

**WILLIAMSBURG CITY COUNCIL
MINUTES
January 14, 2010**

The Williamsburg City Council held its regular monthly meeting January 14, 2010, at 2:00 p.m., in the Council Chambers of the Stryker Building, 412 N. Boundary Street, Williamsburg, Virginia.

CALL TO ORDER

Mayor Jeanne Zeidler called the meeting to order.

ATTENDANCE

Present in addition to Ms. Zeidler were Vice-Mayor Clyde Haulman, Council members Ms. Judith Knudson, and Messrs. Robert Braxton and Paul Freiling. Also present were City Manager Jack Tuttle, City Attorney Joe Phillips and Council Clerk Donna Scott.

Staff Attending: Deputy City Attorney Christina Shelton, Communications Specialist Kate Hoving, Finance Director Phil Serra, Planning Director Reed Nester, Public Works and Utilities Director Dan Clayton, Parks and Recreation Director Lori Rierson, Police Chief Mike Yost, Fire Chief Pat Dent and Chris Powell representing Human Services Director Peter Walentisch.

COUNCIL MINUTES

Mr. Freiling moved that Council approve the minutes of the December 7 Work Session and the December 10, 2009 Regular Meeting as submitted. Mr. Braxton seconded the motion which carried by roll call vote of 5-0.

Recorded Vote on the Motion:

Aye: Freiling, Braxton, Zeidler, Haulman, Knudson
No: None
Absent: None

MATTERS OF SPECIAL PRIVILEGE

Excellence in Service to Williamsburg

Mayor Zeidler said she takes great pleasure in recognizing Fire Captain James "Burke" Humphrey with the Excellence in Service to the City of Williamsburg award. She noted this is a very special award because those who nominate the recipient are those who work closest with him on a day-to-day basis.

Mayor Zeidler said Captain Humphrey has given thirty-three years of exceptional service to the Williamsburg Fire Department and to the citizens of the City of Williamsburg. Through the years with the Williamsburg Fire Department, Burke has progressed from a firefighter to an EMT-Cardiac and Fire Inspector. After earning certification as a Fire Investigator, he was designated Deputy Fire Marshal status in 2002. In 2007, Burke was promoted to Fire Protection Specialist with the rank of Captain, and in 2009 he was sworn in as Fire Marshal for the City of Williamsburg.

Burke's expertise on fire prevention and life safety building codes, and his ability to identify and eliminate potential fire hazards, directly contributes to the safety of the citizens and visitors to Williamsburg and to the preservation of Williamsburg's historical treasures. Mayor

Zeidler said Burke also serves as coordinator for special events involving all fireworks displays in the City and is a true professional, an energetic and effective public servant, and is hereby recognized for his dedication to excellence in keeping with the best traditions of public service in the City of Williamsburg.

Captain Humphrey said he is truly honored and touched by receipt of this award. He said it represents a team concept involving dedication, skill and human compassion. Sacrifices made over the years of service have included missing many family occasions and he thanked his family for their support.

Captain Humphrey said he is very thankful for the opportunities he has been given. Over the years of his service he noted the developing relationship between the Fire and Police Departments and commended Fire Chief Pat Dent who has been with the City ten months. Burke said Chief Dent is a wonderful person and his appointment was the best hiring decision. He again thanked members of the Fire Department for this honor.

Mayor Zeidler thanked Captain Humphrey and stated he has just shown again why he deserves this award.

{There was a standing ovation for Captain Humphrey.}

PUBLIC HEARINGS

PCR #09-022: Amend the Zoning Ordinance to revise the hotel/motel definition to allow rooms or suites in a hotel/motel in any zoning district to be occupied by full-time students at the College of William and Mary. Proposed Ordinance #10-01.

Planning Director Nester reviewed the history of the proposed amendment. At their October, 2009 meeting, the Planning Commission recommended to City Council by a vote of 5-1 that a change to the Zoning Ordinance to allow hotels/motels in the MS District to be occupied by full-time students at the College of William and Mary (PCR #09-016), be denied. However, at their November, 2009 meeting, City Council approved the change by a vote of 4-0-1 and, by a vote of 5-0, asked Planning Commission to consider whether or not this change should be applied to hotels and motels in all zoning districts in the City.

Mr. Nester noted that the hotel/motel definition could be revised to include more zoning districts in addition to the MS District, or it could be revised to eliminate references to a specific zoning district and to apply in any district that allows hotels/motels as a permitted or special use permit use. He added that although the ordinance proposed by the Planning Commission would make all hotels/motels in the City eligible to house full-time students at the College of William and Mary, it would be limited by the requirement that the rooms or suites be leased by the College and then subleased to the full-time students. This will apply to all zoning districts where hotels/motels are allowed by right or with a special use permit. College representatives feel that a maximum of 50 students would be housed in this manner. In the proposed ordinance there is no limit on the number of rooms that can be leased.

Mayor Zeidler opened the Public Hearing.

Amy Gruver, representing Spotswood Commons, said she rents to undergraduates and this amendment would hurt her property. With the down economy, she has lost \$263,000 in

revenue over the last year because of decreased occupancy. If students are housed in hotels/motels, this would take away from her property and continue to have a large impact on her business. She added that she has given away more than ever in concessions in order to attract business; over the summer she was giving away up to three months in free rent. She asked that this be taken into consideration and hopes the decision will be one that will benefit everyone in the community and not just the hotel and motel owners.

Kathy Scott, said she can't begin to tell Council the impact this change would have on the entire apartment industry for Williamsburg and James City County. Ms. Scott stated that she represents the Signature Management Corporation overseeing the Monticello at Powhatan Apartment community in James City County. She is past Chair of the Peninsula Apartment Council and continues to serve on their board. She said today she is speaking on behalf of the apartment industry and against the proposed change to the hotel/motel ordinance. Ms. Scott said that unfortunately, they just became aware of the College of William & Mary's needs and the changes now being considered by the City Council. The College's needs are specific and limited, but this ordinance is open-ended and includes the entire City with no limit to the number of rentals. Once in place, it can easily be expanded beyond William & Mary students; this ordinance would make it even more difficult for the apartment complexes to compete for residents. The apartment industry in its entirety is able to fulfill the needs of the College for short-term rentals at a much more competitive rate and in many cases in a closer proximity to the campus or bus line. She asked that Council defer the issue so more representatives of the apartment community who will be effected can speak on the issue and show how they can aid the College of William & Mary with their housing needs. Ms. Scott added that if the issue cannot be deferred, she strongly recommends that a cap of not more than 25 rooms be set to be used as rentals, which was originally proposed by the College. This would mitigate the negative impact to the Williamsburg area apartment communities while fully accommodating the College's needs.

Robert Duckett, Director of Public Affairs at the Peninsula Housing and Builders Association, said he is speaking on behalf of the Peninsula Apartment Council, a subchapter of their association. Mr. Duckett said that during the economic downturn, all apartment complexes are struggling to fill vacancies and nearly all of them are offering substantial discounts and other incentives to attract tenants. He said they are confident that their apartment communities would be willing and able to accommodate the housing needed by the College of William & Mary and their members are more than willing to contact and work with the College to provide the housing. Apartment Council members have assured him that they would be able to provide the short-term leases at an appropriate price point for the full-time students identified by the College. Mr. Duckett asked that City Council either oppose or defer the issue for a month to allow time for their members to meet with City staff and College officials to determine how existing apartment communities can meet that need. He added that should City Council decide to move forward, they would strongly recommend that a cap be placed on the maximum number of students allowed.

Mr. Duckett concluded his comments by commending Mayor Zeidler for her years of service on City Council.

Caroline Forehand, Marketing Director with S.L. Nusbaum Realty Company based in Norfolk said they have two apartment communities in the City that have been adversely affected by the economy. Last year they experienced over a \$48,000 loss in revenue, and concessions

for the two communities exceeded \$25,000. They struggled most of the year with occupancy issues and have a price point of \$900 for a two-bedroom unit. Their properties are more than willing to accommodate the William & Mary students if given the chance. One of their concerns is that if it is opened up to the College of William & Mary then it can be opened up to others. Another one of their concerns is that they have cut their qualifications for their residents and the amount of credit they must have. She noted this doesn't help anyone when they have to rent to people without the best of credit. Will the hotel/motel units be carefully inspected like apartment units are inspected for pests and electrical problems? Ms. Forehand concluded her comments by saying they agree that there should at least be a cap of 50 students; they do not want to see this opening up to long-term rental by the hotel industry and the apartment community not being allowed to rent short-term. There is definitely a market difference in hotels/motels and apartments and this is one of the biggest differences, that hotels/motels have not been allowed to rent to William & Mary students; that's the apartment community's market.

Glenda Maye, said she is a native of Williamsburg and speaks passionately from a local level, and is also an industry insider to the apartment community since she previously managed an apartment complex in Williamsburg with over 40% undergraduate students. Ms. Maye said the hotel/motel communities and the apartment communities are completely different, they are run differently and have totally different laws. She asked that Council remember the people originally brought to this community...the apartment communities after doing market surveys that revealed the presence of a college. With the support of the College of William & Mary they developed their properties.

Ms. Maye noted an article in the Virginia Gazette that stated rental occupancy levels in an apartment community in High Street at 98%. She said this could be a real number however, apartment communities often inflate numbers to make them look better than they really are. The High Street apartment community offered three months rent free amortized over the course of the lease as well as other specials. There is a big difference between 98% standing by itself and 98% occupancy because of the free rent. The less money collected for rent, the less revenue the City will receive. She said there are a lot of concessions being given and all that does is hurt the businesses. There is an apartment community in the City that previously did not allow students and had an occupancy level of 69%. Recently, having opened up to students, they are getting close to 72% occupancy just because of the inclusion of the students. She asked how the City will have the manpower and the money to enforce the regulations? Ms. Maye closed by asking all persons present who were opposed to the change and who weren't speaking today, to stand; a large number of the audience stood demonstrating their opposition to the change.

Karen Reed, said that as a regional property manager with S.L. Nusbaum Realty, she travels to many communities to ensure compliance with state and federal regulations, not only with fair housing issues, but also with building code issues. She suggested Council may want to become better informed on how the hotels/motels would be regulated as far as safety. The apartment community has a lot of checks in place. They have the Virginia Housing Development Authority that inspects their units, Section 8 from time to time, mortgage companies that do asset inspections, owners who do inspections, and the Regionals who do inspections. The interior of the units are inspected to be sure the residents are not living in a situation that might cause a fire or other situation that may be detrimental to other residents. The outside of the units are inspected as well. She said that with the hotels/motels becoming

a living situation, how will the City regulate what's going on; are the buildings being maintained, are the individual units being inspected to be sure hazardous situations don't exist? Who will pay for these inspections? There would be inspections and regulations for the Fair Housing Act and the Virginia Residential Landlord Tenant Act which the hotels/motels would fall under at that point. Ms. Reed suggested that there is a lot more information that needs to be gathered before an informed decision can be made. She added that the apartment community is capable of handling what the College needs and more.

Ryan Hunt, Property Manager, Lawson Enterprises, said they have 342 rental units, 294 in the City of Williamsburg within 1/10 mile of the College campus. Over the last two years, they have had the highest vacancy rates in over 25 years. On average, apartment complexes in Williamsburg have about a 10% vacancy rate and in many cases it's close to 25%. There is no housing shortage in Williamsburg and they are adamantly opposed to rezoning in any district in Williamsburg in order to provide unnecessary housing for the William & Mary students. Currently there are over 1300 apartment rental units available in the City of Williamsburg based on the Williamsburg Planning Department statistics, and based on the 10% vacancy rate, 130 available apartments could possibly be available.

Mr. Hunt stated that Michael Fox, Assistant to the College of William & Mary president, said at a recent City Council meeting that in the spring of 2009 transfer students had nowhere to live; this statement is simply not true. Both the Planning Commission and the City Council are basing their recommendations on false information given to them by William & Mary. He said that by rezoning any district to accommodate students in hotels/motels, hotels/motels are put in direct competition with apartment complexes. Mr. Hunt added that hotels/motels don't incur the ever-increasing operating costs that apartment complexes have.

Mr. Hunt said that at a recent City Council meeting, City resident, Bill Dell, stated that hotels and motels were given special consideration in the form of tax assessment discounts based on the present state of our economy. He said that as an apartment rental community, they were given no discount. Mr. Hunt said they appealed their assessment to the Board of Equalization and were denied any amendment, therefore, there has been a 30% tax increase on one of their properties. Mr. Hunt said the City has taken potential business away from area apartment complexes and given hotels/motels special consideration by way of (1) rezoning the districts within the City to allow hotels/motels to house long-term tenants, (2) allowing an extra person to reside within a rental property by way of the four-person rule, and (3) giving hotels/motels tax relief through the Board of Equalization in order to assuage any monetary problems they may have incurred during the year of 2009. Mr. Hunt asked why this is happening when we have perfectly good one-, two- and three-bedroom apartments available?

If the City is trying to make students feel they are part of this close-knit community, housing them in a hotel like a transient is not the way to achieve this. Apartments and townhomes are meant for long-term living, just as hotel/motel rooms are dedicated to short-term accommodation. Why hasn't the College of William & Mary approached any apartment communities in Williamsburg in regard to student housing? It seems only logical to go to a property rental group to acquire living space for a student, as opposed to going to both the Planning Commission and City Council to change zoning ordinances and the number of unrelated persons allowed in individual residences. All the hours spent by the Planning Commission and Focus Group could have been avoided if only they had communicated with at least one rental company in Williamsburg. The students would have housing and it would ultimately be more affordable for the student. Given the figures they have received regarding

student housing, a student could rent a more affordable apartment at Lawson Enterprises than what is currently offered at the Governor's Inn. Mr. Hunt said it seems like after making so many mistakes over the past year the Planning Commission and City Council would want to make things right in regard to the housing of students. He said it can only be assumed by the College's action in these matters, that there are ties between Colonial Williamsburg and the College of William & Mary that have prevented their interaction with any local businesses outside of one another and their immediate concerns. The fact that no fewer than five members of both the Planning Commission and the City Council have direct ties with William & Mary and Colonial Williamsburg and/or the Hotel/motel Association, only makes these fundamental changes more suspicious. He said once again that Lawson Enterprises adamantly opposes the zoning change in regard to the housing of students for any period of time greater than 90 days. He said they also oppose any hotel/motel in the City of Williamsburg having the right to do so. The Governor's Inn has 50 rooms available and that's the number the College states is the maximum number needed. There is an abundance of housing in Williamsburg; there is no housing shortage.

Gladys Victor, 704 Powell Street, said she concurs with everything that has been said this afternoon. She said we are here today to please the hotel/motel industry. The issue at hand started with a deceit. There is no housing shortage in Williamsburg. She said it would be interesting to know when the ten students moved in to the CW property with the blessing of William & Mary. How long had this been going on before it was accidentally discovered by the City. This needs to be nipped in the bud right now and the injustice discontinued.

Reverend Cory Noland, a local minister, said he is here today representing not only himself, but also his parents and their business, the Commonwealth Exterminating Company. He said he would like to give a different perspective on the way this could actually impact his business as well as several other businesses who are interested in both the apartment and the hotel/motel communities. The economic distress has caused great impact on everything including the business world; 30% of his business is in the City of Williamsburg. Rev. Noland said he owns several properties in Williamsburg that they service and he needs to increase rates that have remained consistent for eight years because of costs he's incurred, and if more residents turn to the hotels/motels, of course the apartment occupancy is going to further decrease. He concluded his comments by saying the situation may cause him to have to go out of business and would love Council to consider this from the perspective of the impact it will have on businesses. Rev. Noland thanked Council for listening.

There being no additional comment the Public Hearing was closed.

Mr. Haulman stated that although he is employed at the College of William & Mary, his position has nothing to do with student affairs or student housing, and he is able to make an independent assessment of the issue and make a sound decision. His employment at the college does not adversely affect his ability to act independently.

Mr. Haulman thanked everyone for coming and said it's been helpful to hear the points that have been made. Prior to hearing comments today, he felt Council was trying to provide options for the College of William & Mary to deal with unusual situations, particularly transfer students. This was not intended to be a way to generally house students. Because Council

had approved this in the MS District, he said he saw this as an option to expand that and create fairness for all the hotels/motels in the City. Also, it did not preclude the College from making agreements with apartment complexes. What we are doing is providing options in the event the College needs short-term housing; it's then up to the College to access the appropriate option. The appropriate role for government in this issue is not to be involved in that second decision.

Ms. Knudson stated that her husband is an employee at the College of William & Mary in a position that doesn't have anything to do with student affairs or student housing, and this fact does not preclude her ability to make a decision in this case, nor does it adversely affect her ability to act independently.

Ms. Knudson said she began this process as Mr. Haulman did, with the belief that since Council had approved this for the MS District, in all fairness, it should be expanded to all hotels/motels in the City. However, she is in the process of changing her mind. For one thing, she said she doesn't think government should be involved in something between the apartments and the College. Why did the College go to the Governor's Inn at all? She noted she hadn't been aware there was any interaction until one of the speakers mentioned the College Fair for the transfer students, so obviously there was that interaction. She stated they would never expand this beyond William & Mary since the ordinance states it's the College of William & Mary making the arrangements with the hotels/motels, so it wouldn't involve just anybody coming into town wanting to live in a hotel/motel.

Ms. Knudson said there seems to be a feeling at the College of William & Mary that there's a big crisis in housing when there's not a crisis. She concluded by saying she hasn't made up her mind; at first it seemed to be a fairness issue, but now she is not convinced.

Mr. Braxton said that although his mind had been set, after listening to Mr. Haulman and Ms. Knudson, as well as the speakers today, he has been given a lot of food for thought. He noted Ms. Reed's comments about the difference in regulations and laws for apartments versus hotels/motels, and the total restriction on apartments, not on hotels/motels. City Attorney Phillips responded that this is not necessarily the case, it depends on the function that one is handling as opposed to the other. Nevertheless, from the City's standpoint, that shouldn't be an issue when making this decision. There are business and legal decisions that the property owners must make. The City does not enforce those regulations, it being another level of enforcement that involves the state and in some instances federal authority. The City is not involved.

Mr. Freiling said he finds it interesting that we have two different business sectors that potentially have crossover and that some perceive as putting them in competition with each other. He stated what is interesting is that probably the biggest competition to the apartment business sector is the "unbusiness" designation of rental single-family homes. There is this whole sector of an industry that is not even considered a business which is taking a much bigger chunk out of apartment complex business than this would; it's incongruous.

If Council is going to move on the proposed ordinance, Mr. Freiling asked Mr. Phillips if at least a cap could be placed on it for this period of time. Mr. Phillips responded in the affirmative. Mr. Freiling suggested a cap of 25 rooms be placed on it, unless someone feels another number makes more sense.

Mayor Zeidler said there are a couple of comments she'd like to understand a little better. One of these is Ms. Knudson's comment that the College presented this as a "crisis" in housing. Mayor Zeidler said she doesn't remember the housing situation being referred to as a "crisis." What she does remember is that when transfer students came, about eight of them didn't feel they knew the community well enough, wanted to live on campus, but couldn't, so the College helped them out by putting them in the Governor's Inn. It was a situation that was very limited and temporary.

Mayor Zeidler said that one of the speakers today mentioned some of the actions over the last year in a number of areas that were benefiting hotels/motels to the detriment of apartments. She asked about the issue of tax relief by the Board of Equalization which is a Williamsburg board, but members are appointed by a judge and are independent of Council. In response to her request for further explanation, Mr. Phillips said it would not have been tax relief per se. The City Assessor assesses property and a tax rate is applied. If the property owner wants to contest this assessment, the appeal goes to the Board of Equalization, a board that is not answerable to the City, nor influenced by the City. The burden that has to be shown to the Board of Equalization is that the City Assessor has not correctly assessed a particular property. Mr. Phillips continued by saying there is also the issue of equalization of the assessment relative to similar properties. This was no tax relief policy, the assessments reflect the fair market value based on current sales as well as several other issues.

Mayor Zeidler asked if Council moves forward and places a cap of 25 rooms, and there is another dorm fire at the College of William & Mary, would the College be able to do what it has done in the past, renting rooms in the Governor's Inn? Mr. Phillips responded that to observe the letter of the law the answer is "no." However, in those particular instances there was an emergency, and it wasn't envisioned by the zoning ordinance. Because it was of a determinate duration, it was not raised as an issue. In this particular instance, housing transfer students or something other than a real emergency, is a different thing.

Mr. Braxton raised the issue of deferment. He said Council had not heard from the apartment people prior to today's meeting, and Council hasn't heard anything from the hotel/motel association yet. He suggested a deferment of the issue so the hotel/motel association can present their views.

Mayor Zeidler said she would be happy to hear from anyone, but Council has heard pretty clearly from the hotel/motel folks at the meeting where Council approved it in the MS District only. The hotel/motel industry said it should be City-wide, not restricted to only the MS District. She said it seems to her that it is only common sense that the way the College is using this on a very limited basis, there is limited opportunity. It is only some students who wanted to get to know the community better and live on campus and couldn't and some transfer students who didn't know how to find an apartment because of their unfamiliarity with the community. She said that hopefully the College has offices that would help these students, and they did help the students who were housed at the Governor's Inn. Hopefully, there will be some way the College can work with the apartment industry and be very clear about what's available, at what rates and at what distance from the College. She said that she is hearing very clearly that there are vacancies. This is a good opportunity for the apartment complexes to create a better partnership with the College.

Mr. Haulman said he likes the idea of putting a cap on the maximum number and then allowing the College of William & Mary to deal with apartment complexes and/or hotels/motels as they determine would best serve the needs of their students. He said he's not sure what the cap should be, but if they are talking about 50 students, a 25 room cap seems appropriate.

Ms. Knudson said she is less and less convinced that this is a good idea. She said she understands from the hotel/motel industry that they feel it is a fairness issue, but if it is expanded to all the hotels/motels, why would the College work with the apartments when they have a student coming in later in the school term. Ms. Knudson said that one of her former jobs was admitting transfer students to the College and they are admitted ahead of the time they need housing, it's not the day before classes begin. She added that someone pointed out that maybe Council should not have approved the amendment the first time.

Mayor Zeidler said she doesn't think it's a bad idea to allow the College this option for when they need it and under certain circumstances, or at least the option in the MS District. In response to Ms. Knudson's question of why the College would work with the apartments, Mayor Zeidler answered that apartments are better places to live than hotel rooms.

Mayor Zeidler said she is beginning to feel the MS District is fine but not all over the City. She said she understands that hotel/motel owners think this is an issue of fairness, but she doesn't think the opportunity is so big that it makes much difference. She added that the need the College of William & Mary has is met by what Council has already done.

Mr. Freiling agreed, particularly about the motivation of the College to work with the apartment community. The hotel/motel rooms don't have kitchens and are not designed for the type experience an apartment offers. If the apartment industry can meet the price point that the College is receiving from the hotels/motels, this may be the needed incentive to work with them in addition to or instead of the hotels/motels.

Mr. Freiling said regarding the cap, if we want to encourage the College even more to work with the apartment community, maybe the cap should be less than 25 so it helps meet the demand but doesn't fully satisfy the demand. He noted that we don't even know that there will be a demand.

Mr. Freiling said at the December student assembly, legislation was introduced to formally request the Office of Residence Hall Life to house transfer students. He noted that if the student assembly proceeds with this legislation, a lot of this would be moot. Mr. Haulman said that what Council did earlier provides the College with a safety valve if needed and that it doesn't need to be extended.

Mr. Haulman moved the City Council **deny** *Proposed Ordinance #10-01*. Ms. Knudson seconded the motion which carried by roll call vote of 4-0-1.

Recorded Vote on the Motion:

Aye: Braxton, Zeidler, Haulman, Knudson

No: None

Abstain: Freiling (because of his employment with the Colonial Williamsburg Foundation)

Absent: None

[See Proposed Ordinance #10-01.]

REPORTS

Monthly Financial Statement

Mr. Tuttle pointed out that six months into the fiscal year, General Fund Revenues are \$800,000 less than this point last year and Expenditures are also down from this time last year. Mr. Freiling thanked Mr. Tuttle and City staff because these savings aren't easily accomplished; a lot of great work has gone into making this happen.

Monthly Departmental Operating Reports

Rt. 143 Drainage Project

Public Works and Utilities Director, Dan Clayton, reported on the Rt. 143 Drainage Project, noting there was seven inches of rain in December that has slowed down the progress of the project. The projection is still to have the road open again by the end of January, barring an excessive amount of rain.

Mr. Clayton reported that in the month of December there have been about 15 water main problems in the City, small mains included. He added that James City County is also having problems with their water mains, attributed mostly to the wide swings in temperature, 30 degrees in some cases.

Mr. Braxton noted the Monthly Operating Report reflects that residential water consumption is drastically down. Mr. Clayton attributed this to more rainfall and a consumption decrease by City residents.

Planning Report – See Public Hearings

City Manager Reports

State Conveyance to City of Unused Rt. 199 Right-of-Way, Resolution #10-01

Mr. Tuttle presented the Resolution requesting the Virginia Department of Transportation convey property for Quarterpath Road at Route 199.

Mr. Freiling moved that Resolution #10-01 be approved. Mr. Braxton seconded the motion which carried by roll call vote of 5-0.

Recorded Vote on the Motion:

Aye: Freiling, Braxton, Zeidler, Haulman, Knudson

No: None

Absent: None

[See Resolution #10-01]

Schedule and Process for FY11 Budget

Mr. Tuttle noted the Budget Calendar for the Fiscal Year 2011 Budget that was included in Council's information packets. The Calendar follows the same process and timing used in past years, with some additions intended to incorporate into the process opportunities to broaden involvement of citizens and employees prior to presentation of the City Manager's

proposed budget on March 19. There will be a Public Hearing at the April City Council meeting with approval anticipated at the May meeting.

Although James City County plans to delay issuing its proposed budget until later in April in order to get a clearer read on critical State and School Budget deliberations, Mr. Tuttle said the City's March release date will remain. However, further budget revisions beyond normal expectations to accommodate this unusually uncertain year should be expected.

Mayor Zeidler said she appreciates the recommendation to go ahead with the schedule, starting earlier to allow more comments, etc.

Communications Specialist, Kate Hoving, confirmed that the proposed budget will be on the City's website.

City Attorney Report -- None

UNFINISHED BUSINESS -- None

NEW BUSINESS -- None

OPEN FORUM

Ron Steffey, P.O. Box 5005, Williamsburg, suggested organization of an "Old Capital Festival of Flowers and Cupolas" and encouraged Council to consider the event for the months of April and May. Although there would be no fee to attend the Festival, he said it would bring money into the City coffers by encouraging guests to visit our community.

Mayor Zeidler thanked Mr. Steffey and asked that he contact the City's Beautification Advisory Committee, David Kranbuehl Chairman, with the suggestion.

Paul Scott, 719 Lafayette Street, Executive Director of Child Development Resources (CDR), noted Mayor Zeidler's decision not to run for reelection to City Council this year and thanked her for her many years of service to the City of Williamsburg.

Mr. Scott said CDR was founded in 1966 and thanked the City of Williamsburg for their support over the years. He said referrals of homeless people have doubled and asked that if any budget cuts need to be made, they are minimal. He noted that a couple of the cost-cutting measures they have taken at CDR are a decrease in the number of benefits offered and the elimination of a staff-training day. He again thanked Council for their support and said he looks forward to working with the City in the future.

There being no additional comment the Open Forum was closed.

ADJOURNMENT

There being no additional business before the Council Mr. Freiling moved for adjournment at 3:30 p.m. Mr. Braxton seconded the motion which carried by roll call vote of 5-0.

Approved: February 11, 2010

Jeanne Zeidler
Mayor

Donna Scott
City Council Clerk