

**CITY OF COLONIAL HEIGHTS, VIRGINIA**  
**Special Meeting of City Council**  
**Tuesday, May 8, 2018**

**1. Call to Order.**

**The Special Meeting of City Council was called to order by Mayor Kochuba at 5:45 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 (arrived at 6:15 P.M.)**

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

**The Clerk announced the purpose of the meeting.**

**3. Closed meeting pursuant to the Code of Virginia in accordance with the following provisions:**

- Paragraph A.1 of Virginia Code Section 2.2-3711, to discuss an appointment to the Historical Commission.**
- Paragraph A.5 of Section 2.2-3711, to discuss a prospective business – i.e., a large hospitality – oriented business considering a location in the Southpark Mall Area – where no previous announcement has been made of the business’ interest in locating its facilities in the community.**
- Paragraph A.8 of Section 2.2-3711, to consult with legal counsel employed by a public body regarding a specific legal matter – i.e., possible financial incentives for a business that is locating in the Southpark Mall Area – requiring the provision of legal advice by such counsel.**

**A motion to convene in a closed meeting was made by Mr. Frenier and seconded by Mr. Piotrowski.**

**Vote: 5-0  
Yes: Frenier  
Green  
Piotrowski**

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|                   |                                    |
|-------------------|------------------------------------|
|                   | <b>Luck</b>                        |
|                   | <b>Kochuba</b>                     |
| <b>No:</b>        | <b>None</b>                        |
| <b>Absent:</b>    | <b>Cherry</b>                      |
|                   | <b>Wood (arrived at 6:15 P.M.)</b> |
| <b>Abstained:</b> | <b>None</b>                        |

**Motion UNANIMOUS PASS**

**4. Voice Vote – Come back into Open Session.**

**A motion to reconvene in open session was made by Mrs. Luck, seconded by Mr. Piotrowski, and carried unanimously on roll call vote at 6:38 P.M.**

|                     |                   |
|---------------------|-------------------|
| <b><u>Vote:</u></b> | <b>6-0</b>        |
| <b>Yes:</b>         | <b>Frenier</b>    |
|                     | <b>Green, Jr.</b> |
|                     | <b>Piotrowski</b> |
|                     | <b>Wood</b>       |
|                     | <b>Luck</b>       |
|                     | <b>Kochuba</b>    |
| <b>No:</b>          | <b>None</b>       |
| <b>Absent:</b>      | <b>Cherry</b>     |
| <b>Abstained:</b>   | <b>None</b>       |

**Motion UNANIMOUS PASS**

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

- Paragraph A.1 of Virginia Code Section 2.2-3711, to discuss appointments to the Historical Commission.**
- Paragraph A.5 of Section 2.2-3711, to discuss a prospective business – i.e., a large hospitality – oriented business considering a location in the Southpark Mall Area – where no previous announcement has been made of the business’ interest in locating its facilities in the community.**
- Paragraph A.8 of Section 2.2-3711, to consult with legal counsel employed by a public body regarding a specific legal matter – i.e., possible financial incentives for a business that is locating in the Southpark Mall Area – 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**

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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:

|                   |                   |
|-------------------|-------------------|
| <b>Vote:</b>      | <b>6-0</b>        |
| <b>Yes:</b>       | <b>Frenier</b>    |
|                   | <b>Green</b>      |
|                   | <b>Piotrowski</b> |
|                   | <b>Wood</b>       |
|                   | <b>Luck</b>       |
|                   | <b>Kochuba</b>    |
| <b>No:</b>        | <b>None</b>       |
| <b>Absent:</b>    | <b>Cherry</b>     |
| <b>Abstained:</b> | <b>None</b>       |

**Motion UNANIMOUS PASS**

**5. Motions**

A motion was made by Mayor Kochuba, seconded by Mr. Frenier, for the following appointments:

**Historical Commission:**  
**Gray Collins**

|                   |                   |
|-------------------|-------------------|
| <b>Vote:</b>      | <b>6-0</b>        |
| <b>Yes:</b>       | <b>Frenier</b>    |
|                   | <b>Green, Jr</b>  |
|                   | <b>Piotrowski</b> |
|                   | <b>Green</b>      |
|                   | <b>Wood</b>       |
|                   | <b>Luck</b>       |
|                   | <b>Kochuba</b>    |
| <b>No:</b>        | <b>None</b>       |
| <b>Absent:</b>    | <b>Cherry</b>     |
| <b>Abstained:</b> | <b>None</b>       |

**Motion UNANIMOUS PASS**

**6. Adjournment.**

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**A motion to adjourn the Special Meeting was made by Mr. Frenier, seconded by Mr. Piotrowski, and carried unanimously on voice vote at 6:39 P.M.**

**APPROVED:**

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**T. Gregory Kochuba, Mayor**

**ATTEST:**

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**Pamela B. Wallace, City Clerk**