



COLONIAL HEIGHTS CITY COUNCIL AGENDA

Council Members

Michael A. Cherry
Kenneth B. Frenier
W. Joe Green, Jr.
John E. Piotrowski
John T. Wood
Elizabeth G. Luck, Vice-
Mayor
T. Gregory Kochuba,
Mayor

SPECIAL MEETING CITY HALL

DATE: February 20, 2018

TIME: 5:00 PM

1. Call To Order
2. Roll Call
3. Declarations Of Personal Interest
4. Closed Meeting Pursuant To The Code Of Virginia In Accordance With The Following Provision:
 - Paragraph A.3 of Virginia Code Section 2.2-3711, to discuss or consider the acquisition of real property at 401 Temple Avenue (the site of the former Courthouse) for a public purpose, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.

5. Vote To Come Back Into Open Meeting.

The Council has been in a closed meeting pursuant to the Code of Virginia in accordance with the following provision:

- Paragraph A.3 of Virginia Code Section 2.2-3711, to discuss or consider the acquisition of real property at 401 Temple Avenue (the site of the former Courthouse) for a public purpose, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.

Consideration of the following certification:

Each member will now certify that to the best of the member's knowledge (i) only public business matters lawfully exempted from open meeting requirements of the act and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting by the public body. Any member who believes there was a departure from the requirements of clauses (i) and (ii), shall so state prior to the vote, indicating the substance of the departure that, in his judgment, has taken place.

Roll Call. An affirmative vote shall constitute certification of compliance.

6. Motions
7. Work Session On The Following Items:

A. AN ORDINANCE NO 18-5

(First Reading) Awarding the City Attorney a 4% bonus.

Documents:

AN ORDINANCE NO 18-5.PDF

B. Presentation By CGI Of A Community Video Program

Documents:

EX SUMMARY CGI PRESENTATION 02-20-18.PDF

C. AN ORDINANCE NO 18-2

(Discussion Only) To amend Section 218-1.1 of Chapter 218, Peace and Good Order, of the Colonial Heights City Code, by providing for beer and wine to be possessed and consumed on City-owned property subject to multiple conditions.

Documents:

EX SUMMARY ORD 18-2.PDF
SPECIAL EVENTS APPLICATION.PDF
AN ORDINANCE NO 18-2.PDF

D. Property Tax Exemptions For Spouses Of Certain Emergency Services Providers

Discussion of whether the City shall exempt from taxation the real property of the surviving spouse of a law enforcement officer, firefighter, search and rescue personnel, and emergency medical services personnel who is killed in the line of duty, if the surviving spouse occupies the real property as his personal place of residence.

Documents:

EX SUMMARY EXEMPTION DISCUSSION.PDF

8. Adjournment

AN ORDINANCE NO. 18-5

Awarding the City Attorney a 4% bonus.

WHEREAS, the City Council has reviewed the City Attorney's performance during the last year and believes he should be awarded a bonus of 4% of his current annual salary.

NOW, THEREFORE, THE CITY OF COLONIAL HEIGHTS HEREBY ORDAINS:

1. That Hugh P. Fisher, III, City Attorney, is awarded a bonus of 4% of his current annual salary.
2. That this Ordinance shall be effective upon approval 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 Michael A. Cherry, Councilman: _____.

The Honorable Kenneth B. Frenier, Councilman: _____.

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

The Honorable John E. Piotrowski, Councilman: _____.

The Honorable John T. Wood, Councilman: _____.

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

The Honorable T. Gregory Kochuba, Mayor: _____.

Adopted on its second reading on _____.

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

The Honorable Michael A. Cherry, Councilman: _____.

The Honorable Kenneth B. Frenier, Councilman: _____.

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

The Honorable John E. Piotrowski, Councilman: _____.

The Honorable John T. Wood, Councilman: _____.

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

The Honorable T. Gregory Kochuba, Mayor: _____.

City Clerk

Approved as to form:

City Attorney



Colonial Heights City Council Meeting Agenda Item Executive Summary

City Council Meeting

ITEM: Presentation by CGI Of A Community Video Program

DEPARTMENT: City Manager

PROPOSED ACTION: Presentation to Council with opportunity to provide direction regarding the potential program.

BACKGROUND: CGI Communications, Inc. has a video program providing for showcase videos about a community. The program would be provided at no charge to the City; business sponsorships would be sought. The Colonial Heights Chamber of Commerce currently has CGI videos linked to their website.

BUDGET/FINANCIAL IMPACT:

Funding for this item was included not included in the current-year budget N/A

RECOMMENDATION:

Folowing the presentation, Council will have the opportunity to discuss and provide direction regarding this program.

ATTACHMENTS:

- Staff will be making a detailed presentation on this agenda item at the meeting.
- Staff will provide brief comments and answer questions on this item at the meeting.
- This is a routine procedural item and no presentation is planned for the meeting.

Councilmembers who have any detailed questions or would like to request additional information regarding this item are encouraged to contact the City Manager at their earliest convenience.



Colonial Heights City Council Meeting Agenda Item Executive Summary

City Council Meeting

ITEM: Ordinance No. 18-2.

DEPARTMENT: City Attorney and Dept. of Recreation and Parks

PROPOSED ACTION: For discussion purposes only. To amend Section 218-1.1 of Chapter 218, Peace and Good Order, of the City Code, by providing for beer and wine to be possessed and consumed on City-owned property subject to multiple conditions.

BACKGROUND: At a previous Council meeting, a majority of Council agreed to allow the possession and consumption of beer and wine at special events on certain City-owned property; provided, however, the event sponsor provides specific information on an application to be reviewed by a committee of City employees. Then, upon recommendation of the committee, the application will be given to the City manager for review and ultimate decision.

BUDGET/FINANCIAL IMPACT:

Funding for this item was included not included in the current-year budget N/A

RECOMMENDATION:

Discuss and consider amending Section 218-1.1 to allow for beer and wine possession and consumption at special events held on City-owned property.

ATTACHMENTS:

Draft Colonial Heights Special Event Application; and draft Ordinance No. 18-2.

- Staff will be making a detailed presentation on this agenda item at the meeting.
- Staff will provide brief comments and answer questions on this item at the meeting.
- This is a routine procedural item and no presentation is planned for the meeting.

Councilmembers who have any detailed questions or would like to request additional information regarding this item are encouraged to contact the City Manager at their earliest convenience.

**CITY OF COLONIAL HEIGHTS
SPECIAL EVENT APPLICATION**

This form must be completed and sent to the Colonial Heights Recreation & Parks Department, P.O. Box 3401 Colonial Heights VA 23834. Once the application is received, it will be evaluated; and the City Manager shall approve or disapprove it. Organizations should not proceed with promoting their event until the City Manager grants approval. Applications for special events should be received 90 days before the proposed event is to take place. All event fees are due 30 days in advance of the event date.

EVENT INFORMATION

Name of Proposed Event:		Date(s):
Event Hours: From	To	Set-up Time:
		Take Down Time:
Location:		
Phone # for Event Information:		Est. Attendance:
Purpose of Event:		
Description: (Please include site map for event)		
Food/Beverages: <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> Sales <input type="checkbox"/> Served/ No Sales/Catered <input type="checkbox"/> On site cooking <input type="checkbox"/> Propane Gas <input type="checkbox"/> Charcoal <input type="checkbox"/> Other:		
Alcoholic Beverages (Beer & Wine only): <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> Sales <input type="checkbox"/> Served/No Sales		
Street Closure: <input type="checkbox"/> No <input type="checkbox"/> Yes Street Name(s):		
Merchandise Sales: <input type="checkbox"/> No <input type="checkbox"/> Yes Describe:		
Restrooms: <input type="checkbox"/> On site <input type="checkbox"/> Portable Toilets: ___ #regular units ___ #handicap units		
Entertainment/Proposed Activities: <input type="checkbox"/> Amusement Rides <input type="checkbox"/> Petting Zoo <input type="checkbox"/> Pony Rides <input type="checkbox"/> Athletic Demonstration <input type="checkbox"/> Music <input type="checkbox"/> Performers <input type="checkbox"/> Other:		
General Description/Information:		

Parking: Where will participants park for event?
 Where will attendees park for event?
 Arrangements for handicap parking are as follows:

I. FINANCIAL INFORMATION

Will fees be collected? <input type="checkbox"/> No <input type="checkbox"/> Yes	Will tickets be sold or admission charged? <input type="checkbox"/> No <input type="checkbox"/> Yes
<p>Insurance: Does organization already have liability coverage that will apply to this event? <input type="checkbox"/> No <input type="checkbox"/> Yes If Yes, please state name of insurance company and the limits of coverage provided: If No, please note the liability insurance requirement specified on page 3.</p>	
<p>Are there corporate sponsors? <input type="checkbox"/> No <input type="checkbox"/> Yes-Give the names of sponsors and describe contribution and what they are receiving in return:</p>	
<p>Is this a non-profit organization? <input type="checkbox"/> No <input type="checkbox"/> Yes</p>	

II. APPLICANT INFORMATION

Organization:	Address: City/State: _____ Zip Code:
Representative: Title:	Address: City/State: _____ Zip Code:
Phone # Day Time:	Phone # Evening:
Fax #:	E-mail: _____ Cell Phone:
<p>Purpose of Organization:</p>	

CERTIFICATION AND ACKNOWLEDGMENT OF APPLICANT

The undersigned certifies that he or she is familiar with the rules, regulations and responsibilities of the use of City facilities and equipment and that the applicant will enforce and honor them. The undersigned further certifies that he or she is the legally authorized representative of the applicant and has the legal authority to submit this application and to enter into binding contracts on behalf of the organization. The undersigned further certifies that the information furnished in this application is true and correct to the best of the undersigned's knowledge and information.

The undersigned acknowledges that issuance of a permit for use of facilities and recreational equipment is contingent upon the City Manager's approval of this application and that all fees must be paid as specified below.

Name and Title (print) _____

Signature _____ Date _____

EVENT REQUIREMENTS

Please read the requirements listed below which may pertain to your event. There may be additional requirements for your particular event. You will be notified of any additional requirements.

1. Liability insurance of not less than \$1,000,000 will be required for you to hold this event. You must submit to the Recreation and Parks Department at least 30 days before the scheduled event insurance certificates for your organization covering the event, as well as certificates for such vendors as food, amusements, fireworks display companies, etc. that are not covered under your organization's policy. These certificates must name the City as an additional insured. Your failure to submit these certificates in a timely manner may result in cancellation of your event.
2. Food vendors must apply to the Chesterfield Health Department, 9501 Lucy Corr Circle, P.O. Box 100, Chesterfield, VA 23832, (804-748-1691) to obtain a permit to sell food. A copy of the food permit must be provided to the Recreation and Parks Department at least 30 days prior to the event.
3. If beer or wine, or both are served or sold, an ABC permit is required. A copy of the permit must be submitted to the Recreation & Parks Department at least 30 days prior to the event. Restrictions may be placed by the City on container use. City preference is a keg or closed containers.
4. The applicant shall provide a map layout of vendors and activities.
5. The applicant may be responsible for other fees, such as security for the event. Payment of any such fee shall be made to the Recreation and Parks Department at least 30 days prior to the event.
6. Your organization may be required to sign a contract.
7. No alcoholic beverages are allowed at the event, except for beer or wine, or both beer and wine.

AN ORDINANCE NO. 18-2

To amend § 218-1.1 of Chapter 218, Peace and Good Order, of the Colonial Heights City Code, by providing for beer and wine to be possessed and consumed on City-owned property subject to multiple conditions.

THE CITY OF COLONIAL HEIGHTS HEREBY ORDAINS:

1. That § 218-1.1 of Chapter 218, Peace and Good Order, of the Colonial Heights City Code, is amended as follows:

§ 218-1.1. Possession and consumption of alcoholic beverages in ~~public parks prohibited~~ on City-owned property .

- ~~A. No person shall possess any open alcoholic beverage container in on any local public park or on any local public playground or public street.~~
- B. No person shall possess any open alcoholic beverage container or consume any alcoholic beverage on other City-owned property unless the person obtains the appropriate permit from the City Manager. A person seeking to obtain a permit allowing the possession of an open alcoholic beverage container, or its consumption, on City-owned property shall obtain the appropriate application from the Recreation and Parks Department; and once completed, submit the application to the Department. The Director of the Department, and a committee of City employees which he chairs, shall review the completed application; discuss the request with the applicant if the committee deems such discussion appropriate; recommend to the City Manager whether to approve the application; and if the committee recommends approval, specify those conditions it deems appropriate for the City Manager to give his approval. If the City Manager approves the application with the specified conditions, he shall issue the applicant a permit authorizing the opening of beer or wine containers, or both, and the serving and consuming of beer, wine, or both, but no other type of alcoholic beverage.*

C. The committee referenced in Paragraph B of this section shall not recommend the approval of a permit, and the City Manager shall not approve a permit, unless all of the following conditions are met:

- (1) The applicant pays a \$100 application fee at least 30 days before the event;
- (2) At least 30 days before the event, the applicant provides the Recreation and Parks Department with proof of at least \$1,000,000 in liability insurance coverage for the event and a certificate naming the City as an additional insured. Also, each event vendor shall, at least 30 days before the event, provide the Department with certificates of insurance naming the City as an additional insured;
- (3) At least 30 days before the event, the applicant provides the Recreation and Parks Department with a copy of any required Commonwealth of Virginia Alcoholic Beverage Control permit;
- (4) At least 30 days before the event, the applicant pays all fees which the committee determines are needed to pay for security or other functions that City employees shall provide;
- (5) At least 30 days before the event, each food vendor submits to the Recreation and Parks Department a permit from the Chesterfield Health Department allowing the vendor to sell food;
- (6) The applicant specifies the City-owned property where the event will be held and provides the Recreation and Parks Department with a map depicting the location on the property of vendors and activities;
- (7) No alcoholic beverages other than beer, wine, or both, shall be opened or consumed at the event; and
- (8) The applicant complies with any other requirements that the committee or the City Manager impose.

D. The City Manager's decision whether to approve a permit shall be final and not subject to appeal.

E. If the City Manager approves a permit, and subsequently receives credible information that the approved event will not be conducted according to the conditions that this section specifies, he may, in his sole discretion, rescind his approval and disapprove the event.

F. Violation of this section shall constitute a misdemeanor punishable by a fine not to exceed \$250.

2. That this ordinance shall be effective upon approval 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 Michael A. Cherry, Councilman: _____.

The Honorable Kenneth B. Frenier, Councilman: _____.

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

The Honorable John E. Piotrowski, Councilman: _____.

The Honorable John T. Wood, Councilman: _____.

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

The Honorable T. Gregory Kochuba, Mayor: _____.

Adopted on its second reading on _____.

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

The Honorable Michael A. Cherry, Councilman: _____.

The Honorable Kenneth B. Frenier, Councilman: _____.

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

The Honorable John E. Piotrowski, Councilman: _____.

The Honorable John T. Wood, Councilman: _____.

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

The Honorable T. Gregory Kochuba, Mayor: _____.

City Clerk

Approved as to form:

City Attorney



Colonial Heights City Council Meeting Agenda Item Executive Summary

City Council Meeting

ITEM: Possible real estate tax exemption.

DEPARTMENT: City Attorney (per Councilman Frenier)

PROPOSED ACTION: Discuss whether the City Attorney should draft an ordinance providing for a real estate tax exemption for the surviving spouse of any law enforcement officer, firefighter, search and rescue personnel, or emergency medical services personnel who was killed in the line of duty, if the surviving spouse occupies the real property as her principal place of residence.

BACKGROUND: In November 2016, the voters of Virginia approved a State Constitutional amendment allowing the General Assembly to pass legislation authorizing (but not mandating) localities to exempt from real estate taxation the surviving spouse of any such person who is killed in the line of duty. At its 2017 session, the General Assembly approved legislation authorizing localities to enact the exemption. Councilman Frenier would like for Council to discuss creating the exemption.

BUDGET/FINANCIAL IMPACT:

Funding for this item was included not included in the current-year budget N/A

RECOMMENDATION:

Discuss whether the City Attorney should draft an ordinance providing for the exemption.

ATTACHMENTS:

None.

- Staff will be making a detailed presentation on this agenda item at the meeting.
- Staff will provide brief comments and answer questions on this item at the meeting.
- This is a routine procedural item and no presentation is planned for the meeting.

Councilmembers who have any detailed questions or would like to request additional information regarding this item are encouraged to contact the City Manager at their earliest convenience.