

CITY OF COLONIAL HEIGHTS, VIRGINIA
City Council Retreat
Friday & Saturday, January 27-28, 2017
Captain Todd Lighthouse Suite, Smithfield Station
Smithfield, Virginia

Friday, January 27, 2017

I. Call to Order

The following members of City Council and City Staff were present for the Friday Session:

Present: **The Honorable Michael A. Cherry**
 The Honorable Kenneth B. Frenier
 The Honorable W. Joe Green, Jr.
 The Honorable John E. Piotrowski
 The Honorable John T. Wood (arrived late)
 The Honorable Elizabeth G. Luck , Vice Mayor
 The Honorable T. Gregory Kochuba, Mayor
 Mr. Hugh P. Fisher, III, City Attorney/Acting City Manager
 Ms. Tomeka M. Smith, Acting Director of Finance
 Mrs. Pamela B. Wallace, City Clerk
 Mr. William E. Johnson, Acting Deputy Director of Finance
 Mr. Douglas E. Smith, Newly Appointed City Manager

The meeting was called to order by Mayor Kochuba at 2:04 p.m. Mayor Kochuba thanked Mr. Fisher and Mr. Johnson for their input and coordination of the Agenda. Mayor Kochuba welcomed newly appointed City Manager Doug Smith, and stated that his role at the Retreat was to absorb the information and observe the process.

II. Items for Brief Discussion

A. Employees' Holiday Vacation Schedule

Council reviewed the holiday schedule provided in their packet. After review of the schedule and brief discussion of state holidays, it was the decision of Council to continue with the current Holiday Schedule.

B. Definition of "Companion Animals" and Exotic Animals and Birds

It was the decision of Council to allow the Advisory Board to Council to consider any requests for permits for additional companion animals over 4. There was no further discussion to define "Companion Animals" and exotic animals and birds.

C. City Decal Enforcement

With a vote of 6-1, Council agreed to continue with the current City Decal process and also expressed its agreement with school personnel's distribution of flyers to those who did not have a City decal displayed on their windshield.

Vote: 6-1
Yes: Frenier
Green
Piotrowski
Wood
Luck
Kochuba
No: Cherry
Abstain: None
Absent: None
Motion PASS

D. Microphones and Sound System in Council Chambers

After brief discussion and comments of Mr. Green regarding the need for this item, it was the decision of Council to have Mr. Green and Mrs. Wallace look further into this matter.

E. More Sidewalks on Conduit Road

Mrs. Luck provided Council with a letter received from a constituent requesting Council's consideration of additional sidewalks on Conduit Road near the High School. After brief discussion and comments, a unanimous vote was made by Council to have Chuck Henley, Director of Public Works, investigate grant options to extend the sidewalks along the noted area.

F. A "Truck Account" for the Fire & EMS Department

Mr. Frenier provided background information on the "Truck Account", after which Mr. Johnson stated there was approximately \$135,000 in the account. After some discussion, Council agreed that further consideration would be part of the CIP/Budget process.

G. Improving the Front Yard of 218 Highland Avenue

Mr. Frenier requested Council's consideration of improvements to the yard at 218 Highland Avenue; specifically, the addition of "crush and run" gravel. Mr. Frenier stated this would allow additional parking for City Vehicles, which would

free up more spaces for employee and visitor parking in the City Hall parking lot. With a vote of 7-0, it was the decision of Council to receive an estimate for crush and run gravel to be placed in the yard of 218 Highland Avenue.

H. Expediting the Brookedge Drive and Spring Drive Drainage Projects

After providing brief background information on the projects, Mr. Frenier stated that it was his desire to see the projects moved further up on the CIP list. Mr. Green concurred with Mr. Frenier and stated he would like to see them moved up to at least number five. Mr. Fisher stated that it was his recollection that these projects had indeed been moved up a number of spaces, and he felt the CIP should be considered by the new City Manager before moving the projects any further.

III. Parking of RVs, Campers, Boats and Trailers in Residential Districts

Mr. Fisher provided background information on proposed Ordinance No. 16-29, after which time the floor was opened to comments and discussion.

After lengthy discussion of Section 286-518.05 - Parking of Commercial Vehicles, Recreational Vehicles, Utility Trailers, Boats, and Campers in Residential Districts, Council voted on the following:

- A motion and second were made to amend such section to allow one tractor in residentially zoned districts in the side or rear yard.

Vote: 3-4
Yes: Cherry
Frenier
Green
No: Piotrowski
Wood
Luck
Kochuba
Abstain: None
Absent: None
Motion FAIL

- Next, a motion and second were made to allow vehicles specified in paragraph B of Section 286-518.05 to be parked in the front driveway, as well as in the side or rear yard of the property.

Vote: 3-4

Yes: Cherry
Frenier
Green
No: Piotrowski
Wood
Luck
Kochuba
Abstain: None
Absent: None
Motion FAIL

- After a motion and second, Mr. Green moved to allow vehicles specified in paragraph C of Section 286-518.05 to be parked in the front plane of the property on a driveway.

Vote: 4-3
Yes: Cherry
Frenier
Green
Piotrowski
No: Wood
Luck
Kochuba
Abstain: None
Absent: None
Motion PASS

IV. Break

Council recessed for a 15-minute break.

V. Economic Development Strategic Plan (Budget Considerations)

Mayor Kochuba thanked Karen Epps, Director of Economic Development, for her efforts in preparing the Strategic Plan and for attending the Retreat to discuss the Plan. At the suggestion of Mrs. Epps and the concurrence of Mayor Kochuba, Mrs. Epps went through each page of the plan, answering questions presented by Council. At the conclusion of the presentation, by a vote of 6-1, Mr. Wood being the dissenting vote, Council approved the Economic Development Strategic Plan as a concept without approving funding for any specific initiatives within the plan.

VI. “Blue Law” Issues

A. Hours for Beer and Wine Sales

Both Mr. Cherry and Mr. Green provided information on how the current ordinance was negatively affecting certain restaurants and stated their support of changing the City Code to follow the State Code. After lengthy discussion, Council voted to change the City Code to allow beer and wine to be sold until 2:00 AM on Sunday, on premises; and to allow wine and beer to be sold on premises from 6:00 AM Sunday to 2:00 AM Monday.

Vote: 6-0-1
Yes:
Cherry
Green
Piotrowski
Wood
Luck
Kochuba
No: None
Abstain: Frenier
Absent: None
Motion PASS

B. Alcohol Consumption on Certain City Property

After lengthy discussion whether or not to allow alcohol consumption on City property during festivals, promotional events, etc., Council voted to allow alcohol consumption in City parks and playgrounds by permit only.

Vote: 4-2-1
Yes:
Cherry
Green
Wood
Luck
No: Piotrowski
Kochuba
Abstain: Frenier
Absent: None
Motion PASS

VII. Financial Update

Ms. Smith provided detailed information relative to the City's financial standing. There were no questions from Council and no action taken.

VIII. Break for Dinner

Council convened for dinner at 6:00 PM to the Smithfield Station Restaurant

IX. Reconvene for Evening Session

Council reconvened in the Captain Todd Executive Suite at 7:35 PM.

X. Update on Improvements to Roundabout

Mayor Kochuba provided information on the landscape architectural design proposals received by staff for the roundabout project and reminded Council of the guidelines which must be adhered to in order to comply with VDOT standards. After much discussion, Council voted to limit the cost of the landscape architectural design plan for the Temple Avenue Roundabout to no more than \$25,000.

Vote: 5-2
Yes: Frenier
Piotrowski
Wood
Luck
Kochuba
No: Cherry
Green
Abstain: None
Absent: None
Motion PASS

XI. Status of Phase IV of the Appomattox River Greenway Trail (Budget Considerations)

Mr. Fisher provided Council with an update on the reason for the delay of Phase IV of the trail project and advised that staff had been diligent in their efforts to communicate with VDOT. It was the consensus of Council for Mr. Fisher to request a meeting with VDOT District Officials to resolve further delay in starting the Phase IV project.

XII. Pay Out of Accrued Employee Sick Leave (Budget Considerations)

There was considerable discussion of payout of accrued employee sick leave. Council requested that staff determine what the cost to the City would have been if retirees, over the last three years, had an \$8,000 sick leave payout maximum.

XIII. Recess

At the conclusion of the discussion for the evening, Mayor Kochuba recessed the meeting until 9:00 AM Saturday morning.

Saturday, January 28, 2017

I. Breakfast (*Smithfield Station Restaurant*) and Hotel Check-Out

Council assembled in the hotel restaurant for breakfast before reconvening in the Captain Todd Executive Suite.

II. Reconvene/Call to Order (*Captain Todd Executive Suite in the Lighthouse*)

Mayor Kochuba called the meeting to order at 9:04 AM.

Present:

Mr. Cherry
Mr. Frenier
Mr. Green
Mr. Piotrowski
Mr. Wood (arrived late)
Mrs. Luck, Vice Mayor
Mr. Kochuba, Mayor
Mr. Fisher, City Attorney/Acting City Manager
Ms. Smith, Acting Director of Finance
Mr. Johnson, Acting Deputy Director of Finance
Mrs. Wallace, City Clerk
Mr. Doug Smith, Newly Appointed City Manager

III. Budget Issues (including Violet Bank Funding)

Mr. Johnson and Ms. Smith discussed numerous budget items. Upon conclusion of Mr. Johnson's presentation, Mr. Green updated Council on the Historical Commission's progress relative to the Courthouse Display Project. At the conclusion of Mr. Green's presentation, it was the consensus of Council, upon roll call, to approve \$5,000 for Phase II of the Historical Commission's Courthouse Display Project.

Continuing with discussion relative to Violet Bank, Mr. Green expressed the need for improvements to the interior of Violet Bank and provided photographs of water damage to the interior of the structure. There was lengthy discussion during which time members of Council determined that the \$100,000 allocated last year for matching funds were to be changed to non-matching funds, but fund

available and allocated for Council approved facility improvements to the primary Violet Bank building. If more funding was needed, that would be considered at a future time when more detailed information was provided.

IV. New Contract for Solid Waste Collection

Mr. Fisher provided background information relative to the proposed contract and advised that two additional bids had been received in addition to that of the current contractor; and the two other bids which were considerably higher. Mr. Fisher noted that the proposed contract between CVWMA and CFS provides for a substantial rate increase to the City. After much discussion, Council voted to pass any increase on to City residents.

Vote: 7-0
Yes: Cherry
Frenier
Green
Piotrowski
Wood
Luck
Kochuba
No: None
Abstain: None
Absent: None
Motion UNANIMOUS PASS

V. Break

Council recessed for a 15 minute break.

VI. Assistant City Manager Position

Mayor Kochuba provided background information and his thoughts on the idea for an Assistant City Manager. Council agreed by consensus, that if an Assistant City Manager position was created, the position should be filled by a Department Director rather than creating an entirely new position. After much discussion, Council voted to allow the new City Manager to evaluate the need for and duties to be assigned for an Assistant City Manager.

Vote: 6-1
Yes: Cherry
Frenier
Green
Piotrowski

Luck
Kochuba
No: Wood
Abstain: None
Absent: None
Motion PASS

VII. Council and Staff Concerns for the City Manager and Closed Meeting

Mr. Frenier advised that he had learned from the Colonial Heights Chamber of Commerce that it was planning two outdoor concerts to be held in the parking lots at Pickwick and Colonial Square. Mr. Frenier stated these events would include bands and food vendors and asked if a variance could be granted to such vendors, because the City does not allow food trucks. After much discussion, Council approved (7-0) the concept of allowing food trucks to attend specific events with a permit. This was approved as a concept, and Council agreed to consider a specific proposal at a Work Session.

Mr. Frenier asked if Council would consider presenting a “Welcome Plaque” to new businesses at their grand openings or ribbon cuttings. Council agreed this should be turned over to Karen Epps, Director of Economic Development.

Mr. Johnson provided information on the donations received with regard to improvements to the Animal Shelter, advising there was a \$70,000 shortfall. Mr. Johnson stated that approximately \$75,000 was needed to fully fund the shelter improvements and that the Police Department had \$35,000 to \$40,000 in the salary line item due to a retirement. Council voted to move the approximately \$40,000 from the Police Department line item and the additional funds from contingencies to total \$75,000.

Vote: 6-1
Yes: Cherry
Frenier
Green
Piotrowski
Luck
Kochuba
No: Wood
Abstain: None
Absent: None
Motion PASS

Additional items were discussed, but no action was considered or taken by Council.

A. Mr. Fisher announced that Council needed to go into a closed meeting pursuant to the Code of Virginia in accordance with the following provisions:

- **Paragraph A.1 of Section 2.2-3711, to discuss and consider the assignment and performance of the City Manager.**
- **Paragraph A.7 of Section 2.2-3711, to consult with legal counsel employed by a public body regarding a specific legal matter – i.e., prayer at Council meetings – requiring the provision of legal advice by such counsel.**

A motion was made by Mr. Cherry, seconded by Mr. Piotrowski, for Council to go into a closed meeting.

Vote: 7-0
Yes: Cherry
Frenier
Green
Piotrowski
Wood
Luck
Kochuba
No: None
Abstain: None
Absent: None
Motion UNANIMOUS PASS

B. Vote to come back into open session

A motion to reconvene in open session was made by Mr. Frenier, seconded by Mr. Piotrowski.

Vote: 7-0
Yes: Cherry
Frenier
Green
Piotrowski
Wood
Luck
Kochuba
No: None

Abstain: None
Absent: None
Motion UNANIMOUS PASS

As stated by the City Attorney/Acting Manager, Council was in a closed meeting pursuant to the Code of Virginia in accordance with the following provisions:

- **Paragraph A.1 of Section 2.2-3711, to discuss and consider the assignment and performance of the City Manager.**
- **Paragraph A.7 of Section 2.2-3711, to consult with legal counsel employed by a public body regarding a specific legal matter – i.e., prayer at Council meetings – requiring the provision of legal advice by such counsel.**

Mr. Fisher noted that Council needed to vote on 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.

Council members approved this certification without any stating departure from the requirements of clauses (i) and (ii), by the following roll call vote:

Vote: 7-0
Yes: Cherry
Frenier
Green
Piotrowski
Wood
Luck
Kochuba
No: None
Abstain: None
Absent: None
Motion UNANIMOUS PASS

C. Motions.

There were no motions for Council to consider.

VIII. Working Lunch and Recap

IX. Adjourn

There being no further business, a motion was made by Mr. Cherry, seconded by Mr. Piotrowski, and approved on voice vote (7-0) to adjourn the meeting. The meeting was adjourned at 1:00 PM.

APPROVED:

T. Gregory Kochuba, Mayor

ATTEST:

Pamela B. Wallace, City Clerk