

**CITY OF COLONIAL HEIGHTS, VIRGINIA  
Regular Meeting of City Council  
Tuesday, September 14, 2021**

**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 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, City Manager  
Mr. Hugh P. Fisher, III, City Attorney  
Mrs. Pamela B. Wallace, Clerk

**3. Devotion**

**A devotional prayer was led by Mr. Cherry.**

**4. Pledge of Allegiance**

**The Pledge of Allegiance was led by Mayor Kochuba.**

**5. Adoption of Agenda**

**A motion was then made by Mr. Cherry, seconded by Mr. Piotrowski, to approve the agenda as presented.**

**Vote: 7-0  
Yes: Cherry  
Piotrowski  
Poe  
Wade**

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

**Motion: UNANIMOUS PASS**

**6. Declarations of Personal Interest**

**A declaration was made by Dr. Poe and filed with the Clerk.**

**Mayor Kochuba recognized Mr. Chris Kollman, School Board Vice-Chair, representing the schools.**

**7. Commendations and Presentations**

**A. Presentation by Warren Hammonds, Executive Director, Colonial Heights Food Pantry.**

**B. New City Employee Introductions  
Employees hired by the Finance Department and Public Works Department.**

**Mrs. Christina Sadler, Deputy Finance Director, introduced new hire Sunni Guillot, Payroll Accountant.**

**Mr. Keith Chisolm, Assistant Finance Director, introduced new hire Matthew Parker, Senior Engineering Technician.**

**C. Presentation of the Office on Youth Annual Report**

**The report was presented by Dr. Ann Sorensen, Chairwoman of the Youth Services Commission.**

**8. Reading of Manner of Addressing Council.**

**Mr. Fisher read the Manner of Addressing Council.**

**9. Written Petitions and Communications**

**A. Request by Councilman John T. Wood to address Council regarding the proposed name change of Fort Lee.**

**Mr. Wood stated this was not a subject that he would have chosen to consider at the present time or place except for two major reasons: 1) the authorities that have decided to rename the nearby military post, Ft. Lee, have invited localities and citizens to participate and 2) the issue is an important one he took seriously. Mr. Wood stated the invitation had one caveat; that the ultimate decision of the renaming of the post would not be based upon the number of votes or popularity but will be based upon merit. Mr. Wood asserted that if one comes forth with suggestions there is a duty to justify the suggestions. Mr. Wood recognized that some of us may regard this subject as not a peaceful one and, consequently, he apologized to anyone who felt his comments were confrontational or un-peaceful. They are not meant to be. Mr. Wood said his comments were meant to be useful, instructional and beneficial to all. Mr. Wood said that one should not value peace too much, remarking that Clausewitz taught us that the greatest peace-lover is the tyrant or the conqueror who would take from you that which is yours without resistance.**

**Continuing, Mr. Wood moved to the issue of why bring forth a subject that may only be symbolic in nature – the decision perhaps having already been made and the invitation for recommendations only being a cynical gesture. Symbols are important. Think about a businessman or candidate who sends out his literature or advertisement with an inverted cross or a hammer and sickle. If the name change is insignificant, of little meaning, it would not have been undertaken by those directing our society. This is not a light matter. If the basis of the change is to be merit, he proposes a gentleman of great merit that may be considered for the naming of the post. Mr. Wood stated his choice was not the finest general, nor the greatest intellect, nor the most talented, nor the most famous or popular. Merit, as estimated in Mr. Wood's opinion, was character. Character defined as he who sacrifices his personal interests for a cause or for a principle or for an ideal; not for his own benefit.**

**Mr. Wood reflected on the career of a military figure who served in military posts more than 35 years across the United States. Mr. Wood noted this individual was well known because of his military exploits and family history. Continuing, Mr. Wood advised this individual was so well regarded that he was appointed superintendent of the West Point Military Academy. When his wife inherited an estate including persons in bondage, he freed all five African slaves within 12 months. A year later, this gentleman came to be the executor of his father-in-law's estate and over the course of five years, he freed all 158 slaves living on the estate. Mr. Wood provided comments relative to this military officer's distinguished service during the Mexican-American War who was breveted three times for gallantry. His reputation from that point forward grew. General Winfield Scott, the American Commander of all U.S.**

**Forces, recommended this gentleman as “the finest soldier in the United States Army”. Because of his merit Mr. Wood’s candidate was twice offered the command of the principal United States forces in March and April of 1861. This individual did not immediately reject or accept the command and waited until his native state made a political decision in the sectional conflict of the American Civil War or the War of Southern Secession. His decision was made on the principle of loyalty to his native Virginia. It demonstrated character causing him personal loss of his rank, his position, his status, his fortune and even his home. At the end of the Civil War, he was left destitute much like his father before him. With the South in ruins, he instructed his soldiers to go home and become good citizens and support the Nation. He refused to prolong the conflict with guerrilla warfare and surrendered honorably.**

**Concluding his comments as previously given, Mr. Wood advised it was his suggestion, based upon character; not generalship, nor ability nor talent but character – sacrificing everything he had for a principle. A principle that others may not have chosen, but principle none-the-less. Mr. Wood stated such character was worthy of recognition in the world in which we find ourselves today. And for that reason, Mr. Wood made a motion suggesting the name of Ft. Lee remain Ft. Robert E. Lee – there was no second to Mr. Wood’s motion.**

**Mayor Kochuba advised he attended a meeting of the Renaming Commission at Ft. Lee in the afternoon and specifically asked if the name could remain the same and they advised that the National Defense Authorization Act was passed and the name of Ft. Lee would change. Continuing, Mayor Kochuba advised of the website provided by the renaming Commission allowing all interested parties the opportunity to submit their suggested name change.**

**At this time, Mr. Wood continued with his comments in support of an alternate suggestion. Mr. Wood stated that most of us have heard at some point-in-time, the description of George Washington, as being first in war, first in peace and first in the hearts of his countrymen. That eulogy was given by Henry Lee III, known as Light Horse Harry Lee. He was a cavalry commander in George Washington’s Army during the Revolution. He died in 1818 when Robert E. Lee was merely 11 years old. Light Horse Harry Lee was a Governor of Virginia, a skillful officer under George Washington and had a very diverse background. Many think he was an aristocrat; however, he spent one year in a debtor’s prison. He was a Federalist in an environment in which Democratic Republicans controlled politics throughout the new Nation. He and fellow Federalists were physically attacked for their defense of a Federalist newspaper editor in Baltimore. As a result of being beaten, he sustained injuries ultimately causing his death. He was the only general to**

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ever receive a gold medal from the U.S. Congress for gallantry. He was a Revolutionary War hero, highly decorated, fought under George Washington, served the State of Virginia during the Articles of Confederation as well as the National Congress after ratification. Mr. Wood stated naming the post Fort Henry Lee III had the advantage of recognizing a Virginian, a military man of stellar reputation; who was persecuted as a political minority and suffered impoverishment. He also has the last name of Lee which would save money if the name of Ft. Lee should be changed to yet another "Lee".

A motion was made by Mr. Wood, seconded by Dr. Poe, to support the naming of Ft. Robert E. Lee to Ft Henry Lee, III. Dr. Poe clarified her second was for discussion purposes only.

Dr. Poe stated she appreciated Mr. Wood's comments relative to Robert E. Lee further stating she didn't feel anyone could argue with many of the contributions made by Robert E. Lee during his time. Dr. Poe stated she felt Council was at a point of odds since they were not going to be able to vote to keep the name the same being there has been notification that there definitely must be a change. Dr. Poe stated that whether or not Mr. Wood or Council made a suggestion independently, Council would need to try and consider the right individual. Dr. Poe stated she had personally not taken the time to research a lot of historical figures she felt would be good candidates; certainly it should be someone who has had some direct influence in the area of Ft. Lee if they are going to look to make some sort of change still considering the character of the individual. Dr. Poe acknowledged Mr. Wood's efforts to bring forth individuals to the discussion and clarified she did not second the motion for an actual vote in favor of Henry Lee or anyone else.

Mrs. Luck stated it was fair enough to say that most of the Council disliked change and it was her hope that the name selection would not be after an individual but after an idea.

Mayor Kochuba reminded Council members of the commission website and everyone was free to visit the site to submit their suggestion for the renaming.

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

**Vote: 1-6**  
**Yes: Wood**  
**No: Cherry**  
**Piotrowski**  
**Poe**  
**Wade**  
**Luck**

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**Kochuba**  
**Absent: None**  
**Abstained: None**

**Motion: FAIL**

**10. Advertised Public Hearing**

- A. AN ORDINANCE NO. 21-17**  
**(First Reading) to grant a special exception permit, with conditions, to Roslyn Farm Corporation to permit a substance abuse clinic at 300A Temple Lake Drive, also known as parcel identification number 68125800008, which is zoned GB – General Business District.**

**A motion was made by Mr. Cherry, seconded by Mr. Wade, to approve Ordinance No. 21-17.**

**Mrs. Maxie Brown, Interim Director of Planning, provided background information on the request. Mrs. Brown advised the Planning Commission held a public hearing on August 3 with unanimous approval of PC Resolution No. 21-9. Mrs. Brown advised staff recommends approval with the following conditions:**

- 1. Hours of operation will be Monday – Friday from 6:A.M. to 4:00 P.M.**
- 2. Weekend hours of operation will be from 6:00 A.M. to 10:00 A.M.**
- 3. All office visits will be by appointment only except for emergencies.**
- 4. Clinic will comply with all federal state and local requirements.**

**At the conclusion of Mrs. Brown’s comments, she advised the application would be presented by Mr. Nick Walker, Roslyn Farm Corporation, as the property owner, and Messrs. William Massenburg, David Banks, and Johnathan Coleman of Foundation Medical Center.**

**Mr. Walker, Roslyn Farm Corporation, 320 Charles Dimmock Parkway, introduced himself as the property owner and introduced Messrs. Massenburg and Coleman. Mr. Walker stated he felt this was something which was needed in the community due to the recent uptick in mental health issues. AT this time, Messrs. Massenburg and Coleman provided detailed information relative to the operation of the facility and the proposed function of Foundation Medical Center.**

**Public Comment: None**

**Council Comments:**

**Mr. Massenburg clarified the hours of operation, as requested by Dr. Poe.**

**Mr. Wade recalled the Planning Commission's vote and unanimous approval. Continuing, Mr. Wade asked Mr. Walker about the length term of the lease the applicants were seeking and was he aware of any prior legal issues with the applicant business. Mr. Walker stated the lease would be 7-10 years with a renewable option and he was not aware of any legal issues with the applicant business. Mr. Wade inquired to the applicant regarding patient prescriptions and would any drugs be administered from this location. The applicant responded no drugs are administered and prescriptions are issued only from 5:30 am until 11 am.**

**Mrs. Luck spoke to revocation of the special use permit with clarification from Mr. Fisher noting that should Council approve the permit, the state would have extensive regulatory authority over the facility.**

**Mr. Cherry advised of his tour of Chesterfield County's HARP program further noting the rising drug use in the City of Colonial Heights.**

**Clarifying for Mrs. Luck, Mr. Massenburg stated the programs offered at the medical center supported both mental health and substance abuse issues.**

**Although supporting the efforts of the proposed business, Mr. Wood provided comments relative to his concerns and possible effects imposed upon surrounding businesses and questioned the length of the lease – 7 to 10 years.**

**Addressing Mr. Piotrowski's question relative to opposition from surrounding businesses, Mrs. Brown advised of only one written objection.**

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

**Vote: 6-1**  
**Yes: Cherry**  
**Piotrowski**  
**Poe**  
**Wade**  
**Luck**  
**Kochuba**  
**No: Wood**

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**Absent: None**

**Abstained: None**

**Motion: PASS**

**B. AN ORDINANCE NO 21-FIN-11**

**(First Reading) to amend the General Fund Budget for the fiscal year beginning July 1, 2021 and ending June 30, 2022, by appropriating \$1,120,199 consisting of: 1) \$767 in prior year donations to the Office on Youth shoe account; 2) \$2,000 in donations made to the Sheriff's Office; 3) \$1,117,432 in prior year encumbrances, Additionally, to transfer the following amounts: 1) \$2,250 from the contributions budget to the Office on Youth; and 2) \$1,790 from the Council contingency account to the contributions budget for the Crater Regional Workforce.**

**To amend the Recreation Fund budget for the fiscal year beginning July 1, 2021 and ending June 30, 2022, by appropriating \$8,176 in prior year encumbrances.**

**To amend the Stormwater Fund budget for the fiscal year beginning July 1, 2021 and ending June 30, 2022, by appropriating \$71,696 in prior year encumbrances**

**To amend the Water and Sewer Fund budget for the fiscal year beginning July 1, 2021 and ending June 30, 2022, by appropriating \$198,924 in prior year encumbrances.**

**A motion was made by Mr. Cherry, seconded by Mr. Wade, to adopt Ordinance No. 21-FIN-11.**

**Mrs. Minor stated that each year Finance recognized and presented Council with encumbrances from the previous fiscal year to the current fiscal year.**

**There were no public comments or comments from Council.**

**Vote: 7-0**

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

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**No: None**

**Absent: None**

**Abstained: None**

**Motion: UNANIMOUS PASS**

**11. Hearing of Citizens Generally on Non-Agenda Items**

**There were none.**

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

**A. August 2, 2021 Special Meeting Minutes**

**B. August 10, 2021 Special Meeting Minutes**

**A motion was made by Mr. Piotrowski, seconded by Mr. Cherry, to approve the Consent Agenda as presented.**

**Vote: 7-0**

**Yes: Cherry  
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 21-20  
(First Reading) Awarding a one-time \$3,000 bonus to the City Sheriff and full-time sworn Sheriff's deputies.**

**A motion was made by Mr. Cherry, seconded by Mrs. Luck, to adopt Ordinance No. 21-20.**

**Mr. Smith advised this was state mandated and further clarified how funding would be managed.**

**Sheriff Wilson provided additional comments relative to the mandate and the years of competitive salary issues between the Sheriff's Office and the Police Department.**

**Mr. Wood thanked Mr. Smith for his willingness to find the funding for the mandate.**

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

**Motion: UNANIMOUS PASS**

- B. A RESOLUTION NO. 21-38  
Granting signatory authority to the City manager to enter into all Highway Safety Grant Agreements with the Virginia Department of Motor Vehicles for two Selective Enforcement projects.**

**A motion was made by Mrs. Luck, seconded by Mr. Wade, to adopt Resolution No. 21-28.**

**Mr. Smith provided brief comments relative to the purpose of the resolution. There were no comments from Council.**

**Vote: 7-0  
Yes: Cherry  
Piotrowski  
Poe  
Wade  
Wood  
Luck  
Kochuba**

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**No: None**  
**Absent: None**  
**Abstained: None**

**Motion: UNANIMOUS PASS**

**C. A RESOLUTION NO 21-39**

**Authorizing the submission of a revenue sharing program application to the Virginia Department of Transportation (VDOT) for Fiscal Year 2022-23; and requesting financial assistance from VDOT in an amount up to \$2,235,026 for the reconstruction of Westover Avenue**

**A motion was made by Mayor Kochuba, seconded by Mr. Wade, to adopt Resolution No. 21-29.**

**Mr. Keith Chisolm, Assistant Director of Public Works, provided comments and information relative the proposed construction and design of the proposed project. Mr. Chisolm advised the total probable cost of the project was \$ 2,235,026 and within the application, the City was requesting \$1,117,513 in state matching funds, which would be the maximum reimbursable amount. Continuing, Mr. Chisolm advised that although this there was no guarantee the application would be approved, staff was confident the City would be awarded the proposed allocation and suggested approval of the resolution.**

**Addressing Council questions, Mr. Chisolm advised of the specific location of the project, further advising the project would include complete street construction, including sidewalks and curb and gutter.**

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

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

**Motion: UNANIMOUS PASS**

**D. A RESOLUTION NO 21-40**

**Authorizing the submission to the Virginia Department of Transportation (VDOT) of an application for Federal FY 2022-23 Transportation Alternatives Program funding; requesting financial assistance in an amount up to \$188,855 for the Safe Routes to School Phase III Middle School project; \$304,330 for the Boulevard spur of the Appomattox River Greenway Trail; \$2,015,697 for Phase VI of the Appomattox River Greenway Trail; and committing to pay the 20% local match for each project and provide for future maintenance and upkeep of the completed projects.**

**A motion was made by Mr. Cherry, seconded by Mrs. Luck, to adopt Resolution No. 21-40.**

**Mr. Chisolm explained the application procedures for the federal TAP and that the deadline for submission this year is October 1, 2021 and provided additional information relative to each project.**

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

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

**Motion: UNANIMOUS PASS**

**E. A RESOLUTION NO 21-41**

**Recognizing Delegate M. Kirkland Cox for his service to the citizens of Colonial Heights and the Commonwealth of Virginia.**

**A motion was made by Mr. Piotrowski, seconded by Mr. Cherry, to adopt Resolution No. 21-41.**

**Mayor Kochuba reminded Council of the event scheduled for September 30 at Shepherd Stadium and advised Mr. Cox would be presented with a framed copy of the resolution.**

**Vote: 7-0  
Yes: Cherry  
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. Regional Cigarette Tax Board Concept**

**Mr. Smith provided background information relative to ongoing discussion in the area relative to the formation of a regional cigarette tax board. Mr. Smith advised that the regional board would be responsible for stamping, collection and enforcement. Mr. Smith advised that Dinwiddie County was organizing the discussion with information being circulated to surrounding localities. Mr. Smith stated that the key for Colonial Heights would be the cost to the City and would such revenue be worth joining the Board. Mr. Smith advised he would like to continue to research the concept and bring back his findings for further discussion at a future meeting.**

**2. General Activity Report**

**Mr. Smith reported on the following:**

- Shepherd Stadium turf installation which is progressing.**

- **Celebrate Safe Communities Night scheduled for October 5**
- **Upcoming fall events hosted by Recreation and Parks**

**Mayor Kochuba added September 20 for Boards and Commissions Dinner at Keystone Tractor Museum.**

**Dr. Poe, directing her question to Mr. Smith relative to trash collection, asked if the changes in the cost of collection service would be immediate or upon contract renewal. Mr. Smith stated he would assume they were proposing the changes in the immediate; however, it was not something that the City would likely accept. Mr. Smith further advised that the City contract was almost up and currently the City had received five bids.**

**Addressing Mr. Piotrowski's comments relative to better citizen communication to relay delay in collection service.**

**B. City Attorney**

**Mr. Fisher advised of the following:**

- **Early voting begins Friday, September 17, and in accordance with state law, there will be signs posted on City Hall property advising of voting rules.**
- **Several issues relating to unclaimed bodies, including the cost to the City for proper disposal of the body.**

**Mr. Wade asked if the fine for violation of handicap parking could be raised from \$100 to \$500. After brief discussion, Mr. Cherry for police data supporting handicap parking violations before further action.**

**C. Director of Planning and Community Development**

**Mrs. Brown advised that the Planning Commission did not meet in September; however, the Board of Zoning Appeals will hold a public hearing on September 22, 2021 at 4:00 P.M. to consider three variance applications.**

**Mr. Fisher commended Mrs. Brown for her efficiency as interim Planning Director.**

**16. Adjournment**

**There being no further business, a motion was made by Mr. Cherry, seconded by Mr. Wade, and carried unanimously on voice vote to adjourn the meeting. The meeting was adjourned at 9:15 P.M.**

**APPROVED:**

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**T. Gregory Kochuba, Mayor**

**ATTEST:**

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**Pamela B. Wallace, City Clerk**