

A Regular Work Session of the Chesapeake City Council was held August 14, 2007, at 4:30 p.m., in the City Hall Building, 306 Cedar Road.

Present: Council Member Rebecca Adams (arrived at 5:15 p.m.)
Council Member Bryan Collins
Mayor Dalton S. Edge
Council Member Clifton E. Hayes, Jr. (excused)
Vice Mayor Dwight M. Parker (arrived at 5:10 p.m.)
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, City Clerk Dolores Moore, Pat Biegler, Director of Public Works, Theodore Garty, Bridge Administrator and other staff members.

Interviews were held for the Port Authority: Robert F. Sharak
Douglas F. Higginbotham

The Following Topic was discussed during the Work Session:

- 1) Update on bridges

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

/smu

A Regular Meeting of the Chesapeake City Council was called to order by Mayor Dalton S. Edge on August 14, 2007 at 6:30 p.m. in the City Hall Building, 306 Cedar Road.

INVOCATION: Reverend Michael Ellis, Geneva Park Church of Christ

PLEDGE OF ALLEGIANCE: Boy Scout Troop 48, Great Bridge United Methodist Church
Boy Scout Troop 57, Great Bridge Presbyterian Church
Boy Scout Troop 55, Great Bridge Baptist Church

ROLL CALL BY CLERK OF COUNCIL

PRESENT: Council Member Rebecca C. W. Adams
Council Member Bryan L. Collins
Council Member John M. de Triquet (excused at 8:40 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 P. Ward
Council Member Patricia Pritchard Willis

ABSENT: None

PRESENT FROM ADMINISTRATION: City Manager William Harrell, City Attorney Ronald Hallman, 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 there were no minutes for consideration.

SPECIAL PRESENTATION

Mayor Edge called South Norfolk Civic League President Frank Lilley to the podium to give special thanks to the organizers and clean up crews of the South Norfolk Independence Day Parade. Mr. Lilly offered kudos to a number of City departments and employees for their assistance.

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.

Non-Planning Public Hearing Items

A. **#07-R-053** CONSIDERATION OF A RESOLUTION APPROVING THE MAJOR DESIGN FEATURES FOR THE GEORGE WASHINGTON HIGHWAY (ROUTE 17) ROAD IMPROVEMENT PROJECT, AND AUTHORIZING THE ACQUISITION OF PROPERTY IN FEE SIMPLE FOR RIGHT-OF-WAY, LEASEHOLD INTERESTS, AND THE ACQUISITION OF TEMPORARY AND PERMANENT EASEMENTS EITHER BY AGREEMENT OR CONDEMNATION – DEPARTMENT OF PUBLIC WORKS

City Clerk Moore presented the item and identified the following speaker in support of Non-Planning Public Hearing Item **(A)**.

Laura Thorne, 2900 Willowwood Drive, representing Willowwood neighborhood.

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

Council Member Willis requested further information from City Manager Harrell on the proposed improvements along George Washington Highway/Route 17.

City Manager Harrell stated that the Resolution would give the City the ability to acquire additional properties for the George Washington Highway Improvement Project and he would provide additional information to Council on the proposed improvements.

Council Member Collins expressed concerns for residents and businesses along the affected area of George Washington Highway.

City Manager Harrell responded to Council Member Collins and requested Public Works Director Patricia Biegler to come to the podium for questions.

Ms. Biegler explained that the intent was to work within the existing pavement for the proposed improvements. She stated the improvements would increase the highway to four lanes and would greatly improve the congestion during peak hours of traffic.

Council Member Collins noted that residents wanted to maintain the historic characteristics of the Deep Creek Village area while improving the flow of traffic.

City Manager Harrell stated that a report would be forthcoming to Council with information on the recommended improvements after reviewing the changes suggested by the residents.

Vice Mayor Parker mentioned a report previously prepared to address the George Washington Highway Improvement Project and suggested that report be provided to Council members for review.

Council Member Willis asked Ms. Biegler to comment on the Deep Creek Bridge replacement and the Army Corp of Engineers proposed bridge replacement.

Ms. Beigler stated that the design for the bridge replacement by the Corp of Engineers was complete and funding for the project was part of a water bill being considered by Congress.

There was no further discussion.

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

Voting No: None

CITIZENS' COMMENTS ON AGENDA ITEMS ONLY

City Clerk Moore identified the following speaker.

James Bradford, 325 Volvo Parkway representing Hassell and Folkes, PC speaking in support of City Manager Item #10.

CONSENT AGENDA

City Clerk Moore read the Consent Agenda into the record.

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.

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Council Member Collins, on a motion seconded by Vice Mayor Parker, moved 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, de Triquet, Edge, Hayes, Krasnoff, Parker, Ward and Willis.

Voting No: None

City Clerk Items

1. **ACKNOWLEDGEMENT OF REZONING APPLICATIONS**

The following zoning reclassification requests are not public hearing items at this time. They will be reviewed by the Planning Commission for recommendation to City Council at a later date. These items are heard by the Planning Commission on **August 8, 2007**.

a. **R(C)-07-18 PROJECT:** Chesapeake Crossroads **APPLICANT:** Associates 101, LLC **AGENCY:** Engineering Services, Inc. **PROPOSAL:** A conditional zoning reclassification of 17.59 acres from B-3, Highway Business District (7.828 acres) and R-8s, Residential District (9.762 acres) to R-MF-1, Multi-family Residential District to allow 134 condominium units. **PROPOSED COMP LAND USE & DENSITY:** Medium Density Residential, 7.9 units per acre **EXISTING COMP AND USE & DENSITY:** High Density Mixed Use and Medium Density Residential, 5 to 6 units per acre **LOCATION:** South side of S. Military Highway approximately 1100 feet west of Battlefield Boulevard **TAX MAP SECTION/ PARCEL:** 0270000000570 **BOROUGH:** Washington

b. **R(C)-07-19 PROJECT:** Yadkin Station **APPLICANT:** LORI, Inc. **AGENCY:** Golden Heritage Homes, LLC **PROPOSAL:** A conditional zoning reclassification of 10.369 acres from R-15s, Residential District to O&I, Office and Institutional District for the purpose of constructing group housing for the elderly. **PROPOSED COMP LAND USE & DENSITY:** Medium Density Residential, 5 to 16 units per acre **EXISTING COMP LAND USE & DENSITY:** Low Density Residential, less than 4 units per acre **LOCATION:** 3343, 3345 and 3353 Galberry Rd. **TAX MAP SECTION/PARCEL:** 0330000001720, 0330000001740, 0330000001750, 0330000001760 **BOROUGH:** Deep Creek

2. **RESIGNATIONS**

- a. Clyde T. Clark, Jr. – Chesapeake Inter-Agency Consortium.
- b. William L. Black – Local Emergency Planning Committee.
- c. Franklin L. Miller – Local Emergency Planning Committee.
- d. Deral R. Stout – Local Emergency Planning Committee.
- e. Jesse A. Wells – Local Emergency Planning Committee
- f. Thomas L. Bennett – Local Emergency Planning Committee.
- g. Timothy W. Latsko – Chesapeake Community Services Board.
- h. Gene A. Moore – Chesapeake Planning Commission.

3. **REFUNDS**

- a. Greenbrier International, Inc., \$3,051.73.

City Manager Items

(1) REQUEST FOR APPROPRIATION OF \$1,863.55 IN RENT REIMBURSEMENTS TO THE MCKINNEY-VENTO II GRANT BUDGET COMMUNITY SERVICES BOARD

(2) REQUEST TO APPROPRIATE \$23,143 IN DONATED FUNDS FROM FIREDOG, A SUBSIDIARY OF CIRCUIT CITY – FIRE DEPARTMENT

(3) REQUEST TO APPROPRIATE \$29,879 IN VICTIM WITNESS FUNDS AWARDED BY THE VIRGINIA DEPARTMENT OF CRIMINAL JUSTICE SERVICES – OFFICE OF THE SHERIFF

City Attorney Item

(1) **#07-R-054** RESOLUTION CONFIRMING THE ACCEPTANCE OF A DEED OF GIFT FROM THE COMMONWEALTH OF VIRGINIA, WHICH DEED CONVEYS TO THE CITY CERTAIN PROPERTY LOCATED IN THE DEEP CREEK BOROUGH OF THE CITY OF CHESAPEAKE, VIRGINIA.

REGULAR AGENDA

City Manager Items

(4) 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, TO DELETE THE CLASSIFICATION OF LEGAL ANALYST, SALARY GRADE 31, AND TO ADD THE CLASSIFICATION OF INTERNAL SERVICES MANAGER, SALARY GRADE 33 – DEPARTMENT OF HUMAN RESOURCES (*continued from the June 12, 2007 City Council Meeting*)

City Manager Harrell presented the item and requested withdrawal from consideration.

Vice Mayor Parker, on a motion seconded by Council Member Ward, moved to approve withdrawal of the proposed Ordinance from consideration, as requested by City Manager Harrell.

There was no discussion.

On the motion to approve withdrawal of the Ordinance from consideration, as requested, voting yes: Council Member Adams, Collins, de Triquet, Edge, Hayes, Krasnoff, Parker, Ward and Willis.

Voting no: None

(5) A. **#07-R-055** CONSIDERATION OF A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE FOR AND ON BEHALF OF THE CITY OF CHESAPEAKE THE FY 2006 STATE HOMELAND SECURITY PROGRAM RADIO CACHE GRANT PROVIDED BY THE VIRGINIA DEPARTMENT OF EMERGENCY MANAGEMENT FOR A STATE REGIONAL STRATEGIC RADIO CACHE FIRE DEPARTMENT

City Manager Harrell presented the item.

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

Council Member Ward congratulated the Fire Department on its joint efforts with neighboring cities on the Regional Strategic Radio Cache.

There was no further discussion.

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

Voting no: None

B. **#07-O-127** REQUEST FOR APPROPRIATION OF \$1,900,000 IN FY 2006 STATE HOMELAND SECURITY PROGRAM RADIO CACHE GRANT FUNDS AWARDED BY U. S. DEPARTMENT OF HOMELAND SECURITY THROUGH THE VIRGINIA DEPARTMENT OF EMERGENCY MANAGEMENT– FIRE DEPARTMENT

City Manager Harrell presented the item with a request for adoption as an emergency action.

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

There was no discussion.

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

Voting no: None

(6) **#07-R-056** CONSIDERATION OF A RESOLUTION APPROVING THE FISCAL YEAR 2008 PERFORMANCE CONTRACT BETWEEN THE CHESAPEAKE COMMUNITY SERVICES BOARD AND THE VIRGINIA DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES – COMMUNITY SERVICES BOARD

City Manager Harrell presented the item.

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

Council Member Willis requested that Community Services Board Executive Director Candace Waller come to the podium to explain the contract.

Ms. Waller commented on the performance contract including the Regional Management Plan (RMP), and the downsizing of Eastern State Hospital.

Council Member Willis inquired whether or not Eastern State Hospital would be closing; Ms. Waller advised that Eastern State Hospital would be downsizing, not closing.

There was no further discussion.

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

Voting no: None

(7) **#07-O-128** REQUEST FOR APPROPRIATION OF \$1,316,649 OF STATE FUNDS AND FEES TO THE FY 2008 COMMUNITY SERVICES BOARD BUDGET TO PROPERLY STATE THE PERFORMANCE CONTRACT WITH THE DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES AND TO ADD A CLINICIAN II POSITION TO THE CSB COMPLEMENT – COMMUNITY SERVICES BOARD

City Manager Harrell presented the item.

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

Council Member Willis asked if the City provided funding for the Community Services Board.

Ms. Waller replied that the City and State both provide funding to the Community Services Board.

City Manager Harrell stated that a report would be forthcoming providing the amount of funding allocated by the City.

There was no further discussion.

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

Voting no: None

(8) **#07-R-057** CONSIDERATION OF A RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITIES OF CHESAPEAKE AND SUFFOLK CONCERNING THE NANSEMOND PARKWAY/PORTSMOUTH BOULEVARD WIDENING PROJECT – DEPARTMENT OF PUBLIC WORKS

City Manager Harrell presented the item.

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

Council Member Ward offered brief comments on the memorandum of understanding between the cities of Suffolk and Chesapeake and how the cities working together had made this project a success.

There was no further discussion.

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

Voting no: None

(9) **#07-O-129** REQUEST FOR APPROPRIATION OF \$635,500 IN STORMWATER UNRESTRICTED ASSETS FOR PURCHASE OF EQUIPMENT – DEPARTMENT OF PUBLIC WORKS

City Manager Harrell presented the item with a request for adoption as an emergency action.

Council Member Collins, on a motion seconded by Council Member Willis, moved approval of the Ordinance as presented and as an emergency action.

Council Member Willis stated that the funds for this appropriation from the Stormwater unrestricted assets would be transferred to the City Garage for the purchase of equipment. This would allow the City to address problems relating to Stormwater issues and respond to citizens' complaints more quickly.

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

Voting no: None

(10) CONSIDERATION OF A REQUEST FROM HEARNDON CONSTRUCTION CORPORATION FOR THE EXPANSION OF THE HAMPTON ROADS SANITATION DISTRICT (HRSD) FORCE MAIN SERVICE AREA FOR OLDE MILL RUN – PHASE 3 SUBDIVISION – DEPARTMENT OF PUBLIC UTILITIES

City Manager Harrell presented the request and stated that Hearndon Construction had asked for a 30-day continuance.

Council Member Krasnoff expressed concerns with the request, stating that the expansion of the HRSD Force Main Service Area for Olde Mill Run – Phase 3 Subdivision had been addressed in March 2004; he suggested a one-week continuance to the August 21, 2007 City Council Meeting.

There was discussion between City Manager Harrell and City Attorney Hallman about a one-week continuance.

Council Member Krasnoff, on a motion seconded by Council Member Hayes, moved to continue the expansion request to the August 21, 2007 City Council Meeting.

There was no further discussion.

On the motion to continue the expansion request to the August 21, 2007 City Council Meeting, voting yes: Council Member Adams, Collins, de Triquet, Edge, Hayes, Krasnoff, Parker, Ward and Willis.

Voting no: None

(11) CONSIDERATION OF A REQUEST FROM LANDING WEST CROSSING, LLC FOR THE EXPANSION OF THE HAMPTON ROADS SANITATION DISTRICT (HRSD) FORCE MAIN SERVICE AREA FOR THE LANDING WEST CROSSING SUBDIVISION – DEPARTMENT OF PUBLIC UTILITIES

City Manager Harrell presented the item and requested a 30-day continuance for the purpose of addressing some potential development issues with the area.

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Council Member Hayes, on a motion seconded by Vice Mayor Parker, moved for a 30-day continuance of the expansion request to the September 11, 2007 City Council Meeting.

Council Member Willis stated her support of the continuance, citing a previous work session and her concerns with development issues that needed to be addressed.

Council Member Krasnoff noted that if the expansion was approved, it would open up more than two thousand acres of land to development, unless there was the assurance of a "Holding-out Doctrine."

City Attorney Hallman agreed that more research needed to be done before a final decision was made on the request.

There was no further discussion.

On the motion for continuance of the request to the September 11, 2007, City Council Meeting, voting yes: Council Member Adams, Collins, de Triquet, Edge, Hayes, Krasnoff, Parker, Ward and Willis.

Voting no: None

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

City Clerk Moore identified the following speakers:

Tommy Hart, 1900 Saint Brides Road, was not present when called.

Thomas Arrington, 305 Stonewood Court, representing Chesapeake Citizens for Fair Real Estate Tax, spoke on Real Estate Tax and a proposed ethanol plant.

Laura Somers, 5 Irwin Street, representing Cradock Civic League, spoke on the proposed Ethanol Plant.

Mark Black, 740 Norman Way, representing Great Bridge Evangelical Free Will Church, spoke on the placement of a cross on church property and the subsequent citation that resulted from that action.

Dottie Wyatt, 99 Channing Avenue, Portsmouth, representing self, spoke on the proposed Ethanol Plant.

Tommy Hart, 1900 Saint Brides Road, representing self, spoke on drainage issues.

Bill Garrett, P.O. Box 9097, Western Branch, representing self, spoke on the proposed Ethanol Plant.

Mayor Edge asked City Manager Harrell for any information from staff on the proposed Ethanol Plant Use Permit and application schedule.

Deputy City Manager Amar Dwarkanath stated the Planning Commission was holding a work session on the proposed Ethanol Plant with Planning staff August 15, 2007, 4:00 p.m., at the School Administration Building. The Planning Commission would hold a work session to review the stipulations on September 10, 2007 followed by consideration of the application by the Planning Commission on September 12, 2007. The item would then come to the City Council for action on October 16, 2007.

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The next meeting on the proposed Ethanol Plant was scheduled for September 5, 2007 at Deep Creek Middle School for the Brentwood neighborhood.

Mayor Edge requested information on the chemical "MTBE" that is a component used in the production of ethanol.

Council Member Krasnoff questioned the City's cost to participate in the Lake Gaston Water Project and the amount of water required to operate the proposed ethanol plant. He noted that previous projects had been rejected because of water consumption. Council Member Krasnoff asked when the City would have full availability of Lake Gaston Water for use. He also noted that biodiesel had lumped together with ethanol and requested that the Fire Department meet with residents in the South Hill area of the City to discuss the biodiesel project.

Council Member Hayes stated that he and Council Member Collins had met with residents of the South Hill Community concerning the safety issues and the proposed biodiesel plant.

City Manager Harrell noted that a meeting would be planned to inform the South Hill Community of the proposed biodiesel plant.

Council Member Willis requested that the proposed biodiesel plant developers also meet with the residents of South Hill to provide more information on the neighborhood impacts. She asked that the Elizabeth River Project members be included in discussions concerning the project.

Council Member Ward asked if any Planning staff was present and available for questions. Dr. Ward also questioned if the Elizabeth River Project members had been included in previous discussions.

City Manager Harrell stated he would get information on the Elizabeth River Project members' inclusion and report back to Council.

Mayor Edge addressed the placement of the cross at Great Bridge Evangelical Free Will Church and suggested Mr. Mark Black call the City Clerk's Office for an appointment with the Mayor to get the matter resolved.

Council Member Hayes commented on the location of the cross and suggested the City assist with the relocation.

City Attorney Hallman stated he would review the issue with the location of the cross.

Mayor Edge addressed Tommy Hart and his drainage issues and advised that the City Maintenance crews would be on Mr. Hart's property November 4, 2007 to evaluate the drainage issues.

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 reported on her attendance at the Local Emergency Planning Committee Meeting and plans for a staged emergency to practice responses.

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Council Member Ward noted that recent storms had left a lot of debris in Western Branch and asked that staff look at a way to provide extra pickups of debris following a storm event.

City Manager Harrell advised that consideration of additional bulk pickup would be studied and a report would be forthcoming.

Council Member Hayes inquired about the location of required signage in the South Hill area of the City notifying residents of the proposed Biodiesel Project Use Permit Application. He reported that the Hampton Roads Transportation Authority (HRTA) had set up a Legislative Committee to go to the General Assembly to lobby against some of the fees and stated that the committee had voted to delay the implementation of the new fees to April 1, 2008.

City Attorney Hallman said he would look at the signage issue.

Council Member Collins thanked City Manager Harrell for being proactive and presenting the bridge inspection process to Council Members after the recent tragedy in Minnesota. He requested an update on the impact of bridge restriction on Emergency Response Services for areas of the City. Council Member Collins requested a work session in September to address Flow Control within the City. He asked that the South Hill neighborhood be included in future Neighborhood Improvement Plans. Mr. Collins asked if there were any Federal or State funding available to help improve the quality of this community as well as other neighborhoods in the City.

Vice Mayor Parker offered a brief history of the South Hill neighborhood and stated that if Council would consider rezoning the industrial portion of South Hill to residential it would be very beneficial to those residents.

Council Member Adams asked that all citizens view the August 14, 2007 Work Session on the condition of the bridges in Chesapeake. She suggested that an infrastructure study be done concerning the City's infrastructure. She stated that the next Budget should reflect funding for long-range improvements. Dr. Adams updated Council on the number of Police vehicles that will have in-car cameras, noting that 27 additional cameras had been added, bringing the total to 80 camera equipped vehicles. She advised that the City had recently become a member of the United States Green Building Council and asked for a link to the Green Building Council's website be placed on the City's website.

Council Member Ward inquired if the City's Legislative Package should include something on the Hampton Roads Transportation Authority.

Council Member Hayes stated that the HRTA Legislative subcommittee would be discussing the HRTA issues and would let Dr. Ward know if there was something to be included in the City's Legislative Package in the future.

NOMINATIONS TO BOARDS AND COMMISSIONS

Mayor Edge relinquished the gavel to Vice Mayor Parker.

a. Economic Development Authority – 2 vacancies

Vice Mayor Parker stated that there were two vacancies on the Economic Development Authority.

Council Member Hayes nominated James E. Bellamy and Harold C. Gastler for reappointment to the Economic Development Authority.

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

There was no discussion.

On the motion to reappoint James E. Bellamy and Harold C. Gastler to the Economic Development Authority, voting yes: Council Member Adams, Collins, de Triquet, Edge, Hayes, Krasnoff, Parker; Ward and Willis.

Voting no: None

James E. Bellamy & Harold C. Gastler was reappointed to the Economic Development Authority.

APPOINTMENTS TO BOARDS AND COMMISSIONS

A. Port Authority – 1 appointment

Vice Mayor Parker noted that the appointment was continued from the July 24, 2007 City Council Meeting. Interviews were conducted prior to the August 14, 2007 work session. Vice Mayor Parker asked each Council Member to vote for one nominee.

The nominees were Douglas Higginbotham and Robert F. Sharak.

Douglas Higginbotham received four votes from Council Members de Triquet, Edge, Krasnoff and Willis.

Robert F. Sharak received five votes from Council Members Adams, Collins, Hayes, Parker and Ward.

Robert F. Sharak was appointed to the Port Authority.

B. Hampton Roads Planning District Commission – 1 appointment

Mayor Edge nominated City Manager William E. Harrell to the Hampton Roads Planning District Commission.

Council Member Collins, 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, de Triquet, Edge, Hayes, Krasnoff, Parker, Ward and Willis.

Voting no: None

City Manager William Harrell was appointed to the Hampton Roads Planning District Commission.

REQUEST FOR CLOSED SESSION

City Attorney Hallman provided the following language for consideration of the first Closed Session topic: “to consult with legal council pertaining to actual or probable 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 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, Krasnoff, Hayes, Parker, Ward and Willis.

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

City Hallman provided the following language for consideration of the second Closed Session topic; “to discuss the acquisition of real property for a public purpose where discussion in open session would adversely affect the bargaining position of the City, pursuant to Virginia Code Section 2.2-3711 A.3.’

Council Member Ward, on a motion seconded by Vice Mayor Parker, moved approval of the consideration for the second Closed Session topic.

There was no discussion.

On the motion for approval of the consideration for the second Closed Session topic, voting yes: Council Members Adams, Collins, de Triquet, Edge, Hayes, Krasnoff, Parker, Ward and Willis.

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

CLOSED SESSION

City Council recessed at 8:40 p.m. and went into Closed Session at 8:47 p.m. They reconvened at 10.00 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 closed meeting were heard, discussed or considered by the City Council.”

Vice Mayor Parker, on a motion seconded by Council Member Ward, moved certification of the Closed Session discussions.

There was no discussion.

On the motion to approve certification of the Closed Session discussions, 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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ADJOURNMENT

There being no further business for consideration, Mayor Edge adjourned the meeting at 10:01 p.m.

/smu

Mayor

Attest:

City Clerk