

Memorandum

Date: November 9, 2011

To: Mayor and City Council

Subject: Agenda Briefing - Regular City Council
Meeting - ***Tuesday, November 15, 2011***



Following is a brief review and description of the various business items listed upon the agenda and set for discussion at the next regular meeting of City Council:

6. **Commendations and Presentations:**

- A. This item is for the formal recognition and presentation of a Council Proclamation designating November 13–19 as *National Nurse Practitioner Week* in the City. A copy of the Proclamation is included in the meeting packet.
- B. Discussed at last meeting; This item is for the formal recognition and presentation of a Council Proclamation in memory of *George Woody Stafford* and his service to the community. A copy of the Proclamation is included in the meeting packet.
- C. This item is for formal recognition of *Gregory Thennes*, CHPD Patrol Officer as October 2011 City Employee of the Month by Mayor Davis. A copy of the formal recognition is included in with the meeting packet. The Mayor will be making a brief presentation of the award to Officer Thennes, at the meeting.

7. **Consent Agenda** (“*Consideration of Uncontested Minutes, Ordinances, Resolutions, & Motions . . .*”):

- A. Copies of the minutes from our (1.) Special Meeting on 10/11/11, (2.) Regular Meeting on 10/11/11, and (3.) Special Meeting on 10/18/11 is included in the meeting packet for your review.

B. “**Adoption of:**”

- **ORDINANCE NO. 11-22** - Discussed and approved at the last regular meeting; This item is for Second Reading and Final Adoption of an Ordinance to authorize an amendment to the FY11-12 Annual Budget to accommodate various funding adjustments as follows:

- To re-appropriate \$24,146 in restricted funds for the CH Police Department in highway grant proceeds to be used for overtime expenses for selective enforcement and checkpoints. Copies of memorandums from the Director of Finance and the Chief of Police providing a brief review and explanation of this item is included with the meeting packet.
- To approve the transfer of \$23,477 from Contingencies & Reserve to be transferred to certain individual departmental accounts for the purchase of computer equipment (IPad2s). Please refer to the same memorandum from the Director of Finance providing a brief review and explanation of this item is included with the meeting packet.
- To appropriate \$5,842 in restricted Police Asset Forfeiture Funds to support general public safety purposes by the CH Police Department.

7. Consent Agenda (continued):

- To appropriate a total of \$100,000 for the Recreation & Parks Senior Transportation Division for the purchase of two new 15-passenger handicap vans - \$80,000 of which will come from a grant received from the Crater Area Agency on Aging and the remaining amount coming from restricted fund balance. A copy of a memorandum from the Director of Recreation & Parks providing a brief review and explanation of this item is included with the meeting packet.

Budgetary Impact - This amendment as proposed is bottom-line, "cost-neutral", as it is the formal appropriation grant funds, fund balance, donated funds and/or restricted funds and will not adversely affect overall funding or costs to taxpayers.

A copy of the proposed Ordinance and supporting information is included in the meeting packet.

The staff recommends approval of this item as presented

8. Reading of Manner Addressing Council

9. Public Hearings:

A. ORDINANCE NO. 11-21 – This item is for a required Public Hearing and consideration of an Ordinance on First Reading Resolution to formally amend both the City Comprehensive Plan and the City Land Use and Transportation to properly reflect plans for the New City Courthouse.

This required procedural step has been known and contemplated since the Courthouse site was designated; and this matter comes before Council at this time consistent with our project development schedule from last year.

The Planning Commission completed its formal review of this proposal at its last Regular Meeting and has unanimously recommended its approval.

Budgetary Impact – This specific action has no direct budgetary impact.

As noted on the agenda, the required notice of public hearing for this agenda item was published in *The Progress-Index*. The staff will be making a brief presentation of this item at the meeting. A copy of the proposed Ordinance is included in the meeting packet.

The staff recommends approval of this item as presented

ORDINANCE NO. 11-22 – (*Companion legislation related to ORD11-21 above*) This item is for a required Public Hearing and consideration of an Ordinance on First Reading Resolution to formally rezone the city-owned property at 231 Chesterfield Avenue, consistent with plans and land use to accommodate the New City Courthouse.

This required procedural step has been known and contemplated since the Courthouse site was designated; and this matter comes before Council at this time consistent with our project development schedule from last year.

The Planning Commission completed its formal review of this proposal at its last Regular Meeting and has unanimously recommended its approval.

Budgetary Impact – This specific action has no direct budgetary impact.

As noted on the agenda, the required notice of public hearing for this agenda item was published in *The Progress-Index*. The staff will be making a brief presentation of this item at the meeting. A copy of the proposed Ordinance is included in the meeting packet.

The staff recommends approval of this item as presented

9. Public Hearings (continued):

B. ORDINANCE NO. 11-24 – Discussed at our most-recent Council Work Session: This item is for a required Public Hearing and consideration of an Ordinance on First Reading Resolution to formally approve certain code revisions to annual licensing requirements for cats and dogs as recommended by the City Treasurer, including civil penalty provisions.

Budgetary Impact – It is assumed that this legislation should have no adverse impact on operating costs; and has been presented by the Treasurer as such.

As noted on the agenda, the required notice of public hearing for this agenda item was published in *The Progress-Index*. The staff will be making a brief presentation of this item at the meeting. A copy of the proposed Ordinance is included in the meeting packet.

The staff recommends approval of this item as presented

10. Written Petitions/Communications:

A written petition/communication from Millard “Pete” Stith, Virginia State University Development Office, has been received and placed on the agenda in conformity with the Rules of Council. All supporting information relative to this item received by the Clerk is included with the meeting packet.

11. Public Comments (“Hearing of Citizens Generally on Non-Agenda Issues”):

12. New Business/Legislation (“Introduction and Consideration of Ordinances and Resolutions”):

➤ **RESOLUTION NO. 11-40** – This item is for consideration of a Resolution to formally approve the preservation of a financing opportunity for expenses related to the purchase of the new Fire/Rescue truck and the City Courthouse. Adopting this legislation at this time allows for the opportunity for the City to choose to reimburse itself from future debt proceeds if it so chooses. Final decision relative to financing and costs of these items will be decided at a future date.

A copy of a memorandum from the Director of Finance providing a brief review and explanation of this item is included with the meeting packet. The staff will be making a presentation and answering any questions on this item at the meeting.

Budgetary Impact – There are obviously significant costs related to this project but this particular action will have no adverse effect on the current-year operating budget.

A copy of the proposed Resolution and supporting information is included in the meeting packet.

The staff recommends approval of this item as presented

➤ **RESOLUTION NO. 11-42** – Requested/proposed by Delegate Kirk Cox; This item is for consideration of a Resolution to commemorate and support the bicentennial of the American War of 1812 in Virginia.

Budgetary Impact – None.

A copy of the proposed Resolution and supporting information is included in the meeting packet.

13. Unfinished Business . . . and Items Removed from Consent Agenda

– *None identified for inclusion on the meeting agenda*

14. **Staff Reports** (“*Reports of Officers . . .*”):

A. City Manager

1. ***Update on Code Enforcement Status at 1001 Forestview Drive*** – Discussed at length at last meeting; The staff will be providing Council with a report on the current status of this item at the meeting.
2. ***Review of City Supervisory Substitution Policy*** – Under this agenda item, the staff is requesting some brief and preliminary discussion with Council relative to a possible change in current personnel policy regarding compensation for staff members appointed to serve in substitution roles for other supervisory personnel.
The current policy is believed to be inflexible and outdated; but I would like to gauge Council’s general view of such policy prior to formally recommending a code amendment.
A copy of a memorandum from CHPD Chief Faries illustrating a current example of a problem with this policy as written is included in the meeting packet. The staff will be making a brief presentation on this item at the meeting.
3. ***Review of Boulevard Government Center Enhancement Project and Streetlight Upgrades*** – Requested by Councilman Freeland; This item is for general discussion of the recently completed Boulevard Government Center Enhancement Project and streetscape – and, in particular, the new ornamental streetlights that were installed as part of this project.
4. ***Update on City Courthouse Project*** - This item is to allow for a general review and/or update on the Courthouse Project; and/or to respond to any questions Council may have regarding same.
5. ***General Activity Report and/or Project Update*** - This item is for miscellaneous updates and comments by the staff; and general Q&A with the City Council relative to on-going projects and/or issues.

14. **Staff Reports** (“*Reports of Officers . . .*”):

B. City Attorney

C. Director of Planning and Community Development

15. **Consideration of Claims** – *None submitted for inclusion on the meeting agenda*

Please feel free to contact me anytime prior to Tuesday’s meeting if you have any questions or require additional information relative to any item on the agenda; or if you need an update on any item not listed on the agenda.



Thomas L. Mattis
City Manager

**DESIGNATING NOVEMBER 13 - 19, 2011 NATIONAL NURSE PRACTITIONER WEEK IN
THE CITY OF COLONIAL HEIGHTS, VIRGINIA**

WHEREAS, there are more than 148,000 licensed Nurse Practitioners in the United States providing high-quality, cost-effective, patient-center, personalized healthcare for nearly half a century; and

WHEREAS, Nurse Practitioners have graduated, advanced education (most have master's degrees and many have doctorates) and advanced clinical training beyond their initial registered nurse preparation; and

WHEREAS, Nurse Practitioners order, perform and interpret diagnostic tests, diagnose and treat acute and chronic conditions, and prescribe medications and other treatments; and

WHEREAS, Nurse Practitioners are truly partners in the healthcare of their patients, so that in addition to clinical services, Nurse Practitioners focus on health promotion, disease prevention and health education and counseling, guiding patients to make smarter health and lifestyle choices; and

WHEREAS, the excellence, safety, and cost-effectiveness of the care provided by Nurse Practitioners is established and well-documented; and

WHEREAS, Nurse Practitioners provide healthcare to people of all ages and in diverse healthcare settings such as private office practice, hospitals, long-term care facilities, schools, state and local health departments, managed care facilities, and retail-based clinics; and

WHEREAS, more than 18 percent of Nurse Practitioners practice in rural settings with populations of less than 25,000; and

WHEREAS, it is documented that patients of Nurse Practitioners are given more personal time and attention than they traditionally receive from other healthcare providers;

NOW, THEREFORE, I, C. Scott Davis, Mayor of the City of Colonial Heights, do hereby proclaim the week of November 13 – 19, 2011, as National Nurse Practitioner Week, in recognition of the many contributions that this dedicated group of healthcare professionals makes to the health and well-being of the people in the communities they serve in this great state and throughout the country.

Signed this 1st day of November 2011.

C. Scott Davis, Mayor

Attest:

DeAnna D. Atkins, City Clerk

A RESOLUTION NO. 11-41

In memory of George Woody Stafford.

WHEREAS, George Woody Stafford, the son of John C. and Laura Woody Stafford, passed away on October 7, 2011, leaving behind his loving wife, Berkley; one son, Timothy, and his wife, Mary Susan; three daughters – Karen, Stacy and Robin – and Robin's husband, Ed; and six grandchildren; and

WHEREAS, Mr. Stafford served as a member of the United States Army during World War II; and in 1945 he fought in the Battle of the Bulge, where he sustained injuries from a landmine, losing his eyesight at the age of 24; and

WHEREAS, being blind did not hinder Mr. Stafford from achieving numerous accomplishments – aside from learning Braille, he went on to earn a Bachelor's Degree in Economics and a law degree from the University of Virginia after leaving the military; and

WHEREAS, following graduation from law school, Mr. Stafford and his family moved to the City of Colonial Heights, where he began his law practice, only to be named part-time Commonwealth's Attorney for the City in the early 1960s; and once the position became full-time in the 1980s, he continually served in this elected position until his retirement in 1993; and

WHEREAS, Mr. Stafford was a valuable member of the community, serving as a past President and member of the Colonial Heights Rotary Club (Paul Harris Fellows), the Colonial Heights American Legion Post #284, the Veterans of Foreign Wars Post #2239, and the Colonial Heights School Board; as well as a member of St. Michael's Episcopal Church; and

WHEREAS, Mr. Stafford will be fondly remembered not only for his accomplishments during his lifetime but for the man he was – a dedicated family man, who knew how to make others feel at ease with his warm smile and tremendous humor and who enjoyed being with family and friends, boating, swimming, fishing and working on anything mechanical; NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLONIAL HEIGHTS:

1. That Council expresses its heartfelt sympathy to the family of George Woody Stafford, and on behalf of the City, its gratitude for his public service and commitment to the community.

2. That, in attestation of the high regard in which the memory of George Woody Stafford is held, this resolution is read into the minutes of this meeting and permanent record

of the City of Colonial Heights, this 15th day of November, 2011; and the members unanimously affix their signatures.

/s/ C. Scott Davis, Mayor

/s/ Milton E. Freeland, Jr. Councilman

/s/ Elizabeth G. Luck, Vice Mayor

/s/ Kenneth B. Frenier, Councilman

/s/ W. Joe Green, Jr., Councilman

/s/ John T. Wood, Councilman

/s/ Diane H. Yates, Councilwoman

Approved:

Mayor

Attest:

City Clerk

I certify that the above resolution was:

Adopted on _____.

Ayes: _____. Nays: _____. Absent: _____. Abstain: _____.

The Honorable Milton E. Freeland, Jr., Councilman: _____.

The Honorable Kenneth B. Frenier, Councilman: _____.

The Honorable W. Joe Green, Jr., Councilman: _____.

The Honorable Elizabeth G. Luck, Vice Mayor: _____.

The Honorable John T. Wood, Councilman: _____.

The Honorable Diane H. Yates, Councilwoman: _____.

The Honorable C. Scott Davis, Mayor: _____.

City Clerk

Approved as to form:

City Attorney

OCTOBER 2011 EMPLOYEE OF THE MONTH



NAME: Gregory A. Thennes

POSITION: Police Officer

EMPLOYMENT

HISTORY: Greg was hired in May, 2006 as a Police Officer in the Police Department.

NARRATIVE:

Officer Thennes serves on our honor guard and is also a member of the National Guard. Greg has been the recipient of the Police Department's in-house Employee of the Month twice already this calendar year. Greg was recognized once in January for the apprehension of a bank robber that victimized several employees of Wachovia Bank. Greg had the occasion to be responding northbound on the Boulevard to the bank robbery call when he observed a suspicious vehicle traveling southbound that matched the description of the getaway vehicle. It was learned later that the suspect had jumped into the bed of the pickup and the driver swerved while he was driving in order to capture the attention of responding officers. Greg ended up stopping the truck in the middle of the Boulevard and had the suspect at gunpoint in order to prevent injury to the victim driver. A brief foot chase ensued and the suspect was captured. Greg was recognized for his attentiveness, his follow-thru investigation and for being a good team player on his squad. The Chief of Police, personally, wants to recognize Greg further for his professionalism and restraint that he exhibited during this violent encounter that could have turned into a really bad situation.

This past August, Greg was recognized again with the Police Department's in-house Employee of the Month for not only his consistent work performance but also for his confidence in his decision making process which allows him to make quick decisions in challenging matters. He was commended for taking three fugitives off the street that were wanted in our jurisdiction, Petersburg and Chesterfield County. Greg's initiative and determination led to the arrest and the clearance of the case.

As one can see, Officer Thennes is dedicated to his profession and to his department. He works well with others and really likes to keep busy, which in return also keeps our City much safer.

CITY OF COLONIAL HEIGHTS, VIRGINIA
Special Meeting of City Council
October 11, 2011

1. Call to Order.

The Special Meeting of City Council was called to order by Mayor Davis at 6:00 P.M.

2. Roll Call.

Present: **Councilman Milton E. Freeland, Jr.**
 Councilman Kenneth B. Frenier
 Councilman W. Joe Green, Jr.
 Vice Mayor Elizabeth G. Luck
 Councilwoman Diane H. Yates
 Mayor C. Scott Davis

Absent: **Councilman John T. Wood**

Also Present: **Mr. Thomas L. Mattis, City Manager**
 Mr. Hugh P. Fisher, III, City Attorney
 Mr. William E. Johnson, Director of Finance

3. Special Meeting for the purpose of:

A. Holding a closed meeting pursuant to the Code of Virginia in accordance with the following provisions:

- **Section 2.2-3711.A.1 – to discuss and consider an appointment to the Advisory Board to City Council; and**
- **Section 2.2-3711.A.7 – to consult with legal counsel employed by a public body regarding a specific legal matter requiring the provision of legal advice by such counsel – namely, the City’s liability for damage caused by its stormwater management system; and**
- **Section 2.2-3711.A.1 – to discuss and consider the performance of a City Officer – specifically, the evaluation of the City Manager.**

The Clerk announced the purpose of the meeting.

A motion to go into closed session was made by Mrs. Luck, seconded by Mrs. Yates, and carried unanimously on voice vote at 6:01 P.M.

4. Voice Vote – come back into Open Session.

A motion to reconvene in open session was made by Mr. Freeland, seconded by Mrs. Luck, and carried unanimously on voice vote at 7:04 P.M.

5. The Council has been in a closed meeting pursuant to the Code of Virginia in accordance with the following provisions:
 - Section 2.2-3711.A.1 – to discuss and consider an appointment to the Advisory Board to City Council; and
 - Section 2.2-3711.A.7 – to consult with legal counsel employed by a public body regarding a specific legal matter requiring the provision of legal advice by such counsel – namely, the City's liability for damage caused by its stormwater management system; and
 - Section 2.2-3711.A.1 – to discuss and consider the performance of a City Officer – specifically, the evaluation of the City Manager.
6. Each member will now certify that to the best of the member's knowledge, only public business matters lawfully exempted from the open meeting requirements of the act and identified in the motion pursuant to which the closed meeting was convened were heard, discussed or considered. Any members who do not intend to so certify shall state now, for the minutes, their reasons.
7. Roll Call. An affirmative vote shall constitute certification of compliance.

<u>Vote:</u>	6-0
Yes:	Freeland, Jr. Frenier Green, Jr. Luck Yates Davis
No:	None
Abstained:	None
Absent:	Wood

Motion UNANIMOUS PASS.

8. Adjournment of Special Meeting.

A motion to adjourn the Special Meeting was made by Mrs. Luck, seconded by Mrs. Yates, and carried unanimously on voice vote at 7:06 P.M.

APPROVED:

C. Scott Davis, Mayor

Minutes, Special Meeting

October 11, 2011

Page 3

ATTEST:

DeAnna D. Atkins, City Clerk

CITY OF COLONIAL HEIGHTS, VIRGINIA
Regular Meeting of City Council
Tuesday, October 11, 2011

1. Call to Order.

The Regular Meeting of City Council was called to order by Mayor Davis at 7:06 P.M.

2. Roll Call.

The following members of Council and Council's staff were present for roll call by the Clerk:

Present:

Councilman Milton E. Freeland, Jr.
Councilman Kenneth B. Frenier
Councilman W. Joe Green, Jr.
Vice Mayor Elizabeth G. Luck
Councilman John T. Wood
Councilwoman Diane H. Yates
Mayor C. Scott Davis

Absent:

None

Also Present:

Mr. Thomas L. Mattis, City Manager
Mr. Hugh P. Fisher, III, City Attorney

Mr. William E. Johnson, Director of Finance
Mrs. Jennifer N. Carpenter, Director of Human Resources
Mr. Craig R. Skalak, Director of Recreation and Parks
Mr. Jeffrey W. Faries, Chief of Police
Mr. George W. Schanzenbacher, Director of Planning
Ms. Karen K. Saunders, Information Technology Administrator
Mr. Brian Copple, Assistant Director of Public Works/Engineering

3. Devotion.

A devotional prayer was led by Councilman Freeland.

4. Pledge of Allegiance.

The Pledge of Allegiance was led by Councilman Freeland.

5. Adoption of Agenda.

A motion to adopt the agenda, as presented, was made by Mr. Freeland and seconded by Mrs. Luck.

<u>Vote:</u>	7-0
Yes:	Freeland, Jr. Frenier Green, Jr. Luck Wood Yates Davis
No:	None
Abstained:	None
Absent:	None

Motion UNANIMOUS PASS.

Mayor Davis recognized Ms. Sandra Coleman, who was in the audience representing the Colonial Heights School Board.

6. Commendations and Presentations.

A. Presentation of Proclamation designating October 2011 as *Domestic Violence Awareness Month and Prevention Month* in the City of Colonial Heights, Virginia – Officer Sophie Benkendorf, Chairperson of the Colonial Heights Juvenile and Domestic Violence Task Force.

Mayor Davis recognized Mrs. Eileen Brown, read the proclamation in its entirety and presented her with a framed copy.

Mrs. Brown expressed appreciation to Council for the proclamation, provided a brief explanation of the work of the Task Force, and recognized some members of the Task Force who were present in the audience.

B. Presentation of Proclamation designating October 2011 as *Community Planning Month* in the City of Colonial Heights, Virginia – Mr. George Schanzenbacher, Director of Planning and Community Development.

Mayor Davis recognized Mr. Schanzenbacher, read the proclamation in its entirety and presented him with a framed copy.

Mr. Schanzenbacher expressed appreciation to Council for the proclamation.

C. Presentation of Proclamation designating the week of October 9-15, 2011 as *Fire Prevention Week* in the City of Colonial Heights – Mr. A. G. Moore, Jr., Chief of Fire and EMS.

Mayor Davis recognized Lt. Joe Boisseau, read the proclamation in its entirety and presented him with a framed copy.

Lt. Boisseau expressed appreciation for Council's support.

D. Introduction of 2011 Chesterfield-Colonial Heights Christmas Mother, Mrs. Linda King, and presentation of donation.

Mayor Davis introduced Mrs. King and presented her with a monetary contribution from the City.

Mrs. King provided a brief overview of the role of the Christmas Mother and thanked the City for their contribution.

E. Presentation of Proclamation recognizing David Lawrence Smith upon his attaining rank of Eagle Scout.

Mayor Davis recognized Mr. Smith and his family, read the proclamation in its entirety and presented him with a framed copy.

F. Presentation of Employee of the Month Award for September 2011 to Mr. Bennie B. Foster, Senior Meter Reader.

Mayor Davis recognized Mr. Foster, read the commendation in its entirety and presented him with a certificate and a small token of appreciation.

Mr. Foster expressed appreciation to Council for the recognition, and to the City for the opportunity to continue to work for the City.

7. Consideration of Uncontested Minutes, Ordinances, Resolutions, and Motions in Accordance with the Consent Agenda.

A. Approval of Minutes:

1. **Special Meeting, August 16, 2011.**
2. **Special Meeting, August 30, 2011.**
3. **Special Meeting, September 13, 2011.**
4. **Regular Meeting, September 13, 2011.**
5. **Special Meeting, September 27, 2011.**

B. Adoption of:

AN ORDINANCE NO. 11-20. (Second Reading). To amend and reordain §§ 226-3 and 226-12 of Chapter 226, Precious Metals and Gems, of the Colonial Heights City Code, providing for annual rather than semi-annual issuance of a dealer permit, raising the annual permit fee from \$100 to \$200, and providing for enhanced penalties for first and second convictions under this chapter.

AN ORDINANCE NO. 11-FIN-20. (Second Reading). To amend the General Fund Budget for the fiscal year beginning July 1, 2011, and ending June 30, 2012, to

appropriate \$621,834, consisting of \$543,235 of encumbered funds from FY 2010-11 being carried over to the current fiscal year; \$78,399 in grant funding coming from a Community Development Block Grant to be used for the emergency home repair program; and \$200 in donated funds to be used towards the Sheriff's Office "Halloween in the Park" event.

AN ORDINANCE NO. 11-FIN-21. (Second Reading). To amend and reordain the School Fund Budget for the fiscal year beginning July 1, 2010, and ending June 30, 2011, so as to modify such budget by \$2,008,576 for the fiscal year ending June 30, 2011; pursuant to School Board action.

A motion for adoption of the Consent Agenda, as presented, was made by Mr. Frenier and seconded by Mr. Freeland.

<u>Vote:</u>	6-0
Yes:	Freeland, Jr. Frenier Green, Jr. Wood Yates Davis
No:	None
Abstained:	Luck
Absent:	None

Motion PASS.

Mrs. Luck stated she was abstaining because she felt she could not vote objectively on Ordinance No. 11-FIN-21.

8. Reading of Manner of Addressing Council.

The City Attorney read the Manner of Addressing Council.

9. Advertised Public Hearings.

A. Public Hearings as advertised in *The Progress-Index* on October 1, 2011.

A RESOLUTION NO. 11-38. Requesting the Commonwealth Transportation Board to fund the design and construction of improvements for the Boulevard Government Center Enhancement Project – Phase II. Such improvements may include, but shall not be limited to, the installation on the Boulevard of sidewalks, curbs, gutters, decorative lighting, and landscaping trees.

A motion for adoption of Resolution No. 11-38 was made by Mrs. Luck and seconded by Mayor Davis.

Mayor Davis provided a brief explanation of Resolution No. 11-38.

Mr. Schanzenbacher stated additional funds may be available to the City which would allow completion of the entire project.

In response to a question from Mayor Davis, Mr. Fisher stated the advertisement for the Public Hearing does not discuss dollar amounts, so the City can move forward with Resolution No. 11-38.

Mrs. Renee Moore, 901 Forest View Drive, inquired about the beautification of the northern end of the Boulevard.

Mayor Davis stated if grant funds become available, the City could apply for those funds for the northern end of the Boulevard. He further stated any new development along the northern end of the Boulevard is required to incorporate improvements.

Mr. Green stated the southern end of the City needed some improvements to encourage new businesses. He further stated as funds are available he would like to see improvements made on the northern end of the City.

Mr. Frenier stated even though the work is not complete on the current phase, he has received numerous compliments on the work.

<u>Vote:</u>	7-0
Yes:	Freeland, Jr. Frenier Green, Jr. Luck Wood Yates Davis
No:	None
Abstained:	None
Absent:	None

Motion UNANIMOUS PASS.

10. Written Petitions and Communications.

Mayor Davis requested Council adopt a resolution recognizing the life of Mr. Woody Stafford, who recently passed away.

11. Hearing of Citizens Generally on Non-Agenda Issues.

Mrs. Ann Coffin, 923 Forest View Drive, stated she has lived in the City for 37 years. She further stated there have been ongoing issues with the conditions of the property located at 1001 Forest View Drive. She stated the area residents have exhausted all of their options to try to convince the property owner to clean up the property.

In response to a question from Mayor Davis, Mrs. Coffin stated there were issues with the condition of the property prior to Hurricane Irene.

In response to a question from Mr. Freeland, concerning whether the property owner had been contacted, Mr. Schanzenbacher stated the property at 1001 Forest View Drive has had several code violations in the past and noted additional considerations are in the City Attorney's office to move the process further.

In response to a question from Mayor Davis, Mr. Fisher stated the front and back yards are different issues. He further stated the City has no control over the condition of the back yard. He stated the best solution would be to attempt to work with the property owner on getting the tree removed from the front yard.

Mrs. Johanna Stoneking, 1003 Forest View Drive, stated she has lived in the City for five years and has attempted to go through the proper channels to have the property cleaned up at 1001 Forest View Drive. She further stated two of the trees in the back yard are on the verge of falling onto her house. She noted that numerous complaints have been filed with the City since 2008 and presented photos of the property showing the various stages of decline.

In response to a question from Mr. Wood, Mrs. Stoneking stated all of the trees in the pictures presented are located on the property at 1001 Forest View Drive.

In response to a question from Mr. Freeland concerning whether the trees would inhibit the Fire Department in the event of a fire, Mr. Boisseau stated the Fire Marshal has not inspected the property, but noted that it is not generally covered by the Fire Code.

Mr. Mattis stated he would have the Health Department take a look at the property.

In response to a question from Mr. Freeland concerning the City's latest code enforcement on grass cutting and placing liens on real estate property taxes, Mr. Fisher recommended pursuing a charter amendment to give the City authority to regulate these matters.

Mr. Davis noted it would cover the same type of issue about a residence on Snead Avenue and various similar complaints throughout the City. He stated it is time for a policy change on this issue.

In response to a question from Mr. Green concerning whether the residential property owners have similar standards as the rental inspections require for rental facilities, Mr. Davis stated that there are State Code provisions that determine how localities can regulate rental properties, but does not specify anything concerning owner occupied properties.

Mr. Fisher stated nothing deals with this type of issue.

Mr. Freeland stated that legislation should be draft to change the City's charter.

Mr. Fisher stated a resolution would be required.

Mayor Davis requested further discussion at the October 18, 2011 Council meeting to finalize the points to be placed in the legislation.

Mr. Stanley Lang, 910 Forest View Drive, stated he was concerned about four large commercial containers hidden behind a fence in the front yard and several large drums in the back yard at 1001 Forest View Drive and would like to know the contents.

Mayor Davis stated the law does not allow access to someone's property just to inspect the contents of containers. He added that more information would be required.

Mr. Richard Davis, 918 Forest View Drive, stated that 1001 Forest View Drive was already a mess when he moved to the community in 2003 and continues to worsen each year. He would like to have the City reassess the property in the area and get a reduction in taxes due to the deterioration of the area.

Mayor Davis recalled a prior case where containers emptied into the river, but does not believe the City is liable because the property is not public.

Mr. Davis noted that Kepone affected the entire City of Hopewell.

Mrs. Luck stated the City Manager is going to consult with the Health Department to inspect the property.

Mayor Davis instructed the City Manager to move forward to change the City's charter.

Mr. Freeland noted that it is a serious problem to have an entire block of citizens come before Council, fed up with the bureaucracy trying to get a resolution to a problem. He stated there are obvious hazards and hopefully the City's plan of action can begin to resolve this issue.

Mayor Davis agreed with Mr. Freeland and stated that was his reason for bringing up Snead Avenue with similar issues at the last meeting. He noted this will continue to happen if the City has no authority or control.

Mr. Fisher asked Council to consider this matter seriously over the following week and come up with guidance for the City Attorney and City Manager.

Mr. Green agreed with Mayor Davis concerning the property on Snead Avenue and was concerned about another property and the living standard of the occupants, considering the neighborhood they live in, but the neighbors don't complain. He was not aware of complaints on Snead even though it is a legitimate eyesore. He stated that without complaints, nothing will change. He commended the citizens on Forest View Drive for their group effort resulting in a possible code change to give the City more authority to handle these issues.

Mrs. Ann Parrish, 912 Forest View Drive, has been living in the City for 50 years, stressing beautification and would like the Council to consider the entire City, not just Forest View Drive.

Mrs. Renee Moore 901 Forest View Drive, stated she did not disagree with anyone but noted that 1001 Forest View Drive was not the only problem. She believes that the

economy lowered property values. She stated that Colonial Heights has declined; the Mall is filthy, the businesses are failing, and the City is beautifying the Boulevard. She stated that there was nothing to attract people to the City. She mentioned several properties within the City which needed to improve their appearance. She apologized if she offended anyone, but felt that more big government was not the answer to the problem.

Mayor Davis responded by stating the Mall was not operated by the City. He noted that the goal for beautification of the Boulevard was to attract more businesses to the City. He pointed out that a group of residents came to Council for assistance, and the City needs to do what they can without overstepping government boundaries.

Mrs. Yates spoke on this issue the last time it was raised and wanted to reiterate her point. She stated that she feels many people move to Colonial Heights initially when their children are young because of the school system and stay because of the safe community, and a community that instills a lot of pride. She stated she feels that Council needs to restore that sense of pride and ensure properties are dealt with accordingly in all areas of the City.

In response to a question from Mr. Wood concerning whether the individual at 1001 Forest View is too old or too poor to have the improvements made, Mrs. Stoneking stated people have offered on numerous occasions to help, but they are not well off financially.

Mr. Fisher stated that Ms. Kifer informed him that the gentleman is the son of the property owner, who is elderly and has some type of dementia or mental impairment.

Mayor Davis noted the owner could be eligible for CDBG federal money that will help repair the property.

Mr. Schanzenbacher stated CDBG funding is being explored to assist the property owner in cleaning up the property.

Mrs. Stoneking stated that the property owner does not qualify for the CDBG funding because of property owned in Charlotte.

Mr. Wood stated that Council is aware of problem properties in certain neighborhoods in the City. He noted that in most cases there is a tragedy of some kind and the City has used grants to address these. He stated that every alternative should be explored in an effort to make sure that the property is brought into compliance with the neighborhood because if a government authority is created that can intercede in these cases, it will intercede in all cases in all areas of the City.

Mr. Daniel McBride, 913 Forest View Drive, stated that the house is a mess and he agrees with Councilman Wood. He further stated the property owner or her son really has not had a chance to give their side of the story and they should be heard prior to making a charter change. He offered to cut the tree, but the son sent him away. He stated the son plans to cut the tree a little at a time and use it for firewood. He suggested engaging the property owner with a letter from Council requesting removal of the tree and noted the current policy of bundling tree branches is a deterrent.

Mrs. Luck stated that debris from Hurricane Irene are still being collected and does not require bundling.

Mayor Davis stated the last date for debris collection from Irene is October 28, but if a resident calls the Public Works Department, it will be picked up. He pointed out that contacting the property owner might not be an option since she is elderly and may have dementia issues.

Mr. Green called attention to the fact that Council does not have the authority to send a letter instructing the property owner to remove the tree. He also noted that even if legislation is proposed and written, no one in the City will seize property without discussions with the property owner in an attempt to resolve the issue.

Mrs. Donna Raybender, 1008 Forest View Drive, stated she has known Mr. Kevin Potts for 25 years. She stated that Mr. Potts has lived alone at 1001 Forest View Drive and his mother just moved into the assisted care facility in February 2011. She expressed her concern about the danger of a non-professional cutting the tree. She stated she has spoken to Mr. Potts and he is extremely upset with the neighbors and will not do anything unless forced.

12. Introduction and Consideration of Ordinances and Resolutions.

A RESOLUTION NO. 11-39. Authorizing the City Manager to execute an interim agreement with Kenbridge Construction under the PPEA to provide pre-construction services for the new Courthouse at 231 Chesterfield Avenue.

A motion for adoption of Resolution No. 11-39 was made by Mrs. Luck and seconded by Mr. Frenier.

Mayor Davis provided a brief explanation of Resolution No. 11-39.

Mr. Mattis stated Resolution No. 11-39 would authorize the City Manager to execute the interim agreement with Kenbridge Construction. He noted the exact wording of the document could change, but any material change to the agreement would be brought before Council prior to execution. He stated the project is on schedule for a ground breaking in the spring and completion by summer of 2013.

Mayor Davis stated the agreement was provided for all of the companies through the RFP and has been available for several months.

Mr. Wood read a Declaration of Personal Interest with regard to his residential location near the former church property (the proposed site of the new Courthouse), which was filed with the Clerk.

Mr. Green read a Declaration of Personal Interest with regard to his residential location near the Courthouse property, which was filed with the Clerk.

In response to a question from Mr. Wood, Mr. Mattis stated final dollar amounts for the construction of the Courthouse will be presented at a later date to Council.

Mr. Wood requested that the costs for additional screening along the rear of the property line be presented to Council at a later date.

Mr. Green requested that information be provided on the technological function of the belfry stating that it looks disproportionate to the building. He inquired about the savings if the height of the belfry was shortened.

Mayor Davis noted that Moseley's design was to enhance the appeal of the building.

<u>Vote:</u>	7-0
Yes:	Freeland, Jr. Frenier Green, Jr. Luck Wood Yates Davis
No:	None
Abstained:	None
Absent:	None

Motion UNANIMOUS PASS.

AN ORDINANCE NO. 11-FIN-22. (First Reading). To amend the General Fund Budget for the fiscal year beginning July 1, 2011, and ending June 30, 2012, to appropriate \$129,989, consisting of \$24,146 in highway grant funds to be used for overtime expenses for selective enforcement and checkpoints; \$5,843 coming from asset forfeiture funds to be used for public safety purposes; \$100,000 to be used to purchase two 15-passenger handicapped vans, of which \$80,000 is coming from a grant; and \$23,477 coming from Contingencies & Reserve to be transferred to certain individual departmental accounts for the purchase of computer equipment.

A motion for adoption of Ordinance No. 11-FIN-22 was made by Mr. Green and seconded by Mrs. Luck.

Mayor Davis provided a brief explanation of Ordinance No. 11-FIN-22. He expressed concerns about the \$23,477 coming from Contingencies & Reserve to cover the cost of the purchases of the IPads for the departments.

There was a brief discussion regarding utilizing Contingencies & Reserve to cover the cost of the IPad purchases.

Mr. Green stated the new technology would save on paper, copier costs, manpower and time expended making copies and deliveries. He noted that he understood the

technology would replace the mail packets and added that the mail packets could be delivered to the meetings.

Vote:	7-0
Yes:	Freeland, Jr. Frenier Green, Jr. Luck Wood Yates Davis
No:	None
Abstained:	None
Absent:	None

Motion UNANIMOUS PASS.

13. Unfinished Business, Contested Ordinances and Resolutions, and Items Removed from the Consent Agenda.

There was none.

14. Reports of Officers and Documents Related Thereto.

A. City Manager.

1. Update on the Boulevard Modernization Project

Mr. Mattis stated two properties have been acquired by the City and the buildings have been vacated at the corner of Dupuy Avenue and the Boulevard.

In response to a question from Mayor Davis, Mr. Mattis stated when property is purchased, the City authorizes the purchase through the agreement for widening the roadway.

In response to a question from Mayor Davis concerning whether other purchases must have a public hearing or Council authorization, Mr. Fisher stated it must be through a project or have authorization from City Council. Mr. Fisher noted the City has only closed on two properties.

Mr. Wood stated there are some additional funds available through MPO.

In response to a question from Mr. Wood concerning acquired properties adjacent north and south of Dupuy towards Ettrick, Mr. Mattis stated there is one property which will be brought to Council in the near future.

Mr. Wood stated the MPO had not had a final meeting because of outstanding projects, one being the City's interchange and the upgrade.

Mr. Fisher stated the area west of the Byrd Hotel is not part of the modernization project.

2. City of Colonial Heights 2012 Five-Year Capital Program

Mr. Mattis stated staff has begun work on the 2012 Five-Year Capital Program. He added that his goal is to have a document for Council to review and discuss at the Retreat in January 2012.

3. Update on Municipal Solid Waste Services RFP/Contract

Mr. Mattis stated staff has received three qualifying bids, and that the Selection Committee will meet next week to interview candidates with a briefing to Council at the November 15 meeting with a contract sometime later. He noted that there is no scheduled workshop at this time.

4. Council Meeting Schedule for October-December, 2011

Mr. Mattis reminded Council of the rescheduled Council meeting to November 15 and noted that there may not be a work session in November or December.

Mayor Davis added that the December work session would have been the week of Christmas.

The January Retreat is rescheduled for January 20 and 21 due to a conflict in the Mayor's schedule.

The Christmas Parade is scheduled for December 6.

Mr. Freeland noted that a work day is scheduled with Dominion volunteers for November 3.

5. General Activity Report and/or Project Update

B. City Attorney.

Mr. Fisher noted that the School Board meeting will be November 15 and will conflict with the Council meeting.

C. Director of Planning and Community Development.

Mr. Fisher stated that the Commission gave preliminary approval to a subdivision plat for Roslyn Farm and that the subdivision, once finalized, would convey a parcel to the City.

1. Actions, Regular Meeting of Planning Commission, October 4, 2011.
2. Minutes, Regular Meeting of Planning Commission, August 2, 2011.

15. Consideration of Claims.

16. Adjournment.

A motion to adjourn the Regular Meeting was made by Mrs. Luck, seconded by Mr. Freeland and carried unanimously on voice vote at 9:45 P.M.

APPROVED:

C. Scott Davis, Mayor

ATTEST:

DeAnna D. Atkins, City Clerk

CITY OF COLONIAL HEIGHTS, VIRGINIA
Special Meeting of City Council
Tuesday, October 18, 2011

1. Call to Order.

The Special Meeting of City Council was called to order by Mayor Davis at 6:00 P.M.

2. Roll Call.

Present: **Councilman Milton E. Freeland, Jr.**
 Councilman Kenneth B. Frenier
 Vice Mayor Elizabeth G. Luck
 Councilman John T. Wood
 Councilwoman Diane H. Yates
 Mayor C. Scott Davis

Absent: **Councilman W. Joe Green, Jr.**

Also Present: **Mr. Thomas L. Mattis, City Manager**
 Mr. Hugh P. Fisher, III, City Attorney

Mr. William E. Johnson, Director of Finance
Mr. George W. Schanzenbacher, Director of Planning
Mr. William E. Henley, Director of Public Works/Engineering
Ms. Karen Saunders, Information Technology Administrator

3. Special Meeting to hold a work session for general discussion of the following items by the City Council and possible direction to staff:

Mr. Mattis requested that item E. be moved to the beginning of the meeting. There was no objection from Council.

E. Update of City Website Re-design Project.

Mr. Mattis and Ms. Saunders presented the redesigned City website. Ms. Saunders stated that the new website should be available sometime in January. The new website incorporates much of what is on the current website, but will now include a rotating photo gallery, news items, and a calendar of events. Overall, members of Council were pleased with the look of the new website. In response to questions, Ms. Saunders replied that there would be a school link in several of the dropdown menus, and that she would talk to the web designer about using the same font for the words "Colonial" and "Heights". She stated that the new website will change to a gov. domain and, once in place, the current domain will be redirected to the new one for six months to a year. Mrs. Luck suggested that the Advisory Board to City Council be invited to look at the new website to determine if it is user friendly.

Agenda, Special Meeting

October 18, 2011

Page 2

- A. Review of Council Policy Goals relating to residential property maintenance codes, requirements, and/or restrictions; possible direction to staff regarding same.**

Council members continued discussion of property maintenance issues at 1001 Forest View Drive, which had been discussed at its regular meeting on October 11, 2011. Mayor Davis requested an update from Mr. Fisher and Mr. Mattis on the existing policies.

Mr. Fisher stated that as far as the back yard, nothing could be done. However, the City could address the front of the property, as long as the property owner is given a reasonable time to abate any violation. In response to Mr. Freeland's question concerning what constitutes a reasonable time to abate the violation, Mr. Fisher stated that this is not addressed in the Code, but he would say three or four months would be reasonable.

Mr. Mattis stated that the Health Department had taken a look at the property, and it does not appear to be a health issue. The Fire Marshal, along with the code enforcement officer, had inspected the property and found that while there are areas of concern, there are no violations of the law that would allow enforcement action by the City.

Mr. Fisher stated that the Fire Marshal also had inspected the barrels on the property and found one to hold rainwater; the others were empty.

There was general discussion concerning whether or not this matter could be considered a public nuisance or a health, safety, and welfare issue.

In another property maintenance issue, but unrelated to 1001 Forest View, Mr. Davis said that he had received an email about an unmaintained swimming pool and called attention to Va. Code § 15.2-901 as well as provisions from the Norfolk City Code. Mr. Fisher cited City Charter § 2.3, which specifically addresses any ground in the City that is covered by stagnant water.

Mr. Mattis suggested that Council decide on how they wish to proceed with the property on Forest View Drive, with the City Attorney determining the legalities.

Mr. Wood stated that Council has to decide if they want to address this issue aggressively in a legal framework, as opposed to a case by case basis. He noted that once an ordinance is adopted, it has to be enforced.

Mr. Frenier stated that he had looked at provisions of law from other localities, which basically dealt only with weeds and dilapidated buildings. He read aloud City Code § 244-6, which requires property owners to remove unsafe substances that might endanger the health, comfort and general welfare of the residents and suggested that this be the section to cite for the violation.

Agenda, Special Meeting

October 18, 2011

Page 3

Mrs. Luck said a letter needed to be sent to remove the tree and that it be done by a certain date. Mrs. Yates agreed that a letter to the property owner would be helpful and show positive progress. In the letter Mr. Frenier said to cite violation of City Code § 244-6. Council debated the amount of time to allow for the property owner to abate the violation.

Mr. Freeland made a motion to send a letter to the property owner of 1001 Forest View Drive to comply with City Code § 244-6, within 30 days of receipt of the letter, or the City would take further action. Mrs. Luck seconded the motion.

<u>Vote:</u>	6-0
Yes:	Freeland, Jr.
	Frenier
	Luck
	Wood
	Yates
	Davis
No:	None
Abstained:	None
Absent:	Green, Jr.

Motion UNANIMOUS PASS.

At 7:23 p.m., Mayor Davis called for a short recess. Council reconvened at 7:33 p.m.

B. Review of Council Policy Goals relating to aesthetic control of commercial buildings adjacent to the Boulevard; possible direction to staff regarding same.

Mr. Mattis stated that there had been much discussion about the appearance of commercial properties along the Boulevard. He suggested that the City might want to look at a smaller area of the Boulevard as a pilot project; that is, the southern end of the City, as a companion with the new Courthouse project. Mr. Fisher stated that by choosing the southern end of the Boulevard for the historic overlay district, the décor could be tied into Violet Bank, for instance. He reminded Council that it would be a big undertaking, as businesses in the area would have to comply.

Mr. Mattis stated that it would be up to Council to define the policy, one which would require an intensive review process.

Following discussion, Mayor Davis suggested that based on Council discussion additional information about the Plan be brought back to Council at some future work session, possibly at the Council Retreat in January. Council concurred.

Mayor Davis suggested that item D. be the next item for discussion. There was no dissent from Council.

Agenda, Special Meeting

October 18, 2011

Page 4

D. Review of possible revisions to Chapter 98 of the City Code and annual licensing requirements for cats and dogs, including civil penalty provisions.

Mayor Davis stated that there was a request to amend Chapter 98 of the City Code to provide for a two year dog and cat license, and to add language outlining a procedure to be followed for a notice of violation for civil penalties. Mrs. Joy Moore, City Treasurer, stated that by providing for a two year license, it would allow her office to sell the current 2013 tags the following year, eliminating having to order new tags and destroying the leftover tags. She stated that she had concerns with the amendment related to the notice of violation for civil penalties. She said that last year alone there had been 850 unlicensed animals and that this amendment would create more work for her office.

Mr. Fisher stated that he had been working with Animal Control and Police Department staff for months to develop a notice of violation form for public safety officers to use for offenses for which a civil penalty, rather than criminal sanctions, is imposed. The notice allows a person to prepay, thereby admitting guilt. If not paid, the City Attorney's Office, not the Treasurer's Office, would proceed with having a warrant in debt issued through the General District Court. He stated that given Mrs. Moore's comments, he would need to revisit this matter with the Police Department for possible revisions to the form and that Council needed to delay action on the proposed civil penalty provisions.

It was the consensus of Council to amend Chapter 98 of the City Code to add the two year license tag. Mr. Fisher advised that the ordinance would need to be advertised for a public hearing at the November 15 regular meeting.

C. Review of the *Appomattox River Corridor Development Plan* and city-owned Dimmock Parkway property and staff recommendations regarding same.

Mr. Mattis called attention to the Plan that Council had seen at a previous work session, and asked for endorsement or adoption by Council, specifically Phase I, which would include a trail system and a dog exercise area. He stated that it is the goal of the Administration to include these elements in the new Comprehensive Plan, if endorsed by Council.

There was general discussion about the development goals for the city-owned land and expectations of the land sale. In response to Mr. Freeland's question about the extension of Wal-Mart Drive and certain environmental issues, Mr. Henley stated that discussion with Wal-Mart had been reopened. He also shared that the 19 acres in Parcel 1 is under a voluntary remediation, therefore the property cannot be used for residential, schools or daycare. There are no restrictions on Parcel 2.

Following discussion, it was the consensus of Council to support Phase I of the Plan. Mr. Mattis will bring the Plan back to Council in November for adoption.

Agenda, Special Meeting

October 18, 2011

Page 5

F. Presentation of High Speed Rail information.

Mayor Davis recognized Mr. Wood for a briefing on this matter.

Mr. Wood, as the City's representative on the Metropolitan Planning Organization (MPO), stated that the Federal Rail Administration (FRA) has been investigating ways to improve passenger rail service between Richmond and northward to Washington, D.C., and certain areas of North Carolina, by providing high speed rail service and more access opportunities. He stated that to upgrade an existing train station or to build a new one will be a major and costly project. The localities that make up the MPO have been asked to provide their input on the proposed upgrade. He stated that the potential routes that the FRA had examined in the vicinity of Petersburg, currently in Ettrick, included three alternative station locations – in Petersburg, either Washington Street or Collier Yard, or in Colonial Heights, the Dunlop/Ellerslie area.

After discussion, it was the consensus of Council not to support a high speed rail station in Colonial Heights, because of the proposed location.

4. Adjournment of Meeting.

A motion to adjourn the Special Meeting was made by Mrs. Yates, seconded by Mrs. Luck, and carried unanimously on voice vote at 9:26 P.M.

APPROVED:

C. Scott Davis, Mayor

ATTEST:

Robin P. Gay, Deputy City Clerk

AN ORDINANCE NO. 11-FIN-22

To amend the General Fund Budget for the fiscal year beginning July 1, 2011, and ending June 30, 2012, to appropriate \$129,989, consisting of \$24,146 in highway grant funds to be used for overtime expenses for selective enforcement and checkpoints; \$5,843 coming from asset forfeiture funds to be used for public safety purposes; \$100,000 to be used to purchase two 15-passenger handicapped vans, of which \$80,000 is coming from a grant; and \$23,477 coming from Contingencies & Reserve to be transferred to certain individual departmental accounts for the purchase of computer equipment.

THE CITY OF COLONIAL HEIGHTS HEREBY ORDAINS:

1. That Sections 1 and 2 of Ordinance No. 11-FIN-6, the General Fund Budget, be, and are hereby amended and reordained as follows:

1. That the budget designated the General Fund Budget for the fiscal year beginning July 1, 2011, and ending June 30, 2012, is hereby adopted; and that, subject to transfers by resolution pursuant to § 6.15 of the City Charter, funds hereby appropriated shall be used for the following purposes:

Legislative (City Council)	\$ 138,063	141,423
Administrative (City Manager)	293,723	294,143
Legal (City Attorney)	206,645	207,065
Tax Collections	433,656	
Finance	6,075,962	6,076,382
Information Technologies	167,877	184,634
Board of Elections	129,062	
Judicial	4,393,966	
Public Safety	7,654,264	7,685,093
Public Works	2,896,144	2,896,564
Health and Social Services	647,559	
Parks and Recreation	1,347,305	1,447,725
Cultural Enrichment	84,867	
Library	588,433	
Community Development	469,914	470,334
Human Services	286,600	
Nondepartmental	524,171	500,694
Debt Service	2,843,192	
Operating Transfers Out	19,043,934	
TOTAL	\$48,225,337	48,355,326

2. That the foregoing appropriation is based upon the following revenue estimates for the fiscal year beginning July 1, 2011:

General Property Taxes	\$21,283,149
Other Local Taxes	14,996,861
Licenses, Permits & Fees	3,368,705
Fines and Forfeitures	693,000
Use of Money & Property	158,000
Intergovernmental Revenues	6,135,106
Charges for Current Services	6,239,252
Miscellaneous	1,227,954
Restricted Fund Balance – After School Program	315,663
Restricted Fund Balance – Violet Bank	400
Restricted Fund Balance – Asset Forfeiture	11,500
Restricted Fund Balance – Police	12,341
	1,175

Restricted Fund Balance – Fire	21,483
Restricted Fund Balance – Senior Citizen	
Transportation	20,000
Fund Balance	5,843
TOTAL	\$48,225,337 48,355,326

2. That this ordinance shall be in full force and effect upon its passage on second reading.

Approved:

Mayor

Attest:

City Clerk

I certify that the above ordinance was:

Adopted on its first reading on _____.

Ayes: _____. Nays: _____. Absent: _____. Abstain: _____.

The Honorable Milton E. Freeland, Jr., Councilman: _____.

The Honorable Kenneth B. Frenier, Councilman: _____.

The Honorable W. Joe Green, Jr., Councilman: _____.

The Honorable Elizabeth G. Luck, Vice Mayor: _____.

The Honorable John T. Wood, Councilman: _____.

The Honorable Diane H. Yates, Councilwoman: _____.

The Honorable C. Scott Davis, Mayor: _____.

Adopted on its second reading on _____.

Ayes: _____. Nays: _____. Absent: _____. Abstain: _____.

The Honorable Milton E. Freeland, Jr., Councilman: _____.

The Honorable Kenneth B. Frenier, Councilman: _____.

The Honorable W. Joe Green, Jr., Councilman: _____.

The Honorable Elizabeth G. Luck, Vice Mayor: _____.

The Honorable John T. Wood, Councilman: _____.

The Honorable Diane H. Yates, Councilwoman: _____.

The Honorable C. Scott Davis, Mayor: _____.

City Clerk

Approved as to form:

City Attorney



CITY OF COLONIAL HEIGHTS

DEPARTMENT OF FINANCE

William E. Johnson
Director

City Hall · 201 James Avenue · P.O. Box 3401
Colonial Heights, Virginia 23834

Kathy L. Sparks
Deputy Director

To: Thomas L. Mattis, City Manager
From: William E. Johnson, Director of Finance
Date: 9/30/2011

RE: Budget Revision Requests

IPads

City Council authorized during the July 19th work session the utilization and purchase of 17 iPads for City administration use in updating current processes to a more mobile, efficient and paperless work environment. Two units were purchased, configured and tested for suitability before the remaining units were acquired. The remaining 15 units have been set-up and distributed to City Council and Staff. The units were purchased and equipped at an average cost of \$921 with an additional monthly data charge of \$45 per month.

At this time it would be appropriate to transfer the budgetary requirements to the effected departments for the initial purchase and monthly maintenance from contingencies. These costs will be departmentally budgeted in upcoming fiscal years. A worksheet of requested Departmental transfers is attached for your consideration.

Police Asset Forfeiture Funds

Last November \$33,043, in State Asset Forfeiture funds, were appropriated for the purchase of various police equipment. The actual purchase prices of a crime scene trailer, unmarked vehicle and fake detection devices were lower than the estimated cost. This resulted in these funds being returned to fund balance at the end of the fiscal year.

These restricted funds are required to be spent for public safety purposes, so it is my request that these funds be reappropriated to the police department at this time. We have set up a new account for their use in accounting for future forfeiture expenditures.

I am available to discuss at your convenience.

City of Colonial Heights
iPads Allocation

	Number	Unit Cost	Total
Hardware Purchases	17	836	\$14,212
Applications	17	60	1,020
Activation Fees	17	35	595
Data Service 10 month	17	450	<u>7,650</u>
Total Cost			<u><u>23,477</u></u>

Breakdown:

Data Charges - Eight (8) months & Applications

City Council	2,940
City Clerk	420
City Manager	420
City Attorney	420
Finance	420
Information Technologies	420
Police	420
Fire	420
Engineering	420
Recreation & Parks	420
Planning	420
Total	<u><u>7,140</u></u>

Initial Purchase Charges

Information Technologies

Hardware Purchases	14,212
Activation Fees	595
Data Service Two (2) months	<u>1,530</u>
Total	<u><u>16,337</u></u>

Total to be Allocated from Contingencies

\$23,477

Ordinance/Resolution Recap Worksheet
10/1/11

	Police Highway Safety Grant	Police Asset Foreiture Funds	Agency on Aging Bus Grant	iPaads Technology Transfer	Total
GENERAL FUND					
REVENUE:					
Intergovernmental	\$24,146		\$80,000		\$104,146
Fund Balance		5,843			5,843
Restricted Fund Balance - Sr Citizen Transportation			20,000		20,000
Total	24,146	5,843	100,000		129,989
EXPENDITURES:					
Legistalative			3,360		3,360
Administrative			420		420
Legal			420		420
Finance			420		420
Information Technologies			16,757		16,757
Public Safety	24,146	5,843	840		30,829
Public Works			420		420
Parks and Recreation			100,000		100,420
Community Development			420		420
Non-departmental			(23,477)		(23,477)
Total	\$24,146	\$5,843	\$100,000	\$0	\$129,989

Memorandum



To: Mr. Thomas Mattis, City Manager
From: Craig Skalak, Director of Recreation & Parks
Date: September 16, 2011
Re: October Council Agenda Item/Crater Area Agency on Aging Grant

The Recreation & Parks Department's Senior Transportation Division has been awarded an 80/20 grant through the Crater Area Agency on Aging of up to \$100,000.00 to purchase two 2012 15-passenger handicap vans. The new vans will replace our 2000 and 2003 vans and will be used to transport Colonial Heights senior citizens for medical, business, and personal reasons.

I request that City Council approve the transfer of \$20,000.00 from our reserve Senior Citizens Transportation donation account, 10-3210, to the general fund account 1601-5501.



CITY OF COLONIAL HEIGHTS

POLICE DEPARTMENT

Col. Jeffrey W. Faries
Chief of Police

100-A Highland Avenue • P. O. Box 3401
Colonial Heights, Virginia 23834

Babette B. Hansen
Administrative Assistant

September 7, 2011

Mr. Thomas L. Mattis, City Manager
201 James Avenue
Colonial Heights, VA 23834

RE: DMV FEDERAL HIGHWAY SAFETY GRANT for 2011-12
[Through the National Highway Traffic Safety Administration]

Dear Tom:

The Colonial Heights Police Department has been awarded a **Federal Highway Safety Grant (#154AL-2012-52156-4534-20.607)** in the amount of **\$24,146.00** from the Virginia Department of Motor Vehicles. Our department will be using these funds to cover overtime expenses for selective enforcement and checkpoints; patrols during *Click It or Ticket*, *National Stop on Red* and *Checkpoint Strike Force*; the purchase of traffic enforcement equipment; and DUI-related travel and training. The above total includes a 20% City in-kind match, or \$4,066.00, and covers the period October 1, 2011 through September 30, 2012. Another stipulation of the grant requires us to spend the allotted funds, after which time our locality will be reimbursed in the aforementioned amount.

Once the grant acceptance is approved by Council after two readings by members, we would ask that the reimbursement be transferred into the Police Department's **Account #1401-5263 (Grant Funds)**.

We would appreciate your placing this item on the next City Council agenda so that it may be reviewed at that time.

Many thanks for your attention to this matter.

Sincerely,

Colonel Jeffrey W. Faries
Chief of Police

JWF:bbh

Cc: Mr. Bill Johnson, Director of Finance
Ms. Kathy Sparks, Assistant Director of Finance
Capt. W. Keith Early, Patrol Division Commander
Capt. Wayne T. Newsome, Law Enforcement Services Division Commander
Sgt. Robert L. Ruxer, Law Enforcement Services Division (Grants Coordinator)
Mrs. Joy Moore, Treasurer



COMMONWEALTH of VIRGINIA

Department of Motor Vehicles
2300 West Broad Street

Richard D. Holcomb
Commissioner

Post Office Box 27412
Richmond, VA 23269-0001

August 5, 2011

Mr. Robert Ruxer
Sergeant
Colonial Heights City
100-A Highland Avenue
Colonial Heights, VA 23834

Dear Mr. Ruxer:

Safety has been and will continue to be a high priority in Virginia's overall transportation system. The McDonnell administration is committed to ensuring that safety is the highest priority in the development of the Commonwealth's multi-modal transportation system.

I am pleased to inform you that the highway safety project proposal(s) listed below has been approved for pass-through grant funding from the National Highway Traffic Safety Administration for Federal Fiscal Year (FFY) 2012.

<u>Program</u>	<u>Project ID# - CFDA#</u>	<u>Project Title</u>	<u>Amount Approved</u>
	154AL-2012-52156-4534-20.607	Selective Enforcement	\$20,080.00

The availability of funds under this grant is contingent upon two conditions: (1) the project director and the fiscal contact responsible for the financial management of your grant must attend a grantee workshop and (2) the release of federal funds to the Commonwealth. Your assigned program manager will be contacting you to provide the dates and locations for this mandatory training.

You will receive the project agreement(s), the scope of work, and special conditions during the training session. As the recipient of a FFY 2012 grant award, it is important that you read and follow the information carefully. If you have any questions regarding the conditions, please contact the program manager assigned to your grant.

Thank you for your commitment and participation in improving highway safety. We look forward to the positive impact that your project will have on making our roadways safer.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard D. Holcomb".

Richard D. Holcomb

Purpose: Virginia's Highway Safety Program Subgrantees use this form to certify and assure that they will fully comply with all terms of the Highway Safety Grant Agreement.

Instructions: Subgrantees must read the contract, complete all applicable information on the first page, initial the subsequent pages, and return all pages to the Department of Motor Vehicles.

This Highway Safety Grant Agreement is entered into between the Virginia Department of Motor Vehicles (hereinafter "Department"), 2300 West Broad Street, Richmond, Virginia 23220, and the following:

Subgrantee:

Colonial Heights City

Project Title:

Selective Enforcement

Project Number/CFDA Number:

154AL-2012-52156-4534-20.607

Grant Award Amount

\$20,080.00

Source of funds obligated to this award:

U.S. Department of Transportation National Highway Traffic Safety Administration

Period of Performance for this project (hereinafter "Grant Period"):

From October 1, 2011, or the date the Highway Safety Grant Agreement is signed by the Director, Virginia Highway Safety Office (whichever is later) through September 30, 2012. Allow 21 days for the Department to complete its review and signature. **FINAL VOUCHER IS DUE ON OR BEFORE NOVEMBER 5, 2012.**

In performing its responsibilities under this Highway Safety Grant Agreement, the Subgrantee certifies and assures that it will fully comply with the following:

- Applicable Department regulations and policies and state and federal laws, regulations, and policies
- Statement of Work and Special Conditions and an Approved Budget, included with this Highway Safety Grant Agreement
- General Terms and Conditions, also included with this Highway Safety Grant Agreement

Subgrantee's signature below indicates that the Subgrantee has read, understands and agrees to fully comply with all terms and conditions of this Highway Safety Grant Agreement without alteration. This Highway Safety Grant Agreement (hereinafter "Grant Agreement"), consisting of this certification; the attached Statement of Work and Special Conditions; the attached General Terms and Conditions; the attached Project Budget; the Subgrantee's proposal; and the letter awarding the grant to the Subgrantee constitutes the entire agreement between the Department and the Subgrantee, supersedes any prior oral or written agreement between the parties and may not be modified except by written agreement as provided herein. Where any conflict arises between terms, the following is the order of governance of one term over another: (1) applicable Department regulations and policies, except where superseded by federal laws, regulations, or policies (2) applicable state laws, regulations, and policies, except where superseded by federal laws, regulations, or policies; (3) applicable federal laws, regulations, and policies; (4) Statement of Work and Special Conditions; (5) General Terms and Conditions; (6) Project Budget; (7) Subgrantee's proposal; and (8) grant award letter.

SIGNATURES OF AUTHORIZED APPROVING OFFICIALS

For Subgrantee:

Sergeant Robert Ruxer

Name and Title of Project Director (print)

Signature

9/1/11

For Virginia Department of Motor Vehicles:

John Saunders

Director, Virginia Highway Safety Office (print)

Signature

Date

Thomas L Morris City Manager

Name and Title of Authorized Approving Official (print)

Subgrantee's DUNS Number

010043683

9/6/11

Signature

Date



Department of Motor Vehicles
Grant Budget Lines

Date Run: 01-AUG-2011

154AL-2012 - 52156 - 4534 - Colonial Heights City		Project Director Initials _____		Date _____		
Category	Line Item Desc	Qty	Individual Cost	Total Cost	Fed Fund Amount	Matching Funds
Personnel	Overtime Hours	410	29.00	11,890.00	11,890.00	0.00
Training / Travel	Attend a VAHSO approved 2012 Mid-Atlantic DUI Conference in Virginia Beach, VA.	1	350.00	350.00	350.00	0.00
Other Direct Costs	Match - Fuel, oil and vehicle maintenance.	1	4,066.00	4,066.00	0.00	4,066.00
Equipment	Dual Antenna Kit for pro-1000 radar unit	2	610.00	1,220.00	1,220.00	0.00
Equipment	Radar Unit and accessories	1	1,600.00	1,600.00	1,600.00	0.00
Equipment	Watchguard in-car camera system and accessories	1	5,020.00	5,020.00	5,020.00	0.00
			Total:	24,146.00	20,080.00	4,066.00



OFFICE OF THE
CITY ATTORNEY

CITY OF COLONIAL HEIGHTS
201 JAMES AVENUE
P. O. BOX 3401
COLONIAL HEIGHTS, VIRGINIA 23834-9001
(804) 520-9316 / FAX 520-9398

HUGH P. FISHER, III

CITY ATTORNEY

TAMARA L. DRAPER
LEGAL ASSISTANT

October 20, 2011

The Progress-Index
15 Franklin Street
Petersburg, VA 23803

Attention: Legal Advertisements

Dear Madam or Sir:

I have enclosed for publication in the legal advertisements section of your newspaper a notice of City Council holding public hearings to accept public comment on and consider the adoption of Ordinance No. 11-21 and Ordinance No. 11-22.

You are requested to publish the notice on **Sunday, October 30, 2011, and Sunday, November 6, 2011.**

Please send a certificate of publication to the Office of the City Clerk in City Hall so that we may have evidence that legal requirements have been met.

If there is any problem in publishing the notice on the dates requested, please notify this Office immediately so that we may make other arrangements for publication.

Thank you for your assistance.

Very truly yours,

Hugh P. Fisher, III
City Attorney

Enclosure

cc: The Honorable C. Scott Davis, Mayor
Mr. Thomas L. Mattis, City Manager
Mrs. DeAnna Atkins, City Clerk

NOTICE OF PUBLIC HEARINGS

CITY OF COLONIAL HEIGHTS, VIRGINIA

Notice is hereby given to all persons affected or interested that at the Colonial Heights City Council meeting to be held on **Tuesday, November 15, 2011, at 7:00 P.M.**, in Council Chambers of City Hall, 201 James Avenue, Colonial Heights, Virginia, the City Council shall hold public hearings to accept comments on the following:

AN ORDINANCE NO. 11-21

To amend the "Public Buildings" component of the City Comprehensive Plan to change the reference to a "Courts & Justice Building" on page 81 to a "Courthouse" and to change the location of the Courthouse on page 81 from "Temple Avenue" to "Chesterfield Avenue." Also, to amend the City's Land Use and Transportation Plan map to reflect the change in location of the Courthouse and to approve the general location, character, and extent of the new Courthouse.

AN ORDINANCE NO. 11-22

To change the zoning classification of certain property presently zoned RL Low Density Residential District to BB Boulevard Business District and to amend the Zoning District Map accordingly. Such property is located at 231 Chesterfield Avenue, has parcel identification numbers 3000010E037 and 30000200001, and is owned by the City of Colonial Heights. It is proposed that all of parcel number 3000010E037, which is 4.77 acres, be rezoned; and that only part of parcel number 30000200001 – .65 acre – be rezoned. The property is being rezoned to allow for the construction of a new City Courthouse at 231 Chesterfield Avenue.

Copies of the proposed ordinances are on file for public examination during regular business hours in the City Clerk's Office in City Hall, 201 James Avenue, Colonial Heights, Virginia. All persons affected or interested are invited to be present at the public hearings of the City Council, to be held at the time and place stated above, when an opportunity will be given for them to be heard.

Hugh P. Fisher, III
City Attorney

Any interested party whose participation in this meeting would require reasonable accommodation of a handicap should contact the City Manager's Office at 520-9265 at least six days in advance.

AN ORDINANCE NO. 11-21

To amend the "Public Buildings" component of the City Comprehensive Plan to change the reference to a "Courts & Justice Building" on page 81 to a "Courthouse" and to change the location of the Courthouse on page 81 from "Temple Avenue" to "Chesterfield Avenue." Also, to amend the City's Land Use and Transportation Plan map and to approve the general location, character, and extent of the new Courthouse.

WHEREAS, Council, by Ordinance No. 97-11, on second reading on June 10, 1997, adopted an amended Comprehensive Plan for the City as a guide for the orderly development of the City; and

WHEREAS, to relocate its Courthouse to 231 Chesterfield Avenue, the City has applied to have several changes made to page 81 of its Comprehensive Plan; and

WHEREAS, such changes involve changing "Courts & Justice Building" to "Courthouse" and changing the location thereto from "Temple Avenue" to "Chesterfield Avenue"; and

WHEREAS, it is also necessary to change the City's Land Use and Transportation Plan map, which is part of the Comprehensive Plan; and

WHEREAS, after review, consideration, and public hearing, the Planning Commission pursuant to Title 15.2 of the Code of Virginia, recommended approval of the proposed amendments to the Comprehensive Plan; and

WHEREAS, pursuant to Va. Code § 15.2-2204, City Council advertised a public hearing in *The Progress-Index* and held a public hearing at its Regular Meeting on November 15, 2011, to receive citizen comment on the amendments to the Comprehensive Plan; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLONIAL HEIGHTS:

1. That after public hearing and consideration, the City Council hereby approves and adopts amendments to page 81, the "Public Buildings" component, of the City Comprehensive Plan as described above and as recommended by the Planning Commission; such amendments being attached hereto as Attachment A and made a part of this ordinance.

2. That after public hearing and consideration, the City Council approves amending the City's Land Use and Transportation Plan map so as to change the land use classification of 231 Chesterfield Avenue from "Medium Density Residential" to "Community Facilities, Schools, Churches, Etc." Such amendment is attached hereto as Attachment B and made a part of this ordinance.

3. That the City Planning and Community Development staff shall proceed with incorporating the amendments into the Colonial Heights Comprehensive Plan.

4. That based on the recommendation of the Planning Commission and other factors, Council approves the general location, character, and extent of the new Courthouse.

5. That this ordinance shall be in full force and effect upon its passage on second reading.

Approved:

Mayor

Attest:

City Clerk

I certify that the above ordinance was:

Adopted on its first reading on _____.

Ayes: _____. Nays: _____. Absent: _____. Abstain: _____.

The Honorable Milton E. Freeland, Jr., Councilman: _____.

The Honorable Kenneth B. Frenier, Councilman: _____.

The Honorable W. Joe Green, Jr., Councilman: _____.

The Honorable Elizabeth G. Luck, Vice Mayor: _____.

The Honorable John T. Wood, Councilman: _____.

The Honorable Diane H. Yates, Councilwoman: _____.

The Honorable C. Scott Davis, Mayor: _____.

Adopted on its second reading on _____.

Ayes: _____. Nays: _____. Absent: _____. Abstain: _____.

The Honorable Milton E. Freeland, Jr., Councilman: _____.

The Honorable Kenneth B. Frenier, Councilman: _____.

The Honorable W. Joe Green, Jr., Councilman: _____.

The Honorable Elizabeth G. Luck, Vice Mayor: _____.

The Honorable John T. Wood, Councilman: _____.

The Honorable Diane H. Yates, Councilwoman: _____.

The Honorable C. Scott Davis, Mayor:

_____.

City Clerk

Approved as to form:

City Attorney

ATTACHMENT A

Ordinance No. 11-21 amends page 81 of the current Comprehensive Plan (dates February, 1997) and the Plan's Land Use and Transportation Map as follows, with all other provisions of the Plan remaining the same:

Public Buildings

Public buildings operated by the City of Colonial Heights are located throughout the community and are used for a variety of purposes. These buildings represent a large capital investment and must be carefully located since on most sites, the location and use of such buildings is usually permanent. The major shortcoming of most site locations for municipal buildings is the lack of room for later expansions.

The City now operates and maintains various public buildings, including the Municipal Building and Fire Department, school structures, stadium, community building, various sewerage pump stations, library, maintenance departments, and the Courts Building (which includes the Police Department). The following is a list of the City's public buildings and their locations.

Public Buildings:

-Animal Shelter	Old City Landfill Area
-City Garage	Lakeview Park
-Community Building	Roanoke and Meridian Avenues
-Courts & Justice Building	Temple Avenue
-Courthouse	Chesterfield Avenue
-Fire Station #1	Boulevard and James Avenue
-Fire Station #2	Dunlop Boulevard
-Health Department	Highland Avenue
-Library	Yacht Basin Drive and Conduit Road
-Main Pump Station	Conduit Road and Temple Avenues
-Municipal Building and Annex	Boulevard and James Avenue
-Police	Temple Avenue
-Street Operations Office	Lakeview Park
-Utility Operations Office	Conduit Road and Temple Avenue
-Violet Bank Museum	Virginia and Arlington Avenues

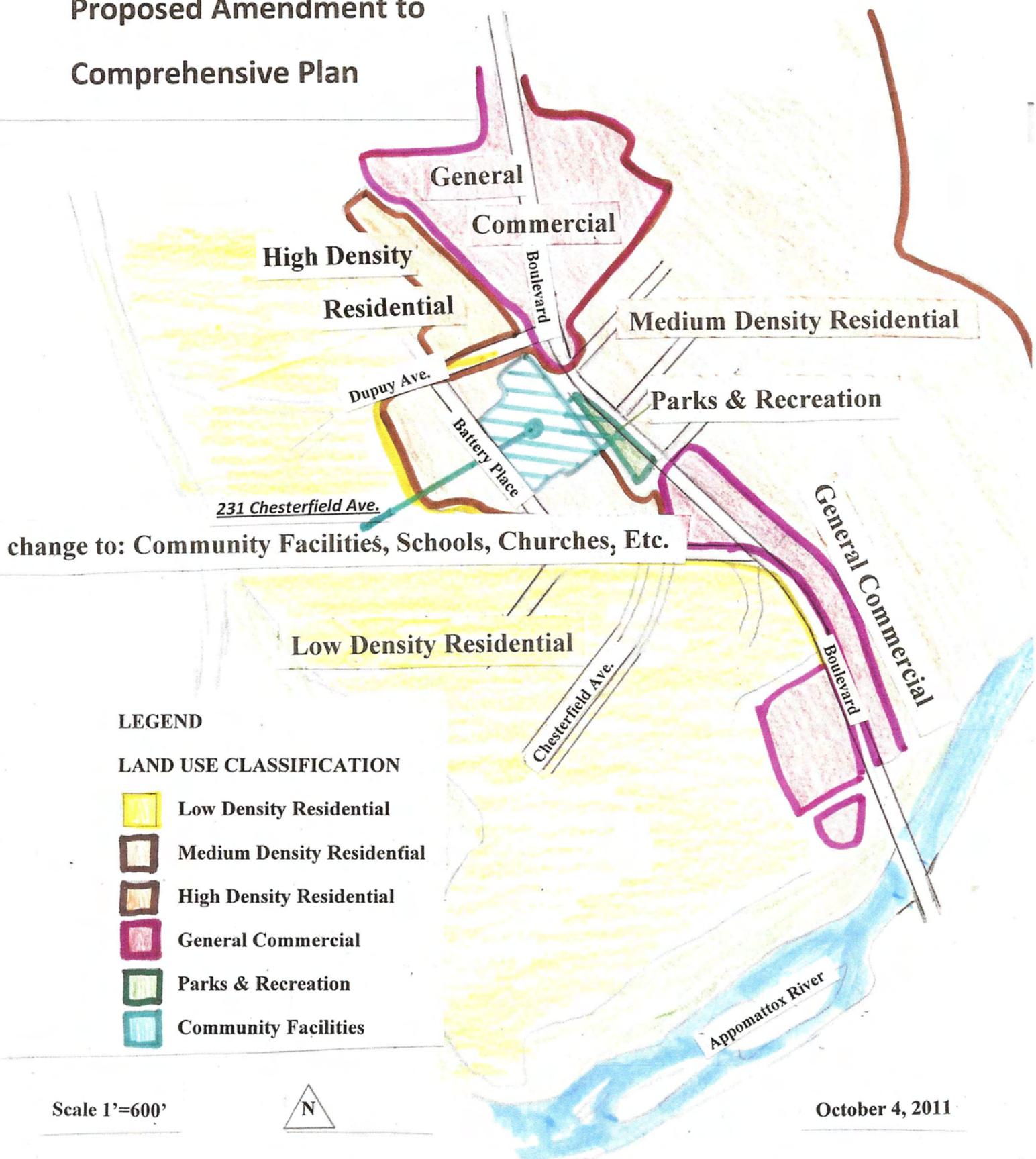
Schools:

-North Elementary School	Orange and Ross Avenues
-Lakeview Elementary School	Taswell Avenue
-Tussing Elementary School	Brockwell Lane and Conduit Road
-Colonial Heights Middle School	Lynchburg Avenue
-Colonial Heights High School	Conduit and Yorkshire Roads
-School Board Office	Boulevard and Hamilton Avenue
-Vocational Tech School	Conduit Road

City of Colonial Heights

Proposed Amendment to

Comprehensive Plan



AN ORDINANCE NO. 11-22

To change the zoning classification of certain property presently zoned RL Low Density Residential District to BB Boulevard Business District and to amend the Zoning District Map accordingly. Such property is located at 231 Chesterfield Avenue, has parcel identification numbers 3000010E037 and 30000200001, and is owned by the City of Colonial Heights.

WHEREAS, the City of Colonial Heights has applied to have parcel identification number 3000010E037 and part of parcel identification number 30000200001 rezoned from RL Low Density Residential District to BB Boulevard Business District to allow for the construction of a new City Courthouse at 231 Chesterfield Avenue; and

WHEREAS, number 3000010E037 is 4.77 acres; and the part of number 30000200001 to be rezoned is .65 acre; and

WHEREAS, the Planning Commission at its meeting of October 4, 2011, held a public hearing on the rezoning; and after due consideration, the Planning Commission recommended approval by City Council; and

WHEREAS, pursuant to Va. Code § 15.2-2204, City Council advertised a public hearing in *The Progress-Index* and held a public hearing at its Regular Meeting on November 15, 2011, to receive citizen comment on the proposed rezoning; and

WHEREAS, upon recommendation of the Planning Commission, and other factors, the City Council finds that the public necessity, convenience, general welfare and good zoning practice require that this rezoning change be made; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLONIAL HEIGHTS:

1. That the zoning classification of the 4.77 acres presently zoned RL Low Density Residential District located at 231 Chesterfield Avenue, owned by the City of Colonial Heights, and known as parcel identification number 3000010E037, be and is hereby changed to BB Boulevard Business District.

2. That the zoning classification of the .65 acre presently zoned RL Low Density Residential District located at 231 Chesterfield Avenue, owned by the City of Colonial Heights, and part of the property known as parcel identification number 30000200001, be and is hereby changed to BB Boulevard Business District.

3. That the "Zoning District Map" as referred to in § 286-110 of the Colonial Heights City Code is amended accordingly.

4. That the Exhibit attached hereto and made a part hereof is a plat of parcel

identification numbers 3000010E037 and 30000200001 for the City of Colonial Heights, entitled "City of Colonial Heights Courthouse Proposed Rezoning of 231 Chesterfield Avenue," dated November 1, 2011, and prepared by the City of Colonial Heights Department of Public Works, Engineering & Development Division.

5. That the boundaries of the RL Low Density Residential District are amended so as to exclude the aforesaid property therefrom and the boundaries of the BB Boulevard Business District are amended to include the property therein.

6. That after the effective date of this ordinance, the aforesaid property shall no longer be subject to the provisions of the RL Low Density Residential District but shall be subject to all the regulations of the BB Boulevard Business District.

7. That this ordinance shall be in full force and effect upon its passage on second reading.

Approved:

Mayor

Attest:

City Clerk

I certify that the above ordinance was:

Adopted on its first reading on _____.

Ayes: _____. Nays: _____. Absent: _____. Abstain: _____.
The Honorable Milton E. Freeland, Jr., Councilman: _____.

The Honorable Kenneth B. Frenier, Councilman: _____.

The Honorable W. Joe Green, Jr., Councilman: _____.

The Honorable Elizabeth G. Luck, Vice Mayor: _____.

The Honorable John T. Wood, Councilman: _____.

The Honorable Diane H. Yates, Councilwoman: _____.

The Honorable C. Scott Davis, Mayor: _____.

Adopted on its second reading on _____.

Ayes: _____. Nays: _____. Absent: _____. Abstain: _____.
-2-

The Honorable Milton E. Freeland, Jr., Councilman: _____.

The Honorable Kenneth B. Frenier, Councilman: _____.

The Honorable W. Joe Green, Jr., Councilman: _____.

The Honorable Elizabeth G. Luck, Vice Mayor: _____.

The Honorable John T. Wood, Councilman: _____.

The Honorable Diane H. Yates, Councilwoman: _____.

The Honorable C. Scott Davis, Mayor: _____.

City Clerk

Approved as to form:

City Attorney



CITY OF COLONIAL HEIGHTS
DEPARTMENT OF PUBLIC WORKS
ENGINEERING & DEVELOPMENT DIVISION

201 JAMES AVENUE | COLONIAL HEIGHTS, VA 23834
TEL 804.520.9334 FAX 804.520.9237
www.colonial-heights.com

SCALE: N.T.S.	DATE: NOV. 1, 2011
DESIGNED: S. EDWARDS	JOBTYPE: ZONING MAP
CHECKED: S. EDWARDS	REMOVED: S. EDWARDS

JOB NO.

CITY OF COLONIAL HEIGHTS COURTHOUSE
PROPOSED REZONING OF 231 CHESTERFIELD AVE.

SHEET NO.
1



OFFICE OF THE
CITY ATTORNEY

CITY OF COLONIAL HEIGHTS
201 JAMES AVENUE
P. O. BOX 3401
COLONIAL HEIGHTS, VIRGINIA 23834-9001
(804) 520-9316 / FAX 520-9398

HUGH P. FISHER, III

CITY ATTORNEY

TAMARA L. DRAPER
LEGAL ASSISTANT

October 28, 2011

The Progress-Index
15 Franklin Street
Petersburg, VA 23803

Attention: Legal Advertisements

Dear Madam or Sir:

I have enclosed for publication in the legal advertisements section of your newspaper a notice of City Council holding a public hearing to accept public comment on and consider the adoption of Ordinance No. 11-24.

You are requested to publish the notice on **Tuesday, November 1, 2011**.

Please send a certificate of publication to the Office of the City Clerk in City Hall so that we may have evidence that legal requirements have been met.

If there is any problem in publishing the notice on the date requested, please notify this Office immediately so that we may make other arrangements for publication.

Thank you for your assistance.

Very truly yours,

Hugh P. Fisher, III

Hugh P. Fisher, III
City Attorney

Enclosure

cc: The Honorable C. Scott Davis, Mayor
Mr. Thomas L. Mattis, City Manager
Mrs. DeAnna Atkins, City Clerk

NOTICE OF PUBLIC HEARING
CITY OF COLONIAL HEIGHTS, VIRGINIA

Notice is hereby given to all persons affected or interested that at the Colonial Heights City Council meeting to be held on **Tuesday, November 15, 2011, at 7:00 P.M.**, in Council Chambers of City Hall, 201 James Avenue, Colonial Heights, Virginia, the City Council shall hold a public hearing to accept comments on the following:

AN ORDINANCE NO. 11-24

To amend § 98-23 of Chapter 98, Animals, of the Colonial Heights City Code, to provide for the issuance of a two year City dog or cat license and tax thereon.

A copy of the proposed ordinance is on file for public examination during regular business hours in the City Clerk's Office in City Hall, 201 James Avenue, Colonial Heights, Virginia. All persons affected or interested are invited to be present at the public hearing of the City Council, to be held at the time and place stated above, when an opportunity will be given for them to be heard.

Hugh P. Fisher, III
City Attorney

Any interested party whose participation in this meeting would require reasonable accommodation of a handicap should contact the City Manager's Office at 520-9265 at least six days in advance.

AN ORDINANCE NO. 11-24

To amend and reordain § 98-23 of Chapter 98, Animals, of the Colonial Heights City Code, to provide for the issuance of a two year City dog or cat license and tax thereon.

THE CITY OF COLONIAL HEIGHTS HEREBY ORDAINS:

1. That § 98-23 of Chapter 98, Animals, of the Colonial Heights City Code, be, and is hereby, amended and reordained as follows:

§ 98-23. Annual tax imposed on dogs, cats, and kennels.

It shall be unlawful for any person to own a dog or cat four months old or older in the City, unless such dog or cat is licensed under the provisions of this Section. The owner of any such dog or cat shall obtain a current license for the dog or cat and pay the license tax imposed herein. The license shall be valid for a period of one, two or three years, depending on the license tax paid, provided that the period covered by the license does not exceed the period of time covered by the certificate of rabies vaccination. Any license tax paid shall be nonrefundable.

The license tax upon all dog kennels and all dogs and cats over the age of four months which are owned, possessed or kept in the City shall be as follows:

	1 Year	2 Years	3 Years
Unneutered or unspayed dog or cat	\$10.00	\$20.00	\$30.00
Neutered or spayed dog or cat	\$2.00	\$4.00	\$6.00
Kennel for up to 10 dogs	\$50.00	\$100.00	\$150.00
Two or more blocks of kennels, each consisting of 10 dogs or less	\$100.00	\$200.00	\$300.00
Duplicate for lost, destroyed or stolen tag	\$1.00	\$1.00	\$1.00

2. That this ordinance shall be in full force and effect upon its passage on second reading.

Approved:

Mayor

Attest:

City Clerk

I certify that the above ordinance was:

Adopted on its first reading on _____.

Ayes: _____. Nays: _____. Absent: _____. Abstain: _____.
The Honorable Milton E. Freeland, Jr., Councilman: _____.
The Honorable Kenneth B. Frenier, Councilman: _____.
The Honorable W. Joe Green, Jr., Councilman: _____.
The Honorable Elizabeth G. Luck, Vice Mayor: _____.
The Honorable John T. Wood, Councilman: _____.
The Honorable Diane H. Yates, Councilwoman: _____.
The Honorable C. Scott Davis, Mayor: _____.

Adopted on its second reading on _____.

Ayes: _____. Nays: _____. Absent: _____. Abstain: _____.
The Honorable Milton E. Freeland, Jr., Councilman: _____.
The Honorable Kenneth B. Frenier, Councilman: _____.
The Honorable W. Joe Green, Jr., Councilman: _____.
The Honorable Elizabeth G. Luck, Vice Mayor: _____.
The Honorable John T. Wood, Councilman: _____.
The Honorable Diane H. Yates, Councilwoman: _____.
The Honorable C. Scott Davis, Mayor: _____.

City Clerk

Approved as to form:

City Attorney



City of Colonial Heights

Attention:

Office of the City Clerk
Post Office Box 3401
Colonial Heights, VA 23834

Name: Millard "Pete" Stith

Address: VSU

Telephone Number: _____

Please place me on the City Council Agenda for November 15, 2011
(date)

Purpose:

To express appreciation for Council's support
of Virginia State University.

Please deliver this form to the City Clerk's Office or mail it to Office of the City Clerk, Post Office Box 3401, Colonial Heights, Virginia at least one week prior to the date of the Council Meeting in order to be placed on the agenda.

A RESOLUTION NO. 11-40

RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF COLONIAL HEIGHTS, VIRGINIA DECLARING ITS INTENTION
TO REIMBURSE ITSELF FROM THE PROCEEDS OF ONE OR MORE
FINANCINGS FOR CERTAIN CAPITAL PROJECT COSTS

The City of Colonial Heights, Virginia (the "City") has determined that it may be necessary or desirable to advance money to pay the costs of certain capital projects (the "Improvements") consisting primarily of construction of a new courthouse (the "Courthouse Project") and acquisition of a fire truck (the "Fire Truck").

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLONIAL HEIGHTS, VIRGINIA:

1. The City Council adopts this declaration of official intent under Treasury Regulations Section 1.150-2.
2. The City Council reasonably expects to reimburse advances made or to be made by the City to pay the costs of the Improvements from the proceeds of one or more financings. The maximum amount of financing expected to be issued for the Improvements is \$10,000,000, of which approximately \$900,000 is expected to be issued for the Fire Truck and \$9,100,000 is expected to be issued for the Courthouse Project.
3. This resolution shall take effect immediately upon its adoption.

Approved:

Mayor

Attest:

City Clerk

I certify that the above resolution was:

Adopted on _____.

Ayes: _____. Nays: _____. Absent: _____. Abstain: _____.

The Honorable Milton E. Freeland, Jr., Councilman: _____.

The Honorable Kenneth B. Frenier, Councilman: _____.

The Honorable W. Joe Green, Jr., Councilman: _____.

The Honorable Elizabeth G. Luck, Vice Mayor: _____.

The Honorable John T. Wood, Councilman: _____.

The Honorable Diane H. Yates, Councilwoman: _____.

The Honorable C. Scott Davis, Mayor: _____.

City Clerk

Approved as to form:

City Attorney

CITY OF COLONIAL HEIGHTS

DEPARTMENT OF FINANCE



City Hall · 201 James Avenue · P.O. Box 3401
Colonial Heights, Virginia 23834

William E. Johnson
Director

Kathy L. Sparks
Deputy Director

RECEIVED

To: Thomas L. Mattis, City Manager
From: William E. Johnson, Director of Finance
Date: 11/3/2011
RE: 2012 Bond Funding

NOV 03 2011

CITY ATTORNEY'S OFFICE

The City has previously appropriated \$900,000 for the purchase of a fire apparatus in the Capital Projects Fund to be funded by long-term debt. Looking at the current cash flow and interest rates, I am recommending that we roll the vehicle purchase of \$865,000 into the proposed bond sale, with the remaining \$35,000 dedicated to partial funding of associated equipment be funded out of the restricted fund balance that has been set up for Fire/EMS Apparatus purchases in the Capital Project Fund.

The current Bond Reimbursement Resolution ordinance has been updated to include this purchase recommendation and increase the Courthouse Reimbursement amount to ensure we are covered for any payments that may be required until the General Obligation Bonds are actually sold.

I am available to discuss at your convenience.

A RESOLUTION NO. 11-42

To commemorate and support the bicentennial of the American War of 1812 in Virginia.

WHEREAS, the American War of 1812 was fought between the United States and Britain from June 18, 1812, through February 18, 1815, in Virginia and Maryland, along the Canadian border, along the western frontier, along the Gulf Coast, and through naval engagements in the Great Lakes and the Atlantic and Pacific Oceans; and

WHEREAS, the strategic location of the Chesapeake Bay near the nation's capital made it a prime target for the British, and the coast of Virginia figured prominently in the Atlantic theatre of operations; and

WHEREAS, there were some 73 armed encounters with the British that took place in Virginia during the war; and Virginians actively fought in Maryland, Virginia, and Ohio and in naval engagements; and

WHEREAS, an estimated 70,000 Virginians served during the American War of 1812; and

WHEREAS, the American War of 1812 helped forge a national identity among the American states and laid the groundwork for a national system of homeland defense and a professional military within the United States; and

WHEREAS, the bicentennial of the American War of 1812 provides an opportunity for all Americans to commemorate the independence for which our forefathers so bravely fought; and

WHEREAS, the 2009 Virginia General Assembly established the Virginia Bicentennial of the American War of 1812 Commission to lead the Commonwealth's commemoration of the bicentennial of America's Forgotten War, the Second War of Independence; and localities throughout the State have been requested to commemorate the bicentennial locally with appropriate activities and to participate in the several signature events; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLONIAL HEIGHTS:

1. That Council commemoates the bicentennial of the American War of 1812 in Virginia and will endeavor to support the commemoration through locally developed activities and participation in statewide bicentennial events and programs.

2. That Council hereby notifies the Virginia Bicentennial of the American War of 1812 Commission of its agreement to execute local activities and to participate in statewide events and programs to commemorate the bicentennial of the American War of 1812 in Virginia.

3. That this resolution shall be in full force and effect upon its passage.

Approved:

Mayor

Attest:

City Clerk

I certify that the above resolution was:

Adopted on _____.

Ayes: _____. Nays: _____. Absent: _____. Abstain: _____.

The Honorable Milton E. Freeland, Jr., Councilman: _____.

The Honorable Kenneth B. Frenier, Councilman: _____.

The Honorable W. Joe Green, Jr., Councilman: _____.

The Honorable Elizabeth G. Luck, Vice Mayor: _____.

The Honorable John T. Wood, Councilman: _____.

The Honorable Diane H. Yates, Councilwoman: _____.

The Honorable C. Scott Davis, Mayor: _____.

City Clerk

Approved as to form:

City Attorney

COMMONWEALTH OF VIRGINIA



The Honorable M. Kirkland Cox, Chairman
Sixty-Sixth House District

The Honorable Stephen H. Martin, Vice Chairman
Eleventh Senatorial District

Virginia Commission on the Bicentennial of the War of 1812

October 25, 2011

The Honorable C. Scott Davis
Mayor, City of Colonial Heights
P. O. Box 3401
Colonial Heights, VA 23834-9001

Dear Mayor Davis:

It is my pleasure, as Chairman of the Virginia Commission on the Bicentennial of the American War of 1812, to announce the commemoration of the bicentennial in the Commonwealth and to invite your locality to participate in and support the bicentennial programs and activities. I am joined on the Commission by other members of the Virginia House of Delegates, the Senate of Virginia, and accomplished citizens who have a deep interest in the War of 1812 and a commitment to commemorating the bicentennial. Our legislative Commission is ably assisted in its work by a Citizen Advisory Council, whose members include educators, historians, and representatives of the military and historical and heritage societies.

On January 11, 2012, the Commission, in collaboration with the Richmond Symphony, will launch the bicentennial of the War of 1812 with a Symphonic Tribute at CentreStage in Richmond. Other signature events include:

- OpSail 2012 Virginia, June 1-12, 2011
- Chesapeake Bay Tour in 2013
- Legacy Symposium, June 2014
- Commemoration of the Burning of the White House and Occupation of Alexandria, August 2014
- Memorial Honoring Fort Meigs and Recognition of Contributions of African Americans in the War of 1812, June 2015

From 2011 through 2015, the Commission will dedicate historical highway markers for certain sites on the newly created Virginia War of 1812 Heritage Trail. A copy of our commemorative brochure is enclosed. In addition, the Commission is requesting local governing bodies to pass a resolution in support of the bicentennial. A sample resolution is enclosed for your perusal and use. Many other activities, including a documentary, book, and a War of 1812 in Virginia exhibit, are in production. All bicentennial programs and activities are designed to promote historical literacy and scholarly research, showcase accurately Virginia's role in and vast contributions to *"The Forgotten War: America's Second War of Independence,"* and educate Virginians concerning the significance of the war to democratic principles, contemporary national policies, homeland security, and diplomacy.

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OCT 27 2011

CITY CLERK'S OFFICE

Further, I encourage you to plan local programs and activities in which your residents can participate to mark the bicentennial, and to your events with the Commission in order that we may publicize them on our website at <<http://va1812bicentennial.dls.virginia.gov/>>. We hope that we can count on you to join us in celebrating and remembering this very important historic event in the life of the Commonwealth and our nation. For more information concerning Virginia's bicentennial commemoration of the War of 1812, please contact our staff, Mrs. Brenda H. Edwards, at the Division of Legislative Services in Richmond, (804) 786-3591 or bedwards@dls.virginia.gov.

Sincerely,



M. Kirkland Cox
Chairman

Enclosures

cc: The Honorable Stephen H. Martin
The Honorable Christopher K. Peace

A RESOLUTION No.

To commemorate and support the Bicentennial of the American War of 1812 in Virginia

WHEREAS, the American War of 1812 was fought between the United States and Britain from June 18, 1812, through February 18, 1815, in Virginia and Maryland, along the Canadian border, along the western frontier, along the Gulf Coast, and through naval engagements in the Great Lakes and the Atlantic and Pacific Oceans; and

WHEREAS, the strategic location of the Chesapeake Bay near the nation's capitol made it a prime target for the British, and the coast of Virginia figured prominently in the Atlantic theatre of operations; and

WHEREAS, there were some 73 armed encounters with the British that took place in Virginia during the war, and Virginians actively fought in Maryland, Virginia, and Ohio and in naval engagements; and

WHEREAS, an estimated 70,000 Virginians served during the American War of 1812; and

WHEREAS, the American War of 1812 helped forge a national identity among the American states and laid the groundwork for a national system of homeland defense and a professional military within the United States; and

WHEREAS, the bicentennial of the American War of 1812 provides an opportunity for all Americans to commemorate the independence for which our forefathers so bravely fought; and

WHEREAS, the 2009 Virginia General Assembly established the Virginia Bicentennial of the American War of 1812 Commission to lead the Commonwealth's commemoration of the bicentennial of America's Forgotten War, the Second War of Independence; and localities throughout the State have been requested to commemorate the bicentennial locally with appropriate activities and to participate in the several signature events and other numerous programs and activities have been planned for the Commonwealth;

NOW, THEREFORE, BE IT RESOLVED BY THE [Council/Board of Supervisors] of the [City/County/Town of _____] THAT:

The [Council/Board of Supervisors] of the [City/County/Town of _____] commemorates the bicentennial of the American War of 1812 in Virginia, and will endeavor to support the commemoration through locally developed activities and participation in statewide bicentennial events and programs;

BE IT RESOLVED FURTHER THAT the [Council/Board of Supervisors] of the [City/County/Town of _____] hereby notifies the Virginia Bicentennial of the American War of 1812 Commission of its agreement to execute local activities and to participate in statewide events and programs to commemorate the bicentennial of the American War of 1812 in Virginia.

ADOPTED this [day] day of [month/year].

A COPY ATTEST

[name] [title]



CITY OF COLONIAL HEIGHTS

POLICE DEPARTMENT

Col. Jeffrey W. Faries
Chief of Police

Babette B. Hansen
Administrative Assistant

100-A Highland Avenue • P. O. Box 3401
Colonial Heights, Virginia 23834

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OCT 19 2011

October 17, 2011

City Manager's Office

MEMORANDUM

TO: Mr. Thomas L. Mattis, City Manager

FROM: Colonel Jeffrey W. Faries, Chief of Police *JWF*

RE: RECONSIDERATION OF INCREASED SALARIES FOR ACTING PERSONNEL

I respectfully request further consideration regarding our *Supervisory Substitution Policy, City Code 51-24*. As was approved, I am utilizing both Dann Ferguson and Renee Walters in acting supervisory capacities—Dann as an Acting Captain and Renee as an Acting Sergeant.

The issue I have is that Acting Captain Dann Ferguson, who is responsible for an entire bureau (Operations), will have to wait 28 days for any additional compensation, while Acting Sgt. Renee Walters (Assistant Patrol Supervisor) is responsible for approximately six officers on her squad and has to wait only 14 days. In addition, Acting Sgt. Walters is already being compensated at a higher rate than Acting Captain Ferguson due to her participation in our Career Development Program and her tenure on the job.

If approved and policy is changed, both increases are minimal, costing my budget approximately \$2,200.00 during the entire 10-week period that the change is needed. Overall, it will cost an extra \$50.00 a week per officer to make this move. The need more than justifies the cost.

I would appreciate any guidance and look forward to further discussion on this matter.

JWF:bbh

CITY OF COLONIAL HEIGHTS
SUPERVISORY SUBSTITUTION POLICY
RULES AND REGULATIONS

I. STATEMENT OF INTENT.

Pursuant to City Code §51-24.1, it shall be the policy of the City of Colonial Heights to provide a fair, equitable and uniform method of compensating certain City employees who are appointed to serve temporarily in a higher-level position with supervisory responsibility.

For the purposes of this policy, "supervisory substitution" shall apply only to full-time employees who would be required to serve in a capacity, which requires the supervision of one (1) or more subordinate employees. Supervision of an operation function shall not be deemed to qualify under this policy.

II. AWARD OF COMPENSATION.

A. The amount of compensation granted to those full-time employees substituting in a supervisory capacity shall be five percent (5%), unless it is deemed by the City Manager, upon recommendation of the department head, that the position warrants a greater amount.

B. No salary increase shall be awarded until said employee has served in the supervisory capacity for twenty-eight (28) continuous calendar days. Actual compensation will be awarded beginning on the 29th day. The appointment of a non-supervisory employee to an acting supervisory capacity shall qualify as an exception to the twenty-eight (28) day service requirement.

III. REPLACEMENT OF DEPARTMENT DIRECTORS AND SUPERVISORS.

A. When a supervisory employee is appointed to serve in a higher-level acting supervisory capacity, he shall be awarded the approved salary increase. This increase shall become effective on the 29th day following a continuous 28-day service period.

B. Non-supervisory employees appointed to serve in an acting supervisory capacity shall be awarded the approved salary increase at the beginning of the second full pay period. Employees are ineligible to receive the salary increase for the first pay period of the acting period.

C. The duration of this appointment can be unlimited.

D. There shall be no more than one (1) employee serving in a supervisory substitution position per working shift or office staff environment.

E. There shall be no other departmental or office supervisor on duty during the time in which the substitution shall take place.

F. Department directors must request acting supervisory compensation in writing and in advance through the Director of Human Resources. However, telephone authorization may be granted on an exceptional basis; i.e., an emergency situation. Acting positions created by the use of compensatory or annual leave are excluded from this policy. Retroactive requests will not be considered.

G. The department director or his designee shall be required to make such appointments, upon approval by the Director of Human Resources and the City Manager. The appointment of a substitute for a department head shall be made by the City Manager.

IV. TERMINATION OF SUBSTITUTION.

Any temporary supervisory substitution shall terminate on the date that the position is once again occupied by an approved City employee at the proper grade, or the position is either eliminated or determined to be left vacant. The final determination on the status of a substituted position shall be left to the discretion of the department director, in concurrence with the City Manager.



CITY OF COLONIAL HEIGHTS

DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

City Hall · 201 James Avenue · P.O. Box 3401
Colonial Heights, Virginia 23834

George W. Schanzenbacher,
A.I.C.P., Director

MEMORANDUM

To: Honorable Mayor and Members of City Council
Mr. Thomas L. Mattis, City Manager

From: George W. Schanzenbacher, Director

Date: November 2, 2011

Subject: Planning Commission Actions at November 1, 2011 meeting

At the November 1, 2011 meeting of the Commission the following actions were taken:

1. Approved minutes of the October 4, 2011 meeting (enclosed).
2. Held a public hearing on amending the Comprehensive Plan for the courthouse and recommended approval of the amendment. (Please see enclosed resolution that was unanimously approved).
3. Gave Conditional Site Plan approval for an office/services building to be located at 1914 Snead Ave.

CITY OF COLONIAL HEIGHTS, VIRGINIA
Minutes of the Regular Meeting
of the Planning Commission
Tuesday, October 4, 2011

I. Call to Order

Chairman Hargis called the meeting to order at 7:00 p.m.

II. Roll Call/Determination of Quorum

Mr. Schanzenbacher, Director of Planning and Community Development, called the roll.

Present: Mr. Hargis
 Mrs. Hamilton
 Mr. Freeland
 Mr. Townes
 Mr. Kollman

Mr. Schanzenbacher stated there was a quorum.

Also Present: City Manager Thomas L. Mattis, City Attorney Hugh P. Fisher, III, Planning Director George W. Schanzenbacher, Director of Public Works Chuck Henley, Assistant Director of Public Works Brian Cobble

III. Approval of Minutes of August 2011

Mr. Freeland indicated that he was not at the August meeting. With that change the minutes were approved on a roll call vote.

IV. Approval of Agenda

There were no changes to the agenda.

V. Hearing of Citizens Generally

There were no citizens in the audience that wanted to be heard.

VI. Public Hearings

Proposed Rezoning of 231 Chesterfield Ave from RL to BB for City of Colonial Heights Courthouse

Mr. Schanzenbacher explained the purpose of the public hearing noting that for the courthouse project the existing zoning category of RL did not allow the use. The BB District did allow governmental services and the proposed use met the other zoning district regulations.

Chairman Hargis asked if anyone wished to speak on the subject.

Mr. Kirk Thibault 206 Battery Place spoke. In his comments he noted that he lived directly adjacent to the proposed project and was in favor of the courthouse. He also indicated that he felt that the project would reduce the value of adjacent properties and requested that the immediate area around the courthouse site should be rezoned RO-

Residential Office District. The City should look beyond just the immediate scope of the project. He also noted support for the enhanced landscaping being considered.

City Attorney Fisher questioned the lateness of the request noting that the project had been in development for many months. Mr Tiebolt responded that he did not want to hold up the project but this was the first public opportunity to respond since the decision to proceed had been announced.

Mrs. Hamilton inquired about the extent of the proposed zoning changes requested. Did he mean along Dupuy Ave. and or Battery Place. Mr Tiebolt responded that he felt it should be the entire area.

Mr. Freeland noted that individual rezoning actions would give the City a better bargaining position using proffers to be consistent with City purposes.

Mr Fisher suggested that the Planning Department be contacted so that the issue could be addressed as part of the Comprehensive Plan update process first if that was inclination of the neighborhood.

Mr Freeland moved that resolution 11-4 PC recommending the proposed rezoning from RL to BB be approved. The motion was seconded by Mrs. Hamilton and unanimously approved on roll call vote.

Amending the Public Buildings Component and the Land Use and Transportation Plan Map of the Comprehensive Plan for the Courthouse to be located at 231 Chesterfield Ave.

No one spoke on this item. Mr. Fisher noted that this item could not be acted on due to advertising time limit error. Mr Hargis asked for a motion to table until the November meeting. Mr. Freeland moved to table, seconded by Mr Townes and unanimously approved on roll call vote.

VII. Plans of Development/Subdivisions

PD-11-3- 231 Chesterfield Ave.- City of Colonial Heights Courthouse

Mr Schanzenbacher gave an overview of the project. Mr. Chuck Henley, Director of Public Works made a detailed presentation explaining the history of the project and how the project has evolved. He explained that two committees were created, one to deal with the building use and the other on the site and future development around the facility. He noted that security was an overriding factor in the building design. He introduced team members from Mosley Architects and Timmons that developed the architectural plans and landscaping plans.

He articulated many of the features of the site plan, including: no vehicular access off of Battery Place, two entrances off the Boulevard at existing locations, that the building was in about the same location as the former church, 57,000 sq ft, two stories in size, 211 parking spaces, no VDOT 527 traffic study was required, water quality measures, pedestrian accommodations, Boulevard Streetscape and LEED silver designation.

There were numerous questions asked by Commissioners including:

- Watering for vegetation –proposed irrigation for front of site, 80% of vegetation will be local species, 2 year warranty to establish growth
- Location of sidewalks in the front- design to discourage mid-block crossing of Boulevard
- Location of Monument in front- what is history could it be relocated- No one knew history
- Landscaping along Battery Place/fence- still under final review
- Dumpster location- will work in current location Not a lot of other choices

Mr. Henley indicated that the project was still on schedule to be ready for occupancy in the summer of 2013, with a ground breaking next spring.

Mr Freeland moved to conditionally approve the site plan. This was seconded by Mrs. Hamilton and unanimously approved on roll call vote.

S-11-1 Subdivision Plat of property of Roslyn Farm Corporation

Mr Schanzenbacher explained the subdivision request noting that this parcel of –acres will be deeded to the City for the Appomattox River Greenway Trail. As it is a small part of a larger parcel that was formerly RR right of way a subdivision is required.

Mr. Townes moved that the subdivision be approved. This was seconded by Mr. Kollman and unanimously approved on roll call vote.

PD-11-4- 831 E. Ellerslie Ave- Colonial Heights Health Care- parking lot and driveway expansion

Mr. Schanzenbacher explained the site plan noting that it was for a 20 car parking lot and driveway along the east side of the building adjacent to I-95. The only issue identified was a Columbia Gas easement. The engineer is aware of this and if approval is not given then the driveway could be slightly shifted.

Mr Townes moved for conditional approval of the site plan. This was seconded by Mr. Freeland and unanimously approved on roll call vote.

VIII. Old Business

PD-09-5 North Riverview Commercial Center- Temple Ave- Landscaping plan modifications -WAWA

Mr Brian Mitchell of Townes Site Engineering presented to the Commission a revised landscaping plan for the site, noting that the City zoning ordinance required landscaping around the building and the dumpster. He offered an alternative plan that would provide landscaping at the two front corners of the parking lot and additional landscaping at the driveway entrance. After discussion it was suggested that landscaping also be provided at the two rear corners of the parking lot. Mr Townes moved for approval of the revised landscaping plan, with the two additional landscaped areas. This was seconded by Mr. Freeland and unanimously approved on roll call vote.

Mr Kollman inquired about the need for right turn lane improvements off of Temple Ave and the condition of Temple Ave in the general location. This lead to a discussion concerning the balance between general city wide improvements and developers responsibilities for upgrading the city's infrastructure to accommodate growth. Mr Fisher noted the difference concerning what could legally be required vs. asking. Mr. Mattis noted that WAWA was asked but did not ultimately agree to assist in upgrading Temple Ave.

Mr. Townes noted that the trash buried in cells under Temple Ave was 20' deep and probably this problem will continue on for a long time.

IX. New Business

Appomattox River Corridor Development Plan

Mr Schanzenbacher briefly reviewed the report noting that he wanted to get it to the Commission for their information. No action is now being requested. The City Council will be discussing it at future meetings, including the short range implementation outline submitted by the City Manager. Also ideas in the report may be incorporated in to the Comprehensive Plan update.

Mr Townes questioned the comments about no impact from Ft. Lee and about no Hospital impact.

Next meeting

The next regularly scheduled meeting will be Tuesday November 1, 2011

X. Committee Reports

Chairman Hargis asked if there were any committee reports. There were no reports from the Commission members.

XI. Adjournment

Meeting adjourned at 9:00 p.m.

Respectfully,

George W. Schanzenbacher
Director, Department of Planning and Community Development

APPROVAL:

Harry B. Hargis Jr., Chairman

RESOLUTION NO. 11-3 (PC)

To recommend to City Council that the City Comprehensive Plan be changed to state that the location of the new Courthouse will be on Chesterfield Avenue and to approve the general location, character, and extent of the new Courthouse.

WHEREAS, the City of Colonial Heights (the "City") has requested that the "Public Buildings" component of its Comprehensive Plan be changed on page 81 to reference a "Courthouse" rather than a "Courts & Justice Building" and that the location of the Courthouse on page 81 be changed from "Temple Avenue" to "Chesterfield Avenue"; and

WHEREAS, the City also has requested that its Land Use and Transportation Plan map, which is part of the Comprehensive Plan, be changed to indicate the location of the new Courthouse; and that the general location, character and extent of the new Courthouse be approved; and

WHEREAS, on November 1, 2011, the Commission held a public hearing on the above-referenced issues, after duly advertising the public hearing in *The Progress-Index*; and

WHEREAS, the Commission finds that the public necessity, convenience, general welfare, and good planning practice require the approval of the requested Comprehensive Plan changes and of the general location, character, and extent of the new Courthouse; NOW, THEREFORE,

BE IT RESOLVED BY THE COLONIAL HEIGHTS PLANNING COMMISSION:

1. That the Planning Commission approves the changes to the City's Comprehensive Plan referenced above and recommends that the City Council approve the changes as provided in the attached Ordinance No. 11-21.

2. That the Planning Commission approves the general location, character, and extent of the new Courthouse at 231 Chesterfield Avenue.

Approved this 1st day of November, 2011.

APPROVED:

Chairman

ATTEST:

Secretary