

**CITY OF COLONIAL HEIGHTS, VIRGINIA**  
**Regular Meeting of City Council**  
**Tuesday, February 14, 2017**

**1. Call to Order**

**The Regular Meeting of City Council was called to order by Mayor Kochuba 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 Michael A. Cherry  
Councilman Kenneth B. Frenier  
Councilman W. Joe Green, Jr.  
Councilman John T. Wood  
Vice Mayor Elizabeth G. Luck  
Mayor T. Gregory Kochuba

**Absent:** Councilman John E. Piotrowski

**Also Present:** Mr. Hugh P. Fisher, III, City Attorney/Acting City Manager  
Mrs. Tomeka M. Smith, Acting Director of Finance  
Dr. C. Scott Davis, Director of Planning  
Col. Jeffrey W. Faries, Police Chief  
Mr. A. G. Moore, Fire Chief  
Mr. Craig Skalak, Director of Parks and Recreation  
Ms. Jennifer N. Carpenter, Director of Human Resources  
Mr. William E. Henley, Director of Public Works

**3. Devotion**

**A devotional prayer was led by Mr. Wood.**

**4. Pledge of Allegiance**

**The Pledge of Allegiance was led by Mayor Kochuba.**

**Mayor Kochuba recognized and welcomed Mrs. Angie Woody, School Board Vice Chair.**

**5. Adoption of Agenda**

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**At the request of Mayor Kochuba, a motion was made by Mr. Green, seconded by Mr. Frenier, to approve the agenda as presented.**

**Vote: 6-0**

**Yes: Cherry  
Frenier  
Green, Jr.  
Wood  
Luck  
Kochuba**

**No: None**

**Absent: Piotrowski**

**Abstained: None**

**Motion: UNANIMOUS PASS**

**6. Declarations of Personal Interest**

**A Declaration of Personal Interest was read by Mr. Frenier and filed with the Clerk.**

**7. Commendations and Presentations**

- A. Reaccreditation Presentation  
Presentation of Reaccreditation Certificate to the Colonial Heights Police Department.**
- B. Presentation of FY2015-2016 Annual Audit Report  
Presentation of FY2015-2016 Annual Audit Report by Travis Gilmer of Brown Edwards & Company, L.L.P.**

**8. Reading of Manner of Addressing Council.**

**The City Attorney read the Manner of Addressing Council.**

**9. Written Petitions and Communications**

- A. Request for Special Use Permit – Bonnie Patterson, 500 James Avenue**

**Ms. Patterson requested council approve the Special Use Permit until she was able to find a permanent residence. After lengthy discussion, it was the consensus of Council to deny the Special Use Permit.**

**Vote: 6-0**

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**Yes: Cherry  
Frenier  
Green, Jr.  
Wood  
Luck  
Kochuba**  
**No: None**  
**Absent: Piotrowski**  
**Abstained: None**

**Motion: UNANIMOUS PASS**

**Additional discussion ensued and it was the consensus of Council to allow Ms. Patterson 30 days from the present date to remove the animals from the current residence.**

**Vote: 6-0**  
**Yes: Cherry  
Frenier  
Green, Jr.  
Wood  
Luck  
Kochuba**  
**No: None**  
**Absent: Piotrowski**  
**Abstained: None**

**Motion: UNANIMOUS PASS**

**10. Advertised Public Hearing**

**There were none.**

**11. Hearing of Citizens Generally on Non-Agenda Items**

**There were none.**

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

- A. AN ORDINANCE NO 17-FIN-1  
(Second Reading) To amend the General Fund Budget for the fiscal year beginning July 1, 2016 and ending June 30, 2017, to appropriate funds in the aggregate amount of \$320,000, which consists of \$1,000**

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**in grant funding from the Walmart Foundation for K-9 expenses, a Walmart Foundation for the GoLead Program, and \$267,000 in proceeds from the sale of the former City Courthouse.**

**To amend the Capital Projects Fund Budget to appropriate \$317,000 from Kroger proceeds to stormwater outfall projects (\$267,000) and Animal Shelter Expansion (\$50,000)**

**B. January 24, 2017 Special meeting Minutes**

**C. January 27-28, 2017 Retreat Minutes**

**A motion was made by Mr. Green, seconded by Mrs. Luck, to approve the Consent Agenda as presented.**

**Vote: 6-0**

**Yes: Cherry  
Frenier  
Green, Jr.  
Wood  
Luck  
Kochuba**

**No: None**

**Absent: Piotrowski**

**Abstained: None**

**Motion: UNANIMOUS PASS**

**13. Introduction and Consideration of Ordinances and Resolutions**

**A. AN ORDINANCE NO 17-FIN-2**

**(First Reading) To amend the General Fund Budget for the fiscal year beginning July 1, 2016 and ending June 30, 2017, to appropriate funds in the aggregate amount of \$72,906, which consists of \$43,330 Center and \$10,833 from Reserve – Senior Center for the purchase of a 14-passenger van; a total of \$6,493 in numerous donations for the animal shelter Expansion project; and a \$12,250 grant from the Virginia Department of Emergency Management for the State Homeland Security Program. A transfer of funds in the amount of \$40,000 in salary lapse from Police Salaries and wages and \$30,000 from contingencies to Capital Project for completion of the Animal shelter Expansion project will also be made.**

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**To amend the Capital Improvement Budget for the fiscal year beginning July 1, 2016 and ending June 30, 2017, too appropriate funds in the aggregate amount of \$76,493 for the Animal shelter Expansion from General Funds transfers.**

**A motion was made by Mr. Green, seconded by Mrs. Luck, to adopt Ordinance No. 17-FIN-2.**

**Mr. Fisher stated, that although the ordinance was self-explanatory, the grant from the Crater District Area Agency on Agency specified an 80/20 split whereby the agency provides% of the funding. Additionally, the smaller contribution for the Animal Shelter consisted of numerous donations from private individuals. Continuing, Mr. Fisher stated that Chief Faries, with support from management, has recommended that \$40,000 be taken from the Police Salary line item for allocation to the Animal Shelter since Animal Control is within the Police Department’s budget. Mr. Fisher stated that \$30,000 from contingencies would be added to the \$40,000 to ensure funding for the Animal Shelter.**

**Mr. Green stated he was pleased that the City was able to “pick up the slack” to make adjustments. He also stated that the improvements were needed and housing for the animals should be adequate and felt these improvements would accommodate that.**

**Mrs. Luck stated she was happy to see available funding for both the senior citizen van and the Animal Shelter.**

**Mr. Wood stated that the senior citizen van was greatly utilized and served a number of people, which otherwise, would not be able to have any mobility. Mr. Wood agreed that the van did need to be replaced and commended Mr. Skalak for his efforts relative to transportation for the city’s senior population.**

**Vote: 6-0**  
**Yes: Cherry**  
**Frenier**  
**Green, Jr.**  
**Luck**  
**Kochuba**  
**No: Wood**  
**Absent: Piotrowski**  
**Abstained: None**

**Motion: UNANIMOUS PASS**

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After the vote, Mrs. Glazier approached the lectern and provided comments relative to funding and improvements to the Animal Shelter. Mrs. Glazier thanked Council for their consideration and stated that the community's animals needed the shelter and continued by addressing Mr. Wood's concerns relative to the continued growth of the animal population by providing information about outside spay/neuter program. In an effort to continue funding for the Animal Shelter, Mrs. Glazier provided information on future plans for a Memorial Garden at the shelter to increase funds and support the shelter. Mrs. Glazier stated that the SPCA had been very supportive financially, and active in the shelter's efforts regarding the spaying and neutering of cats and dogs.

**14. Unfinished Business, Contested Ordinances and Resolutions, And Items Removed From the Consent Agenda.**

There was no unfinished business.

**15. Reports of Officers and Documents Related Thereto.**

**A. City Manager**

**1. Discussion of Sick Leave Payout Calculation**

Mr. Fisher recalled discussion of this item at the Council Retreat stating he had requested Council consider possibly increasing the amount of sick leave payout for eligible employees. Mr. Fisher reminded Council that the city statute currently states the city payout, upon retirement, to those employed for a minimum of five years with completed VRS paperwork, is 25% of an employee's accrued sick leave with a maximum of \$4,000. Mr. Fisher stated he had indicated to Council that he felt this was somewhat unfair to employees who had accrued large amounts of sick time during their tenure and it made sense to him to possibly double the amount, increasing the cap to \$8,000. Mr. Fisher advised of tables provided by the Finance Department which were included in their Council packet and asked that Council note how few employees would actually be affected making the payout amount relatively small. Clarifying, Mr. Fisher stated that this was only one quarter of accrued sick leave up to the cap, which only applies to permanent, full-time employees. Additionally, Mr. Fisher clarified that the payout was only made upon retirement and would correct, what he viewed, as an inequity for those employees who did not use much sick leave.

Mr. Fisher addressed Council's questions and concerns relative to any additional changes to the budget to accommodate the proposed increase. Positive discussion ensued with Council providing unanimous support for the increase. Mr. Fisher advised he would draft the change for presentation of the ordinance on first reading at the March 14 meeting.

**2. Capital Project Planning by the Appomattox River Water Authority**

**Review and discuss current capital project planning by ARWA and the implications for the City.**

**Mr. Fisher directed Council's attention to the Executive Summary prepared by Mr. Henley relative to capital planning issues involving the Appomattox River Water Authority as well as decisions its Board of Directors will be facing. Mr. Fisher advised that the treatment plant would be undergoing renovations but did not feel this was a controversial matter. Mr. Fisher also advised of the proposed Branders Bridge Pump Station, an approximate \$4 million structure; which was the subject of mediation involving Prince George, Chesterfield and Colonial Heights – the three regions impacted by the pump station. Mr. Fisher advised the three localities could not reach an agreement relative to the localities portion of funding for the \$4 million project. Mr. Fisher stated that a mediator was engaged by the Water Authority in an effort to negotiate among the authority members; the mediation failed. Mr. Fisher stated that Mr. Henley's information dealt at length with the possible raising of the Brasfield Dam at Lake Chesdin. In summary, Mr. Fisher stated that the General Assembly in 2013 approved a \$5 million grant to ARWA for increased water capacity. Mr. Fisher stated that an amendment was made to the grant which stipulated that as of June 30, 2017, the Board of Directors of the Authority must agree to accept to raise the dam or the \$5 million would be void. Mr. Fisher advised there was a chance that the deadline would be extended to June 30, 2018, but advised that Council should not count on that.**

**Mr. Fisher asked that Council take note of the additional information Mr. Henley was prepared to present, so that they could discuss further to determine what action to take.**

**Mr. Henley stated that Mr. Fisher had summarized the issue quite well and advised that this discussion was timely due to an upcoming special meeting of the ARWA Board of Directors, and he was fairly confident this item would be included on the agenda. Referencing the possibility of the grant funding expiring, Mr. Henley stated he was of the opinion that the operation and management of a regional water supply should be conducted in an ultra-conservative and cautious manner. Mr. Henley stated that the greatest beneficiary of the raising of the dam would be undoubtedly, Chesterfield County, but due to the stipulations set forth by the legislature, the ARWA Board of Directors wishes to approve the project whether the locality participates or not. Mr. Henley continued to provide Council with background information but specifically pointed out that the City of Colonial Heights was the ARWA member which used most of its allocation of water capacity and provided comments relative to usage projections. Mr. Henley stated that staff was seeking Council's direction as to how they felt about supporting a project to**

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raise the dam and whether or not the City would participate in such a project in the future.

Mr. Henley stated these types of projects were projects with long-time horizons. Mr. Henley believed that the time frame would be approximately 10 to 15 years to complete; which is much longer than the approximate six years estimated by the Executive Director of ARWA.

After Mr. Henley addressed multiple questions relative to cost and effect of the dam raising, Mayor Kochuba asked for an informal vote of Council, if they were in agreement with ARWA pursuing the \$5 million grant as long as the City of Colonial Heights was not bound to any financial responsibility for the project.

**Vote: 6-0**  
**Yes: Cherry**  
**Frenier**  
**Green, Jr.**  
**Luck**  
**Kochuba**  
**No: Wood**  
**Absent: Piotrowski**  
**Abstained: None**

**B. City Attorney**

Mr. Fisher recalled the Council's authorization of up to \$25,000 for a landscape plan for beautification of the Roundabout. Mr Fisher stated the contract had been received and signed and was moving forward. Mr. Henley stated that he anticipated a concept plan from the architect within a month and hoped to present that plan to Council at the next regular meeting.

Mr. Fisher stated staff was proceeding with the execution of deeds for the Lakeview Modernization Project. Mr. Fisher reported that not much right-of-way was having to be acquired; therefore, there was far less contention associated with the project than the Dupuy Avenue project. To date, there were no "hold-outs" relative to the signing of deeds and compensation agreements presented to property owners.

As a follow-up to Mrs. Luck's request following a letter from a constituent relative to Conduit Road sidewalks, Mr. Fisher stated that he had spoken to Mr. Henley and it was his understanding that this project may be eligible for transportation assistance from VDOT. Mr. Fisher advised that Mr. Henley would submit such a request in the fall.



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**Mr. Fisher advised Council that the Engineering Division was now fully staffed for the first time in several years.**

**Mr. Fisher stated he did not know of enough items to warrant a February Work Session, but asked if there were any items which Council felt needed to be addressed at a Work Session. It was the consensus of Council to skip the February Work Session.**

**Addressing Mr. Frenier's question relative to the progression of the Dupuy Avenue Project, Mr. Fisher stated that the City's outside legal counsel had filed approximately eight condemnation petitions to obtain the property which the City has not received voluntarily, with a court date set in the near future.**

**C. Director of Planning and Community Development**

**Dr. Davis had nothing to report this month.**

**16. Consideration of Claims**

**17. Adjournment**

**There being no further comments, a motion was made by Mrs. Luck, seconded by Mr. Cherry, to adjourn the meeting. The motion was carried unanimously by voice vote at 8:47 P.M.**

**APPROVED:**

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**T. Gregory Kochuba, Mayor**

**ATTEST:**

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**Pamela B. Wallace, City Clerk**