

A Regular Work Session of the Chesapeake City Council was held September 11, 2007, at 4:00 p.m., in the City Hall Building, 306 Cedar Road.

Present: Council Member Rebecca Adams (arrived at 4:12 p.m.)
Council Member Bryan Collins (arrived at 4:05)
Mayor Dalton S. Edge
Council Member Clifton E. Hayes, Jr.
Council Member Alan Krasnoff (arrived at 4:05)
Vice Mayor Dwight M. Parker (arrived at 4:07 p.m.)
Council Member Ella P. Ward
Council Member Patricia Pritchard Willis (arrived 4:33 p.m.)

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

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

Also present: Commission of Revenue Chief Deputy Frank King

The Following Topics were discussed during the Work Session:

- 1) Tax Relief for the Elderly
- 2) Public Private Educational Facilities Infrastructure Act (PPEA)
- 3) Landing West Crossing HRSD Force Main Service Area Expansion Request

The Work Session adjourned at 4:35 p.m.

/smu

A Regular Meeting of the Chesapeake City Council was called to order by Mayor Dalton S. Edge on September 11, 2007, at 6:30 p.m. in the City Hall Building, 306 Cedar Road.

INVOCATION: Pastor Moses Asamoah, Light of Life Christian Center

PLEDGE OF ALLEGIANCE: Vice Mayor Dwight M. Parker

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 10:32)
Mayor Dalton S. Edge
Council Member Clifton E. Hayes, Jr.
Council Member Alan P. Krasnoff (arrived at 6:32 p.m. excused at 10:30 p.m.)
Vice Mayor Dwight M. Parker
Council Member Ella P. Ward
Council Member Patricia Pritchard Willis (arrived 6:35 p.m.)

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 the minutes from the November 28, December 12 and December 19, 2006 Work Sessions and Regular Meetings were presented for approval.

Council Member Ward, on a motion seconded by Vice Mayor Parker, moved approval of the minutes from the November 28, December 12 and December 19, 2006 Work Sessions and Regular Meetings as presented.

There was no discussion.

On the motion for approval of the minutes from the November 28, December 12 and December 19, 2006 Work Sessions and Regular Meetings as presented, voting yes: Council Members Adams, Collins, de Triquet, Edge, Hayes, Parker and Ward.

Voting no: None (Council Members Krasnoff and Willis were out of the chamber)

PROCLAMATION - INTERNATIONAL HOUSEKEEPERS WEEK

Mayor Edge called Executive Housekeeper Ralph Gainey to the podium to accept the Proclamation read by City Clerk Moore. Mr. Gainey stated that International Housekeepers Week was September 9-15, 2007 and recognized the City of Chesapeake housekeepers present in the Chamber.

PROCLAMATION – CHESAPEAKE PARENT TEACHER ASSOCIATION COUNCIL (PTA)

Mayor Edge called Chesapeake Parent Teacher Association (PTA) President Joan Smith to the podium to accept the Proclamation read by City Clerk Moore. Ms. Smith noted that September 2007 was PTA Membership Month. Accompanying Ms. Smith were Corresponding Secretary Karen Fellows and 1st Vice President Brenda Kellam. Mayor Edge recognized Clerk of the Chesapeake School Board Alan Vaughan and Schools Ombudsman Thomas Cupitt who were in attendance.

PROCLAMATION – VIRGINIA STATEWIDE NEIGHBORHOOD CONFERENCE

Mayor Edge called Neighborhood Services Coordinator Theo McClammy, to the podium to receive the Proclamation read by City Clerk Moore. Pat Faircloth, representing Chesapeake Council of Civic Organizations and Senior Neighborhood Resources Specialist Sheri Arnold accompanied Mr. McClammy. Mr. McClammy advised that the City of Chesapeake would host the 8th Annual Virginia Statewide Neighborhood Conference September 20-22, 2007 and encouraged all residents to participate.

PROCLAMATION – CONSTITUTION WEEK

Mayor Edge called Daughters' of the American Revolution, Fort Nelson Chapter Member, Margaret Windley to the podium to accept the Proclamation read by City Clerk Moore. Ms. Windley was accompanied by Daughters' of the American Revolution member Lenelle Janis and advised that the week of September 17-23, 2007 was Constitution Week. Ms. Windley presented Council Members with a copy of the Preamble to the Constitution of the United States of America.

Council Member Adams offered comments and stated that all of the City's schools would be celebrating Constitution Day and Citizenship Day on September 17, 2007.

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-058** RESOLUTION CONFIRMING THE AUTHORIZATION OF THE CITY MANAGER AND CITY CLERK TO EXECUTE A DEED OF SPECIAL WARRANTY TO WALLACE G. CAHOON, WHICH DEED CONVEYS 0.0879 ACRE, MORE OR LESS, OF CERTAIN PROPERTY LOCATED IN THE DEEP CREEK BOROUGH OF THE CITY OF CHESAPEAKE, VIRGINIA, AND ALSO CONVEYS THE CITY'S INTEREST IN THAT SECTION OF OLD BELLS MILL ROAD WHICH WAS PREVIOUSLY VACATED

City Clerk Moore presented the item.

Mayor Edge asked City Attorney Hallman to provide a brief history of the property; Mr. Hallman responded with an overview of the property conveyance.

He stated that approval of the Resolution was needed by City Council before the final closing with Mr. Cahoon on the site which is being purchased for the Tidewater Community College (TCC) expansion.

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

Council Member Willis offered brief comments on the expansion of Tidewater Community College (TCC).

Mayor Edge thanked everyone involved in the expansion process.

Council Member Adams noted that TCC was the fastest growing Community College in the State of Virginia and this was an opportunity to complete one of Council's goals.

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-142** ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHESAPEAKE, VIRGINIA, AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION SCHOOL BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$10,000,000 AND RATIFYING THE FILING OF AN APPLICATION WITH THE VIRGINIA PUBLIC SCHOOL AUTHORITY-DEPARTMENT OF FINANCE/CHESAPEAKE PUBLIC SCHOOLS

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

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

Council Member Hayes requested that Finance Director Nancy Tracy come to the podium for questions and asked her to provide information on the item.

Ms. Tracy stated that the Ordinance was asking for authorization to request financing from the Virginia Public School Authority. The funds would be designated for the third phase of the new Oscar Smith Middle School.

Council Member Willis commented on the bond issuance and inquired about the anticipated opening date of the new Oscar Smith Middle School (OSMS).

Mayor Edge asked Chesapeake Schools Assistant Superintendent for Budget and Finance Victoria Lucente to the podium to respond to Council Members Willis' question. Ms. Lucente stated the ground breaking would be on September 13, 2007 at 4:40 p.m. on the school site and the projected opening date for the school is September, 2009.

Council Member Ward made brief comments concerning the new Oscar Smith Middle School.

Council Member Hayes noted the importance of the Tax Increment Financing (TIF) program to facilitate projects like the new Oscar Smith Middle School with revenues generated in that area of the City to be used to revitalize the area.

There was no further discussion.

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

Voting No: None

C. **#07-O-143** AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS OF THE CITY OF CHESAPEAKE, VIRGINIA, IN THE MAXIMUM PRINCIPAL AMOUNT OF \$35,100,000 PURSUANT TO SECTION 6.05 OF THE CITY CHARTER – DEPARTMENT OF FINANCE

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

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

Council Member Adams requested that Finance Director Nancy Tracy come to the podium for questions. She asked Ms. Tracy how the funds would be distributed since there were no named or identified projects.

Ms. Tracy advised that the request was to provide the authority to issue the bonds but not the authority to incur the debt.

Council Member Adams questioned the urgency of the item and asked Ms. Tracy to explain why the request was taking place now. Ms. Tracy advised Council Members that without approval, the authority to issue the debt would expire on December 31, 2007. She noted that by approving the authority the funds could be used for any project within the City, especially if an emergency need occurred.

Council Members Ward and Willis offered comments on having the authority to issue General Obligation Public Improvement Bonds should the need come up.

City Manager Harrell explained that the funds could be applied to various projects, as needed, and the Fiscal Year 2008 Budget process would be the actual driver of the projects going forward.

Council Member Willis asked if the amount was the maximum allowed for debt in the current fiscal year. Finance Director Tracy confirmed that it was the maximum amount.

On the motion for approval of the Ordinance 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 speakers on agenda items.

Laura Gilbert, 2448 Johnstown Road, representing the Chesapeake Animal Control Advisory Board, spoke in support of City Manager Item **(10)**.

City Clerk Moore identified the following speakers who were available for questions.

Warren Greth, 901 Cary Street, Richmond, VA, representing Dominion Virginia Power, in support of City Manager Item **(8)**.

Max Bartholomew, 4901 Princess Anne Rd, VB, representing Dominion Virginia Power, in support of City Manager Item **(8)**.

Raymond Smith, 1001 W. Morehead Sq Dr., Charlotte, NC representing Wood Partners, in support of City Attorney Item **(3)**.

CONSENT AGENDA

City Clerk Moore read the Consent Agenda items 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.

Council Member Adams requested that City Manager Items **(4)** and **(6)** be removed from the Consent Agenda for consideration under the Regular Agenda.

Council Member Collins, on a motion seconded by Council Member Willis, moved approval of the Consent Agenda as presented, with the exception of City Manager Items **(4)** and **(6)**.

There was no discussion.

On the motion for approval of the Consent Agenda as presented, with the exception of City Manager Items **(4)** and **(6)**, voting yes: Council Member Adams, Collins, de Triquet, Edge, Hayes, Krasnoff, Parker, Ward and Willis.

Voting No: None

City Clerk Items

2. RESIGNATIONS

- a. James W. McElroy, Chesapeake Historic Preservation Commission
- b. Barbara B. Robinson, Chesapeake Commission for the Prevention of AIDS

3. REFUNDS

- a. Office Max, Inc., \$4,632.68
- b. Slam Properties II, LLC, \$2,685.97
- c. VFS Lease Residual Holding, LLC, \$6,058.80
- d. MRK Hospitality Inc., \$2,755.75

City Manager Items

- (1) **#07-R-059** CONSIDERATION OF A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A GRANT WITH THE VIRGINIA DEPARTMENT OF HISTORIC RESOURCES TO UPDATE THE SOUTH NORFOLK LOCAL HISTORIC DISTRICT GUIDELINES AND PROVIDE A REPORT FOR REVISIONS TO THE NATIONAL REGISTER OF HISTORIC PLACES AND VIRGINIA LANDMARKS REGISTER – DEPARTMENT OF PLANNING
- (2) **#07-O-144** REQUEST FOR APPROPRIATION OF \$16,630 IN COMMUNITY CORRECTIONS PROGRAM FUND BALANCE FUNDS FOR TEMPORARY CLERICAL SUPPORT – OFFICE OF THE SHERIFF
- (3) **#07-O-145** REQUEST FOR APPROPRIATION OF \$30,000 IN FY 07-08 SELECTIVE ENFORCEMENT GRANT FUNDS AWARDED BY THE DIVISION OF MOTOR VEHICLES – POLICE DEPARTMENT
- (4) REQUEST FOR APPROPRIATION OF \$100,000 OF VIRGINIA MILITARY STRATEGIC RESPONSE GRANT FUNDS FOR USE IN THE PURCHASE OF APPROXIMATELY 350 ACRES OF LAND LOCATED IN THE FENTRESS AIRFIELD INTERFACILITY TRAFFIC AREA – DEPARTMENT OF PLANNING

This item was considered under the regular agenda.

- 5) **#07-O-146** REQUEST FOR APPROPRIATION OF \$202,589 IN 2007 JUSTICE ASSISTANCE GRANT FUNDS AWARDED BY THE U. S. DEPARTMENT OF JUSTICE – POLICE DEPARTMENT
- (6) CONSIDERATION OF A RESOLUTION APPROVING AN ECONOMIC DEVELOPMENT INVESTMENT GRANT TO LTD MANAGEMENT COMPANY, LLC AND TRANSFERRING APPROPRIATED FUNDS THEREFOR – DEPARTMENT OF ECONOMIC DEVELOPMENT

This item was considered under the regular agenda.

REGULAR AGENDA

CITY MANAGER ITEMS

- (4) **#07-O-147** REQUEST FOR APPROPRIATION OF \$100,000 OF VIRGINIA MILITARY STRATEGIC RESPONSE GRANT FUNDS FOR USE IN THE PURCHASE OF APPROXIMATELY 350 ACRES OF LAND LOCATED IN THE FENTRESS AIRFIELD INTERFACILITY TRAFFIC AREA – DEPARTMENT OF PLANNING

City Manager Harrell presented the item.

Council Member Adams stated that the appropriation was grant money and was not funding by the City. Dr. Adams noted that the item was part of a previous commitment made by the City during the last Base Realignment Commission process and to also provide more open space in the City to limit growth near the OLAF Fentress Airfield area.

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

Council Member Willis spoke to the funding of the project and commitment of the City's Open Space Program. Council Member Willis requested information on the balance of funds in the Open Space Program Fund and asked for an explanation of the origin of the Small Department Grant Fund. City Manager Harrell stated a report would be provided to Council on the Open Space Program Fund and asked Budget Director Betty Meyer to the podium to respond to the inquiry on the Small Department Grant Fund.

Dr. Meyer explained that the Small Department Grant Fund began in 2006/07 because small departments sometimes did not have the necessary funding match needed to apply for and obtain grants available to the City

There was no further discussion.

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

Voting no: None .

(6) **#07-R-060** CONSIDERATION OF A RESOLUTION APPROVING AN ECONOMIC DEVELOPMENT INVESTMENT GRANT TO LTD MANAGEMENT COMPANY, LLC AND TRANSFERRING APPROPRIATED FUNDS THEREFOR – DEPARTMENT OF ECONOMIC DEVELOPMENT

City Manager Harrell presented the item.

Council Member Adams stated that she had requested the item be removed from the Consent Agenda because of the amount of the grant and to clarify the Investment Grant Program. She requested that Acting Economic Development Director Tom Elder come to the podium to explain the Economic Investment Grant.

City Manager Harrell called Mr. Elder to the podium.

Mr. Elder offered an explanation of the Grant Incentive Program and noted that this grant would be awarded over a thirty-month period to LTD Management Company, LLC, as the criteria was completed.

Council Member Adams, on a motion seconded by Council Member Collins, moved for approval of the Resolution and the transfer of appropriated funds, as presented.

Council Member Willis asked where the City got the monies for the Economic Investment Grants.

Mr. Elder explained that the funds for the Economic Investment Grants are acquired entirely from the sales tax generated by cigarette sales in the City.

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

Voting no: Council Member Willis

(7) **#07-R-061** CONSIDERATION OF A RESOLUTION PROVIDING FOR THE ISSUANCE OF GENERAL OBLIGATION SCHOOL BONDS, SERIES 2007B, OF THE CITY OF CHESAPEAKE, VIRGINIA, IN A PRINCIPAL AMOUNT NOT TO EXCEED \$10,000,000 TO BE SOLD TO THE VIRGINIA PUBLIC SCHOOL AUTHORITY AND PROVIDING FOR THE FORM AND DETAILS THEREOF – DEPARTMENT OF FINANCE/CHESAPEAKE PUBLIC SCHOOLS

City Manager Harrell presented the item.

Council Member Ward, on a motion seconded by Vice Mayor Parker, moved 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, Ward and Willis.

Voting no: None

(8) **#07-R-062** CONSIDERATION OF A RESOLUTION APPROVING THE ISSUANCE OF POLLUTION CONTROL REFUNDING REVENUE BONDS FOR VIRGINIA ELECTRIC AND POWER COMPANY IN AN AMOUNT NOT TO EXCEED \$40,000,000 – DEPARTMENT OF ECONOMIC DEVELOPMENT

City Manager Harrell presented the item.

Council Member Hayes, on a motion seconded by Vice Mayor Parker, moved 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, Ward and Willis.

Voting no: None

(9) **#07-O-148** 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 INCREASE THE SALARY GRADE FOR THE CLASSIFICATION OF CHIEF INFORMATION OFFICER FROM 43 TO 44 – DEPARTMENT OF HUMAN RESOURCES

City Manager Harrell presented the item.

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

Council Member Willis asked for an explanation of the requested title and classification change and why not have the position be a Deputy City Manager.

There was no further discussion.

City Manager Harrell explained that the primary responsibilities of a Chief Information Officer would be more of an Information Systems Officer than those of a Deputy City Manager.

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

Voting no: None

(10) **#07-O-149** 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 ANIMAL CONTROL SUPERINTENDENT, DELETE THE CLASSIFICATION OF ANIMAL CONTROL COORDINATOR, AND INCREASE THE PAY GRADES OF THE CLASSIFICATIONS OF ANIMAL CONTROL OFFICER I, ANIMAL CONTROL OFFICER II AND ANIMAL CONTROL SUPERVISOR – DEPARTMENT OF HUMAN RESOURCES

City Manager Harrell presented the item.

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

Council Member Ward spoke about her support of the proposed changes and commented on the outstanding services performed by of the City's Animal Control Officers.

Council Member Willis stated that the current Animal Control facility was inadequate and requested a report on the status of the proposed new facility.

City Manager Harrell asked Deputy City Manager Amar Dwarkanath for an update on the new facility.

Mr. Dwarkanath stated that the plan was to increase the existing facility by adding trailers for the staff and using the current facility for the housing of the animals. He noted that additional land may be purchased to expand the facility in the future. Mr. Dwarkanath added that the project was still in the design phase and a report would be forthcoming for the Council.

City Manager Harrell advised that a comprehensive report would be provided to Council. Mr. Harrell also stated that one of the present administration's goals was to execute all projects in an expeditious manner.

There was no further discussion.

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

Voting no: None

(11) **#07-R-063** CONSIDERATION OF A RESOLUTION ADOPTING A POLICY PROVIDING FOR THE PURCHASE OF TRANSPORTATION IMPROVEMENTS UNDER CERTAIN CRITERIA AND PROCEDURES – CITY MANAGER’S OFFICE

City Manager Harrell presented the item.

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

There was no 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

(12) CONSIDERATION OF A REQUEST FROM LANDING WEST CROSSING, LC FOR THE EXPANSION OF THE HAMPTON ROADS SANITATION DISTRICT (HRSD) FORCE MAIN SERVICE AREA FOR THE LANDING WEST CROSSING SUBDIVISION – DEPARTMENT OF PUBLIC UTILITIES (*continued from the August 14, 2007 City Council Meeting*)

City Manager Harrell presented the item.

Council Member Collins, on a motion seconded by Council Member Parker, moved for a 30-day continuance to the October 9, 2007 City Council Meeting.

Council Member Krasnoff asked if there would be a 2232 review. Mr. Hallman advised that it would be a requirement for the project. Council Member Krasnoff questioned City Attorney Hallman about the Shillelagh Road Interceptor. Dr. Krasnoff expressed grave concerns with the City continuing to move forward with the expansion request stating that the approval would provide the opportunity for the Shillelagh Road Interceptor to come online sooner than anticipated. Dr. Krasnoff requested a representative of the Landing West Crossing project to come to the podium for questions.

There was extensive discussion between City Manager Harrell and Council Members concerning the expansion request and the effect it would have on the future development of the Shillelagh Road Interceptor.

Mayor Edge asked Shepelle Watkins-White, representing Kaufman and Canoles for the Landing West Crossing project to come to the podium to address questions from Council on the expansion request.

Ms. Watkins-White offered comments supporting the continuance of the expansion request to allow more time to study the impact of the request.

Council Member Krasnoff, on a substitute motion seconded by Council Member Willis, moved for denial of the expansion request.

Council Members Hayes and Collins stated their inability to support denial of the expansion in order for City Manager Harrell to have more time to

study the overall area needs and bring additional information back to Council on the expansion request.

There was additional discussion between Council members and staff on the Shillelagh Road Interceptor and the Transportation Corridor Overlay District (TCOD) area.

There was no further discussion.

On the substitute motion for denial, voting yes: Council Members de Triquet, Krasnoff and Willis.

Voting no: Council Members Adams, Collins, Edge, Hayes, Parker and Ward.

The motion for denial failed.

On the main motion to continue the expansion request to the October 9, 2007 City Council Meeting, voting yes: Council Member Adams, Collins, de Triquet, Edge, Hayes, Parker, Ward and Willis.

Voting no: Council Member Krasnoff

City Attorney Items

City Attorney Hallman presented the item.

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

Mayor Edge requested City Treasurer Barbara Carraway to the podium to clarify the item.

City Treasurer Barbara Carraway advised that approval of the Annual Submission of Delinquent and Uncollectible Tax Lists allows the City Treasurers' Office to continue efforts to collect delinquent taxes. She also stated the City has a 99.7% successful collection rate of delinquent taxes with the write-offs decreasing every year.

Council Member de Triquet, on a motion seconded by Council Member Collins, moved approval of the City Treasurer's request to write off accounts listed under Items #1, #4, and #5, and approval to continue tax collection efforts for delinquent taxes as outlined in Items #2 and #3 until the applicable statute of limitations expires.

Council Member Willis requested a report from Ms. Caraway in reference to tax revenue generated by the additional staff for the Treasurer's Office. Ms. Carraway stated that a memo would be forwarded to Council containing the amounts of taxes collected.

Vice Mayor Parker inquired about a list of the properties that were delinquent on their taxes and may be available for purchase.

There was no further discussion.

On the motion for approval of the City Treasurer's request to write off accounts listed under Items #1, #4, and #5, and approval to continue tax collection efforts for delinquent taxes as outlined in Items #2 and #3 until the

applicable statute of limitations expires, voting yes: Council Member Adams, Collins, de Triquet, Edge, Hayes, Krasnoff, Parker, Ward and Willis.

Voting no: None

(2) **#07-R-064** RESOLUTION ADOPTING GUIDELINES FOR REVIEWING AND APPROVING PROPOSALS RECEIVED UNDER THE VIRGINIA PUBLIC-PRIVATE EDUCATION FACILITIES AND INFRASTRUCTURE ACT OF 2002.

City Attorney Hallman presented the item.

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

There was no 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

(3) **#07-R-065** RESOLUTION APPROVING THE ISSUANCE OF TAX EXEMPT MULTI-FAMILY HOUSING REVENUE BONDS BY THE CHESAPEAKE REDEVELOPMENT AND HOUSING AUTHORITY IN AN AMOUNT ESTIMATED AT \$20 MILLION AND ALSO APPROVING THE ISSUANCE OF TAXABLE MULTI-FAMILY HOUSING REVENUE BONDS IN AN AMOUNT ESTIMATED AT \$2 MILLION, TO FINANCE COSTS OF ACQUIRING AND CONSTRUCTING A 192 UNIT MULTI-FAMILY HOUSING DEVELOPMENT KNOWN AS ALTA GREAT BRIDGE APARTMENTS TO BE LOCATED AT 129-153 GREAT BRIDGE BLVD.

City Attorney Hallman presented the item.

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

Council Member Hayes stated that the Affordable Housing Task Force had been created to identify and support affordable housing initiatives within the City; the Alta Great Bridge Apartments was an example of a way to meet the requirements of affordable and work force housing. He also noted that the percentage of affordable units within the complex would be distributed throughout the project and not located in one specific area.

Council Member Ward commented on the necessity of additional affordable housing within the City.

Council Member Willis inquired if there had been an agreement between Chesapeake Redevelopment and Housing Authority (CRHA) and the Alta Bay developers prior to the application coming to Council.

City Attorney Hallman invited CRHA Deputy Executive Director Dewayne Alford to the podium to answer the questions.

Mr. Alford asked the developer, Raymond Smith, representing Wood Partners, to explain the CRHA funding. Mr. Smith stated that these funds made

it possible to offer more affordable units within each project and the two million dollars would be reimbursed to CRHA upon completion of the project.

There was additional discussion between Council Member Willis, Mr. Alford and Mr. Smith on the project and CRHA's involvement.

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

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

City Clerk Moore identified the following speakers:

Joshua Gerloff, 1001 Amberdale Drive, Chairman of the Parks and Recreation Advisory Board, spoke on projects supported by the Parks and Recreation Department.

Stevens Johnson, 632 Aquila Drive, Member of the Parks and Recreation Advisory Board, spoke on the safety of children while at public facilities and recreation centers.

Bob Hunter, 1515 Philmont Avenue, was not present when called.

David Champaco, 1105 Battery Circle, spoke on the proposed Ethanol Plant.

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

Thomas Arrington, 305 Stonewood Court, representing Chesapeake Citizens for Fair Real Estate Tax, spoke on the proposed Ethanol Plant.

Marvin Hill, 812 Middle Street, representing the South Hill Civic League, spoke on the proposed Biodiesel Plant.

Mayor Edge advised that the proposed Biodiesel Plant Use Permit would be heard by City Council on September 18, 2007. Mayor Edge stated that the proposed Ethanol Plant Use Permit had been delayed and would be heard by the Planning Commission on October 10, 2007 and the item would be on the November 20, 2007 City Council Agenda.

Council Member Collins requested that City Manager Harrell schedule a meeting with South Hill Civic League member Marvin Hill, and other representatives of South Hill to discuss the proposed Biodiesel Plant. Council Member Collins also announced that Budget Week would be October 1-4, 2007.

Mayor Edge asked City Attorney Hallman if there was a legal way to prevent child predators from entering public facilities and if the City needed an Ordinance to enforce such an action.

City Attorney Hallman stated that he would research the legalities.

Mayor Edge recommended that the issue could be included in the City's 2008 Legislative Package.

Mayor Edge relinquished the gavel to Vice Mayor Parker.

Council Member Hayes commented on the proposed Biodiesel project and access issues for the South Hill residents if the project was approved. Council Member Hayes also expressed concerns about the number of continuances involving the Ethanol Plant Use Permit application. Concerning child predators, Mr. Hayes expressed the need to investigate how online crimes are investigated and questioned the policies of the Police Department to monitor such activity.

Council Member Willis expressed her appreciation to the South Hill residents, the Elizabeth River Project members and the Biodiesel representatives for their input and work to develop stipulations to protect the Elizabeth River. She stated that she had asked the Biodiesel representatives to meet with the South Hill residents on the project. City Manager Harrell advised that the city would help to set-up a meeting with the South Hill Civic League and the developer.

Vice Mayor Parker invited South Hill resident Marilyn Collins to the podium.

Marilyn Collins expressed her concerns about long term effects on the children in the area from pollutants and the traffic if the proposed Biodiesel plant is approved.

Council Member Collins thanked Joshua Gerloff and Stevens Johnson, Parks and Recreation Advisory Committee members, for presenting their concerns to Council. He also mentioned that the City Council and staff would be holding Budget Meetings for the public October 1-4, 2007 around the City.

Vice Mayor Parker relinquished the gavel back to Mayor Edge.

COMMITTEE REPORTS/OLD AND NEW BUSINESS

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

Council Member Willis asked if the Budget Meetings scheduled for the week of October 1-4, 2007 would be open for discussion with citizens and suggested heavy advertising for those meetings.

City Manager Harrell advised that citizen participation is highly encouraged.

Council Member Willis thanked the Parks and Recreation Advisory Committee members for being so informative.

Council Member Ward requested that an item be placed on the September 18, 2007, City Council Agenda to provide additional funding from the City Council Contingency Fund for the Virginia Scholarship and Youth Foundation. Dr. Ward thanked City Manager Harrell and others involved in expediting the installation of the stop light at Ahoy Acres on Airline Boulevard. She noted her attendance at the 10th Anniversary of the Chesapeake Conference Center on September 17, 2007 and acknowledged the name change of Chesapeake General Hospital to Chesapeake Regional Medical Center.

September 11, 2007

Council Member Hayes stated that as a member of the Hampton Roads Transportation Authority (HRTA), he would be working with the other members to make recommendations to the Authority for changes to House Bill 3202. Mr. Hayes also announced that the City of Chesapeake had been recognized as one of the Top 100 Safe and Healthy Communities for Young People by America's Promise Alliance for Young People.

Council Member Collins noted his attendance at a recent South Norfolk Civic League meeting where issues were raised about suspected gang activity in Lakeside Park effecting maintenance of the park by the Parks and Recreation Department. He requested more Police presence in the area. Mr. Collins also stated the need for more recreational facilities for youth in the South Norfolk area. Council Member Collins reported that the 2nd Precinct Advisory Committee had provided a list of initiatives for the South Norfolk area that the Committee would like to see reviewed for implementation. . Council Member Collins asked City Manager Harrell for a review of the Comprehensive Plan adopted in 2005 and stated that revisions may be in order.

Council Member Adams offered an explanation for the name change of Chesapeake General Hospital to Chesapeake Regional Medical Center stating that the Chesapeake Hospital Authority wanted to reflect what was happening with the hospital and its affiliated facilities because of the extensive care given to patients throughout the entire region. Dr. Adams suggested that the City look at the purchasing of its own outdoor equipment for special events to possibly save some money on rental of equipment for outdoor activities.

Mayor Edge requested that City Manager Harrell look into drafting a formal lease agreement between the City and the Wallaceton Ruritan Club at the old Gertie School.

Vice Mayor Parker thanked City Manager Harrell and city staff for the quick response in the placement of the traffic light at Ahoy Acres on Airline Boulevard; he asked that a letter be sent to the contractor complimenting his completion of the project in a timely manner.

Council Member Willis addressed the lack of compliance by car dealerships in the City that are placing automobiles in the rights of way along the roads and asked for Ordinance amendments to the existing Zoning Codes to fine offenders and possibly requiring shrubbery at the dealerships.

Council Member Ward asked that an item be included in the City's 2008 Legislative Package to ask the General Assembly to increase the income and asset limits for senior citizens for tax relief programs. She asked that a presentation be made at the September 25, 2007 Work Session.

OLD AND NEW BUSINESS

A. Chesapeake's Elderly and Disabled Tax Relief Program.

1. DISCUSSION OF INCREASING PROGRAM LIMITS FOR THE CITY'S ELDERLY AND DISABLED TAX RELIEF PROGRAM –COUNCIL MEMBER KRASNOFF *(Continued from the May 22, 2007 City Council Meeting)*

Vice Mayor Parker asked Council Member Krasnoff to present the item.

Council Member Krasnoff presented the item and moved for an increase from \$60,000.00 to \$62,000.00 in the income limits and to increase the combined net worth from \$215,000.00 to \$350,000.00 for the City's Elderly and Disabled Tax Relief Program. (There was no second to the motion.)

City Attorney Hallman advised that an Ordinance amendment would be necessary to make the changes requested by Council Member Krasnoff.

Vice Mayor Parker requested that, without objection, City Attorney Hallman bring Council an Ordinance amendment for the increases at a future Council Meeting. There was no objection.

2. DISCUSSION OF POTENTIAL STATE LEGISLATIVE CHANGES TO THE CITY'S ELDERLY AND DISABLED TAX RELIEF PROGRAM – COUNCIL MEMBER WARD *(Continued from the May 22 and June 19, 2007 City Council Meeting)*

Council Member Ward stated she had already addressed the issue of potential changes to the State law on tax relief to raise the income and net worth limits for senior citizens. No action was taken on the item.

3. TRANSFER OF \$100,000.00 FROM THE CITY COUNCIL CONTINGENCY FUND TO THE NON-DEPARTMENTAL BUDGET LINE FOR THE REAL ESTATE TAX RELIEF PROGRAM FOR ELDERLY AND DISABLED CITIZENS FOR THE UPCOMING PROGRAM YEAR - COUNCIL MEMBER KRASNOFF *(Continued from the July 10, 2007 City Council Meeting)*

Council Member Krasnoff asked to withdraw the transfer of \$100,000 from the City Council Contingency Fund for the City's Elderly and Disabled Tax Relief Program citizens, based on the work session discussion earlier in the afternoon. He also thanked Council Members de Triquet, Parker and Willis for their support of the item.

Vice Mayor Parker stated that, without objection, the item would be withdrawn at Council Member Krasnoffs' request.

Mayor Edge revisited the issue of child predators in public facilities and requested that City Attorney Hallman research including an initiative in the City's 2008 Legislative Package to ask the General Assembly to approve legislation to prohibit sex offenders and pedophiles from having access to parks and recreational facilities in the State.

Mayor Edge relinquished the gavel to Vice Mayor Parker.

NOMINATIONS TO BOARDS AND COMMISSIONS

A. Planning Commission - 1 appointment

Council Member Ward nominated Sandi B. Hutchinson.

Council Member Krasnoff nominated William C. Small.

Council Member Ward, on a motion seconded by Council Member Collins, moved to close nominations.

There was no discussion.

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

Voting no: None

Vice Mayor Parker stated that interviews and appointment to the Planning Commission would be held on September 18, 2007.

Vice Mayor Parker relinquished the gavel back to Mayor Edge.

Council Member Krasnoff was excused at 10:30 p.m.

REQUEST FOR CLOSED SESSION

City Attorney Hallman provided the following language for consideration of the first Closed Session topic; "to discuss the performance of a specific public officer, pursuant to Virginia Code Section 2.2-3711 A.3.1."

Vice Mayor Parker, on a motion seconded by Council Member Ward, moved approval of the request for the first Closed Session item.

There was no discussion.

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

Voting no: None (Council Member Krasnoff excused)

City Attorney Hallman provided the following language for consideration of the second 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, 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 second Closed Session item.

There was no discussion.

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

Voting no: None (Council Member Krasnoff excused)

Council Member de Triquet excused at 10:32 p.m.

CLOSED SESSION

City Council recessed at 10:32 p.m. and went into Closed Session at 10:45 p.m. They reconvened at 11:02 p.m.

September 11, 2007

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."

Council Member Collins, on a motion seconded by Council Member Ward, moved approval of the certification of the Closed Session topics.

There was no discussion.

On the motion for approval of the Certification of the Closed Session topics, voting yes: Council Members Adams, Collins, Edge, Hayes, Parker, Ward and Willis.

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

ADJOURNMENT

There being no further business for consideration, Mayor Edge adjourned the meeting at 11:04 p.m.

/smu

Mayor

Attest:

City Clerk