

**CITY OF COLONIAL HEIGHTS, VIRGINIA**  
**Special Meeting of City Council**  
**Tuesday, May 9, 2017**

**1. Call to Order.**

**The Special Meeting of City Council was called to order by Mayor Kochuba at 5:30 P.M.**

**2. Roll Call.**

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

**Absent:** Councilman John T. Wood (arrived late)

**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. Special Meeting for the purpose of holding a closed meeting pursuant to the Code of Virginia in accordance with the following provision:**

- Paragraph A.1 of Section 2.2-3711, to discuss appointments to the Economic Development Authority and the Senior Citizens Advisory Committee.
- Paragraph A.7 of Section 2.2-3711, to consult with legal counsel employed by a public body regarding a specific legal matter – whether to provide water and sewer service to persons not residing in or operating a business in Colonial Heights – requiring the provision of legal advice by such counsel.
- Paragraph A.7 of Section 2.2-3711, to consult with legal counsel employed by a public body regarding a specific legal matter – interpretation of contract documents executed between the City and Kroger Limited Partnership I – requiring the provision of legal advice by such counsel.

**A motion to convene in a closed meeting was made by Mr. Cherry and seconded by Mrs. Luck.**

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

**Special Meeting Minutes**

**May 9, 2017**

**Page 2**

	<b>Piotrowski</b>
	<b>Luck</b>
	<b>Kochuba</b>
<b>No:</b>	<b>None</b>
<b>Absent:</b>	<b>Wood (arrived late)</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 Mr. Cherry, seconded by Mrs. Luck, and carried unanimously on roll call vote at 6:44 P.M.**

<b><u>Vote:</u></b>	<b>7-0</b>
	<b>Cherry</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>None</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 provision:**

- Paragraph A.1 of Section 2.2-3711, to discuss appointments to the Economic Development Authority and the Senior Citizens Advisory Committee.**
- Paragraph A.7 of Section 2.2-3711, to consult with legal counsel employed by a public body regarding a specific legal matter – whether to provide water and sewer service to persons not residing in or operating a business in Colonial Heights – requiring the provision of legal advice by such counsel.**
- Paragraph A.7 of Section 2.2-3711, to consult with legal counsel employed by a public body regarding a specific legal matter – interpretation of contract documents executed between the City and Kroger Limited Partnership I – requiring the provision of legal advice by such counsel.**

**Consideration of the following certification:**

**Special Meeting Minutes**

**May 9, 2017**

**Page 3**

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:

<b>Vote:</b>	<b>7-0</b>
<b>Yes:</b>	<b>Cherry</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>None</b>
<b>Abstained:</b>	<b>None</b>

**Motion UNANIMOUS PASS**

**5. Motions**

A motion was made by Mr. Frenier, seconded by Mrs. Luck, for the following actions to Boards and Commissions:

Scott Wrenn – Removed from the Economic Development Authority  
Joyce Hicks – appointment to the Senior Citizens Advisory Committee

**6. Adjournment.**

A motion to adjourn the Special Meeting was made by Mrs. Luck, seconded by Mr. Piotrowski, and carried unanimously on voice vote at 6:47 P.M.

**APPROVED:**

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**T. Gregory Kochuba, Mayor**

**Special Meeting Minutes**  
**May 9, 2017**  
**Page 4**

**ATTEST:**

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**Pamela B. Wallace, City Clerk**