

A Regular Meeting of the Chesapeake City Council was called to order by Mayor Dalton S. Edge on August 16, 2005 at 6:30 p.m., in the City Hall Building, 306 Cedar Road.

INVOCATION: Elder Caleb Pierce, City of Chesapeake Employee

PLEDGE OF ALLEGIANCE: Cub Scout Pack 934 and Boy Scout Troop 934 - First Baptist Church South Hill

ROLL CALL BY CLERK OF COUNCIL:

Present: Council Member W. Pete Burkheimer
Vice Mayor John M. de Triquet
Mayor Dalton S. Edge
Council Member Clifton E. Hayes, Jr.
Council Member Alan P. Krasnoff
Council Member W. Joe Newman
Council Member Dwight M. Parker
Council Member S. Z. "Debbie" Ritter
Council Member Patricia Pritchard Willis

Absent: None

Present from Administration: City Manager Clarence Cuffee, City Attorney Ronald Hallman, City Clerk Dolores Moore, Deputy City Manager Anne Odell, Deputy City Manager Amar Dwarkanath, Deputy City Attorney Jan Proctor, Planning Director Brent Nielson, and other staff members.

APPROVAL OF MINUTES

Mayor Edge advised that there were no minutes for approval at that time.

SPECIAL RECOGNITION

Members of Cub Scout Pack 934, and Boy Scout Troop 934, along with their Scoutmaster James Washington, First Baptist Church South Hill, were recognized.

City Manager Cuffee introduced Deputy City Manager Wanda Barnard Bailey, who would oversee the Human Development and Community Initiatives members of his staff.

APPLICANTS', AGENTS', AND CITIZENS' COMMENTS ON PUBLIC HEARING ITEMS

City Clerk Moore stated there were no speakers prior to the presentation of the Public Hearing Items.

PUBLIC HEARING ITEMS

A. R(C)-04-18 PROJECT: Portlock Square APPLICANT: Atlantic Developers, L.L.C. AGENCY: Hassell & Folkes, P.C. PROPOSAL: A conditional zoning reclassification of a 2.9-acre parcel from B-3 Highway Business District to R-MF-1 Multifamily Residential District (2.0 acres) and B-5 Urban Business District (0.9 acres). PROPOSED COMP LAND USE & DENSITY: High density multi-family with ten units per acre to something less than sixteen units per acre and urban business district use EXISTING COMP LAND USE & DENSITY: General Business/Commercial LOCATION: Southwest corner of the intersection of Yager Court and Bainbridge Boulevard TAX MAP SECTION/PARCEL: 1650000000060, 1580000000090, 1580000000100 PLANNING AREA: South Norfolk (Continued from the February 15, 2005 and April 19, 2005, June 21, 2005 and July 19, 2005 City Council Meetings)

The Planning Commission recommended denial.

Mayor Edge stated that the applicant had requested a 90-day continuance to the November 15, 2005 City Council meeting.

City Clerk Moore identified the following speaker in support of Public Hearing Item **A**:

James R. Bradford, 325 Volvo Parkway, representing Hassell & Folkes, P.C., did not wish to speak when called.

City Clerk Moore identified the following speakers in opposition to Public Hearing Item **A**:

Christopher Falk, 205 S. Battlefield Boulevard, representing self, declined to speak when called.

T. J. Carawan, 330 Hurdle Drive, representing self.

F. J. Driscoll, 870 Greenbrier Circle, representing Recovery Solutions, declined to speak when called.

Terry W. Bradshaw, Sr., 1008 Yager Court, representing self, did not wish to speak when called.

Council Member Willis, on a motion seconded by Council Member Parker, moved to continue R(C)-04-18 to the November 15, 2005 City Council meeting.

There was general discussion by Council Members concerning advertising of the item for the November 15, 2005 City Council meeting. City Clerk Moore stated that letters would be sent to the speakers prior to the November 15, 2005 meeting to confirm the placement of the application on the agenda.

On the motion for continuance to November 15, 2005, voting yes: Council Members Burkheimer, de Triquet, Edge, Hayes, Krasnoff, Newman, Parker, Ritter and Willis.

Voting no: None.

B. R(C)-05-03 PROJECT: Living Stones Christian Church APPLICANT: Richard G. Watford PROPOSAL: A conditional zoning reclassification of a 13.13 acre tract from A-1 Agricultural District to AC Assembly Center District. PROPOSED COMP LAND USE & DENSITY: GOVT/Institutional Use EXISTING COMP LAND USE & DENSITY: Business/Commercial Use LOCATION: 820 Centerville Turnpike North TAX MAP SECTION/PARCEL: 038000000800, 038000000801 PLANNING AREA: Greenbrier

The Planning Commission recommended approval with the following proffers:

1. The applicant/owner will reserve one-half, (for our part, 70 feet) of the ultimate 140 foot right-of-way shown on the 2050 Master Transportation Plan along the property's frontage on Centerville Turnpike for perpetuity. In addition, the reservation shall be established by written agreement signed by the owner of the property, approved by the City Attorney and recorded in the Clerk's Office for the Circuit Court of the City of Chesapeake, all prior to final site plan approval for any development of the property. The reservation shall not terminate until such time that the City either acquires the property or releases the reservation by written instrument signed by the City Manager or designee. The reservation shall by its terms allow the City to purchase the future right-of-way at a fair market value based on A-1 Agricultural zoning. The reservation shall also by its terms prohibit the construction of any building or structure on or within the reservation area without the express written consent of the Director of Public Works in accordance with section 66-121.1 of the City Code. This proffer shall not be construed as relieving the applicant/owner from the requirement for right-of-way dedication as set forth in Section 70-95 of the City Code.
2. The applicant/owner agrees that prior to the issuance of any building permit for any existing or proposed building, the applicant/owner shall have the groundwater and soils sampled and analyzed for Total Petroleum Hydrocarbons (TPH) and RCRA-8 metals at the proposed well location(s) and well intake point(s). The analytical results shall be provided, coordinated, and approved by the Virginia Department of Health (VDH).

City Clerk Moore identified the following speakers on Public Hearing Item **B**:

Richard Watford, 840 Stacey Place, Virginia Beach, representing Living Stones Christian Church, spoke in support of Public Hearing Item **B**.

T. J. Carawan, 330 Hurdle Drive, representing self, spoke in opposition to Public Hearing Item **B**.

Council Member Krasnoff, on a motion seconded by Council Member Parker, moved approval of R(C)-05-03 with proffers as presented.

There was no discussion.

On the motion for approval of R(C)-05-03 with proffers as presented, voting yes: Council Members Burkheimer, de Triquet, Edge, Hayes, Krasnoff, Newman, Parker, Ritter and Willis.

Voting no: None.

#05-O-101 AN ORDINANCE AMENDING THE CHESAPEAKE ZONING ORDINANCE TO PROVIDE FOR THE CONDITIONAL REZONING OF APPROXIMATELY 13.13 ACRES LOCATED AT 820 CENTERVILLE TURNPIKE NORTH IN THE PLEASANT GROVE BOROUGH, FROM A-1 AGRICULTURE DISTRICT TO AC ASSEMBLY CENTER DISTRICT (R(C)-05-03).

C. UP-77-12 (Rev 12/04) PROJECT: Metro Used Auto Parts Building
APPLICANT: Stephen Silliphant AGENCY: John E. Sirine & Associates, Ltd.
PROPOSAL: A conditional use permit to allow the construction of a one story, 50'x100' metal storage building on a 5.769 acre parcel currently used for a junkyard, automobile graveyard, and towing service as allowed by UP-77-12. The applicant also seeks approval of an alternative parking surface under Section 19-406.C.1 of the Chesapeake Zoning Ordinance. ZONE: M-1 Light Industrial District SIC CODE: 552, 5015, 7549 LOCATION: 5209 Sondej Avenue TAX MAP SECTION/PARCEL: 022000000010 PLANNING AREA: Deep Creek (This item was continued from the April 19, 2005, May 17, 2005 and June 21, 2005 City Council Meeting)

The Planning Commission recommended approval with the alternative paving surface and with the following stipulations:

1. The applicant/owner agrees to remove all cargo containers from the property within 90 days of issuance of a certificate of occupancy.
2. The applicant/owner agrees to comply with all regulations of Chapter 19 of the City Code.
3. The applicant/owner agrees to obtain all necessary State and Federal wetlands permits prior to final site plan approval.
4. The applicant/owner agrees to plant and maintain one large canopy tree along Sondej Avenue. The location and specifications of the tree shall be subject to approval by the City Arborist and planting shall occur prior to issuance of a certificate of occupancy. In addition to the large canopy tree, the applicant/owner shall install and maintain all buffers and canopy coverage required by Section 19-600 et seq. of the Zoning Ordinance, unless waived or modified by the Landscape Review Committee or, where permitted, by the City Arborist.

5. The applicant/owner shall take all available measures to prevent the leakage of fluids from the motor vehicles stored on the site, including but not limited to, draining fluids from the vehicles before bringing them on the property and keeping oil absorbent mats and chemicals as necessary on site.

City Attorney Hallman asked that the item be referred back to the Planning Commission for additional review.

City Clerk Moore identified the following speaker on Public Hearing Item **C**:

T. J. Carawan, 330 Hurdle Drive, representing self, spoke in support of Public Hearing Item **C**.

Council Member Newman, on a motion seconded by Vice Mayor de Triquet, moved to refer UP-77-12 (REV 12/04) back to the Planning Commission for additional review.

There was no discussion.

On the motion to refer UP-77-12 (REV 12/04) back to the Planning Commission, voting yes: Council Members Burkheimer, de Triquet, Edge, Hayes, Krasnoff, Newman, Parker, Ritter and Willis.

Voting no: None.

D. UP-05-19 PROJECT: Indian River Baptist Church APPLICANT: Indian River Baptist Church AGENCY: Chesapeake Land Use Enterprise PROPOSAL: A conditional use permit to expand an existing church and related facilities into additional properties to increase the total site area to 3.1 acres. ZONE: R-6 Residential District SIC CODE: 866 LOCATION: 1600 Laurel Avenue and 1631, 1633, and 1635 Willow Avenue TAX MAP SECTION/PARCEL: 0202001004310, 0202001004380, 0202001004390, 0202001004400, 0202001002100 PLANNING AREA: Indian River

The Planning Commission recommended approval with the following stipulations:

1. The applicant/owner shall install full-cutoff lighting fixtures on all free-standing lights in accordance with the Zoning Ordinance as determined by the Zoning Administrator or designee prior to the use of the expanded parking area. This requirement shall be reflected on the final site plan.
2. The applicant/owner shall meet all applicable requirements of the Landscape Ordinance (Section 19-600 et seq. of the Zoning Ordinance) as determined by the City Arborist. These requirements shall be reflected on the final landscape plan.
3. All interior property lines shall be vacated prior to final site plan approval.

City Clerk Moore advised that the agent was present and available for questions and identified the following speaker on Public Hearing Item **D**:

T. J. Carawan, 330 Hurdle Drive, representing self, spoke in opposition to Public Hearing Item **D**.

Council Member Newman, on a motion seconded by Council Member Parker, moved approval of UP-05-19 with stipulations as presented.

There was no discussion.

On the motion for approval of UP-05-19 with stipulations as presented, voting yes: Council Members Burkheimer, de Triquet, Edge, Hayes, Krasnoff, Newman, Parker, Ritter and Willis.

Voting no: None.

E. UP-05-18 PROJECT: Rose of Sharon Baptist Church Child Learning Center
APPLICANT: Trustees James Speller, Sr., Tracy Parsons, and Catherine Hill
PROPOSAL: A conditional use permit to allow a child learning center in the multipurpose area of an existing church on a 2.297 acre parcel. The applicant has also requested approval of a cooperative parking arrangement per Section 19-405.B of the Chesapeake Zoning Ordinance. ZONE: R-8s Single-family Residential District
SIC CODE: 8351, 8211 LOCATION: 3001-A Indian River Road TAX MAP SECTION/PARCEL: 0122002000081 PLANNING AREA: Indian River

The Planning Commission recommended approval with the Cooperative Parking Arrangement and with the following stipulations:

1. The applicant/owner shall comply with all licensing requirements of the Virginia Department of Social Services, all structural requirements of the Virginia Uniform Statewide Building Code, all requirements of the Statewide Fire Prevention Code and the Chesapeake Public Facilities Manual, and all requirements of Section 13-500 of the Chesapeake Zoning Ordinance.
2. The applicant/owner shall limit the hours of operation to 6:00 a.m. to 6:00 p.m., Monday through Friday.
3. The applicant/owner shall limit the number of free-standing signs to one free-standing sign to be located on the Indian River Road frontage with a total sign area of no more than 32 square feet for all uses on the property.

City Clerk Moore stated there were no speakers on Public Hearing Item **E**.

Council Member Krasnoff, on a motion seconded by Council Member Hayes, moved approval of UP-05-18 with stipulations as presented and the cooperative parking arrangement.

There was no discussion.

On the motion for approval of UP-05-18 with stipulations as presented and the cooperative parking arrangement, voting yes: Council Members Burkheimer, de Triquet, Edge, Hayes, Krasnoff, Newman, Parker, Ritter and Willis.

Voting no: None.

F. UP-05-06 PROJECT: Western Branch Blvd, Dunkin Donuts APPLICANT: Kuber Suraj Donuts Corporation c/o Hitesh Patel AGENCY: Hoggard/Eure Associates, P.C. PROPOSAL: A conditional use permit to construct and operate a drive-thru facility with a speaker within 300 feet of residential property. This proposed conditional use is associated with the proposed redevelopment of a restaurant on a 0.47-acre site. ZONE: B-2 General Business District SIC CODE: 58 LOCATION: 3277 Western Branch Boulevard and a portion of 3552 Collins Boulevard TAX MAP SECTION/PARCEL: 0051001000001, portion of 0051001000005 PLANNING AREA: Western Branch

The Planning Commission recommended approval with the following stipulation:

- . The final geometry of the drive-thru facility shall be subject to the approval of the Public Works Director or designee to accommodate the turning movements of vehicles. The final geometry of the drive-thru shall not affect the location of the speaker box unless the alternative location is approved as a minor deviation under section 17-114 of the Zoning Ordinance. The geometry of the drive-through facility, as approved by the Public Works Director or designee, shall be reflected on the final site plan.

City Clerk Moore identified the following speaker on Public Hearing Item **F**.

T. J. Carawan, 330 Hurdle Drive, representing self, spoke in opposition to Public Hearing Item **F**.

Vice Mayor de Triquet, on a motion seconded by Council Member Krasnoff, moved approval of UP-05-06 with the stipulation as presented.

There was no discussion.

On the motion for approval with the stipulation as presented, voting yes: Council Members Burkheimer, de Triquet, Edge, Hayes, Krasnoff, Newman, Parker, Ritter and Willis.

Voting no: None

G. TA-Z-05-07 AN ORDINANCE AMENDING APPENDIX "A" OF THE CHESAPEAKE CITY CODE, ENTITLED "ZONING", ARTICLE 14, SECTION 14-706, TO PERMIT SCORE BOARD ADVERTISING VISIBLE FROM CERTAIN PUBLIC RIGHTS OF WAY ON PROPERTY OWNED BY THE CHESAPEAKE SCHOOL BOARD.

The Planning Commission recommended denial.

City Clerk Moore identified the following speaker on Public Hearing Item **G**:

T. J. Carawan, 330 Hurdle Drive, representing self, spoke in opposition to Public Hearing Item **G**:

Council Member Willis, on a motion seconded by Hayes, moved approval of TA-Z-05-07 as presented.

There was extensive discussion between Council Members concerning the proposed changes to the Ordinance.

Planning Director Nielson was asked to clarify the proposed changes.

Mr. Nielson clarified the proposed changes and presented background information to Council Members.

Council Member Ritter suggested a continuance to allow additional time to review the wording, consider several different issues such as time limits and who would be allowed to use the signs.

Council Member Ritter, on a substitute motion seconded by Council Member Parker, moved to continue the TA-Z-05-07 to the September 20, 2005 City Council meeting.

On the substitute motion to continue TA-Z-05-07 to the September 20, 2005 City Council meeting, voting yes: Council Members Burkheimer, de Triquet, Edge, Hayes, Krasnoff, Newman, Parker, Ritter and Willis.

Voting no: None.

NON-PLANNING PUBLIC HEARING ITEMS

H. AN ORDINANCE DIVIDING THE HICKORY MIDDLE SCHOOL PRECINCT INTO THREE PARTS, TO ESTABLISH TWO NEW PRECINCTS TO BE CALLED THE ETHERIDGE PRECINCT AND THE COOPER'S WAY PRECINCT IN ORDER TO PROVIDE MORE ADEQUATE VOTING FACILITIES.

City Attorney Hallman asked that the item be withdrawn because of incorrect information due to a computer programming error.

City Clerk Moore stated there were no speakers on Public Hearing Item **H**.

Mrs. Virginia Garrett, Voter Registrar, was asked to address the issue. Mrs. Garrett explained to Council Members that the computer program had used meters instead of feet in the calculations and additional time was needed to submit corrected information to Council Members.

City Attorney Hallman explained to Council Members that the item would need to be heard before the next scheduled Council meeting to be affectively in

place before the upcoming November election and to meet State requirements. This would require Council to hold a Special Meeting on September 6, 2005.

Council Member Parker, on a motion seconded by Newman, moved to allow the withdrawal of the item from consideration.

There was no further discussion.

On the motion for approval to withdraw the item from consideration, voting yes: Council Members Burkheimer, de Triquet, Edge, Hayes, Krasnoff, Newman, Parker, Ritter and Willis.

Voting no: None.

I. **#05-O-102** AN ORDINANCE RELOCATING THE SOUTH NORFOLK FIRE STATION PRECINCT FROM THE SOUTH NORFOLK FIRE STATION TO THE CHESAPEAKE CHRISTIAN CENTER LOCATED AT 300 LIBERTY STREET AND CHANGING THE NAME OF THE PRECINCT TO THE SOUTH NORFOLK PRECINCT.

City Clerk Moore stated there were no speakers on Public Hearing Item I.

Council Member Parker, on a motion seconded by Vice Mayor de Triquet, moved approval of the Ordinance as an emergency ordinance.

There was discussion between Council Member Newman and Mrs. Garrett concerning the naming of voting precincts. Council Member Newman requested that Council Members be provided with a list of precincts. Mrs. Garrett agreed to provide the information to the Council Members.

There was no additional discussion.

On the motion for approval of the Ordinance as an emergency ordinance, voting yes: Council Members Burkheimer, de Triquet, Edge, Hayes, Krasnoff, Newman, Parker, Ritter and Willis.

Voting no: None

J. **#05-O-103** AN ORDINANCE RELOCATING THE JOHNSON PARK PRECINCT FROM JOHNSON PARK RECREATION CENTER TO THE SOUTH NORFOLK BAPTIST CHURCH LOCATED AT 1101 CHESAPEAKE AVENUE, AND RETAINING THE NAME OF JOHNSON PARK PRECINCT.

City Clerk Moore stated there were no speakers on Public Hearing Item J.

Council Member Parker, on a motion seconded by Vice Mayor de Triquet, moved approval of the Ordinance as an emergency.

Mr. Al Spradlin, Electoral Board Chairman, was asked to introduce the newest member of the Board, Dr. Duane McNair. Mr. Spradlin presented Dr. McNair to the Council Members and welcomed him to the Electoral Board.

Dr. McNair made brief comments to Council Members.

On the motion for approval of the Ordinance, as an emergency ordinance, voting yes: Council Members Burkheimer, de Triquet, Edge, Hayes, Krasnoff, Parker, Ritter and Willis.

Voting no: Council Member Newman.

CITIZENS' COMMENTS ON AGENDA ITEMS ONLY

City Clerk Moore identified the following speaker:

T. J. Carawan, 330 Hurdle Drive, representing self, in opposition to City Manager Items #1, #2, #3, #4 and City Attorney Item #2.

CONSENT AGENDA

Mayor Edge asked if there were any items to be removed from the Consent Agenda and placed on the Regular Agenda.

There were none.

Vice Mayor de Triquet, on a motion seconded by Council Member Parker, moved approval of the Consent Agenda as presented.

On the motion for approval of the Consent Agenda as presented, voting yes: Council Members Burkheimer, de Triquet, Edge, Hayes,, Krasnoff, Parker, Ritter and Willis.

Voting no: None

City Clerk Item

1. Refund
 - a. Parroco Production Group, Inc. - \$3,520.77

REGULAR AGENDA

City Manager Items

1. **#05-O-104** REQUEST FOR APPROPRIATION (\$340,800) OF FUND BALANCE FUNDS TO THE CHESAPEAKE CONFERENCE CENTER – DEPARTMENT OF ECONOMIC DEVELOPMENT

City Manager Cuffee presented the item.

Vice Mayor de Triquet, on a motion seconded by Council Member Parker, moved approval of the Ordinance as presented.

Mayor Edge relinquished the gavel to Vice Mayor de Triquet at 7:31 p.m.

There was discussion between Council Members and the General Manager of the Conference Center, Ms. Deirdra McBride, concerning the specific needs and the associated cost for repairs and upgrades to the Conference Center. After responding to the inquiries, Ms. McBride further explained that \$500,000 a year was appropriated towards the debt service of the Conference Center.

On the motion for approval of the Ordinance as presented, voting yes: Council Members Burkheimer, de Triquet, Edge, Hayes, Krasnoff, Parker, Ritter and Willis.

Voting no: None

Vice Mayor de Triquet relinquished the gavel back to Mayor Edge at 7:37 p.m.

2. **#05-O-105** CONSIDERATION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHESAPEAKE, VIRGINIA, AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION SCHOOL BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$10,000,000 AND AUTHORIZING THE FILING OF AN APPLICATION WITH THE VIRGINIA PUBLIC SCHOOL AUTHORITY – DEPARTMENT OF FINANCE/CHESAPEAKE PUBLIC SCHOOLS

City Manager Cuffee presented the item.

Council Member Newman, on a motion seconded by Council Member Parker, moved approval of the Ordinance as presented.

There was no discussion.

On the motion for approval of the Ordinance as presented, voting yes: Council Members Burkheimer, de Triquet, Edge, Hayes, Krasnoff, Newman, Parker, Ritter and Willis.

Voting no: None

3. CONSIDERATION OF A RESOLUTION APPROVING ISSUANCE OF SOLID WASTE DISPOSAL FACILITY REVENUE BONDS FOR TIDEWATER FIBRE CORP. IN AN AMOUNT NOT TO EXCEED \$13,300,000 – DEPARTMENT OF ECONOMIC DEVELOPMENT *(Continued from July 26, 2005 City Council Meeting)*

City Manager Cuffee presented the Resolution and requested a continuance to the September 13, 2005 City Council meeting to allow additional time to resolve several issues.

Council Member Newman, on a motion seconded by Council Member Parker, moved to continue the item to the September 13, 2005 City Council meeting.

Council Member Krasnoff thanked Dr. Cuffee for not bringing the item forward prematurely.

On the motion for continuance of the Resolution to the September 13, 2005 City Council meeting, voting yes: Council Members Burkheimer, de Triquet, Edge, Hayes, Krasnoff, Newman, Parker, Ritter and Willis.

Voting no: None

4. **#05-R-050** CONSIDERATION OF A RESOLUTION IN SUPPORT OF RETAINING THE NAVAL AIR STATION AT OCEANA AS A UNITED STATES NAVY MASTER JET BASE

City Manager Cuffee presented the Resolution.

Council Member Ritter, on a motion seconded by Newman, moved approval of the Resolution as presented.

Council Member Krasnoff thanked Council Member Ritter for her work on the issue.

Mayor Edge also thanked Mrs. Ritter for her time and efforts working with the City of Virginia Beach and elected officials to retain Naval Air Station at Oceana.

Council Member Ritter made comments concerning the importance of retaining Naval Air Station Oceana and asked that the Resolution be distributed to the Hampton Roads Planning District Commission and the Joint Land Use Study Policy Committee.

On the motion for approval of the Resolution as presented, voting yes: Council Members Burkheimer, de Triquet, Edge, Hayes, Krasnoff, Newman, Parker, Ritter and Willis.

Voting no: None

City Attorney Items

1. ANNUAL SUBMISSION OF DELINQUENT AND UNCOLLECTIBLE TAX LISTS FROM CHESAPEAKE TREASURER, PURSUANT TO CITY CODE CHAPTER 30, ARTICLE XVII, SECTION 30-525, ET SEQ.

City Attorney Hallman presented the item.

Council Member Parker, on a motion seconded by Council Member Newman, moved to approve the request to write off accounts listed under Item #5 and to continue tax collection efforts for delinquent taxes until the applicable statute of limitations expires.

There was discussion between Council Member Willis and City Treasurer Barbara Carraway as to what taxes had been collected and what she expected to collect in the future. City Treasurer Carraway stated that approximately 98% of the uncollected taxes would eventually be collected.

On the motion to write off accounts listed under Item #5 and to continue tax collection efforts for delinquent taxes until the applicable statute of limitations expires, voting yes: Council Members Burkheimer, de Triquet, Edge, Hayes, Krasnoff, Newman, Parker, Ritter and Willis.

Voting no: None

2. **#05-R-051** RESOLUTION AUTHORIZING THAT THE REQUIREMENT FOR MOTOR VEHICLE DECALS BE ELIMINATED AND DIRECTING THE CITY ATTORNEY TO PREPARE AN ORDINANCE TO AMEND CHAPTER 74 OF THE CITY CODE FOR THIS PURPOSE.

City Attorney Hallman presented the item.

Council Member Hayes, on a motion seconded by Council Member Newman, moved approval of the Resolution as presented.

There was discussion between Council Members and City Attorney Hallman suggesting that the Ordinance be placed on the September 13, 2005 City Council agenda.

On the motion for approval of the Resolution as presented, voting yes: Council Members Burkheimer, de Triquet, Edge, Hayes, Krasnoff, Newman, Parker, Ritter and Willis.

Voting no: None

COMMITTEE REPORTS/OLD AND NEW BUSINESS

Mayor Edge combined Committee Reports with Old and New Business calling on Council Members for both.

Council Member Willis announced that on Sunday, August 21st at 6:00 p.m., the next Symphony Under the Stars event, featuring the U. S. Air Force Jazz Band would take place at the Buddy Bagley Stage at Chesapeake City Park. The next Symphony Under the Stars event would be held September 4th at 6:30 p.m.

Council Member Krasnoff thanked the Public Works Department for their recent letter about speed limit changes on Mount Pleasant Road and Johnstown Road; he asked that the speed limits be reviewed from Battlefield Boulevard to the Fentress Road area.

Council Member Ritter suggested that the speed limit also be reviewed on Mount Pleasant Road from Centerville Turnpike to the "big curve."

Council Member Hayes commended the Parks and Recreation Department on their organization of leagues, preparing the fields, and maintaining the lighting on the recreation fields.

Vice Mayor de Triquet announced the Special Meeting scheduled for August 18, 2005 concerning the proposed Camden County Landfill. He also stated that City Clerk Moore was finalizing the date, time and place for the upcoming budget retreat.

Mayor Edge also commented on the August 18th Special Meeting and stated that the precinct change item that was withdrawn earlier in the evening needed to be voted on before the next town meeting started on September 6th in order to meet a state requirement deadline before the State election in November.

Council Member Krasnoff, on a motion seconded by Vice Mayor de Triquet, moved that a Special Meeting be held at 4:30 p.m. in City Council Chambers on Tuesday, September 6, 2005.

Council Member Newman suggested that the meeting start at 6:30 p.m.

After some discussion, Council Member Krasnoff and Vice Mayor de Triquet agreed to amend the start time in the motion to 6:30 p.m.

There was no further discussion.

On the motion for a Special Meeting to be held on September 6, 2005, starting at 6:30 p.m., in the City Council Chamber, voting yes: Council Members Burkheimer, de Triquet, Edge, Hayes, Krasnoff, Newman, Parker, Ritter and Willis.

Voting no: None

Mayor Edge relinquished the gavel to Vice Mayor de Triquet at 8:07 p.m.

APPOINTMENTS TO BOARDS AND COMMISSIONS

A. Transportation District Commission of Hampton Roads – 1

Appointment

Council Member Willis nominated Council Member Burkheimer.

Council Member Newman, on a motion seconded by Council Member Parker, moved to close the nominations and appoint the nominee.

There was no discussion.

On the motion, voting yes: Council Members Burkheimer, de Triquet, Edge, Hayes, Krasnoff, Newman, Parker, Ritter and Willis.

Voting no: None

Council Member Burkheimer was appointed as the Council Member representative to the Transportation District Commission of Hampton Roads.

REQUEST FOR CLOSED SESSION

City Attorney Hallman provided the following language for several items for consideration of a closed session: "to discuss the acquisition of real property for a public purpose where discussion in open session would adversely affect the negotiating position of the City, and to discuss prospective businesses where no

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previous announcement has been made of the businesses' interest in locating in the City, pursuant to Virginia Code Section 2.2-3711 A.3. and 5., respectively.

Council Member Newman, on a motion seconded by Council Member Parker, moved for approval of the Closed Session topics.

There was no discussion.

On the motion for approval of the closed session topics, voting yes: Council Members Burkheimer, de Triquet, Edge, Hayes, Krasnoff, Newman, Parker, Ritter and Willis.

Voting no: None

CLOSED SESSION

City Council recessed at 8:10 p.m. and went into Closed Session at 8:20 p.m. They reconvened at 9:22 p.m.

City Attorney Hallman read the following: "The Chesapeake City Council hereby certifies that to the best of each member's knowledge, only public business matters lawfully exempted from open meeting requirements were discussed and only such public business matters as were identified in the motion convening the meeting were heard, discussed or considered by the City Council."

Council Member Newman, on a motion seconded by Council Member Parker, moved approval of the certification of the Closed Session discussion.

There was no discussion.

On the motion for approval for the closed session discussion, voting yes: Council Members Burkheimer, de Triquet, Edge, Hayes, Krasnoff, Newman, Parker, Ritter and Willis.

Voting no: None

ADJOURNMENT

There being no further business for consideration, the meeting was adjourned at 9:23 p.m.

/dah

Mayor

Attest:

City Clerk