

CITY OF COLONIAL HEIGHTS, VIRGINIA
Special Meeting of City Council
Tuesday, October 12, 2021

1. Call to Order.

The Special Meeting of City Council was called to order by Mayor Kochuba at 6:00 P.M.

2. Roll Call.

Present: Councilman Michael A. Cherry
Councilman John E. Piotrowski
Councilwoman 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, City Clerk

The Clerk announced the purpose of the closed meeting.

3. Closed Meeting pursuant to Paragraph A.8 of Section 2.2-3711 of the Code of Virginia to consult with legal counsel employed by a public body regarding the following specific legal matters requiring such counsel's legal advice:

- The possible granting of an easement to a business to construct and maintain an access traveling across City-owned property.**
- The possible participation in two proposed nationwide settlement agreements that would resolve litigation filed against five companies; and**
- A company's appeal to the Board of Zoning Appeals of a determination rendered by the Acting Zoning Administrator.**

A motion to convene in a closed meeting was made by Mr. Wade, seconded by Mr. Cherry, at 6:02 P.M.

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

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	Luck
	Kochuba
No:	None
Absent:	None
Abstained:	None

Motion UNANIMOUS PASS

5. Vote to come back into open meeting.

A motion to reconvene in open session was made by Mayor Kochuba, seconded by Mr. Cherry, and carried unanimously on roll call vote at 6:44 P.M.

<u>Vote:</u>	7-0
Yes:	Cherry
	Piotrowski
	Poe
	Wade
	Wood
	Luck
	Kochuba
No:	None
Absent:	None
Abstained:	None

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:

- The possible granting of an easement to a business to construct and maintain an access traveling across City-owned property.**
- The possible participation in two proposed nationwide settlement agreements that would resolve litigation filed against five companies; and**
- A company's appeal to the Board of Zoning Appeals of a determination rendered by the Acting Zoning Administrator.**

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 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

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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:

<u>Vote:</u>	7-0
Yes:	Cherry
	Piotrowski
	Poe
	Wade
	Wood
	Luck
	Kochuba
No:	None
Absent:	None
Abstained:	None

Motion UNANIMOUS PASS

5. Motions and Resolutions of Appointment

There were none.

6. Adjournment.

A motion to adjourn the Special Meeting was made by Mr. Cherry, seconded by Mr. Piotrowski, and carried unanimously on voice vote at 6:46 P.M.

APPROVED:

T. Gregory Kochuba, Mayor

ATTEST:

Pamela B. Wallace, City Clerk