

A Regular Work Session of the Chesapeake City Council was held September 25, 2007, at 5:00 p.m., in the City Hall Building, 306 Cedar Road.

Present: Council Member Rebecca Adams
Council Member Bryan Collins (arrived 5:03 p.m.)
Mayor Dalton S. Edge
Council Member Clifton E. Hayes, Jr.
Council Member Alan P. Krasnoff (arrived 5:22 p.m.)
Council Member Ella Ward (arrived 5:05 p.m.)

Absent: Council Member John M. de Triquet
Vice Mayor Dwight M. Parker
Council Member Patricia Pritchard Willis

Present from Administration: City Manager William Harrell, City Attorney Ronald Hallman, Deputy City Manager Wanda Barnard-Bailey, Assistant to the City Manager Mary Ann Saunders, and Human Resources Director Mary Bullock.

The Following Topics were discussed during the Work Session:

- 1) Draft Legislative Package/Federal Updates
- 2) Overtime Policy
- 3) City Manager Updates

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

/vfm

Regular City Council Meeting
September 25, 2007

A Regular Meeting of the Chesapeake City Council was called to order by Mayor Dalton S. Edge on September 25, 2007, at 6:30 p.m. in the City Hall Building, 306 Cedar Road.

INVOCATION: Pastor Ben Bonnici, Cedar Road Assembly of God Church

PLEDGE OF ALLEGIANCE: Council Member Ella P. Ward

ROLL CALL BY CLERK OF COUNCIL

Present: Council Member Rebecca C. W. Adams
Council Member Bryan L. Collins
Mayor Dalton S. Edge
Council Member Clifton E. Hayes, Jr.
Council Member Alan P. Krasnoff (excused 7:50 p.m.)
Vice Mayor Dwight M. Parker (arrived 8:35 p.m.)
Council Member Ella P. Ward

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

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

APPROVAL OF MINUTES

Mayor Edge advised that the minutes for January 9, and January 16, 2007 Work Sessions and Regular Meetings, and the minutes for the Council Retreat of January 20, 2007 were presented for approval.

Council Member Hayes, on a motion seconded by Council Member Collins, moved to approve the minutes for the January 9, and January 16, 2007 Work Session and Regular Meeting, and the Council Retreat of January 20, 2007, as presented.

There was no discussion.

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

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

PRESENTATION OF PLAQUES – Fine Arts Commission

Mayor Edge invited Fine Arts Coordinator Randy Harrison, to the podium to present plaques to the businesses and individuals who sponsored the 2007 Summer Performance Series of the Fine Arts Commission. Ms. Harrison expressed appreciation to Mayor Edge and Members of Council and made brief remarks on the contributions the sponsors made prior to inviting past Chairman Carole Abramson, and current Chairman Jani Marie Lipps to the podium to make the presentations. Ms. Lipps thanked the sponsors of the four summer series held at Chesapeake City Park on The Bagley Stage.

Plaques were presented to the following sponsors: Chesapeake Friends of the Arts; Walmart; A Statewide Inc.; Cox Communication; Virginia Dominion Power; HSBC; Rose & Womble Realty; and Suntrust; the following sponsors were acknowledged but not present: ABNB Federal Credit Union, Chesapeake Women's Division of the Chamber of Commerce, Chubb Group of Insurance Companies, Givens Group Inc., Hampton Roads Magazine, Higgerson & Buchanan Inc., NAE Federal Credit Union, Mitsubishi Chemical America Inc., Site Concepts LLC, Stage Tech Services, Sumatuma Drive Tech, Volvo Penta of America Inc., and Virginia Commission for the Arts.

PRESENTATION – Library Advisory Board

Mayor Edge invited Library Board Chairman Margaret "Dale" Harrell to the podium for a presentation involving the 15th Annual Civil War Days, and to present the Chesapeake Public Library's 2006/07 Annual Report. Ms. Harrell thanked Mayor Edge and commented on the 15th Annual Civil War Days event. She noted that over 1500 people attended the this year which was the last year the Library would host the event. Chairman Harrell said the new host would be the Parks and Recreation Department. Ms. Harrell presented the 15 Annual Civil War Days Commemorative coin to Members of Council and noted that the Chesapeake Public Library's 2006/07 Annual Report would be in the Council's Thursday package from the City Manager.

PROCLAMATION – "National Alcohol and Drug Addition Recovery Month"

Mayor Edge called Community Services Board Member Dr. Jeffrey Shelton to the podium to receive the National Alcohol and Drug Addition Recovery Month proclamation read by City Clerk Moore. Dr. Shelton accepted the proclamation and made comments on the devastating affects alcohol and drug abuse have on society and highlighted the different proactive approaches to dealing with these types of abuses such as treatment versus incarceration, education and awareness.

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

There were no speakers prior to the presentation of the public hearing items.

Non-Planning Public Hearing Item

A. RESOLUTION AUTHORIZING THE ACQUISITION BY PURCHASE OR CONDEMNATION OF CERTAIN PROPERTY OWNED BY E. LEE BAYNOR AND MARGARET M. BAYNOR, LOCATED ON CEDAR ROAD IN THE CITY OF CHESAPEAKE TO BE USED FOR THE EXPANSION OF TIDEWATER COMMUNITY COLLEGE.

City Clerk Moore presented the item and identified the following speaker:

Dr. William Ward, 1432 Waterside Drive, representing Tidewater Community College, spoke in support of Non-Planning Public Hearing Item **(A)**.

Mayor Edge advised that action on this item would take place later on the Agenda long with an Appropriation Ordinance which must be approved prior to the Resolution.

B. **#07-O-150** AN ORDINANCE AMENDING CHAPTER 30 OF THE CHESAPEAKE CITY CODE ENTITLED, "FINANCE AND TAXATION," BY ADDING ARTICLE XIX, SECTIONS 30-563, 30-564, 30-565, 30-566, AND 30-567 THERETO, TO CREATE EIGHT (8) SERVICE DISTRICTS WITHIN THE CITY OF CHESAPEAKE TO PROVIDE MORE TIMELY PUBLIC WATER AND/OR SEWER SERVICES TO UNSERVED AREAS IN THE CITY IN ACCORDANCE WITH THE CITY'S COST PARTICIPATION PROGRAM – DEPARTMENT OF PUBLIC UTILITIES

City Clerk Moore identified the following speakers in support of Non Planning Public Hearing Item **(B)**.

Ms. Sherri Simmons, 412 Collington Drive, representing Albemarle Acres Civic League.

Mr. Fred Shelor, 1405 Avon Road, representing Albemarle Acres.

City Manager Harrell responded to Mr. Shelor's concerns regarding the progress of the project noting that the approval of the Public Utility Service District was the first step, and that the connection fee requirements must be satisfied. Mr. Harrell stated that Albemarle Acres had met the requirements and the design process had begun. He advised that the objective was to have all projects completed in a more timely fashion after the appropriations were made.

Mayor Edge asked that Public Utilities Director James Walski come to the podium to address questions raised Mr. Mr. Shelor. Mr. Walski advised that money for the design costs were within the current Capital Improvement Budget (CIB), and staff was in the selection process for consultants. He also noted that \$10 million was in next year's Capital Improvement Budget for construction costs.

City Manager Harrell advised that a time table on the Public Utility Service Districts would be provided to Council Members.

Council Member Ward commended all the communities for meeting the 75% sign-up requirement for residents.

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

There was no further discussion.

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

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

CITIZENS' COMMENTS ON AGENDA ITEMS ONLY

City Clerk Moore advised that there were no speakers on agenda items.

CONSENT AGENDA

City Clerk Moore read the Consent items into the record.

Mayor Edge asked Council Members if there were any items they wished to have removed for consideration under the Regular Agenda.

Council Member Collins requested City Manager Item #4 be moved for consideration under the Regular Agenda.

Council Member Ward, on a motion seconded by Council Member Collins, moved for approval of the Consent Agenda as presented, with the exception of City Manager Item #4.

There was no discussion.

On the motion for approval of the Consent Agenda with the exception of City Manager Item #4, voting yes: Council Members Adams, Collins, Edge, Hayes, Krasnoff, and Ward.

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

City Clerk Item

- (1) RESIGNATION FROM BOARDS AND COMMISSIONS
 - a. Kenneth Fischer – Animal Control Advisory Board

City Manager Items

- (1) **#07-O-151** REQUEST FOR APPROPRIATION OF \$35,654 IN TRAINING ACADEMY FEE REVENUE – POLICE DEPARTMENT
- (2) **#07-O-152** REQUEST FOR APPROPRIATION OF \$67,550 IN DONATIONS RECEIVED FOR PARKS AND RECREATION PROJECTS – DEPARTMENT OF PARKS AND RECREATION
- (3) **#07-O-153** REQUEST FOR APPROPRIATION OF \$289,425 IN SEIZED ASSETS FUNDS ALLOCATED BY THE VIRGINIA DEPARTMENT OF CRIMINAL JUSTICE SERVICES AND THE U.S. DEPARTMENT OF JUSTICE – OFFICE OF THE COMMONWEALTH'S ATTORNEY AND POLICE DEPARTMENT
- (4) REQUEST FOR APPROPRIATION OF \$465,000 IN NEW PARK DEVELOPMENT OPEN SPACE FEES TO VARIOUS PARK IMPROVEMENT PROJECTS FOR THE FY 2008 CAPITAL BUDGET – DEPARTMENT OF PARKS AND RECREATION **(This item was moved to the Regular Agenda for Consideration under the City Manager's items.)**

REGULAR AGENDA

City Clerk Item

- (2) DESIGNATION OF VOTING DELEGATE AND ALTERNATE DELEGATE FOR THE VIRGINIA MUNICIPAL LEAGUE ANNUAL CONFERENCE

City Clerk Moore presented the item, and advised that Council Members Collins and Ward would be attending the entire Virginia Municipal League Annual Conference, while Council Members Adams and Parker would be attending a portion of the Conference.

Council Member Adams, on a motion seconded by Council Member Hayes, moved to designate Council Member Collins as the City's Voting Delegate and Council Member Ward as the City's Alternate Delegate at the Virginia Municipal League's Annual Conference.

There was no discussion.

On the motion to designate Council Member Collins as the City's Voting Delegate and Council Member Ward as the City's Alternate Delegate at the Virginia Municipal League's Annual Conference, voting yes: Council Members Adams, Collins, Edge, Hayes, Krasnoff, and Ward.

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

City Manager Items

(4) **#07-O-154** REQUEST FOR APPROPRIATION OF \$465,000 IN NEW PARK DEVELOPMENT OPEN SPACE FEES TO VARIOUS PARK IMPROVEMENT PROJECTS FOR THE FY 2008 CAPITAL BUDGET – DEPARTMENT OF PARKS AND RECREATION (Moved from the Consent Agenda to the Regular Agenda)

City Manager Harrell presented the item and requested approval.

Council Member Collins commended the Parks and Receptions Department for moving forward on various park improvement projects.

Council Member Collins, on a motion seconded by Council Member Ward, moved approval of the ordinance with removal of the Oak Grove Lake Park project, for a report and additional review by City Council at a later time.

Council Member Ward asked if removing the project would decrease the appropriation by \$160,000 (the amount of the Oak Grove Lake Park Project). City Manager Harrell asked that the full \$465,000 be appropriated, with the Oak Grove Lake Park Project being placed on hold for further consideration and review by City Council.

After a brief discussion between Council Member Collins and City Clerk Moore, Council Member Collins restated his motion as follows:

Council Member Collins, on a motion seconded by Council Member Ward, moved approval of the Ordinance as presented, with removal of the Oak Grove Lake Park project, for a report and additional review by City Council.

On the motion for approval of the Ordinance as presented, with removal of the Oak Grove Lake Park project, and a report and additional review by City Council, voting yes: Council Members Adams, Collins, Edge, Hayes, Krasnoff, and Ward.

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

(5) **#07-O-155** REQUEST FOR APPROPRIATION OF \$456,662 IN ROLLBACK TAXES AND \$3,000 IN STREET CLOSURE REVENUES COLLECTED FROM JULY 2006 TO JUNE 2007 TO THE OPEN SPACE AND AGRICULTURAL PRESERVATION FUND – DEPARTMENT OF PLANNING

City Manager Harrell presented the item.

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

There was no discussion.

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

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

(6) **#07-O-156** REQUEST FOR APPROPRIATION OF \$1,230,578 IN 2007 REPETITIVE FLOOD CLAIMS (RFC) GRANT FUNDS AWARDED BY THE DEPARTMENT OF HOMELAND SECURITY/ FEDERAL EMERGENCY MANAGEMENT AGENCY – FIRE DEPARTMENT

City Manager Harrell presented the item.

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

There was no discussion.

On the motion for approval of the Ordinance as presented, and as an emergency action, voting yes: Council Members Adams, Collins, Edge, Hayes, Krasnoff, and Ward.

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

(7) **#07-R-066** RESOLUTION OF THE CITY COUNCIL OF CHESAPEAKE APPROVING THE PROPOSED ISSUANCE OF CERTAIN REVENUE BONDS BY THE SOUTHEASTERN PUBLIC SERVICE AUTHORITY (SPSA) OF VIRGINIA, A PORTION OF THE PROCEEDS OF THE BONDS TO BE USED TO FINANCE OR REFINANCE FACILITIES LOCATED WITHIN THE CITY – OFFICE OF THE CITY MANAGER

City Manager Harrell presented the item.

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

There was no discussion.

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

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

(8) A. **#07-O-157** 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, SECTION 3.7 THEREOF, TO ELIMINATE HOUR-FOR-HOUR-COMPENSATORY LEAVE – DEPARTMENT OF HUMAN RESOURCES

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

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

Brief discussion occurred between Council Members and City Manager Harrell regarding the annual savings to the City that would occur, disposition of existing compensatory balances, and the effective date of the ordinance.

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

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

B. **#07-O-158** CONSIDERATION OF 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, SECTION 6.7 THEREOF, TO PROVIDE FOR THE CITY'S OBSERVANCE OF THE SAME LEGAL HOLIDAYS AS THE COMMONWEALTH OF VIRGINIA

City Manager Harrell presented the item with an amendment to provide that the City would observe any other legal holiday declared by the Governor of Virginia, and requested emergency approval with an effective date of October 1, 2007.

City Attorney Hallman restated the amendment. He said the amendment would eliminate having to reconsider the ordinance every time a change was made by the Governor to the State Holiday Schedule.

Council Member Collins, on a motion seconded by Council Member Ward, moved approval of the Ordinance as amended to include any other legal holiday declared by the Governor of Virginia, as an emergency action with an effective date of October 1, 2007.

There was brief discussion between Council Member Ward and City Manager Harrell regarding the new Holiday Schedule.

Council Member Collins inquired about the changes to the work day hours along with the new holiday schedule. City Manager Harrell advised that the new City work hours would go into effect on January 1, 2008.

Council Member Adams stated that the School System was not changing the schools' calendar and she would not support the motion.

On the motion for approval of the Ordinance as amended to include any other legal holiday declared by the Governor of Virginia, as an emergency action with an effective date of October 1, 2007, voting yes: Council Members Collins, Edge, Hayes, Krasnoff, and Ward.

Voting no: Council Member Adams. (Council Members de Triquet, Parker and Willis were excused.)

(9) CITY MANAGER UPDATES

City Manager Harrell announced Budget Week in Chesapeake. The Budget Input Meeting dates and times were as follows: Monday, October 1st, South Norfolk Library; Tuesday, October 2nd, Russell Memorial Library; Wednesday, October 3rd, Major Hillard Library; and Thursday, October 4th, Sheriff's Training Room at 6:00 p.m. The Open House and Televised Meeting with the Chesapeake City Council would be held Thursday, October 25th, 5:30 – 8:30 p.m., at the Chesapeake Conference Center.

City Attorney Items

(1) (A) **#07-O-159** REQUEST FOR APPROPRIATION OF \$850,000 FROM THE CITY'S CAPITAL RESERVE TO ACCOUNT 07-09 TCC LAND ACQUISITION PROJECT.

Mayor Edge relinquished the gavel to Council Member Hayes to speak on the item.

City Attorney Hallman presented the item and requested approval.

Mayor Edge, Council Members Adams, Hayes and Collins expressed appreciation to E. Lee Baynor and Margaret M. Baynor for agreeing to sell their property to the City for the expansion of Tidewater Community College (TCC), Chesapeake Campus.

Several Council Members spoke to the growth of the TCC Chesapeake Campus as the fastest growing campus and mentioned that the expansion would enhance TCC's campus and presence in Chesapeake.

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

On the motion for the approval of the Ordinance voting yes: Council Members Adams, Collins, Edge, Hayes, Krasnoff, and Ward.

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

(B) **#07-R-067** RESOLUTION AUTHORIZING THE ACQUISITION BY PURCHASE OR CONDEMNATION OF CERTAIN PROPERTY OWNED BY E. LEE BAYNOR AND MARGARET M. BAYNOR, LOCATED ON CEDAR ROAD IN THE CITY OF CHESAPEAKE TO BE USED FOR THE EXPANSION OF TIDEWATER COMMUNITY COLLEGE.

City Attorney Hallman presented the item.

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

Mayor Edge stated that the land acquisition was not a condemnation, but the Baynor Family was willingly selling the property to the City.

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

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

Council Member Hayes returned the gavel to Mayor Edge.

Council Member Krasnoff was excused at 7:50 p.m.

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

City Clerk Moore identified the following speakers:

R. S. (Bob) Hunter, 1515 Philmont Avenue, representing self, spoke regarding Chesapeake Services #33682 – 1518 Philmont Avenue.

Thomas Arrington, 305 Stonewood Court, representing Chesapeake Citizens for Fair Real Estate Taxes, spoke regarding real estates taxes and the ethanol project.

In response to Mr. Hunter, City Manager Harrell advised that he would look into the matter and provide an update to Council Members.

Deputy City Manager Amar Dwarkanath advised that the Ethanol project was scheduled to be considered by the Planning Commission in October and the City Council in November.

OLD AND NEW BUSINESS

A. CONSIDERATION OF A FUNDING REQUEST IN THE AMOUNT OF \$11,250 FROM THE COUNCIL CONTINGENCY FUND FOR THE VIRGINIA SCHOLARSHIP & YOUTH DEVELOPMENT FOUNDATION - COUNCIL MEMBER WARD (Continued from September 18, 2007 City Council Meeting)

Council Member Ward requested that Old & New Business Item (A) be withdrawn from consideration.

Without objection from City Council, Old and New Business Item (A) was withdrawn from consideration by City Council.

OLD AND NEW BUSINESS/COMMITTEE REPORTS

Council Member Ward offered condolences to former Council Member Edward Speers and his family on the loss of his wife. Dr. Ward noted her attendance at the Groundbreaking of the Gateway at SoNo and the groundbreaking ceremony for the new Fire Station #3 on Rokeby Avenue. She thanked Members of the Fine Arts Commission and the Library Board for their work on Civil War Days and for the services they render to the City of Chesapeake, and Dr. Ward extended appreciation to the Friends of The Arts.

Council Member Collins commended the Department of Public Works on changes made to improve services to the citizens of Chesapeake. He noted his visit to the Customer Call Center with Deputy City Manager Barnard-Bailey and commented on the process of documentation, follow-up, and completion of work orders. Mr. Collins recognized Port Authority Member Bernie Mansfield and stated

that it was the goal and objective of the Port Authority to bring industry to the waterfront. Council Member Collins asked City Manager Harrell to provide City Council the cost to review the City's membership with the National League of Cities.

Council Member Adams commented on the Gateway at SoNo project, noting that the developers had a double silk fence with a sign reading "Keep Out"; but also, "Protect the Trees". Dr. Adams extended kudos to Neighborhood Services Coordinator Theo McClammy and staff for a wonderful job as conference organizers and hosts of the Virginia State Neighborhood Conference. Dr. Adams announced the Hampton Roads Green Building Council was sponsoring the Hampton Roads Sustainable Community Symposium at the Ted Constant Convocation Center and Chesapeake Sustainable Building Task Force would be involved with the Symposium. Council Member Adams thanked the Planning Department for a successful public meeting regarding the Great Bridge Community Plan.

Council Member Hayes advised that Senate Bill 456 had been passed by Congress. He said the bill would provide funding over the next five years to combat gang violence and to protect law abiding citizens and communities.

Mayor Edge advised that the December 25, 2007 City Council meeting needed to be formally cancelled in observance of the Christmas Holiday.

Council Member Collins, on a motion seconded by Council Member Ward, moved to cancel the December 25, 2007 City Council meeting in observance of the Christmas Holiday.

There was no discussion.

On the motion to cancel the December 25, 2007 City Council meeting in observance of the Christmas Holiday, voting yes: Council Members Adams, Collins, Edge, Hayes, and Ward.

Voting no: None (Council Members de Triquet, Krasnoff, Parker and Willis were excused)

APPOINTMENTS TO BOARDS AND COMMISSIONS

Mayor Edge stated that in the absence of Vice Mayor Parker, he would conduct the Boards and Commissions appointments.

A. Chesapeake Historic Preservation Commission – 2 appointments

Council Member Ward nominated George M. Nicholos (Architect). Council Member Collins nominated Trishia H. Hanna.

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

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

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

George M. Nicholos (Architect) and Trishia H. Hanna were appointed to the Chesapeake Historic Preservation Commission.

B. Community Services Board – 2 appointments

Council Member Adams nominated Franklin L. Williams.

Council Member Collins, on a motion seconded by Council Member Ward, moved to closed the nominations, appoint the nominee, and continue the remaining appointment to the October 23, 2007 City Council meeting.

On the motion to close the nominations, appoint the nominees, and continue the remaining appointment to the October 23, 2007 City Council meeting voting yes: Council Member Adams, Collins, Edge, Hayes and Ward.

Voting no: None (Council Members de Triquet, Krasnoff, Parker and Willis were excused.)

Franklin L. Williams was appointed to the Community Services Board. The remaining appointment will be made October 23, 2007.

C. Local Emergency Planning Committee – 5 appointments

Council Member Ward, on a motion seconded by Council Member Collins, moved that the appointments be continued to the October 23, 2007 City Council meeting.

On the motion to continue the appointments to the October 23, 2007 City Council meeting, voting yes: Council Member Adams, Collins, Edge, Hayes and Ward.

Voting no: None (Council Members de Triquet, Krasnoff, Parker and Willis were excused.)

D. Natural Event Mitigation Advisory Committee – 1 appointment

Mayor Edge Nominated James B. Scruggs, Jr. for appointment.

Council Member Collins, on a motion seconded by Council Member Ward, moved that the nominations be closed and the nominee appointed.

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

Voting no: None (Council Members de Triquet, Krasnoff, Parker and Willis were excused.)

James B. Scruggs, Jr. was appointed to the Natural Event Mitigation Advisory Committee.

E. Planning Commission – 1 appointment

The appointment to the Planning Commission was made at the September 18, 2007 City Council meeting.

F. Public Art Committee - 1 appointment

Council Member Collins nominated Dr. Wanda A. Barnard-Bailey (City Manager Representative) for appointment.

Council Member Collins, on a motion seconded by Council Member Ward, moved that the nominations be closed and the nominee appointed.

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

Voting no: None. (Council Members de Triquet, Krasnoff, Parker and Willis were excused.)

Dr. Wanda A. Barnard-Bailey (City Manager Representative) was appointed to the Public Art Committee.

G. Stormwater Committee – 2 appointments

Council Member Collins nominated David E. Glover (Engineer) and Sherrie D. Lucas for appointment.

Council Member Ward, on a motion seconded by Council Member Hayes, moved that the nominations be closed and the nominees appointed.

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

Voting no: None. (Council Members de Triquet, Krasnoff, Parker and Willis were excused.)

David E. Glover (Engineer) and Sherrie D. Lucas were appointed to the Stormwater Committee.

H. Transportation Safety Commission – 9 appointments

Council Member Collins nominated Carl E. Carbaugh, William B. Kenny, Mark W. Lutes, Benton Nelson (School Representative), Mary Ann Rayment (DMV Representative), Earl Sorey (Traffic Engineering), and William A. Sowers for reappointment, and Andrew S. Barnard for appointment. He recommend that the remaining appointment be continued to the October 23, 2007 City Council meeting.

Council Member Ward, on a motion seconded by Council Member Adams, moved that the nominations be closed, the nominees be appointed, and continue the remaining appointment to the October 23, 2007 City Council meeting.

On the motion to close the nominations, appoint the nominees, and continue the remaining appointment to the October 23, 2007 City Council meeting, voting yes: Council Member Adams, Collins, Edge, Hayes and Ward.

Voting no: None (Council Members de Triquet, Krasnoff, Parker and Willis were excused.)

Carl E. Carbaugh, William B. Kenny, Mark W. Lutes, Benton Nelson (School Representative), Mary Ann Rayment (DMV Representative), Earl Sorey (Traffic Engineering), and William A. Sowers were reappointed to the Transportation Safety Commission, and Andrew S. Barnard was appointed to the Transportation Safety Commission.

I. Utility Review Board – 1 appointment

Council Member Ward nominated Amy L. Harman for appointment.

Council Member Collins, on a motion seconded by Council Member Adams, moved that the nominations be closed and the nominee appointed.

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

Voting no: None (Council Members de Triquet, Krasnoff, Parker and Willis were excused.)

Amy L. Harman was appointed to the Utility Review Board.

J. Wetlands Board/Chesapeake Bay Preservation Area Board – 1 appointment

Council Member Collins nominated Chester J. Cahoon, III for appointment.

Council Member Ward, on a motion seconded by Council Member Hayes, moved that the nominations be closed and the nominee appointed.

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

Voting no: None (Council Members de Triquet, Krasnoff, Parker and Willis were excused.)

Chester J. Cahoon, III was reappointed to the Wetlands Board/Chesapeake Bay Preservation Area Board.

REQUEST FOR CLOSED SESSION

City Attorney Hallman provided the following language for consideration of the first Closed Session topic: "to discuss the assignment and performance of a specific public officer, pursuant to Virginia Code Section 2.2-3711A.1."

Council Member Ward, on a motion seconded by Council Member Collins, moved approval of the first request for Closed Session.

There was no discussion.

On the motion for approval of the request for Closed Session, voting yes: Council Member Adams, Collins, Edge, Hayes and Ward.

Voting no: None (Council Members de Triquet, Krasnoff, Parker and Willis were excused.)

City Attorney 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 Collins, on a motion seconded by Council Member Ward, moved approval of the second request for Closed Session.

There was no discussion.

On the motion for approval of the request for Closed Session, voting yes: Council Member Adams, Collins, Edge, Hayes and Ward.

Voting no: None (Council Members de Triquet, Krasnoff, Parker and Willis were excused.)

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City Attorney Hallman provided the following language for consideration of the third Closed Session topic: "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."

Council Member Collins, on a motion seconded by Council Member Ward, moved approval of the third request for Closed Session.

There was no discussion.

On the motion for approval of the request for Closed Session, voting yes: Council Member Adams, Collins, Edge, Hayes and Ward.

Voting no: None (Council Members de Triquet, Krasnoff, Parker and Willis were excused.)

CLOSED SESSION

City Council recessed at 8:27 p.m. and went into Closed Session at 8:30 p.m.

Vice Mayor Parker arrived at 8:35 p.m.

The meeting reconvened at 9:16 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."

Council Member Collins, on a motion seconded by Council Member Ward, moved approval of the Certification 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, Parker, and Ward.

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

ADJOURNMENT

With there being no further business to consider, Mayor Edge adjourned the meeting at 9:17 p.m.

/vfm

Mayor

Attest:

City Clerk