

**WILLIAMSBURG CITY COUNCIL  
WORK SESSION  
NOVEMBER 8, 2010**

The Williamsburg City Council held a work session on Monday, November 8, 2010, at 7:00 p.m. in the City Council Chambers of the Stryker Building, 412 N. Boundary Street, Williamsburg, Virginia.

**CALL TO ORDER**

Mayor Clyde A. Haulman called the meeting to order and noted tonight's meeting is the first evening meeting in a trial that will terminate April, 2011.

**ATTENDANCE**

Present in addition to Mr. Haulman were Vice-Mayor Paul T. Freiling, 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, Communication Specialist Kate Hoving, Planning Director Reed Nester and Finance Director Phil Serra.

**ITEMS FOR CITY COUNCIL MEETING OF NOVEMBER 12, 2010**

**Public Comment**

Mayor Haulman invited public comment on items on the agenda for Thursday's Council meeting or comments on any topic.

**Patricia Gray**, 107 John Tyler Lane, spoke on behalf of the American Lung Association (ALA) and their opposition to the proposed coal-fired power plant. Ms. Gray distributed information on the ALA's position which stated that they are working closely with other public health and environmental advocates to oppose the proposed power plant in Surry County, Virginia. The emissions expected from this plant would negatively impact the air quality and put the area at even greater risk for unsafe air quality and failure to meet the National Ambient Air Quality Standards (NAAQS). Failure to meet these standards can lead to increased asthma and COPD rates as well as premature death in certain populations, including children and the elderly. This plant, if built, would affect Richmond and the Hampton Roads Region, both of which already routinely fail to meet the NAAQS.

**Stewart Goddin**, 715 Goodwin Street, addressed items in the Goals, Initiatives and Outcomes document, but first commended staff for a document that gets better and better with each iteration. He referenced the new definition of "character" in Goal II "Character of the City."

"Protect and enhance Williamsburg's unique character as defined by its iconic places -- the Colonial Williamsburg Historic Area and campus of the College of William and Mary -- and as reinforced by the natural and manmade environment of its best open spaces, entrance corridors and urban fabric."

Mr. Goddin suggested a slight modification which he believes captures a little better what he thinks as "character." Delete "urban fabric" and replace with "...and community

neighborhoods while offering diverse amenities and cultural opportunities usually available only in larger cities.” He said this change captures more than just buildings and open space; it’s the community spirit and the wealth of opportunities without the hassle of a big city.

Regarding Goal III, “Economic Vitality,” Initiative “Arts and Creative Economy”:

“.....Implementation will include adoption of an arts district ordinance that offers incentives and programs, identification of a viable cornerstone project in the district, and the design and launching of a marketing program to attract the ‘creative economy’ to the arts district,” Mr. Goddin said he thought that since no interim report had been made, Council had decided to put the word “may” instead of “will” adopt changes to the Zoning Ordinance. Although it may be a good idea to change the zoning, until we see the report and have discussion, it seems a little presumptuous.

**Grace Hansen**, student at William and Mary and a representative of the Student Environmental Action Coalition, said they wish to re-emphasize the point that Ms. Gray made earlier about the Coal-Fired Plant. She said they consider this to be incredibly important for the future health of this region and the issue needs to be on City Council’s agenda within the next few months. Not only would the Plant be a health issue with 45 pounds of mercury emitted per year, but also an economic problem because it would emit hundreds of thousand of pounds of sulfuric acid per year, which damages historic buildings. The Plant would also emit ozone, and if the EPA designates us as a “non-attainment” area, with the addition of this amount of ground level ozone, it will be impossible for Williamsburg to ever be in an area of attainment. This means we would get no funding for public transportation as well as other restrictions.

They feel it is very important that Williamsburg passes a measure in opposition to the Plant, hopefully within the next few months because this is a particularly delicate period of time when Old Dominion Electric Cooperative (ODEQ) is vulnerable to public opinion.

Ms. Hansen asked, as a citizen of Williamsburg and as one who cares about this region very much, that Council consider beginning the process of adopting a resolution in opposition to the Coal-Fired Plant.

Mayor Haulman noted City Council has adopted a procedure for addressing this issue and asked Mr. Tuttle to outline that procedure. Mr. Tuttle said that based on Planning Director Reed Nester’s work and presentation to City Council, Council has put together a process that will allow the representatives proposing the Coal Plant to appear before Council and a spokesperson for the opposition to the plant to make a counter presentation. There would then be a period of public comment after which Council would take up the issue and take a position, if it chose to, one way or another. What will kick off the proposal is a time to be coincident with the public comment period on the DEQ’s review of the Plant. At this point, application has not been made and the applicant has pushed back submittal, therefore a review process by DEQ has not begun. Mr. Tuttle said it’s really a question of when Council would like to start the process. There has been a suggestion made, and the Mayor has directed City staff, to prepare a letter of interest on the issue which would be sent to

the regulatory agencies so they will know when application is received that the City of Williamsburg is a party of interest and intends at some point to take action on it. He added it's up to the Council whether they would like to amend that approach.

Mayor Haulman suggested that if anyone is interested in looking at the procedure Council set forth at the August 20 meeting, that document is available. Also on page 25 of the Statement of Goals and Objectives there is the Cypress Creek Power Plant and the idea that Council would implement a review process as approved by City Council at the August 2010 meeting. He added that Council is trying to stay in touch with what's going on and to determine when the most effective time would be to make a statement. Council is open to whatever information they can get and open to making a decision that will best serve the citizens of Williamsburg.

Ms. Knudson said that although the procedure Council adopted is fine, she hopes that Council does a letter of concern sooner rather than later. Mr. Tuttle noted a letter is currently being drafted. Mr. Freiling added that we all have different opinions of when the most effective time would be to explore the issue, but if we do it during the public comment period and create the opportunity for dialogue in the community by having a representative from ODEQ and a representative from an organization having a contrary position, we will be putting good information out that then the citizens of Williamsburg could express their opinions and share them with the City. Council has talked about taking all the information and passing it along so it is received in one bundle. Mr. Freiling noted that we don't have any control over whether the comments passed on will be accepted or recorded that way, but it is another way of getting more people involved in the process.

Mr. Pons said it has to be a strategic approach to make the most impact that we can with whatever we do; timing is critical.

There being no additional comment the Public Comment portion of the meeting was closed.

### **Council Preview**

Mayor Haulman confirmed that Council members have all the information they need regarding items on the agenda for the regular Council meeting on Thursday.

### **MATTERS OF SPECIAL PRIVILEGE**

#### **Williamsburg Regional Library Five-Star Award Recognition, Resolution #10-13**

Mayor Haulman stated that the next item on the agenda is the kind of business he likes best to conduct. The Williamsburg Regional Library has been awarded a rating of five out of five stars and named a "Star Library" by the Library Journal Index of Public Library Service in its 2010 America's Star Libraries report. Mayor Haulman read the Resolution which stated that only 258 of the 7,407 rated libraries were awarded "star" status, and only 85 of the 258 received a five-star rating. This is the third consecutive year that the Williamsburg Regional Library received the five-star rating and it was the only five-star recipient in the Commonwealth of Virginia.

Ratings are calculated based on four per-capita criteria including library visits, circulation,

program attendance and public internet computer use. The Library received exceptionally high per-capita rankings; first in Program Attendance, and was among the top 25 in Circulation and Internet Usage.

Ms. Knudson moved that City Council adopt Resolution #10-13 congratulating the Williamsburg Regional Library for its prestigious national recognition for excellence and for its continued commitment to our community. Mr. Freiling seconded the motion.

Mr. Freiling said we all say we love the library and it's a terrific asset to our community, but maybe what we don't say often enough is how much we appreciate the support of James City County and York County in helping to make the Library what it is; we couldn't do it alone. This is a great example of regional cooperation and it makes a significant difference in the quality of life in this community. Ms. Knudson noted that one of the things not mentioned in the Resolution is the kind of programs the Library does in the community. They do an incredible job in the community and have a wonderful program at the Olde Towne Medical Center reading to children.

The motion was called and carried by roll call vote of 5-0.

Recorded Vote on the Motion:

Aye: Knudson, Pons, Haulman, Freiling, Foster

Nay: None

Mayor Haulman asked that the Williamsburg Regional Library Director, John Moorman, meet him at the podium to accept the award. Mr. Moorman introduced members of the Library staff present in the audience and the Chairman of the Williamsburg Library Board of Trustees, Susan Geary.

Mayor Haulman stated that the Library is very special and we are all proud to be part of a city that has a library like the WRL; it is a jewel in our crown. Mr. Freiling agreed pointing out again that the WRL is one of 85 libraries out of 7,407 that received the five-star rating, which is a little over 1%; it's remarkable.

{Resolution #10-13}

## **BACKGROUND PRESENTATIONS/DISCUSSIONS**

### Virginia Arts Festival 2010 Season Review

Scott Jackson, General Manager, showed a video of the 2010 Virginia Arts Festival.

Mayor Haulman said, going back to Mr. Goddin's earlier point, living in a small community but having access to the amenities of a large city; what more could we want than the offerings of the Virginia Arts Festival and Festival Williamsburg?

Mr. Jackson said the 2010 Festival Williamsburg was excellent. Part of the mission of the Arts Festival is to bring the greatest artists in the world to this region, and while they're here, to reach the lives of our children. The Festival also wants to make sure we're using our arts to capitalize on our economy through tourism; lots of people like to travel for

cultural events. Regarding the education point, he said that every 5<sup>th</sup> grade student in the

Williamsburg/James City County schools will participate in a matinee this year, as they have for about the last four years.

Mr. Jackson said that the Festival has great partners in Colonial Williamsburg, because they have such a strong brand and presence nationally as a tourist destination, and the Greater Williamsburg Tourism Alliance with their vision of promoting Williamsburg and the arts. He concluded his comments by saying 2010 was a great year and 2011 will be also. It makes perfect sense to be in this community and they are proud of what they are able to do here.

Mr. Freiling thanked Mr. Jackson for his continued efforts and the entire Festival's efforts to enrich the quality of this community and the region. Council members thanked Mr. Jackson for all he does for our community and Mayor Haulman added that the video says it all.

#### Draft 2011/2012 Biennial Goals, Initiatives, and Outcomes

Mayor Haulman stated that Council members have had a number of meetings regarding the document, and Draft #2 presented today reflects changes that have come from those meetings. The final draft will be presented at the November 12 Council meeting when it will be adopted. He said there are copies of Draft #2, the current document, in the back of the room, as well as online. Mayor Haulman added that Council is open to suggestions.

Mr. Foster said he appreciates the new metrics that will allow monitoring of key outcomes. Mayor Haulman agreed saying that we not only have goals and initiatives, but also metrics for each area that will allow us to see how we're doing. Mr. Pons noted that it is important to recognize that there are a lot of goals and staff has done a good job of encompassing everything that we do as a city. The accountability for what the City does is captured in this document; he complimented staff for putting it all together. It's a good document and through the course of the last couple of months, meeting with the public, and various boards and commissions, we have come up with a pretty solid document. He added that to him it is a living document, as compared to the Comprehensive Plan.

Mayor Haulman noted that he received an email today from Jane Yerkes regarding Goal II "Character of the City," Initiative "Targeted Redevelopment Opportunities" and the sentence, ".....and work with owners to facilitate projects." Mayor Haulman asked that "particularly adaptive reuse" be added to the sentence. He said it's not the only thing, but one thing that might be particularly useful. He said he also liked Mr. Goddin's suggestion about "Character of the City" and asked staff to consider it. Mr. Freiling noted that he thinks "adaptive reuse" is part of what Council meant by "Targeted Redevelopment," and this is just being a little more explicit. Mayor Haulman agreed that it was there but it might be helpful to make it even clearer.

Mr. Tuttle commented, since the issue was raised, concerning the "Arts and Creative Economy," there was a report that came to Council in May 2010 and Council action said to follow up or pursue implementation in these three areas. The language used in the GIOs document is what was used for Council action. It doesn't say we will adopt an ordinance nor does it say we will do anything in particular, but rather we are following through on

implementation on the three points. Council is not binding itself to anything other than

giving direction for needed information from staff. He asked that Council look at this and if not satisfied that it's getting at the concern we've heard, it can be changed.

Mr. Tuttle noted that by the end of the day tomorrow, the final draft will be available online as well as in the City Manager's office. Mayor Haulman reiterated that the final draft will be online and copies will be available in the City Manager's office; there are multiple ways citizens can review the document.

### **CITY COUNCIL COMMUNICATIONS**

Mayor Haulman said this is a time for City Council members who serve on Boards, Commissions or Committees to have an opportunity to bring things to the full Council. There were no reports this month.

### **SCHEDULE OF MEETINGS: NOVEMBER 2010**

Mayor Haulman noted the City Calendar for the month of November which Council members received in their meeting packets.

Mr. Tuttle reminded Council and the public that the regular City Council meeting will be held on Friday, November 12 rather than Thursday, November 11 due to Veterans Day. There will be a Veterans Day ceremony in City Square beginning at 10:00 a.m.

Also, the "State of the City" will be held on Thursday, November 18 at the Community Building, 401 N. Boundary Street with a reception at 5:00 p.m. and the Mayor's address at 5:30 p.m.

### **OPEN FORUM**

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

There being no comment the Open Forum was closed.

### **CLOSED SESSION**

At 7:45 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, 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 8:25 p.m. Council again met in Open Session for certification of the closed meeting.

**CERTIFICATION OF CLOSED MEETING**

Date: November 8, 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

There being no additional business, at 8:30 p.m., the City Council meeting of November 8, 2010 was adjourned by unanimous roll call vote.

Approved: December 9, 2010

Clyde A. Haulman, Mayor

Donna F. Scott, City Council Clerk