

CITY OF COLONIAL HEIGHTS, VIRGINIA
Special Meeting of City Council
Tuesday, April 23, 2019

1. Call to Order.

The Special Meeting of City Council was called to order by Mayor Kochuba at 6:00 P.M.

2. Roll Call.

Present: Councilman Kenneth B. Frenier
Councilman W. Joe Green, Jr.
Councilman John E. Piotrowski
Vice Mayor Elizabeth G. Luck
Mayor T. Gregory Kochuba

Absent: Councilman Michael A. Cherry
Councilman John T. Wood

Also Present: Mr. Douglas E. Smith, City Manager
Mr. Hugh P. Fisher, III, City Attorney
Mrs. Pamela B. Wallace, City Clerk

3. Declarations of Personal Interest

A Declaration of Personal Interest was read by Messrs. Green, Frenier, Piotrowski, Mayor Kochuba, and Mrs. Luck then filed with the Clerk.

The Clerk announced the purpose of the meeting.

4. Closed Meeting Pursuant to the Code of Virginia in Accordance with the following provisions:

- Paragraph A.8 of Virginia Code Section 2.2-3711, to consult with legal counsel employed by a public body regarding a specific legal matter – i.e., City representation on the Chesterfield – Colonial Heights Social Service Board – requiring the provision of legal advice by such counsel.

A motion to convene in a closed meeting was made by Mayor Kochuba, seconded by Mr. Piotrowski.

<u>Vote:</u>	5-0
Yes:	Frenier
	Green
	Piotrowski
	Luck
	Kochuba
No:	None

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Absent: Cherry
Wood
Abstained: None

UNANIMOUS PASS

5. Voice Vote – Come back into Open Session.

A motion to reconvene in open session was made by Mr. Cherry, seconded by Mr. Piotrowski, and carried unanimously on roll call vote at 9:11 P.M.

Vote: 5-0
Yes: Frenier
Green
Piotrowski
Luck
Kochuba
No: None
Absent: Cherry
Wood
Abstained: None

UNANIMOUS PASS

As stated by the Clerk, Council was in a closed meeting pursuant to the Code of Virginia in accordance with the following provision:

- **Paragraph A.8 of Virginia Code Section 2.2-3711, to consult with legal counsel employed by a public body regarding a specific legal matter – i.e., City representation on the Chesterfield – Colonial Heights Social Service Board – requiring the provision of legal advice by such counsel.**

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.

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

Vote: 5-0

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Yes:	Frenier Green Piotrowski Luck Kochuba
No:	None
Absent:	Cherry Wood
Abstained:	None

UNANIMOUS PASS

6. A Work Session on the following items:

A. Continuation of April 16, 2019 Budget Work Session

1. Discussion of Employee Pay Raises

Mr. Smith provided Council with an information sheet containing additional potential General Fund departmental budget adjustments to accommodate Council's request to add an additional 0.5% to the proposed 2.0% COLA for City employees. Additionally, Mr. Smith specifically noted two projects (Gateway Roundabout landscaping/irrigation and 911 Phone System hardware) suggesting to increase the transfer of unassigned fund balance instead of transferring from general fund revenues which would free up funding to cover the additional 0.5% COLA increase.

Addressing Mayor Kochuba's question relative to the requested PT position in Human Resources, Mr. Smith stated the cost of the position would be approximately \$13,000 for up to 25 hours per week to assist with filing demands and other demands of the department.

After much deliberation and discussion by Council and staff it was the consensus of those present to approve a 2.5% COLA for City employees for the upcoming 2019-2020 fiscal year.

2. Discussion on Part-Time Position in the Commonwealth Attorney's Office

It was the consensus of those Council members present to approve the request by the Commonwealth Attorney for the PT administrative position.

**3. A RESOLUTION NO 19-25
Adoption of the Fiscal Years 2020-2024 Capital Improvements Plan**

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A motion was made by Mr. Green, seconded by Mr. Piotrowski, to adopt Resolution No. 19-25.

There was no discussion.

Vote:	5-0
Yes:	Frenier
	Green
	Piotrowski
	Luck
	Kochuba
No:	None
Absent:	Cherry
	Wood
Abstained:	None

UNANIMOUS PASS

- 4. AN ORDINANCE NO 19-12
(First Reading) Amending Chapter 258, Taxation, of the Colonial Heights City Code by adding an Article IX, Cigarette Tax, to such chapter.**

A motion was made by Mr. Green, seconded by Ms. Luck, to adopt Ordinance No. 19-12.

There was no discussion.

Vote:	5-0
Yes:	Frenier
	Green
	Piotrowski
	Luck
	Kochuba
No:	None
Absent:	Cherry
	Wood
Abstained:	None

UNANIMOUS PASS

- 7. Reading of Manner of Addressing Council**

Mr. Fisher read the Manner of Addressing Council.

- 8. Advertised Public Hearings**

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- A. AN ORDINANCE NO 19-6
(First Reading) Providing for a levy on all real estate located in the City not exempt from taxation to be fixed at \$1.20 for the tax year commencing January 1, 2019, and ending December 31, 2019; and providing for a levy on all real estate located in the City not exempt from taxation to be fixed at \$1.20 for the tax year commencing January 1, 2020, and ending December 31, 2020, for general municipal purposes.**

A motion was made by Mr. Frenier, seconded by Mrs. Luck, to adopt Ordinance No. 19-6.

There were no public or Council comments.

<u>Vote:</u>	5-0
Yes:	Frenier Green Piotrowski Luck Kochuba
No:	None
Absent:	Cherry Wood
Abstained:	None

UNANIMOUS PASS

- B. AN ORDINANCE NO 19-7
(First 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, 2019; and for the tax year commencing January 1, 2020, and ending December 31, 2020; for general municipal purposes.**

A motion was made by Mr. Frenier, seconded by Mr. Green, to adopt Ordinance No. 19-7.

There were public or Council comments.

<u>Vote:</u>	5-0
Yes:	Frenier Green Piotrowski Luck Kochuba
No:	None
Absent:	Cherry

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Abstained: Wood
None

UNANIMOUS PASS

- C. AN ORDINANCE NO 19-8
(First 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, 2019; and for the tax year commencing January 1, 2020, and ending December 31, 2020, for general municipal purposes.**

A motion was made by Mayor Kochuba, seconded by Mr. Piotrowski, to adopt Ordinance No. 19-8.

There were no public or Council comments.

Vote: 5-0
**Yes: Frenier
Green
Piotrowski
Luck
Kochuba**
No: None
**Absent: Cherry
Wood**
Abstained: None

UNANIMOUS PASS

- D. AN ORDINANCE NO 19-9
(First Reading) Providing 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, 2019, and ending December 31, 2029; 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, 2020, and ending December 31, 2020, for general municipal purposes.**

A motion was made by Mrs. Luck, seconded by Mr. Piotrowski, to adopt Ordinance No. 19-9

There were no public or Council comments.

Vote: 5-0

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Yes: Frenier
Green
Piotrowski
Luck
Kochuba

No: None

Absent: Cherry
Wood

Abstained: None

UNANIMOUS PASS

- E. AN ORDINANCE NO 19-10**
(First Reading) Providing for a tax levy of \$2.00 on each \$100 of assessed value 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, 2010; and for the tax year commencing January 1, 2020, and ending December 31, 2020; for general municipal purposes.

A motion was made by Mrs. Luck, seconded by Mr. Piotrowski, to adopt Ordinance No. 19-10.

There were no public or Council comments.

Vote: 5-0

Yes: Frenier
Green
Piotrowski
Luck
Kochuba

No: None

Absent: Cherry
Wood

Abstained: None

UNANIMOUS PASS

- F. AN ORDINANCE NO 19-11**
(First 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.

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A motion was made by Mrs. Luck, seconded by Mr. Piotrowski, to adopt Ordinance No. 19-11.

Vote:	5-0
Yes:	Frenier
	Green
	Piotrowski
	Luck
	Kochuba
No:	None
Absent:	Cherry
	Wood
Abstained:	None

UNANIMOUS PASS

**G. AN ORDINANCE NO 19-13
(First Reading) To adopt a revised General Pay Plan Class and
Salary Range for Fiscal Year 2019-2020.**

A motion was made by Mr. Frenier, seconded by Mr. Piotrowski, to adopt Ordinance No. 19-13

There were no public or Council comments.

Vote:	5-0
Yes:	Frenier
	Green
	Piotrowski
	Luck
	Kochuba
No:	None
Absent:	Cherry
	Wood
Abstained:	None

UNANIMOUS PASS

**H. AN ORDINANCE NO 19-FIN-4
(First Reading) Adopting the General Fund Budget for the fiscal year
beginning July 1, 2019, and ending June 30, 2020, and appropriating the
estimated revenues for the year for the objects and purposes stated
herein.**

A motion was made by Mr. Frenier, seconded by Mrs. Luck, to adopt Ordinance No. 19-FIN-4, as amended.

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There were no public or Council comments.

Vote:	5-0
Yes:	Frenier
	Green
	Piotrowski
	Luck
	Kochuba
No:	None
Absent:	Cherry
	Wood
Abstained:	None

UNANIMOUS PASS

- I. AN ORDINANCE NO 19-FIN-5
(First Reading) Appropriating and providing funds for financing the City of Colonial Heights Public School Budget for the fiscal year beginning July 1, 2019 and ending June 30, 2020, and approving such budget.**

A motion was made by Mayor Kochuba, seconded by Mr. Piotrowski, to adopt Ordinance No. 19-FIN-5.

There were no public or Council comments.

Vote:	5-0
Yes:	Frenier
	Green
	Piotrowski
	Luck
	Kochuba
No:	None
Absent:	Cherry
	Wood
Abstained:	None

UNANIMOUS PASS

- J. AN ORDINANCE NO 19-FIN-6
(First Reading) Adopting the Recreation Activing Fund Budget for the fiscal year beginning July 1, 2019, and ending June 30, 2020, and appropriating the estimated revenues for the year for the principal purposes stated.**

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A motion was made by Mrs. Luck, seconded by Mr. Piotrowski, to adopt Ordinance No. 19-FIN-6.

There were no public or Council comments.

<u>Vote:</u>	5-0
Yes:	Frenier
	Green
	Piotrowski
	Luck
	Kochuba
No:	None
Absent:	Cherry
	Wood
Abstained:	None

UNANIMOUS PASS

- K. AN ORDINANCE NO 19-FIN-7
(First Reading) Adopting the Capital Projects Fund Budget for the fiscal year beginning July 1, 2019, and ending June 30, 2020, and appropriating the estimated revenues for the year for the principal purposes stated.**

A motion was made by Mayor Kochuba, seconded by Mrs. Luck, to adopt Ordinance No. 19-FIN-7.

There were no public or Council comments.

<u>Vote:</u>	5-0
Yes:	Frenier
	Green
	Piotrowski
	Luck
	Kochuba
No:	None
Absent:	Cherry
	Wood
Abstained:	None

UNANIMOUS PASS

- L. AN ORDINANCE NO 19-FIN-8
(First Reading) Adopting the Storm Water Fund Budget for the fiscal year beginning July 1, 2019, and ending June 30, 2020, and appropriating the estimated revenues for the year for the principal purposes stated.**

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A motion was made by Mrs. Luck, seconded by Mr. Piotrowski, to adopt Ordinance No. 19-FIN-8.

There were no public or Council comments.

<u>Vote:</u>	5-0
Yes:	Frenier
	Green
	Piotrowski
	Luck
	Kochuba
No:	None
Absent:	Cherry
	Wood
Abstained:	None

UNANIMOUS PASS

**M. AN ORDINANCE NO. 19-FIN-9
(First Reading) Adopting the Water and Sewer Fund Budget for the fiscal year beginning July 1, 2019, and ending June 30, 2020, and appropriating the estimated revenues for the year for the operating expenses stated.**

A motion was made by Mrs. Luck, seconded by Mr. Piotrowski, to adopt Ordinance No. 19-FIN-9, as amended.

There were no public or Council comments.

<u>Vote:</u>	5-0
Yes:	Frenier
	Green
	Piotrowski
	Luck
	Kochuba
No:	None
Absent:	Cherry
	Wood
Abstained:	None

UNANIMOUS PASS

**N. AN ORDINANCE NO 19-FIN-10
(First Reading) Adopting the Economic Development Authority Budget for the fiscal year beginning July 1, 2019, and ending June 30, 2020, and appropriating the estimated revenues for the year for the operating expenditures stated.**

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A motion was made by Mayor Kochuba, seconded by Mr. Piotrowski, to adopt Ordinance No. 19-FIN-10.

There were no public or Council comments.

<u>Vote:</u>	5-0
Yes:	Frenier
	Green
	Piotrowski
	Luck
	Kochuba
No:	None
Absent:	Cherry
	Wood
Abstained:	None

UNANIMOUS PASS

- O. Discussion and consideration of the proposed 2019-2020 City of Colonial Heights Annual Operating Budget**

A motion was made by Mrs. Luck, seconded by Mr. Piotrowski, to adopt the proposed 2019-2020 City of Colonial Heights Annual Operating Budget as amended.

There were no public comments.

Council Comments:

Mr. Smith clarified the transfer of funds from the Fund Balance to the CIP.

Mr. Green recalled the \$1M set aside for the proposed Multi-Modal Train Station and stated that the City would still receive revenue even if the location was determined to be Ettrick. Mr. Green stated he felt it would be fiscally responsible to withdraw the City's application.

<u>Vote:</u>	5-0
Yes:	Frenier
	Green
	Piotrowski
	Luck
	Kochuba
No:	None
Absent:	Cherry
	Wood
Abstained:	None

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Before adjournment, Mayor Kochuba noted the following upcoming events:

- **Police Department Awards**
- **Arbor Day Celebration**
- **City-Wide Clean-up**

9. Adjournment.

There being no further business, a motion to adjourn the Special Meeting was made by Mayor Kochuba, seconded by Mrs. Luck, and carried unanimously on voice vote at 7:38 P.M

APPROVED:

T. Gregory Kochuba, Mayor

ATTEST:

Pamela B. Wallace, City Clerk