

AUGUST 2010 EMPLOYEE OF THE MONTH



NAME: Kevin R. Smith

POSITION: EMS Firefighter

EMPLOYMENT

HISTORY: Mr. Smith was hired in August, 2002 as a Firefighter/EMT in the Fire & EMS Department.

NARRATIVE: Kevin is a dedicated and quality-driven member of our Fire Department. His work ethic and attention to detail are what defines him. He does more than just meet the required standards. He is consistently dependable and is the type of person that anyone would be proud to call their friend.

He is often called upon to complete difficult assignments. Kevin willingly accepts these assignments, tackling them with commitment and a smile.

Kevin doesn't require review of his work; you can depend on him to complete his assignments in a concise manner with no errors. His work is often imitated and is a testament to the high standard that he sets for himself and his co-workers.

In addition to his regular duties, Kevin serves as an EMS Field Training Officer (FTO). He continuously works with his fellow employees to promote their EMS education and field experience. He educates, inspires, and motivates newly certified employees to advance to a higher level of functionality. Along with training new providers, Kevin also uses his talents to teach EMS continuing education classes within his shift.

Kevin has recently been selected to fill a position aboard Med-Flight as a medic. This assignment is limited to those displaying the knowledge and skills at an advanced level. He was selected because of his hard work and the dedication that he shows daily in his current assignment.

On his own accord and without compensation, Kevin enrolled and completed requirements for nursing. He passed his Virginia State Boards, and is now licensed as a registered nurse (RN). This further exemplifies the compassion that Kevin brings to the emergency medical field.

Kevin's calm attitude and demeanor gains him much respect and admiration from his peers, it is for these reasons that he is selected for the Employee of the Month.

CITY OF COLONIAL HEIGHTS, VIRGINIA
Special Meeting of City Council
Monday, August 23, 2010

1. Call to Order.

The Special Meeting of City Council was called to order by Mayor Davis at 5:02 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 (Arrived at ?? P.M.)**

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 2.2-3711A.1 of the Code of Virginia, for the purpose of discussing, considering and interviewing prospective candidates for employment as the City Manager.
 - Section 2.2-3711A.3 – to discuss and consider the acquisition of an easement for the Appomattox River Trail System for a public purpose where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.

Mayor Davis announced the purpose of the meeting.

A motion was made by Mr. Freeland, seconded by Mrs. Yates and carried unanimously on voice vote to convene into closed session at 5:04 P.M.

4. Voice Vote – come back into Open Session.

A motion to reconvene into open session was made by Mrs. Yates, seconded by Mrs. Luck and carried unanimously on voice vote at 9:45 P.M.

5. Special Meeting for the purpose of:

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

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- Section 2.2-3711A.1 of the Code of Virginia, for the purpose of discussing, considering and interviewing prospective candidates for employment as the City Manager.
 - Section 2.2-3711A.3 – to discuss and consider the acquisition of an easement for the Appomattox River Trail System for a public purpose where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.
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.

Vote:

7-0

Yes:

Freeland, Jr.

Frenier

Green, Jr.

Luck

Wood

Yates

Davis

No:

None

Abstained:

None

Absent:

None

Motion UNANIMOUS PASS.

8. Adjournment of Special Meeting.

A motion to adjourn the Special Meeting was made by Mrs. Yates, seconded by Mrs. Luck and carried unanimously on voice vote at 9:47 P.M.

APPROVED:

C. Scott Davis, Mayor

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ATTEST:



DeAnna D. Atkins, City Clerk

CITY OF COLONIAL HEIGHTS, VIRGINIA
Regular Meeting of City Council
Tuesday, August 10, 2010

1. Call to Order.

The Regular Meeting of City Council was called to order by Major Davis at 7:12 P.M.

2. Roll Call.

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

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:

**Acting City Manager William E. Johnson
City Attorney Hugh P. Fisher, III**

Mr. Jeffrey W. Faries, Chief of Police
Mrs. Abby Lynch, Youth and Human Services
Mrs. Jennifer N. Carpenter, Director of Human Resources
Mr. Craig R. Skalak, Director of Recreation and Parks
Mr. A.G. Moore, Jr., Chief of Fire and EMS
Ms. Karen K. Saunders, Information Technology Admin.
Mr. George W. Schanzenbacher, Director of Planning
Ms. Kathy L. Sparks, Deputy Director of Finance

3. Devotion – The Honorable C. Scott Davis, Mayor.

A devotional prayer was led by Mayor Davis.

4. Pledge of Allegiance.

The Pledge of Allegiance was led by Mayor Davis.

5. Adoption of Agenda.

A motion to adopt the agenda was made by Mr. Freeland and seconded by Mr. Frenier.

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

Motion UNANIMOUS PASS.

6. Commendations and Presentations.

A. Presentation of 2009/2010 Annual Report for Office on Youth – Mr. Rennie B. Glazer, Chairperson, Youth Services Commission.

Mr. Glazier provided highlights included in the annual report and expressed appreciation for the Council's support of the Youth Services Commission and added the programs provided to the youth of the City are a benefit to the citizens of the City.

Mayor Davis expressed appreciation to Mr. Glazier for his dedication to the youth of the City and added the individuals that work in the Office on Youth have a passion for youth.

B. Presentation of Certificate of Achievement for Excellence in Financial Reporting from Government Finance Officers Association. – Ms. Vivian McGettigan

Ms. Vivian McGettigan, President Elect of the Virginia Government Finance Officers Association, presented a plaque to the City for receiving the Certificate of Achievement for 30 consecutive years.

Mayor Davis expressed appreciation to staff for their hard work in receiving the Certificate of Achievement for 30 consecutive years.

Mayor Davis recognized Mr. Les Fryar who was present in the audience representing the School Board.

C. Presentation of Employee of the Month Award for July 2010 to Deputy Sheriff Donald W. Hannuksela.

Mayor Davis recognized Deputy Sheriff Donald W. Hannuksela, read the commendation in its entirety and presented him with a certificate and a small token of the appreciation.

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Sheriff Deputy Donald Hannuksela expressed appreciation to Council for the recognition and to his co-workers for their support on the projects for the grants.

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

A. Approval of Minutes:

1. **Special Meeting, July 13, 2010.**
2. **Regular Meeting, July 13, 2010.**
3. **Special Meeting, July 20, 2010**

B. Adoption of:

AN ORDINANCE NO. 10-23 (Second Reading). To grant a special use permit to R.L. Dunn for property located at 1210, 1212, and 1214 Boulevard, which property is presently zoned B-3 General Business (high density) District, has parcel identification number 24000200009, and comprises 1.7 acres, to allow for the property to be used for up to 15,800 square feet (32 units) of multiple-family dwellings and 6,800 square feet of commercial space.

AN ORDINANCE NO. 10-24 (Second Reading). To amend and reordain Article II, Property Maintenance, of Chapter 244 of the Colonial Heights City Code by requiring the owner of any real property to cut or remove any grass, weeds, or other foreign growth exceeding 12 inches in height and by making other changes to such Article.

AN ORDINANCE NO. 10-FIN-16 (Second Reading). To amend the General Fund Budget for the fiscal year beginning July 1, 2010, and ending June 30, 2011, to appropriate \$259,077, consisting of 219,054 in additional State Funding changes, grants, and intergovernmental reimbursements; \$18,523 in grant funding to Public Safety; \$11,500 in state funding to the Office on Youth to administer the work experience program; and \$10,000 in grant funding to the Department of Planning and Community Development for a special study of the City's Appomattox River Corridor.

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

Mr. Freeland qualified his vote for Ordinance No. 10-24 by stating he has received more feedback from the citizens in favor of the ordinance.

Vote:

Yes:

6-0

Freeland, Jr.

Frenier

Luck

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	Wood
	Yates
	Davis
No:	None
Abstained:	None
Absent:	Green, Jr.

Motion UNANIMOUS PASS.

8. Reading by City Attorney of Manner of Addressing Council.

The City Attorney read the Manner of Addressing Council.

9. Advertised Public Hearings.

A. Public Hearing as advertised in *The Progress-Index* on July 25, 2010 and August 1, 2010.

AN ORDINANCE NO. 10-25 (First Reading). To amend and reordain §§98-22, 98-23 and 98-24 of Chapter 98, Animals, of the Colonial Heights City Code, so as to add provisions for the issuance of a three year City dog or cat license and tax thereon.

Mr. Fisher stated Section 98-22 is not being amended in Ordinance No. 10-25 due to feedback received from the City Manager and the Treasurer; therefore, it does not need to be included in the amendment.

A motion was made by Mayor Davis and seconded by Mr. Frenier to amend the Ordinance 10-25 by striking Section 98-22.

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

Motion UNANIMOUS PASS.

A motion was made by Mrs. Luck and seconded by Mr. Freeland to adopt Ordinance 10-25 as amended.

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There was no response to the Mayor's request for public comment.

Mayor Davis explained the purpose of the ordinance.

In response to a question from Mayor Davis concerning the amendments to Ordinance 10-25, Mr. Fisher stated in the past citizens had to renew their dog licenses annually, but with the amendments they will be given the option to renew every three years. He added the Treasurer is ready to implement the amendments this coming year.

Mrs. Yates stated incentives are typically given to purchase something for multiple years and there has not been an incentive given to the citizens to purchase a three-year dog license.

In response to a question from Mayor Davis concerning the fees charged for dog licenses, Mr. Fisher stated there is no minimum amount the City can charge, but \$10 is the maximum. He added the City does have the authority to offer an incentive for citizens who purchase three-year dog licenses, such as \$25 for the three-year license.

Mrs. Joy Moore, Treasurer, called attention to the fact the three year dog license was designed to run concurrently with the rabies vaccination and not particularly as an option for citizens. She stated the one-year dog license is available for new animals because the rabies shot is only good for one year and after that one-year shot, a three-year rabies shot is administered.

Mayor Davis stated the option needs to be available for the citizens to purchase one-year dog licenses if they do not want to pay for a three-year dog license.

A brief discussion was held on giving the citizens the option to purchase a one-year dog license or a three-year dog license.

Mrs. Moore stated the Treasurer's Office could add the option for either the one-year or the three-year dog license with some tweaking to their database. She added the State mandates their office to send out delinquent dog license notices and the ability to do it every three years will reduce the expenses of going after delinquent licenses.

Mr. Fisher stated the Ordinance was drafted with the option for the one-year or three-year dog licenses at the request of animal control.

Mayor Davis stated the citizens still need to be given an option to either buy a one-year or three-year dog license. He added since the option will still be given, then maybe a \$5 incentive is not needed to be provided.

Mrs. Moore stated citizens cannot purchase a three-year dog license unless their rabies shot is good for three years.

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A brief discussion was held on the State mandates for the three-year cat licenses and the lack of record keeping for cat licenses.

In response to a question from Mayor Davis concerning placing the order for the three-year cat license, Mrs. Moore stated she can get the order modified instead of changing the Ordinance.

Mrs. Yates stated if the Treasurer's Office only sent delinquent notices for the three-year dog licenses then that would reduce the cost of the program and the incentive could be implemented.

Mrs. Luck stated the incentive for the citizens would be that they do not have to come back to City Hall to obtain a dog license every year and keep up with the paperwork.

Mr. Freeland spoke in support of a monetary incentive for citizens to purchase a three-year dog license.

A brief discussion was held relative to the lack of a refund available for deceased animals.

Mrs. Luck stated the money collected is used for the care of the animals at the pound.

Mr. Fisher questioned whether an incentive would also be given for spayed and neutered animals, which is \$2 a year, if a three-year dog license is purchased.

Mr. Wood stated the money received from the dog licenses is being used for municipal purposes. He expressed concerns relative to changing the program and not being able to cover the cost of the program.

Vote: 6-0

Yes: Freeland, Jr.

Frenier

Luck

Wood

Yates

Davis

No: None

Abstained: None

Absent: Green, Jr.

Motion UNANIMOUS PASS.

A RESOLUTION NO. 10-30. Expressing City Council's desire to sell approximately 67.84 acres of City-owned land and authorizing the Acting City Manager to enter into an Exclusive Right to Sell Agreement with Divaris Real Estate, Inc. to sell such property.

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A motion for adoption was made by Mr. Freeland and seconded by Mrs. Luck.

Mayor Davis provided a brief history with regard to the document and noted several commercial real estate firms have been interviewed and Divaris Real Estate, Inc. will represent the City over the next 12 months and will bring any potential buyer to negotiate the price.

Mr. Michael Cherry, 204 Battery Place, asked whether the property being sold included just the part closest to the road or the part further back and whether access to the boat landing and fishing area would be affected.

Mayor Davis responded that both parcels are proposed to be sold and whether an easement to the boat landing and fishing area would be provided would have to be negotiated with the potential buyer. He added Council is open to any proposed development for the property.

Mr. Freeland expressed concerns relative to language in the contract for the total 67.84 acres being sold but only 35 acres of the property is developable. He questioned whether the entire amount should be advertised or just the developable portion of the property. He stated he does not want the City to be at the developer's mercy relative to the portion of the property used to access the boat landing.

Mayor Davis reiterated the City will only sell what the City wants to sell and the parcel where the trail is located does not have to be sold.

A brief discussion ensued relative to the flexibility given the City in the contract with Divaris Real Estate, Inc., that any proposal would have to be approved by Council.

Mr. Wood stated the primary goal was to sell the property and the only reason a developer would want the property in the floodplain would be to use it as a buffer.

Mr. Freeland stated the property in the floodplain could be used as a wetlands credit.

Mr. Fisher stated if the entire 67.84 acres is not going to be for sale then the process would have to start over with an RFP because the solicited bids included everything.

A brief discussion ensued relative to the amount of acres being sold in the contract and the use of the boat landing area.

Mrs. Luck stated Divaris Real Estate, Inc. is being hired to represent the City to portray the information about the developable property to the potential customers.

Mr. Fisher called attention to the fact that Council does not want to limit the City's options relative to this property and we do not know what the options entail.

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In response to a question from Mr. Cherry concerning the commission paid on the sale of the property or an offer being made, Mayor Davis stated a commission will only be paid when the property is sold, not on any offer which may be brought to the City and turned down.

Mr. John Wingfield, representing Divaris Real Estate, Inc., stated only 30 acres of the property is anticipated to be sold because it is the only part developable. He added Divaris envisions 250,000 to 300,000 square feet of commercial property with outparcels as a gateway to the river through the remaining property. He stated Divaris' job as the agent is to sell the usable part at the highest and best price for the City and to put uses on the property that the citizens can use.

A brief discussion ensued relative to offering the entire 67.84 acres for sale versus just the 30 acre parcel and the benefits to advertising the entire property.

In response to a question from Mrs. Luck concerning offering the entire 67.84 acres when only 30 acres are buildable, Mr. Wingfield stated it is a common practice to offer the entire property for sale because the potential is unlimited with what can be done on the other portion of the property not buildable.

Mr. Schanzenbacher provided an explanation of the layout of the property. He stated property on either side of this property is undeveloped and may be able to be tied in with this parcel.

Mr. Louis Waskey, 406 Dupuy Avenue, stated he did not understand why the City wanted to keep the 37 acres which are undevelopable. He suggested selling the property and placing an assessment on it to receive taxes from it.

Mayor Davis stated the City wants to ensure part of the property is kept as a park because of the investment being made for the walking trail.

Mr. Waskey stated the City needed to get out of the real estate business.

Mrs. Luck stated this property is the old landfill.

Mr. Wood stated it appears the City will have flexibility due to the way the contract was written. He added he would like to use the property as an income producing property for the City. He stated he was going to vote in favor with the understanding that Council has ultimate control over what is developed on the property.

Mr. Frenier stated he was going to vote in favor of the contract but he does not want to dispose of the park or the boat landing. He added he has received numerous comments from citizens about how much the park is utilized.

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Mr. Freeland stated waterfront property sells for more money than non-waterfront property. He added he has worked too hard on the park to let it be sold.

Mayor Davis stated he would not support the property utilized as a park being sold because Council has invested too much into it.

<u>Vote:</u>	4-2
Yes:	Luck Wood Yates Davis
No:	Freeland, Jr. Frenier
Abstained:	None
Absent:	Green, Jr.

Motion PASS.

10. Written Petitions and Communications.

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

There was no response to the Mayor's request for Citizen's input on Non-Agenda Issues.

12. Introduction and Consideration of Ordinances and Resolutions.

A RESOLUTION NO. 10-34. Seeking action by the General Assembly and Governor to prohibit all predatory, usurious lending practices in the Commonwealth of Virginia.

A motion for adoption was made by Mrs. Luck and seconded by Mrs. Yates.

Mayor Davis provided an overview of Resolution 10-34.

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

Motion UNANIMOUS PASS.

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A RESOLUTION NO. 10-35. Authorizing the City Manager to execute an amended Appendix A to the “Standard Project Administration Agreement” with the Virginia Department of Transportation pertaining to the Appomattox River Greenway Trail previously authorized by Resolution No. 08-49.

A motion for adoption was made by Mr. Freeland and seconded by Mrs. Luck.

Mayor Davis provided a summary of Resolution No. 10-35 and the commitment of the City.

A brief discussion followed regarding the amount of work the City will receive for the amount of funding being allocated.

In response to a question from Mr. Frenier concerning stipulations in the grants received for the Appomattox River Greenway Trail, Mr. Schanzenbacher stated there are no stipulations which require the City to keep the property for any length of time.

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

Motion UNANIMOUS PASS.

AN ORDINANCE NO. 10-FIN-17 (First Reading). To amend the General Fund Budget for the fiscal year beginning July 1, 2010, and ending June 30, 2011, to appropriate \$268,045, consisting of \$1,000 in donations to Public Safety to be used by the Police Department for the purchase of supplies for the DARE and Crime Prevention Programs; \$13,200 in grant funding for use by the Fire/EMS Department to assist in the administration of the CERT Program and enhancements to the Comprehensive Emergency Management Program and Local Emergency Operations Plan; \$94,234 in grant funding for the Community Development Block Grant to assist in the home repair for low to moderate income homeowners in the City and \$84,122 in FY09 funding to be carried over to the current fiscal year; and \$75,489 in donated funds to Public Safety to assist Fire/EMS in the purchase of 3 vehicles and other departmental equipment.

A motion for adoption was made by Mr. Freeland and seconded by Mrs. Luck.

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Mayor Davis provided an overview of the City Manager's written report. He requested Chief Moore extend appreciation to the family of Delia Michael on behalf of the City of Colonial Heights for the donation to the Fire Department.

Mr. Frenier read a Declaration of Personal Interest with regard to his employment as a part-time logistics office with the City Fire/EMS Department, which was filed with the Clerk.

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

Motion UNANIMOUS PASS.

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

AN ORDINANCE NO. 10-15 (Second Reading) (As Amended). To grant a special use permit to John and Patsy Crowder for a 3.67 acre parcel of property located west of Sadler Avenue, which property is presently zoned R-4 Apartment and Multiple-Family Dwelling District, is part of lot 24, A.B. Cook Farm, and has parcel identification number 1600010025A, to allow for the property to be used for a single-family home with no direct access to a public street.

A motion to table Ordinance No. 10-15 until Council is contacted by Mr. Crowder was made by Mayor Davis and seconded by Mr. Freeland.

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

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Motion UNANIMOUS PASS.

14. Reports of Officers and Documents Related Thereto.

A. City Manager.

Mr. Johnson stated there would not be a Work Session on August 17, 2010 for Council, but there would be a Work Session scheduled on September 21st at 6:00 P.M. He reminded Council of the Employee Recognition Luncheon scheduled for August 12th at 12:00 P.M. and the Boulevard Modernization Public Hearing scheduled at 5:30 P.M.

Mayor Davis reminded Council of the Board, Commissions, and Committees Annual Appreciation Picnic on September 20th at 6:00 P.M.

In response to a question from Mrs. Yates, Chief Faries stated Celebrate Safe Communities Night will be held on October 5.

B. City Attorney.

Mr. Fisher stated there is a Virginia Constitutional provision which requires a three-quarter affirmative vote by Council before publicly-used land can be sold.

C. Director of Planning and Community Development.

15. Consideration of Claims.

16. Adjournment.

A motion to adjourn the Regular Meeting was made by Mr. Frenier, seconded by Mr. Freeland and carried unanimously on voice vote at 8:41 P.M.

APPROVED:

C. Scott Davis, Mayor

ATTEST:


DeAnna D. Atkins, City Clerk

CITY OF COLONIAL HEIGHTS, VIRGINIA
Special Meeting of City Council
Monday, August 9, 2010

1. Call to Order.

The Special Meeting of City Council was called to order by Mayor Davis at 5:00 P.M.

2. Roll Call.

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

Present:

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

Absent:

**Councilman Milton E. Freeland, Jr. (Arrived at 5:02 P.M.)
Councilman John T. Wood (Arrived at 7:10 P.M.)**

3. Closed meeting pursuant to Section 2.2-3711A.1 of the Code of Virginia, for the purpose of discussing, considering and interviewing prospective candidates for employment as the City Manager.

Mayor Davis announced the purpose of the meeting.

A motion was made by Mrs. Luck seconded by Mr. Frenier and carried unanimously on voice vote to convene into closed session at 5:03 P.M.

4. Voice Vote – come back into Open Session.

A motion to reconvene into open session was made by Mrs. Yates, seconded by Mrs. Luck and carried unanimously on voice vote at 9:08 P.M.

5. The Council has been in a closed meeting pursuant to Section 2.2-3711A.1 of the Code of Virginia, for the purpose of discussing, considering and interviewing prospective candidates for employment as 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.

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

Motion UNANIMOUS PASS.

8. Adjournment of Special Meeting.

A motion to adjourn the Special Meeting was made by Mrs. Luck, seconded by Mr. Green and carried unanimously on voice vote at 9:10 P.M.

APPROVED:

C. Scott Davis, Mayor

ATTEST:


DeAnna D. Atkins, City Clerk

CITY OF COLONIAL HEIGHTS, VIRGINIA
Special Meeting of City Council
Tuesday, August 10, 2010

1. Call to Order.

The Special Meeting of City Council was called to order by Mayor Davis at 6:02 P.M.

2. Roll Call.

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

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: **Acting City Manager William E. Johnson**
City Attorney Hugh P. Fisher, III
Mr. Ken Strickler, City Assessor

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 appointments to the Community Criminal Justice Board, Advisory Board to City Council, Advisory Board to Recreation and Parks, Transportation Safety Commission, and Youth Services Commission.
 - Section 2.2-3711.A.1 – to discuss and consider the performance of a City Officer – specifically, the evaluation of the City Assessor.
 - Section 2.2-3711A.3 – to discuss and consider the acquisition of an easement for the Appomattox River Trail System for a public purpose where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.

The Clerk announced the purpose of the meeting.

A motion was made by Mr. Freeland, seconded by Mrs. Luck and carried unanimously on voice vote to convene into closed session at 6:04 P.M.

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4. **Voice Vote – come back into Open Session.**

A motion to reconvene into open session was made by Mrs. Yates, seconded by Mr. Freeland and carried unanimously on voice vote at 7:09 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 appointments to the Community Criminal Justice Board, Advisory Board to City Council, Advisory Board to Recreation and Parks, Transportation Safety Commission, Youth Services Commission.**
- **Section 2.2-3711.A.1 – to discuss and consider the performance of a City Officer – specifically, the evaluation of the City Assessor.**
- **Section 2.2-3711A.3 – to discuss and consider the acquisition of an easement for the Appomattox River Trail System for a public purpose where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.**

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.**

Vote: 6-0

Yes: Freeland, Jr.

Frenier

Luck

Wood

Yates

Davis

No: None

Abstained: None

Absent: Green, Jr.

Motion UNANIMOUS PASS.

As a result of the closed meeting a motion to approve the following appointments was made by Mayor Davis and seconded by Mr. Freeland:

Community Criminal Justice Board

Ms. Sarah C. Snead

Advisory Board to City Council

Mr. Stephen R. Ball, Mr. Frederick G. Kneifer, Ms. Laura F. Poe, Mr. Joseph D. Scupien, and Ms. Sherry Wilkinson

Advisory Board to Recreation and Parks

Mr. Matthew P. Mauro

Transportation Safety Commission

Mr. Jeff Faries, Ms. Nancy Halbert, Mr. Lin Lane, Mr. Floyd Sheffield, Mr. Ryan Small, Mr. Thomas Storey and Mr. Christopher Bailey

Youth Services Commission

Miss Katie Finch

Senior Citizens Advisory Committee

Ms. Karen Covington

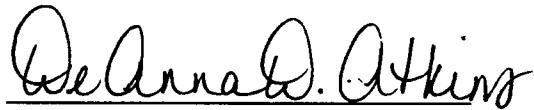
8. Adjournment of Special Meeting.

A motion to adjourn the Special Meeting was made by Mrs. Luck, seconded by Mrs. Yates and carried unanimously on voice vote at 7:12 P.M.

APPROVED:

C. Scott Davis, Mayor

ATTEST:


DeAnna D. Atkins
DeAnna D. Atkins, City Clerk

CITY OF COLONIAL HEIGHTS, VIRGINIA
Special Meeting of City Council
Wednesday, August 11, 2010

1. Call to Order.

The Special Meeting of City Council was called to order by Mayor Davis at 7:00 P.M.

2. Roll Call.

The following members of City 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
Councilwoman Diane H. Yates
Mayor C. Scott Davis

Absent: **Councilman John T. Wood (Arrived at 7:10 P.M.)**

3. Closed meeting pursuant to Section 2.2-3711A.1 of the Code of Virginia, for the purpose of discussing, considering and interviewing prospective candidates for employment as the City Manager.

Mayor Davis announced the purpose of the meeting.

A motion was made by Mrs. Yates, seconded by Mrs. Luck and carried unanimously on voice vote to convene into closed session at 7:01 P.M.

4. Voice Vote – come back into Open Session.

A motion to reconvene into open session was made by Mrs. Yates, seconded by Mr. Green and carried unanimously on voice vote at 9:18 P.M.

5. The Council has been in a closed meeting pursuant to Section 2.2-3711A.1 of the Code of Virginia, for the purpose of discussing, considering and interviewing prospective candidates for employment as 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.

Minutes, Special Meeting

August 11, 2010

Page 2

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

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 9:19 P.M.

APPROVED:

C. Scott Davis, Mayor

ATTEST:

DeAnna D. Atkins

DeAnna D. Atkins, City Clerk

AN ORDINANCE NO. 10-25

(AS AMENDED)

Amendments in [] – August 10, 2010

To amend and reordain §§ [98-22.] 98-23 and 98-24 of Chapter 98, Animals, of the Colonial Heights City Code, so as to add provisions for the issuance of a three year City dog or cat license and tax thereon.

THE CITY OF COLONIAL HEIGHTS HEREBY ORDAINS:

1. That §§ [98-22.] 98-23 and 98-24 of Chapter 98, Animals, of the Colonial Heights City Code, be, and are hereby, amended as follows:

[§ 98-22. Duplicate license tags.]

~~If a dog or cat license tag is lost, destroyed or stolen, the owner or custodian shall at once apply to the City Treasurer, or his designee, for a duplicate license tag, presenting the original license receipt. Upon affidavit of the owner before the City Treasurer, or his designee, that the original license tag has been lost, destroyed, or stolen, the Treasurer shall issue a duplicate license tag which shall be immediately affixed to the collar of the dog by its owner. The Treasurer, or his designee, shall endorse the number of the duplicate license tag and the date of issuance on the face of the original license receipt. The fee for a duplicate tag for any dog or cat shall be \$1.00.]~~

State law reference: Similar provisions, Code of Va., § 3.2-6532.

§ 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 year one 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:

	<u>1 year</u>	<u>3 years</u>
Unneutered or unspayed pedigree dog or cat	10.00	30.00
Unneutered or unspayed non-pedigree dog or cat	15.00	
Neutered or spayed dog or cat	2.00	6.00
Kennel for up to ten dogs	50.00	150.00
Two or more blocks of kennels, each consisting of 10 dogs or less	100.00	300.00
Duplicate for lost, destroyed or stolen tag	1.00	1.00

State law references: Amount of license tax, Code of Va., § 3.2-6528; Duplicate license tags, Code of Va., § 3.2-6532.

§ 98-24. When license tax due; exemption for certain dogs.

A. The license tax as prescribed in this chapter is due not later than 30 days after a dog or cat has reached the age of four months, or not later than 30 days after an owner acquires a dog or cat four months of age or older, and each year thereafter.

B. Any kennel license tax prescribed pursuant to this chapter shall be due annually or *tri-annually* on January 1 and not later than January 31 of *each the applicable year*. *Whether the license tax is due annually or tri-annually shall depend on whether a person is buying a one or three year license.* If any person shall fail to remit to the City Treasurer the applicable license tax for a dog, cat, or kennel when due, a penalty of 25% shall be added to such tax.

C. No license tax shall be levied on any dog that is trained and serves as a guide dog for a blind person, that is trained and serves as a hearing dog for a deaf or hearing-impaired person or that is trained and serves as a service dog for a mobility-impaired person.

As used in this section, "hearing dog" means a dog trained to alert its owner by touch to sounds of danger and sounds to which the owner should respond and "service dog" means a dog trained to accompany its owner for the purpose of carrying items, retrieving objects, pulling a wheelchair or other such activities of service or support.

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

Approved:

Mayor

Attest:

DeAnna D. Atkins
City Clerk

I certify that the above ordinance was:

Adopted on its first reading on August 10, 2010.

Ayes: 6 Nays: 0 Absent: 1 Abstain: 0.

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

Aye

The Honorable Kenneth B. Frenier, Councilman:

Aye

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

Absent

The Honorable Elizabeth G. Luck, Vice Mayor:

Aye

The Honorable John T. Wood, Councilman:

Aye

The Honorable Diane H. Yates, Councilwoman:

Aye

The Honorable C. Scott Davis, Mayor:

Aye

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: _____.

DeAne W. Atkins
City Clerk

Approved as to form:

Hugh P. Estes, III
City Attorney

AN ORDINANCE NO. 10-FIN-17

To amend the General Fund Budget for the fiscal year beginning July 1, 2010, and ending June 30, 2011, to appropriate \$268,045, consisting of \$1,000 in donations to Public Safety to be used by the Police Department for the purchase of supplies for the DARE and Crime Prevention Programs; \$13,200 in grant funding for use by the Fire/EMS Department to assist in the administration of the CERT Program and enhancements to the Comprehensive Emergency Management Program and Local Emergency Operations Plan; \$94,234 in grant funding for the Community Development Block Grant to assist in the home repair for low to moderate income homeowners in the City and \$84,122 in FY09 funding to be carried over to the current fiscal year; and \$75,489 in donated funds to Public Safety to assist Fire/EMS in the purchase of 3 vehicles and other departmental equipment.

THE CITY OF COLONIAL HEIGHTS HEREBY ORDAINS:

1. That Sections 1, 2 and 3 of Ordinance No. 10-FIN-5, 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, 2010, and ending June 30, 2011, 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)	\$ 139,753
Administrative (City Manager)	286,065
Legal (City Attorney)	207,671
Tax Collections & Assessments	579,995
Finance	5,788,175
Information Technologies	144,687
Board of Elections	130,899
Judicial	4,477,955
Public Safety	7,286,172 7,375,861
Public Works	2,726,602
Health and Social Services	658,800
Parks and Recreation	1,345,972
Cultural Enrichment	89,234
Library	578,536
Community Development	476,246
Grant Programs	340,361 518,717
Nondepartmental	518,387
Debt Service	2,843,031
Operating Transfers Out	18,551,172

2. That the sum of \$ 47,169,713 47,437,758 is appropriated for the fiscal year beginning July 1, 2010.

3. That the foregoing appropriation is based upon the following revenue fiscal year beginning July 1, 2010:

General Property Taxes	\$ 21,388,966
Other Local Taxes	13,789,050

Licenses, Permits & Fees	3,319,134
Fines and Forfeitures	651,000
Use of Money & Property	295,000
Intergovernmental Revenues	5,747,802
Charges for Current Services	5,855,236
Miscellaneous	1,190,840
<i>Restricted Fund Balance –</i>	
<i>Police Assets</i>	787,921
<i>Restricted Fund Balance –</i>	863,910
<i>CDBG</i>	
TOTAL	84,122
	\$ 47,169,713
	47,437,758

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

Approved:

Mayor

Attest:

DeAnna D. Atthins
City Clerk

I certify that the above ordinance was:

Adopted on its first reading on August 10, 2010

Ayes: 6 Nays: 0 Absent: 1 Abstain: 0

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

Aye.

The Honorable Kenneth B. Frenier, Councilman:

Aye.

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

Aye. Absent

The Honorable Elizabeth G. Luck, Vice Mayor:

Aye.

The Honorable John T. Wood, Councilman:

Aye.

The Honorable Diane H. Yates, Councilwoman:

Aye.

The Honorable C. Scott Davis, Mayor:

Aye.

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:

Hugh P. Foster, III
City Attorney



Colonial Heights Public Schools

SCHOOL ADMINISTRATION OFFICES
512 Boulevard
COLONIAL HEIGHTS, VIRGINIA 23834-3798
(804) 524-3400
Fax Number (804) 526-4524
www.colonialhts.net

SCHOOL BOARD
Sandra B. Coleman, Chairman
Leslie P. Fryar, Vice Chairman
J. Chris Kollman, III
Bill Reade
Cynthia G. Shortridge
Nancy Bosher, Clerk

Dr. Joseph O. Cox, Jr.
Superintendent

September 1, 2010

William E. Johnson, Acting City Manager
City of Colonial Heights
201 James Avenue
Colonial Heights, VA 23834

Dear Mr. Johnson:

The School Board approved a net decrease of \$355,450.21 to our School Fund Budget effective June 30, 2010. Please amend our 2009-2010 Final School Fund Budget to account for changes in federal, state and other funds. The following categories were affected:

Original Budget	\$34,825,757.00
Increase Federal Funds-American Recovery & Reinvestment Act Funding	<u>1,308,689.82</u>
Subtotal	\$36,134,446.82
Decrease Other Funds	(192,917.72)
Decrease State Funds	(1,212,067.60)
Decrease Federal Funds	<u>(259,154.71)</u>
Total Decrease	\$(-1,664,140.03)
Final Budget	\$34,470,306.79

Sincerely,

Troy E. Hedblom
Assistant Superintendent for Business Services

RECEIVED

SEP 02 2010

FINANCE DEPARTMENT

AN ORDINANCE NO. 10-FIN-18

To amend and reordain the School Fund Budget for the fiscal year beginning July 1, 2009, and ending June 30, 2010, so as to modify said budget by \$355,450 for the fiscal year ending June 30, 2010; pursuant to School Board action.

THE CITY OF COLONIAL HEIGHTS HEREBY ORDAINS:

1. That Sections 2 and 3 of Ordinance No. 09-FIN-5, the School Fund Budget, be, and are hereby amended and reordained, as follows:

2. That the sum of \$34,825,757 33,161,617 be, and the same is hereby, appropriated from the resources and revenues of the City of Colonial Heights School Fund for the fiscal year beginning July 1, 2009.

School Expenditures	<u>\$ 34,825,757</u>	34,470,307
TOTAL	<u>\$ 34,825,757</u>	34,470,307

3. That the foregoing appropriation is based upon the following estimates of revenue and transfers for the fiscal year beginning July 1, 2009.

Federal Funds	\$ 1,299,683	2,349,218
State Funds	13,426,392	12,214,325
City Funds	18,566,698	
School Debt		
Other Funds	876,247	683,329
Fund Balance	<u>656,737</u>	
TOTAL	<u>\$34,825,757</u>	34,470,307

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

Approved:

Mayor

Attest:

DeAnna D. Atkins
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:

High P. Fender, III
City Attorney



CITY OF COLONIAL HEIGHTS

P.O. Box 3401

COLONIAL HEIGHTS, VA 23834-9001

www.colonial-heights.com

Office of the City Manager

September 9, 2010

The Honorable Mayor and Members of City Council
Colonial Heights, Virginia

Ladies and Gentlemen:

The Budget Amendment for September 2010 is summarized as follows:

1. The Fire Chief obtained an award from the Virginia Department of Emergency Management in last fiscal year that carries over into the current year. The balance of these funds, in the amount of \$10,584, will be used for the funding of the CERT Program and needs to be re-appropriated in the current fiscal year. No local funding is required.
2. The Sheriff has received two donations totaling \$1,085. The first donation, in the amount of \$85, is from Safe Salvage which was an outcome from the sale of scrap brass cartridges. The second donation, in the amount of \$1,000, is from Royce Publications, and was a result from a semi-annual calendar project. These funds will be used for material and supplies for the various community events that the Sheriff's Office sponsors such as the Halloween Night at Flora M. Hill Park and the Torch Run.
3. The Police Chief has received a donation of \$100 from Palmer's Towing and Recovery. These funds will be used for material and supplies for the department's K-9 program.
4. The Police Department participates in the Department of Justice Ballistic Vest Reimbursement Program which provides 50% reimbursement on qualified purchases. This reimbursement, in the amount of \$675, needs to be appropriated at this time.
5. The Police Chief has obtained an award of \$19,644 from the Virginia Department of Motor Vehicles. These funds are an allocation from the Federal Highway Safety Grant and were awarded for the funding of the traffic safety equipment and overtime funds for selective enforcement, checkpoints and training for the period October, 2010 through September, 2011. The acceptance of this grant is recommended and presented for your consideration. A local 20% match funding is required and will be utilized by existing budget funds. No additional local funding will be required.

The Honorable Mayor and Members of City Council
September 9, 2010
Page 2

6. The Fire Chief has obtained an award of \$5,000 from the Virginia Department of Emergency Management. These funds are an allocation of the 2010 Local Emergency Management Program from the Department of Homeland Security. This grant was awarded to be used for enhancements to our Comprehensive Emergency Management Program and Local Emergency Operations Plan. The acceptance of this grant is recommended and presented for your consideration. No local funding is required.
7. Under the guidelines established by the Governmental Accounting Standards Board (GASB), expenditures have to be shown when actual payments are made, not when originally budgeted. As a result of this change, departmental budgets could show over expenditures in a current year if payments were made from a budgeted prior year purchase order. The carryover of these encumbrances has been generally authorized by the City's original budget ordinances, but they are not allowed to be reflected in our financial report by GASB, unless specifically reappropriated, which is my recommendation.

As of June 30th, the 2010 General Fund encumbrances were \$953,559 and were reduced during the preliminary closing period to \$434,935 due to account payables being processed and the elimination of expired blanket purchase orders. We have also reduced \$21,031 in additional purchase orders to-date which brings our needed reappropriation to \$413,904. These remaining encumbrances are obligations of the City and will be part of the restricted Fund Balance shown in the 2010 financial report. This compares to \$305,505 in 2009 and \$450,304 in 2008 fiscal year reports.

Ordinance No. 10-FIN-19 has been prepared and is attached for your consideration. City staff associated with these requests will be present at the City Council Meeting to assist as necessary.

If any additional information or assistance is needed prior to the meeting, please do not hesitate to contact me.

Sincerely,



William E. Johnson
Acting City Manager

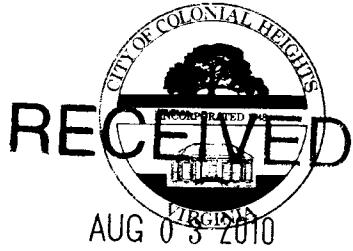
WEJ: eg

Attachments

cc: Hugh P. Fisher, III, City Attorney
Jeffrey W. Faries, Chief of Police
A.G. Moore, Jr., Chief of Fire & EMS
Todd B. Wilson, Sheriff

Ordinance/Resolution Recap Worksheet

	Cert Restricted Grant Funds	Rovce Publication/ Safe Salvage Donations	Palmers Towing K-9 Donation	Justice Grant Vests	Safety Grant Traffic	FY2010 Encumbrance Carryover	Total
GENERAL FUND							
REVENUE:							
Intergovernmental				\$675	\$19,644		\$20,319
Miscellaneous		1,085	100				1,185
Restricted Fund Balance-Fire/Ems	10,582						10,582
Fund Balance						413,904	413,904
Total	\$10,582	\$1,085	\$100	\$675	\$19,644	\$413,904	\$445,990
EXPENDITURES:							
Legislative					\$212		\$212
Legal					1,900		1,900
Tax Collections & Assessment					955		955
Finance					17,707		17,707
Information Technologies					34,982		34,982
Board of Elections					885		885
Judicial	10,582	1,085	100	675	19,644	12,984	14,069
Public Safety					45,562		76,563
Public Works					103,250		103,250
Health & Social Services					143,785		143,785
Parks & Recreation					12,761		12,761
Cultural Enrichment					16,521		16,521
Library					3,531		3,531
Community Development					11,967		11,967
Non Departmental					290		290
Grant Programs					6,612		6,612
Total	\$10,582	\$1,085	\$100	\$675	\$19,644	\$413,904	\$445,990



CITY OF COLONIAL HEIGHTS

P.O. Box 3401
COLONIAL HEIGHTS, VA 23834-9001
www.colonial-heights.com

City Manager's Office **Department of Fire, EMS & Emergency Management**

MEMORANDUM

TO : Bill Johnson, Acting City Manager

FROM : A. G. Moore, Jr., Fire Chief *AGM*

SUBJECT : Council Agenda

DATE : July 23, 2010

Please have the following item placed on the next available City Council agenda:

Amend the FY 10-11 Emergency Management budget to reflect an increase of \$10,582.04. Said funds are 2008 Homeland Security Grant funds that have been restricted from the FY 09-10 budget.

These funds will be used for citizen preparedness activities such as Community Emergency Response Teams (CERT) as well as used to continue part time funding of the CERT Coordinator. There is no match required by the City.

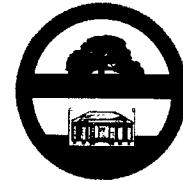
If you should have any questions, please contact me at extension 319.



OFFICE OF THE SHERIFF

TODD B. WILSON
SHERIFF

City of Colonial Heights
401 Temple Avenue
P.O. Box 3401
Colonial Heights, Virginia 23834
Email: sheriff@colonial-heights.com



Phone: 804 520-9352
Fax: 804 520-9248

TO: William Johnson
Director of Finance/Acting City Manager

FRO: Sheriff Todd B. Wilson

RE: Appropriation of Funds Donated

DATE: August 9, 2010

Enclosed are copies of checks in the amount of \$1,000.00 from Royce Publications; a donation resulting from semi-annual calendar project-\$85.49 from Safe Salvage; funds received from the sale of scrap brass cartridges.

These two (2) checks have been sent to Joy Moore, Treasurer to be deposited into donation account 10-4812.

Bill, could you please place a request in the next council meeting to appropriate \$1,085.49 into the Sheriff's account #1356-5242.

As always, should you require additional information regarding this request, please do not hesitate to contact me.

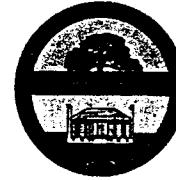


OFFICE OF THE SHERIFF

City of Colonial Heights

TODD B. WILSON
SHERIFF

401 Temple Avenue
P.O. Box 3401
Colonial Heights, Virginia 23834
Email: sheriff@colonial-heights.com



Phone: 804 520-9352
Fax: 804 520-9248

TO: Joy Moore
Treasurer

FROM: Sheriff Todd Wilson 

RE: Donations

DATE: August 9, 2010

Please deposit the enclosed checks; \$1,000 a donation from Royce Publications and \$85.49 from Safe Salvage for scrap brass cartridge shells into account fund 10-4812,

Should you have any questions regarding this deposit, please give us a call.

Thank you.

TBW:sam
Enclosures
c: Bill Johnson, Director of Finance/Acting City Manager

ROYCE PUBLICATIONS, INC.

9924

3320 CLAYS MILL RD. SUITE 21
LEXINGTON, KY 40503

73-119/421

21

PAY TO THE ORDER OF Colonial Heights Sheriff's Office
Che. thornd

DATE July 73-119/421
\$ 100.00 DOLLARS 
Secured Financial
Protective
Device

FOR Spencer Lee
FIFTH THIRD BANK

Clarland Clarke

卷之三

Member
Advantage

Community Credit Union
Barre, VT • White River Jct.
no grass

Colonial Heights
Bank
Order of
Elks - 139

**CAREY J HALKOTIS
DBA SAFE SALVAGE**
P.O. B. 2 804-212-4700
ASCUTNEY, VT 05030

027



RECEIVED
CITY OF COLONIAL HEIGHTS
P.O. Box 3401
COLONIAL HEIGHTS, VA 23834-9001
www.colonial-heights.com
AUG 24 2010
FINANCE DEPARTMENT

COLONIAL HEIGHTS POLICE DEPARTMENT

August 20, 2010

Mr. William Johnson
Acting City Manager
201 James Avenue
Colonial Heights, VA 23834

RE: DONATED FUNDS FROM PALMER'S TOWING AND RECOVERY

Dear Bill:

We have received a check in the amount of **\$100.00** from Palmer's Towing and Recovery, L.L.C. The donation has been deposited in the City's **General Donations Account #10-4812 (Receipt #8329)**. These funds will be used toward the purchase of items directly related to our ongoing K-9 Program.

It is our understanding that this request must undergo two readings by City Council. Therefore, I would appreciate your placing this on the next agenda for review by City Council. If and when approved, we further request that the funds be transferred from **Account #10-4812** to **Account #1401-5266 (Dog Funds)** to make them available for spending.

Thank you for your prompt attention to this request.

Sincerely,

Colonel Jeffrey W. Faries
Chief of Police

JWF:bbh

Cc: Kathy Sparks, Deputy Director of Finance
Capt. Wayne T. Newsome, Law Enforcement Services Division Commander
Capt. W. Keith Early, Patrol Division Commander
Sgt. Robert L. Ruxer, Law Enforcement Services
Mrs. Joy Moore, Treasurer

PALMER'S TOWING & RECOVERY, LLC
P. O. BOX 1019
COLONIAL HEIGHTS, VA 23834

1402

68-54/514
BRANCH 77771

Pay to the
Order of Colonial Heights Police Dept 7-14-10 \$ 100.00
One hundred and 00/100 Dollars



WACHOVIA

Wachovia Bank, N.A.
wachovia.com

FOR K-9

VOID AFTER 90 DAYS

Security
Features
Details on
Back.

001402 051400549 2000031665386

MP

City of Colonial Heights
OFFICE OF THE TREASURER
MISCELLANEOUS RECEIPT

8329

RECEIVED OF Police Dept 8329
One Hundred and 00/100 AUG 10 2010 \$ 100.00
FOR K-9 Donation 2010 Years DOLLARS
FUND General X CLASSIFICATION 10-4812

JOY W. MOORE, Treasurer

August 10 2010 BY J. Moore



CITY OF COLONIAL HEIGHTS

P.O. Box 3401
COLONIAL HEIGHTS, VA 23834-9001
www.colonial-heights.com

RECEIVED

AUG 24 2010

FINANCE DEPARTMENT

COLONIAL HEIGHTS POLICE DEPARTMENT

August 20, 2010

Mr. William E. Johnson
Acting City Manager
201 James Avenue
Colonial Heights, VA 23834

***RE: BALLISTIC VEST REIMBURSEMENT PROGRAM
DEPARTMENT OF JUSTICE - 2010***

Dear Bill:

The Colonial Heights Police Department participates in a ballistic vest reimbursement program offered by the Department of Justice. After purchasing a total of \$1,350.00 in ballistic vests over the past year, our department is now entitled to a fifty percent (50%) refund on same—or \$675.00. We have recently submitted the pertinent reimbursement information to DOJ and expect to receive \$675.00 via electronic transfer within the next few weeks. Once received, we intend to use the funds to purchase new and replacement ballistic vests for officers, as needed.

We would appreciate your placing this item on the next City Council agenda or work session so that it may be reviewed at that time. Once the funds are received and acceptance is approved by Council after two readings, we would ask that the funds be transferred into the Police Department's ***Grant Funds Account #1401-5263***, making it available for spending.

Many thanks for your attention to this matter.

Sincerely,

Colonel Jeffrey W. Faries
Chief of Police

JWF:bbh

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

Your request for payment has been forwarded to the Department of Justice for review and processing.

This process may take several weeks to complete. An email payment advisory will be sent to the Point of Contact and the Financial Point of Contact when the payment is electronically transmitted by the U. S. Treasury to the jurisdiction's bank account. Additionally, you may check the status of your payment request by selecting option 5.2 'Payment History', in the Jurisdiction's Handbook. To avoid late payment charges and interest penalties, jurisdictions should pay vest distributors promptly, if financially able. Otherwise, vest distributors should be advised routinely of the status of their pending invoice(s).

For your reference, a summary of the data which you have submitted appears below.

Receipts Summary

Funds From	Ordered Date	Retail Total Cost	Discount Total Cost	Funds Year Limit	Maximum BVP Payment
Regular Fund	03/30/2009	\$450.00	\$450.00	up to FY2008	\$225.000
Regular Fund	06/17/2009	\$450.00	\$450.00	up to FY2009	\$225.000
Regular Fund	07/08/2009	\$450.00	\$450.00	up to FY2009	\$225.000
Total Costs		\$1,350.00	\$1,350.00		\$675.000
BVP Portion of Payment Requested					\$675.00

Payment Worksheet

Fund Source	Balance	Deobligate Date	Drawdown Amount
FY2003 Regular Fund	\$1,037.19	09/30/2011	\$0.00
FY2008 Regular Fund	\$315.31	09/30/2010	\$675.00
FY2009 Regular Fund	\$1,550.31	09/30/2011	\$0.00
Total Payment			\$675.00
Short Payment			\$0.00

* Important: You can click on the 'Print Screen' button below to keep a copy for your records.

Print Screen



CITY OF COLONIAL HEIGHTS

RECEIVED

P.O. Box 3401
COLONIAL HEIGHTS, VA 23834-9001
www.colonial-heights.com

AUG 24 2010

FINANCE DEPARTMENT

COLONIAL HEIGHTS POLICE DEPARTMENT

August 24, 2010

Mr. William Johnson
Acting City Manager
201 James Avenue
Colonial Heights, VA 23834

RE: DMV FEDERAL HIGHWAY SAFETY GRANT for 2010-11
[Through the National Highway Traffic Safety Administration]

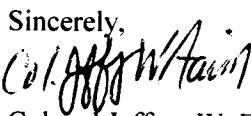
Dear Bill:

The Colonial Heights Police Department has been awarded a **Federal Highway Safety Grant** (#SC-2011-51139-4081-20.600) in the amount of **\$19,644.00** from the Virginia Department of Motor Vehicles. Our department intends to direct the funds toward the purchase of traffic safety equipment; overtime funds for selective enforcement and checkpoints; and training. This grant requires a 20% City in-kind match (or \$3,928.80), and covers the period October 1, 2010 through September 30, 2011. Another term 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)**.

Therefore, 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:bbb

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



COMMONWEALTH of VIRGINIA

Department of Motor Vehicles

Richard D. Holcomb
Commissioner

2300 West Broad Street

Post Office Box 27412
Richmond, VA 23269-0001

August 2, 2010

Mr. Thomas Kifer
Colonial Heights City
100 A Highland Ave., POB 3401
Colonial Heights, VA 23834

Dear Sir or Madam:

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) 2011.

<u>Program Project ID# - CFDA#</u>	<u>Project Title</u>	<u>Amount Approved</u>
SC-2011-51139-4081-20.600	Colonial Heights Highway Safety Project	\$19,644.00

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 2011 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

RDH/sb

Program Manager Butch Letteer



CITY OF COLONIAL HEIGHTS

P.O. Box 3401
COLONIAL HEIGHTS, VA 23834-9001
www.colonial-heights.com

COLONIAL HEIGHTS POLICE DEPARTMENT

August 23, 2010

Mr. Butch Letteer
Virginia Department of Motor Vehicles
Highway Safety Office
610 Johnston Willis Drive
Richmond, VA 23236

***RE: REVISIONS IN THE 2010-11 COLONIAL HEIGHTS HIGHWAY SAFETY
PROJECT GRANT***

Dear Mr. Letteer:

Please accept this letter as a request for revisions in the project information before we can formally accept the DMV Federal Highway Safety Grant for 2010-11 for the City of Colonial Heights.

Our department has recently undergone some reassignments. Therefore, in addition to me, **Sgt. Robert L. Ruxer** should now be noted as one of the *Project Directors* on the grant, in lieu of Thomas C. Kifer. Also, the name and title of the *Authorized Approving Official* should be shown as **William Johnson, Acting City Manager**.

We appreciate your prompt attention to these requests. Should you have any questions concerning the changes, please feel free to contact my office at (804) 520-9311.

Again, thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink that reads "Col. Jeffrey W. Faries".

Col. Jeffrey W. Faries
Chief of Police

JWF:bbh

Cc: *Sgt. Robert L. Ruxer, Law Enforcement Services*
✓Mr. William Johnson, Acting City Manager

City of Colonial Heights
Encumbrance Carryover
Fiscal Year 2011

	2010 Encumbrances 6/30/2010	Expenditures Period 13	Deleted PO/ Non PO Expenditures Period 13	Closed After Period 13	Budget Carry-Over Total
Legislative	212				212
Administrative					0
Legal	1,900				1,900
Tax Collections & Assessment	2,566	(418.00)		(1,193.00)	955
Finance	19,477	(1,206.00)	(92.00)	(472.00)	17,707
Information Technologies	35,065	(70.00)	(13.00)		34,982
Board of Elections	1,034	(62.00)		(87.00)	885
Judicial	15,580	(1,684.00)	(570.00)	(342.00)	12,984
Public Safety	79,064	(25,029.00)	(5,546.00)	(2,927.00)	45,562
Public Works	571,565	(450,640.00)	(4,059.00)	(13,616.00)	103,250
Health & Social Services	143,785				143,785
Parks & Recreation	26,988	(11,870.00)	(463.00)	(1,894.00)	12,761
Cultural Enrichment	17,252	(231.00)		(500.00)	16,521
Library	5,940	(2,399.00)	(10.00)		3,531
Community Development	12,473	(119.00)	(387.00)		11,967
Non Departmental	290				290
Grant Programs	7,368	(692.00)	(64.00)		6,612
Debt Service	13,000	(12,844.00)	(156.00)		0
	<u>953,559</u>	<u>(507,264.00)</u>	<u>(11,360.00)</u>	<u>(21,031.00)</u>	<u>413,904.00</u>

AN ORDINANCE NO. 10-FIN-19

To amend the General Fund Budget for the fiscal year beginning July 1, 2010, and ending June 30, 2011, to appropriate \$445,990, consisting of \$413,904 for FY2010 encumbrance carryover funds to various departments; \$19,644 in grant funding to Public Safety; \$10,582 in grant funding from the Department of Emergency Management in restricted fund balance to Public Safety; \$1,085 in donations for the Sheriff's sponsored events; \$675 in matching funds for the Public Safety vest program and \$100 in donations for the Police K-9 Program.

THE CITY OF COLONIAL HEIGHTS HEREBY ORDAINS:

1. That Sections 1, 2 and 3 of Ordinance No. 10-FIN-5, 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, 2010, and ending June 30, 2011, 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)	\$ 139,753	139,965
Administrative (City Manager)	286,065	
Legal (City Attorney)	207,671	209,571
Tax Collections & Assessments	579,995	580,950
Finance	5,970,311	5,988,018
Information Technologies	144,687	179,669
Board of Elections	130,899	131,784
Judicial	4,498,681	4,512,750
Public Safety	7,335,084	7,411,647
Public Works	2,802,845	2,906,095
Health and Social Services	658,800	802,585
Parks and Recreation	1,284,234	1,296,995
Cultural Enrichment	89,234	105,755
Library	578,536	582,067
Community Development	479,020	490,987
Grant Programs	351,861	358,473
Nondepartmental	496,911	497,201
Debt Service	2,843,031	
Operating Transfers Out	18,551,172	

2. That the sum of \$ 47,428,790 47,874,780 is appropriated for the

Intergovernmental Revenues	6,006,879	6,027,198
Charges for Current Services	1,190,840	
Miscellaneous	787,924	789,106
<i>Restricted Fund Balance –</i>		
<i>Fire & EMS</i>	10,582	
<i>Fund Balance –</i>	413,904	
TOTAL	\$ 47,428,790	47,874,780

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

Approved:

_____ Mayor

Attest:

DeAnna E. Atkins
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: _____.

The Honorable Elizabeth G. Luck, Vice Mayor: _____

The Honorable John T. Wood, Councilman: _____

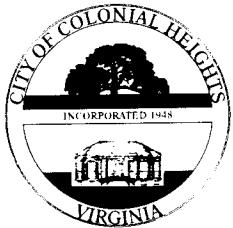
The Honorable Diane H. Yates, Councilwoman: _____

The Honorable C. Scott Davis, Mayor: _____

City Clerk

Approved as to form:

Hugh P. Fisher, III
City Attorney



CITY OF COLONIAL HEIGHTS

P.O. Box 3401
COLONIAL HEIGHTS, VA 23834-9001
www.colonial-heights.com

Department of Planning and Community Development

MEMORANDUM

To: Honorable Mayor and Members of City Council
Mr. William E. Johnson., Acting City Manager

From: George W. Schanzenbacher, Director *HW*

Date: September 9, 2010

Subject: Planning Commission Actions at September 8 2010 meeting

At the September 8, 2010 meeting of the Commission the following actions were taken:

1. Approved minutes of the July 2010 meeting (enclosed).
2. Began discussion on updating the Comprehensive Plan, including potential content, procedures and public participation options.



CITY OF COLONIAL HEIGHTS
CITY OF COLONIAL HEIGHTS, VIRGINIA
Minutes of the Regular Meeting
of the Planning Commission
Tuesday July 6, 2010

I. Call to Order: 7:01 p.m.

II. Roll Call/Determination of Quorum

Present: Planning Commissioner Mary A. Hamilton
Chairman Harry B. Hargis
Vice-Chairman Lewis L. Johnson
Planning Commissioner James L. O'Connell
Planning Commissioner Charles E. Townes

Absent: Councilman Milton E. Freeland, Jr.
Planning Commissioner Bill Kollman

Also Present: City Attorney- Hugh P. Fisher, III
Acting City Manager- William E. Johnson
Planning Director- George W. Schanzenbacher
Director of Public Works- Chuck Henley

III. Approval of Minutes of June 2010

The minutes of the June 2010 meeting were unanimously approved upon a roll call vote.

IV. Approval of Agenda

There were no additions to the agenda and Chairman Harry B. Hargis proceeded with the agenda as written.

V. Hearing of Citizens Generally

There was no response to the Chairman's request for input from the public.

VI. Public Hearings

There were no public hearings scheduled.

VII. Plans of Development /subdivision

- **PD 10-2 Cookout Restaurant - 600 block of Boulevard**

Mr. Schanzenbacher spoke of the proposed plan of development for Cookout Restaurant which plans to be located in the 600 block of the Boulevard. It is adjacent to the new Walgreens on 3/4 acre of land. This is a proposed one story restaurant of approximately 1,100 square feet. We have all of the review comments from the City agencies and it is a part of your package. The developer and his engineer are here today and they would like to address the Commission.

Mr. Hargis welcomed the developer and his engineer.

Minutes, Regular Meeting

July 6, 2010

Page 2

Mr. Chris Clayton, with Commercial Site Design at 8312 Creedmoor Road, Raleigh NC, 27613 introduced himself as the civil engineer representing Cookout Restaurant. As discussed Cookout is proposing to develop the remaining Boulevard shops parcel that is located in the 600 block of the Boulevard adjacent to the Walgreens. We are proposing a roughly 1,150 square foot building with 22 parking spaces, which is a typical restaurant infrastructure. He stated he was not an architect but he will answer any questions that they have related to those issues. As required, we are matching the brick and split face material that is on the Walgreen's currently. A color building elevation is in your packet.

Mr. Clayton passed the elevation around and explained it. While the commissioners were looking at the elevation, Mr. Clayton stated that Cookout is a North Carolina base restaurant company; they implement a double drive thru concept; and there is no indoor seating at this location. Cookout has approximately 60 stores throughout North Carolina. The Colonial Heights location would be their first store in Virginia and they are very excited to be coming to the Colonial Heights community. He stated that was all he had and he was there to answer any questions and respectfully ask for their approval.

Mr. O'Connell asked if it was strictly a drive thru.

Mr. Clayton answered that on the north side of the building, there is a concrete area where he will put some outdoor tables because they have a walk-up window. He stated that 80-85% of it is drive thru and remainder would be walk-up.

Mr. O'Connell asked to clarify the rectangle with two white dots in the middle of the landscaping drawing.

Mr. Clayton said it was a grease trap.

Mr. Johnson asked if this was their whole concept of no indoor seating.

Mr. Clayton stated for this location there is no indoor seating but he does have a dining room concept. This site just was not large enough to accommodate it. In order to get the parking he wants; it was just too narrow of a site.

Mr. Johnson asked with the sites he has in North Carolina, what percentage would you say would be this style versus the one with seating.

Mr. Clayton indicated that Cookout had only started doing the dining room concept in maybe the last year or year and half. He would say that out of the 60 stores, he would say 5-7 of them are dining room buildings and they have just recently been constructed.

Mr. Johnson asked what the main food would be.

Mr. Clayton responded that primarily burgers but he does have barbecue, which is very good, and hotdogs.

Mr. Hargis asked if this company was connected with Walgreens.

Mr. Clayton stated that they were not.

Mr. Hargis was just curious how they matched up.

Mr. Clayton said that he thinks that Mr. Jones just turned him on to this particular site and it just worked out that way. He stated that they have no affiliation with Walgreen's.

Mrs. Hamilton asked if she understood that on the north side of the building there is the walk-up to the window and then on the south side of the building is the drive thru.

Mr. Clayton said that was correct. He then showed the Commissioners maps/documents and explained it a little more.

Mrs. Hamilton asked if the corporate headquarters were in Raleigh.

Mr. Clayton stated that they were in Greensboro, NC.

Mrs. Hamilton asked if this was the first store outside of North Carolina.

Mr. Clayton responded that he is in the process of opening a couple of stores in South Carolina but for sure this would be the first one in Virginia.

Mrs. Hamilton stated that she had some concerns about the architectural side. She stated it was not very attractive. She asked if this was the basic plan that they normally build. She asked if there was anything better than that.

Mr. Clayton stated that his standard plan has brick façade; he uses two-tone brick. So on this one we are using split-face to match the Walgreens and then brick on the upper half of the building also matches the Walgreens. The materials right there, we feel we made a concession on. The equipment screen and the signage is his standard look.

Mrs. Hamilton asked if they are open to any changes.

Mr. Clayton responded that all he can say is the colors are his branding and he doesn't typically like to deviate from those. We have used a black equipment screen in lieu of the red. So the very top of the elevation you see would be black. The signage, he does use the

Minutes, Regular Meeting

July 6, 2010

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red color.

Mrs. Hamilton stated it was basically a rectangle.

Mr. Clayton indicated that it was his standard building.

Mrs. Hamilton asked if they were open to doing anything that was not the standard building.

Mr. Clayton replied that in order for the building to function the way it needs to function, it pretty much has to be a rectangle. There is really no way around the actual dimensions of the building for it to properly work.

Mr. O'Connell asked if the sign says fresh burgers, barbecue, hotdogs and shakes.

Mr. Clayton responded that it was predominately what he has. His menu actually does have some variety to it, but 85-90% of it is burgers, barbecue and milkshakes.

Mr. Hargis asked what the hours of operations were.

Mr. Clayton responded it varies from 11 in the morning until midnight and in some locations later. If you have restrictions on that, he is sure that Cookout would be willing to work with us on that.

Mr. Hargis asked when they plan to open, if this passes.

Mr. Clayton stated that they have to go through the permitting process but as far as he knows, he is pretty eager to move on it. So in the next 2-3 months, he would want to start construction.

Mr. Hargis asked if he knew how many people worked there.

Mr. Clayton replied that there are typically 6 to as many as 8, but that is under extreme circumstances. He would say the average is around 6.

Mr. Hargis asked what the capital investment for the building would be.

Mr. Clayton couldn't speak for the land cost, but he thought the building would be around \$300,000.

Mr. Townes asked Mr. Schanzenbacher if the writing on the building on 3 sides, meet our ordinance for signage.

Minutes, Regular Meeting

July 6, 2010

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Mr. Schanzenbacher stated that it hasn't been reviewed as a sign plan, so we really haven't tested that out. The sign square footage is limited to two times the longest length of the building. He doesn't consider this to be an approved site plan for the signage at all. They do not have a sign out front either so that is something else that needs to be addressed.

Mr. Clayton stated that they do have one shown on the site plan.

Mr. Townes asked if we allowed all of this writing on the building.

Mr. Schanzenbacher confirmed that we did. There is nothing in the sign regulations that controls that other than the square footage. He had a couple of concerns about the landscaping around the building. It doesn't fully meet the landscaping ordinance as far as the landscaping around the building itself. Secondly, he is concerned with the black and the red along the top of the building as being not in harmony with the look of the other building. The movement toward the block and the brick are good.

Mr. Hargis asked if the top part was part of the branding.

Mr. Clayton confirmed that it was and the red lettering would go with the Walgreens lettering. Typically, his equipment screen on top is red, but he has gone with black. If they had suggestions, he could present them to Cookout.

Mr. Schanzenbacher indicated that he didn't have any specific recommendation, other than he doesn't see that particular set of elements fitting in with the other buildings that is already there, which doesn't have any black on it at all.

Mr. Clayton asked if it would be possible that we can make it a condition of approval that we consider other elevation improvements.

Mr. Hargis asked Mr. Schanzenbacher if that would be suggested.

Mr. Schanzenbacher replied that we need to show compatibility with the overall Boulevard design guidelines that the buildings are compatible. The plan was approved as a unit originally. Walgreen's established the tone but this building also needs to fit in. The black element is the one that is out of place, but he is not really sure how to address that.

Mr. Clayton stated that he understood and at least this gave him some direction and he can go back to him.

Mr. Schanzenbacher in response noted that Walgreen's has the red sign so there is some compatibility, but the black element just pops out and doesn't fit in. On the landscaping around the building, they can do a better job especially on the north side because on the south

Minutes, Regular Meeting

July 6, 2010

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side of Walgreens you have nothing basically but the building itself.

Mr. Clayton indicated that the reason he didn't extend it on down was because the seating issue, but he didn't see it as a major issue. They can add some landscaping there if we needed that.

Mr. Hargis asked where he would go in regards to ingress and egress.

Mr. Clayton replied that you would basically go straight back between the Walgreens and what will be the future parking and then you wrap around the back of the site.

Mr. Hargis asked if that was where the drive-in was.

Mr. Clayton confirmed it was and there are two stacking lanes for the drive-in facility. One is a standard drive thru like you are used to going up to and the outermost lane you would order and pull around to the front of the building to pick up your food. There is appropriate signage that would indicate the outer car is supposed to yield to the car to the left. He would say that out of the 60 stores that he has in North Carolina, 75% of them are this model and they actually work very well once the customers understand what they are suppose to do.

Mr. Townes asked Mr. Henley what he thought of this pattern.

Mr. Henley responded that he wanted to point out in regard to traffic which was probably not given adequate coverage in our comments. There is no center turn lane on the Boulevard in this section and the applicant is proposing to increase left turning traffic. This section of the Boulevard is already a congested section and we get complaints. He just wanted to point out that until the Boulevard Modernization Project comes along and adds a center turn lane to that section, we can expect crash frequencies and complaints about access to the site.

We do have a project that is scheduled to go to construction sometime in Fall 2011, early 2012, to reconstruct that section of the Boulevard and add a center turn lane which will add to the safety of access to and from this building. The access to the site was approved with the

Walgreens development and they are proposing they will use that, so we are satisfied with that. The internal circulation he thinks will work, not sure it is the best, but it will work and they can look at it. His main reason is to deal with congestion in the Boulevard corridor in the meantime until the Boulevard Modernization Project comes along. He stated that

when he goes to meetings in public, one of the first things that come up is the risk perception of being able to turn left and get in and out of the driveways. He thinks that some parts of the day, service will fail from the exiting driveway. In other words, the vehicles that are trying to get back onto the Boulevard will have to sit there for a fairly long time during peak hours.

Minutes, Regular Meeting

July 6, 2010

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Mr. Townes asked if he was satisfied with this criss-crossing of service.

Mr. Henley indicated that we can look at it another way to configure it, but there is a shared driveway between WaWa and this site and also between Walgreens. He likes that concept but he thinks internally, we may want to look and see if there is something we can do to eliminate these conflicts.

Mr. Hargis assumed that the WaWa exit, that it is an agreeable thing and we approved it.

Mr. Clayton stated that there is already a cross access agreement that is in place between all three of those parties. .

Mr. Johnson asked if all of the parking spaces are required.

Mr. Schanzenbacher replied that it was not and the ones at the Boulevard end are really what are existing there right now.

Mr. Johnson thought that the parking lot could be configured to a better traffic flow.

Mr. Clayton stated that they are proposing 22 and there are 12 that are required by code.

Mr. Johnson also brought up that people could be stacked up at the walk-up window.

Mr. Clayton replied that there could be 6-8 employees at peak shifts and that is pretty much his standard parking count for a building model like this one.

Mr. Townes asked if the sign was lit.

Mr. Clayton confirmed that it was and that it was internally illuminated.

Mr. Schanzenbacher noted that by approving this, we are not approving the signage because that has to be reviewed separately.

Mr. Townes stated that any motion that he is going to support is going to have to as a minimum include Mr. Schanzenbacher's recommendations.

Mr. Johnson, made a MOTION, which was seconded by Mr. O'Connell, to have this project approved with not only Mr. Schanzenbacher's recommendations, but also the conditions of the color.

Mr. Schanzenbacher stated that this vote is saying you are conceptually ok with it, but it still

has to meet the code requirements, which the engineer seems to feel it will.

Mrs. Hamilton asked if he thought there will be some negotiation on these other points.

Mr. Schanzenbacher confirmed and his recommendations are that we are basically going to have some negotiations on the top of the building, the red and the black elements, the additional landscaping around the north side of the building, and also the signage issue.

Mr. Henley followed up on Mr. Townes' comment about looking more closely at the internal circulation and traffic control and we need to try to minimize the conflicts that appear between these movements onsite.

Mr. Johnson rephrased his MOTION, which was seconded by Mr. O'Connell, to approve this project to let it go forward with all of the stipulations that have been said in regards to traffic flow, landscaping, color, and signage which will be determined by staff.

The Motion was unanimously approved.

VIII. Old Business

There was no old business.

IX. New Business

- Appomattox River Corridor Economic Development Strategy**

Mr. Hargis told Mr. Schanzenbacher how impressed and excited he was to look down the road and hopefully we will get out of the more traditional shopping centers.

Mr. Schanzenbacher asked that they look at the whole river corridor, not just as a recreation entity, but as an economic development opportunity. Several things have prompted us. One being the City owns a substantial amount of land in the middle of this corridor which is about 34 acres. We have two private developers that control the balance of the property, that being Dominion Auto Group and Roslyn Farm Corporation. When Dominion recently announced that they were closing one of their dealerships, we saw that after the initial shock, maybe this might be an opportunity to take a look at the property from a different perspective. They have 11 acres of land in that area where the car dealerships are. So we have met with them about their long-term plans and their transition plans that they are doing now. We also met with a representative from Roslyn Farm Corporation which owns the property to the south of the City property; some of which is still vacant and some which has preliminary plans.

When we started looking at the whole thing and thinking how we could sell the City site, our marketing representative had come up with some negatives because of the location of the

Minutes, Regular Meeting

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City site. We started thinking bigger picture and found that there are almost 100 acres of vacant land in that area. Plus the other 11 acres or so that is in transition. With that in mind, we thought there might be a better approach to this and just rather than letting it go the traditional way of each individual user take a look at its piece and doing what it can at any point in time. We discussed possible infrastructure needs that our Public Works Department had identified by extending E. Roslyn going right in front of American Family Fitness. maybe this would be new way to tie into this whole area. We need to take a look at the whole area and not just the individual pieces. We know there are some environmental issues in the area, dealing with the former landfill site and some limitations. We never really talked of housing in this area at all, but one of the opportunities maybe that there maybe some viability for mixed use housing of some type which could include condos, senior housing on the second and third levels and office on the lower level.

We presented this concept to the Virginia Housing and Development Authority (VHDA) and they are willing to give us a grant for \$10,000 to allow us to begin this study effort to come up with a long-term development strategy. We do not know the outcome, but we think there is potential there. There is enough land area that we could do something much bigger than just doing something on 5 and 10 acre parcel. This is the City's last large undeveloped commercial land area. The next step would be to hire some outside expertise to see if they can package this together and come up with a concept. If there is enough economic viability, there maybe some ways to finance the infrastructure in a nontraditional way such as creating a community development corporation, like they have done in Chesterfield and Henrico, and using the increases in value as a way to pay for the infrastructure.

We could also develop design guidelines that we deferred from the zoning ordinance by create a special district for this area and establishing a new architectural character to the area

Mr. Townes asked if there was a requirement VHDA that housing go into this area.

Mr. Schanzenbacher answered that there was no requirement but we would look at it as part of the grant to see if there is any viability to it. Mixed use housing is certainly an in development technique that is going on every where because it maximizes the development potential at the site. . It does not fit in every situation but we would at least test it out and see.

Mr. Townes asked when we put the site for a RFP, who is going to be reviewing the applications.

Mr. Schanzenbacher answered that it would be in-house staff that would be doing that. He stated that we have an Economic Development Team.

Mr. Townes asked who is on that Team.

Mr. Schanzenbacher answered it consisted of the City Manager, our Retail Development Coordinator, Public Works and Planning.

Mr. Townes asked if we were going to include anybody else in that.

Mr. Schanzenbacher stated that we can and he wanted to bring it to the Planning Commission because he felt that this ultimately would wind up as an amendment to the Comprehensive Plan. He believes that the Commission should be involved in the process. We haven't put a RFP together yet and we are waiting for the contract from the VHDA on the grant. They have given us a verbal approval.

Mr. Schanzenbacher asked Mr. Townes if he had something specific.

Mr. Townes stated that everyone knows that when he hears the word economic development, his ears perk up. He likes to make sure that when people use that term, really know what they are doing and know what they are looking to achieve. He wants to be sure that whoever is on this team putting this thing together that they understand all of the aspects of economic development so we do not come up with a marketing plan that looks good but is not feasible. That would be a concern that we come up with a really nice marketing plan and then we find that there is no market for the idea that we came up with.

Mr. Schanzenbacher thinks that the economic feasibility is the number one criteria. There is no use of having a nice idea if it is not something that is potentially doable.

Mr. Johnson asked if Roslyn Farm was doing anything other than what they were already planning to do with their property that was interesting to them.

Mr. Schanzenbacher indicated that a mixed use concept was something that they never really have even thought about. They have been zeroed in on what they are good at.

Mr. Johnson asked if they thought that had some viability.

Mr. Schanzenbacher answered that they weren't sure. We approved a plan for an office development where their maintenance building was last year. That site is speculative in terms of their consideration at this point in time. It could be possible that that site could be a combination of office and residential. You are right on the water and also right next door is the hotel site. That concept was originally two hotels and a condo. They found that they didn't have enough land to do that. Going back to that kind of idea, you have that unique setting right on the water.

Mr. Townes stated when you do a business you don't live in the business, a lot of us like to

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tell everyone that we live in the business, but we really don't. We go there; work there but, we are not there 24-7. Where as someone who lives in a residence, then they are living there 24-7 and I would be very interested to know how someone who is experienced in residential development feels about a wastewater treatment facility and a landfill, which are two things that are probably not the most desirable, have adjacent to your residence. The water is a great draw but the other two is a concern.

Mr. Schanzenbacher stated that it all has to be tested out. There are some negatives there also but there are some positives.

Mr. Townes affirmed that the study is great to do.

Mr. Schanzenbacher said it would give us more definitive information to go on to say that we looked at it, but the market isn't there, or there are too many negatives, and environmental issues that we cannot over come. On the other hand, there may be positives things, like better access to the site and pedestrian trails. We should test those things out to see if it makes sense or not.

Mr. Hargis asked if the design team (consultants) would be looking at how this would tie into the rest of the Southpark.

Mr. Schanzenbacher answered that he didn't know and it depends on what we ask them to do and how much resource we have available. They certainly have to look at the area around it; they cannot look at it in isolation.

Mr. Hargis reiterated that he was thinking when you talk about residential, is there a way there is more foot traffic.

Mr. Schanzenbacher stated that we can ask in the RFP that the issue accessibility to and from the area be looked at in relation to the mall and the river. A representative from the Planning Commission on the consultant review team would be a good idea. We did that with the selection of the Trail consults.

Mr. Bill Johnson said that basically nothing has been put into stone; this is just preliminary and Council has not approved the appropriation for the grant. We wanted to bring it over to you to give you the general concepts of who will be on the final committees. We have an in-house group that started this, but this is basically the first phase. It is not eliminating anything anybody already has planned. Just a good basic grant to give an overview of the area and we think it is a good start off point that can lead into further development. We are trying to give a more organized concept of proceeding with this. That is where the basic concept is and why George wanted to bring it the Planning Commission just to let you know what was going on. It is going to Council at the next meeting. We have had preliminary

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conversations with some of the land owners to bring them onboard too. Everyone seems good for at least the basic concept. How far this will go, with the money we will get as much as we can.

Mr. Hargis asked if they could have at least one representative from the Planning Commission. He asked if it should wait until all of the approvals goes through City Council.

Mr. Bill Johnson stated that we know that the interest is here. A lot of it depends on what we can get done with this grant on how far we go.

Mr. Hargis stated he is excited about it and on the right track. He told George how he was impressed. He asked if it was because of what we own and what property is left to be developed and why West Roslyn.

Mr. Schanzenbacher answered that there is no one particular reason; it just seemed to be a logical grouping of land along the riverside.

Mr. Hargis asked if he needed a vote of confidence.

Mr. Bill Johnson indicated that it was an informational thing and there is no actions needed other than just getting your comments.

Mr. Hargis confirmed that it is very positive and thanked George. He asked if we knew who the consultants were.

Mr. Schanzenbacher declared that we did not and we haven't even started that process yet. He would keep them posted as we go along.

X. Reports

Mr. Hargis stated that he did not have any reports.

Mr. O'Connell said that he didn't have a report.

Mr. Johnson also said that he didn't have a report but he would like to say that he was 1 of 6 boats that went up the Appomattox River to see the fire works. He anchored off of Roslyn Landing Park and witnessed the fireworks and they were excellent. He complimented the City on getting that done.

Mr. Townes stated that he didn't have a report.

Mr. Henley added that the Boulevard Modernization Project that we have executed agreements with the Virginia Department of Historic Resources, Federal Highway and VDOT having to do

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with the impact or adverse affect of the project on building south of the intersection of Dupuy and Boulevard. What we had to do was to avoid impact and that of the 5 buildings that we proposed to remove, there are actually only going to be removing 1. By the federal regulations, we have to do everything feasible to avoid impact to those structures. The only building that is going to be effected by the project of widening of Dupuy and the Boulevard will be the old Byrd Hotel.

Mr. Townes asked if the other buildings would stay.

Mr. Henley confirmed that the structures cannot be removed as a part of the projects because of the historic nature of the potential Colonial Heights Historic District. We originally proposed to impact them but, the Federal Highway and the State Department of Historic Resources thought differently. We are taking steps to tie up those loose ends and we have a final public hearing scheduled on that project for August 12th.

Mr. Townes asked since the rest of those structures are of a historic nature if we could have some sort of ordinance that requires historic structures that are painted, to be painted in period colors.

Mr. Schanzenbacher answered that he didn't think there was anything in the existing city codes.

Mr. Townes asked George if he could research it.

Mr. Schanzenbacher said he would.

Mr. Townes stated that he didn't think that that bright yellow is a period color. It should be blasted back to the brick it originally was. He has seen historic districts where they had to be of period colors.

Mr. O'Connell stated he thought the State had something on that.

Mr. Henley stated that he should add that the potential historic district exists only because of the federal regulations. It is ironic that absent the use of federal money, any entity, local, state or private could buy those properties and demolish them without any regulations. The fact there is federal money is why these strings are attached. If the buildings are potentially eligible for listing on historic register, they are protected just as if they were.

Mr. Townes asked if Mr. Schanzenbacher and Mr. Fisher show us your real capabilities.

Mr. O'Connell stated he didn't understand that because we went through a real contest with the old Brickhouse which was back in 1685. Before it was on the historic register, homeowners first wanted to tear it down. Well, the City and the State of Virginia said you could not do it,

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you can sell it; however, you cannot demolish it. There are some restrictions out there that we need to pursue.

Mr. Townes explained that what Mr. O'Connell just described is exactly what Mr. Henley described and that is why we cannot tear it down. There is a federal program where you are getting federal moneys for a project where they said a building is a certain age, it has historic significance and you cannot tear it down. If you do, they will not give you the money.

Mr. O'Connell asked who was asking for money.

Mr. Townes said that the project has some federal funding.

Mr. Henley stated that in order to widen the Boulevard and Dupuy, it impacts the buildings. We were just barely able to squeeze the road between existing buildings. We are not able to do it and avoid the Byrd Hotel. We are able to do it and meet the transportation requirements. He said that he understands that there is interest on Council's part having to do with the ultimate disposition of the buildings that have been discussed. There just has been no final decision made.

Mr. O'Connell stated he missed that point and asked if it depended on if the owners would sell the property.

Mr. Henley answered that he is not at liberty to say anything right now. It has been discussed that there is some interest with regard to the area especially with the redevelopment of the corridor. The area appears like it is going to change in the long-term. Again, what is the long-term vision for that including historic preservation and including reuse of the church? That work is underway now that we have obtained Moseley Architects to evaluate the use of the church as a courthouse with preservation of some or all of the existing building.

Mr. Hargis thanked Mr. Henley for the update.

Mr. Schanzenbacher said he had some good news. Knowing that the commission has been working very hard all year, maybe we need a slight break. He would like to report that he has no business for the August meeting and would recommend canceling the August meeting.

Mr. Hargis stated there was a consensus to not meet in August.

X. The meeting adjourned at 8:00 pm

Respectfully,



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George W. Schanzenbacher
Director of Planning and Community Development

APPROVAL:

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