

A Regular Work Session of the Chesapeake City Council was held June 26, 2007, at 5:00 p.m., in the City Hall Building, 306 Cedar Road.

Present: Council Member Rebecca Adams
Council Member Bryan Collins
Council Member John M. de Triquet
Mayor Dalton S. Edge
Council Member Clifton E. Hayes, Jr.
Council Member Alan P. Krasnoff
Vice Mayor Dwight M. Parker
Council Member Ella Ward

Absent: Council Member Patricia Pritchard Willis (excused)

Present from Administration: City Manager William Harrell, City Attorney Ronald Hallman, Deputy City Manager Anne Odell, Deputy City Manager Wanda Barnard-Bailey, City Clerk Dolores Moore, Deputy City Attorney Jan Proctor, Fire Chief Steve Best, Economic Development Director Warren Harris, Finance Director Nancy Tracy, Public Works Director Pat Biegler, Assistant to the City Manager Mary Ann Saunders, Transportation Engineer C. Earl Sorey, and other staff members.

Also present: The Honorable Dana Dickens, Commonwealth Transportation Board Member and Chairman of the Hampton Roads Partnership.

The Following Topic was discussed during the Work Session:

- 1) Transportation Items

The Work Session adjourned at 5:33 p.m.

/vfm

Regular Meeting of City Council
June 26, 2007

A Regular Meeting of the Chesapeake City Council was called to order by Mayor Dalton S. Edge on June 26, 2007, at 6:30 p.m., in the City Hall Building, 306 Cedar Road.

INVOCATION: Pastor Edward Smith, Vision Church

PLEDGE OF ALLEGIANCE: Vice Mayor Dwight M. Parker

ROLL CALL BY CLERK OF COUNCIL:

Present: Council Member Rebecca Adams
Council Member Bryan Collins
Council Member John M. de Triquet (excused 10:35 p.m.)
Mayor Dalton S. Edge
Council Member Clifton E. Hayes, Jr.
Council Member Alan P. Krasnoff
Vice Mayor Dwight M. Parker
Council Member Ella Ward

Absent: Council Member Patricia Pritchard Willis (excused)

Present from Administration: City Manager William Harrell, City Attorney Ronald Hallman, Deputy City Manager Anne Odell, Deputy City Manager Amar Dwarkanath, Deputy City Manager Wanda Barnard-Bailey, City Clerk Dolores Moore and other staff members.

APPROVAL OF MINUTES

Mayor Edge advised that the minutes of the October 17, 2006 Regular City Council meeting were submitted for approval.

Council Member Collins, on a motion second by Council Member Ward, moved to approve the October 17, 2006 minutes as presented.

There was no discussion.

On the motion to approve the October 17, 2006 minutes as presented, voting yes: Council Member Adams, Collins, de Triquet, Edge, Hayes, Krasnoff, Parker and Ward.

Voting no: None (Council Member Willis excused)

SPECIAL PRESENTATION – Telly Ward for the Program Health Matters

Mayor Edge invited Chairman of the Chesapeake Hospital Authority Lonnie Craig, President and CEO of Chesapeake General Hospital Christopher Mosley, Vice President of Marketing Angela MiPike, Planning and Business Development for Chesapeake General Hospital; and the City's Director of Public Communications Mark Cox to the podium. Mr. Cox stated that Chesapeake's WCTV/Channel 48 and Chesapeake General Hospital had been recognized for their efforts to communicate health and medical information to the community through the television program "Health Matters." Mr. Mosley offered comments of thanks to the City and noted that the benefactors were the citizens of Chesapeake. Chairman Craig thanked all involved and City Council members for their support.

PROCLAMATION – “National HIV Testing Day”

Mayor Edge invited Ms. Shelley Taylor-Donahue and members of the Chesapeake Commission for the Prevention of AIDS to the podium to receive the National HIV Testing Day Proclamation read by City Clerk Moore. Ms. Taylor-Donahue thanked Mayor Edge for the proclamation and provided statistics about AIDS and HIV Testing.

PUBLIC HEARING

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

City Clerk Moore identified the following speakers who wished to speak in support of Non-Planning Public Hearing Item **(C)** prior to the presentation of the Public Hearing:

Margaret Ballard, 500 Plume Street East, Norfolk, Virginia 23510, representing Retail Alliance.

Randy Royal, 1313 Croatan Court, representing self.

City Clerk Moore identified the following speakers in opposition to Non-Planning Public Hearing **(C)**:

Thomas Arrington, 305 Stonewood Court, representing Chesapeake Citizens for Fair Real Estate Tax.

Jack Rochevot, 3116 Bunch Walnut Road, representing self.

William Tabor, 1041 Back Road, representing Tidewater Libertarian Party.

Gene Waters, 360 Clearfield Avenue, representing Chesapeake Citizens for Fair Real Estate Tax.

Michelle K. Jones, 933 Levee Lane, representing self.

PUBLIC HEARING ITEMS

A. AN ORDINANCE GRANTING A FRANCHISE TO _____ FOR THE TERM AND UPON THE CONDITIONS HEREIN STATED TO OCCUPY AND USE THE STREETS, ALLEYS AND PUBLIC PLACES OF THE CITY OF CHESAPEAKE TO INSTALL, MAINTAIN, UPGRADE, REPAIR AND REMOVE POLES, WIRES, ELECTRICAL CONDUCTORS, CONDUITS, SUBWAYS, MANHOLES, FIXTURES, APPLIANCES AND APPURTENANCES OF A TELECOMMUNICATIONS SYSTEM IN THE CORPORATE LIMITS OF THE CITY OF CHESAPEAKE.

City Clerk Moore presented the item and advised that there were no speakers.

Mayor Edge stated that the only action required by City Council was the process of opening the floor to formally receive bids for the awarding of franchises. He acknowledged the receipt of five (5) bids from the following companies: A T & T; Verizon Communications; Cavalier Telephone, LLC; Telcove, Inc.; and, Level 3 Communications. Mayor Edge invited bids from the audience. No additional bids

were received. City Attorney Hallman advised that awards would be made at a subsequent City Council meeting.

B. **#07-R-045** RESOLUTION AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE A LICENSE AGREEMENT BETWEEN THE CITY OF CHESAPEAKE 'S DEPARTMENT OF PARKS AND RECREATION AND THE AMERICAN YOUTH SOCCER ORGANIZATION, REGION 1475, PERMITTING THE JOINT USAGE OF CORNLAND PARK FOR THE PURPOSE OF HOLDING SOCCER EVENTS.

City Clerk Moore presented the item and advised that there were no speakers.

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

There was no discussion.

On the motion for approval of the Resolution as presented, voting yes: Council Members Adams, Collins, de Triquet, Edge, Hayes, Krasnoff, Parker, and Ward.

Voting no: None (Council Member Willis excused)

C. A PUBLIC HEARING TO RECEIVE COMMENTS FROM THE PUBLIC CONCERNING THE HAMPTON ROADS TRANSPORTATION AUTHORITY

City Clerk Moore presented the item and identified the following speakers in support of Non-Planning Public Hearing Item **C**:

Jesse Williams, 805 Water Elm Court, representing self and Chesapeake Division of Hampton Roads Chamber of Commerce.

Frank Driscoll, 2006 Old Greenbrier Road, representing self.

City Clerk Moore identified the following speakers in opposition to Non Planning Public Hearing Item **C**:

John Bilinski, 1308 Fernham Lane, representing self.

Gary Szymanski, 4509 Sunray Avenue, representing self.

Francis Nugent, 1041 Sharon Drive, representing self.

Mayor Edge advised that action on this item would be taken after City Manager Item #11 on the Regular Agenda.

CITIZENS' COMMENTS ON AGENDA ITEMS ONLY

City Clerk Moore identified the following speakers in support of City Manager Item #10:

Richard Fisher, 1106 Crystal Wood Circle, representing Bicycle Trails Advisory Committee.

Gerald Teeuwen, 936 Shillelagh Road, representing self.

Connie Smith, 706 Remmington Drive, representing self.

David Plewes, 316 Sedgewood Court, representing Bicycle Trails Advisory Committee.

John H. McKee, 208 Consul Avenue, Virginia Beach, 23462, representing Tidewater Bicycle Association.

Jesse Williams, 805 Water Elm Court, representing self and Chesapeake Division of Hampton Roads Chamber of Commerce, spoke in support of Old and New Business Items A & B.

Francis Nugent, 1041 Sharon Drive, representing self, spoke in opposition to City Manager Item #10.

CONSENT AGENDA

Mayor Edge asked Council Members if there were any items they wished to have removed from the Consent Agenda for consideration under the Regular Agenda. There were none.

City Clerk Moore read the Consent Agenda items into the record.

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

There was no discussion.

On the motion for approval of the Consent Agenda as presented, voting yes: Council Member Adams, Collins, Edge, Hayes, Krasnoff, Parker, and Ward.

Voting No: None (Council Member de Triquet was out of the chamber and Council Member Willis was excused)

City Clerk Items

(1) RESIGNATIONS

- (a) Mary J. McQuown – Community Services Board
- (b) Patricia B. Newbern – Chesapeake Historic Preservation Commissions

City Attorney Item

(1) **#07-O-092** AN ORDINANCE AMENDING CHAPTER 74 OF THE CHESAPEAKE CITY CODE, ENTITLED "TRAFFIC AND VEHICLES," ARTICLE IV, SECTION 74-156 THEREOF, TO INCREASE LIQUIDATED DAMAGE AMOUNTS FOR WEIGHT IN EXCESS OF PRESCRIBED PER AXLE WEIGHT AND PERMITTED PER AXLE WEIGHT, TO BRING SAID SECTION INTO COMPLIANCE WITH VIRGINIA CODE SECTION 46.2-1135

REGULAR AGENDA

City Manager Items

(1) **#07-O-093** CONSIDERATION OF AN ORDINANCE AMENDING AN ORDINANCE PROVIDING FOR A HUMAN RESOURCES MANAGEMENT SYSTEM AND COMPENSATION PLAN FOR THE CITY OF CHESAPEAKE, VIRGINIA, ADOPTED ON MAY 15, 2001, AS AMENDED, ARTICLE 8 THEREOF, TO CHANGE THE CLASSIFICATION TITLE "DIRECTOR OF INFORMATION TECHNOLOGY" TO "CHIEF INFORMATION OFFICER" – DEPARTMENT OF HUMAN RESOURCES

City Manager Harrell presented the item and requested emergency approval with an effective date of July 1, 2007.

Council Member Hayes, on a motion seconded by Council Member Ward, moved for approval of the ordinance as an emergency action with an effective date of July 1, 2007.

Council Member Hayes said that approval of the ordinance would improve service delivery to the citizens of Chesapeake.

On the motion for approval of the ordinance as an emergency action, with an effective date of July 1, 2007, voting yes: Council Member Adams, Collins, de Triquet, Edge, Hayes, Krasnoff, Parker, and Ward.

Voting No: None (Council Member Willis excused)

(2) **#07-O-094** REQUEST FOR APPROPRIATION OF \$79,040 OF DMV HOLD FEES TO THE OFFICE OF THE CITY TREASURER– CITY TREASURER

City Manager Harrell presented the item and requested emergency approval.

Council Member Collins, on a motion seconded by Council Member de Triquet, moved for approval of the appropriation as an emergency action.

There was no discussion.

On the motion for approval of the appropriation as an emergency action, voting yes: Council Member Adams, Collins, de Triquet, Edge, Hayes, Krasnoff, Parker, and Ward.

Voting No: None (Council Member Willis excused)

(3) **#07-O-095** REQUEST FOR APPROPRIATION OF \$12,000 IN ADOPTION SUBSIDY PROGRAM FUNDS AND \$29,840 IN AUXILIARY GRANT FUNDS, AND TRANSFER OF \$7,460 IN VIRGINIA PUBLIC ASSISTANCE CONTINGENCY FUNDS – DEPARTMENT OF HUMAN SERVICES/DIVISION OF SOCIAL SERVICES

City Manager Harrell presented the item and requested emergency approval.

Vice Mayor Parker, on a motion seconded by Council Member Ward, moved for approval of the appropriation as an emergency action.

There was no discussion.

On the motion for approval of the appropriation as an emergency action, voting yes: Council Member Adams, Collins, de Triquet, Edge, Hayes, Krasnoff, Parker, and Ward.

Voting No: None (Council Member Willis excused)

(4) **#07-O-096** REQUEST FOR APPROPRIATION OF \$332,403 OF RECAPTURED COST ALLOCATION FUNDS FROM THE VIRGINIA DEPARTMENT OF SOCIAL SERVICES – DEPARTMENT OF HUMAN SERVICES/DIVISION OF SOCIAL SERVICES

City Manager Harrell presented the item and requested emergency approval.

Vice Mayor Parker, on a motion seconded by Council Member Ward, moved for approval of the appropriation as an emergency action.

There was no discussion.

On the motion for approval of the appropriation as an emergency action, voting yes: Council Member Adams, Collins, de Triquet, Edge, Hayes, Krasnoff, Parker, and Ward.

Voting No: None (Council Member Willis excused)

(5) **#07-O-097** REQUEST FOR APPROPRIATION OF \$440,174 FROM THE INTERAGENCY CONSORTIUM FUND BALANCE AND TRANSFER OF \$260,182 FROM INTERAGENCY CONSORTIUM CONTINGENCY – DEPARTMENT OF HUMAN SERVICES/ INTERAGENCY CONSORTIUM

City Manager Harrell presented the item and requested emergency approval.

Council Member Ward, on a motion seconded by Vice Mayor Parker, moved for approval of the appropriation as an emergency action.

There was no discussion.

On the motion for approval of the appropriation as an emergency action, voting yes: Council Member Adams, Collins, de Triquet, Edge, Hayes, Krasnoff, Parker, and Ward.

Voting No: None (Council Member Willis excused)

(6) **#07-O-098** REQUEST FOR APPROPRIATION OF \$64,658 IN OVERWEIGHT TRUCK CITATION FEES FOR REPAIRS AND MAINTENANCE OF ROADS AND BRIDGES – DEPARTMENT OF PUBLIC WORKS

City Manager Harrell presented the item and requested emergency approval.

Council Member Collins, on a motion seconded by Vice Mayor Parker, moved for approval of the appropriation as an emergency action.

Vice Mayor Parker inquired as to which agency was issuing the overweight truck citations – State or City Police. Public Works Director Patricia Biegler informed Vice Mayor Parker that the citations were issued by Chesapeake Police Officers.

On the motion for approval of the appropriation as an emergency action, voting yes: Council Member Adams, Collins, de Triquet, Edge, Hayes, Krasnoff, Parker, and Ward.

Voting No: None (Council Member Willis excused)

(7) **#07-O-099** REQUEST FOR APPROPRIATION OF \$379,380.40 IN VIRGINIA DEPARTMENT OF TRANSPORTATION STATE REIMBURSEMENT ESTIMATED REVENUES FOR THE PORTSMOUTH BOULEVARD BIKE PATH PROJECT – DEPARTMENT OF PUBLIC WORKS

City Manager Harrell presented the item and requested emergency approval.

Council Member Ward, on a motion seconded by Council Member Adams, moved for approval of the appropriation as an emergency action.

Council Member Ward commented on her support for the bike path project, and commended the Virginia Department of Transportation (VDOT) and City staff for their collective efforts in bringing this to fruition.

There was no further discussion.

On the motion for approval of the appropriation as an emergency action, voting yes: Council Member Adams, Collins, de Triquet, Edge, Hayes, Krasnoff, Parker, and Ward.

Voting No: None (Council Member Willis excused)

(8) (A) **#07-R-046** CONSIDERATION OF A RESOLUTION AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE AGREEMENTS BETWEEN THE COMMONWEALTH OF VIRGINIA, DEPARTMENT OF TRANSPORTATION AND THE CITY OF CHESAPEAKE FOR THE CONSTRUCTION OF RIGHT TURN LANE IMPROVEMENTS ON GREENBRIER PARKWAY (UPC 52357 AND UPC 17637) – DEPARTMENT OF PUBLIC WORKS

City Manager Harrell presented the item.

Council Member Collins, on a motion seconded by Vice Mayor Parker, moved for approval of the Resolution as presented.

Mayor Edge asked Public Works Director Patricia Biegler to the podium to comment on when the project would begin. Public Works Director Biegler stated that bids had been received and construction could begin soon. Mayor Edge requested a report be provided on the time schedule.

Vice Mayor Parker thanked Ms. Beigler for the improvements made at the Volvo Parkway/Battlefield Boulevard intersection.

Council Member Collins asked for an update on possible installation of pedestrian walkways and crosswalks in the Greenbrier area.

Ms. Biegler advised that the proposed project did not have walkways and/or crosswalks. She stated she would provide a report on the status of pedestrian walkways and crosswalks in the Greenbrier area.

On the motion for approval of the Resolution as presented, voting yes: Council Member Adams, Collins, de Triquet, Edge, Hayes, Krasnoff, Parker, and Ward.

Voting No: None (Council Member Willis excused)

(B) **#07-O-100** REQUEST FOR APPROPRIATION OF \$1,219,024.54 OF VIRGINIA DEPARTMENT OF TRANSPORTATION STATE REIMBURSEMENT ESTIMATED REVENUE FOR TURN LANE IMPROVEMENTS ON GREENBRIER PARKWAY – DEPARTMENT OF PUBLIC WORKS

City Manager Harrell presented the item and requested emergency approval.

Council Member Collins, on a motion seconded by Vice Mayor Parker, moved for approval of the appropriation as an emergency action.

There was no discussion.

On the motion for approval of the appropriation as an emergency action, voting yes: Council Member Adams, Collins, de Triquet, Edge, Hayes, Krasnoff, Parker, and Ward.

Voting No: None (Council Member Willis excused)

(9) (A) CONSIDERATION OF AN ORDINANCE AMENDING AN ORDINANCE PROVIDING FOR A HUMAN RESOURCES MANAGEMENT SYSTEM AND COMPENSATION PLAN FOR THE CITY OF CHESAPEAKE, VIRGINIA, ADOPTED ON MAY 15, 2001, AS AMENDED, ARTICLE 8 THEREOF, TO DELETE THE CLASSIFICATION OF DIRECTOR OF INTERGOVERNMENTAL AFFAIRS; TO ADD THE CLASSIFICATIONS OF HOUSING PROGRAM COORDINATOR AND YOUTH AND FAMILY DEVELOPMENT SPECIALIST; AND TO CHANGE THE SALARY GRADE FOR THE CLASSIFICATION OF YOUTH SERVICES COORDINATOR FROM 29 TO 32. – DEPARTMENT OF HUMAN RESOURCES

City Manager Harrell presented the item and requested emergency approval. He advised that he had received some concerns from Members of Council with regards to the placement of the Housing Program Coordinator and he would continue to tweak the placement of the position.

Council Member Krasnoff asked City Attorney Hallman how the item related to City Attorney Item #2, and expressed concerns regarding the changes in the positions. City Attorney Hallman advised that City Attorney Item #2 did have a direct relation to the item and stated that City Council could amend the agenda to consider the item after City Attorney Item #2.

Council Member Krasnoff requested that the agenda be amended to consider City Manager Item #9A after consideration of City Attorney Item #2.

Mayor Edge advised that, without objection, City Manager Item #9A would be considered after City Attorney Item #2. No objection was stated.

(B) **#07-O-102** CONSIDERATION OF AN ORDINANCE AMENDING AN ORDINANCE PROVIDING FOR A HUMAN RESOURCES MANAGEMENT SYSTEM AND COMPENSATION PLAN FOR THE CITY OF CHESAPEAKE, VIRGINIA, ADOPTED ON MAY 15, 2001, AS AMENDED, ARTICLE 8 THEREOF, TO ADD THE CLASSIFICATION OF OFFICE SYSTEMS SPECIALIST. – DEPARTMENT OF HUMAN RESOURCES

City Manager Harrell presented the item and requested emergency approval with an effective date of July 1, 2007.

Vice Mayor Parker, on a motion seconded by Council Member Ward, moved for approval of the appropriation as an emergency action with an effective date of July 1, 2007.

There was no discussion.

On the motion for approval of the appropriation as an emergency action with an effective date of July 1, 2007, voting yes: Council Member Adams, Collins, de Triquet, Edge, Hayes, Krasnoff, Parker, and Ward.

Voting No: None (Council Member Willis excused)

(C) **#07-O-103** CONSIDERATION OF AN ORDINANCE AMENDING AN ORDINANCE PROVIDING FOR A HUMAN RESOURCES MANAGEMENT SYSTEM AND COMPENSATION PLAN FOR THE CITY OF CHESAPEAKE, VIRGINIA, ADOPTED ON MAY 15, 2001, AS AMENDED, ARTICLE 8 THEREOF, TO ADD THE CLASSIFICATION OF ASSISTANT PLANS EXAMINER. – DEPARTMENT OF HUMAN RESOURCES

City Manager Harrell presented the item and requested emergency approval with an effective date of July 1, 2007.

Vice Mayor Parker, on a motion seconded by Council Member Hayes, moved for approval of the appropriation as an emergency action with an effective date of July 1, 2007.

There was no discussion.

On the motion for approval of the Appropriation as an emergency action with an effective date of July 1, 2007, voting yes: Council Member Adams, Collins, de Triquet, Edge, Hayes, Krasnoff, Parker, and Ward.

Voting No: None (Council Member Willis excused)

(D) **#07-O-104** CONSIDERATION OF AN ORDINANCE AMENDING AN ORDINANCE PROVIDING FOR A HUMAN RESOURCES MANAGEMENT SYSTEM AND COMPENSATION PLAN FOR THE CITY OF CHESAPEAKE, VIRGINIA, ADOPTED ON MAY 15, 2001, AS AMENDED, ARTICLE 8 THEREOF, TO ADD THE CLASSIFICATION OF CHIEF DEPUTY CITY TREASURER. – DEPARTMENT OF HUMAN RESOURCES

City Manager Harrell presented the item and requested emergency approval with an effective date of July 1, 2007.

Council Member Collins, on a motion seconded by Vice Mayor Parker, moved for approval of the appropriation as an emergency action with an effective date of July 1, 2007.

There was no discussion.

On the motion for approval of the appropriation as an emergency action with an effective date of July 1, 2007, voting yes: Council Member Adams, Collins, de Triquet, Edge, Hayes, Krasnoff, Parker, and Ward.

Voting No: None (Council Member Willis excused)

(E) **#07-O-105** CONSIDERATION OF AN ORDINANCE AMENDING AN ORDINANCE PROVIDING FOR A HUMAN RESOURCES MANAGEMENT SYSTEM AND COMPENSATION PLAN FOR THE CITY OF CHESAPEAKE, VIRGINIA, ADOPTED ON MAY 15, 2001, AS AMENDED, ARTICLE 8 THEREOF, TO ADD THE CLASSIFICATION OF EVENT LOGISTICS COORDINATOR. – DEPARTMENT OF HUMAN RESOURCES

City Manager Harrell presented the item and requested emergency approval with an effective date of July 1, 2007.

Council Member Collins, on a motion seconded by Council Member Ward, moved for approval of the appropriation as an emergency action with an effective date of July 1, 2007.

There was no discussion.

On the motion for approval of the appropriation as an emergency action with an effective date of July 1, 2007, voting yes: Council Member Adams, Collins, de Triquet, Edge, Krasnoff, Parker, and Ward.

Voting No: None (Council Member Hayes out of the Chamber and Council Member Willis excused)

(F) **#07-O-106** CONSIDERATION OF AN ORDINANCE AMENDING AN ORDINANCE PROVIDING FOR A HUMAN RESOURCES MANAGEMENT SYSTEM AND COMPENSATION PLAN FOR THE CITY OF CHESAPEAKE, VIRGINIA, ADOPTED ON MAY 15, 2001, AS AMENDED, ARTICLE 8 THEREOF, TO DELETE THE CLASSIFICATION OF LEAD AUDITOR AND TO ADD THE CLASSIFICATIONS OF PERFORMANCE AUDITOR I, PERFORMANCE AUDITOR II, AND PERFORMANCE AUDITOR III. – DEPARTMENT OF HUMAN RESOURCES

City Manager Harrell presented the item and requested emergency approval with an effective date of July 1, 2007.

Vice Mayor Parker, on a motion seconded by Council Member Collins, moved for approval of the appropriation as an emergency action with an effective date of July 1, 2007.

Council Member Ward thanked the Human Resources Department for thoroughly explaining the changes.

On the motion for approval of the appropriation as an emergency action with an effective date of July 1, 2007, voting yes: Council Member Adams, Collins, de Triquet, Edge, Hayes, Krasnoff, Parker, and Ward.

Voting No: None (Council Member Willis excused)

(G) **#07-O-107** CONSIDERATION OF AN ORDINANCE AMENDING AN ORDINANCE PROVIDING FOR A HUMAN RESOURCES MANAGEMENT SYSTEM AND COMPENSATION PLAN FOR THE CITY OF CHESAPEAKE, VIRGINIA, ADOPTED ON MAY 15, 2001, AS AMENDED, ARTICLE 8 THEREOF, TO ADD THE CLASSIFICATIONS OF ENVIRONMENTAL SPECIALIST I AND ENVIRONMENTAL SPECIALIST II. – DEPARTMENT OF HUMAN RESOURCES
(Continued from April 24, 2007 City Council Meeting)

City Manager Harrell presented the item and requested emergency approval with an effective date of July 1, 2007.

Council Member Adams, on a motion seconded by Vice Mayor Parker, moved for approval of the Appropriation as an emergency action with an effective date of July 1, 2007.

Council Member Hayes asked about the functions of the proposed positions, especially as they relate to performing in-house environmental reviews which could reduce the cost of consultant fees. Public Works Director Patricia Beigler explained the functions of the positions being considered and advised Council Member Hayes that she would provide a report to City Council concerning the environmental reviews and consultant fees.

Council Member Hayes commented on using consultant fees to hire staff to do in-house review for environmental impacts on land use items.

There was no further discussion.

On the motion for approval of the appropriation as an emergency action with an effective date of July 1, 2007, voting yes: Council Member Adams, Collins, de Triquet, Edge, Hayes, Krasnoff, Parker, and Ward.

Voting No: None (Council Member Willis excused)

(10) DISCUSSION OF A PREVIOUSLY CONSIDERED ITEM CONCERNING BICYCLE FACILITIES ON DOMINION BOULEVARD – DEPARTMENT OF PUBLIC WORKS

City Manager Harrell presented the item and requested approval.

Council Member Hayes stated that he requested the item be placed on the agenda for reconsideration as an Old and New Business agenda item. He requested City Clerk Moore to reflect this as an Old and New Business Item in the minutes.

At the request of Council Member Hayes, action on this item is reflected under Old & New Business Item **(C)**.

(11) **07-R-048** CONSIDERATION OF A RESOLUTION OF THE COUNCIL OF THE CITY OF CHESAPEAKE, VIRGINIA, APPROVING THE POWERS GRANTED BY THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF VIRGINIA TO THE HAMPTON ROADS TRANSPORTATION AUTHORITY PURSUANT TO THE HAMPTON ROADS AUTHORITY ACT, SECTIONS 33.1-391.6 ET SEQ. OF THE CODE OF VIRGINIA 1950, AS AMENDED – DEPARTMENT OF PUBLIC WORKS

City Manager Harrell presented the item.

Council Member Ward asked that the points of the resolution be read into the record. Mayor Edge asked City Attorney Hallman to review the points of the resolution and the proposed changes.

City Attorney Hallman said that the first was to add a sentence to paragraph five (5), "The Council of Chesapeake, Virginia expresses its appreciation to the Governor, the Secretary of Transportation, and the Commonwealth Transportation Board for fully funding the Gilmerton Bridge replacement in the 2008-2013 Six year Plan while preserving Urban construction funds for other City projects." He reviewed the second change that was to add paragraph seven (7). It would read, "The Council of the City of Chesapeake, Virginia requests that priority be given to the six projects currently listed as part of the First Phase and Second Phase Projects in Virginia Code Section 33.1-391.10."

There was a brief discussion on the language of the resolution.

Council Member Collins, on a motion seconded by Vice Mayor Parker, moved for approval of the Resolution as presented and with the additional language as presented City Attorney Hallman.

There was extensive discussion by Council Members regarding State funding for transportation projects in Chesapeake; the City's opposition to tolls being placed on the existing Oak Grove Connector; the importance of Chesapeake working with other localities transportation issues; citizens' opportunities to express their views on the HRTA at Public Hearings; and future transportation projects and funding mechanisms. Additional comments were made regarding the original transportation plan versus the plan being considered; the Virginia General Assembly placing the burden of improving transportation problems on localities; and the types of taxes and fees associated with the transportation package.

Council Member Krasnoff expressed concerns with the legislation, and said that bad legislation has no good outcome.

Council Member Krasnoff, on a substitute motion seconded by Council Member de Triquet, moved to not approve the Hampton Roads Transportation Authority.

Council Member de Triquet stated that the question is not about the projects in the Act. The current resolution fails as law, fails in principle, and fails as precedence because it does not have an adequate and sustainable revenue source. He discussed with City Attorney Hallman the fees addressed in the resolution and offered additional comments on one fee in particular that changes \$4 per year on all registered vehicles with the funds to be placed in a fund for emergency medical service.

City Attorney Hallman advised that the particular section is not a new section or part of the transportation.

Council Member Hayes commented that leadership calls for making decisions under pressure, and while he did not agree with how this matter came about, the reality was that it was on the table and must be decided upon. He further stated that the Authority had already been created.

Council Member Ward restated her opinion that the resolution was bad legislation and she thanked City Attorney Hallman for explaining that a particular fee had been a part of the Virginia Code for many years. Dr. Ward said the Resolution would become law July 1, 2007, with or without Chesapeake's approval and that Chesapeake stood a greater chance of getting projects funded if they were proponents from the beginning, and not opponents of the resolution.

Council Member Collins spoke to Northern Virginia's actions on a Transportation Act and different transportation needs around the Commonwealth. Council Member Collins commented on growth issues and expenses associated with growth.

Mayor Edge spoke about conversations with several legislators including Governor Kaine regarding the proposed resolution, but remained opposed to the resolution.

There was no additional discussion.

On the substitute motion to not approve the Hampton Roads Transportation Authority, voting yes: Council Members de Triquet, Edge and Krasnoff.

Voting no: Council Members Adams, Collins, Hayes, Parker and Ward. (Council Member Willis excused)

The motion failed.

On the primary motion to approve the Resolution as presented and with amendments as presented by City Attorney Hallman, voting yes: Council Members Adams, Collins, Hayes, Parker and Ward.

Voting no: Council Members de Triquet, Edge and Krasnoff. (Council Member Willis excused)

City Council recessed at 9:54 p.m. and reconvened at 10:10 p.m.

City Attorney Item

(2) **#07-O-108** AN ORDINANCE AMENDING CHAPTER 2 OF THE CHESAPEAKE CITY CODE, ENTITLED "ADMINISTRATION," REPEALING PROVISIONS IN SECTIONS 2-201 THROUGH 2-203 AND AMENDING SECTIONS 2-213 AND 2-214 THEREOF, TO MERGE THE OFFICE OF YOUTH SERVICES AND THE CUSTOMER CONTACT CENTER WITH THE DEPARTMENT OF NEIGHBORHOOD SERVICES AND TO CREATE AN OFFICE OF HOUSING WHICH WILL SERVE UNDER THE DEPARTMENT OF NEIGHBORHOOD SERVICES, AND AMENDING DIVISION 12. "YOUTH COMMITTEE," SECTION 2-551(a) ADDING THE YOUTH SERVICES COORDINATOR TO THE YOUTH COMMITTEE AS AN EX-OFFICIO MEMBER. (Continued from April 24, 2007 City Council meeting)

City Attorney Hallman presented the item and advised that staff was available to answer questions.

There were brief comments on creating an additional layer of bureaucracy, and review of the proposed change by City Manager Harrell.

City Manager Harrell clarified his position and stated he was comfortable moving forward with the actions. He advised that he would reevaluate the actions in the new Fiscal year budget.

Council Member Ward offered comments of support for the ordinance amendments.

Council Member Ward, on a motion seconded by Council Member Adams, moved approval of the Ordinance as presented, and as an emergency action, with an effective date of July 1, 2007.

On the motion for approval of the Ordinance as presented and as an emergency action with an effective date of July 1, 2007, voting yes: Council Member Adams, Collins, de Triquet, Edge, Hayes, Krasnoff, Parker, and Ward.

Voting No: None (Council Member Willis excused)

Mayor Edge requested that City Manager Harrell present the companion item, City Manager Item #9 (A), which was moved from the Regular Agenda for consideration following action on City Attorney Item #2.

(9) (A) **#07-O-101** CONSIDERATION OF AN ORDINANCE AMENDING AN ORDINANCE PROVIDING FOR A HUMAN RESOURCES MANAGEMENT SYSTEM AND COMPENSATION PLAN FOR THE CITY OF CHESAPEAKE, VIRGINIA, ADOPTED ON MAY 15, 2001, AS AMENDED, ARTICLE 8 THEREOF, TO DELETE THE CLASSIFICATION OF DIRECTOR OF INTERGOVERNMENTAL AFFAIRS; TO ADD THE CLASSIFICATIONS OF HOUSING PROGRAM COORDINATOR AND YOUTH AND FAMILY DEVELOPMENT SPECIALIST; AND TO CHANGE THE SALARY GRADE FOR THE CLASSIFICATION OF YOUTH SERVICES COORDINATOR FROM 29 TO 32. – DEPARTMENT OF HUMAN RESOURCES

City Manager Harrell presented the item and requested emergency approval with an effective date of July 1, 2007.

Council Member Ward, on a motion seconded by Vice Mayor Parker, moved for approval of the Ordinance as presented and as an emergency action with an effective date of July 1, 2007.

There was no discussion.

On the motion for approval of the Ordinance as presented and as an emergency action with an effective date of July 1, 2007, voting yes: Council Member Adams, Collins, de Triquet, Edge, Hayes, Krasnoff, Parker, and Ward.

Voting No: None (Council Member Willis excused)

CITIZENS' COMMENTS ON THE SERVICES, POLICIES, AND AFFAIRS OF THE CITY (NON AGENDA SPEAKERS)

Randy Royal, Kimley-Horn and Associates, 501 Independence Parkway, representing Wirth Development, requested concurrent advertising for R(C)-07-06), Jolliff Landing project.

Jack Rochevot, 3116 Bunch Walnut Road, representing self, spoke on the City's overtime policy, energy conservation measurers, expenditure of taxpayer money, moving funds allocated for the Dismal Swamp Stomp to schools, costs to the City for the proposed ethanol plant, and collection of fines associated with the Hampton Roads Transportation Act.

Council Member de Triquet, on a motion seconded by Vice Mayor Parker, moved approval of Concurrent advertisement R(C) -07-06 – Jolliff Landing project.

There was no discussion.

On the motion for approval of Concurrent Advertisement for R(C)-07-06 Jolliff Landing project, voting yes: Council Member Adams, Collins, de Triquet, Edge, Hayes, Krasnoff, Parker, and Ward.

Voting No: None (Council Member Willis excused)

Mayor Edge commented on Mr. Rochevot's ideas.

Council Member Krasnoff asked for a report at the next Council meeting on having the State collect the fines from the Transportation.

Council Member Collins requested a report on the revenues generated from homes and businesses and the cost of services for those homes and businesses.

COMMITTEE REPORTS

(A) 2007-08 AUDIT PLAN – Audit Services

City Auditor Jay Poole presented the 2007- 08 Audit Plan.

Council Member Adams, on a motion seconded by Council Member Krasnoff, moved approval of the 2007-08 Audit plan as presented.

On the motion for the approval of the 2007-08 Audit Plan, voting yes: Council Member Adams, Collins, de Triquet, Edge, Hayes, Krasnoff, Parker, and Ward.

Voting No: None (Council Member Willis excused)

OLD AND NEW BUSINESS

(A) REQUEST FOR COUNCIL CONTINGENCY FUND TRANSFER OF \$500 TO JOIN THE UNITED STATES GREEN BUILDING COUNCIL – COUNCIL MEMBER ADAMS

City Clerk Moore presented the item.

Council Member Adams, on a motion seconded by Council Collins, moved for approval of the Contingency Fund Transfer of \$500 to join the United States Green Building Council.

Council Member Krasnoff questioned why the funds could not be transferred from Neighborhood Services' budget instead of the City Council Contingency Fund. Mr. Harrell said that this will be a reoccurring expense, and that he would include it in the next budget cycle. Council Member Adams agreed with including the yearly expense in Neighborhood Services' budget.

On the motion for the approval of the Contingency Fund Transfer of \$500 to join the United States Green Building Council, voting yes: Council Member Adams, Collins, Edge, Hayes, Parker, and Ward.

Voting No: Council Member de Triquet and Krasnoff (Council Member Willis excused)

(B) DISCUSSION OF A POLICY TO DESIGN AND CONSTRUCT ALL FUTURE CITY FUNDED NEW CONSTRUCTION TO A MINIMUM CERTIFICATION OF LEED CERTIFIED – COUNCIL MEMBER ADAMS

City Clerk Moore presented the item.

Council Member Adams stated that the proposed policy for environmentally conscience sustainable construction had great implications for Chesapeake and that the policy would help promote energy conservation, environmental sustainability and healthy working environments in Chesapeake's public and private sectors.

Council Member Adams, on a motion seconded by Council Member Collins, moved approval of the Policy with additional language as presented by City Manager Harrell.

On the motion for the approval of the Policy with additional language as stated by City Manager Harrell, voting yes: Council Member Adams, Collins, de Triquet, Edge, Hayes, Krasnoff, Parker, and Ward.

Voting No: None (Council Member Willis excused)

This item was moved from City Manager Item **(10)** to Old and New Business at the request of Council Member Hayes.

(C) **#07-R-047** DISCUSSION OF A PREVIOUSLY CONSIDERED ITEM CONCERNING BICYCLE FACILITIES ON DOMINION BOULEVARD – DEPARTMENT OF PUBLIC WORKS

Council Member Hayes, on a motion seconded by Council Member Ward, moved for approval of Option #2.

Council Member Ward expressed appreciation to Council Member Hayes for bringing the item back for reconsideration. She mentioned that the previous staff presentation suggested that the option approved prior to this meeting was necessary so that federal dollars accompanying the project would not be jeopardized.

City Manager Harrell advised that his recommendation and Council Member Hayes' motion was one in the same; the approval of a ten foot shoulder with \$1.2 million dollars of guardrail enhancements.

Council Member Adams mentioned that flexibility and opportunities for multi-use trails were needed for every major project being considered.

Council Member Collins mentioned that he was absent when this item was originally considered and that he supported alternative forms of transportation.

On the motion for approval of Option #2, voting yes: Council Member Adams, Collins, de Triquet, Edge, Hayes, Krasnoff, Parker, and Ward.

Voting No: None (Council Member Willis excused)

Mayor Edge continued with Committee Reports and Old and New Business starting with Council Member Adams.

Council Member Adams commented on the need to review the collection of unpaid court fines especially in view of the new fines under the Transportation Act. Dr. Adams announced that the installation of lights on the Campostella Bridge (overpass) would begin June 27th and complimented the efforts of the Public Works department, Virginia–Dominion Power, and Reverend McNeil.

Council Member Collins reported on his attendance at the Stormwater Committee meeting and commented on problems created by the farming community in clogging ditches with dirt. He asked City Manager Harrell to investigate the matter and determine if a set-back policy was necessary. Mr. Collins asked City Manager Harrell to also look into the time required to obtain wetlands permits for work like ditch cleaning.

Council Member de Triquet was excused at 10:35 p.m.

Mayor Edge designated Council Member Cliff Hayes to serve as his appointee to the Hampton Roads Transportation Authority, and announced that the first meeting would be on July 18, 2007.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Mayor Edge relinquished the gavel to Vice Mayor Parker.

A. Chesapeake Commission for the Prevention of AIDS – 2 appointments

Council Member Collins nominated Dr. Paul Chidester (Medical Professional) and Alycia T. Dickens for appointment.

Council Member Ward, on a motion seconded by Council Member Collins, moved to close nominations and appoint the nominees.

There was no discussion.

On the motion to close the nominations and appoint the nominees, voting yes: Council Members Adams, Collins, Edge, Hayes, Krasnoff, Parker, and Ward.

Voting no: None (Council Members de Triquet and Willis excused.)

Dr. Paul Chidester and Alycia T. Dickens were appointed to the Chesapeake Commission for the Prevention of AIDS.

B. Chesapeake Commission of Substance Abuse – 3 appointments

Without objection, appointments were continued.

C. Chesapeake Historic Preservation Commission – 1 appointment

Council Member Ward nominated James S. Bokern (Planning Department Representative) for appointment.

Council Member Collins, on a motion seconded by Mayor Edge, moved to close nominations and appoint the nominee.

There was no discussion.

On the motion to close the nominations and appoint the nominee, voting yes: Council Members Adams, Collins, Edge, Hayes, Krasnoff, Parker, and Ward.

Voting no: None (Council Members de Triquet and Willis excused.)

James S. Bokern (Planning Department Representative) was appointed to the Chesapeake Historic Preservation Commission.

D. Chesapeake Redevelopment and Housing Authority – 2 appointments

(Appointments were made at the June 12, 2007 City Council Meeting)

E. Citizens Juvenile Advisory Council – 2 appointments

Council Member Adams nominated Jim Evans and Jake Manley, Sr. for appointment.

Council Member Ward, on a motion seconded by Council Member Collins, moved to close nominations and appoint the nominees.

There was no discussion.

On the motion to close nominations and appoint the nominees, voting yes: Council Members Adams, Collins, Edge, Hayes, Krasnoff, Parker, and Ward.

Voting no: None (Council Members de Triquet and Willis excused.)

Jim Evans and Jake Manley, Sr. were appointed to the Citizens Juvenile Advisory Council.

F. Fine Arts Commission – 1 appointment

Council Member Krasnoff nominated Virgil P. Kocher for appointment.

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

There was no discussion.

On the motion to close the nominations and appoint the nominee, voting yes: Council Members Adams, Collins, Edge, Hayes, Krasnoff, Parker, and Ward.

Voting no: None (Council Members de Triquet and Willis excused.)

Virgil P. Kocher was appointed to the Fine Arts Commission.

G. Mosquito Control Commission – 3 appointments

Council Member Adams nominated Robert L. Mann and Janie T. Tompkins for reappointment, and moved to continue one appointment to the July 24, 2007 City Council Meeting.

Council Member Adams, on a motion seconded by Council Member Ward, moved to close nominations and appoint the nominees.

There was no discussion.

On the motion to close the nominations and appoint the nominees, voting yes: Council Members Adams, Collins, de Triquet, Edge, Hayes, Krasnoff, Parker, and Ward.

Voting no: None (Council Members de Triquet and Willis excused.)

Robert L. Mann and Janie T. Tompkins were reappointed to the Mosquito Control Commission, and one appointment was continued to the July 24, 2007 City Council meeting.

H. Wetlands Board – 1 appointment

Council Member Collins nominated Edward Weeden (Alternate Member) for appointment.

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

There was no discussion.

On the motion to close the nominations and appoint the nominee, voting yes: Council Members Adams, Collins, Edge, Hayes, Krasnoff, Parker, and Ward.

Voting no: None (Council Members de Triquet and Willis excused.)

Edward Weeden (Alternate Member) was appointed to the Wetlands Board.

Vice Mayor Parker relinquished the gavel back to Mayor Edge.

REQUEST FOR CLOSED SESSION

City Attorney Hallman provided the following language for consideration of the closed session topic: "to consult with legal counsel pertaining to actual litigation, where such consultation in open session would adversely affect the litigating posture of the City, and to consult with legal counsel regarding specific legal matters requiring the provision of legal advice, pursuant to Virginia Code Section 2.2-3711 A.7."

Vice Mayor Parker, on a motion seconded by Council Member Ward, moved approval of the request for the closed session topic.

There was no discussion.

On the motion for approval of the request for the first closed session topic, voting yes: Council Members Adams, Collins, Edge, Hayes, Krasnoff, Parker, and Ward.

Voting no: None (Council Member de Triquet and Willis excused)

City Council went into recess at 10:56 p.m. and went into Closed Session at 11:06 p.m. They reconvened at 11:21 p.m.

CERTIFICATION OF CLOSED SESSION

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 first motion convening the meeting were heard, discussed or considered by the City Council."

Vice Mayor Parker, on a motion seconded by Council Member Ward, moved approval of the certification of the closed session discussion.

There was no discussion.

On the motion for approval of the certification of the closed session discussion, voting yes: Council Members Adams, Collins, Edge, Hayes, Krasnoff, Parker, and Ward.

Voting no: None (Council Members de Triquet and Willis excused)

June 26, 2007

ADJOURNMENT

There being no further business for consideration, the meeting was adjourned at 11:23 p.m.

/vfm

Mayor

Attest:

City Clerk