

July 21, 2009

The second regular July Meeting of City Council was held on July 7, 2009 at 7:00 p.m. in the Council Chambers located on the Fourth Floor of the Municipal Building. The following Council Members were present: Ruby B. Archie, L. G. "Larry" Campbell, Jr., T. David Luther, Gary P. Miller, Vice-Mayor T. Wayne Oakes, Albert K. "Buddy" Rawley, Jr., Mayor Sherman M. Saunders, Fred O. Shanks, III, and Adam J. Tomer (9).

Staff Members present were: Deputy City Manager Joseph C. King, City Attorney W. Clarke Whitfield, Jr. and City Clerk Annette Y. Crane, CMC.

Other Staff Members present were Transportation Services Director Marc Adelman, Police Chief Philip Broadfoot, Emergency Services Director Buster Brown, Community Development Director Jerry Fischer, Housing and Development Director Dianne Morris, and Parks, Recreation, and Tourism Director Bill Sgrinia.

Mayor Saunders presided.

INVOCATION AND PLEDGE OF ALLEGIANCE

Council Member David Luther offered the Invocation. The Pledge of Allegiance to the Flag followed.

COMMUNICATIONS FROM VISITORS

Woodcreek Place resident Minister Bernard Wiley appeared to speak on behalf of Ross Street Historic District residents. Rev. Wiley and resident Felicia Culley asked Council for additional security measures in the area to include additional police patrols, removal or renovation of blighted housing and security camera surveillance. Minister Wiley advised there had been shootings in December 2008 and more recently on June 7, 8, 9, and 11, 2009. Ms. Culley said residents were afraid to be outside their homes and were too terrified to speak to the police.

Some Council Members reported they had received calls about the matter and expressed regret that the community no longer felt safe in their respective homes. Mayor Saunders stated the Police Department was working to solve the serious crime problems in that area. He asked Deputy City Manager Joe King to let Council Members know if additional police protection was needed and if there were sufficient funds to provide a safe environment in the area. Mr. King agreed to do so.

Paxton Street resident Delores Hairston voiced complaints about cars traveling on Paxton Street at a high rate of speed. Ms. Hairston reported there were children playing and riding bicycles there and she expressed concern for their safety. She stated the children were not playing in the street, but were riding bicycles on the sidewalk and a nearby resident had complained about that. In response to Mayor Saunders, City Attorney Whitfield advised the City Code states that it is unlawful for anyone to ride a bicycle on a sidewalk in the City.

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Mayor Saunders asked Ms. Hairston to leave her contact information with someone on the City staff in order to discuss the matter further.

Mayor Saunders thanked everyone for bringing their concerns before Council this evening.

MINUTES

Upon Motion by Council Member Archie and second by Council Member Luther, Minutes of the July 7, 2009 Regular Meeting of City Council were approved as presented. Draft copies had been distributed to Council Members prior to the Meeting.

BUDGET ADOPTION - FY 2010 - PLAT/MAP REFORMATTING GRANT

Upon Motion by Council Member Rawley and second by Council Member Campbell, Ordinance No. 2009-07.04 presented by its First Reading on July 7, 2009 amending the Fiscal Year 2010 Budget Appropriation Ordinance to provide for a Grant from the Library of Virginia for a Plat/Map Reformatting Grant in the amount of \$5,279 and appropriating same was adopted by the following vote:

VOTE: 9-0
AYE: Archie, Campbell, Luther, Miller, Oakes, Rawley,
Saunders, Shanks, and Tomer (9)
NAY: None (0).

BUDGET ADOPTION - FY 2010 - STATE HOMELAND SECURITY GRANT

Upon Motion by Council Member Campbell and second by Vice-Mayor Oakes, Ordinance No. 2009-07.05 presented by its First Reading on July 7, 2009 amending the Fiscal Year 2010 Budget Appropriation Ordinance by increasing revenues to anticipate the receipt of funds in the amount of \$26,000 from the State Homeland Security Program Grant for the Citizens Preparedness Project was adopted by the following vote:

VOTE: 9-0
AYE: Archie, Campbell, Luther, Miller, Oakes, Rawley,
Saunders, Shanks, and Tomer (9)
NAY: None (0).

BUDGET ADOPTION - FY 2010 - RECREATION ENRICHMENT PROGRAM

Upon Motion by Council Member Archie and second by Council Member Rawley, Ordinance No. 2009-07.06 presented by its First Reading on July 7, 2009 amending the Fiscal Year 2010 Budget Appropriation Ordinance to provide for funds in the amount of \$52,811 for a Recreation Enrichment Program and the Expanded Summer Program and the local In-kind Share of \$48,559 and appropriation of same was adopted by the following vote:

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VOTE: 9-0
AYE: Archie, Campbell, Luther, Miller, Oakes, Rawley,
Saunders, Shanks, and Tomer (9)
NAY: None (0).

BUDGET ADOPTION - FY 2010 - AVIATION MAINTENANCE GRANT FUNDS

Upon Motion by Council Member Shanks and second by Council Member Campbell, Ordinance No. 2009-07.07 presented by its First Reading on July 7, 2009 amending the Fiscal Year 2010 Budget Appropriation Ordinance to provide for State Department of Aviation Maintenance Grant funds related to the Maintenance of certain Airport properties in the amount of \$100,000 and for the local share in the amount of \$25,000 for a total appropriation of \$125,000 and appropriating the same was adopted by the following vote:

VOTE: 9-0
AYE: Archie, Campbell, Luther, Miller, Oakes, Rawley,
Saunders, Shanks, and Tomer (9)
NAY: None (0).

APPROVE TRANSFER OF \$25,000 TO HOUSE OF HOPE HOMELESS SHELTER

Vice-Mayor Oakes moved adoption of a Resolution entitled:

RESOLUTION NO. 2009-07.07

A RESOLUTION APPROVING THE TRANSFER OF \$25,000 IN COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FROM THE PREVIOUSLY APPROVED HOUSING FUNDS FOR THE RENOVATION OF THE HOUSE OF HOPE HOMELESS SHELTER CONTINGENT UPON FINAL APPROVAL FROM THE U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD).

Council Member Miller seconded the Motion.

Council Member Shanks noted that he would be voting against the Resolution because he felt the choice of location and the entire process was not handled properly from the outset. Mr. Shanks urged fellow Council Members to vote against additional funding at this time in order to give the House of Hope an opportunity to prove itself as a positive contributor to the community.

Dr. Miller stated Rev. Cook had said the funds would only be used for upgrades to the kitchen and other improvements. A privacy fence and a security system are also planned. Dr. Miller felt the Board was running a first-class shelter.

Rev. Campbell said the funds would be used for a good cause, the shelter was in good hands and that he would be voting in favor of transferring the funds.

Mr. Luther said this was a done deal when Council first heard about it and stated he felt it did not excuse a City employee from having a direct conflict of interest when the employee was

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serving on the HOH Board as the process was being completed. He felt this was deceitful and that rules were skewed to accommodate the Board. He stated he would be voting against the transfer.

Mr. Rawley stated he had registered at the facility and gone through the entire process of experiencing what the homeless have to go through prior to being admitted for an overnight stay. He reported he went to the Police Department for a background check just like the homeless did, spent the night there, became acquainted with the clients, ate with the clients and would probably be spending another night there. He said he learned from the homeless men that they were attempting to find work. He said the clientele using the facility were better than one would think.

The Resolution was adopted by the following vote:

VOTE: 7-2
AYE: Archie, Campbell, Miller, Oakes, Rawley,
Saunders, and Tomer (7)
NAY: Luther and Shanks (2).

BUDGET AMENDMENT - FY 2010 - VDOT - CROSSING IMPROVEMENTS

Upon Motion by Council Member Archie and second by Council Member Rawley, an Ordinance entitled:

ORDINANCE NO. 2009-07.08

AN ORDINANCE AMENDING THE FY 2009 BUDGET APPROPRIATION ORDINANCE FOR GRANTS FROM THE VIRGINIA DEPARTMENT OF TRANSPORTATION IN THE AMOUNT OF \$250,008 AND LOCAL SHARE IN THE AMOUNT OF \$62,502 TO PROVIDE FUNDS FOR CERTAIN SITE IMPROVEMENTS AT THE CROSSING AT THE DAN FOR A TOTAL APPROPRIATION IN THE AMOUNT OF \$312,510

was presented by its First Reading, as required by City Charter, to lie over before final adoption.

BUDGET AMENDMENT - FY 2010 - COMMISSION OF THE ARTS GRANT

Upon Motion by Council Member Campbell and second by Vice-Mayor Oakes, an Ordinance entitled:

ORDINANCE NO. 2009-07.09

AN ORDINANCE AMENDING THE FISCAL YEAR 2010 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR A VIRGINIA COMMISSION OF THE ARTS GRANT IN THE AMOUNT OF \$5,000, AND TO PROVIDE FOR THE LOCAL SHARE IN THE AMOUNT OF \$5,000 FOR A TOTAL GRANT OF \$10,000

was presented by its First Reading, as required by City Charter, to lie over before final adoption.

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SUPPORT AMP'S ELECTRIC GENERAL FACILITY IN CITY-COUNTY MEGA PARK

Council Member Luther moved adoption of a Resolution entitled:

RESOLUTION NO. 2009-07.08

A RESOLUTION OF SUPPORT FOR THE SITING OF AMERICAN MUNICIPAL POWER'S NATURAL GAS-FIRED COMBINED CYCLE ELECTRIC POWER GENERATION FACILITY IN THE SOUTHERN VIRGINIA ENERGY PARK.

Council Member Shanks seconded the Motion.

Former Mayor Seward Anderson appeared to congratulate the City and County localities for their efforts in bringing the Mega Park to fruition and particularly the citing of the AMP facility. Mr. Anderson said he felt that future generations would look back and see this project and the siting as a milestone, not only for the jobs it brought but by the clean and efficient fuel that would be generated for future industry and commerce. Mr. Anderson said he felt this project was the first step in putting this area on the energy autobahn.

Deputy City Manager King stated this was the preferred site for AMP, but it was not yet a done deal. He advised that if the company locates there, it will use natural gas and the City would be the natural gas utility for the facility. One of the hidden benefits would be the large volume of natural gas the company would use as a customer, which would mean savings in natural gas bills for the City's customers.

The Resolution was adopted by the following vote:

VOTE: 9-0
AYE: Archie, Campbell, Luther, Miller, Oakes, Rawley,
Saunders, Shanks, and Tomer (9)
NAY: None (0).

COMMUNICATIONS

There were no communications from the City Manager, City Attorney, and City Clerk.

ROLL CALL

Vice-Mayor Oakes asked everyone to not rush to judgment about Luna Innovations' bankruptcy. He said this was the single most effective way for the company to reduce the \$36,000,000 claim against them.

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The Meeting adjourned at 8:15 P.M.

MAYOR

CITY CLERK