

**CITY OF CHESAPEAKE
CITY COUNCIL MEETING
AGENDA**

April 12, 2016

6:30 P.M.

City Hall Council Chamber

306 Cedar Road

**** ALL PRESENTATION MATERIALS MUST BE REVIEWED BY THE CITY CLERK PRIOR TO 6:30 P.M.****

NOTE: COPIES OF BACKUP MATERIALS FOR ALL AGENDA ITEMS, INCLUDING THE APPLICATION AND SUPPORTING MATERIALS FOR THE PLANNING PUBLIC HEARING ITEMS MAY BE VIEWED IN THE CITY CLERK'S OFFICE OR THE PLANNING DEPARTMENT AT ANY TIME DURING NORMAL BUSINESS HOURS OF 8:00 A.M. TO 5:00 P.M., MONDAY THROUGH FRIDAY.

REMINDER: 4:30 p.m. – Human Resources Training Room – 4th Floor

Topics:

- 1) Position Management/Budget Transfers/Ordinances
- 2) Proposed FY 2016-17 Operating Budget
- 3) Update on SPSA

5:45 p.m. Council Member Reports

The City Council Work Sessions and Meetings can be viewed live on WCTV- Chesapeake Television (Cox Cable channel 48 and Verizon Cable channel 43) and at CityOfChesapeake.net. Council meetings, but not Work Sessions, may be heard on WFOS-88.7FM. Meetings are retelecast on WCTV-Chesapeake Television (Cox Cable Channel 48 and Verizon Cable channel 43) as well as CityOfChesapeake.net at the following times: Tuesday - Work Session at 11:30 p.m. and Meeting at 12:30 a.m.; Wednesday - Work Session at 1:00 p.m. and Meeting at 2:00 p.m. and Saturday - Work Session at 8:00 p.m. and Meeting at 9:00 p.m.

PLEASE NOTE: Speaker Cards will not be accepted for the Council Meeting once the meeting begins. Citizens who wish to speak may register on the date of the meeting in the City Council Chamber before 6:30 p.m. Citizens may also pre-register by calling the City Clerk's Office at 382-6151, Monday through Friday, (8:00 a.m. - 5:00 p.m.) prior to, and including the date of the Council meeting.

ALL INTERESTED PARTIES ARE INVITED TO ATTEND AND BE HEARD AT THE PUBLIC HEARING. Council meetings are telecast live on WCTV-Chesapeake Television (Cox Cable channel 48 and Verizon Cable channel 43) as well as CityofChesapeake.net, and heard on WFOS-88.7FM. The City of Chesapeake will attempt to make reasonable accommodations and services necessary for sensory impaired and disabled citizens. Citizens who wish to receive such accommodations must contact Mr. Tim Winslow (382-6273), within three working days prior to the meeting.

**NO FOOD OR DRINKS PERMITTED IN THE CITY COUNCIL CHAMBER
PLEASE TURN OFF CELL PHONES WHILE IN THE CHAMBER**

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CITY COUNCIL MEETING**

April 12, 2016

6:30 P.M.

**City Hall Council Chamber
306 Cedar Road**

1. INVOCATION
2. PLEDGE OF ALLEGIANCE TO THE FLAG
3. ROLL CALL BY CITY CLERK
4. APPROVAL OF MINUTES
5. [PRESENTATIONS](#)
 - A. PROCLAMATION – -NATIONAL VOLUNTEER WEEK
 - B. PROCLAMATION – NATIONAL PUBLIC SAFETY TELECOMMUNICATORS WEEK
 - C. PROCLAMATION – HAMPTON ROADS RUBBER DUCK RACE DAY
 - D. SPECIAL PRESENTATION – DANCING WITH THE STARS
 - E. SPECIAL RECOGNITION – ARTS ALIVE! CHESAPEAKE
6. PUBLIC HEARING

APPLICANTS', AGENTS' AND CITIZENS' COMMENTS ON NON-PLANNING PUBLIC HEARING ITEM

COUNCIL'S CONSIDERATION OF NON-PLANNING PUBLIC HEARING ITEM

NON-PLANNING PUBLIC HEARING ITEMS

- A. A PUBLIC HEARING ON [PROPOSED AMENDMENTS](#) TO THE FY 2015-2016 CAPITAL AND OPERATING BUDGETS ADJUSTING THE AGGREGATE AMOUNT APPROPRIATED AND THEREBY EXCEEDING ONE PERCENT OF THE TOTAL EXPENDITURES SHOWN IN THE CURRENTLY ADOPTED BUDGET – BUDGET OFFICE
- B. [ORDINANCE](#) AUTHORIZING THE CITY MANAGER TO EXECUTE A LEASE OF APPROXIMATELY 427 ACRES OF LAND OWNED BY THE CITY OF CHESAPEAKE AND LOCATED ON BALLAHACK ROAD, SAID LEASED PREMISES TO BE USED FOR TEMPORARY FARMING ACTIVITIES.
- C. EFFECTIVE [TAX RATE](#) INCREASE FOR THE 2016-2017 OPERATING BUDGET.

- 7. DOCKET
 - A. CITIZENS COMMENTS ON AGENDA ITEMS ONLY
 - B. CONSENT AGENDA

City Clerk Items

(1) [ACKNOWLEDGEMENT](#) FOR REZONING APPLICATION: Public necessity, convenience, general welfare and good zoning practice require the following zoning reclassification request to be heard. The request is not a public hearing item at this time. THE ITEM WILL BE HEARD BY THE PLANNING COMMISSION ON APRIL 13, 2016 AND WILL BE CONSIDERED BY CITY COUNCIL AT A FUTURE MEETING:

A. **PLN-REZ-2016-002 Bullard Rezoning APPLICANT:** Timothy Bullard **PROPOSAL:** A conditional zoning reclassification of .9216± acres from R-15s, Residential District, to R-MF-1, Multi-Family Residential District, for the construction of a quadplex residential unit. **PROPOSED COMP LAND USE / DENSITY:** Low Density Residential, 4 dwelling units per acre. **EXISTING COMP LAND USE / DENSITY:** Low Density Residential, 4 dwelling units per acre. **LOCATION:** 330 Hurdle Drive **TAX MAP SECTION/PARCEL:** 0601003000410 **BOROUGH:** Pleasant Grove

(2) [RESIGNATIONS](#)

- A. Paula Ambrose – Chesapeake Cable Commission
- B. Robert Sharak – South Norfolk Revitalization Commission

(3) [REFUNDS](#)

- A. International Construction Equipment, Inc. - \$7,094.76
- B. Kings Pointe Associates LC - \$8,179.27
- C. Michael’s Stores, Inc. - \$9,832.29
- D. Atlantic Energy, Inc. - \$3,393.60
- E. Leona K. Defreitas - \$2,673.07
- F. Jerome D. Sr. and Rebecca F. Cozart - \$2,709.78
- G. Grand Lodge Improved Benevolent Protective Order of Elks of the World - \$14,434.36
- H. Roy Bynum - \$8,802.12

City Manager Items

(1) POSITION MANAGEMENT

A. [REQUEST](#) THAT CITY COUNCIL AUTHORIZE THE CITY MANAGER TO APPROVE A REQUEST TO ADD TWO PART-TIME VAN DRIVER POSITIONS TO THE PERSONNEL COMPLEMENT OF THE OFFICE OF THE SHERIFF – OFFICE OF THE SHERIFF

(2) BUDGET TRANSFERS

- A. REQUEST THAT CITY COUNCIL AUTHORIZE THE CITY MANAGER TO APPROVE A REQUEST TO TRANSFER \$10,794 FROM CHESAPEAKE JUVENILE SERVICES OPERATING BUDGET TO THE GRANTS FUND – JUVENILE ACCOUNTABILITY BLOCK GRANT – DEPARTMENT OF HUMAN SERVICES/JUVENILE SERVICES
- B. REQUEST THAT CITY COUNCIL AUTHORIZE THE CITY MANAGER TO APPROVE A REQUEST TO TRANSFER \$7,450 FROM SALARIES/WAGES – FIRE SUPPRESSION TO SALARIES/WAGES – EMERGENCY MANAGEMENT OPERATIONS WITHIN THE FIRE DEPARTMENT – FIRE DEPARTMENT
- C. REQUEST THAT CITY COUNCIL AUTHORIZE THE CITY MANAGER TO ACCEPT, AND TRANSFER FROM THE GRANTS CONTINGENCY, \$54,217.61 IN DONATED REVENUE TO THE DEPARTMENT OF PARKS, RECREATION AND TOURISM – DEPARTMENT OF PARKS, RECREATION AND TOURISM
- D. REQUEST THAT CITY COUNCIL AUTHORIZE THE CITY MANAGER TO APPROVE A REQUEST TO TRANSFER \$120,000 FROM VACANCY SAVINGS TO GENERAL EXPENSES – TEMPORARY SERVICES IN THE DEPARTMENT OF PUBLIC WORKS – DEPARTMENT OF PUBLIC WORKS
- E. REQUEST THAT CITY COUNCIL AUTHORIZE THE CITY MANAGER TO APPROVE A REQUEST TO TRANSFER \$350,000 FROM CONTRACTUAL SERVICES TO: CAPITAL OUTLAY (\$130,000); GENERAL EXPENSES – OVERTIME (\$200,000); AND TO GENERAL EXPENSES – TELECOMMUNICATIONS (\$20,000), IN CHESAPEAKE INTEGRATED BEHAVIORAL HEALTHCARE (CIBH) – CHESAPEAKE INTEGRATED BEHAVIORAL HEALTHCARE
- F. REQUEST THAT CITY COUNCIL AUTHORIZE THE CITY MANAGER TO APPROVE A REQUEST TO TRANSFER \$135,148.58 FROM CAPITAL OUTLAY TO GENERAL EXPENSES AND \$130,000 FROM SALARIES TO TEMPORARY CLERICAL SERVICES (\$5,000) AND TEMPORARY LABOR SERVICES (\$125,000) IN SEWER MAINTENANCE AND OPERATIONS; AND TRANSFER \$25,000 FROM SALARIES TO TEMPORARY LABOR SERVICES IN ENGINEERING, IN THE DEPARTMENT OF PUBLIC UTILITIES – DEPARTMENT OF PUBLIC UTILITIES

- G. [REQUEST](#) THAT CITY COUNCIL AUTHORIZE THE CITY MANAGER TO APPROVE A REQUEST TO TRANSFER \$17,000 FROM PROFESSIONAL SERVICES – OTHER CONTRACTUAL SERVICES TO CAPITAL OUTLAY - MACHINE/EQUIPMENT NEW FOR REPLACEMENT OF A BUCKET TRUCK – DEPARTMENT OF PUBLIC WORKS – CHESAPEAKE TRANSPORTATION SYSTEM
- H. [REQUEST](#) THAT CITY COUNCIL AUTHORIZE THE CITY MANAGER TO APPROVE A REQUEST TO TRANSFER \$118,007 FROM THE CITY'S OPERATIONS CONTINGENCY TO VARIOUS GENERAL EXPENSES IN THE POLICE DEPARTMENT – POLICE DEPARTMENT
- I. [REQUEST](#) THAT CITY COUNCIL AUTHORIZE THE CITY MANAGER TO APPROVE A REQUEST TO TRANSFER \$147,200 WITHIN POLICE DEPARTMENT OPERATING BUDGET CATEGORIES – POLICE DEPARTMENT
- J. [REQUEST](#) THAT CITY COUNCIL AUTHORIZE THE CITY MANAGER TO ACCEPT, AND TRANSFER FROM THE GRANTS CONTINGENCY, \$5,000 IN ADVANCE DIRECTIVE INITIATIVE GRANT FUNDS AWARDED BY THE UNIVERSITY OF VIRGINIA HEALTH SYSTEM – CHESAPEAKE INTEGRATED BEHAVIORAL HEALTHCARE
- K. [REQUEST](#) THAT CITY COUNCIL AUTHORIZE THE CITY MANAGER TO APPROVE A REQUEST TO TRANSFER \$13,854 FROM GENERAL EXPENSES TO CAPITAL OUTLAY IN THE OFFICE OF THE CITY ATTORNEY – OFFICE OF THE CITY ATTORNEY
- L. [REQUEST](#) THAT CITY COUNCIL AUTHORIZE THE CITY MANAGER TO APPROVE A REQUEST TO TRANSFER \$6,019 FROM GENERAL EXPENSES TO CAPITAL OUTLAY IN JUVENILE SERVICES – HUMAN SERVICES/JUVENILE SERVICES
- M. [REQUEST](#) THAT CITY COUNCIL AUTHORIZE THE CITY MANAGER TO APPROVE A REQUEST TO TRANSFER \$7,500 FROM THE CITY'S SALARIES CONTINGENCY TO SALARIES-WAGES IN AUDIT SERVICES – BUDGET OFFICE
- N. [REQUEST](#) THAT CITY COUNCIL AUTHORIZE THE CITY MANAGER TO APPROVE A REQUEST TO TRANSFER \$57,544 FROM VACANCY SAVINGS TO GENERAL EXPENSES IN THE DEPARTMENT OF FINANCE – DEPARTMENT OF FINANCE

- (3) [REQUEST](#) FOR AUTHORITY TO SUBMIT A VIRGINIA CIRCUIT COURT RECORDS PRESERVATION PROGRAM – ITEM CONSERVATION GRANT APPLICATION TO THE LIBRARY OF VIRGINIA – OFFICE OF THE CLERK OF THE CIRCUIT COURT
- (4) [REQUEST](#) FOR AUTHORITY TO SUBMIT A DRIVE TOURISM GRANT APPLICATION TO THE VIRGINIA TOURISM CORPORATION – DEPARTMENT OF PARKS, RECREATION AND TOURISM
- (5) [REQUEST](#) FOR REVISION OF FUNDING SOURCE ALLOCATIONS FOR THE PORTSMOUTH BOULEVARD – PHASE IV PROJECT – DEPARTMENT OF PUBLIC WORKS
- (6) [REQUEST](#) FOR APPROPRIATION OF \$101,300 FOR THE PAYMENT OF REAL ESTATE IMPROVED WITH TRANSPORTATION FACILITIES IN THE EDINBURGH PLANNED UNIT DEVELOPMENT – DEPARTMENT OF DEVELOPMENT AND PERMITS
- (7) A. [REQUEST](#) FOR APPROPRIATION OF \$200,000 IN PROGRAM ASSERTIVE COMMUNITY TREATMENT (PACT) FORENSIC ENHANCEMENT GRANT FUNDS AWARDED BY THE VIRGINIA DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL SERVICES – CHESAPEAKE INTEGRATED BEHAVIORAL HEALTHCARE

B. [REQUEST](#) THAT CITY COUNCIL AUTHORIZE THE CITY MANAGER TO APPROVE A REQUEST TO ADD ONE FULL-TIME CLINICIAN II POSITION AND ONE FULL-TIME CLINICIAN III POSITION TO THE CIBH PERSONNEL COMPLEMENT – CHESAPEAKE INTEGRATED BEHAVIORAL HEALTHCARE

C. REGULAR AGENDA

City Manager Items

- (8) [REQUEST](#) FOR EMERGENCY APPROPRIATION OF \$10,290 FROM THE CENTRAL FLEET MANAGEMENT FUND BALANCE TO CENTRAL FLEET MANAGEMENT CAPITAL OUTLAY – CENTRAL FLEET MANAGEMENT
- (9) [REQUEST](#) FOR EMERGENCY APPROPRIATION OF \$30,350 FROM THE ASSIGNED FUND BALANCE OF THE GENERAL FUND FOR THE ANIMAL SERVICES FACILITY – POLICE DEPARTMENT/ANIMAL SERVICES
- (10) [REQUEST](#) FOR EMERGENCY APPROPRIATION OF \$175,000 IN PHOTOSAFE PROGRAM REVENUE – POLICE DEPARTMENT
- (11) A. [REQUEST](#) FOR EMERGENCY APPROPRIATION OF, AND ACCEPTANCE AS AMENDMENT TO THE FY 2015-16 CAPITAL BUDGET, \$1,113,359 IN STORMWATER LOCAL ASSISTANCE FUND

PROGRAM GRANT FUNDS AWARDED BY THE VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY – DEPARTMENT OF PUBLIC WORKS (continued from the March 8, 2016 City Council Meeting)

B. [RESOLUTION](#) AUTHORIZING THE CITY MANAGER TO EXECUTE AGREEMENTS BETWEEN THE CITY OF CHESAPEAKE AND THE VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY TO ACCEPT GRANT FUNDING OF \$1,055,814 FOR WASHINGTON MANOR OUTFALL AND BMP AND \$57,545 FOR YADKIN ROAD AREA OUTFALL AND BMP – DEPARTMENT OF PUBLIC WORKS (continued from the March 8, 2016 City Council Meeting)

- (12) [RESOLUTION](#) AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE SOUTHEASTERN PUBLIC SERVICE AUTHORITY (SPSA) FOR THE USE AND SUPPORT OF A REGIONAL SOLID WASTE DISPOSAL SYSTEM, SUBJECT TO A SUFFICIENT NUMBER OF MEMBER LOCALITIES ENTERING INTO AN IDENTICAL AGREEMENT TO EFFECT THE SELECTED WASTE DISPOSAL METHOD AT AN INITIAL TIPPING FEE COST OF LESS THAN \$65 PER TON FOR THE DISPOSAL OF MUNICIPAL SOLID WASTE – OFFICE OF THE CITY MANAGER / DEPARTMENT OF PUBLIC WORKS

City Attorney Item

- (1) AN [ORDINANCE](#) AMENDING CHAPTER 46 OF THE CHESAPEAKE CITY CODE, ENTITLED “OFFENSES AND MISCELLANEOUS PROVISIONS,” SECTION 46-263 THEREOF AND CHAPTER 50 OF THE CHESAPEAKE CITY CODE, ENTITLED “PARKS, RECREATION AND TOURISM,” SECTION 50-19 THEREOF, TO EXEMPT FROM REGULATION THE USE OF PRIVATELY OWNED, UNMANNED AIRCRAFT SYSTEMS AND TO CLARIFY THAT CERTAIN RESTRICTIONS IN SECTION 50-19 DO NOT APPLY TO THE THROWING OR TOSSING OF OBJECTS COMMONLY USED IN OUTDOOR RECREATION ACTIVITIES.
8. CITIZENS’ COMMENTS ON THE SERVICES, POLICIES, AND AFFAIRS OF THE CITY (NON AGENDA SPEAKERS)
9. UNFINISHED BUSINESS
- A. [RESOLUTION](#) TO MODIFY THE 2017 CAPITAL IMPROVEMENT PLAN TO INCLUDE \$7 MILLION FROM AVAILABLE GENERAL FUND RESOURCES OR ISSUANCE OF GENERAL OBLIGATION BONDS FOR THE DESIGN AND CONSTRUCTION OF A FIELDHOUSE IN THE WESTERN BRANCH BOROUGH, AT A SIZE AND LOCATION TO BE SPECIFIED IN THE FUTURE, WITH THE ANTICIPATED ISSUANCE OF A REQUEST FOR PROPOSALS FOR THE PRIVATE FUNDING OF FIXED ASSETS AND FOR THE MANAGEMENT AND OPERATION OF SAID FIELDHOUSE, INCLUDING SHARING OF NET REVENUES BETWEEN THE CITY AND THE PRIVATE INVESTOR. (Council Member Davis)

10. NEW BUSINESS

A. CONSIDERATION OF APPOINTMENT OF A REAL ESTATE ASSESSOR TO FILL VACANCY.

B. RESOLUTION REQUESTING THE CHESAPEAKE PLANNING COMMISSION TO CONSIDER AND MAKE RECOMMENDATIONS CONCERNING PROPOSED AMENDMENTS TO ARTICLE 7, SECTIONS 7-601 AND 7-602; ARTICLE 8, SECTIONS 8-601 AND 8-602; ARTICLE 9, SECTIONS 9-501 AND 9-502; ARTICLE 12, SECTION 12-607; AND ARTICLE 13 OF THE CHESAPEAKE ZONING ORDINANCE REQUIRING ESTABLISHMENTS LICENSED BY THE VIRGINIA DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL TO BE APPROVED AS A CONDITIONAL USE IN ALL ZONING DISTRICTS. (Mayor Krasnoff)

11. CLOSED SESSION

12. ADJOURNMENT