

CITY OF COLONIAL HEIGHTS, VIRGINIA
Special Meeting of City Council
Tuesday, October 17, 2023

1. Call to Order.

Mayor Kochuba called the meeting to order at 6:00 P.M.

2. Roll Call

Present: Councilwoman Elizabeth G. Luck
Councilman Kenneth B. Frenier
Councilman John E. Piotrowski
Councilwoman Dr. Laura F. Poe
Vice-Mayor Robert W. Wade
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, Clerk

3. Declarations of Personal Interest

A declaration was read by Dr. Poe, then Filed with the Clerk.

4. Closed Meeting pursuant to the Code of Virginia in accordance with the following provision:

- **Paragraph A.1 of Section 2.2-3711, to discuss or consider the Performance of the City Manager.**

A motion was made by Vice-Mayor Wade, seconded by Mr. Frenier, to enter into a closed meeting.

Vote: 6-0
Yes: Frenier
Luck
Piotrowski
Poe
Wade
Kochuba
No: None
Absent: Wood
Abstained: None

Motion: UNANIMOUS PASS

Special Meeting Minutes

October 17, 2023

Page 2

5. Vote to come back into Open Meeting

A motion was made by Mayor Kochuba, seconded by Vice-Mayor Wade, to come back into an open meeting.

Vote: 6-0
Yes: Frenier
Luck
Piotrowski
Poe
Wade
Kochuba
No: None
Absent: Wood
Abstained: None

Motion: UNANIMOUS PASS

The Council has been a closed meeting pursuant to the Code of Virginia in accordance with the following provisions:

- **Paragraph A.1 of Section 2.2-3711, to discuss or consider the performance of the City Manager.**

Consideration of the following certification:

Each member will no 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 911) 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.

Roll call. An affirmative vote shall constitute certification of compliance.

Vote: 6-0
Yes: Frenier
Luck
Piotrowski
Poe
Wade
Kochuba
No: None
Absent: Wood
Abstained: None

Motion: UNANIMOUS PASS

6. Reading of Manner of Addressing Council

Mr. Fisher read the Manner of Addressing Council.

7. Advertised Public Hearing:

A. A RESOLUTION NO 23-48

Requesting the General Assembly of Virginia, in its 2024 Session, to make the following amendments to the Charter of the City of Colonial Heights: amend § 5.5 of Chapter 5, City Manager, to change the due date for submission to City Council of a report of the city's annual financial audit; amend § 6.19 of Chapter 6, Budgets, to remove a requirement that the director of finance certify that an unencumbered balance exists before any payments are made and remove certain severe consequences for payments that violate the charter; amend § 8.12 of Chapter 8, Financial Administration, to remove a requirement that the director of finance must certify that an unencumbered balance exists before the purchasing agent can execute a purchase order or a contract; amend Chapter 10, Department of Law, by revising §§ 10.1, 10.2, and 10.3, and repealing §§ 10.4, 10.5, and 10.6, which modify the City Attorney's powers and duties – including the elimination of duties to the school board and the superintendent of schools – and eliminate unnecessary and redundant verbiage; amend § 12.7 of Chapter 12, Department of Public Works, to delete outdated provisions relating to capital improvement projects, specified that the city shall comply with the public procurement requirements of general law and the City Code, and provide that the city school board shall comply with the public procurement mandates of general law and adopted policies; and repeal § 12.8 of Chapter 12, concerning school board contracts for capital improvement projects, due to its provisions being antiquated and unfeasible.

A motion was made by Mr. Frenier, seconded by Dr. Poe, to adopt Resolution No. 23-48.

Mayor Kochuba advised he previously met with members of the School Board who were supportive of the proposed changes relative to the duties and relationship of the City Attorney with the School Board and Superintendent. Additionally, Mayor Kochuba advised he and staff have met with Delegate Cherry who is supportive of the proposed changes to the City Charter as noted in Resolution No. 23-48. Delegate Cherry advised his Chief of Staff, has forwarded the items requesting they be presented in the form of a bill to the legislature at the appropriate time during the General Assembly session.

Special Meeting Minutes

October 17, 2023

Page 4

Mr. Fisher provided additional clarifying comments for each of the proposed submissions within the resolution. There being no discussion, Mayor Kochuba opened the floor for public comments. There were none. There were no comments from Council.

Vote: 6-0
Yes: Frenier
Luck
Piotrowski
Poe
Wade
Kochuba
No: None
Absent: Wood
Abstained: None

Motion: UNANIMOUS PASS

8. A Work Session on the Following Items:

- A. AN ORDINANCE NO 23-FIN-15**
(First Reading) To amend the General Fund Budget for the fiscal year beginning July 1, 2023, and ending June 30, 2024, by appropriating a total of \$289,188, consisting of 1) \$47,500 in grant funds to Communications for an emergency communications staffing recognition grant program from the state; 2) \$1,688 to the Police Department in state asset forfeiture funds; and 3) \$240,000 in unassigned fund balance for economic development grant payments.

A motion was made by Dr. Poe, seconded by Vice-Mayor Wade, to adopt Ordinance No. 23-FIN-15.

Mr. Smith advised that several items in the proposed ordinance were time-sensitive due to the time of grant application submission, thus the reason for bringing it before Council at a work session. Mr. Smith stated it was his hope to make the submission before December.

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

Vote: 6-0
Yes: Frenier
Luck
Piotrowski
Poe
Wade

Special Meeting Minutes

October 17, 2023

Page 5

No: Kochuba
Absent: None
Abstained: Wood
None

Motion: UNANIMOUS PASS

B. City Council Remote Meeting Access

Mr. Frenier provided comments relative to his request to allow for a way for Council members who were participating remotely to be able to view the meeting as it was taking place and not only participate by phone. Mr. Smith said he had reached out to Lewis Archileti, IT Director, with the request and he was present to share a suitable option. Mr. Archileti demonstrated the Meeting Owl Pro stating he felt this would meet the needs as requested by Mr. Frenier.

Mr. Archileti addressed several questions presented by the Council after which time, it was their consensus to move forward with the purchase and use of the Meeting Owl Pro at such time as it was necessary.

C. City Manager Project Updates

Health Department Move – There is an RFP in place with Health Department staff looking at prospective properties.

Security System – Chief Anspach has been working with a local security vendor to narrow down which measures should be implemented first. Mr. Smith advised staff would be meeting with the vendor in the next few weeks to determine which security measures should be implemented first. This will be a 12 to 15-month implementation process.

Public Works Update – Possible acquisition of a boat, which was stolen, to repair the fountain in the pond at the roundabout. It was the suggestion of Mayor Kochuba to replace the fountain with a larger one instead of repairing the existing one.

Violet Bank – Mr. Smith recalled previous discussions and allocation of funding to for Phase 2 at the property and advised that the grant from the Cameron Foundation was not awarded and that the initial repairs to the building will most likely be more than the \$250,000 allocation.

At the request of Mr. Smith, Mr. Skalak provided additional comments relative to the repairs made during Phase 1 and the proposed repairs to be made during Phase 2. Mr. Skalak stated he anticipated the cost for Phase 2 to be as high as \$300,000; however, he hoped to move forward with an additional grant application for the Cameron Foundation for additional funding.

Special Meeting Minutes

October 17, 2023

Page 6

There was continued discussion relative to researching additional funding options and/or the possibility of a purchaser for the property.

9. Adjournment

There being no further discussion, a motion was made by Mayor Kochuba, seconded by Vice-Mayor Wade, to adjourn the meeting at 8:01 P.M.

APPROVED:

T. Gregory Kochuba, Mayor

ATTEST:

Pamela B. Wallace, City Clerk