

**CITY OF COLONIAL HEIGHTS, VIRGINIA
Regular Meeting of City Council
Tuesday, September 13, 2022**

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 Kenneth B. Frenier
Councilman John E. Piotrowski
Councilwoman Dr. Laura F. Poe
Councilman Robert W. Wade
Councilman John T. Wood
Vice Mayor Elizabeth G. Luck
Mayor T. Gregory Kochuba

Absent: None

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

3. Devotion

A devotional prayer was led by Mrs. Luck.

4. Pledge of Allegiance

The Pledge of Allegiance was led by Mayor Kochuba.

Mr. Frenier read the following Declaration of Remote Participation:

- 1. I am unable to physically attend the meeting due to a medical condition that prevents my attendance at the meeting; and**
- 2. The remote location from where I am participating 212 Spring Drive.**

A motion to allow Mr. Frenier to participate remotely was made by Dr. Poe, seconded by Mr. Wade, and carried unanimously on voice vote.

Vote: 7-0

**Yes: Frenier
Piotrowski
Poe
Wade
Wood
Luck
Kochuba**

No: None

Absent: None

Abstained: None

Motion UNANIMOUS PASS

5. Adoption of Agenda

A motion was made by Dr. Poe, seconded by Mr. Wade, to approve the agenda as presented.

Vote: 7-0

**Yes: Frenier
Piotrowski
Poe
Wade
Wood
Luck
Kochuba**

No: None

Absent: None

Abstained: None

Motion: UNANIMOUS PASS

6. Declarations of Personal Interest

Declarations were read by Dr. Poe and Mr. Wood then filed with the Clerk.

7. Commendations and Presentations

- A. Recognizing Senior Detective Darrell Aleshire for his exemplary service on August 3, 2022.**

Mr. Smith and Chief Anspach recognized Senior Detective Darrel Alshire for his outstanding and exemplary service on August 3 thwarting a potential

Regular Meeting Minutes

September 13, 2022

Page 3

armed robbery, and the apprehension of an armed suspect. Mayor Kochuba provided additional comments and presented Detective Aleshire with a City coin.

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

- A. AN ORDINANCE NO 22-15
(First Reading) To change from Residential Low Density District to Community Commercial to Comprehensive Plan Land Use Map classification of a 0.22 acre property (which was previously parcel identification number 3000050000B) owned by the City of Colonial Heights, which is known as 115 Dupuy Avenue, and is now part of parcel identification number 3000050000D and part of Lot D. Carterette Subdivision; and to amend the Land Use Map accordingly.**

A motion was made by Dr. Poe, seconded by Mr. Piotrowski, to adopt Ordinance No. 22-15.

Mrs. Payne provided information relative to the request for rezoning of the subject property; specifically noting the reasons for the request. Mrs. Payne advised the request, which went before the Planning Commission, was unanimously approved at the September 6, 2022 Public Hearing and stated staff recommended approval of Ordinance 22-15. Mrs. Payne advised Mrs. Epps was present representing the application.

Council comments:

Directing his question to Mr. Fisher, Mr. Wood asked how was the process which was being followed, not characterized as “spot zoning”? Mr. Fisher stated it was not considered “spot zoning” as there were other properties in the area which have the same zoning that this parcel would have.

Addressing Mayor Kochuba’s question relative to the order in which Ordinances 22-15 and 16 were being approved, Mr. Fisher clarified that any

Regular Meeting Minutes

September 13, 2022

Page 4

changes to the Comprehensive Plan should be approved prior to changes in zoning.

Dr. Poe inquired as to the reason for the previous acquisition of the parcel, and Mr. Fisher advised it was purchased at the time of the opening of the City Courthouse; however, at that time, the use of the property was unknown.

Public comments:

There were none.

There being no further comments, Mayor Kochuba called for the vote.

Vote: 7-0
Yes: Frenier
Piotrowski
Poe
Wade
Wood
Luck
Kochuba
No: None
Absent: None
Abstained: None

Motion: UNANIMOUS PASS

B. AN ORDINANCE NO 22-16

(First Reading) To change from RL – Residential Low Density District to BB – Boulevard Business District the zoning classification of 0.277-acre property owned by the City of Colonial Heights, which is known as 115 Dupuy Avenue, and is now part of parcel identification number 3000050000D and part of Lot D, Carterette Subdivision; and to amend the Zoning District Map accordingly.

A motion was made by Mr. Wade, seconded by Mr. Piotrowski, to adopt Ordinance No. 22-16.

Mrs. Payne again made a presentation of the subject property and the reason for the request. Mrs. Payne advised the request, which went before the Planning Commission, was unanimously approved at the September 6, 2022 Public Hearing and stated staff recommended approval of Ordinance 22-16.

There being no additional comments from Council or the public, Mayor Kochuba called for the vote.

Vote: 7-0
Yes: Frenier
Piotrowski
Poe
Wade
Wood
Luck
Kochuba
No: None
Absent: None
Abstained: None

Motion: UNANIMOUS PASS

11. Hearing of Citizens Generally on Non-Agenda Items

There wer none.

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

- A. AN ORDINANCE NO 22-FIN-10**
(Second Reading) To amend the General Fund Budget for the fiscal year beginning July 1, 2022 and ending June 30, 2023, by appropriating \$148,885, consisting of 1) \$612 in donations from the Youth Advisory Council fundraiser to Human Services; 2) \$1,060 in State Asset Forfeiture Funds to Public Safety; and 3) \$147,213 in unassigned fund balance for emergency storm sewer repair.
- B. AN ORDINANCE NO 22-14**
(Second Reading) To amend §§ 277-8 of Chapter 277, Water, of the Colonial Heights City Code to authorize debit cards, credit cards, and acceptable electronic methods as additional means of payment for utility bills and to increase the charge for the City Manager or his designee to continue service during a delinquency.
- C. May 24, 2022 Special Meeting Minutes**
- D. June 14, 2022 Special Meeting Minutes**

Regular Meeting Minutes

September 13, 2022

Page 6

E. July 12, 2022 Special Meeting Minutes

F. August 9, 2022 Special Meeting Minutes

G. August 9, 2022 Regular Meeting Minutes

A motion was made by Mrs. Luck, seconded by Mr. Piotrowski, to adopt the Consent Agenda as presented.

Vote: 7-0
Yes: Frenier
Piotrowski
Poe
Wade
Wood
Luck
Kochuba
No: None
Absent: None
Abstained: None

Motion: UNANIMOUS PASS

13. Introduction and Consideration of Ordinances and Resolutions

A. AN ORDINANCE NO 22-17
(First Reading) Approving the City's Membership in the Virginia's Gateway Region Industrial Facilities Authority.

A motion was made by Dr. Poe, seconded by Mrs. Luck, to adopt Ordinance No. 22-FIN-10.

Mr. Smith provided background information relative to Council's previous discussions; specifically recalling there were no costs associated with membership to the RIFA and no obligation to participate in proposed projects.

Addressing Mr. Wade's question relative to current participants, Mr. Smith advised that Surry, Sussex, and Dinwiddie were participants.

There being no further questions, Mayor Kochuba called for the vote.

Vote: 7-0

Regular Meeting Minutes

September 13, 2022

Page 7

**Yes: Frenier
Piotrowski
Poe
Wade
Wood
Luck
Kochuba**

No: None

Absent: None

Abstained: None

Motion: UNANIMOUS PASS

**B. AN ORDINANCE NO 22-FIN-11
(First Reading) To amend the General Fund Budget for the fiscal year beginning July 1, 2022 and ending June 30, 2023, by \$815,450 consisting of 1) \$11,508 from the National Opioid Settlement, 2) \$8,030 from asset forfeiture funds to replace outdated physical fitness equipment, and 3) 795,912 in prior year encumbrances.**

To amend the Recreation Fund Budget for the fiscal year beginning July 1, 2022 and ending June 30, 2023, by appropriating \$3,364 in prior year encumbrances.

To amend the Stormwater Fund Budget for the fiscal year beginning July 1, 2022 and ending June 30, 2023, by appropriating \$8,037 in prior year encumbrances.

To amend the Water and Sewer Fund Budget for the fiscal year beginning July 1, 2022 and ending June 30, 2023, by appropriating \$41,311 in prior year encumbrances.

To amend the Emergency Response Fund Budget for the fiscal year beginning July 1, 2022 and ending June 30, 2023, by appropriating \$75,620 in prior year encumbrances.

A motion was made by Dr. Poe, seconded by Mr. Wade, to adopt Resolution No. 22-30.

Mr. Smith provided comments further explaining the appropriations and encumbrances listed in the ordinance.

Regular Meeting Minutes

September 13, 2022

Page 8

Addressing Mrs. Luck's question relative to the total payment from the opioid settlement, Mr. Fisher advised it was his recollection the amount was approximately \$50,000; further advising that the funds needed to be spent on opioid remediation and records should be kept by the Finance Department for auditing purposes.

Vote: 7-0
Yes: Frenier
Piotrowski
Poe
Wade
Wood
Luck
Kochuba
No: None
Absent: None
Abstained: None

Motion: UNANIMOUS PASS

- C. A RESOLUTION NO 22-39**
Authorizing the City Treasurer's Office to become a License Agency of the Virginia Department of Motor Vehicles; approving the "Commonwealth of Virginia Department of Motor Vehicles License Agent's Agreement"; and authorizing the Treasurer to sign such Agreement and the City Manager to consent to the Agreement.

A motion was made by Mr. Piotrowski, seconded by Mrs. Luck, to adopt Resolution No. 22-39.

Mr. Smith advised the resolution was to approve and authorize the implementation and location of the DMV Select to be located in the City Treasurer's Office.

Vote: 7-0
Yes: Frenier
Piotrowski
Poe
Wade
Wood
Luck
Kochuba
No: None

Regular Meeting Minutes

September 13, 2022

Page 9

Absent: None

Abstained: None

Motion: UNANIMOUS PASS

D. A RESOLUTION NO 22-40

Adopting the updated 2022 Richmond-Crater Multi-Regional Hazard Mitigation Plan.

A motion was made by Mrs. Luck, seconded Mr. Piotrowski, to adopt Resolution No. 22-40.

Mr. Smith provided brief comments relative to the plan before asking Ms. Leigh Chapman of Salters Creek Consulting, to provide additional comments and a formal presentation. Ms. Chapman presented the 10 Step Process within the four-phase FEMA Guidance chart. Ms. Chapman provided information relative to the many hazards which may affect localities; specifically noting flooding that Colonial Heights was most susceptible to, and continued by presenting the developed Flood Risk Assessment. Continuing, Ms. Chapman provided Council with the highlights of the City's Mitigation Action Plan which focused on the susceptibility of the City to flooding and ways to prepare for such a disaster.

There was discussion relative to the Sherwood Hill neighborhood and the possible hazard to the neighborhood should the bridge into the neighborhood be compromised due to flooding. Addressing Mr. Wade's concerns relative to schools in a flood plain; Ms. Chapman advised that Lakeview Elementary was located in the 100-year flood plain.

There being no additional comments from Council, Mayor Kochuba called for the vote.

Vote: 7-0

**Yes: Frenier
Piotrowski
Poe
Wade
Wood
Luck
Kochuba**

No: None

Absent: None

Abstained: None

Motion: UNANIMOUS PASS

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

There was none.

15. Reports of Officers and Documents Related Thereto.

A. City Manager

1. Health Department Relocation Update

Mr. Smith provided information relative to the relocation of the Health Department and their efforts to find a suitable location. Continuing, Mr. Smith advised a deadline for vacation of the building had been set for January 1, 2023.

2. Tyler Munis Implementation Update

Mr. Smith thanked Mrs. Rhodes and the Finance Department staff for their efforts relative to staff training in preparation for the upcoming go-live date. Mrs. Rhodes advised training had been completed and the go-live date for financials was scheduled for October 1.

2. General Activity Report

Mr. Smith provided Council with specific dates of interest.

B. City Attorney

Mr. Fisher advised a Petition for Condemnation had been filed with the court relative to a property on Westover Avenue as a part of that street's widening project.

C. Director of Planning and Community Development

Mr. Smith reported that the Planning Commission met September 6 to hold a Public Hearing on Ordinances 22-15 and 22-16 for the rezoning of the property adjacent to the Courthouse. Mr. Smith stated the two ordinances were unanimously approved by the Planning Commission at the September 6, 2022 meeting and subsequently approved by Council earlier during the current meeting.

16. Adjournment

There being no further business, a motion was made by Mr. Wade, seconded by Mr. Piotrowski, and carried unanimously on voice vote to adjourn the meeting. The meeting was adjourned at 8:45 P.M.

APPROVED:

T. Gregory Kochuba, Mayor

ATTEST:

Pamela B. Wallace, City Clerk