

**CITY OF COLONIAL HEIGHTS, VIRGINIA**  
**Regular Meeting of City Council**  
**Tuesday, April 10, 2018**

**1. Call to Order**

**The Regular Meeting of City Council was called to order by Mayor Kochuba at 7:11 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 John E. Piotrowski  
Councilman John T. Wood  
Councilwoman Elizabeth G. Luck  
Mayor T. Gregory Kochuba

**Absent:** Councilman W. Joe Green, Jr.

**Also Present:**  
Mr. Douglas E. Smith, City Manager  
Mr. Hugh P. Fisher, III, City Attorney  
Mrs. Kelly M. Hall, Acting Director of Planning  
Col. Jeffrey W. Faries, Police Chief  
Mr. A. G. Moore, Fire Chief  
Mr. Craig Skalak, Director of Parks and Recreation  
Mrs. Sheila Minor, Director of Finance  
Mrs. Eileen Brown, Director of Youth and Human Services  
Mr. Gray Collins, Commonwealth's Attorney

**3. Devotion**

**A devotional prayer was led by Mrs. Luck.**

**4. Pledge of Allegiance**

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

**5. Adoption of Agenda**

**A motion was made by Mr. Cherry, seconded by Mr. Piotrowski, to approve the agenda as presented.**

**Regular Meeting Minutes**

**April 10, 2018**

**Page 2**

**Vote: 6-0**  
**Yes: Cherry**  
**Frenier**  
**Piotrowski**  
**Wood**  
**Luck**  
**Kochuba**  
**No: None**  
**Absent: Green, Jr.**  
**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. A PROCLAMATION**  
**Designating the month of April 2018 as *Child and Youth Month* in the City of Colonial Heights, Virginia.**

**Mrs. Lynn Norton, President of the American Legion Auxiliary Post 284, and several members of the Auxiliary received the Proclamation from Mayor Kochuba.**

- B. A PROCLAMATION**  
**Designating the month of April 2018 as *Child Abuse Prevention Month* in the City of Colonial Heights, Virginia.**

**Mrs. Eileen Brown, Director of Youth and Human Services, received the proclamation on behalf of her department.**

- C. Presentation of GFOA Certificate of Achievement for Excellence in Financial Reporting.**

**Mayor Kochuba recognized Mrs. Tomeka Smith, Assistant Finance Director, for her efforts and preparation in financial reporting resulting in the city receiving the GFOA Certificate of Achievement in Financial Reporting. Mrs. Smith confirmed that this was the 38<sup>th</sup> year in a row that the City had received this award.**

- D. Presentation of the City Manager's Proposed FY 2018-2019 Operating Budget.**

**Regular Meeting Minutes**

**April 10, 2018**

**Page 3**

**Mr. Smith provided brief comments after which time he introduced Mrs. Minor, who provided highlights of the 2018-2019 Annual Operating Budget. The budget will be discussed and reviewed in its entirety at the April 17, 2018 Work Session/Special meeting.**

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

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

**Mayor Kochuba recognized Drs. Agrawal and Browder from the School Board.**

**9. Written Petitions and Communications**

**A. Request for Special Use Permit**

**Bethany Linden, 308 Orange Avenue, requests a Special Use Permit to allow one additional companion animal.**

**Vote: 6-0**

**Yes: Cherry**

**Frenier**

**Piotrowski**

**Wood**

**Luck**

**Kochuba**

**No: None**

**Absent: Green, Jr.**

**Abstained: None**

**Motion: UNANIMOUS PASS**

**10. Advertised Public Hearing**

**A. AN ORDINANCE NO 18-6**

**(First Reading) Adding § 258-16-04 to Chapter 258, Taxation, of the Colonial Heights City Code; which exempts from taxation the real property of the surviving spouse of a law enforcement officer, firefighter, or emergency medical services employee who is killed in the line of duty, if the surviving spouse occupies the real property as his principal place of residence.**

**A motion was made by Mr. Cherry, seconded by Mr. Frenier, to approve Ordinance No. 18-6.**

**Regular Meeting Minutes**

**April 10, 2018**

**Page 4**

**Mr. Fisher stated at the request of Mrs. Luck, he added that the deceased has to be employed by the City of Colonial Heights in order for the spouse to receive the benefit. Additionally, the exemption does not apply if the surviving spouse was to remarry or cease to use the residence as the principal place of residence. Finally, the exemption applies only to the amount of the real estate that is the average assessed value for single family residential structures for the year.**

**There was no public comment.**

**Council comments:**

**Mr Frenier noted that currently there was no one who was eligible for this benefit and he hoped that no one would ever have to take advantage of this benefit.**

**Mr. Wood stated that generally, he was not in favor of creating categories such as the proposed action, but felt the community must act as a community by taking care of their own. Mr. Wood stated he did not feel this would have a substantial financial impact.**

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

**Motion: UNANIMOUS PASS**

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

**Dr. Wayne Browder, 1317 Oakwood Drive – Dr. Browder spoke of the lack of code enforcement relative to the removal of trash cans from City right-of-way and trailers parked in the street. Dr. Browder stated he had previously spoken to Council members regarding this issue.**

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

**A. AN ORDINANCE NO 17-31**

**Regular Meeting Minutes**

**April 10, 2018**

**Page 5**

**(Second Reading) To grant a special use permit to Lewis and Christy Archileti to allow agricultural use and accessory structures without a primary structure on parcel identification number 67051500002, also known as Lot 2, Pearson, containing 88± acres and being zoned PUD – Planned Unit Development.**

- B. December 12, 2017 Regular Meeting Minutes**
- C. February 13, 2018 Regular Meeting Minutes**
- D. February 20, 2018 Special Meeting Minutes**
- E. March 13, 2018 Special Meeting Minutes**

**A motion was made by Mr. Cherry, seconded by Mr. Piotrowski, to approve the Consent Agenda as presented.**

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

**Motion: UNANIMOUS PASS**

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

- A. A RESOLUTION NO 18-14**  
**Approving the Revised Travel Policy**

**A motion was made by Mr. Cherry, seconded by Mr. Wood, to adopt Resolution No. 18-14.**

**Both Mr. Smith and Mrs. Minor provided brief comments relative to the proposed changes to the Travel Policy.**

**Vote: 6-0**  
**Yes: Cherry**  
**Frenier**

**Regular Meeting Minutes**

**April 10, 2018**

**Page 6**

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

**Motion: UNANIMOUS PASS**

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

**A. AN ORDINANCE NO. 18-FIN-3**

**(Second Reading) To amend the General Fund Budget for the fiscal year beginning July 1, 2017 and ending June 30, 2018, to appropriate \$50,000 in reserved fund balance designated for the Petersburg Area Transit; to transfer \$6,000 from the City Council budget to the City Attorney's budget to cover an unexpected expenditure; and to transfer \$100,000 from contingencies to the operating transfers out line item.**

**To amend the Capital Projects Budget for the fiscal year beginning July 1, 2017 and ending June 30, 2018 to increase appropriations in the amount of \$500,000 for the construction of tennis courts at the High School.**

**A motion was made by Mr. Cherry, seconded by Mrs. Luck, to adopt Ordinance No. 18-3.**

**Mayor Kochuba noted that the reason for this item being discussed again was due to concerns by Councilmen Frenier and Wood relative to the City's funding of \$100,000.**

**Mr. Smith noted that since the last Council meeting, staff had amended the funding source and the amount would come from the Contingency Fund.**

**Addressing Mr. Frenier's question relative to the amount left in the Contingency Fund, Mrs. Minor stated, according to her spreadsheet, there was approximately \$40,000, but asked that she be allowed to verify that amount.**

**Vote: 6-0**  
**Yes: Cherry**  
**Frenier**

**Regular Meeting Minutes**

**April 10, 2018**

**Page 7**

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

**Motion: UNANIMOUS PASS**

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

**A. City Manager**

**1. General Activity Report**

**Mr. Smith reported that although he did not have an official date, he projected the opening date for Longhorn Steakhouse was mid-May.**

**Mr. Smith stated that some of the salary information associated with positions, which was part of the budget, had not been included in the final budget book; but, he assured Council this information would be provided once it was completed by staff.**

**Mayor Kochuba requested a copy of the charts and slides presented during the meeting.**

**Mr. Smith commended Mr. Fisher and Mrs. Hall for their efforts regarding bringing the City up-to-date with Chesapeake Bay compliance.**

**Mr. Smith advised he would provide Council with the Dates of Interest.**

**Addressing Mr. Piotrowski's question relative to the paving work on Old Town Drive, Mr. Smith stated that he could not answer at this time, but would update him once he spoke with Mr. Henley. Mr. Piotrowski stated he was not very happy with the job. Mrs. Luck stated she had received a call from a constituent who stated that the work that was done was not what was conveyed in the information residents had been provided.**

**Mr. Frenier stated in the past he had received similar comments and continued to explain that with slurry seal, it would be rough until the summer months; then, with the heat, it would become a smooth as asphalt.**

**B. City Attorney**

**Regular Meeting Minutes**

**April 10, 2018**

**Page 8**

**Mr. Fisher stated it was his hope to have a draft ordinance for the work session dealing with the Residential Real Estate Tax Abatement Program.**

**Mr. Fisher provided Council with an update stating that Mrs. Crockett of the Foot Center had filed a claim with the City, which was forwarded to the Virginia Municipal League for processing.**

**Additionally, Mr. Fisher asked Council to recall a suit filed against the City, members of Council, and a police officer, dealing with several counts; the main one being an abuse of process charge. Mr. Fisher reported that the City and Council had been dismissed with prejudice from all counts.**

**Lastly, Mr. Fisher reported another suit filed against the City in which the plaintiff was asking for \$1.5 million. Mr. Fisher stated he would keep Council apprised of the status of this action.**

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

**Mrs. Hall reported that the Planning Commission met, at which time five ordinances had been recommended for approval by Council. Additionally, Mrs. Hall reported that the Board of Zoning Appeals will meet on April 25.**

**16. Consideration of Claims**

**There were none.**

**17. Adjournment**

**A motion was made by Mr. Frenier, seconded by Mr. Cherry, to adjourn the meeting. The meeting was adjourned at 8:43 P.M.**

**APPROVED:**

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**T. Gregory Kochuba, Mayor**

**ATTEST:**



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**Pamela B. Wallace, City Clerk**