

A Regular Work Session of the Chesapeake City Council was held July 24, 2007, at 5:00 p.m., in the City Hall Building, 306 Cedar Road.

**Present:** Council Member Rebecca Adams (arrived at 5:05 p.m.)  
Council Member Bryan Collins  
Mayor Dalton S. Edge  
Council Member Clifton E. Hayes, Jr. (arrived at 5:05 p.m.)  
Vice Mayor Dwight M. Parker  
Council Member Ella Ward  
Council Member Patricia Pritchard Willis

**Absent:** Council Member John M. de Triquet (excused)  
Council Member Alan Krasnoff (excused)

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

**Also present:** Captain Patrick Lorge, Commanding Officer, NAS Oceana; Commander John Lauterback, Legal Advisor, Plans and Policy; LCDR Andrew J. McMenamain, Officer in Charge, Naval Support Activity, Northwest; and Jeanne Evans, Regional Representative, Senator Jim Webb's office.

**The Following Topic was discussed during the Work Session:**

- 1) Update on Oceana/Fentress and Northwest Annex

The Work Session adjourned at 6:00 p.m.

/vfm

Regular Meeting of City Council  
July 24, 2007

A Regular Meeting of the Chesapeake City Council was called to order by Mayor Dalton S. Edge on July 24, 2007, at 6:30 p.m., in the City Hall Building, 306 Cedar Road.

INVOCATION: Pastor Wayne Carter, Deep Creek United Methodist Church

PLEDGE OF ALLEGIANCE: Council Member Rebecca Adams

ROLL CALL BY CLERK OF COUNCIL:

**Present:** Council Member Rebecca C. W. Adams  
Council Member Bryan C. Collins  
Mayor Dalton S. Edge  
Council Member Clifton E. Hayes, Jr.  
Council Member Alan P. Krasnoff  
Vice Mayor Dwight M. Parker  
Council Member Ella P. Ward  
Council Member Patricia Pritchard Willis

**Absent:** Council Member John M. de Triquet (excused)

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

**APPROVAL OF MINUTES**

Mayor Edge advised that there were no minutes for consideration.

**CERTIFICATE OF RECOGNITION – Captain Patrick Lorge, United States Navy**

Mayor Edge invited Captain Patrick Lorge, United States Navy, to the podium to receive a Certificate of Recognition read by City Clerk Moore. The recognition was for his honorable and distinguished service as Commanding Officer, Naval Air Station Oceana in Virginia Beach, and Naval Auxiliary Landing Field in Chesapeake, Virginia from August 2005 to August 2007. Captain Lorge expressed his appreciation to the City Council.

**CERTIFICATE OF RECOGNITION – LCDR Andrew J. McMnamin, United States Navy**

Mayor Edge invited Lieutenant Commander Andrew J. McMnamin of the United States Navy to the podium to receive a Certificate of Recognition read by City Clerk Moore. The Certificate was in recognition of his honorable and distinguished service as the Officer in Charge, Naval Support Activity Norfolk, Northwest Annex in Chesapeake, Virginia from August 2004 to August 2007. LCDR McMnamin expressed his appreciation for the special recognition and said it was an honor to know the local community and its leadership.

**RECOGNITION – Jeanne S. Evans, Regional Representative, Senator Jim Webb’s Office**

Mayor Edge recognized Ms. Jeanne S. Evans, Regional Representative, Senator Jim Webb’s office. Ms. Evans thanked Mayor Edge and mentioned that Senator Webb’s office was available to assist the City of Chesapeake.

**PROCLAMATION – National Night Out**

Mayor Edge called Mr. Rick Sharp, President of the Chesapeake Crime Prevention Council, to the podium to receive the National Night Out Proclamation read by City Clerk Moore. Mr. Sharp expressed his appreciation for the proclamation before introducing the officers of the Chesapeake Crime Prevention Council and McGruff, “the Crime Dog”.

**PUBLIC HEARING**

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

City Clerk Moore advised that there were no speakers prior to the presentation of the public hearing items.

**PUBLIC HEARING ITEMS**

Non Planning Public Hearing Items

A. ORDINANCES AWARDDING TELECOMMUNICATIONS FRANCHISES TO LEVEL 3 COMMUNICATIONS, LLC; TELCOVE, INC.; CAVALIER TELEPHONE, LLC; VERIZON COMMUNICATIONS; AND AT&T.

1) AN ORDINANCE GRANTING A FRANCHISE TO LEVEL 3 COMMUNICATIONS, LLC 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 there were no speakers.

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

Council Member Willis stated that she had reviewed the documents and wanted several items clarified for the viewing public. She noted that the franchises being considered only covered landline telephones and wanted to know when the City last approved ordinances for franchise agreements. City Attorney Hallman advised that two landline franchises were granted in the 1960’s.

Council Member Willis and City Attorney Hallman discussed the reference to “Verizon,” in each of the five ordinances and if whether the language should be “Verizon” or the “company” which owns the easements and equipment. Council Member Willis and City Attorney Hallman also discussed franchise fees, whether or

not the City would be compensated, and how the fees would be collected. Additional dialogue ensued regarding a provision which addressed subleasing; the cost of permits; actions upon termination of the franchise agreements, and the possibility of the City offering landline service to citizens if the companies went out of business.

There was additional discussion among Council Members and staff regarding the different types of franchises. It was noted that the ordinances being considered were exclusively for telephone, not video service; that the City would conduct compliance audits in accordance with the proposed ordinance, and that City Auditor Jay Poole would more than likely conduct the audits. Comments were made regarding the increased number of franchise ordinances, and the amount of the performance bonds requested by the agreements.

Laura Barnes, External Affairs Manager for Verizon, was called to the podium to discuss the use of Verizon lines by other companies. Ms. Barnes stated that some companies will buy lines and services from Verizon and other companies would do other things. She advised that Cavalier Telephone was currently purchasing service from Verizon.

Council Member Hayes suggested continuing the ordinances and the awarding of the telecommunications franchise to the next meeting. He stated the need to have a chief technology officer present to report to City Council regarding changes in technology.

City Attorney Hallman advised that a work session could be held on August 21, 2007, regarding the ordinances awarding the Telecommunications Franchises.

Council Member Hayes withdrew his original motion and Vice Mayor Parker agreed to withdraw his second.

Council Member Hayes, on a motion seconded by Vice Mayor Parker, moved to continue Non-Planning Public Hearing Item **(A)** Items 1-5, to the August 21, 2007 City Council Meeting.

There was no further discussion.

On the motion to continue Non Planning Public Hearing Item **(A)** Items 1-5 to the August 21, 2007 City Council meeting, voting yes: Council Members Collins, Edge, Hayes, Krasnoff, Parker, Ward and Willis.

Voting no: Council Member Adams (Council Member de Triquet excused.)

2) AN ORDINANCE GRANTING A FRANCHISE TO TELCOVE, INC. 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.

Non-Planning Public Hearing **(A) #2** was continued to the August 21, 2007 City Council meeting as part of the motion under Non-Planning Public Hearing Item **(A) #1**.

3) AN ORDINANCE GRANTING A FRANCHISE TO CAVALIER TELEPHONE, LLC 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.

Non-Planning Public Hearing **(A) #3** was continued to the August 21, 2007 City Council meeting as part of the motion Non-Planning Public Hearing Item **(A) #1**.

4) AN ORDINANCE GRANTING A FRANCHISE TO VERIZON COMMUNICATIONS 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.

Non-Planning Public Hearing **(A) #4** was continued to the August 21, 2007 City Council meeting as part of the motion under Non-Planning Public Hearing Item **(A) #1**.

5) AN ORDINANCE GRANTING A FRANCHISE TO AT&T 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.

Non Planning Public Hearing **(A) #5** was continued to the August 21, 2007 City Council meeting as part of the motion under Non-Planning Public Hearing Item **(A) #1**.

**CITIZENS' COMMENTS ON AGENDA ITEMS ONLY**

City Clerk Moore advised that Mr. Wayne Carnell, 901 Port Center Parkway, Portsmouth, Virginia was available for questions regarding City Clerk Item **#2**.

**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.

There was no discussion.

Council Member Collins, on a motion seconded by Council Member Ward, 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 Members Adams, Collins, Edge, Hayes, Krasnoff, Parker, Ward and Willis.

Voting No: None (Council Member de Triquet excused)

City Clerk Items

(1) RESIGNATIONS

- a. Kevin A. Cahoon – Stormwater Committee
- b. Sherwood E. Lowery, Jr. – Stormwater Committee

City Manager Items

(1) **#07-R-052** CONSIDERATION OF A RESOLUTION APPROVING THE ISSUANCE OF CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY FOR FIVE STAR MEDICAL TRANSPORT, PURSUANT TO CHESAPEAKE CITY CODE CHAPTER 82, ARTICLE II, DIVISION 2, ENTITLED "CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY," SECTION 82-61 ENTITLED "REQUIRED; APPLICATION; EXAMINATION; DURATION" – POLICE DEPARTMENT

(2) REQUEST FOR AUTHORITY TO SUBMIT A 2007 BYRNE GRANT APPLICATION (\$300,000 FEDERAL) TO THE U.S. DEPARTMENT OF JUSTICE – POLICE DEPARTMENT

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(3) REQUEST FOR AUTHORITY TO SUBMIT A 2007 JUSTICE ASSISTANCE GRANT APPLICATION (\$202,589 FEDERAL) TO THE U. S. DEPARTMENT OF JUSTICE – POLICE DEPARTMENT

(4) **#07-O-122** REQUEST FOR APPROPRIATION OF \$35,000 IN 2006 CITIZEN CORPS GRANT FUNDS AWARDED BY THE U.S. DEPARTMENT OF HOMELAND SECURITY – FIRE DEPARTMENT

City Attorney Item

(1) **#07-O-123** AN ORDINANCE AMENDING CHAPTER 30 OF THE CHESAPEAKE CITY CODE, ENTITLED "FINANCE AND TAXATION," ARTICLE XVII, ENTITLED "UNCOLLECTIBLE TAXES," TO AMEND SECTION 30-525(a) BY ADDING SUBSECTION (a)(6) THERETO REQUIRING THE CITY TREASURER TO MAKE OUT A LIST OF UNCOLLECTED BALANCES OF PREVIOUSLY BILLED TANGIBLE PERSONAL PROPERTY TAXES ON VEHICLES THAT (i) WERE OWNED BY TAXPAYERS, NOW DECEASED, UPON WHOSE ESTATES NO QUALIFICATION HAS BEEN MADE, OR (ii) WERE TRANSFERRED TO BONA FIDE PURCHASERS FOR VALUE WITHOUT KNOWLEDGE, ON THE PART OF THE PERSONS SO TRANSFERRING, TO BRING SAID SECTION INTO COMPLIANCE WITH NEWLY AMENDED VIRGINIA CODE SECTION 58.1-3921.

**REGULAR AGENDA**

City Clerk Item

(2) CONSIDERATION OF USE PERMIT EXTENSION REQUEST

a. **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 was 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

Approved by City Council on **August 16, 2005** 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 was 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 presented the item.

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Council Member Willis, on a motion seconded by Council Member Collins, moved for approval of the Use Permit Extension Request (UP-05-06) for one year as presented.

There was no discussion.

On the motion for approval of the Use Permit Extension Request (UP-05-06) for one year as presented, voting yes: Council Members Adams, Collins, Edge, Hayes, Krasnoff, Parker, Ward and Willis.

Voting No: None (Council Member de Triquet excused)

City Manager Item

(5) REQUEST FOR AUTHORITY TO SUBMIT A 2006 HOMELAND SECURITY LOCAL INTEROPERABILITY COMMUNICATIONS GRANT APPLICATION (\$2,050,037 FEDERAL) TO THE U. S. DEPARTMENT OF HOMELAND SECURITY – FIRE DEPARTMENT

City Manager Harrell presented the item.

Council Member Adams, on a motion seconded by Vice Mayor Parker, moved for approval of the request for authority to submit a 2006 Homeland Security Local Interoperability Communications Grant Application.

There was no discussion.

On the motion for approval of the request for authority, as presented, voting yes: Council Members Adams, Collins, Edge, Hayes, Krasnoff, Parker, Ward and Willis.

Voting No: None (Council Member de Triquet excused)

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

Kevin Lefcoe, 1206 Laskin Road, Suite 150, Virginia Beach, VA 23451, representing Great Bridge Builders Associations, spoke regarding concurrent advertisement of Brookside Office Building, UP-07-30.

Joan Mercer, 2009 Cherry Lane, representing self, spoke against the proposed corn plant/ethanol plant.

Lannie Finan, 1300 Boxwood Drive, representing self, spoke regarding the proposed ethanol plant.

Karen Smith, 2213 Wildwood Road, representing self, spoke regarding the proposed ethanol plant.

James Finck, 1513 Boxwood Drive, representing self, spoke regarding proposed ethanol plant.

Laura Gilbert, 2448 Johnstown Road, representing Chesapeake Animal Control Advisory Board, spoke regarding animal control issues.

In response to Ms. Gilbert's concerns regarding the salaries of Animal Control Officers, Mayor Edge stated that City Manager Harrell was in the process of reviewing the City's pay plan and would make recommendations to City Council in October. City Manager Harrell advised that he would review Ms. Gilbert's concerns and report back to City Council.

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There was discussion regarding the proposed ethanol plant. Mayor Edge advised that the Planning Commission was scheduled to consider the issue on September 12, 2007, and the City Council would consider the matter at the Public Hearing meeting on October 16, 2007.

Council Member Hayes asked about the feasibility of hosting a meeting in Chesapeake regarding the proposed ethanol plant. City Manager Harrell stated that his staff was looking into potential dates to host a meeting near the Brentwood Community, possibly at the Camelot Community Center.

There was brief discussion regarding Mr. Lefcoe's request for concurrent advertisement of UP-07-30. Mr. Lefcoe stated that the application was submitted to the Planning Department on July 10, 2007, after discovering a Use Permit was needed due to a 35-foot height restriction.

Mayor Edge suggested that staff be allowed an adequate opportunity to review the application prior to approving double advertisement.

Additional discussion ensued regarding the 35-foot height restriction and how potential tenants could be affected.

Council Member Willis made a motion to approve the request for concurrent advertisement of UP-07-30. There was no second.

The motion failed for lack of a second.

#### **COMMITTEE REPORTS/OLD AND NEW BUSINESS**

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

Council Member Adams reminded everyone of the upcoming bicycle race, The Chesapeake Criterion, scheduled for Saturday, August 11, 2007 at City Hall.

Council Member Collins asked City Manager Harrell to provide an update on the resurfacing of the Military Highway Corridor between George Washington Highway and Bowers Hill. He asked City Manager Harrell to have staff review the City's height restriction codes for buildings located in Chesapeake for possible updates.

Council Member Hayes commented on the first meeting of the Hampton Roads Transportation Authority (HRTA) which convened on July 18, 2007. He announced that the Authority would host two Public Hearings meetings for citizen comments; the first meeting was scheduled for August 8, 2007 at the Hampton Convention Center for the Peninsula area followed by the second Public Hearing on August 9, 2007 at the Virginia Beach Convention Center for the Southside. Both meetings will start at 7:00 p.m. Council Members Hayes said the next HRTA meeting would be August 10, 2007 and discussion will be on the fees connected with the Act. Mr. Hayes expressed his appreciation to Economic Development Director Warren Harris for his service to the City of Chesapeake. He announced a farewell celebration for Mr. Harris was scheduled for Thursday, July 26, 2007 from 4:00 – 7:00 p.m.

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City Manager Harrell extended congratulations and best wishes to Economic Development Director Warren Harris who was leaving his position with the City, and commented on his outstanding service to the City of Chesapeake.

Council Member Hayes, as Liaison to the Information Technology Department, noted that proposals for systems throughout the City should be reviewed for possible sharing with other departments and possible cost savings to the City. He requested a report on the Asset Management System.

Mayor Edge relinquished the gavel to Vice Mayor Parker.

Council Member Ward reported on her attendance to the Virginia Municipal League's (VML) Finance Policy Committee meeting and stated her support of full funding of the State's share of the Standards of Quality (SOQ) benchmarking. Dr. Ward noted that the Telecommunication Tax restructuring had left localities short on the revenue promised, but the process would level off soon and Chesapeake would get their share of revenues. She commented on several additional items such as the grass cutting that was taking place throughout the City; her attendance at a meeting with residents of Chesapeake Crossings and members of Chesapeake Redevelopment and Housing Authority addressing safety issues in the area. Council Member Ward expressed appreciation for the newly installed cross-walk in the Ahoy Acres community.

Council Member Willis reported on her attendance to the South Norfolk Revitalization Commission meeting where the residents were happy to see the changes taking place in South Norfolk, particularly the Gateway site on Poindexter Street. She asked that advanced notices be provided to the residents for road closings to make sure enough information is provided.

Council Member Hayes offered a follow-up to his initial report on the Hampton Roads Transportation Authority, advising that the Authority had accepted several of the City's requests included in the bylaws. He commended several City staff members who were instrumental in getting the City's request included. The staff members were Deputy City Attorney Jan Proctor; Assistant to the City Manager Mary Ann Saunders; and Acting Traffic and Transportation Engineer C. Earl Sorey.

Mayor Edge expressed appreciation to the United States Military and reminded every one of the annual Freedom Walk commemoration planned for September 11<sup>th</sup>. There was a brief discussion regarding the time of the Freedom Walk since September 11<sup>th</sup> was on a Council Meeting date. It was the consensus of the City Council that the Freedom Walk would be held from 5:00 p.m. – 6:00 p.m., following a 4:00 p.m. Work Session.

**APPOINTMENTS TO BOARDS AND COMMISSIONS**

**A. Community Services Board – 3 appointments**

Council Member Adams nominated Jeffrey M. Coleman and Timothy W. Latsko for appointment, and recommended continuing one appointment vacancy (consumer representative).

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

There was no discussion.

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

Voting no: None (Council Member de Triquet excused)

Jeffrey M. Coleman and Timothy W. Latsko were appointed to the Community Services Board. One appointment for the “Consumer” vacancy was continued to a future meeting.

**B. Local Emergency Planning Committee – 3 appointments**

Council Member Willis nominated Jennifer L. Foster (Nurse), Bryan C. Genzler (Environmental), and Theodore “Ted” J. Lepski (Citizen) 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, Ward and Willis.

Voting no: None (Council Member de Triquet excused)

Jennifer L. Foster (Nurse), Bryan C. Genzler (Environmental), and Theodore “Ted” J. Lepski (Citizen) were appointed to the Local Emergency Planning Committee.

**C. Mosquito Control Commission – 1 appointment**

Council Member Adams nominated Herb F. Poindexter for appointment.

Council Member Willis, on a motion seconded by Council Member Ward, 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, Ward and Willis.

Voting no: None (Council Member de Triquet excused)

Herb F. Poindexter was appointed to the Mosquito Control Commission.

**D. Port Authority – 1 appointment**

It was announced that the interviews for the Port Authority appointment would be held on Tuesday, August 14, 2007, prior to the Work Session.

**E. Public Art Committee – 1 appointment**

Council Member Krasnoff nominated Virgil P. Kocher (Fine Arts Commission Member) for appointment.

Council Member Ward on a motion seconded by Council Member Collins, 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, Ward and Willis.

Voting no: None (Council Member de Triquet excused)

Virgil P. Kocher (Fine Arts Commission Member) was appointed to the Public Art Committee.

**F. Senior Services of Southeastern Virginia– 2 appointments**

Council Member Adams nominated Willar M. Baum for reappointment and Weeatha P. Carey for appointment.

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

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, Ward and Willis.

Voting no: None (Council Member de Triquet was excused)

Willar M. Baum was reappointed and Weeatha P. Carey was appointed to the Senior Services of Southeastern Virginia.

**G. South Norfolk Revitalization Commission – 1 appointment**

Council Member Willis nominated Larry L. Wright for appointment.

Council Member Collins on a motion seconded by Council Member Hayes, 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, Ward and Willis.

Voting no: None (Council Member de Triquet excused.)

Larry L. Wright was appointed to the South Norfolk Revitalization Commission.

**H. Transportation Safety Commission – 2 appointments**

Council Member Collins nominated Frederick P. McKenna for appointment, and moved to continue the second appointment to a future meeting.

Council Member Adams on a motion seconded by Council Member Ward, moved to close the nominations, appoint the nominee, and to continue the remaining appointment to a future a meeting.

There was no discussion.

On the motion to close the nominations, appoint the nominee, and to continue the remaining appointment to a future meeting, voting yes: Council Members Adams, Collins, Edge, Hayes, Krasnoff, Parker, Ward and Willis.

Voting no: None (Council Member de Triquet excused)

Frederick P. McKenna was appointed to the Transportation Safety Commission and one appointment was continued.

**I. Southeastern Public Service Authority – 1 appointment**

Council Member Collins nominated City Manager William E. Harrell for appointment.

Council Member Willis on a motion seconded by Council Member Ward, moved to close the 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, Ward and Willis.

Voting no: None (Council Member de Triquet excused)

City Manager William E. Harrell was appointed to the Southeastern Public Service Authority.

Vice Mayor Parker relinquished the gavel to Mayor Edge.

**REQUEST FOR CLOSED SESSION**

City Attorney Ronald S. Hallman provided the following language for consideration of the first closed session topic: "to discuss a prospective business where no previous announcement has been made by the business' interest in locating in the City, pursuant to Virginia Code Section 2.2-3711 A.5."

Council Member Hayes, on a motion seconded by Vice Mayor Parker, moved approval of the request for the first 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, Ward and Willis.

Voting no: None (Council Member de Triquet excused)

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City Attorney provided the following language for consideration of the second closed session topic: "to discuss the performance of specific public officers, pursuant to Virginia Code Section 2.2-3711 A.1."

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

There was no discussion.

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

Voting no: None (Council Member de Triquet excused)

City Council went into recess at 8:36 p.m. and went into closed session at 8:55 p.m. They reconvened at 10:55 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 motion convening the meeting were heard, discussed or considered by the City Council."

Vice Mayor Parker, on a motion seconded by Council Member Collins, moved approval of the Certifications of the closed session discussions.

There was no discussion.

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

Voting no: None (Council Members de Triquet excused)

Mayor Edge extended condolences to Council Member Adams and her family on the loss of her Mother.

#### **ADJOURNMENT**

There being no further business for consideration, the meeting was adjourned at 10:57 p.m.

/vfm

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Mayor

Attest:

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City Clerk