

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

The Williamsburg City Council held its regular monthly meeting October 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 Clyde A. Haulman called the meeting to order.

**ATTENDANCE**

Present in addition to Mayor Haulman were Vice-Mayor Paul T. Freiling, and Council members Ms. Judith N. Knudson, and Messrs. D. Scott Foster, Jr. and Douglas G. Pons. Also present were City Manager Jack Tuttle, City Attorney Christina Shelton and Council Clerk Donna Scott.

Staff Attending: Assistant City Manager Jodi Miller, Economic Development Director Michele DeWitt, Planning Director Reed Nester, Finance Director Phil Serra, Public Works & Utilities Director Dan Clayton, Parks and Recreation Director Lori Rierson, Fire Chief Pat Dent and Edna Malpass representing Human Services Director Peter Walentisch.

**COUNCIL MINUTES**

After Mr. Pons made changes to the minutes for the September 9 Regular Meeting, Mr. Freiling moved that the September 7 Work Session, the September 9 Work Session (City Council and Economic Development Authority), and the September 16 Work Session (City Council and Planning Commission) be approved as submitted. He also moved that the minutes for the September 9 Regular Meeting be approved as amended. Mr. Pons seconded the motion which carried by roll call vote of 5-0.

Recorded Vote on the Motion:

Aye: Knudson, Pons, Haulman, Freiling, Foster

No: None

Absent: None

**MATTERS OF SPECIAL PRIVILEGE**

Excellence in Service to Williamsburg Award

Mayor Haulman presented Firefighter Lee Ward the Excellence in Service to Williamsburg Award. Mayor Haulman noted that Lee has excelled in his six years of service to the Williamsburg Fire Department and to the City of Williamsburg. He is a leader among his peers, takes the initiative to mentor new recruits and gives his co-workers sought after guidance. Lee routinely goes the extra mile, demonstrating an exemplary work ethic. He is an instructor for the Tidewater Regional Fire Academy, an active member of the Federal Emergency Management Agency's Virginia Task Force 2 Technical Rescue Team and often steps forward to serve as "Acting Lieutenant" on his shift.

Mayor Haulman commended Firefighter Ward as an effective and loyal public servant who takes great pride in providing the best possible fire and EMS response for our citizens and visitors. Presenting him with a plaque, Mayor Haulman said Lee is hereby recognized for dedication to excellence in keeping with the best traditions of public service in the City of Williamsburg.

{Applause}

Firefighter Ward accepted the award stating that he came to the City about six years ago from a very small community, Hartfield, Virginia. He said he compares Hartfield to the City of Williamsburg; once you get working here and you meet everyone, everyone works as a family and everyone means as much to him as his family and people at home. Mr. Ward said it is an honor to work with the City of Williamsburg and all his fellow employees.

#### Recognition of Public Works & Utilities Director Daniel G. Clayton, III

Mayor Haulman presented a plaque mounted with a salvaged 1960's Trident Neptune water meter set at 35 gallons for his 35 years of service, and noted that Dan began his career with the City in 1975 as Public Utilities Director at age 22. When the Public Works Department and the Utilities Department were merged in 1987, Dan was promoted to Director of the combined department. Mayor Haulman stated that as the Director, Dan oversees employees in the:

- Street Department
- Landscape Department
- Water and Sewer Department
- Building Facilities Maintenance Department
- Cedar Grove Cemetery
- City Auto Shop
- Water Filter Plant
- Engineering Department

Mayor Haulman thanked Mr. Clayton and said the City has benefitted from all he and his staff have done; we are very fortunate.

{Applause}

Mr. Clayton received the plaque and said he appreciates the work and leadership of the City Council. He said Council has always been supportive of staff and he feels very fortunate to have worked with two City Managers, Mr. Frank Force and Mr. Jack Tuttle, and although they have different approaches, they have the same dedication and work hard. Mr. Clayton also thanked all the folks who work with him, both the "old timers" and the newer employees and those in the field as well as in the office.

Mayor Haulman stated that it is always a pleasure to recognize those who serve us every day as citizens and as part of the community. He said we are very fortunate to have a workforce for the City that contains people who do their utmost to do their job and to do it right; we are a very fortunate community in many ways.

#### VML Virginia Go Green Platinum Certification

Councilman Freiling stated that last week he had the pleasure and privilege of attending the Virginia Municipal League (VML) conference in Hampton. In jest, Mr. Freiling said he heard an inspiring lecture at the conference where it was explained that next year we can all look forward to decreased funding from the state and increased mandates.

Mr. Freiling said there were also presentations of the VML Virginia Go Green certifications. There were three levels of possible certification, Green, Gold and Platinum, with the Platinum level being the highest attainable. The City of Williamsburg received the Platinum level Green Community award, as did Loudon County, the City of Roanoke, Arlington County and the City of Alexandria. Williamsburg was clearly the smallest community receiving the Platinum level award.

Mr. Freiling noted that there is no doubt that he had very little to do with the award, he just happened to be at the conference to receive it on behalf of the City. Assistant City Manager, Jodi Miller, and the other representatives of the Green Team, have done a terrific job and on their behalf Mr. Freiling presented the award plaque to the Mayor and commended the Team's terrific work.

Mayor Haulman accepted the award and asked Assistant City Manager, Jodi Miller, for her comments. Ms. Miller thanked Council for the opportunity to recognize and thank members of the Green Team who began working toward this certification in 2008. In 2009 they attained the gold level and in 2010 VML revised the criteria so they had to start from the beginning again. It was the collective desire of the Green Team to be certified Platinum, and out of a possible 200 points, they were able to submit 185 points.

Ms. Miller said the Coordinator of the Green Team was Sandi Filicko who was the glue that kept the Team together and focused. Ms. Miller introduced all members of the Green Team as a team of talented, dedicated and energetic employees. She added that it has been an honor and a privilege to be part of this amazing team, and thanked Council for the recognition this afternoon.

Mayor Haulman asked that members of the Green Team stand for Council and audience applause, and noted that the work the Team did on this committee was on top of all the work they do every day and is an example of employees going that extra mile for the City.

## **BACKGROUND PRESENTATIONS/DISCUSSION**

### Economic Diversification in America's Historic Triangle

Historic Triangle Collaborative Chair Sandy Wanner presented the Report of the Economic Diversification Task Force (EDTF) noting that in August 2009 the Historic Triangle Collaborative (HTC) created the Task Force to explore whether the Greater Williamsburg area would benefit from greater economic diversification and to recommend mutually beneficial strategies that could be used collaboratively to augment individual efforts.

The Report, written during the Great Recession, presents goals and strategies for diversifying the economy of the Historic Triangle so it will be positioned to take advantage of the recovery and to provide sustainable economic vitality while nurturing and protecting our historic legacy, and our exceptional quality of life. The EDTF included members of the Economic Development Authorities of the City of Williamsburg, James City County and York County; as well as representatives from the College of William and Mary, the Colonial Williamsburg Foundation, the Greater Williamsburg Chamber & Tourism Alliance, Thomas Nelson Community College, Kingsmill Resort & Spa and the Historic Triangle Collaborative.

The Report included sections entitled, the Purpose and Scope, Background, Identification of Opportunities, Major Opportunities, and Major Findings and Recommendations.

Mr. Wanner's comprehensive review of the Report concluded with the following recommended actions the Historic Triangle Collaborative should encourage:

- Promote further diversification of offerings within our major attractions
- Improve regional tourism coordination
- Expand tourism programming on the wings of the main summer season
- Promote diversification that complements current strengths
- Explore opportunities for a third major attraction

Mayor Haulman thanked Mr. Wanner and the Collaborative for a terrific report that provides a spring board for community-wide discussions on a wide variety of issues. He said it is now Council's responsibility as well as the other jurisdictions and institutions in this community to take the Report seriously and use it as a spring board for future discussions of what this means for our community.

Mr. Freiling noted that he and Councilwoman Knudson had the pleasure of hearing the presentation at the recent Economic Development Authority's luncheon meeting, and have had the benefit of time to think about the presentation and formulate some thoughts. Although the Report will be interpreted differently by different people, to him the important thing is that when we talk about economic diversification, we are not talking about less emphasis on tourism or a diminishment of tourism, but rather strengthening the other business sectors that can supplement the tourism that remains this community's economic engine and will remain that way for the foreseeable future.

Mr. Freiling suggested that there is more that we can do to help other businesses be strong; cooperation is the key. Each of our three localities brings different strengths to the table. Each also comes with different limitations. But if our collective strengths can be combined, it will be much easier for us to compensate for or overcome our collective weaknesses. To make real and meaningful progress, we're going to need to exercise resolute political will in order not to fall into the natural temptation of parochialism. We may be three jurisdictions, but we are one community and we are going to succeed or fail together, so we might as well make the effort together.

Mr. Foster said he couldn't agree with Mr. Freiling more. After meeting with Mr. Tuttle and Ms. Knudson yesterday as well as previously reading the Draft Report and now the Revised Report, the question is what to do with the Report. He suggested it's a tool kit and a great place to start. It takes a broad macro swath of a lot of issues and is a great resource moving forward. He thanked Mr. Wanner, the Historic Triangle Collaborative, and the Economic Diversification Task Force.

Mr. Pons echoed what the others have said and agreed that it is a good starting point to look at our community from 90,000 square feet or maybe even higher. There are some lofty suggestions in the Report, such as the discussion of revenue sharing and how you get your hands around that so that it's equitable for all the players. There are a lot of things in the Report that would make a significant impact on our community, both pros and cons that have to be weighed. Mr. Pons said one of the things he liked in the report is the statement about supporting entrepreneurs and supporting local businesses, because the answer to a lot of our economic woes in the Williamsburg region can be answered by looking at the assets that we have from the smallest restaurants to the largest manufacturing firms. Those entrepreneurs need to be engaged in this process, and that is one of the recommendations that he would

make. He said he understands the Task Force is going to remain intact as a resource arm to the Historic Triangle Collaborative and his recommendation would be that they broaden their reach into entrepreneurial minds. He added that he would like to see more entrepreneurs on the Task Force.

Mr. Pons said he also liked some of the discussion about tourism and looking for ways to attract new customers and new visitors, and being open minded to new suggestions. As we look at the issues today, there is some angst among some of the players and we all need to rise above the fray to communicate and cooperate effectively; we all need to be at the table. He concluded his comments by saying there is a lot of good in the Report, but a lot of room for expansion; we are headed in the right direction.

Ms. Knundson said she is delighted with the mention of Richmond in the Report and the fact that we are looking west. Our community too often looks at Newport News and to Norfolk, and it is time for us to realize there are places to consider looking west. For one thing, it's easier to get to the Richmond airport than it is to the Norfolk airport.

Ms. Knudson said another thing in the Report she feels very strongly about and that she can't say strongly enough, is the several places in the Report it talks about quality of life; this should absolutely be at the top of the list. It is very easy in a recession to have everybody panic and say we have to do something; we can get bigger signs, get rid of the trees that are in the way of things, but in the rush to try to overcome the problem of fewer customers or fewer visitors, risk losing what it is that makes the area attractive. This is a real danger and we need to ask over and over, "Why is it that people come here?" It's because it's pretty here and it's nice and it's green and it's comfortable and it's easy to get around sometimes; all those things that would be very easy to forget. She said she is very pleased that it is addressed in many places in the Report.

Mayor Haulman said it is incumbent upon all of us to take the Report and think as innovatively as possible as we go through the Report. He said some of the recommendations are certainly more challenging than others, but that is not a reason to put them aside; they all need to be addressed and address the widest possible range of options. As others have said, communication is the critical issue here and he is hoping City Council and the City of Williamsburg can take a leadership role as this goes forward. He again thanked Mr. Wanner.

## **PUBLIC HEARINGS**

### **PCR #10-012: Request of St. Stephen Lutheran Church for a special use permit to construct two small additions to the Narthex and a Memorial Garden at 612 Jamestown Road.**

Deputy Planning Director Carolyn Murphy presented the request from St. Stephen Lutheran Church for two small additions to the Narthex and a Memorial Garden. The existing sanctuary will not be enlarged, and the existing parking lot will not be expanded. Parking is based on the main place of assembly which requires 24 parking spaces for the existing 240 seat sanctuary. Seventeen parking spaces are provided on-site and the Board of Zoning Appeals approved a 13 space parking variance on March 17, 1988 (BZA #02-088). Stormwater will be handled by the on-site construction of a manhole, and pollutant reduction will be accomplished with the purchase of stormwater credits from the Skipwith Regional Stormwater Management Facility.

The proposed church expansion is compatible with the character of the surrounding single-family neighborhood and is consistent with the 2006 Comprehensive Plan. Planning Commission recommended to City Council approval of the special use permit. Planning Commission also approved the site plan contingent upon a special use permit being granted by Council for the additions.

Ms. Murphy noted representatives of the church are present today to respond to any questions or comments Council might have.

Mayor Haulman opened the Public Hearing. There being no comment the Public Hearing was closed.

Mr. Freiling said he firmly believes that vibrant places of worship are a key and critical element of a community, and residential neighborhoods are the most appropriate locations for them. To the degree that we can help congregations meet their needs by the enhancement or expansion of their facilities without overwhelming the character of surrounding neighborhoods, it is incumbent upon Council to do or to make possible.

Mr. Foster added that the proposed expansion is only enhancing an existing asset on Jamestown Road.

Ms. Knudson moved Council approve the special use permit. Mr. Freiling seconded the motion which carried by roll call vote of 5-0.

Recorded Vote on the Motion:

Aye: Knudson, Pons, Haulman, Freiling, Foster  
No: None  
Absent: None

## **REPORTS**

### **Monthly Financial Statement**

#### Refunding Summary

Mr. Tuttle noted the Refunding Bonds Summary that was included in Council's information packet. He pointed out a savings of over 7% of what we would be spending without the refunding. This will reduce our debt service, mostly in the Utility Fund, in the range of \$175,000 - \$237,000 annual savings between the current year 2011 and 2024. Mr. Tuttle said a comparison was done to other Virginia issues of similar credit quality (Moody's rating of Aa1 and Standard & Poor's of AA+), and the pricing of our bonds came out very competitive with bonds that went to issue that same week.

#### Revenue

Mr. Tuttle noted that one-quarter through the fiscal year, unlike this time last year, all revenue (room tax, meal tax, sales tax) indications are in a positive direction; a very encouraging sign.

### **Monthly Departmental Operating Reports**

Mayor Haulman noted the number of new business startups and thanked Economic Development Director, Michele DeWitt for her good work.

**Planning Report** – None in addition to the previous Public Hearing.

## **City Manager Reports**

### Draft 2011/1012 Biennial Goals, Initiatives and Outcomes (GIOs)

The Draft GIOs, containing 76 initiatives under ten goal areas, are based on City Council's initial discussion at the August 21 retreat and the community workshop held on September 15, 2010. Mr. Tuttle noted the Draft GIOs document is online and encouraged additional public input within the next several weeks. Mayor Haulman added that comments can be made online as well as at the special work session which is specifically to address the Goals and Initiatives. The October work session was rescheduled to November 1 at 7:00 p.m. when Council will have another opportunity to review the proposed Goals and Initiatives and to hear public comments.

Mr. Foster said he particularly appreciates the Pedestrian Connection Improvements under Goal V. Transportation. He said he has heard from a number of folks about the difficulty of walking on Monticello Avenue from the City to New Town. Mr. Tuttle responded that although that particular section of Monticello Avenue through the College Woods is not in the City street system, it is in the City limits and in the same category as all the roads on the College campus that fall directly under the Virginia Department of Transportation. This means that we as a city could collaborate on a project there if we choose, but not something we can do on our own. Mayor Haulman noted that the College is aware of the situation and in the City's discussions with the College this has been an area of on-going concern with a need for solution. Mr. Freiling added that the College has done a terrific job of providing pedestrian and bicycle access to the new School of Education; a very encouraging sign.

Mr. Tuttle said that the draft from the September 15 community meeting was sent out to generate ideas, and there were about 150 responses that came in from citizens. These have now been recorded and are available, as well as the comments received online. Ms. Knudson commented that the "Peak Democracy" comments are impressive; they are well done, reflect a lot of thought and people are clearly engaged in the process. She said she was very pleased to see them. Mayor Haulman again encouraged people to use the "Peak Democracy" means of communicating and suggesting ideas as well as the other opportunity for public input and Council discussion, the meeting on November 1. He said Council has met with the Economic Development Authority and the Planning Commission as well as the public meeting in September and the upcoming work session on November 1.

### Legislative Issues for the 2011 General Assembly, *Proposed Resolution #10-12*

Based on Council discussion at last month's meeting, Assistant City Manager, Jodi Miller, presented revised Legislative Issues for the 2011 General Assembly. She briefly reviewed the 13 issues which include requests from the Colonial Williamsburg Foundation regarding increased funding for tourism, transportation, and passenger rail service, and the College of William and Mary for the Integrated Science Center and Tucker Hall capital projects. Ms. Miller noted the issues will be forwarded, along with the Resolution signed by Council members, to the City's representatives in the General Assembly, with a follow-up meeting with Council members and General Assembly representatives to be scheduled.

Mr. Pons noted that at the previous meeting he had mentioned that it might be prudent for the City to reverse tack regarding the Business, Professional and Occupational License (BPOL) tax issue and look for ways to eliminate it. He said he still personally feels that the tax is a burden on the businesses and business retention capabilities. He added that he notes a small change in the revised Legislative Issues, and asked that Ms. Miller talk about the revision

which states we would not be opposed to revenue neutral reform of the BPOL tax. Ms. Miller responded that the revision was made in reaction to his comments and questions at last month's review of the issue and, depending on Council's direction, could be further reviewed. Mayor Haulman also pointed out that, in addition to sending the list of issues to our representatives, Council will also be meeting with them and have an opportunity to discuss them in more detail.

Mr. Pons also noted the item regarding tourism and promotion and encouraging the General Assembly to increase the portion of tourism revenue to promote Virginia. He asked if that suggestion is empty if we don't do the same thing, and are we committed to returning more of our revenues collected from tourism and activities to promotion. We need to be cognizant of that and if we're going to ask them to do something that we aren't willing to do ourselves, it rings hollow. Mayor Haulman responded that is an issue for budget discussion in the spring, and asked what percent of our budget has gone to tourism promotion. Mr. Tuttle answered that if the Commonwealth did just a small fraction of what the City does, it would be making a major step forward. Mr. Tuttle said, for instance, over 50% of room tax receipts alone go directly back into tourism promotion, which is over \$2 million a year. The amount that is going back to the Virginia Tourism Corporation (VTC), of the money the state receives from tourism in this state, is such a small fraction that it almost can't be identified. So there is a huge gap of what the City does and what the state does. Mayor Haulman said that might be a useful piece of data to have: what the City has done historically as a percent of both its tourism tax and revenues, and what the state has done; this will give us a basis of comparison. Ms. Knudson noted that in addition, one of the current Governor's campaign promises was to give more money to tourism; she added that she believes he gave a little bit more, but she's not sure we've seen much from that, although they did increase the number of ads out of state.

Mr. Freiling suggested another helpful piece of data might be to see the trend line on state funding for tourism over the past 20 years; where it was, where it has gone and where it is now, compared to what the localities have done.

Mr. Freiling moved that Council approve *Proposed Resolution #10-12* supporting certain local and state legislative priorities. Ms. Knudson seconded the motion which carried by roll call vote of 5-0.

Recorded Vote on the Motion:

Aye: Knudson, Pons, Haulman, Freiling, Foster

No: None

Absent: None

{Adopted Resolution #10-12}

**City Attorney Report** --None

## **SCHEDULE OF MEETINGS: OCTOBER 2010**

Mayor Haulman noted the October 2010 schedule of meetings included in Council's information packet. There were no additional comments from staff regarding the schedule.

## UNFINISHED BUSINESS

### Appointment to Boards and Commissions

Mr. Freiling moved that effective as of July 1, 2010 City Council appoint the following to the Local Emergency Planning Committee for a three-year term to expire June 30, 2013:

Roger Balwin	Danny McDaniel	Todd Cannon
Deby Middlebrook	Steven Cummings	Kevin Pearce
Pat Dent	Sandra Prior	Susan Geary
Dave Sloggie	Jim Goltry	Ed Schardein
Burke Humphrey	Robert Turner	Amanda Kerr
	Peter Walentisch	

City Councilman Scott Foster was appointed to this Committee in July 2010 as Council representative.

Ms. Knudson seconded the motion which carried by roll call vote of 5-0.

Recorded Vote on the Motion:

Aye: Knudson, Pons, Haulman, Freiling, Foster  
No: None  
Absent: None

**NEW BUSINESS** -- None

## OPEN FORUM

Mayor Haulman opened the Open Forum portion of the meeting for comments on any topic.

**John Whitley**, 110 Governor Berkeley Road, stated that he had initially intended to advocate Council's support for opposition to the coal-fired plant issue in Surry, but there are several others present who will speak more adequately to that issue.

Mr. Whitley said it is a special privilege to live in the City of Williamsburg and said he was very moved by the recognition of Dan Clayton and Lee Ward and the fact they went over to shake hands with the City Manager. He said he would also like to encourage Council to let the City's Goals and Initiatives influence the Historic Triangle Collaborative Economic Diversification Report.

**Billy Scruggs**, 119 Woodmere Court, owner and operator of a small hotel and restaurant in the downtown area of the City of Williamsburg.

He addressed the issue of the Economic Diversity Report and noted Mr. Tuttle has recommended to Council that they receive the Report and include elements of it in the City's upcoming Goals, Initiatives and Outcomes document. Addressing one of the recommendations made by the City Manager in his memorandum to Council, to support various strategies in the Report for improving the tourism economy (i.e. "World Heritage" designation, Civil War Sesquicentennial, Historic Triangle regional information center at the

Colonial Williamsburg Visitor Center), Mr. Scruggs said he takes issue. He said he would not like that language to be passed on to the Goals and Initiatives for the following reasons:

- He does not believe that a center can exist as a true regional center and be owned and operated by an area attraction that also owns and operates hotels and restaurants because of the obvious conflict that Colonial Williamsburg must promote its own offerings before those of local businesses. He said that although he appreciates Colonial Williamsburg Foundation President Colin Campbell's commitment to be more inclusive of area attractions and businesses in the Colonial Williamsburg Visitor's Center, he realizes employees must be faithful and offer CW offerings first.
- Throughout the Commonwealth, the regional centers, certified by the VTC, are operated by Destination Marketing Organizations (DMO). These organizations are typically localities and Chambers of Commerce that promote the locality to tourists, visitors or guests and who might be interested in spending money in the shops, restaurants, hotels and motels and businesses that pay dues and support those organizations.
- The State has elected that these centers not be operated by individual attractions or businesses that might primarily wish to steer visitors to their own venue, but that they would be operated in such a fashion that the visitor might have the opportunity to view all that the community has to offer. Although Williamsburg is one of the exceptions to these centers in the State.
- Mr. Scruggs said he is not suggesting the City stop supporting Colonial Williamsburg in any way, but that language should not be included in any document that would suggest that the Colonial Williamsburg Visitor Center is a representative to businesses in a regional sense unless they include all that apply to be included, and that all that are included be represented to visitors in an equitable manner.

Mr. Scruggs said he would like to see Council use language that would seek and support a true regional visitor information center which is operated by a DMO that equally and fairly disseminates information to our visitors. This is what the off-sited Nichols Report suggested years ago and as a world-class destination, we owe our visitors and our local businesses no less.

Mayor Haulman thanked Mr. Scruggs for his comments.

**Susan Jennaro**, 220 Suri Drive, spoke about the coal-fired plant in Surry County and asked Council, at the earliest opportunity, to pass a resolution in opposition to the coal-fired plant and send the resolution on to the Army Corps of Engineers. There are alternatives that are cleaner, cheaper and safer than a coal-fired plant at this time. Ms. Jennaro said she does not speak in a general sense since she has a family member who works for an energy company and is negotiating contracts at this time between communities involving alternative energies. She said she is aware that a number of the negotiated contracts will be able to, in the not too distant future, be providing wind, solar, biofuel energy from waste water; as well as a variety of other energy sources. She added that this is not a "George Jetson" sort of thing of the future; communities are negotiating these alternative sources today. She asked again that Council consider doing so as well for our own region. When a coal-fired plant comes on line, it typically comes online for 50 years; why would we want to commit for the next half century to last century's answer to energy delivery when other communities are negotiating contracts for the energy delivery system of today?

The Mayor thanked Ms. Jennaro for her comments.

**Christine Llewellyn**, 3000 Heritage Landing Road, founder and director of the Williamsburg Climate Action Network said she is present to lend her support to the opposition of the coal-fired power plant. She said that as she has delved through this the last couple of years, she has found the permitting process to be quite confusing. She said she knows Council has set in place a process for consideration for a resolution of opposition, but she asked that Council consider at this point the possibility of having someone with experience in the permitting process come and speak to Council about the procedural aspect. This would not be to offer opinions for or against this particular proposal, but to help shed some light on the very complex permitting process, and most importantly, the timing of Council's collective opinion and when it might be most effective and have the most impact on the overall outcome of this proposal. Ms. Llewellyn suggested that Council invite Mr. Bob Burnley, former director of the Virginia Department of Environmental Quality who in his many years in that service has seen an untold number of permits start to finish and he might be able to share the experience of when would be the best time to offer that opinion.

The Mayor thanked Ms. Llewellyn for her comments, and asked City Manager Tuttle and Planning Director Nester to look into this suggestion and bring a recommendation back to Council.

**Patricia Grey**, 107 John Tyler Lane, thanked City Council and the City of Williamsburg for supporting the Global Work Party that occurred recently in Williamsburg and made the City part of over 7,000 world-wide locations that had some kind of event or project to call attention to the amount of carbon dioxide we have in our atmosphere.

Ms. Grey said she would also like to say how proud she is to live in a city that is able to win a "Go Green Platinum" award; it shows the City's commitment to environmentalism and it is applauded.

Ms. Grey said that several Williamsburg organizations and many citizens are eager for the Council to take a more aggressive position in terms of the coal-fired plant that is proposed in Dendron. She said they applaud the fact that the Council has talked about this and has come up with a procedure that would express either a resolution of concern or a resolution of opposition, but are concerned about the timing. They would like for the resolution to appear much quicker than the timing that is currently being considered which is after the draft EIS (Environmental Impact Statement) is issued. Given the preference of the Council for that procedure in terms of the draft EIS, she would like to ask the Council to consider another alternative that would not necessarily be in lieu of a resolution of opposition, but could be in addition to it. This would be a letter of concern that might be addressed at this point to the Army Corps of Engineers and would address the issues of most concern to Williamsburg; the historic resources issue and the air and water quality issue. This letter of concern would be a good interim measure for Council to consider.

The Mayor thanked Ms. Grey for her comments.

There being no additional comment the Open Forum was closed.

**CLOSED SESSION**

At 3:30 p.m. Mr. Freiling 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 concerning appointments to board and commissions, per subparagraph 1. The motion was seconded by Ms. Knudson and carried by roll call vote of 5-0.

Recorded Vote on the Motion:

Aye: Knudson, Pons, Haulman, Freiling, Foster

Nay: None

The Mayor called for a five-minute recess prior to going into Closed Session.

### **OPEN SESSION**

At 3:45 p.m. Council again met in Open Session for certification of the closed meeting.

### **CERTIFICATION OF CLOSED MEETING**

Date: October 14, 2010

Mr. Freiling moved to approve the certification of a Closed Session pursuant to Section 2.2-3712 of the Code of Virginia. Ms. Knudson seconded the motion which carried by roll call vote of 5-0.

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 Committee 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.

Recorded Vote on the Motion:

Aye: Knudson, Pons, Haulman, Freiling, Foster

Nay: None

Absent During Vote: None

Absent During Meeting: None

At 3:46 p.m. Mr. Freiling moved that City Council go into a **second Closed Session** pursuant

to Section 2.2-3711 of the Code of Virginia for the purpose of discussing one personnel matter, per subparagraph 1. The motion was seconded by Ms. Knudson and carried by roll call vote of 5-0.

Recorded Vote on the Motion:

Aye: Knudson, Pons, Haulman, Freiling, Foster

Nay: None

## **OPEN SESSION**

At 3:55 p.m. Council again met in Open Session for certification of the **second Closed Session**.

## CERTIFICATION OF CLOSED MEETING

Date: October 14, 2010

Mr. Freiling moved to approve the certification of the second Closed Session pursuant to Section 2.2-3712 of the Code of Virginia. Ms. Knudson seconded the motion which carried by roll call vote of 5-0.

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 Committee 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.

Recorded Vote on the Motion:

Aye: Knudson, Pons, Haulman, Freiling, Foster

Nay: None

Absent During Vote: None

Absent During Meeting: None

## Visitor Center

While in Open Session, Council continued discussion regarding the issue of the Historic Triangle Visitor Center, the importance of supporting all regional businesses on a fair and equitable basis, and suggested options for appropriate language to reflect the intent to provide regional information.

It was noted in the City's Goals, Initiatives and Outcomes document, Goal III, Economic Vitality, one of the items under "Tourism Marketing," is to "Support Colonial Williamsburg's effort to provide Historic Triangle regional information at the Colonial Williamsburg Visitor Center." Mr. Pons suggested that the item in the Report about encouraging, supporting and

celebrating entrepreneurs may be an opportunity for a second visitor's center. Ms. Knudson stated that our community is too small for two visitor centers; it would only lead to confusion and she does not believe it should be in the City's Goals, Initiatives and Outcomes document. Mr. Pons suggested that we ask Colonial Williamsburg about their intentions, and Mr. Tuttle responded staff will follow up with either a response to the request or a presentation.

Mr. Foster said this points to another discussion; what are we doing right and wrong. The need for a center wouldn't exist if area businesses didn't need help; we need to aspire to a higher solution and really look at the root cause why hotel/motels need to find support for their businesses. The Report is pointing out some things we really need to work on as well as disenchantment with tourism dialogue. If City Council were to give their blessing to a second visitor center, we should ask if it is really needed and be open to all options.

Mayor Haulman asked what the future of a visitor center is; more and more often visitors receive their information and make reservations online. What will be appropriate in 2015 or in 2025? Maybe this should be an agenda item.

Mr. Pons suggested Council defer a statement in the G,I & Os document until we hear from the Colonial Williamsburg Foundation regarding a visitor's center. Ms. Knudson said we should leave something in the G,I & Os about tourism but remove that bullet; a Visitor Center won't solve the problems caused by the recession.

## **ADJOURNMENT**

There being no additional business before the Council, at 4:20 p.m. Mr. Freiling moved and Ms. Knudson seconded the motion to adjourn the City Council meeting of October 14, 2010. The motion carried by unanimous roll call vote.

Approved: November 12, 2010

Clyde A. Haulman, Mayor

Donna Scott, City Council Clerk