date: July 10, 2008

Motion: Mr. Haulman Second: Mr. Freiling

WHEREAS, the City Council of the City of Williamsburg has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the City Council that such meeting was conducted in conformity with Virginia Law.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Williamsburg hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed session were heard, discussed or considered by the City of Williamsburg.

VOTE:

Aye: Freiling, Braxton, Zeidler, Haulman, Knudson

No: None

Absent During Vote: None

Absent During Meeting: None

The meeting adjourned at 4:29 p.m.

Approved: August 14, 2008

Shelia Y. Crist, MMC  
Clerk of Council

Jeanne Zeidler, Mayor