

CITY OF COLONIAL HEIGHTS, VIRGINIA
Regular Meeting of City Council
Tuesday, September 11, 2018

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 E. Piotrowski
Councilwoman Elizabeth G. Luck
Mayor T. Gregory Kochuba

Absent: 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. Devotion

A devotional prayer was led by Mr. Piotrowski.

4. Pledge of Allegiance

The Pledge of Allegiance was led by Mayor Kochuba.

5. Adoption of Agenda

A motion was made by Mayor Kochuba, seconded by Mr. Green, to amend the agenda as follows:

- Add D to Item 7
- Remove B from Item 12
- Add D to Item 13

Vote: 6-0
Yes: Cherry

**Frenier
Green, Jr.
Piotrowski
Luck
Kochuba
No: None
Absent: Wood
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. Recognizing Richard Cuevas of Colonial Heights for his participation and winning two gold medals and one bronze medal at the Special Olympic Games in Seattle, Washington.**
- B. New Employee Introductions
Introduction of new City employees hired by the Information Technology Department and Planning and Community Development Department.**
- C. Presentation of the Youth and Human Services Annual Report by Eileen Brown, Director of Youth and Human Services.**
- D. Briefing by Chief A. G. Moore on the City EMS EOC preparations for Hurricane Florence.**

8. Reading of Manner of Addressing Council.

Mr. Fisher read the Manner of Addressing Council.

9. Written Petitions and Communications

There were none.

10. Advertised Public Hearing

There were none.

11. Hearing of Citizens Generally on Non-Agenda Items

Ann Coffin, 923 Forestview Drive – Mrs. Coffin spoke of the recent article in the Progress Index that addressed unsightly properties in the City. Mrs. Coffin challenged Council, as the elected officials, to find a solution to bring closure to the conditions described in the article.

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

**A. AN ORDINANCE NO 18-28
(Second Reading) Awarding the Information Systems Coordinator a 6% bonus and awarding the Recreation Superintendent a 5% bonus.**

**B. AN ORDINANCE NO 18-30
(Second Reading) Finding that the dwelling and shed at 608 Hamilton Avenue are unsafe and constitute a public nuisance that violates the Virginia Maintenance Code and the Statewide Fire Prevention Code, and requesting correcting action.**

**C. AN ORDINANCE NO 18-FIN-11
(Second Reading) To amend the General Fund Budget for the fiscal year beginning July 1, 2018 and ending June 30, 2019, to increase appropriations in the aggregate amount of \$18,545, consisting of: 1) \$16,495 in additional state revenue from the Compensation Board for the Commonwealth Attorney resulting from the reclassification of two positions; and 2) \$2,050 in donations to the animal shelter.**

To amend existing Capital Projects' budgets as previously adopted by Council, by appropriating a net \$422,735 by 1) appropriating \$1,340,000 for four school capital projects and associated debt issuance costs; and 2) reducing appropriations by \$917,265 to \$0 for projects where current appropriations exceed available funding.

D. April 10, 2018 Regular Meeting Minutes

E. July 10, 2018 Regular Meeting Minutes

F. August 14, 2018 Special Meeting Minutes

G. August 28, 2018 Special Meeting Minutes

I. August 29, 2018 Special Meeting Minutes

A motion was made by Mr. Green, seconded by Mr. Frenier, to approve the consent agenda as presented.

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

Motion: UNANIMOUS PASS

13. Introduction and Consideration of Ordinances and Resolutions

- A. AN ORDINANCE NO 18-29
(First Reading) Amending §§ 32-1, 32-3, 32-6, and 32-13 of Chapter 32, Fire Department, of the Colonial Heights City Code by updating the Fire Department's title, including the provision of emergency medical services as a main departmental duty, and updating a Code of Virginia legal reference; and to amend Chapter 32 by adding a new § 32-14 relating to criminal background checks for employment applications.**

A motion was made by Mr. Cherry, seconded by Mrs. Luck, to adopt Ordinance No. 18-29.

Mr. Fisher stated that new legislation passed by the General Assembly allows any locality, which passes the appropriate ordinance, to allow its fire department to engage in fingerprinting. In addition, Mr. Fisher stated he made additional changes to the language in specific sections of the City Code as they related to the functions of the Department of Fire and EMS.

There were no additional comments from Council.

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

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

Motion: UNANIMOUS PASS

- B. AN ORDINANCE NO 18-FIN-14**
(First Reading) To amend the General Fund Budget for the fiscal year beginning July 1, 2017 and ending June 30, 2018, by transferring appropriations of 1) \$4,200 from the Circuit Court budget to the Board of Elections to cover employee leave payout; and 2) \$259,000 from the Contingency Fund to Health and Social Services for Comprehensive Services Act and Social Services expenditures.

To amend the Recreation fund Budget for the fiscal year beginning July 1, 2017 and ending June 30, 2018 by increasing expenditure appropriations by \$22,200 and revenue appropriations by \$13,500 to appropriate revenue collected for Senior Citizens programming that was spent during the fiscal year.

A motion was made by Mrs. Luck, seconded by Mr. Piotrowski, to adopt Ordinance No. 18-FIN-14.

Mr. Smith stated that the proposed ordinance reflected amendments to the previous year's budget. There were no questions from Council.

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

Motion: UNANIMOUS PASS

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- C. AN ORDINANCE NO 18-FIN-15**
(First Reading) To amend the General Fund Budget for the fiscal year beginning July 1, 2018 and ending June 30, 2019, to increase appropriations in the aggregate amount of \$149,374, consisting of 1) a \$2,000 donation from Walmart for K9 expenses to the Police Department; 2) a \$3,963 VML grant to the Police Department; 3) an \$11,510 DMV Selective enforcement Grant to the Police Department; 4) a \$2,000 grant from Walmart for the Kids After School Program to Youth and Human Services; and 5) \$129,901 in encumbrances from the prior fiscal year.

A motion was made by Mr. Cherry, seconded by Mr. Piotrowski, to adopt Ordinance No. 18-FIN-15.

Addressing Mr. Green's question as to how close was staff to the closing out the 2018 books, Mrs. Minor stated that the auditors were had been working all week and were very close to a close-out.

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

Motion: UNANIMOUS PASS

- D. A RESOLUTION NO 18-36**
Consenting to and affirming the declaration of a local emergency and a disaster by the Director of Emergency Services.

A motion was made by Mr. Cherry, seconded by Mr. Green, to adopt Resolution No. 18-36.

There were no comments.

Vote: 6-0
Yes: Cherry
Frenier
Green, Jr.

Piotrowski
Luck
Kochuba
No: None
Absent: Wood
Abstained: None

Motion: UNANIMOUS PASS

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

**A. Discussion of Capital Improvement Projects Financing Options
Presentation and discussion of approved financing options for
FY2018-2019 Capital Improvement Projects**

Director of Finance Sheila Minor provided Council with information relative to Direct Placement (Bank Loan) and Pooled Bonds; and then a comparison of Pool Bonds vs. Direct Placement. Mrs. Minor provided the following comparison information:

Pooled Bonds

- **Interest rate, once set, will be for duration**
- **Pre-payable after 10 years with no penalty**
- **\$7.57M total debt service at estimated rates**
- **City average annual debt service: \$374,150**

Direct Placement (Bank Loan)

- **Known and set interest rate for duration**
- **Pre-payable (with up to 3% penalty) at any time**
- **\$7.77M total debt service**
- **City average annual debt service: \$385,500**

Mrs. Minor stated that staff was pleased with both proposals and would recommend both.

After the presentation, Mayor Kochuba polled Council for their preference relative to the information presented. All Council members present stated they felt the bank loan was the best option for the City.

15. Reports of Officers and Documents Related Thereto.

A. City Manager

Mr. Smith reported on the following:

- **The Fitch Ratings service reaffirmed the City's AA+ bond rating with a stable outlook.**
- **Communication to the public during the impending weather situation with regard to Hurricane Florence was critical. Staff prepared a media release, which was forwarded to Council. Additionally, updates to the City's website homepage were made which provided additional links.**
- **The Boards and Commissions Dinner would be moved from September 17 to the 24 due to the uncertain impending weather conditions.**
- **Special Meeting/Work Session scheduled for September 18 at 6:00 P.M. and items to be presented:**
 - **Finance Item relating to the Bank Loan**
 - **Draft ordinance for the solid waste recycling receptacles penalty provisions**
 - **Highlights of code enforcement statistics**
 - **Discussion of Violet Bank rehabilitation project costs**
 - **Additional draft ordinances**

Mayor Kochuba stated that in addition to the items noted by Mr. Smith, he would like for Council to discuss the clothing/shoe receptacles which have become a dumping ground for items other than clothing and shoes.

Mrs. Luck asked that a future topic of discussion be the pond at the Roundabout and the condition and what improvements could be made; as this is an entrance to the City. Mr. Smith stated he had instructed staff to obtain a cost estimate for a fountain and once that was obtained, it would be brought before Council for further discussion.

Addressing Mr. Green's concerns relative to the deer population, Mr. Smith stated the issue had been discussed with a resident who had provided information. Mr. Smith advised he had provided Council with prior information, also advising that Chief Faries was following up. Mr. Smith stated that if it was Council's wish to discuss at an upcoming meeting, he would place it on the agenda.

B. City Attorney

Mr. Fisher asked that Council recall their final approval to an ordinance dealing with complex changes to the City's Chesapeake Bay Preservation provision in the zoning ordinance. Mr. Fisher also reminded Council that these provisions were mandated by the Department of Environmental Quality (DEQ). However, the

General Code Co. found there were a few inconsistencies in the approved ordinance; and subsequently, Mr. Fisher reviewed the ordinance and advised the DEQ representative that General Code had discussed some inconsistencies, at which time the representative advised of additional changes she wanted. Mr. Fisher stated that because of all the changes, a new ordinance needs to be sent to the Planning Commission to start the process over again. Mr. Fisher stated it was his hope to have the ordinance before Council at their October 9th regular meeting.

Mr. Fisher wanted to advise Council of a survey being circulated by the School Board to employees and the public, which is requesting input on the qualities they wish to see in a new superintendent. The survey is available on the website, and hard copies are available in the schools and the City Library.

Mr. Fisher reported that he conducted the State mandated FOIA training for all of the City's Freedom of Information Act Officers.

C. Director of Planning and Community Development

Mrs. Hall advised the Planning Commission met in September and the preliminary site plan for the tennis courts were approved. Additionally, Mrs. Hall advised that the Planning Commission would meet October 2nd at 7 PM. There will be a Public Hearing on September 25, at 5:00 PM, for the CAPER (Consolidated Annual Performance Evaluation Report) for the CDBG (Community Development Block Grant) funding.

Mrs. Hall thanked Mr. Fisher for his efforts regarding the DEQ post audit compliance. Mr. Fisher added that Mrs. Hall had been tasked with extensive work from DEQ with regard to making changes to the City Comprehensive Plan.

Mayor Kochuba reminded everyone of the upcoming Celebrate Safe Communities Night festivities on Tuesday, October 2 at 5:30 PM.

17. Adjournment

There being no further business, a motion was made by Mr. Cherry, seconded by Mr. Piotrowski, to adjourn the meeting at 8:35.

APPROVED:

T. Gregory Kochuba, Mayor

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ATTEST:

Pamela B. Wallace, City Clerk