

**CITY OF COLONIAL HEIGHTS, VIRGINIA
Regular Meeting of City Council
Tuesday, December 10, 2019**

1. Call to Order

The Regular Meeting of City Council was called to order by Mayor Kochuba at 7:03 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
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

3. Devotion

A devotional prayer was led by Mayor Kochuba.

4. Pledge of Allegiance

The Pledge of Allegiance was led by Mayor Kochuba.

5. Adoption of Agenda

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

**Vote: 7-0
Yes: Cherry
Frenier
Green, Jr.
Piotrowski**

Regular Meeting Minutes

December 10, 2019

Page 2

Wood
Luck
Kochuba
No: None
Absent: None
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. Brief Presentation by Mayor Kochuba on Resolution No. 19-57

1. A RESOLUTION NO 19-57

Requesting that the General Assembly of the Commonwealth of Virginia refrain from taking any action which would restrict the citizens of Colonial Heights from exercising their rights under the Second Amendment of the United States Constitution.

At this time, as requested by Mayor Kochuba, the Clerk read Resolution No. 19-57 in its entirety.

A motion was made by Mr. Cherry, seconded by Mr. Frenier, to adopt Resolution No. 19-57.

Mayor Kochuba explained that Resolution No. 19-57 was drafted by the City Attorney, who is knowledgeable and understands Virginia Law, and thanked him for his efforts in drafting the resolution. Mayor Kochuba continued by stating the purpose of the resolution is to send a message to the Virginia General Assembly conveying that the City of Colonial Heights supports the Second Amendment and is opposed to any changes made by the Commonwealth of Virginia that may be unconstitutional. At this time, Mayor Kochuba explained to the public why there would be no public comment on the resolution. Mayor Kochuba stated the public was made aware prior to the meeting that there would be no public comment; but, citizens were welcome to send emails to Council members. Mayor Kochuba noted Council members had received an overwhelming number of emails. Concluding his remarks, Mayor Kochuba stated the majority of the burden would fall on the

Regular Meeting Minutes

December 10, 2019

Page 3

state senators and house delegates and encouraged those present to contact them with their concerns and issues.

Noting Mr. Cherry as the Councilmember bringing the resolution before Council, Mayor Kochuba yielded the floor to him for comments.

Mr. Cherry thanked those who were present stating he was encouraged by the activism expressed by those in attendance and encouraged those present to continue to be involved in elections.

Mr. Cherry explained the reasoning behind the proposed resolution stating that Council felt it needed to be proactive as opposed to reactive to this type of legislation. Mr. Cherry further explained Council's decision not to include the language declaring Colonial Heights a "sanctuary city" by stating that "sanctuary" had a specific connotation which conveys one is hiding from or needs protection from something. Mr. Cherry stated "we don't need protection from anything; we are standing on the Constitution" and challenged those to consider Colonial Heights a Constitutional community as the City was standing on the Constitution of the United States of America.

Mr. Cherry continued to explain the proposed legislation effecting the second amendment and outcome of such passage of the legislation; specifically noting the effect on local law enforcement and the red flag laws. Mr. Cherry further explained the flexibility within the context of how the City enforces such laws that are passed down.

Mr. Cherry stated he was thankful Council was taking the vote and challenged those present to support the proposed resolution. Mr. Cherry, recalling Mayor Kochuba's comments, also challenged those present to contact state and local representatives who were ultimately responsible for representing those of their locality. Additionally, Mr. Cherry challenged those to make their voices heard as everyone's voice matters; however, do so politely and respectfully for if the battle is lost in the court of public opinion, it was just as bad as losing it legislatively.

Concurring with Mr. Cherry's comments, Mr. Piotrowski thanked those who attended.

Mr. Wood stated the proposed resolution speaks to the core of whom and what America is, and for that reason citizens need to seriously consider the import of it. Continuing, Mr. Wood stated that the Second Amendment was designed by framers of the Constitution who were primarily interested in the restriction of tyranny in the maximization of freedom of liberty. In order to maximize that freedom, framers placed the right to bear arms as the Second

Regular Meeting Minutes

December 10, 2019

Page 4

Amendment of the Constitution. Mr. Wood continued to explain the history of the ultimate purpose of the Second Amendment. Mr. Wood spoke to the purpose of the proposed resolution stating that it only went to the purpose for which the Constitution and the Bill of Rights were designed. Mr. Wood continued by stating he was in agreement that the proposed resolution not declare the City of Colonial Heights “a sanctuary city” for the purpose that, in his opinion, anyone exercising a Constitutional right need not sanctuary or refuge from others. Mr. Wood stated it is the citizens right to keep and bear arms, which is superior to any other legislation.

Mrs. Luck stated that she was in support of the proposed resolution and those proposing to impose gun control laws need to be governed by common sense. Mrs. Luck also echoed the comments of Mr. Cherry relative to the support from the citizens.

Mr. Frenier commended Mr. Fisher for the specific language crafted in the proposed resolution. Mr. Frenier advised of his conversation with the City’s Delegate who stated it was the best written resolution of any they had reviewed. Mr. Frenier provided a brief update relative to one of the upcoming bills regarding the removal of the grandfather clause which would make certain gun owners felons after July 1, 2020. Additionally, Mr. Frenier stated that it was not guns that killed people; it was people that killed people and he hoped that the General Assembly would address issues effecting gun violence such as mental health issues, drug use, and the inclusion of God.

Mr. Green stated he had prepared to offer an amendment to the proposed resolution “including court action and/or proposal of City Ordinances to consider becoming a Second Amendment Sanctuary City”; however, Mr. Green stated he felt Mr. Cherry masterfully explained how the use of sanctuary city directly gives the connotation that the City was harboring someone that has done something wrong. Mr. Green thanked all those involved in preparing and presenting the City’s position on this matter. Mr. Green stated he could support legislation that “tightens up” gun laws; however, these laws need to be for those who break the law with the use of a firearm. Concluding his comments, Mr. Green stated he would not motion to amend because of Mr. Cherry’s comments and Mr. Fisher’s efforts.

Before calling for the vote, Mayor Kochuba again thanked everyone for their attendance and commended them for being respectful.

**Vote: 7-0
Yes: Cherry
Frenier
Green**

Regular Meeting Minutes

December 10, 2019

Page 5

Piotrowski

Wood

Luck

Kochuba

No: None

Absent: None

Abstained: None

Motion: UNANIMOUS PASS

Mayor Kochuba called for a short recess at 7:50 P.M.

Mayor Kochuba reconvened the meeting at 8:00 P.M.

- B. Presentation of the FY2019 Comprehensive Annual Financial Report (CAFR) by the Finance Director and Representatives from Brown, Edwards, and Company L.L.P.**

Mr. Travis Gilmer, Senior Manager from Brown, Edwards, and Company L.L.P. provided the required public presentation for the 2019 School Board Audit. Mr. Gilmer thanked Council for the opportunity and commended the Finance Department staff for their cooperation during the audit process. Mr. Gilmer briefly discussed and provided the following comments from the School Board Audit:

- A clean opinion was issued for the 2019 audit.**
- The unassigned Fund Balance was \$10.5M, which was an increase of \$1.3M from the previous year or 14%. Mr. Gilmer also noted the Assigned Fund Balance of \$2.1M, which was funds set aside for various needs.**
- For the fourth year in a row, the income statement for water and sewer and the Stormwater Management Fund have generated positive net income.**
- Within the Statement of Cash Flows, Mr. Gilmer noted there was net cash provided by operating activities in the amount of \$1.7M.**
- Within the Schedule of Findings, the only finding was to request the schools to update policies with regard to the Virginia Public Procurement Act (VPPA). Additionally, Mr. Gilmer recalled a minor deficiency in a Stormwater Report and a category within a Budget Amendment.**

Regular Meeting Minutes

December 10, 2019

Page 6

Mayor Kochuba noted that he and the Audit Committee had reviewed the findings prior to the meetings and thanked Mrs. Minor and her staff as well as Mr. Gilmer for their efforts with regard to the City's financial position.

Addressing Mr. Wood's question regarding room for improvement, Mrs. Minor stated there was always room for improvement and areas where there could be more transparency; specifically noting her concerns regarding EMS billing which she wished to address in the coming year.

Mr. Green commended Mrs. Minor for continuing with the high standard of the previous Finance Director.

8. Reading of Manner of Addressing Council.

Mr. Fisher read the Manner of Addressing Council.

9. Written Petitions and Communications

- A. Gordon Robbins, 3623 Spruce Avenue – Requests to address Council regarding Virginia's Inclusion in the Convention of States

Mr. Robbins had previously provided Council with information relative to his presentation. After a brief presentation and explanation of his information, Mayor Kochuba requested Messrs. Fisher and Smith further research the information presented by Mr. Robbins and present their findings to Council at a later date should they feel further discussion or action was necessary.

10. Advertised Public Hearing

- A. **AN ORDINANCE NO 19-19**
(First Reading) Amending § 244-14 of Chapter 244, Solid Waste, of the Colonial Heights City Code, by changing the required location of solid waste and recycling cans and containers, providing an exception for the location of solid waste and recycling cans and containers for the owners or tenants of certain multifamily housing, and providing an exception for those customers receiving certain assistance in rolling cans and containers to the street and rolling them back toward a residence.

A motion was made by Mr. Cherry, seconded by Mr. Frenier, to adopt Ordinance No. 19-19.

Regular Meeting Minutes

December 10, 2019

Page 7

Mr. Smith reviewed the proposed ordinance focusing on the definition of the location of containers and addressed specific changes within the ordinance, which addressed the placement of receptacles for residents with no side or rear yard, and those who needed assistance with placement.

Ms. Hall recalled the existing language of the ordinance and provided the proposed language as drafted by Mr. Fisher, “the part of the residence or business that is closest to the City right-of-way.” At this time, Ms. Hall provided a visual presentation to further explain the proposed location of receptacles.

At the conclusion of the presentation, Mayor Kochuba opened the floor for public comment.

Public Comment:

Wayne Browder, 1313 Oakwood Drive – Spoke in opposition of the proposed ordinance.

Bonnie Davis, 3242 Jersey Court – Spoke in opposition of the proposed ordinance.

Dave Hoopsick, 401 Dupuy Avenue – Spoke in support of the proposed ordinance.

Mary Ann Hamilton, 125 Suffolk Avenue – Spoke in opposition of the proposed ordinance.

Sherri Browder, 1313 Oakwood Drive – Spoke in opposition of the proposed ordinance.

Council Comments:

Mr. Green recalled discussion from the previous month’s meeting as he further explained Council and staff’s reasoning for addressing the subject again.

Mr. Wood stated that no matter what decision was made, there would still be some that were unhappy. Continuing, Mr. Wood stated there were not sufficient resources to support inspection staff to locate violations. Mr. Wood stated staff relies on neighbors to report unsightly violations after which time; staff would follow-up on the violation. It was Mr. Wood’s suggestion, that should this occur, those observing such violations, report the violation to Code Enforcement. Continuing, Mr. Wood elaborated on the intent of the

Regular Meeting Minutes

December 10, 2019

Page 8

proposed ordinance compared to the interpretation of the language within the ordinance. Mr. Wood stated he was satisfied with the language of the ordinance as it was original drafted further stating it was his opinion this was the most enforceable, effective, and applicable arrangement.

Mrs. Luck recalled Council's direction to staff of a solution to address those who did not have a back or side yard i.e., residents of townhomes and apartments. Mrs. Luck stated she felt there was no need to address collection of receptacles for handicapped, as this was a service of the trash service provider.

Mr. Fisher stated he respectfully disagreed with Mrs. Luck's comments regarding service for handicapped residents and advised he felt there needed to be some type of language included in the ordinance. Mr. Fisher stated it was his intent to convey only Council's wishes with regard to the proposed language in the ordinance.

After a few brief comments, Mr. Frenier stated he was satisfied with the proposed ordinance as it was presented.

Mr. Cherry provided comments to explain his request for further discussion and consideration. Mr. Cherry stated it was his intent to find a solution which was enforceable and made sense.

There was continued discussion by Council and staff regarding the specific location of the receptacle and the type of structure specified in the ordinance. A motion was made by Mrs. Luck, seconded by Mr. Green, that the ordinance should remain the same with the exception of townhouses and inclusion of language addressing those with handicap needs.

Vote: 6-1
Yes: Cherry
Frenier
Green, Jr.
Piotrowski
Luck
Kochuba
No: Wood
Absent: None
Abstained: None

Motion: PASS

Regular Meeting Minutes

December 10, 2019

Page 9

A motion was made by Mrs. Luck, seconded by Mr. Piotrowski, to approve the ordinance as amended.

Vote: 6-1
Yes: Cherry
Frenier
Piotrowski
Luck
Kochuba
No: Green, Jr.
Wood
Absent: None
Abstained: None

Motion: PASS

Before moving forward, Mayor Kochuba called for a five-minute recess.

- B. AN ORDINANCE NO 19-23**
(First Reading) Amending §§ 98-42 and 98-43 of Chapter 98, Animals, of the Colonial Heights City Code; adding new §§ 98-42.1 and 98-43.1 to Chapter 98; and amending § 286-500.04 of Chapter 286, Zoning, of the City Code, all relating to allowing up to three female chickens, and associated pens or coops, to be kept as an accessory use to a primary residential use type.

A motion was made by Mr. Cherry, seconded by Mr. Piotrowski, to adopt Ordinance No. 19-23.

Ms. Hall provided background information relative to the ordinance as well the most recent action of the Planning Commission. Ms. Hall advised members of the Planning Commission disapproval of the ordinance by a vote of 5-1.

At the conclusion of Ms. Hall's comments and presentation, Mayor Kochuba opened the floor for comments from the public.

Sherri Browder, 1313 Oakwood Drive – Spoke in opposition.

Debora Shafer, 215 Biltmore Drive – Spoke in support.

Mary Kay Hatten, 3243 Jersey Court – Spoke in opposition.

Bonnie Davis 3242 Jersey Court – Spoke in opposition.

Dave Hoopsick, 401 Dupuy Avenue – Spoke in support.

Council Comments:

Mr. Green stated that although he opposed the ordinance, he felt a special exception should be granted Ms. Shafer.

Mr. Cherry provided comments in support of the ordinance.

Mr. Piotrowski provided comments in support of the ordinance.

Mr. Frenier provided comments in opposition of the ordinance.

Mr. Wood provided comments in opposition of the ordinance.

Before the vote was cast, Mayor Kochuba advised there must be a super majority because of the vote of the Planning Commission.

Vote:	3-4
Yes:	Cherry Piotrowski Luck
No:	Frenier Green, Jr. Wood Kochuba
Absent:	None
Abstained:	None

Motion: FAIL

- C. AN ORDINANCE NO 19-26
(First Reading) To change the land use classification of a tract of approximately 0.1358 acre of real property on the Land Use Plan Map, which is part of the City Comprehensive Plan (i.e., Master Plan), from Transitional Office to Community Commercial. The approximate 0.1358 acre tract is known as Chesterfield Highlands, Block 5, Lots 19, 19A, 20, and 20A, parcel identification numbers 4000010520 and 4000010520A; with a physical address of 137 Pickwick Avenue.**

A motion was made by Mayor Kochuba, seconded by Mr. Frenier, to adopt Ordinance No 19-26.

Regular Meeting Minutes

December 10, 2019

Page 11

Mrs. Hall provided brief comments relative to the proposed action and the action taken by the Planning Commission.

Mr. Joey Cummings spoke to his request and plans for the property to include a restaurant and parking lot. Mr. Cummings stated he had addressed concerns from the Planning Commission relative to the smell from trash and ventilation from the restaurant.

Public Comment:

Lawrence Hamner, 221 Danville Avenue – Spoke in opposition of the request noting his concerns relative to safety issues, specifically, the possibility of fire hazard, with a restaurant being so close to residential property.

Council Comment:

Mr. Piotrowski expressed his approval of the request stating this would be an opportunity to improve and further develop the Pickwick Shopping Center.

Mr. Cherry also expressed his approval as the Council representative on the Planning Commission recalling comments from the meeting from an individual living directly behind the proposed property stating, when asked, did not have an issue with the property being a restaurant.

Ms. Hall addressed questions from Mr. Wood further clarifying the zoning classification. Additionally, Mr. Cummings addressed questions from Mr. Wood with regard to further clarification of his plans for the proposed restaurant.

Mr. Frenier addressed the fire hazard concerns expressed by Mr. Hamner and asked Mr. Cummings if there was a planned sprinkler system. Mr. Cummings was not certain stating he did not think the square footage of the structure was large enough to require such system.

Mr. Fisher stated it was not his intent to be negative; however, once the zoning was changed, anything zoned Boulevard Business could locate at the property.

**Vote: 7-0
Yes: Cherry
Frenier
Green, Jr.
Piotrowski
Wood**

Regular Meeting Minutes

December 10, 2019

Page 12

Luck
Kochuba
No: None
Absent: None
Abstained: None

Motion: UNANIMOUS PASS

D. AN ORDINANCE NO 19-27
(First Reading) To change the zoning classification of an approximate 0.0819 acre parcel with parcel identification number 40000105020, and of an approximate 0.0539 acre parcel with parcel identification number 40000105020A, collectively known as 137 Pickwick Avenue, from RO Residential Office District to BB Boulevard Business District; and to amend the Zoning Map accordingly.

A motion was made by Mr. Green, seconded by Mr. Cherry, to adopt Ordinance No. 19-27.

At the request of Mr. Smith, Ms. Hall provided Council with visuals depicting the zoning map and advised of the Planning Commission approval vote of 5-1.

Addressing Mr. Piotrowski's comment relative to the dissenting vote when he felt this was a good economic opportunity for the City, Mr. Cherry stated there was concern by the Commission member that the zoning was not strict enough not to allow the sale of alcohol or lottery tickets and the sale of such would be a detriment to the surrounding neighborhood.

Public Comment: None

Council Comment:

Mr. Wood recalled Mr. Fisher's previous comments advising that once the zoning was changed, anything zoned Boulevard Business could locate at the property.

Vote: 7-0
Yes: Cherry
Frenier
Green, Jr.
Piotrowski
Wood
Luck

Regular Meeting Minutes

December 10, 2019

Page 13

Kochuba
No: None
Absent: None
Abstained: None

Motion: UNANIMOUS PASS

- E. AN ORDINANCE NO. 19-28**
(First Reading) Amending § 286-200 of chapter 286, Zoning of the Colonial Heights City Code by adding a definition of “donation collection bin” and adding a § 286-530.26 to Chapter 286, prohibiting the placement or location of donation collection bins anywhere in the City.

A motion was made by Mayor Kochuba, seconded by Mr. Cherry, to adopt Ordinance No. 19-28.

Ms. Brandi Payne, Assistant Planning Director, made a presentation advising Council of the Planning Commission’s recommendation to clearly define donation/collection bins and prohibiting the location anywhere in the City. Additionally, Ms. Payne advised of the current locations of such donation/collection bins within the City.

There were no comments from the public nor Council.

Vote: 6-1
Yes: Cherry
Frenier
Piotrowski
Wood
Luck
Kochuba
No: Green, Jr.
Absent: None
Abstained: None

MOTION: UNANIMOUS PASS

- F. AN ORDINANCE NO. 19-30**
(First Reading) Approving the Chief elected Officials Consortium Agreement as part of the Crater Regional Workforce Development Board for Local Workforce Area 15 and authorizing the Mayor to execute the Agreement.

Regular Meeting Minutes

December 10, 2019

Page 14

A motion was made by Mr. Green, seconded by Mrs. Luck, to adopt Ordinance No. 19-30.

Mr. Fisher provided the history of the implementation of procedures for workforce development boards for youth and hard-to-employ persons. Mr. Fisher advised that each locality had been asked to approve an agreement which set the role of the Board's Chief Elected Officials; noting Mayor Kochuba would serve as the City's representative. Both Mr. Fisher and Mayor Kochuba stated this was a federally funded program with no cost to the City.

Public Comment: There were no comments.

Council Comment:

Clarifying Mrs. Luck's comments relative to why Colonial Heights was not included in the Chesterfield District; Mayor Kochuba stated that the state made the district assignment and placed Colonial Heights in the Crater District.

Vote: 7-0
Yes: Cherry
Frenier
Green, Jr.
Piotrowski
Wood
Luck
Kochuba
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. AN ORDINANCE NO. 19-22**
(Second Reading) To grant a special use permit, with conditions, to the Colonial Heights School Board to upgrade

existing signage to allow for a 16 square foot internally illuminated sign and a 17.9 square foot electronic message board on the existing freestanding sign structure at Tussing Elementary School, 5501 Conduit Road.

- B. AN ORDINANCE NO. 19-24**
(Second Reading) Adding Article IV to Chapter 273, Vehicles and Traffic, of the Colonial Heights City Code to regulate electric personal assistive mobility devices, electric power-assisted bicycles, motorized skateboards, and motorized scooters.
- C. AN ORDINANCE NO. 19-29**
(Second Reading) Awarding the City Clerk a 5% bonus.
- D. AN ORDINANCE NO. 19-FIN-20**
(Second Reading) To amend the General Fund Budget for the fiscal year beginning July 1 2019 and ending June 30, 2020, by appropriating \$292,009, which consists of: 1) \$3,602 in Byrne JAG Grant funds for police equipment; 2) \$100,000 from assigned fund balance for equipment on the new Fire Department Ladder Truck; and 3) \$188,407 in anticipated SAFER grant funds and transfer \$107,965 from contingency for the Fire Department in the current fiscal year.

To amend the Capital Projects Fund Budget for the fiscal year beginning July 1, 2019 and ending June 30, 2020, by appropriating \$45,927, which consists of: 1) \$47,665 transferred from development projects to technology projects for the replacement of video equipment in Council chambers and mobile data computers in public safety vehicles; 2) \$33,904 transferred from the facilities master plan and \$20,169 transferred from the redevelopment project to the Violet Bank restoration Phase I project; 3) to reduce anticipated Cameron Foundation grant funds from \$98,561 to \$43,715 and appropriate \$773 in interest earnings for the Violet Bank restoration Phase I project; and 4) \$100,000 transfer from the general fund assigned fund balance to the fire apparatus project for equipment for the new ladder truck.

- C. June 20, 2017 Special Meeting Minutes**
- D. July 18, 2017 Special Meeting Minutes**

E. October 8, 2019 Regular Meeting Minutes

Before a motion and second, Mr. Frenier stated he had a question with regard to Item 12.D, with Mr. Fisher adding that the item needed to be removed from the Consent Agenda.

A motion was made by Mayor Kochuba, seconded by Mr. Green, to approve the Consent Agenda except for Item 12.D – Ordinance No. 19-FIN-20 - which would be moved to Item 13.

**Vote: 7-0
Yes: Cherry
Frenier
Green, Jr.
Piotrowski
Wood
Luck
Kochuba
No: None
Absent: None
Abstained: None**

Motion: UNANIMOUS PASS

13. Introduction and Consideration of Ordinances and Resolutions

- A. A RESOLUTION NO 19-60
Approving a Special Project Service Agreement with the Central Virginia Waste Management Authority for Appliance and Scrap Metal Delivery and Recycling Services, and the First Amendment to such agreement.**

A motion was made by Mr. Green, seconded by Mr. Cherry, to adopt Resolution No. 19-60.

Mr. Smith further clarified the Resolution stating the action would be of little to no cost financially to the City.

**Vote: 7-0
Yes: Cherry
Frenier
Green, Jr.
Piotrowski**

Regular Meeting Minutes

December 10, 2019

Page 17

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

Motion: UNANIMOUS PASS

B. A RESOLUTION NO. 19-61

Approving three Water Connection Agreements, whereby the City will furnish a supply of public water to serve three residences in Chesterfield County; and authorizing the City Manager to execute the Agreements.

A motion was made by Mr. Green, seconded by Mrs. Luck, to adopt Resolution No. 19-61.

Mr. Smith advised the agreements had been discussed with the three affected residents and they were agreeable to the proposed Water Connection Agreement.

Vote: 6-1
Yes: Cherry
Frenier
Green, Jr.
Piotrowski
Luck
Kochuba
No: Wood
Absent: None
Abstained: None

Motion: PASS

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

A. AN ORDINANCE NO 19-FIN-20

(Second Reading) To amend the General Fund Budget for the fiscal year beginning July 1, 2019 and ending June 30, 2020, by appropriating \$292,009, which consists of: 1) \$3,602 in Byrne JAG Grant funds for police equipment; 2) \$100,000 from assigned fund balance for equipment on the new Fire

Department Ladder Truck; and 3) \$188,407 in anticipated SAFER grant funds and transfer \$107,965 from contingency for the Fire Department in the current fiscal year.

To amend the Capital Projects Fund Budget for the fiscal year beginning July 1, 2019 and ending June 30, 2020, by appropriating \$45,927, which consists of: 1) \$47,665 transferred from development projects to technology projects for the replacement of video equipment in Council Chambers and mobile data computers in public safety vehicles; 2) \$33,904 transferred from the facilities master plan and \$20,169 transferred from the redevelopment project to the Violet Bank Restoration Phase I Project; 3) to reduce anticipated Cameron Foundation Grant funds from \$98,561 to \$43,715 and appropriate \$773 in interest earnings from the Violet Bank restoration Phase I project; and 4) \$100,000 transfer from the general fund assigned fund balance to the fire apparatus project for equipment for the new ladder truck.

Mr. Frenier directed Council’s attention to paragraph two of the ordinance which read, “appropriating \$45,927, which consists of: 1) \$47,665”. Mr. Frenier asked if there was an error in the totals noted as the appropriation was less that the figure noted in 1).

Mrs. Minor directed Council’s attention to the Budget Summary attachment and further explained that the reduction in expenditures offset the increase in appropriations.

A motion was made by Mayor Kochuba, seconded by Mr. Cherry, to adopt Ordinance No. 19-FIN-20.

Vote: 7-0
Yes: Cherry
Frenier
Green, Jr.
Piotrowski
Wood
Luck
Kochuba
No: None
Absent: None
Abstained: None

Motion: UNANIMOUS PASS

15. Reports of Officers and Documents Related Thereto.

Due to the late hour, Mayor Kochuba asked that Council members review Retreat items provided by Mr. Smith.

A. City Manager

1. Updated Draft Agenda for City Council Retreat

Mr. Smith advised that Council members could see him after the meeting as needed and any information received could be added and edited as needed to prepare the agenda.

2. General Activity Report

Mr. Smith thanked Mrs. Minor and her staff for their efforts working with and prepare items for the auditors. Continuing, Mr. Smith also thanked Mr. Skalak and all those involved in working on the Christmas Parade. Concluding his comments, Mr. Smith reported that Mr. Henley informed him that the Federal Highway Administration had approved for the advertisement of Phase 4 of the Appomattox River Greenway Trail. Mr. Smith stated the planned construction start-time would still be March 2020, pending VDOT's final bid approval.

B. City Attorney

Mr. Fisher advised of the new part-time employee in his office, Mrs. Nan Downey, formerly of Fire and EMS. Additionally, Mr. Fisher thanked Pam Wallace, Nancy Boshier, Jeri-Ann Tomlin, and anyone else who participated in helping with the Employee Christmas Lunch.

C. Director of Planning and Community Development

Ms. Hall reported that the Planning Commission met the previous week noting their review of the Comprehensive Plan and that the Commission will hold its Annual Meeting in January. Additionally, Ms. Hall advised that the Planning Commission, for their first time in the history of the Commission, has a certified Floodplain Administrator, Ms. Brandy Payne.

Before adjourning the meeting, Mayor Kochuba thanked the Clerk, Andrew Blais, and Chief Faries for their efforts to ensure the meeting ran smoothly due to the increased number of attendees.

Regular Meeting Minutes

December 10, 2019

Page 20

16. Adjournment

There being no further business, a motion was made by Mr. Cherry, seconded by Mr. Piotrowski, and carried unanimously on voice vote to adjourn the meeting. The meeting was adjourned at 11:08 P.M.

APPROVED:

T. Gregory Kochuba, Mayor

ATTEST:

Pamela B. Wallace, City Clerk