



Colonial Heights City Council
Colonial Heights, Virginia

AGENDA

Regular Meeting

DATE: May 8, 2012

CITY HALL

TIME: 7:00 P.M.

1. Call to Order.
2. Roll Call.
3. Devotion – The Honorable Milton E. Freeland, Jr.
4. Pledge of Allegiance.
5. Adoption of Agenda.
6. Declarations of Personal Interest.
7. Commendations and Presentations.
 - A. Presentation of Team of the Month Award for April 2012 to Ms. Krystle Hester, EMS Firefighter and Mr. Joseph Boisseau, Deputy Fire Marshall.
 - B. Introduction of New City Employees
 - Mr. Barry Davis, Senior Automotive Mechanic (Fleet Maintenance)
 - Mr. Robert Garrison, Deputy Sheriff (Sheriff's Office)
 - Mr. Eddie Nye, Utility Technician (Public Works)
 - Mr. Trey Sheppard, Utility Technician (Public Works)
 - Mrs. Jeri-Ann Tomlin, Legal Assistant (City Attorney's Office)
8. Reading of Manner of Addressing Council.

ANY MEMBER OF THE PUBLIC ADDRESSING THE COUNCIL SHALL APPROACH THE LECTERN, GIVE HIS NAME AND ADDRESS IN AN AUDIBLE TONE OF VOICE FOR THE RECORD, AND ADDRESS THE COUNCIL AS A BODY RATHER THAN SPEAK TO ANY MEMBER. UNLESS FURTHER TIME IS GRANTED BY THE COUNCIL, ANY MEMBER OF THE PUBLIC SHALL ADDRESS THE COUNCIL FOR A MAXIMUM OF FIVE (5) MINUTES, REGARDLESS OF THE NUMBER OF ISSUES HE DESIRES TO DISCUSS. PROVIDED HOWEVER, THAT THE MAIN PROPOSER OF ANY APPLICATION, PETITION, OR PLAN THAT IS THE SUBJECT OF A PUBLIC HEARING SHALL BE ALLOWED TO ADDRESS THE COUNCIL INITIALLY FOR A MAXIMUM OF TEN (10) MINUTES AND LATER IN REBUTTAL FOR A MAXIMUM OF THREE (3) MINUTES.

9. Written Petitions and Communications.

10. Advertised Public Hearings.

A. Public Hearing as advertised in *The Progress-Index* on Friday, April 27, 2012.

AN ORDINANCE NO. 12-13. (First Reading). To amend and reordain § 98-11 of Chapter 98, Animals, of the Colonial Heights City code, providing for a notice of violation for certain offenses and civil penalty thereon. The offenses subject to a civil penalty would be not displaying a current dog license, not having current rabies vaccination, and having a barking or howling dog.

B. Public Hearing as advertised in *The Progress-Index* on Saturday, April 28, 2012 and Saturday, May 5, 2012.

A RESOLUTION NO. 12-23. Authorizing acquisition by condemnation, if necessary, of certain portions of various tax map parcels in fee simple together with certain easements for the Boulevard (Route 1) Modernization and Improvement Project. The property acquired for the Project is needed to widen the Boulevard and install curb, gutter, landscaping, and other improvements. The following are the tax map numbers to be acquired in part, if necessary, in fee simple together with certain easements: (1) tax map parcel number 29000500010, owned by Larry Forehand and Patricia Forehand; (2) tax map parcel number 41000403022, owned by Mosley Properties, Inc.; (3) tax map parcel number 3000050000A, owned by Dunn Right Properties, LLC; (4) tax map parcel number 3000050000B, owned by Victor A. Johnson and Deborah D. Johnson; (5) tax map parcel number 27001000003, owned by Wawa, Inc; and (6) tax map parcel number 40000400001, owned by Colonial Heights Business Trust.

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

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

A. Approval of Minutes:

1. Regular Meeting, April 10, 2012.

B. Adoption of:

AN ORDINANCE NO. 12-3. (Second Reading). To grant a special use permit to KHJ, LLC, for property located at 800 West Roslyn Road. The property is presently zoned IN Industrial District, has parcel identification numbers 6805380004A, 68050000012C and 6805000012B, and comprises 11.5 acres. The special use permit would allow for the property to be used for a restaurant not to exceed 2,000 square feet, which would be located in the existing farm museum building; and allow for a freestanding pole sign not exceeding 45 feet in height and 192 square feet in size, to be located within 500 feet of the Interstate 95 highway right-of-way.

FY2012-13 Annual Operating Budget

AN ORDINANCE NO. 12-FIN-8 (Second Reading). Appropriating and providing funds for financing the City of Colonial Heights Public School Budget for the fiscal year beginning July 1, 2012, and ending June 30, 2013; and approving such budget.

AN ORDINANCE NO. 12-FIN-9 (Second Reading). Adopting the Recreation Activity Fund Budget for the fiscal year beginning July 1, 2012, and ending June 30, 2013, and appropriating the estimated revenues for the year for the principal purposes stated.

AN ORDINANCE NO. 12-FIN-10 (Second Reading). Adopting the Water and Sewer Fund Budget for the fiscal year beginning July 1, 2012, and ending June 30, 2013, and appropriating the estimated revenues for the year for the operating expenses stated.

AN ORDINANCE NO. 12-FIN-11 (Second Reading). Adopting the Storm Water Fund Budget for the fiscal year beginning July 1, 2012, and ending June 30, 2013, and appropriating the estimated revenues for the year for the operating expenses stated.

AN ORDINANCE NO. 12-4 (Second Reading). Providing for a levy on all real estate located in the City not exempt from taxation to be fixed at \$1.14 for the tax year commencing January 1, 2012, and ending December 31, 2012; and providing for a levy on all real estate located in the City not exempt from taxation to be fixed at \$1.14 for the tax year commencing January 1, 2013, and ending December 31, 2013, for general municipal purposes.

AN ORDINANCE NO. 12-5 (Second Reading). Providing for a tax levy on all tangible personal property not either exempt from taxation or otherwise taxed, for the tax year ending December 31, 2012; and for the tax year commencing January 1, 2013, and ending December 31, 2013; for general municipal purposes.

AN ORDINANCE NO. 12-6 (Second Reading). Providing for a tax levy on motor vehicles owned by members of a volunteer rescue squad or volunteer fire department, and persons appointed to serve as auxiliary police officers for the tax year ending December 31, 2012; and for the tax year commencing January 1, 2013, and ending December 31, 2013, for general municipal purposes.

AN ORDINANCE NO. 12-7 (Second Reading). Reaffirming Ordinance No. 10-11, which provided for a personal property levy of one dollar (\$1.00) on each motor vehicle which is specifically equipped to provide transportation for physically handicapped individuals for the tax year commencing January 1, 2012, and ending December 31, 2012; and providing for such levy on motor vehicles which are specifically equipped to provide transportation for physically handicapped individuals for the tax year commencing January 1, 2013, and ending December 31, 2013, for general municipal purposes.

AN ORDINANCE NO. 12-8 (Second Reading). Establishing a tax rate pursuant to Chapter 35.1 of Title 58.1 of the Code of Virginia (“Personal Property Tax Relief”) on all qualifying vehicles under the Chapter.

AN ORDINANCE NO. 12-9 (Second Reading). Providing for a tax levy on machinery and tools, tangible personal property used in a research and development business, certain energy generating equipment, personal property used in manufacturing, testing or operating satellites, and motor vehicles, trailers and semitrailers with a gross weight of 10,000 pounds or more used to transport property for hire by a motor carrier engaged in interstate commerce, for the tax year ending December 31, 2012; and for the tax year commencing January 1, 2013, and ending December 31, 2013; for general municipal purposes.

13. Introduction and Consideration of Ordinances and Resolutions.

AN ORDINANCE NO. 12-15. To adopt a revised General Pay Plan Class and Salary Range and to add the grade assignment for Youth Program Coordinator.

AN ORDINANCE NO. 12-FIN-12. (First Reading). To amend the Solid Waste Management Fund Budget for the fiscal year beginning July 1, 2011, and ending June 30, 2012, to appropriate \$25,000 of retained earnings to be used for additional landfill monitoring and preventative measures.

AN ORDINANCE NO. 12-FIN-13. (First Reading). To amend the General Fund Budget for the fiscal year beginning July 1, 2011, and ending June 30, 2012, to appropriate \$708 of donated funds to be used by Human Services for the Kids' After-School Program.

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

AN ORDINANCE NO. 12-FIN-7 (Second Reading). Adopting the General Fund Budget for the fiscal year beginning July 1, 2012, and ending June 30, 2013, and appropriating the estimated revenues for the year for the objects and purposes stated herein.

15. Reports of Officers and Documents Related Thereto.

A. City Manager.

- 1. Update on City Courthouse Project**
 - Review of Plans for Building Interior and Exterior Finishes
 - Construction Schedule
- 2. Update on New Trash Collection and Recycling Programs**
- 3. Upcoming Council Meeting Schedule**
- 4. General Activity Report and/or Project Update**

B. City Attorney.

C. Director of Planning and Community Development.

16. Consideration of Claims.

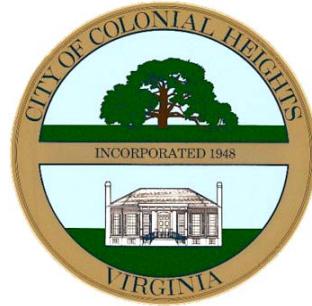
17. Adjournment.

Memorandum

Date: May 3, 2012

To: Mayor and City Council

Subject: Agenda Briefing - Regular City Council
Meeting - ***Tuesday, May 8, 2012***



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

7. **Commendations and Presentations:**

- A. This item is for formal recognition of EMS/Firefighter Krystle Hester and Deputy Fire Marshall. Joseph Boisseau as April 2012 City Employee Team of the Month by Mayor Davis. A copy of the formal recognition is included in with the meeting packet. The Mayor will be making a brief presentation of the award to Ms. Hester and Mr. Boisseau at the meeting.
- B. This item is for introduction and brief recognition of new city employees: Jeri-Ann Tomlin (City Attorney's Office); Barry Davis (Fleet Maintenance); Robert Garrison (Sheriff's Office); Eddie Nye (Public Works); and Trey Sheppard (Public Works).

8. **Reading of Manner Addressing Council**

9. **Written Petitions/Communications** – *None submitted for inclusion on the meeting agenda*

10. **Public Hearings:**

- A. ORDINANCE NO. 12-13 – Discussed at previous meetings; This item for a required Public Hearing and consideration of an Ordinance on First Reading to amend the City Code to provide certain penalties for not displaying a current dog license, not having current rabies vaccination, and having a barking or howling dog.

Budgetary Impact – None

As noted on the agenda, the notice of public hearing for this agenda item was published in *The Progress-Index*. A copy of the proposed Ordinance is also included in the meeting packet.

The staff recommends approval of this item as presented

- B. ORDINANCE NO. 12-23 – Discussed at previous meetings; This item for a required Public Hearing and consideration of an Ordinance on First Reading to formally authorize commencement of condemnation proceedings against certain properties in support of the Boulevard Modernization Project.

Budgetary Impact – None. As this process moves forward, the City will likely incur some additional costs that were not anticipated but this particular action has no automatic budget implications associated with it.

As noted on the agenda, the notice of public hearing for this agenda item was published in *The Progress-Index*. A copy of the proposed Ordinance is also included in the meeting packet.

The staff recommends approval of this item as presented

11. **Public Comments** (“*Hearing of Citizens Generally on Non-Agenda Issues*”):
12. **Consent Agenda** (“*Consideration of Uncontested Minutes, Ordinances, Resolutions, & Motions . . .*”):
 - A. Copies of the minutes from our (1.) Regular Meeting on 4/10/12 is included in the meeting packet for your review.

B. “Adoption of:”

- ORDINANCE NO. 12-3 - Discussed and approved at the last regular meeting; This item is for Second Reading and Final Adoption of an Ordinance to approve a request for a Special use Permit by to KHJ, LLC, for property located at 800 West Roslyn Road (the Tractor Museum adjacent to southbound I-95).

The owners are proposing to build a small restaurant within the Museum to cater exclusively to museum visitors and to erect a sign promoting sane. The special use permit would (a) allow for the property to be used for a restaurant not to exceed 2,000 square feet and (b) allow for a freestanding pole sign not exceeding 45 feet in height and 192 square feet in size, to be located within 500 feet of the highway.

A copy of a staff report providing additional background on this item is included in the meeting packet; staff will also be making a brief presentation at the meeting.

Budgetary Impact – None

The staff recommends approval of this item as presented

The following agenda items all pertain to formal adoption of the FY2012-13 Annual Operating Budget, a complete copy of which has previously been provided to Council.

- ORDINANCE NO. 12-FIN-8 - Discussed and approved at last meeting; This item is for Second Reading and Final Adoption of an Ordinance approving the *CH Public Schools Budget* for FY2012-13, as previously reviewed with City Council.

A copy of the Ordinance as approved on First Reading is included in the packet.

The staff recommends approval of this item as presented

- ORDINANCE NO. 12-FIN-9 - Discussed and approved at last meeting; This item is for Second Reading and Final Adoption of an Ordinance approving the *Recreation Fund Budget* for FY2012-13, as previously reviewed with City Council.

A copy of the Ordinance as approved on First Reading is included in the packet.

The staff recommends approval of this item as presented

- ORDINANCE NO. 12-FIN-10 - Discussed and approved at last meeting; This item is for Second Reading and Final Adoption of an Ordinance approving the *Water and Sewer Fund Budget* for FY2012-13, as previously reviewed with City Council.

A copy of the Ordinance as approved on First Reading is included in the packet.

The staff recommends approval of this item as presented

- ORDINANCE NO. 12-FIN-11 - Discussed and approved at last meeting; This item is for Second Reading and Final Adoption of an Ordinance approving the *Storm Water Fund Budget* for FY2012-13, as previously reviewed with City Council.

A copy of the Ordinance as approved on First Reading is included in the packet.

The staff recommends approval of this item as presented

12. **Consent Agenda (continued):**

➤ ORDINANCE NO. 12-4 - Discussed and approved at last meeting; This item is formal reaffirmation or continuation of the existing property tax rate of \$1.14 through FY2012-13, as previously reviewed with City Council.

A copy of the Ordinance as approved on First Reading is included in the packet.

The staff recommends approval of this item as presented

➤ ORDINANCE NO. 12-5 - Discussed and approved at last meeting; This item is formal reaffirmation or continuation of the existing personal property tax through FY2012-13, as previously reviewed with City Council.

A copy of the Ordinance as approved on First Reading is included in the packet.

The staff recommends approval of this item as presented

➤ ORDINANCE NO. 12-6 - Discussed and approved at last meeting; This item is formal reaffirmation or continuation of the existing policy regarding motor vehicle tax relief for volunteer firefighters and auxiliary police officer through FY2012-13.

A copy of the Ordinance as approved on First Reading is included in the packet.

The staff recommends approval of this item as presented

➤ ORDINANCE NO. 12-7 - Discussed and approved at last meeting; This item is formal reaffirmation or continuation of the existing policy regarding personal property tax relief for the handicapped through FY2012-13.

A copy of the Ordinance as approved on First Reading is included in the packet.

The staff recommends approval of this item as presented

➤ ORDINANCE NO. 12-8 - Discussed and approved at last meeting; This item is formal reaffirmation or continuation of the existing PPTRA rate through FY2012-13.

A copy of the Ordinance as approved on First Reading is included in the packet.

The staff recommends approval of this item as presented

➤ ORDINANCE NO. 12-9 - Discussed and approved at last meeting; This item is formal reaffirmation or continuation of the existing machinery and tools tax through FY12-13.

A copy of the Ordinance as approved on First Reading is included in the packet.

The staff recommends approval of this item as presented

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

➤ ORDINANCE NO. 12-15 – This item is for consideration of an Ordinance on First Reading to formally approve the creation of the new position of Youth Program Coordinator within the Office on Youth Department.

A copy of a staff memorandum providing additional background on this item is included in the meeting packet.

Budgetary Impact – See staff memorandum/report.

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

The staff recommends approval of this item as presented

➤ ORDINANCE NO. 12-FIN-12 – Discussed during budget deliberations; This item is for consideration of an Ordinance on First Reading to formally amend the Solid Waste Management Fund Budget to appropriate \$25,000 of retained earnings to be used for additional landfill monitoring and preventative measures.

13. New Business/Legislation (continued):

Budgetary Impact - This item as proposed is bottom-line, “cost-neutral”, as it is the formal appropriation of fund balance and will not adversely affect overall funding of the operating budget or costs to taxpayers.

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

The staff recommends approval of this item as presented

➤ **ORDINANCE NO. 12-FIN-13** – This item is for consideration of an Ordinance on First Reading to appropriate \$708 of donated funds to be used by Human Services for the Kids’ After-School Program.

Budgetary Impact - This item as proposed is bottom-line, “cost-neutral”, as it is the formal appropriation of donated funds and will not adversely affect overall funding of the operating budget or costs to taxpayers.

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

The staff recommends approval of this item as presented

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

➤ **ORDINANCE NO. 12-FIN-7** - Discussed and approved at last meeting; This item is for Second Reading and Final Adoption of an Ordinance approving the *General Fund Budget* for FY2012-13, as previously reviewed with City Council.

A copy of the Ordinance as approved on First Reading is included in the packet.

The staff recommends approval of this item as presented

Note: This item as listed on the agenda is eligible for Second Reading and Final Adoption, but as it did not receive the mandatory unanimous vote by Council on First Reading, it is included here on the agenda rather than as part of the Consent Agenda.

15. Staff Reports (“Reports of Officers . . . ”):

A. City Manager

1. **Update on City Courthouse Project** - This item is to allow for general update and/or activities report on this on-going project, including but not limited to:
 - Review of Plans for Building Interior and Exterior Finishes – The staff will be making a report on the Building Committee’s recommendations on building finishes and color schemes.
 - Construction Schedule – The staff will also be providing an update on the actual construction schedule, post-groundbreaking.
2. **Update on New Trash Collection and Recycling Programs** - This item is to allow for a general overview and discussion of issues relating to the City’s New Trash Collection and Recycling Programs and the upcoming implementation of same. The staff will be updating Council and answering any questions relating to the new services that begin July 1.
3. **Upcoming Council Meeting Schedule** - This item is to review with the entire Council possible agenda items for the May Work Session and other upcoming Council meetings.

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

A. City Manager (cont’d)

4. ***General Activity Report and/or Project Update*** - This item is for miscellaneous updates and comments by the staff; and general Q&A with the City Council relative to on-going projects and/or issues.

B. City Attorney

C. Director of Planning and Community Development

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

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



Thomas L. Mattis
City Manager

APRIL 2012 TEAM OF THE MONTH



TEAM: Krystle Hester, EMS Firefighter
Joseph Boisseau, Deputy Fire Marshall

NARRATIVE: The Communications Center for the City of Colonial Heights will begin providing pre-arrival instructions for those who call with a medical emergency. The Emergency Medical Dispatch (EMD) program has taken over 5 years to realize within the City. Once funding was overcome, the program was able to be secured and move towards implementation. The program provides the continuity of care that has been missing without this program. The key component to implementing this program was securing qualified instructors to deliver the curriculum to the dispatching staff.

Firefighter Hester and Lieutenant Boisseau were asked to become instructors in order to deliver the necessary course of instruction to the dispatchers. They embraced this opportunity with enthusiasm and commitment, realizing the potential benefit to those in need. They have witnessed this program in surrounding jurisdictions and seen how other dispatchers were able to provide a higher level of service to their 911 callers.

Firefighter Hester's background includes experience as a dispatcher, certification as a Nationally Registered Paramedic, and she is currently a Field Training Officer (FTO) for the department. She also works part-time gaining additional clinical experience in a hospital.

Lieutenant Boisseau's background incorporates his dispatcher knowledge, law enforcement qualifications, state certified Deputy Fire Marshall and his certification as a Nationally Registered Paramedic.

Firefighter Hester and Lt. Boisseau's training began in September 2011 by their successful completion of an intense on-line training program. This was followed with a classroom component required to complete their instruction. Instruction was concluded by December 2011. Beginning in January 2012, the dispatchers underwent an intense four-week course of instruction which included the history and benefits of becoming an Emergency Medical Dispatcher (EMD). The core of the course was learning to deliver the pre-arrival instructions to those calling 911 with medical emergencies. Field trips were taken to area hospitals to see how the "continuity of care" commencing with the initial call for service and how it ultimately impacted the patient's overall care.

Neither instructor sought individual “glory” in their contribution to this project. They approached the project as one needed to enhance the service delivery of the City’s emergency medical services. The Fire Department has only heard positive comments regarding their preparations, execution and response. They are a firm believer that this team aided in enhancing our service delivery. The Fire Department is very proud of this team and feels that they deserve proper recognition for a job well done and their commitment to public safety.

AN ORDINANCE NO. 12-13

To amend and reordain § 98-11 of Chapter 98, Animals, of the Colonial Heights City Code, providing for a notice of violation for certain offenses and a civil penalty thereon.

THE CITY OF COLONIAL HEIGHTS HEREBY ORDAINS:

1. That § 98-11 of Chapter 98, Animals, of the Colonial Heights City Code, be, and is hereby, amended and reordained as follows:

§ 98-11. Penalties.

A. Unless otherwise specified, any violation of a provision of this chapter shall constitute a Class 4 misdemeanor, punishable by a fine of up to \$250.

B. Payment of the annual dog and cat license tax required by this chapter subsequent to a summons to appear before a Court for failure to pay such fee within the time specified in § 98-24 shall not operate to relieve the owner from the penalties provided.

C. Civil penalties:

(1) If an animal control officer or law enforcement officer determines that a civil penalty violation of this section has occurred, he shall issue and serve, or cause to be served a notice of violation on any and all persons committing the violation. The notice shall provide that the person served may elect to make an appearance, either in person or in writing by mail, before the Treasurer of the City, and admit liability for or plead no contest to the violation and pay the civil penalty established for the violation, all within the time period set forth in the notice. If a person so notified does not elect to admit liability or to plead no contest, the violation shall be tried in the Colonial Heights General District Court upon a warrant in debt or complaint, with the same right of appeal as provided in civil actions at law. A finding or admission of liability or a plea of no contest shall not be deemed a criminal conviction for any purpose.

(2) A- For the purposes of this subsection, a civil penalty in the amount listed on the schedule below shall be assessed for a violation of the respective offense:

(a) Not displaying a current City dog license:

[1] First offense: \$20.

[2] Second offense: \$30.

[3] Third and subsequent offenses: \$40.

(b) No current rabies vaccination:

[1] First offense: \$20.

[2] Second offense: \$45.

[3] Third and subsequent offenses: \$60.

(c) Barking or howling dog:

[1] First offense: \$50.

[2] Second offense: \$100.

[3] Third and subsequent offenses: \$150.

~~(2) (3)~~ The assessment of any civil penalty for a violation shall be in lieu of criminal prosecutions for that violation.

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

Approved:

Mayor

Attest:

City Clerk

I certify that the above ordinance was:

Adopted on its first reading on _____.

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

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

The Honorable Kenneth B. Frenier, Councilman: _____.

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

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

The Honorable John T. Wood, Councilman: _____.

The Honorable Diane H. Yates, Councilwoman: _____.

The Honorable C. Scott Davis, Mayor: _____.

Adopted on its second reading on _____.

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

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

The Honorable Kenneth B. Frenier, Councilman: _____.

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

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

The Honorable John T. Wood, Councilman: _____.

The Honorable Diane H. Yates, Councilwoman: _____.

The Honorable C. Scott Davis, Mayor: _____.

City Clerk

Approved as to form:

City Attorney

MEMORANDUM

TO: The Honorable Mayor and Members of Council

FROM: Hugh P. Fisher, III
City Attorney

DATE: May 2, 2012

RE: Civil Penalties for Animal Violations

You will recall that Chapter 98 of the City Code now provides for the imposition of civil penalties, rather than criminal sanctions, for certain violations of the Chapter. This office has been working with Animal Control and Captain Keith Early to develop a “Notice of Violation” form for police officers to use for the offenses in City Code § 98-11 for which a civil penalty will be imposed. The attached ordinance has been drafted to amend § 98-11 by outlining the procedure to be followed when a civil “Notice of Violation” is issued.

This ordinance was discussed previously by Council at its October 2011 work session. However, I requested, and Council agreed, to delay action on the ordinance because of concerns the Treasurer raised at the work session.

cc Thomas Mattis, City Manager
DeAnna Atkins, City Clerk
Joy Moore, Treasurer
Jeff Faries, Police Chief

April 24, 2012

The Progress-Index
15 Franklin Street
Petersburg, VA 23803

Attention: Legal Advertisements

Dear Madam or Sir:

I have enclosed for publication in the legal advertisements section of your newspaper a notice of City Council holding a public hearing to accept public comment on and consider the adoption of Ordinance No. 12-13

You are requested to publish the notice on **Friday, April 27, 2012.**

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

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

Thank you for your assistance.

Very truly yours,

Hugh P. Fisher, III
City Attorney

Enclosure

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

NOTICE OF PUBLIC HEARING
CITY OF COLONIAL HEIGHTS, VIRGINIA

Notice is hereby given to all persons affected or interested that at the Colonial Heights City Council meeting to be held on **Tuesday, May 8, 2012, at 7:00 P.M.**, in Council Chambers of City Hall, 201 James Avenue, Colonial Heights, Virginia, the City Council shall hold a public hearing to accept comments on the following:

AN ORDINANCE NO. 12-13

To amend and reordain § 98-11 of Chapter 98, Animals, of the Colonial Heights City Code, providing for a notice of violation for certain offenses and civil penalty thereon. The offenses subject to a civil penalty would be not displaying a current dog license, not having a current rabies vaccination, and having a barking or howling dog.

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

Hugh P. Fisher, III
City Attorney

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

RESOLUTION NO. 12-23

A RESOLUTION TO ACQUIRE BY CONDEMNATION, IF NECESSARY, CERTAIN PORTIONS OF THE FOLLOWING PARCEL IDENTIFICATION NUMBERS: 29000500010, 41000403022, 3000050000A, 3000050000B, 27001000003, AND 40000400001 IN FEE SIMPLE TOGETHER WITH CERTAIN EASEMENTS FOR THE BOULEVARD (ROUTE 1) MODERNIZATION AND IMPROVEMENT PROJECT

WHEREAS, the City of Colonial Heights, Virginia (the "City") has undertaken to improve, widen, construct and maintain an existing public street, the Boulevard (Route 1) (the "Street"), located in the City of Colonial Heights, Virginia between Westover Avenue to the North and Lafayette Avenue to the South, such public undertaking being known as the Boulevard (Route 1) Modernization and Improvement Project (the "Project"); and

WHEREAS, the City desires to facilitate and enable the improvement, widening, construction and maintenance of the Street as a primary access route for the citizens of the City and as a vital transportation component within the City; and

WHEREAS, the purpose of the City's acquisitions for this Project is to widen the existing 4-lane divided street to a 4-lane streetway with a 12 foot center turn lane (5th lane) with curb and gutter, stormwater improvements, bicycle and pedestrian improvements, and landscaping and streetscape improvements (the "Street Improvements"); and

WHEREAS, the proposed Street Improvements are essential to provide congestion relief, to improve traffic circulation with alternative routing capabilities under normal and emergency situations for citizens, businesses and public safety vehicles, to provide safe turning egress/ingress from and to the Street and otherwise provide for the health, safety and welfare of the community; and

WHEREAS, the proposed Street Improvements are planned, designed and located in a manner which will be most compatible with the greatest public good, the safest engineering design and the least private property injury; and

WHEREAS, no more private property will be acquired than that which is necessary to achieve the stated public use; and

WHEREAS, the proposed Street Improvements will be situated across and through a certain number of privately owned parcels in the aforementioned area, including the following parcels: 1) Parcel Identification ("PID") Number 29000500010, Colonial Heights, Virginia 23834 (Project "Parcel 010"); 2) PID Number 41000403022, Colonial Heights, Virginia 23834 (Project "Parcel 035"); 3) PID Number 3000050000A, Colonial Heights, Virginia 23834 (Project "Parcel 036"); 4) PID Number 3000050000B, Colonial Heights, Virginia 23834 (Project "Parcel 037"); 5) PID Number 27001000003, Colonial Heights, Virginia 23834 (Project "Parcel 004"); and 6) PID Number 40000400001, Colonial Heights, Virginia 23834 (Project "Parcel 015"); and the specific land and property interests needed are more particularly described as follows:

Project Parcel 010:

WHEREAS, a search of the land records in the City of Colonial Heights Circuit Court Clerk's Office has revealed that the owners of Parcel 010 are Larry Forehand and Patricia Forehand (the "Owners of Parcel 010") and a substantial description of the portion of Parcel 010 necessary for public street purposes, and purposes ancillary thereto, is as follows: **See plat attached hereto, labeled "Exhibit A" and made a part of this Resolution.**

Project Parcel 035:

WHEREAS, a search of the land records in the City of Colonial Heights Circuit Court Clerk's Office has revealed that the owner of Parcel 035 is Mosley Properties, LLC (the "Owner of Parcel 035") and a substantial description of the portion of Parcel 035 necessary for public

street purposes, and purposes ancillary thereto, is as follows: **See plat attached hereto, labeled "Exhibit B" and made a part of this Resolution.**

Project Parcel 036:

WHEREAS, a search of the land records in the City of Colonial Heights Circuit Court Clerk's Office has revealed that the owner of Parcel 036 is Dunn Right Properties, LLC (the "Owner of Parcel 036") and a substantial description of the portion of Parcel 036 necessary for public street purposes, and purposes ancillary thereto, is as follows: **See plat attached hereto, labeled "Exhibit C" and made a part of this Resolution.**

Project Parcel 037:

WHEREAS, a search of the land records in the City of Colonial Heights Circuit Court Clerk's Office has revealed that the owners of Parcel 037 are Victor A. and Deborah D. Johnson (the "Owners of Parcel 037") and a substantial description of the portion of Parcel 037 necessary for public street purposes, and purposes ancillary thereto, is as follows: **See plat attached hereto, labeled "Exhibit D" and made a part of this Resolution.**

Project Parcel 004:

WHEREAS, a search of the land records in the City of Colonial Heights Circuit Court Clerk's Office has revealed that the owner of Parcel 004 is Wawa, Inc. (the "Owner of Parcel 004") and a substantial description of the portion of Parcel 004 necessary for public street purposes, and purposes ancillary thereto, is as follows: **See plat attached hereto, labeled "Exhibit E" and made a part of this Resolution.**

Project Parcel 015:

WHEREAS, a search of the land records in the City of Colonial Heights Circuit Court Clerk's Office has revealed that the owner of Parcel 015 is Colonial Heights VA Business Trust (the "Owner of Parcel 015") and a substantial description of the portion of Parcel 015 necessary for public street purposes, and purposes ancillary thereto, is as follows: **See plat attached hereto, labeled "Exhibit F" and made a part of this Resolution.**

WHEREAS, as of the date of this Resolution and despite making bona fide efforts to purchase the necessary property rights from the aforementioned Owners, in full compliance with Section 25.1-204, Code of Virginia (1950), as amended, the City has been unable to come to agreements with such Owners as to the amount of compensation to be paid and other terms for voluntary purchases; and

WHEREAS, the City is authorized to acquire private property for a public street use through the exercise of eminent domain by Sections 1-219.1, 15.2-1800 and 15.2-1901 *et seq.*, of the Code of Virginia (1950), as amended; and

WHEREAS, in conjunction with the construction of the Street it is also necessary to relocate certain utility easements held by public service companies; and

WHEREAS, the City is empowered by Sections 33.1-75.3(G), 33.1-96 and 15.2-1902, Code of Virginia (1950), as amended, to acquire replacement easements for public service companies; and

WHEREAS, after holding a public hearing on this matter, the City has determined that a public necessity exists for the fee simple acquisition of portions of the above described properties for the improvement, widening, construction and maintenance of the Street, together with the relocation of certain utility easements, ingress/egress easements, and temporary construction easements, all of which are for the public purposes of providing a better streetway for public use, along with providing for the general health, safety, peace, good order, comfort, convenience, morals and welfare of the City; and

WHEREAS, a public hearing following proper legal notice was held, pursuant to Section 15.2-1903(B) of the Code of Virginia (1950), as amended, on May 8, 2012.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Colonial Heights, Virginia, that:

1. The acquisition of Project Parcels 004, 010, 015, 035, 036, and 037, for public streetway and associated incidental and ancillary uses including, but not limited to, slopes, ditches, drainage, temporary construction, and utility relocation purposes, and landscaping and pedestrian pathways is determined and declared to constitute an authorized public undertaking pursuant to Section 15.2-1901.1 of the Code of Virginia (1950), as amended; and it is further determined and declared that the acquisition and use of the property by the City as described herein will constitute a public use as defined by Section 1-219.1 of the Code of Virginia (1950), as amended, and that said public use is hereby approved.
2. A public necessity exists for the acquisition of such private property for the aforesaid public uses for the reasons set forth in the preamble of this Resolution.
3. The City hereby elects to use the procedures set forth in Section 25.1-300 *et seq.*, as authorized by Sections 15.2-1902 and 15.2-1904 and the procedures and provisions of Sections 33.1-91 through 33.1-94, 33.1-96 and 33.1-117 of the Code of Virginia (1950), as amended, as authorized by Section 15.2-1902(4).
4. A public necessity exists that the City enter upon and take possession of the aforesaid portion of and rights in the Property for the purposes described above before the conclusion of condemnation proceedings, and the City declares its intent to so enter and take the Property under those powers granted pursuant to Sections 15.2-1902, 15.2-1904 and 25.1-300 *et. seq.* of the Code of Virginia (1950), as amended.
5. The City Manager, the City Attorney, and the law firm of Randolph, Boyd, Cherry and Vaughan, may utilize the procedures set forth in Sections 15.2-1901 *et. seq.*, and Title 25.1 of the Code of Virginia (1950), as amended, and/or the procedure set forth in Chapter 18 of the City Charter, as amended, to initiate and conduct condemnation proceedings.
6. The City Manager, the City Attorney, and the law firm of Randolph, Boyd, Cherry and Vaughan be, and they hereby are, authorized and directed to acquire the Property by condemnation if necessary and in the manner provided by Title 25.1, including, but not limited to, Chapter 3 (Section 25.1-300 *et. seq.*), and Title 33.1 to the extent made applicable to localities by Section 15.2-1902(4) of the Code of Virginia (1950), as amended.
7. In the event the above-described property has been conveyed, the City Manager, the City Attorney, and the law firm of Randolph, Boyd, Cherry and Vaughan are hereby authorized to institute proceedings against the successors in title.
8. This Resolution shall be effective upon passage.

Approved:

Mayor

Attest:

City Clerk

I certify that the above resolution was:

Adopted on _____.

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

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

The Honorable Kenneth B. Frenier, Councilman: _____.

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

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

The Honorable John T. Wood, Councilman: _____.

The Honorable Diane H. Yates, Councilwoman: _____.

The Honorable C. Scott Davis, Mayor: _____.

City Clerk

Approved as to form:

City Attorney

NOTES:

- 1) THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND MAY NOT REFLECT ALL EASEMENTS, COVENANTS AND/OR RESTRICTIONS OF RECORD.
- 2) THIS PLAT DOES NOT REPRESENT A BOUNDARY SURVEY OF PID # 290000500010
- 3) PHYSICAL FEATURES ARE NOT DEPICTED AS A PART OF THIS PLAT.

4) THIS PLAT IS BASED ON A FIELD SURVEY DATED AUGUST 2009 AND IS IN ACCORDANCE WITH THE MINIMUM STANDARDS AND PROCEDURES AS SET FORTH BY THE COMMONWEALTH OF VIRGINIA.

5) THE WORD "CERTIFY" AS SHOWN AND USED HEREON MEANS AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THE FACTS OF THE SURVEY AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EXPRESSED OR IMPLIED.

6) PROPOSED FEE SIMPLE RIGHT OF WAY AND EASEMENTS TAKEN FROM FILE NAMED ACAD-PROPRW_2011-01-13.DWG AS PROVIDED BY H.W. LOCHNER INC.

7). CONSTRUCTION BASELINE SHOWN HEREON HAS BEEN OFFSET FOR GRAPHICAL REPRESENTATION. STATIONING IS SHOWN CORRECT HOWEVER OFFSET TO BASELINE IS NOT TO SCALE.

AREA TABULATION		
PROPOSED VARIABLE WIDTH TEMPORARY CONSTRUCTION EASEMENT = 443 SQ. FT.		
PROPOSED VARIABLE WIDTH JOINT USE UTILITY EASEMENT = 1,065 SQ. FT.		
PROPOSED FEE SIMPLE RIGHT OF WAY ACQUISITION = 332 SQ. FT.		

LINE TABLE		
LINE	BEARING	LENGTH
L1	N10°47'27" W	5.97'
L2	N78°13'52" E	10.31'

I HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THIS PLAT AND SURVEY UPON WHICH IT IS BASED, ARE TRUE AND CORRECT REGARDING THE STATE STANDARDS APPLICABLE THERETO.


ROBERT C. BUCKLEY, JR., L.S.

SHEET 1 OF 2

PLAT SHOWING
TEMPORARY VARIABLE WIDTH
CONSTRUCTION EASEMENT,
VARIABLE WIDTH JOINT USE UTILITY
EASEMENT AND
0.008 ACRE FEE SIMPLE RIGHT OF WAY
TO BE ACQUIRED BY THE CITY OF
COLONIAL HEIGHTS
ACROSS THE LAND OF
LARRY FOREHAND, PATRICIA FOREHAND &
CHRISTINE OLIVER FARMER
PID # 29000500010

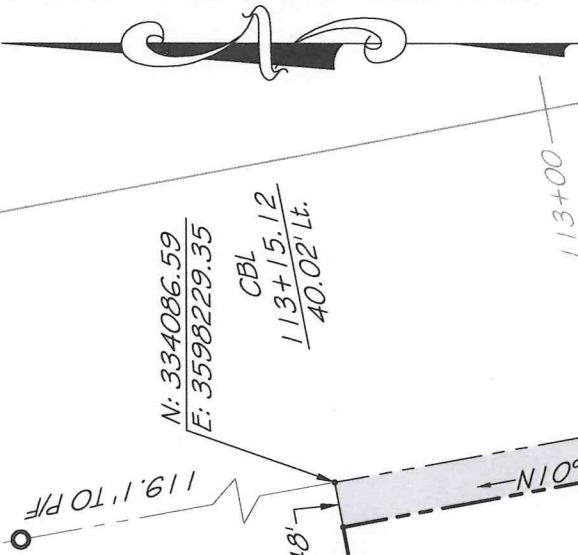

RICE ASSOCIATES
LAND SURVEYING MAPPING CONSULTANTS
308 TURNER ROAD
SUITE G
RICHMOND, VIRGINIA 23226
(804) 674-9723 FAX (804) 674-9726

DRAWN : RICE ASSOCIATES SCALE : 1" = 10"
CHECKED: RICE ASSOCIATES DATE : JUNE 15, 2011
JOB# : 100301 REV. DATE: APRIL 26, 2012



TM # 29-5-84
 ROGER L. WALTERS
 # DENNA M. WALTERS
 PARCEL ID # 29000500084
 D.B. 1/35, PG 332

NORTH BASED ON VCS NAD 83 (S.ZONE)
 VDOT PROJECT COORDINATES



BOULEVARD - S.R. NO. 1
 (VARIABLE WIDTH RW)
 EX. RIGHT-OF-WAY PER P.B. 8, PG. 104

55.00' (RECORD)
 S10°25'28"E
 39.14'

56.90' (FIELD)

N10°40'52"W
 49.37'

N10°40'52"W

58.28'

N02°04'49"E
 49.37'

58.28'

30.00' (TOTAL)
 -579°34'32"W

1.83'
 1.2'
 7.05'

BRUCE AVENUE
 EX. RIGHT-OF-WAY
 PER P.B. 8, PG. 104

TM # 29-5-PT. OF 8, 9 & 10
 LARRY FOREHAND,
 PATRICIA FOREHAND &
 CHRISTINE O. FARMER
 PID # 29000500010
 100 BRUCE AVENUE
 D.B. 71, PG. 349
 W.B. 22, PG. 546
 COLONIAL HEIGHTS
 CIRCUIT COURT

CBL (SEE NOTE 7)
 1/13+00
 1/13+00
 CBL
 $\frac{112+58.23}{40.27' Lt.}$
 N: 334030.63
 E: 3598239.64

332 SQ. FT. / 0.008 AC.
 FEE SIMPLE RIGHT OF WAY
 TO BE ACQUIRED BY THE
 CITY OF COLONIAL HEIGHTS

PLAT SHOWING
 TEMPORARY VARIABLE WIDTH
 CONSTRUCTION EASEMENT,
 VARIABLE WIDTH JOINT USE UTILITY
 EASEMENT AND
 0.008 ACRE FEE SIMPLE RIGHT OF WAY
 TO BE ACQUIRED BY THE CITY OF
 COLONIAL HEIGHTS
 ACROSS THE LAND OF
 LARRY FOREHAND, PATRICIA FOREHAND &
 CHRISTINE OLIVER FARMER
 PID # 29000500010

DENOTES FEE SIMPLE
 RIGHT OF WAY
 ACQUISITION AREA



LEGEND

CBL = CONSTRUCTION BASE LINE

P/F = PIPE FOUND

SHEET 2 OF 2



RICE ASSOCIATES

LAND SURVEYING MAPPING CONSULTANTS
 308 TURNER ROAD
 SUITE G
 RICHMOND, VIRGINIA 23226
 (804) 674-9723 FAX (804) 674-9726
 DRAWN : RICE ASSOCIATES SCALE : 1" = 10"
 CHECKED: RICE ASSOCIATES DATE : JUNE 15, 2011
 JOB# : 100301 REV. DATE: APRIL 26, 2012

NOTES:

- 1) THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND MAY NOT REFLECT ALL EASEMENTS, COVENANTS AND/OR RESTRICTIONS OF RECORD.
- 2) THIS PLAT DOES NOT REPRESENT A BOUNDARY SURVEY OF PID # 41000403022.
- 3) PHYSICAL FEATURES ARE NOT DEPICTED AS A PART OF THIS PLAT.

4) THIS PLAT IS BASED ON A FIELD SURVEY DATED AUGUST 2009 AND IS IN ACCORDANCE WITH THE MINIMUM STANDARDS AND PROCEDURES AS SET FORTH BY THE COMMONWEALTH OF VIRGINIA.

5) THE WORD "CERTIFY" AS SHOWN AND USED HEREON MEANS AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THE FACTS OF THE SURVEY AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EXPRESSED OR IMPLIED.

6) PROPOSED EASEMENTS TAKEN FROM FILE NAMED ACAD-PROPRW_2011-01-13.DWG AS PROVIDED BY H.W. LOCHNER INC.

LINE	BEARING	DISTANCE
L1	S 43°06'13" E	2.15'
L2	S 43°06'13" E	0.32'

CURVE TABLE

CURVE	LENGTH	RADIUS	CHORD BRG	CHORD	DELTA
C1	106.66'	1459.50'	S 07°43'10" E	106.64'	04°11'14"
C2	119.86'	1454.50'	S 07°45'13" E	119.82'	04°43'17"
C3	120.12'	1449.50'	S 07°45'04" E	120.09'	04°44'54"

AREA TABULATION

PROPOSED TEMPORARY VARIABLE WIDTH CONSTRUCTION EASEMENT = 1,180 SQ. FT.

PROPOSED VARIABLE WIDTH JOINT USE UTILITY EASEMENT = 580 SQ. FT.

PROPOSED FEE SIMPLE RIGHT OF WAY ACQUISITION = 186 SQ. FT.

I HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THIS PLAT AND SURVEY UPON WHICH IT IS BASED, ARE TRUE AND CORRECT REGARDING THE STATE STANDARDS APPLICABLE THERETO.



ROBERT C. BUCKLEY, JR., L.S.



SHEET 1 OF 2

PLAT SHOWING

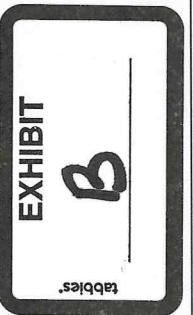
TEMPORARY VARIABLE WIDTH CONSTRUCTION EASEMENT AND VARIABLE WIDTH JOINT USE UTILITY EASEMENT AND 0.004 ACRE FEE SIMPLE RIGHT OF WAY TO BE ACQUIRED BY THE CITY OF COLONIAL HEIGHTS ACROSS THE LAND OF MOSLEY PROPERTIES, LLC

PID # 41000403022



SCALE : 1" = 20'
308 TURNER ROAD
SUITE 6
RICHMOND, VIRGINIA 23225
(804) 674-9723 FAX (804) 674-9726

DRAWN : RICE ASSOCIATES DATE : JULY 27, 2011
CHECKED: RICE ASSOCIATES REV. DATE: APRIL 26, 2012
JOB# : 100301



VDOT PROJECT COORDINATES

NORTH BASED ON VCS NAD 83 (S.ZONE)

EXISTING 15' ALLEY

PER P.B. 3, PG. 148

$N: 335081.26$
 $E: 3598132.66$
CBL
 $123+14.41$
 $40.62' Rt.$

$N 80^{\circ}03'55"E$ $125.00' (TOTAL)$

PROPOSED VARIABLE
WIDTH JOINT USE
UTILITY EASEMENT
580 SQ. FT.

EX. RIGHT-OF-WAY PER P.B. 3, PG. 148
BOULEVARD - S.R. NO. 1
(VARIABLE WIDTH RW)

TM # 41-4-3-22
MOSLEY PROPERTIES, LLC
PID # 41000403022
905 BOULEVARD
D.B. 281, PG. 7916
COLONIAL HEIGHTS
CIRCUIT COURT

186 SQ. FT. / 0.004 A.C.
FEE SIMPLE RIGHT OF WAY
TO BE ACQUIRED BY THE
CITY OF COLONIAL HEIGHTS

PROPOSED TEMPORARY
VARIABLE WIDTH
CONSTRUCTION EASEMENT
1,180 SQ. FT.

$122+00$ CBL
 $121+90.95$
 $39.25' Rt.$
 $N: 334962.04$
 $E: 3598147.53$
 $121+80PC$

$580^{\circ}03'5" W$ $130.94' (TOTAL)$
EX. RIGHT-OF-WAY PER P.B. 3, PG. 148
NORFOLK AVENUE
(50' RIGHT OF WAY)

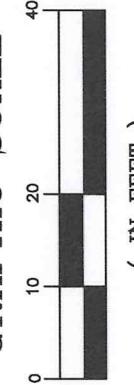
SHEET 2 OF 2

DENOTES FEE SIMPLE
RIGHT OF WAY
ACQUISITION AREA

LEGEND

CBL = CONSTRUCTION BASE LINE

GRAPHIC SCALE



RICE ASSOCIATES

LAND SURVEYING MAPPING CONSULTANTS
308 TURNER ROAD
SUITE G
RICHMOND, VIRGINIA 23225
(804) 674-9723 FAX (804) 674-9726

DRAWN : RICE ASSOCIATES SCALE : 1" = 20"

CHECKED: RICE ASSOCIATES DATE: JULY 27, 2011

JOB#: 100301 REV. DATE: APRIL 26, 2012

NOTES:

1) THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND MAY NOT REFLECT ALL EASEMENTS, COVENANTS AND/OR RESTRICTIONS OF RECORD.

2) THIS PLAT DOES NOT REPRESENT A BOUNDARY SURVEY OF PID # 30000500004

3) PHYSICAL FEATURES ARE NOT DEPICTED AS A PART OF THIS PLAT.

4) THIS PLAT IS BASED ON A FIELD SURVEY DATED AUGUST 2009 AND IS IN ACCORDANCE WITH THE MINIMUM STANDARDS AND PROCEDURES AS SET FORTH BY THE COMMONWEALTH OF VIRGINIA.

5) THE WORD "CERTIFY" AS SHOWN AND USED HEREON MEANS AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THE FACTS OF THE SURVEY AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EXPRESSED OR IMPLIED.

6) PROPOSED FEE SIMPLE RIGHT OF WAY AND EASEMENTS TAKEN FROM FILE NAMED ACAD-PROPRW_2011-01-13.DWG AS PROVIDED BY H.W. LOCHNER INC.

EASEMENT AREA TABULATION

PROPOSED TEMPORARY VARIABLE WIDTH CONSTRUCTION EASEMENT = 651 SQ. FT.			
PROPOSED VARIABLE WIDTH JOINT USE UTILITY EASEMENT = 1,040 SQ. FT.			
PROPOSED FEE SIMPLE RIGHT OF WAY ACQUISITION = 1,637 SQ. FT.			

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	2016.15'	85.19'	85.18'	571°1'044"V
C2	2011.15'	87.06'	87.05'	571°1'204"V

LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L1	537°35'22"E	16.08'	L8	586°55'53"W	28.65'
L2	576°04'04"W	44.08'	L9	570°59'33"W	22.15'
L3	N/6°09'22"W	8.59'	L10	N34°36'28"W	2.87'
L4	537°35'22"E	5.32'	L11	555°23'35"W	10.41'
L5	576°05'35"W	44.15'	L12	574°06'42"W	74.22'
L6	N/6°09'22"W	4.98'	L13	N/16°09'22"W	2.61'
L7	537°35'22"E	10.79'			

I HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THIS PLAT AND SURVEY UPON WHICH IT IS BASED, ARE TRUE AND CORRECT REGARDING THE STATE STANDARDS APPLICABLE THERETO.

Robert C. Buckley

ROBERT C. BUCKLEY, JR., L.S.



Plat Showing

**PLAT SHOWING
TEMPORARY VARIABLE WIDTH
CONSTRUCTION EASEMENT,
VARIABLE WIDTH JOINT USE UTILITY
EASEMENT AND
0.038 ACRE FEE SIMPLE RIGHT OF WAY
TO BE ACQUIRED BY THE
CITY OF COLONIAL HEIGHTS
ACROSS THE LAND OF
DUNN RIGHT PROPERTIES LLC
PID # 30000500004**

RICE ASSOCIATES

LAND SURVEYING MAPPING CONSULTANTS
308 TURNER ROAD
SUITE G
RICHMOND, VIRGINIA 23225

(804) 674-9723 FAX (804) 674-9726

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

DATE: AUGUST 4, 2011

SCALE: 1" = 20"

DRAWN:

JOB NO.: 100301

REV. DATE: APRIL 26, 2012

EXHIBIT

SHEET 1 OF 2

tabbItes C

T.M. # 30-5-B

DEBORAH DAWN JOHNSON

VICTOR ALEXIS JOHNSON

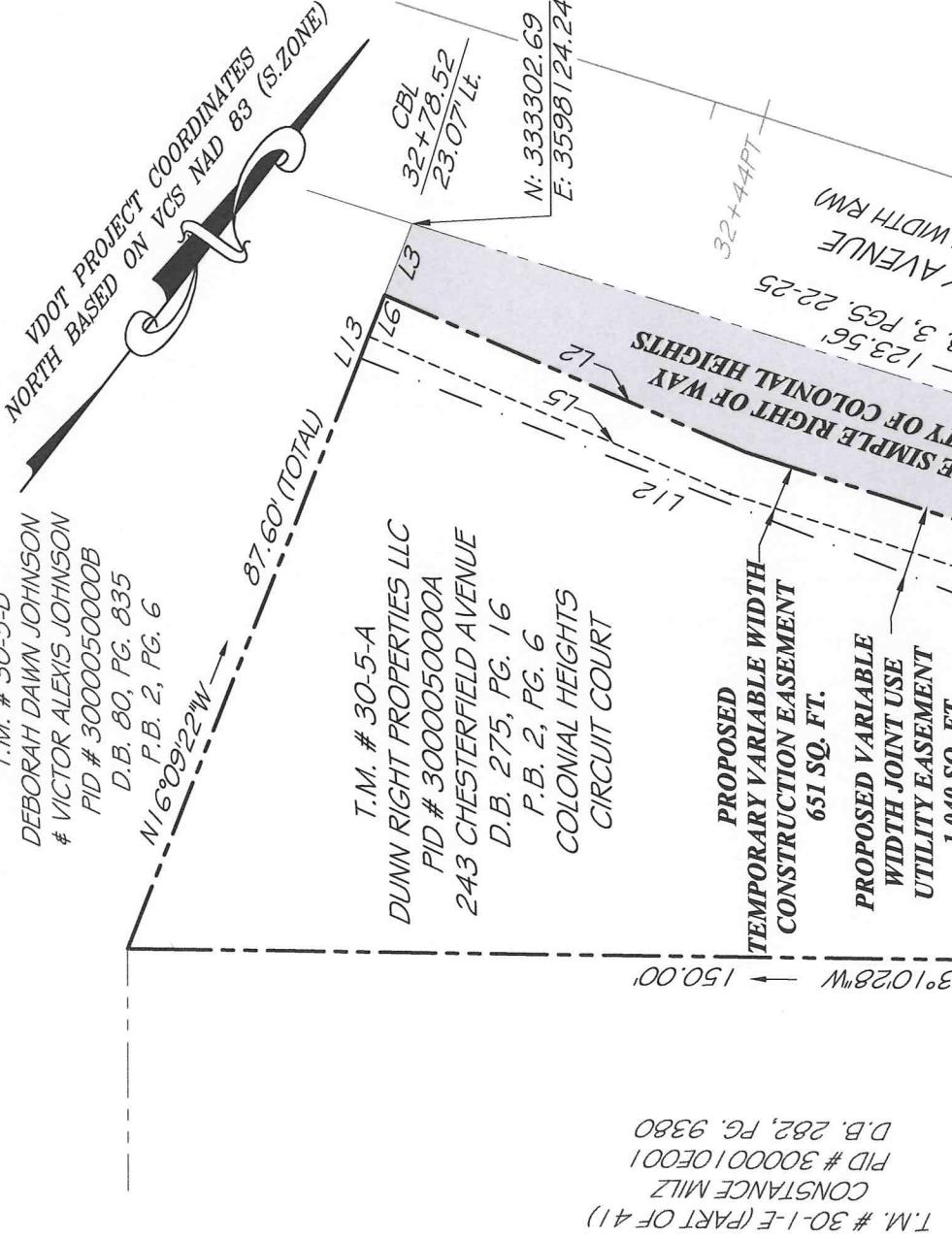
PID # 3000050000A

D.B. 275, PG. 16

P.B. 2, PG. 6

COLONIAL HEIGHTS

CIRCUIT COURT



NOTES:

- 1) THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND MAY NOT REFLECT ALL EASEMENTS, COVENANTS AND/OR RESTRICTIONS OF RECORD.
- 2) THIS PLAT DOES NOT REPRESENT A BOUNDARY SURVEY OF PID # 30000050000B.
- 3) PHYSICAL FEATURES ARE NOT DEPICTED AS A PART OF THIS PLAT.

4) THIS PLAT IS BASED ON A FIELD SURVEY DATED AUGUST 2009 AND IS IN ACCORDANCE WITH THE MINIMUM STANDARDS AND PROCEDURES AS SET FORTH BY THE COMMONWEALTH OF VIRGINIA.

5) THE WORD "CERTIFY" AS SHOWN AND USED HEREON MEANS AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THE FACTS OF THE SURVEY AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EXPRESSED OR IMPLIED.

6) PROPOSED EASEMENTS TAKEN FROM FILE NAMED ACAD-PROPRW_2011-01-13.DWG AS PROVIDED BY H.W. LOCHNER INC.

AREA TABULATION
PROPOSED TEMPORARY VARIABLE WIDTH CONSTRUCTION EASEMENT = 369 SQ. FT.
PROPOSED VARIABLE WIDTH JOINT USE UTILITY EASEMENT = 653 SQ. FT.
PROPOSED FEE SIMPLE RIGHT OF WAY ACQUISITION = 338 SQ. FT.

I HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THIS PLAT AND SURVEY UPON WHICH IT IS BASED, ARE TRUE AND CORRECT REGARDING THE STATE STANDARDS APPLICABLE THERETO.

Robert C. Buckley, Jr.
ROBERT C. BUCKLEY, JR., L.S.



SHEET 1 OF 2

PLAT SHOWING

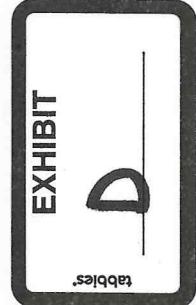
TEMPORARY VARIABLE WIDTH
CONSTRUCTION EASEMENT,
VARIABLE WIDTH JOINT USE
UTILITY EASEMENT AND
0.008 ACRE FEE SIMPLE RIGHT OF WAY
TO BE ACQUIRED BY THE
CITY OF COLONIAL HEIGHTS
ACROSS THE LAND OF

VICTOR ALEXIS & DEBORAH DAWN JOHNSON
PID # 30000050000B



LAND SURVEYING MAPPING CONSULTANTS
308 TURNER ROAD
SUITE G
RICHMOND, VIRGINIA 23226
(804) 674-9723 FAX (804) 674-9726

SCALE : 1" = 20'
DRAWN : RICE ASSOCIATES
CHECKED: RICE ASSOCIATES
JOB#: 100301
DATE : JULY 29, 2011
REV. DATE: APRIL 26, 2012



NOTES:

- 1) THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND MAY NOT REFLECT ALL EASEMENTS, COVENANTS AND/OR RESTRICTIONS OF RECORD.
- 2) THIS PLAT DOES NOT REPRESENT A BOUNDARY SURVEY OF PID # 27001000003
- 3) PHYSICAL FEATURES ARE NOT DEPICTED AS A PART OF THIS PLAT.

4) THIS PLAT IS BASED ON A FIELD SURVEY DATED

AUGUST 2009 AND IS IN ACCORDANCE WITH THE MINIMUM STANDARDS AND PROCEDURES AS SET FORTH BY THE COMMONWEALTH OF VIRGINIA.

5) THE WORD "CERTIFY" AS SHOWN AND USED HEREON MEANS AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THE FACTS OF THE SURVEY AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EXPRESSED OR IMPLIED.

6) PROPOSED FEE SIMPLE RIGHT OF WAY AND EASEMENTS TAKEN FROM FILE NAMED ACAD-PROPRW_2011-01-13.DWG AS PROVIDED BY H. W. LOCHNER INC.

LINE TABLE

LINE	BEARING	LENGTH
L1	S10°40'52"E	90.80'
L2	S29°52'59"W	13.46'
L3	S29°52'59"W	8.36'
L4	N10°40'52"W	92.92'
L5	N80°1'74 1/2"E	5.00'
L6	S10°40'52"E	93.01'
L7	S29°52'59"W	7.16'
L8	N11'37"25"W	206.23'
L9	N80°1'74 1/2"E	17.24'
L10	N19°48'28"W	19.42'
L11	N80°0'08"28"E	99.05'
L12	S70°1'54"W	88.98'
L13	N19°48'28"W	25.38'
L14	N80°0'08"28"E	37.84'
L15	S09°5'32"E	20.00'
L16	N80°0'08"28"E	75.52'

CURVE TABLE

CURVE	LENGTH	RADIUS	CHORD BRG	CHORD	DELTA
C1	52.60'	1553.50'	N05°43'51"W	52.60'	1°56'24"
C2	48.81'	1446.50'	N05°43'40"W	48.81'	1°56'01"
C3	59.48'	1558.50'	N05°1'6"W	59.48'	2°1'1"3"
C4	48.47'	1441.50'	N05°43'27"W	48.47'	1°55'36"
C5	8.89"	322.10'	S55°0'03"5"W	8.89"	1°34'52"
C6	3.04'	405.06'	S53°0'04"5"W	3.04'	0°25'46"
C7	8.08'	322.10'	S53°35'03"W	8.08'	1°26'1"2"

EASEMENT AREA TABULATION

PROPOSED TEMPORARY CONSTRUCTION EASEMENT = 2,232 SQ. FT.

PROPOSED VARIABLE WIDTH JOINT USE UTILITY EASEMENT = 3,626 SQ. FT.

PROPOSED FEE SIMPLE RIGHT OF WAY ACQUISITION = 1,449 SQ. FT.

I HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THIS PLAT AND SURVEY UPON WHICH IT IS BASED, ARE TRUE AND CORRECT REGARDING THE STATE STANDARDS APPLICABLE THERETO.

Robert C. Buckley
ROBERT C. BUCKLEY, JR., L.S.

Robert C. Buckley
Robert C. Buckley, Jr.

Lic. No. 001528

04/26/12

LAND SURVEYOR

COLONIAL HEIGHTS

COMMONWEALTH OF VIRGINIA

ENCLOSURE DATE: 10/10/2011

STATE: VIRGINIA

REGISTRATION DATE: 10/10/2011

EXPIRATION DATE: 10/10/2016

ISSUE DATE: 10/10/2011

EXPIRATION DATE: 10/10/2016

EXPIRATION DATE: 10/10/2016

EXPIRATION DATE: 10/10/2016

EXPIRATION DATE: 10/10/2016



RICE ASSOCIATES

LAND SURVEYING MAPPING CONSULTANTS
308 TURNER ROAD

SUITE G
RICHMOND, VIRGINIA 23225
(804) 674-9723 FAX (804) 674-9726
www.colonial-heights.com

201 JAMES AVENUE

COLONIAL HEIGHTS, VA. 23834

TEL 804.520.9334 FAX 804.520.9237

EXHIBIT E

DATE: JULY 27, 2011
SCALE: 1" = 30"
DRAWN:
JOB NO.: 100301

REV. DATE: APRIL 26, 2012

SHEET 1 OF 3

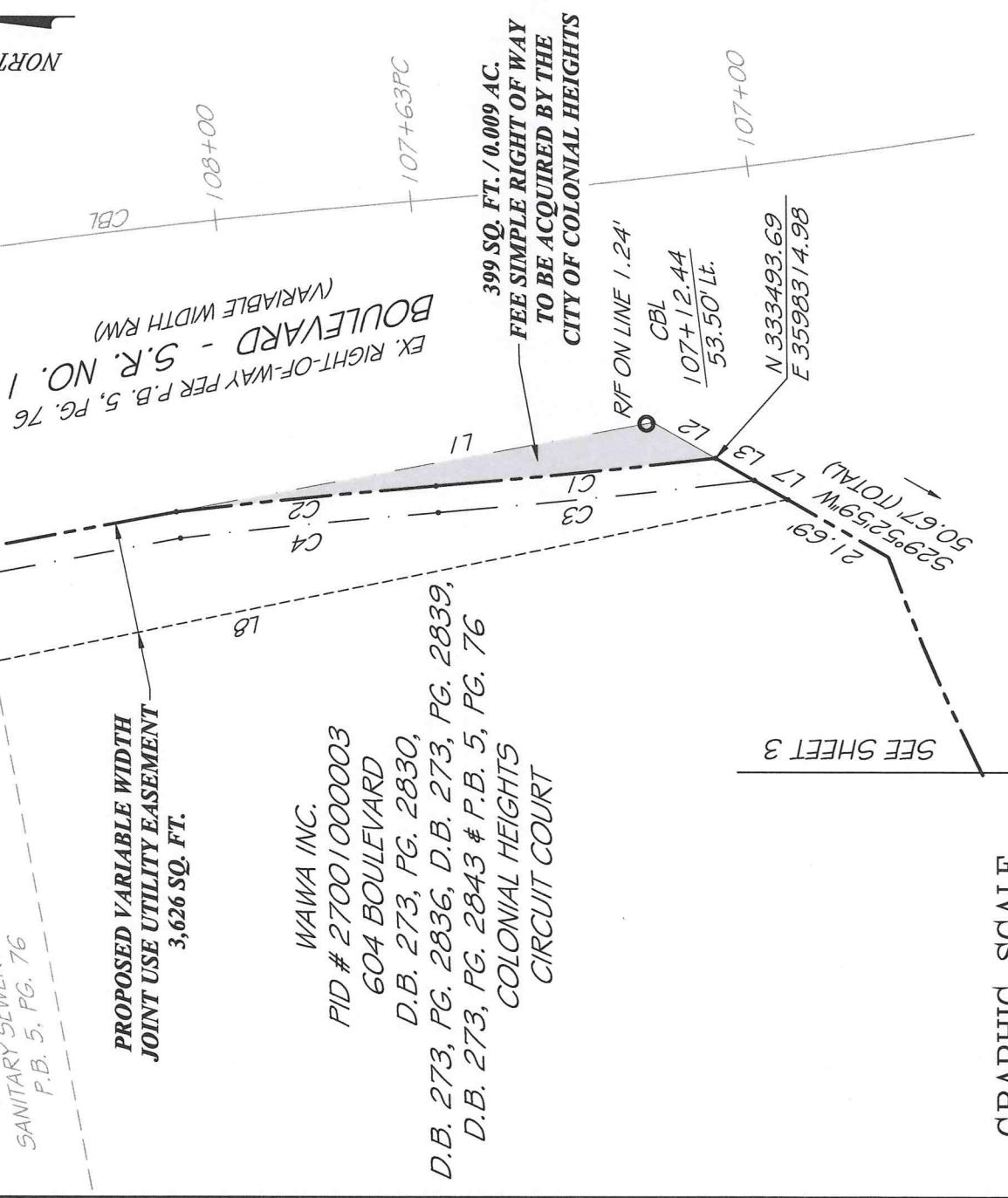
TM # 29-11-1/2
 BOULEVARD I REALTY, LLC
 BOULEVARD COMMERCIAL
 c/o MID-ATLANTIC PROPERTIES, LLC
 PID # 29001100012
 D.B. 286, PG. 478
 N80°17'41"E → 266.95' (TOTAL)
 EX. 10' UTILITY ESMT.
 P.B. 5, PG. 76
 PROPOSED VARIABLE WIDTH
 JOINT USE UTILITY EASEMENT
 3,626 SQ. FT.

EX. 20' PUBLIC
 SANITARY SEWER ESMT.
 P.B. 5, PG. 76

PROPOSED TEMPORARY 5'
 CONSTRUCTION EASEMENT
 988 SQ. FT.

CBL
 109+108FT
 109+00
 N 333685.99
 E 3598287.62

VDOT PROJECT COORDINATES
 NORTH BASED ON VCS NAD 83 (S.ZONE)



RICE ASSOCIATES LAND SURVEYING MAPPING CONSULTANTS 308 TURNER ROAD SUITE G RICHMOND, VIRGINIA 23225 (804) 674-9723 FAX (804) 674-9726	CITY OF COLONIAL HEIGHTS DEPARTMENT OF PUBLIC WORKS ENGINEERING & DEVELOPMENT DIVISION 	201 JAMES AVENUE COLONIAL HEIGHTS, VA. 23834 TEL 804.520.9334 FAX 804.520.9237 www.colonial-heights.com
DATE: JULY 27, 2011	REV. DATE: APRIL 26, 2012	
SCALE : 1" = 30"		
DRAWN :		
JOB NO. : 100301		
SHEET 2 OF 3		

NOTES:

1) THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND MAY NOT REFLECT ALL EASEMENTS, COVENANTS AND/OR RESTRICTIONS OF RECORD.

2) THIS PLAT DOES NOT REPRESENT A BOUNDARY SURVEY OF PID # 400000400001.

3) PHYSICAL FEATURES ARE NOT DEPICTED AS A PART OF THIS PLAT.

4) THIS PLAT IS BASED ON A FIELD SURVEY DATED AUGUST 2009 AND IS IN ACCORDANCE WITH THE MINIMUM STANDARDS AND PROCEDURES AS SET FORTH BY THE COMMONWEALTH OF VIRGINIA.

6) PROPOSED EASEMENTS TAKEN FROM FILE NAMED ACAD-PROPRW_2011-01-13.DWG AS PROVIDED BY H.W. LOCHNER INC.

6) PROPOSED EASEMENTS TAKEN FROM FILE NAMED ACAD-PROPRW_2011-01-13.DWG AS PROVIDED BY H. W. LOCHNER INC.

LINE	BEARING	DISTANCE
L1	N 88°49'40" W	27.98'
L2	N 88°49'40" W	32.03'
L3	S 19°33'30" W	0.52'
L4	S 19°37'06" W	5.00'

CURVE TABLE

CDRVL	LENGTH	RADIUS	CHORD DRG	CHORD	DLTA
C1	59.44'	184.62"	N 79°36'17" W	59.18'	18°26'46"
C2	4.67"	1545.50'	S 10°35'40" E	4.67"	00°10'23"
C3	57.83'	179.62"	N 79°36'17" W	57.58'	18°26'46"
C4	4.56"	1550.50'	S 10°35'48" E	4.56'	00°10'07"

AREA TABULATION

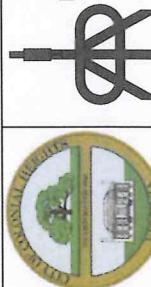
PROPOSED TEMPORARY 5' CONSTRUCTION EASEMENTS = 1,810 SQ. FT.

PROPOSED FEE SIMPLE RIGHT OF WAY ACQUISITION = 4,666 SQ. FT.

I HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THIS PLAT AND SURVEY UPON WHICH IT IS BASED, ARE TRUE AND CORRECT REGARDING THE STATE STANDARDS APPLICABLE THERETO.

Art & Health

SHEET 1 OF 2



RICE ASSOCIATES
LAND SURVEYING MAPPING CONSULTANTS
308 TURNER ROAD
SUITE G
RICHMOND, VIRGINIA 23226

(804) 674-9723 FAX (804) 674-9726

SCALE : 1" = 40"

EXHIBIT **F**
tabbies.

*NORTH BASED ON VCS NAD 83 (S.ZONE)
VDOT PROJECT COORDINATES*

TM # 40-4-0-1
COLONIAL HEIGHTS VA
BUSINESS TRUST
PID # 400004000001
629 BOULEVARD
D.B. 245, PG. 107
COLONIAL HEIGHTS
CIRCUIT COURT

- PROPOSED 5' TEMPORARY
CONSTRUCTION EASEMENT
1,367 SQ. FT.

REF. TM # 29-2-7,8,9 # 29-7-5
MARVIN D. GOODRICH, III
PID # 29000200009
D.B. 160, PG. 505

SHEET 2 OF 2

PLAT SHOWING

TWO TEMPORARY 5'
CONSTRUCTION EASEMENTS AND
0.107 ACRE FEE SIMPLE RIGHT OF WAY
TO BE ACQUIRED BY THE
CITY OF COLONIAL HEIGHTS
ACROSS THE LAND OF

COLONIAL HEIGHTS VA BUSINESS TRUST
PID # 40000400001

RICE ASSOCIATES
LAND SURVEYING MAPPING CONSULTANTS
308 TURNER ROAD
SUITE G
RICHMOND, VIRGINIA 23225
(804) 674-9723 FAX (804) 674-9726
DRAWN : RICE ASSOCIATES
CHECKED : RICE ASSOCIATES
REV. DATE: APRIL 26, 2012
JOB#: 100301

/ LA/ SWING
O TEMPORAI

**CONSTRUCTION EASEMENTS AND
0.107 ACRE FEE SIMPLE RIGHT OF WAY
TO BE ACQUIRED BY THE
CITY OF COLONIAL HEIGHTS
*ACROSS THE LAND OF***

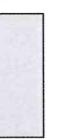
GRAPHIC SCALE

(IN FEET)
1 inch = 40 ft.

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CBL = CANNIBALISM BIAS

**RIGHT OF WAY
ACQUISITION AREA**



April 26, 2012

The Progress-Index
15 Franklin Street
Petersburg, VA 23803

Attention: Legal Advertisements

Dear Madam or Sir:

I have enclosed for publication in the legal advertisements section of your newspaper a notice of City Council holding a public hearing to accept public comment on and consider the adoption of Ordinance No. 12-13

You are requested to publish the notice on **Saturday, April 28, 2012 and Saturday, May 5, 2012.**

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

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

Thank you for your assistance.

Very truly yours,

Hugh P. Fisher, III
City Attorney

Enclosure

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

NOTICE OF PUBLIC HEARING
COLONIAL HEIGHTS CITY COUNCIL

Notice is hereby given to all persons affected or interested that the Colonial Heights City Council has fixed its regular meeting on May 8, 2012, at 7:00 P.M., in Council Chambers of City Hall, 201 James Avenue, Colonial Heights, Virginia, as the time and place to hold a public hearing to accept comments on and consider the following:

Resolution No. 12-23, authorizing acquisition by condemnation, if necessary, of certain portions of various tax map parcels in fee simple together with certain easements for the Boulevard (Route 1) Modernization and Improvement Project. The property acquired for the Project is needed to widen the Boulevard and install curb, gutter, landscaping, and other improvements. The following are the tax map numbers to be acquired in part, if necessary, in fee simple together with certain easements: (1) tax map parcel number 29000500010, owned by Larry Forehand and Patricia Forehand; (2) tax map parcel number 41000403022, owned by Mosley Properties, Inc.; (3) tax map parcel number 3000050000A, owned by Dunn Right Properties, LLC; (4) tax map parcel number 3000050000B, owned by Victor A. Johnson and Deborah D. Johnson; (5) tax map parcel number 27001000003, owned by Wawa, Inc; and (6) tax map parcel number 40000400001, owned by Colonial Heights Business Trust.

A copy of Resolution No. 12-23 is on file for public examination during regular business hours in the City Clerk's Office in City Hall, 201 James Avenue, Colonial Heights, Virginia, or may be obtained by calling 520-9360. The Resolution is also posted on the City webpage at www.colonialheightsva.gov.

All persons affected or interested are invited to be present at the public hearing of the City Council, to be held at the time and place stated above, when an opportunity will be given for them to be heard.

Hugh P. Fisher, III
City Attorney

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

CITY OF COLONIAL HEIGHTS, VIRGINIA
Regular Meeting of City Council
Tuesday, April 10, 2012

1. Call to Order.

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

2. Roll Call.

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

Present: **Councilman Kenneth B. Frenier**
 Vice Mayor Elizabeth G. Luck
 Councilwoman Diane H. Yates
 Mayor C. Scott Davis

Absent: **Councilman Milton E. Freeland, Jr.**
 Councilman W. Joe Green, Jr.
 Councilman John T. Wood (Arrived at 7:08 P.M.)

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

Mr. William E. Johnson, Director of Finance
Mrs. Jennifer N. Carpenter, Director of Human Resources
Mr. Jeffrey W. Faries, Chief of Police
Mr. Bruce N. Hansen, Library Director
Mr. George W. Schanzenbacher, Director of Planning
Mr. William E. Henley, Director of Public Works/Engineering
Mr. Craig R. Skalak, Director of Recreation and Parks

3. Devotion.

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 amend the agenda, to add Resolution No. 12-21 and remove Mr. Travis Cooper, was made by Mayor Davis and seconded by Mrs. Luck.

Vote: **4-0**
Yes: **Frenier**

Minutes, Regular Meeting

April 10, 2012

Page 2

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

Motion UNANIMOUS PASS.

A motion to adopt the agenda, as amended, was made by Mr. Frenier and seconded by Mrs. Yates.

<u>Vote:</u>	4-0
Yes:	Frenier
	Luck
	Yates
	Davis
No:	None
Abstained:	None
Absent:	Freeland, Jr.
	Green, Jr.
	Wood

Motion UNANIMOUS PASS.

6. Declarations of Personal Interest.

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

7. Commendations and Presentations.

A. Presentation of Employee of the Month Award for March 2012 to Mr. Howard S. Whirley, III, Police Officer.

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

Mr. Whirley expressed appreciation for the recognition.

B. Presentation of Proclamation Declaring 2012 as the Year of the Girl and Celebrating 100 years of Girl Scouting – Ms. Becky Rosemond

Mayor Davis recognized girl scouts who were present and read the proclamation in its entirety.

C. Economic Development Update by Virginia's Gateway Region – Ms. Renee Chapline.

Ms. Renee Chapline, Executive Director, presented an overview of Virginia's Gateway Region and reviewed some of their economic development efforts throughout the region.

Mayor Davis stated that serving on Virginia's Gateway Region and representing the City has been a great experience. He further stated that Virginia's Gateway Region helps bring industry into the City. He stated that the City needs a full-time economic developer on staff.

D. Introduction of New City Employees

- Ms. Cheryl Davis, Engineering Technician, Public Works

Mr. Henley introduced Ms. Cheryl Davis, Engineering Technician.

Mayor Davis welcomed Ms. Davis to the City.

- Ms. Jean Smith, Animal Control Officer, Police Department

Chief Faries introduced Ms. Jean Smith, Animal Control Officer.

Mayor Davis welcomed Ms. Smith to the City.

- Mr. Kyle Sexton, Police Officer, Police Department
- Mr. Robert Simmons, Police Officer, Police Department

Chief Faries introduced Mr. Kyle Sexton and Mr. Robert Simmons, Police Officers.

Mayor Davis welcomed Mr. Sexton and Mr. Simmons to the City.

8. Reading of Manner of Addressing Council.

The City Attorney read the Manner of Addressing Council.

9. Written Petitions and Communications.

10. Advertised Public Hearings.

A. Public Hearing as advertised in *The Progress-Index* on Saturday, March 24, and Saturday, March 31, 2012.

AN ORDINANCE NO. 12-3. (First Reading). To grant a special use permit to KHJ, LLC, for property located at 800 West Roslyn Road. The property is presently zoned IN Industrial District, has parcel identification numbers 6805380004A, 68050000012C and 6805000012B, and comprises 11.5 acres. The special use permit would allow for the property to be used for a restaurant not to exceed 2,000 square feet, which would be located in the existing farm museum building; and allow for a freestanding pole sign not

exceeding 45 feet in height and 192 square feet in size, to be located within 500 feet of the Interstate 95 highway right-of-way.

A motion for adoption of Ordinance No. 12-3 was made by Mayor Davis and seconded by Mrs. Yates.

Mayor Davis provided a brief explanation of Ordinance No. 12-3.

Mr. Mattis presented a depiction of what the sign will look like for the restaurant use. He stated that the sign may not look exactly as what is presented, but Council is approving the dimensions and height of the sign. He further stated that the restaurant is designed to strictly serve patrons of the tractor museum.

Ms. Carrie Coyner, the applicant's representative, stated that the tractor museum will house a snack bar which can seat approximately 25 patrons. She further stated that the museum has between 800 to 1,000 visitors each month.

In response to a question from Mayor Davis, Ms. Coyner stated the sign will more than likely advertise the snack bar so patrons will know food is available to visitors of the museum.

<u>Vote:</u>	5-0
Yes:	Frenier Luck Wood Yates Davis
No:	None
Abstained:	None
Absent:	Freeland, Jr. Green, Jr.

Motion UNANIMOUS PASS.

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

Mr. Richard Archer, 604 Ryan Avenue, addressed Council regarding the City mowing the abandoned railroad bed which backs up to his property. He stated City staff lowers the mowers when cutting the railroad bed so low that rocks are thrown onto his property and causing property damage.

Mayor Davis suggested Mr. Archer meet with the City Engineer to discuss possible options available.

Mayor Davis stated that Dr. James B. McNeer is retiring from Richard Bland College in May and suggested Council approve a resolution commending him for his service to the City, the region and the college.

It was a CONSENSUS for Council to approve a resolution commending Dr. James B. McNeer and for Mayor Davis to present it to him at his retirement luncheon at Richard Bland College.

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

A. Approval of Minutes:

1. Special Meeting, February 23, 2012.
2. Special Meeting, March 13, 2012.
3. Regular Meeting, March 13, 2012.

B. Adoption of:

AN ORDINANCE NO. 12-FIN-5. (Second Reading). To amend the General Fund Budget for the fiscal year beginning July 1, 2011, and ending June 30, 2012, to appropriate \$10,000 in donated funds to the Library to be used to upgrade equipment and for reading programs.

AN ORDINANCE NO. 12-FIN-6. (Second Reading). To amend the Capital Projects Fund Budget to appropriate \$300,000 to Streets and Bridges; \$150,000 for the Dupuy Avenue Modernization Project, and \$150,000 for the Lakeview Avenue Modernization Project; such funds coming from the Commonwealth.

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

Vote:	5-0
Yes:	Frenier Luck Wood Yates Davis
No:	None
Abstained:	None
Absent:	Freeland, Jr. Green, Jr.

Motion UNANIMOUS PASS.

13. Introduction and Consideration of Ordinances and Resolutions.

A RESOLUTION NO. 12-16. A resolution to Petition the Department of Conservation and Recreation of the Commonwealth of Virginia to include the dredging of the Appomattox River in Petersburg, Virginia in the Virginia Outdoors Plan for 2013.

Minutes, Regular Meeting

April 10, 2012

Page 6

A motion for adoption of Resolution No. 12-16 was made by Mayor Davis and seconded by Mr. Wood.

Mayor Davis provided a brief explanation of Resolution No. 12-16.

Mr. Wood stated that Mr. Lewis Johnson and FOLAR have worked hard to upgrade the recreational uses along the Appomattox River.

<u>Vote:</u>	5-0
Yes:	Frenier Luck Wood Yates Davis
No:	None
Abstained:	None
Absent:	Freeland, Jr. Green, Jr.

Motion UNANIMOUS PASS.

A RESOLUTION NO. 12-17. A resolution making an irrevocable election not to participate in the Line of Duty Act Fund.

A motion for adoption of Resolution No. 12-17 was made by Mayor Davis and seconded by Mrs. Yates.

Mayor Davis provided a brief explanation of Resolution No. 12-17.

In response to a question from Mayor Davis, Mr. Johnson stated that nothing will change for the City's employees and that the City is looking at the best financial way to fulfill its obligation.

Mr. Frenier stated that this legislation affects all volunteers, as well as career employees in Police, Sheriff and Fire Departments.

In response to a question from Mr. Wood, Mr. Johnson stated that the City is participating in a different pool as a cost saving measure.

Mr. Frenier stated that the legislation will not affect the amount received if an employee is injured or killed.

<u>Vote:</u>	5-0
Yes:	Frenier Luck Wood Yates Davis

No:	None
Abstained:	None
Absent:	Freeland, Jr. Green, Jr.

Motion UNANIMOUS PASS.

A RESOLUTION NO. 12-18. Authorizing the City Manager to enter into the First Amendment to a Special Project Service Agreement with the Central Virginia Waste Management Authority for Residential Recycling and Drop-Off Processing Services.

A motion for adoption of Resolution No. 12-18 was made by Mayor Davis and seconded by Mrs. Luck.

Mayor Davis provided a brief description of Resolution No. 12-18.

Mr. Mattis stated the City will begin a series of notifications to the citizens once Resolution No. 12-18 is approved. He further stated TFC is working with the Colonial Heights Chamber of Commerce on the Recycling Perks Program to get that information out.

Mayor Davis stated the Recycling Perks Program is a good marketing concept.

In response to a question from Mrs. Yates, Mr. Mattis stated that he does not know which companies, if any, that have signed up to participate in the Recycling Perks Program.

<u>Vote:</u>	5-0
Yes:	Frenier Luck Wood Yates Davis
No:	None
Abstained:	None
Absent:	Freeland, Jr. Green, Jr.

Motion UNANIMOUS PASS.

A RESOLUTION NO. 12-19. Authorizing the City Manager to enter into a Special Project Service Agreement with the Central Virginia Waste Management Authority for Municipal Solid Waste Collection Services.

A motion for adoption of Resolution No. 12-19 was made by Mayor Davis and seconded by Mrs. Luck.

Mayor Davis provided a brief explanation of Resolution No. 12-19.

Mr. Mattis stated CFS will be providing collection of residential waste to all homes within the City and that the City is expecting service to be equal to or better than the existing service levels. He further stated CFS will deliver the 68-gallon cans to each residence prior to July 1, 2012. He stated there should be no adverse change in overall service to the City residents.

In response to a question from Mr. Wood, Mr. Mattis stated the former contractor for the City will retrieve their cans.

Mr. Henley stated it will take some time to exchange the cans, but he does not believe residents will be compromised.

Mr. Fisher stated that there was nothing significantly wrong with the agreement other than some clarifying changes which have been passed along to Mr. Henley.

<u>Vote:</u>	5-0
Yes:	Frenier Luck Wood Yates Davis
No:	None
Abstained:	None
Absent:	Freeland, Jr. Green, Jr.

Motion UNANIMOUS PASS.

A RESOLUTION NO. 12-20. A Resolution of the Council of the City of Colonial Heights, endorsing S. 713 and H.R. 1296, the Petersburg National Battlefield Boundary Modification Acts.

A motion for adoption of Resolution No. 12-20 was made by Mayor Davis and seconded by Mr. Frenier.

Mayor Davis provided a brief explanation of Resolution No. 12-20.

<u>Vote:</u>	5-0
Yes:	Frenier Luck Wood Yates Davis
No:	None
Abstained:	None
Absent:	Freeland, Jr. Green, Jr.

Motion UNANIMOUS PASS.

A RESOLUION NO. 12-21. A resolution supporting the establishment of the port of Virginia Economic and Infrastructure Development Zone.

A motion for adoption of Resolution No. 12-21 was made by Mayor Davis and seconded by Mrs. Luck.

Mayor Davis provided a brief explanation of Resolution No. 12-21.

<u>Vote:</u>	5-0
Yes:	Frenier Luck Wood Yates Davis
No:	None
Abstained:	None
Absent:	Freeland, Jr. Green, Jr.

Motion UNANIMOUS PASS.

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

There was none.

15. Reports of Officers and Documents Related Thereto.

A. City Manager.

1. Presentation of Proposed FY2012-13 Annual Operating Budget for the City of Colonial Heights

Mr. Mattis presented an overview of the Proposed FY2012-13 Annual Operating Budget for the City of Colonial Heights. He stated the economy has been more stable in Colonial Heights than in recent years. He provided an explanation of some of the proposed changes in the Proposed FY2012-13 Annual Operating Budget. He reviewed the appropriations, operating revenues and future budget or funding concerns. He provided a timeline for Council's adoption of the budget.

In response to a question from Mrs. Luck, Mayor Davis stated the only tax increases is for the Courthouse debt, not for the operating budget.

Mayor Davis expressed appreciation to Mr. Mattis for the presentation of the Proposed FY2012-13 Annual Operating Budget.

In response to a question from Mr. Frenier, Mr. Johnson stated eliminating some of the paper copies of the budget reduced the copying costs by approximately 50 percent.

2. Upcoming Council Meeting Schedule
3. Update on City Courthouse Project

Mr. Mattis stated the Groundbreaking Ceremony for the Courthouse is scheduled for May 1, 2012, at 4:00 P.M.

4. General Activity Report and/or Project Update

B. City Attorney.

Mr. Fisher stated he will be bringing a resolution before Council to approve eminent domain on some parcels for the Boulevard Modernization Project. He further stated Ms. Jeri Ann Tomlin will be the new Legal Assistant and she starts April 25, 2012.

C. Director of Planning and Community Development.

1. Actions, Regular Meeting of Planning Commission, April 3, 2012.
2. Minutes, Regular Meeting of Planning Commission, March 6, 2012.

Mr. Schanzenbacher provided a brief overview of the April 3, 2012, Regular Meeting of the Planning Commission.

In response to a question from Mayor Davis, Mr. Fisher stated the Chairman of the Planning Commission can create ad hoc temporary committees.

Mr. Mattis stated the Five Year Capital Plan has been presented to the Planning Commission to begin their review.

16. Consideration of Claims.

17. Adjournment.

A motion to adjourn the Regular Meeting was made by Mrs. Luck seconded by Mrs. Yates and carried unanimously on voice vote at 8:53 P.M.

APPROVED:

C. Scott Davis, Mayor

Minutes, Regular Meeting

April 10, 2012

Page 11

ATTEST:

DeAnna D. Atkins, City Clerk

AN ORDINANCE NO. 12-3

To grant a special use permit to KHJ Colonial, LLC, for property located at 800 West Roslyn Road.

WHEREAS, the Planning Commission at its meeting on March 6, 2012, held a public hearing on the issuance of a special use permit to KHJ Colonial, LLC, for property located at 800 West Roslyn Road; which property is presently zoned IN Industrial District, has parcel identification numbers 6805380004A, 68050000012C and 6805000012B, and comprises 11.5 acres, to allow for the property to be partially used for a restaurant not to exceed 2,000 square feet, which would be located in the existing farm museum building; and a freestanding sign not exceeding 45 feet in height and 192 square feet in size, to be located within 500 feet of the Interstate 95 highway right-of-way lines, as generally depicted on the attached drawing prepared by Superior Sign Productions and dated July 26, 2010 (the "Drawing"); and

WHEREAS, after due consideration, the Planning Commission recommended that City Council approve this ordinance and the special use permit; and

WHEREAS, pursuant to §17.11-1 of the Colonial Heights City Charter and Va. Code § 15.2-2204, City Council advertised a public hearing in *The Progress-Index* and held a public hearing at its Regular Meeting on April 10, 2012, to receive citizen comment on the issuance of a special use permit; and

WHEREAS, upon recommendation of the Planning Commission, the determination of City Council is that the public necessity, convenience, general welfare and good zoning practice require that this special use permit be granted; NOW, THEREFORE,

THE CITY OF COLONIAL HEIGHTS HEREBY ORDAINS:

1. That Council finds, after investigation by the Colonial Heights' Planning Commission, that issuance of a special use permit to KHJ Colonial, LLC, for property located at 800 West Roslyn Road, will not be detrimental to the safety, health, morals and general welfare of the community involved; will conform to the principles of good planning; will not tend to create congestion in streets, roads, alleys and other public ways and places in the area involved; will not create hazards from fire, panic or other dangers; will not tend to overcrowding of land and cause an undue concentration of population; will not adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or other public requirements, conveniences and improvements; and will not interfere with adequate light and air.

2. That KHJ Colonial, LLC, be and is hereby granted a special use permit for a 11.5 acre parcel of property located at 880 West Roslyn Road, which has parcel identification numbers 6805380004A, 68050000012C and 6805000012B, to allow the property to be partially used for a restaurant not to exceed 2,000 square feet, which would be located in the existing farm museum building; and a freestanding pole sign, not to exceed 45 feet in height and 192 square feet in size, to be located within 500 feet of the Interstate 95 right-of-way lines, as generally depicted on the Drawing; which Drawing is hereby attached to and made a part of this Ordinance.

3. That this permit also shall be subject to review and revocation by Council, at Council's discretion, in the same manner and under the same conditions as required by law for the granting of such permits.

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

Approved:

Mayor

Attest:

City Clerk

I certify that the above ordinance was:

Adopted on its first reading on _____.

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

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

The Honorable Kenneth B. Frenier, Councilman: _____.

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

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

The Honorable John T. Wood, Councilman: _____.

The Honorable Diane H. Yates, Councilwoman: _____.

The Honorable C. Scott Davis, Mayor: _____.

Adopted on its second reading on _____.

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

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

The Honorable Kenneth B. Frenier, Councilman: _____.

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

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

The Honorable John T. Wood, Councilman: _____.

The Honorable Diane H. Yates, Councilwoman: _____.

The Honorable C. Scott Davis, Mayor: _____.

City Clerk

Approved as to form:

City Attorney

AN ORDINANCE NO. 12-FIN-8

Appropriating and providing funds for financing the City of Colonial Heights Public School Budget for the fiscal year beginning July 1, 2012, and ending June 30, 2013; and approving such budget.

THE CITY OF COLONIAL HEIGHTS HEREBY ORDAINS:

1. That the budget designated the School Fund Budget for the fiscal year beginning July 1, 2012, and ending June 30, 2013, is hereby adopted.
2. That the sum of \$35,230,105 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, 2011.

School Expenditures	<u>\$35,230,105</u>
TOTAL	\$35,230,105

3. That the foregoing appropriation is based upon the following estimates of revenue and transfers for the fiscal year beginning July 1, 2012:

Federal Funds	\$ 1,540,206
State Funds	13,032,427
City Funds	18,920,491
Other Funds	647,204
Fund Balance	<u>1,089,777</u>
TOTAL	\$35,230,105

4. That this ordinance shall be in full force and effect on and after the first day of July, 2012 and shall constitute the School Fund Appropriation Ordinance for the fiscal year beginning on that date.

Approved:

Mayor

Attest:

City Clerk

I certify that the above ordinance was:

Adopted on its first reading on _____.

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

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

The Honorable Kenneth B. Frenier, Councilman: _____.

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

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

The Honorable John T. Wood, Councilman: _____.

The Honorable Diane H. Yates, Councilwoman: _____.

The Honorable C. Scott Davis, Mayor: _____.

Adopted on its second reading on _____.

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

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

The Honorable Kenneth B. Frenier, Councilman: _____.

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

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

The Honorable John T. Wood, Councilman: _____.

The Honorable Diane H. Yates, Councilwoman: _____.

The Honorable C. Scott Davis, Mayor: _____.

City Clerk

Approved as to form:

City Attorney

AN ORDINANCE NO. 12-FIN-9

Adopting the Recreation Activity Fund Budget for the fiscal year beginning July 1, 2012, and ending June 30, 2013, and appropriating the estimated revenues for the year for the principal purposes stated.

THE CITY OF COLONIAL HEIGHTS HEREBY ORDAINS:

1. That the budget designated the Recreation Activity Fund Budget for the fiscal year beginning July 1, 2012, and ending June 30, 2013, is hereby adopted.

2. That the sum of \$240,000 be, and the same is hereby, appropriated from the estimated receipts from all existing sources of revenue during the ensuing fiscal year, which shall be used by the major operating units to the sums itemized in the Recreation Activity Fund Budget, as follows:

REVENUES

Charges for Current Services	<u>\$240,000</u>
TOTAL	\$240,000

EXPENDITURES

Operating Expenses	<u>\$240,000</u>
TOTAL	\$240,000

3. That this ordinance shall be in full force and effect on and after the first day of July, 2012, and shall constitute the Recreation Activity Fund Appropriation Ordinance for the fiscal year beginning on that date.

Approved:

Mayor

Attest:

City Clerk

I certify that the above ordinance was:

Adopted on its first reading on _____.

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

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

The Honorable Kenneth B. Frenier, Councilman: _____.

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

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

The Honorable John T. Wood, Councilman: _____.

The Honorable Diane H. Yates, Councilwoman: _____.

The Honorable C. Scott Davis, Mayor: _____.

Adopted on its second reading on _____.

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

The Honorable Kenneth B. Frenier, Councilman: _____.

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

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

The Honorable John T. Wood, Councilman: _____.

The Honorable Diane H. Yates, Councilwoman: _____.

The Honorable C. Scott Davis, Mayor: _____.

City Clerk

Approved as to form:

City Attorney

AN ORDINANCE NO. 12-FIN-10

Adopting the Water and Sewer Fund Budget for the fiscal year beginning July 1, 2012, and ending June 30, 2013, and appropriating the estimated revenues for the year for the operating expenses stated.

THE CITY OF COLONIAL HEIGHTS HEREBY ORDAINS:

1. That the budget designated the Water and Sewer Fund Budget for the fiscal year beginning July 1, 2012, and ending June 30, 2013, is hereby adopted.

2. That the sum of \$1,683,716 be, and the same is hereby, appropriated from the estimated revenues from all existing sources as shown in the Water and Sewer Fund Budget for the ensuing fiscal year, which shall be used for operating expenses, as follows:

REVENUES

Estimated Accrued Revenues, July 1, 2012, through June 30, 2013	<u>\$4,493,101</u>
TOTAL REVENUES	\$4,493,101

OPERATING EXPENSES
(INCLUDING AMORTIZED CAPITAL OUTLAY)

Water Distribution	\$1,449,944
Utility Billing	237,950
Wastewater Treatment	<u>2,589,991</u>
TOTAL EXPENSES	\$2,589,991

3. That capital outlay in the amount of \$22,000 from the resources of the Water and Sewer Fund be, and the same is hereby, authorized during the ensuing fiscal year and such purchases shall be amortized over the anticipated useful life of such assets in accordance with generally accepted accounting principles.

4. That this ordinance shall be in full force and effect on and after the first day of July, 2012, and shall constitute the Water and Sewer Fund Appropriation Ordinance for the fiscal year beginning on that date.

Approved:

Mayor

Attest:

City Clerk

I certify that the above ordinance was:

Adopted on its first reading on _____.

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

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

The Honorable Kenneth B. Frenier, Councilman: _____.

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

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

The Honorable John T. Wood, Councilman: _____.

The Honorable Diane H. Yates, Councilwoman: _____.

The Honorable C. Scott Davis, Mayor: _____.

Adopted on its second reading on _____.

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

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

The Honorable Kenneth B. Frenier, Councilman: _____.

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

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

The Honorable John T. Wood, Councilman: _____.

The Honorable Diane H. Yates, Councilwoman: _____.

The Honorable C. Scott Davis, Mayor: _____.

City Clerk

Approved as to form:

City Attorney

AN ORDINANCE NO. 12-FIN-11

Adopting the Storm Water Fund Budget for the fiscal year beginning July 1, 2012, and ending June 30, 2013, and appropriating the estimated revenues for the year for the operating expenses stated.

THE CITY OF COLONIAL HEIGHTS HEREBY ORDAINS:

1. That the budget designated the Storm Water Fund Budget for the fiscal year beginning July 1, 2012, and ending June 30, 2013, is hereby adopted.

2. That the sum of \$370,750 be, and the same is hereby, appropriated from the estimated revenues from all existing sources as shown in the Storm Water Fund Budget for the ensuing fiscal year, which shall be used for operating expenses, as follows:

REVENUES

Charges – Current Services	<u>\$370.750</u>
TOTAL REVENUES	\$370,750

OPERATING EXPENSES

Storm Water – MS4	<u>\$350,929</u>
TOTAL EXPENSES	\$350,929

3. That this ordinance shall be in full force and effect on and after the first day of July, 2012, and shall constitute the Storm Water Fund Appropriation Ordinance for the fiscal year beginning on that date.

Approved:

Mayor

Attest:

City Clerk

I certify that the above ordinance was:

Adopted on its first reading on _____.

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

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

The Honorable Kenneth B. Frenier, Councilman: _____.

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

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

The Honorable John T. Wood, Councilman: _____.

The Honorable Diane H. Yates, Councilwoman: _____.

The Honorable C. Scott Davis, Mayor: _____.

Adopted on its second reading on _____.

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

The Honorable Kenneth B. Frenier, Councilman: _____.

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

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

The Honorable John T. Wood, Councilman: _____.

The Honorable Diane H. Yates, Councilwoman: _____.

The Honorable C. Scott Davis, Mayor: _____.

City Clerk

Approved as to form:

City Attorney

AN ORDINANCE NO. 12-4

Providing for a levy on all real estate located in the City not exempt from taxation to be fixed at \$1.14 for the tax year commencing January 1, 2012, and ending December 31, 2012; and providing for a levy on all real estate located in the City not exempt from taxation to be fixed at \$1.14 for the tax year commencing January 1, 2013, and ending December 31, 2013, for general municipal purposes.

THE CITY OF COLONIAL HEIGHTS HEREBY ORDAINS:

1. That there is hereby levied and shall be collected for the tax year beginning January 1, 2012, and ending December 31, 2012 a tax on all real estate located in the City not exempt from taxation of one dollar and fourteen cents (\$1.14) on each one hundred dollars (\$100) of assessed valuation thereof..
2. That there is hereby levied and shall be collected for the tax year beginning January 1, 2013, and ending December 31, 2013, a tax on all real estate located in the City not exempt from taxation of one dollar and fourteen cents (\$1.14) on each one hundred dollars (\$100) of assessed valuation thereof, for general municipal purposes.
3. That Section 1 of this ordinance shall be in full force and effect for the tax year 2012; and that Section 2 of this ordinance shall be in full force and effect for the tax year 2013.

Approved:

Mayor

Attest:

City Clerk

I certify that the above ordinance was:

Adopted on its first reading on _____.

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

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

The Honorable Kenneth B. Frenier, Councilman: _____.

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

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

The Honorable John T. Wood, Councilman: _____.

The Honorable Diane H. Yates, Councilwoman: _____.

The Honorable C. Scott Davis, Mayor: _____.

Adopted on its second reading on _____.

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

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

The Honorable Kenneth B. Frenier, Councilman: _____.

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

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

The Honorable John T. Wood, Councilman: _____.

The Honorable Diane H. Yates, Councilwoman: _____.

The Honorable C. Scott Davis, Mayor: _____.

City Clerk

Approved as to form:

City Attorney

AN ORDINANCE NO. 12-5

Providing for a tax levy on all tangible personal property not either exempt from taxation or otherwise taxed, for the tax year ending December 31, 2012; and for the tax year commencing January 1, 2013, and ending December 31, 2013; for general municipal purposes.

THE CITY OF COLONIAL HEIGHTS HEREBY ORDAINS:

1. That there is hereby levied and shall be collected for the tax year ending December 31, 2012, a tax on all tangible personal property in the general class and the classes designated in subsections 1,6, 9, 11, 12, 15, 16, 17, 22, 24, 25, 26, 27, 28, 29, 30, 31, 32 and 37 of Va. Code § 58.1-3506.A, unless otherwise exempt from taxation, of three dollars and fifty cents (\$3.50) on each one hundred dollars (\$100) of assessed valuation thereof, for general municipal purposes.
2. That there is hereby levied and shall be collected for the tax year ending December 31, 2012, a tax on all vehicles without motive power, used or designed to be used as manufactured homes (as defined in Va. Code § 36-85.3), as classified in Va. Code § 58.1-3506.A.10, of one dollar and fourteen cents (\$1.14) on each one hundred dollars (\$100) of assessed valuation thereof, for general municipal purposes.
3. That there is hereby levied and shall be collected for the tax year commencing January 1, 2013, and ending December 31, 2013, a tax on all tangible personal property in the general class and the classes designated in subsections 1, 6, 9, 11, 12, 16, 17, 22, 24, 25, 26, 27, 28, 29, 30, 31, 32 and 37 of Va. Code § 58.1-3506.A, unless otherwise exempt from taxation, of three dollars and fifty cents (\$3.50) on each one hundred dollars (\$100) of assessed valuation thereof, for general municipal purposes.
4. That there is hereby levied and shall be collected for the tax year commencing January 1, 2013, and ending December 31, 2013, a tax on all vehicles without motive power, used or designed to be used as manufactured homes (as defined in Va. Code § 36-85.3), as classified in Va. Code § 58.1-3506.A.10, of one dollar and fourteen cents (\$1.14) on each one hundred dollars (\$100) of assessed valuation thereof, for general municipal purposes.
5. That Sections 1 and 2 of this ordinance shall be in full force and effect for the tax year 2012 and that Sections 3 and 4 of this ordinance shall be in full force and effect for the tax year 2013.

Approved:

Mayor

Attest:

City Clerk

I certify that the above ordinance was:

Adopted on its first reading on _____.

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

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

The Honorable Kenneth B. Frenier, Councilman: _____.

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

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

The Honorable John T. Wood, Councilman: _____.

The Honorable Diane H. Yates, Councilwoman: _____.

The Honorable C. Scott Davis, Mayor: _____.

Adopted on its second reading on _____.

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

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

The Honorable Kenneth B. Frenier, Councilman: _____.

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

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

The Honorable John T. Wood, Councilman: _____.

The Honorable Diane H. Yates, Councilwoman: _____.

The Honorable C. Scott Davis, Mayor: _____.

City Clerk

Approved as to form:

City Attorney

AN ORDINANCE NO. 12-6

Providing for a tax levy on motor vehicles owned by members of a volunteer rescue squad or volunteer fire department, and persons appointed to serve as auxiliary police officers for the tax year ending December 31, 2012; and for the tax year commencing January 1, 2013, and ending December 31, 2013, for general municipal purposes.

THE CITY OF COLONIAL HEIGHTS HEREBY ORDAINS:

1. That there is hereby levied and shall be collected for the tax year ending December 31, 2012, a tax on one motor vehicle owned by each member of a volunteer rescue squad or volunteer fire department, and each person appointed to serve as an auxiliary police officer, as classified in Va. Code § 58.1-3506.A.15 and 20, and City Code §§ 258-23 and 258-23.1, of one dollar (\$1.00), for general municipal purposes.

2. That there is hereby levied and shall be collected for the tax year commencing January 1, 2013, and ending December 31, 2013, a tax on one motor vehicle owned by each member of a volunteer rescue squad or volunteer fire department, and each person appointed to serve as an auxiliary police officer, as classified in Va. Code § 58.1-3506.A.15 and 20, and City Code §§ 258-23 and 258-23.1, of one dollar (\$1.00), for general municipal purposes.

3. That Section 1 of this ordinance shall be in full force and effect for the tax year 2012; and that Section 2 of this ordinance shall be in full force and effect for the tax year 2013.

Approved:

Mayor

Attest:

City Clerk

I certify that the above ordinance was:

Adopted on its first reading on _____.

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

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

The Honorable Kenneth B. Frenier, Councilman: _____.

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

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

The Honorable John T. Wood, Councilman: _____.

The Honorable Diane H. Yates, Councilwoman: _____.

The Honorable C. Scott Davis, Mayor: _____.

Adopted on its second reading on _____.

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

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

The Honorable Kenneth B. Frenier, Councilman: _____.

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

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

The Honorable John T. Wood, Councilman: _____.

The Honorable Diane H. Yates, Councilwoman: _____.

The Honorable C. Scott Davis, Mayor: _____.

City Clerk

Approved as to form:

City Attorney

AN ORDINANCE NO. 12-7

Reaffirming Ordinance No. 10-11, which provided for a personal property levy of one dollar (\$1.00) on each motor vehicle which is specifically equipped to provide transportation for physically handicapped individuals for the tax year commencing January 1, 2012, and ending December 31, 2012; and providing for such levy on motor vehicles which are specifically equipped to provide transportation for physically handicapped individuals for the tax year commencing January 1, 2013, and ending December 31, 2013, for general municipal purposes.

THE CITY OF COLONIAL HEIGHTS HEREBY ORDAINS:

1. That Ordinance No. 10-11 levied and provided for the collection of a personal property tax on motor vehicles which are specifically equipped to provide transportation for physically handicapped individuals, as classified in Va. Code § 58.1-3506.A.14, and City Code § 258-23.2, of one dollar (\$1.00) on every such vehicle for the tax year ending December 31, 2012, for general municipal purposes.
2. That pursuant to Va. Code § 58.1-3506.A.14 and City Code § 258-23.2, there is hereby levied and shall be collected for the tax year commencing January 1, 2013, and ending December 31, 2013, a personal property tax of one dollar (\$1.00) for general municipal purposes on each motor vehicle which is specifically equipped to provide transportation for physically handicapped individuals.
3. That Section 1 of this ordinance shall be in full force and effect for the tax year 2012; and that Section 2 of this ordinance shall be in full force and effect for the tax year 2013.

Approved:

Mayor

Attest:

City Clerk

I certify that the above ordinance was:

Adopted on its first reading on _____.

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

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

The Honorable Kenneth B. Frenier, Councilman: _____.

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

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

The Honorable John T. Wood, Councilman: _____.

The Honorable Diane H. Yates, Councilwoman: _____.

The Honorable C. Scott Davis, Mayor: _____.

Adopted on its second reading on _____.

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

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

The Honorable Kenneth B. Frenier, Councilman: _____.

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

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

The Honorable John T. Wood, Councilman: _____.

The Honorable Diane H. Yates, Councilwoman: _____.

The Honorable C. Scott Davis, Mayor: _____.

City Clerk

Approved as to form:

City Attorney

AN ORDINANCE NO. 12-8

Establishing a tax rate pursuant to Chapter 35.1 of Title 58.1 of the Code of Virginia ("Personal Property Tax Relief") on all qualifying vehicles under the Chapter.

THE CITY OF COLONIAL HEIGHTS HEREBY ORDAINS:

1. That pursuant to Chapter 35.1 of Title 58.1 of the Code of Virginia ("Personal Property Tax Relief"), a rate of 63.5% is established for the tax year ending December 31, 2012.
2. That pursuant to Chapter 35.1 of Title 58.1 of the Code of Virginia ("Personal Property Tax Relief"), a rate of 63% is established for the tax year ending December 31, 2013.
3. That Section 1 of this ordinance shall be in full force and effect for the tax year 2012 and that Section 2 of this ordinance shall be in full force and effect for the tax year 2013.

Approved:

Mayor

Attest:

City Clerk

I certify that the above ordinance was:

Adopted on its first reading on _____.

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

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

The Honorable Kenneth B. Frenier, Councilman: _____.

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

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

The Honorable John T. Wood, Councilman: _____.

The Honorable Diane H. Yates, Councilwoman: _____.

The Honorable C. Scott Davis, Mayor: _____.

Adopted on its second reading on _____.

Aye: _____. Nays: _____. Absent: _____. Abstain: _____.

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

The Honorable Kenneth B. Frenier, Councilman: _____.

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

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

The Honorable John T. Wood, Councilman: _____.

The Honorable Diane H. Yates, Councilwoman: _____.

The Honorable C. Scott Davis, Mayor: _____.

City Clerk

Approved as to form:

City Attorney

AN ORDINANCE NO. 12-9

Providing for a tax levy on machinery and tools, tangible personal property used in a research and development business, certain energy generating equipment, personal property used in manufacturing, testing or operating satellites, and motor vehicles, trailers and semitrailers with a gross weight of 10,000 pounds or more used to transport property for hire by a motor carrier engaged in interstate commerce, for the tax year ending December 31, 2012; and for the tax year commencing January 1, 2013, and ending December 31, 2013; for general municipal purposes.

THE CITY OF COLONIAL HEIGHTS HEREBY ORDAINS:

1. That there is hereby levied and shall be collected for the tax year ending December 31, 2012, a tax on all: (a) machinery and tools as classified in Va. Code § 58.1-3507, as amended; (b) tangible personal property used in a research and development business, as classified in Va. Code § 58.1-3506.A.7; (c) generating equipment, as classified in Va. Code § 58.1-3506.A.9; (d) personal property used in manufacturing, testing or operating satellites, as classified in Va. Code § 58.1-3506.A.21; and (e) motor vehicles, trailers, and semitrailers with a gross weight of 10,000 pounds or more used to transport property for hire by a motor carrier engaged in interstate commerce, as classified in Va. Code § 58.1-3506.A.25; of two dollars (\$2.00) on each one hundred dollars (\$100) of assessed valuation thereof, for general municipal purposes.

2. That there is hereby levied and shall be collected for the tax year commencing January 1, 2013, and ending December 31, 2013, a tax on all: (a) machinery and tools as classified in Va. Code § 58.1-3507, as amended; (b) tangible personal property used in a research and development business, as classified in Va. Code § 58.1-3506.A.7; (c) generating equipment, as classified in Va. Code § 58.1-3506.A.9; (d) personal property used in manufacturing, testing or operating satellites, as classified in Va. Code § 58.1-3506.A.21; and (e) motor vehicles, trailers and semitrailers with a gross weight of 10,000 pounds or more used to transport property for hire by a motor carrier engaged in interstate commerce, as classified in Va. Code § 58.1-3506.A.25; of two dollars (\$2.00) on each one hundred dollars (\$100) of assessed valuation thereof, for general municipal purposes.

3. That Section 1 of this ordinance shall be in full force and effect for the tax year 2012; and that Section 2 of this ordinance shall be in full force and effect for the tax year 2013.

Approved:

Mayor

Attest:

City Clerk

I certify that the above ordinance was:

Adopted on its first reading on _____.

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

Adopted on its second reading on _____.

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

City Clerk

Approved as to form:

City Attorney

AN ORDINANCE NO. 12-15

To adopt a revised General Pay Plan Class and Salary Range and to add the grade assignment for Youth Program Coordinator.

THE CITY OF COLONIAL HEIGHTS HEREBY ORDAINS:

1. That pursuant to City Charter §§ 9.7 and 9.8, "Classification Plan" and "Pay Plan" respectively, the revised General Pay Plan Class and Salary Range attached as Exhibit A is hereby approved and made a part of this ordinance.
2. That pursuant to City Charter §§ 9.7 and 9.8, the grade assignment for Youth Program Coordinator is added to Grade 13.
3. That this ordinance shall be in full force and effect on and after July 1, 2012.

Approved:

Mayor

Attest:

City Clerk

I certify that the above ordinance was:

Adopted on its first reading on _____.

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

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

The Honorable Kenneth B. Frenier, Councilman: _____.

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

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

The Honorable John T. Wood, Councilman: _____.

The Honorable Diane H. Yates, Councilwoman: _____.

The Honorable C. Scott Davis, Mayor: _____.

Adopted on its second reading on _____.

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

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

The Honorable Kenneth B. Frenier, Councilman: _____.

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

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

The Honorable John T. Wood, Councilman: _____.

The Honorable Diane H. Yates, Councilwoman: _____.

The Honorable C. Scott Davis, Mayor: _____.

City Clerk

Approved as to form:

City Attorney

YOUTH PROGRAM COORDINATOR **JOB DESCRIPTION**

Position Factor Reference: Youth After-School Programs Coordinator

Position Title: Youth Program Coordinator

Department: Office on Youth and Human Services

Reports To: Director of Office on Youth and Human Services

Overview: Implements and administers programs for Kid's After School Program at elementary school level.

ESSENTIAL DUTIES

- Plans educational program for 4th and 5th grade level students.
- Recruits and trains volunteers, mentors and tutors.
- Provides on-going monitoring and supervision to Site Supervisors, tutors, and volunteers.
- Provides regular and on-going progress reports to Teachers, Principals, and Guidance Counselors regarding students.
- Meets with parents of youth enrolled in the K.A.P program to inform them of their child's progress, needs, etc.
- Coordinates and maintains calendars and time sheets for program staff.
- Develops newsletters, flyers, and news releases for the office and programs.
- Serves as a member of the Inter-Agency Prevention Team.
- Provides Parent Education programs to the community.
- Other duties as required.

NEW PAY GRADE: General – 13
FLSA DESIGNATION: Non-Exempt

Youth Program Coordinator

Job Description

7/1/2012

Page 1
The City of Colonial Heights, Virginia

CLASS SPECIFICATION

Education & Directly Applicable Experience

High School diploma and ten to fifteen years directly related experience or
Two years of college or Associate's Degree and two to less than ten years directly related experience or
A Bachelor's Degree and two years directly related experience.

Supervisory Controls

The work is performed very independently; the supervisor makes assignments by defining objectives, priorities and deadlines, and assists the employee with unusual situations which do not have a precedent.

The employee plans and carries out the successive steps and handles problems and deviations in the work assignment in accordance with instructions, policies, previous training or accepted practices in the job.

Supervision Given

This position supervises volunteer staff and on a temporary basis or in the absence of a supervisor.

Guidelines

Procedures for doing the work have been established and a number of specific guidelines are available. These guidelines may be in the form of laws, regulations, statutes, commonly accepted operational principles, user's manuals, or any other sources from which direction or assistance may be inferred. The employee uses judgment in locating and selecting the most appropriate guidelines, references and procedures for application and may make minor deviations to adapt the guidelines in specific cases or determine which of several established alternatives to use.

Complexity

The work typically includes varied duties requiring many different and unrelated processes and methods. Decisions involve the assessment of unusual circumstances, variations in approach, and incomplete or conflicting data.

The work requires many decisions concerning such things as the interpretation of large amounts of data, planning of the work, or refining the methods and techniques to be used.

Scope and Effect

The work product or service affects a wide range of organizational activities and/or the physical well-being of a number of persons.

Youth Program Coordinator

Job Description

7/1/2012

Personal Contacts

The majority of personal contacts are with individuals or groups from outside the organization in a moderately unstructured setting or involve attempts to enforce ordinances, regulations, or rules where conflict or diverse interpretations may result.

Purpose of Contacts

The purpose is to plan, coordinate, or advise on work efforts or to resolve operating problems by influencing or motivating individuals or groups who are working toward mutual goals and who have basically cooperative attitudes.

Physical Demands

The work is generally performed in an office environment. Typically, the employee may sit to do the work. However, there may be some walking, standing, stooping, carrying of light items such as papers, books, or small parts, or driving an automobile. No special physical demands are required to perform the work.

Work Environment

The work environment involves everyday risks or discomforts which require normal safety precautions. Use of safe work practices with office equipment, avoidance of trips and falls, observance of fire regulations and traffic signals are minimally required.

Youth Program Coordinator

Job Description

7/1/2012

Page 3
The City of Colonial Heights, Virginia



CITY OF COLONIAL HEIGHTS

HUMAN RESOURCES DEPARTMENT

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

Jennifer N. Carpenter
Director

MEMORANDUM

To: Thomas L. Mattis, City Manager

From: Jennifer N. Carpenter, Director of Human Resources

Subject: Youth Program Coordinator Job Description

Date: May 2, 2012

As you are aware, the Office on Youth & Human Services Department has requested the current Administrative Assistant (Grade 13) position within the department be changed to a Youth Program Coordinator (Grade 13) to more closely align with the duties required for program coordination. This position will be responsible for coordinating, implementing and assessing various youth programs while continuing to provide administrative support.

In addition, this title change will have a cost savings effect on the department's budget by reducing salary expenses and eliminating a continuous part-time position. Therefore, it is recommended that the position be changed as requested to Youth Program Coordinator using the attached job description.

Should you have any questions or need additional information, please do not hesitate to contact me.

Copy: Eileen M. Brown, Director of Office on Youth & Human Services

AN ORDINANCE NO. 12-FIN-12

To amend the Solid Waste Management Fund Budget for the fiscal year beginning July 1, 2011, and ending June 30, 2012, to appropriate \$25,000 of retained earnings to be used for additional landfill monitoring and preventative measures.

THE CITY OF COLONIAL HEIGHTS HEREBY ORDAINS:

1. That Section 2 of Ordinance No. 11-FIN-9, the Solid Waste Management Fund Budget, be and hereby is amended and reordained as follows:

2. That the sum of \$1,286,159 be, and the same is hereby, appropriated from the estimated receipts from all existing sources of revenue during the ensuing fiscal year, which shall be used by the major operating units up to the sums itemized in the Solid Waste Management Fund Budget, as follows:

REVENUES

Charges for Current Services	\$1,178,659
Miscellaneous	82,500
<i>Retained Earnings</i>	<u>25,000</u>
TOTAL	\$1,261,159 \$1,286,159

EXPENDITURES

Solid Waste	\$-983,384	\$1,008,384
Transfer Station	46,223	
Recycling	<u>231,552</u>	
TOTAL	\$1,261,159	\$1,286,159

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

Approved:

Mayor

Attest:

City Clerk

I certify that the above ordinance was:

Adopted on its first reading on _____.

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

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

The Honorable Kenneth B. Frenier, Councilman: _____.

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

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

The Honorable John T. Wood, Councilman: _____.

The Honorable Diane H. Yates, Councilwoman: _____.

The Honorable C. Scott Davis, Mayor: _____.

Adopted on its second reading on _____.

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

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

The Honorable Kenneth B. Frenier, Councilman: _____.

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

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

The Honorable John T. Wood, Councilman: _____.

The Honorable Diane H. Yates, Councilwoman: _____.

The Honorable C. Scott Davis, Mayor: _____.

City Clerk

Approved as to form:

City Attorney



CITY OF COLONIAL HEIGHTS

DEPARTMENT OF PUBLIC WORKS

William E. Henley, P.E.
Director/City Engineer

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

MEMORANDUM

TO: Thomas L. Mattis, City Manager

FROM: William (Chuck) E. Henley, P. E., Director of Public Works/City Engineer

SUBJECT: Request for Budget Amendment/Appropriation of Funds – Extra Compliance Costs for Landfill Property

DATE: March 30, 2012

WE Chuck Henley

As you are aware, department staff administers the City's program to ensure that environmental conditions on the north and south landfill sites comply with the Consent Order issued by the Virginia Department of Environmental Quality (VDEQ) and the Virginia Solid Waste Management Regulations. The consent order requires that the City regularly monitor landfill gas and groundwater pollution levels at various locations throughout each site and report the results to VDEQ. In addition, the regulations require that the City implement preventative measures to protect public health and safety and to take corrective action whenever gas concentrations or groundwater contaminants exceed regulated limits. Compliance work performed by the City is subject to the review and approval of VDEQ staff and periodically, extra work is necessary in response to sampling and testing results.

In the first quarter of this fiscal year the department implemented corrective action to address regulatory exceedances discovered during past monitoring cycles. The extra work included the installation of additional passive vents on the north landfill site to mitigate the concentration of gas, which was approaching the explosive limit. Also included was additional sampling, testing and reporting to comply with groundwater protection standards for both sites. This extra work could not have been anticipated at the time of adoption of current year's fiscal plan.

As a result, compliance costs are projected to exceed the amount adopted and appropriated in the current budget for the cost object, Landfill Monitoring. Consequently, the department is requesting a budget amendment in the amount of \$25,000 to supplement the \$80,000 amount originally adopted and appropriated. Approval of this amendment should provide sufficient resources to pay for the professional services needed to ensure that the City remains in compliance with regulatory requirements through the end of this fiscal year.

As no other source of funds is available due to the current Solid Waste budget being completely subscribed, the department recommends and requests the transfer of a portion of retained earnings (unrestricted cash balance, \$72,012, fiscal year ending June 30, 2011, CAFR) to the Landfill Monitoring cost object. In addition, the department requests Council's appropriation of the funds for the above-mentioned purpose. The Department submits this request pursuant to § 6.19. Certification of Funds., prior to incurring costs and making payments under the current contract for professional services with Tetra Tech Environmental.

AN ORDINANCE NO. 12-FIN-13

To amend the General Fund Budget for the fiscal year beginning July 1, 2011, and ending June 30, 2012, to appropriate \$708 of donated funds to be used by Human Services for the Kids' After-School Program.

THE CITY OF COLONIAL HEIGHTS HEREBY ORDAINS:

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

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

Legislative (City Council)	\$ 142,210
Administrative (City Manager)	309,143
Legal (City Attorney)	219,869
Tax Collections	435,102
Finance	6,094,244
Information Technologies	225,492
Board of Elections	129,110
Judicial	4,415,878
Public Safety	7,882,959
Public Works	3,079,899
Health and Social Services	707,559
Parks and Recreation	1,454,578
Cultural Enrichment	97,265
Library	613,463
Community Development	473,381
Human Services	366,320 367,028
Nondepartmental	500,919
Debt Service	2,843,192
Operating Transfers Out	<u>19,043,934</u>
TOTAL	\$49,034,517 49,035,225

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

General Property Taxes	\$21,283,149
Other Local Taxes	14,996,861
Licenses, Permits & Fees	3,368,705
Fines and Forfeitures	693,000
Use of Money & Property	158,000
Intergovernmental Revenues	6,322,651
Charges for Current Services	1,227,954
Miscellaneous	<u>330,662</u> 331,370
Restricted Fund Balance – After School Program	400
Restricted Fund Balance – Violet Bank	11,500
Restricted Fund Balance – Asset Forfeiture	22,739
Restricted Fund Balance – Police	1,175
Restricted Fund Balance – Fire	26,643
Restricted Fund Balance – Senior Citizen	
Transportation	20,000
Restricted Fund Balance – Library	22,000
Fund Balance	<u>549,078</u>
TOTAL	\$49,034,517 49,035,225
48,980,693	

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

Approved:

Mayor

Attest:

City Clerk

I certify that the above ordinance was:

Adopted on its first reading on _____.

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

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

The Honorable Kenneth B. Frenier, Councilman: _____.

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

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

The Honorable John T. Wood, Councilman: _____.

The Honorable Diane H. Yates, Councilwoman: _____.

The Honorable C. Scott Davis, Mayor: _____.

Adopted on its second reading on _____.

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

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

The Honorable Kenneth B. Frenier, Councilman: _____.

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

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

The Honorable John T. Wood, Councilman: _____.

The Honorable Diane H. Yates, Councilwoman: _____.

The Honorable C. Scott Davis, Mayor: _____.

City Clerk

Approved as to form:

City Attorney



CITY OF COLONIAL HEIGHTS

OFFICE ON YOUTH & HUMAN SERVICES

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

Eileen M. Brown,
MSW, LCSW
Director

Memorandum

To: Thomas L. Mattis, City Manager
William Johnson, Director of Finance

From: Eileen M. Brown, Director
Office on Youth & Human Services

Subject: KAP Donations

Date: April 2, 2012

The Kids' After-School Program has received the following donations, which have been deposited in account number 1807-5224:

\$ 5.00 - Michelle Apodaca
63.21 – Chik-Fil-A Fundraiser
50.00 – Women of the Moose #131
200.00 – Colonial Heights Moose Lodge 1783
130.00 – Skate Night Fundraiser
260.00 – Skate Night Fundraiser

\$ 708.21 - TOTAL

AN ORDINANCE NO. 12-FIN-7

Adopting the General Fund Budget for the fiscal year beginning July 1, 2012, and ending June 30, 2013, and appropriating the estimated revenues for the year for the objects and purposes stated herein.

THE CITY OF COLONIAL HEIGHTS HEREBY ORDAINS:

1. That the budget designated the General Fund Budget for the fiscal year beginning July 1, 2012, and ending June 30, 2013, is hereby adopted; and that, subject to transfers by resolution pursuant to § 6.15 of the City Charter, funds hereby appropriated shall be used for the following purposes:

Legislative (City Council)	\$ 138,073
Executive(City Manager)	300,005
Legal (City Attorney)	205,536
Tax Collections	436,787
Finance	6,833,482
Information Technologies	172,061
Board of Elections	129,601
Judicial	4,248,409
Public Safety	7,556,104
Public Works	3,783,212
Health and Social Services	656,108
Parks and Recreation	1,313,733
Cultural Enrichment	85,207
Library	590,054
Community Development	473,409
Human Services	360,407
Nondepartmental	521,290
Debt Service	4,064,477
Operating Transfers Out	<u>19,187,551</u>
TOTAL	\$51,055,456

2. That the foregoing appropriation is based upon the following revenue for the fiscal year beginning July 1, 2012:

General Property Taxes	\$21,429,150
Other Local Taxes	16,509,565
Licenses, Permits & Fees	3,529,166
Fines and Forfeitures	718,000
Use of Money & Property	149,000
Intergovernmental Revenues	6,108,807
Charges for Current Services	2,276,475
Miscellaneous	<u>335,293</u>
TOTAL	\$51,055,456

3. That all legal outstanding encumbrances (purchase orders and contracts) as of June 30, 2012, be offset by an equal amount of reserved Fund Balance for subsequent year expenditures; and if performance of a contract or purchase order is complete, or virtually complete, an expenditure and estimated liability should be recorded in lieu of an expenditure.

4. That the unencumbered balance of the annual appropriation standing on the books of the City as of June 30, 2012, shall be canceled.

5 That the payment and settlement of claims of any kind heretofore and hereafter asserted against the City and final judgments with interest and costs heretofore obtained against the City shall be paid upon the approval and order of the City Attorney from the funds herein appropriated for defraying the expenses of performing the functions of the department, board, bureau, office, agency or court involved in the subject matter of the claim or judgment.

6 That this ordinance shall be in full force and effect on and after the first day of July, 2012, and shall constitute the General Fund Appropriation Ordinance for the fiscal year beginning on that date.

Approved:

Mayor

Attest:

City Clerk

I certify that the above ordinance was:

Adopted on its first reading on _____.

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

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

The Honorable Kenneth B. Frenier, Councilman: _____.

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

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

The Honorable John T. Wood, Councilman: _____.

The Honorable Diane H. Yates, Councilwoman: _____.

The Honorable C. Scott Davis, Mayor: _____.

Adopted on its second reading on _____.

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

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

The Honorable Kenneth B. Frenier, Councilman: _____.

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

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

The Honorable John T. Wood, Councilman: _____.

The Honorable Diane H. Yates, Councilwoman: _____.

The Honorable C. Scott Davis, Mayor: _____.

City Clerk

Approved as to form:

City Attorney