

CITY OF COLONIAL HEIGHTS, VIRGINIA
Regular Meeting of City Council
Tuesday, May 12, 2020

1. Call to Order

The Regular Meeting of City Council was called to order by Mayor Kochuba at 7:05 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 Mr. Piotrowski.

4. Pledge of Allegiance

The Pledge of Allegiance was led by Mayor Kochuba.

5. Adoption of Agenda

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

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

Regular Meeting Minutes

May 12, 2020

Page 2

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

Motion: UNANIMOUS PASS

6. Declarations of Personal Interest

Declarations were read by Messrs. Frenier, Green, Piotrowski, Mrs. Luck, and Mayor Kochuba.

7. Commendations and Presentations

There were none.

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 20-12
(First Reading) Amending § 1-4.1 of Chapter 1, General Provisions, of the Colonial Heights City Code, by increasing from \$10 to \$20 the fee to be collected from a convicted defendant for funding courthouse security personnel.**

A motion was made by Mr. Green, seconded by Mrs. Luck, to adopt the Ordinance No. 20-12.

Mr. Fisher advised this action was initiated by the Virginia Sheriff's Association, which brought it before the General Assembly for approval during the 2020 session. Mr. Fisher also advised upon speaking with Sheriff Wilson, he was in favor and supported the proposed increase.

Public Comments: None

Regular Meeting Minutes

May 12, 2020

Page 3

Council Comments:

Mr. Wood noted that under most circumstances, he did not agree with increased fees; however, he supported this increase.

Mayor Kochuba stated his only concern was the collection of such fees, as there has been difficulty in the past with collection of court fees.

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

Motion: UNANIMOUS PASS

- B. AN ORDINANCE NO 20-19**
(First Reading) To adopt a revised General Pay Plan Class and Salary Range that adds a new Geographic Information Systems Coordinator position, a new Human Resources Specialist position, and a new Office on Youth & Human Services Administrator position along with corresponding job descriptions.

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

11. Hearing of Citizens Generally on Non-Agenda Items

Although there were no comments from the public, Mr. Wood requested that a resolution be drafted and signed by Council, remembering Mr. Leslie P. Fryar and recognizing his dedicated service to the City of Colonial Heights.

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

- A. AN ORDINANCE NO 20-13**

(First Reading) Providing for a levy on all real estate located in the City not exempt from taxation to fixed at \$1.20 for the tax year commencing January 1, 2020, and ending December 31, 2020; and providing for a levy on all real estate located in the City not exempt from taxation to be fixed at \$1.20 for the tax year commencing January 1, 2021, and ending December 31, 2021, for general municipal purposes.

B. AN ORDINANCE NO 20-14

(First Reading) Providing for a tax levy on all tangible personal property not either exempt from taxation or otherwise taxed, for the tax year ending December 31, 2020; and for the tax year commencing January 1, 2021, and ending December 31, 2021; for general municipal purposes.

C. AN ORDINANCE NO 20-15

(First Reading) Providing for a tax levy on motor vehicles owned by members of a volunteer rescue squad or volunteer fire department, and persons appointed to serve as auxiliary police officers for the tax year ending December 31, 2020; and for the tax year commencing January 1, 2021, and ending December 31, 2021, for general municipal purposes.

D. AN ORDINANCE NO 20-16

(First Reading) Providing for a personal property levy of one dollar (\$1.00) on each motor vehicle which is specifically equipped to provide transportation for physically handicapped individuals for the tax year commencing January 1, 2020, and ending December 31, 2020; and providing for such levy on motor vehicles which are specifically equipped to provide transportation for physically handicapped individuals for the tax year commencing January 1, 2021, and ending December 31, 2021, for general municipal purposes.

E. AN ORDINANCE NO 20-17

(First Reading) Providing for a tax levy of \$2.00 on each \$100 of assessed value on machinery and tools, tangible personal property used in a research and development business, and motor vehicles, trailers and semitrailers with a gross weight of 10,000 pounds or more used to transport property for hire by a motor carrier engaged in interstate commerce, for the tax year ending December 31, 2020; and for the tax year commencing January 1, 2021, and ending December 31, 2021; for general municipal purposes.

Regular Meeting Minutes

May 12, 2020

Page 5

- F. AN ORDINANCE NO 20-18**
(First Reading) Establishing a tax rate pursuant to Chapter 35.1 of Title 58.1 of the Code of Virginia (“Personal Property Tax Relief”) on all qualifying vehicles under the Chapter.
- G. AN ORDINANCE NO 20-FIN-3**
(First Reading) Adopting the General Fund Budget for the fiscal year beginning July 1, 2020, and ending June 30, 2021, and appropriating the estimated revenues for the year for the objects and purposes stated herein.
- H. AN ORDINANCE NO 20-FIN-4**
(First Reading) Appropriating and providing funds for financing the City of Colonial Heights Public School Budget for the fiscal year beginning July 1, 2020 and ending June 30, 2021, and approving such budget.
- I. AN ORDINANCE NO 20-FIN-5**
(First Reading) Adopting the Recreation Activity Fund for the fiscal year beginning July 1, 2020, and ending June 30, 2021, and appropriating the estimated revenues for the year for the principal purposes stated.
- J. AN ORDINANCE NO 20-FIN-6**
(First Reading) Adopting the Capital Projects Fund Budget for the fiscal year beginning July 1, 2020, and ending June 30, 2021, and appropriating the estimated revenues for the year for the principal purposes stated.
- K. AN ORDINANCE NO 20-FIN-7**
(First Reading) Adopting the Stormwater Fund for the fiscal year beginning July 1, 2020, and ending June 30, 2021, and appropriating the estimated revenues for the year for the principal purposes stated.
- L. AN ORDINANCE NO 20-FIN-9**
(First Reading) Adopting the Economic Development Authority Budget for the fiscal year beginning July 1, 2020, and ending June 30, 2021, and appropriating the estimated revenues for the year for the operating expenditures stated.
- M. April 14, 2020 Special Meeting Minutes**

Regular Meeting Minutes

May 12, 2020

Page 6

N. April 21, 2020 Special Meeting Minutes

O. April 28, 2020 Special Meeting Minutes

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

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

Motion UNANIMOUS PASS

A motion was made by Mr. Green, seconded by Mr. Frenier, to approve the Consent Agenda as presented.

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

Motion: UNANIMOUS PASS

13. Introduction and Consideration of Ordinances and Resolutions

**A. AN ORDINANCE NO 20-FIN-10
(First Reading) To amend the General Fund Budget for the fiscal year beginning July 1, 2019 and ending June 30, 2020, by appropriating \$323,175, which consists of: 1) \$37,000 in grant**

Regular Meeting Minutes

May 12, 2020

Page 7

funds for the GIS Next Generation 9-1-1 to General and Financial Administration; and 2) \$286,175 in grant funds for the Next Generation 9-1-1 Migration to Public Safety for Communications.

To amend the Capital Projects Fund Budget for the fiscal year beginning July 1, 2019 and ending June 30, 2020, by transferring \$178,084 from Utility Infrastructure Projects to the Hrouda Pump Station project.

A motion was made by Mr. Green, seconded by Mr. Piotrowski, to adopt Ordinance No 20-FIN-10.

Mr. Smith provided brief comments further clarifying the appropriations. There were no comments from Council.

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

Motion: UNANIMOUS PASS

B. A RESOLUTION NO 20-23
Extending the due date for the payment of personal property taxes.

A motion was made by Mr. Green, seconded by Mr. Piotrowski, to approve Resolution No. 20-23.

Mayor Kochuba advised Bill Feasenmyer, Commissioner of Revenue, was in agreement with the proposed resolution. Mr. Feasenmyer, joining the meeting via teleconference, explained the reasoning behind the request for the extension.

Vote: 7-0

Regular Meeting Minutes

May 12, 2020

Page 8

Yes: Cherry
 Frenier
 Green
 Piotrowski
 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.

A. Presentation and Discussion of Proposed Utility Rate Increase

Mr. Smith recalled Council’s previous discussion and consideration of the Utility Rate study presented at the April 28, 2020 Special Meeting. The two parts:

**Rate Structure
Scenarios**

Mrs. Minor presented slides showing the city’s existing infrastructure including the water and sewer lines totaling \$1.14 M linear feet at a \$673M replacement cost. Mrs. Minor also advised there were 308 “vertical assets” with a \$8.2M replacement cost. Continuing, Mrs. Minor stated that in the next 25 years, the city will reasonably have to replace a total of \$188,000,000 in water and sewer lines as well as vertical assets.

On the financial side, Mrs. Minor stated that the current revenue was insufficient for liquidity, future debt reserves and replacement of existing capital. Mrs. Minor reported the recommendation for longer-term rates:

- 7.5M annual capital outlay which would fully replace \$188M in 25 years with an 11.6% average annual rate increase**
- Or**
- 4.0M annual capital outlay which would replace \$100M in 25 years which would require 47 years to replace the \$188M implementing a 7.6% annual rate increase.**

Mrs. Minor provided information on the FY20 emergency repair cost for five projects totaling approximately \$450,000.

Regular Meeting Minutes

May 12, 2020

Page 9

Continuing, Mrs. Minor provided rate options for FY20/21.

Part 1 – Consideration of rate structure:

Option 1: Lower base, no “free” consumption

Option 2: Slightly lower base with 6 CCF “free”

Status quo: Same rate structure as current, and the approved rate increase would be applied uniformly to the current rates.

Part 2 – Consideration of Percentage Increase:

5% increase in revenue

2.5% increase in revenue

Mrs. Minor provided information showing the increases for current, option 1, option 2, and status quo for median and minimal residential and median business. Continuing, Mrs. Minor advised the revenue difference between a 2.5% vs. 5% increase would be \$109,200 noting this would require reductions in operational expenses in the water/sewer fund based on budgeted revenues/expenses for FY21.

After brief comments, Mayor Kochuba expressed his concern that the infrastructure issues had not been addressed in previous years and he did not feel the City’s lack of response to address these issues, should be placed on the citizens.

Mr. Green provided comments expressing his concerns relative to a 5% increase and therefore stated he could not support any more than status quo or 2.5%.

Addressing Mr. Frenier’s question relative to the replacement of infrastructure other than a break, Mr. Flippen stated that infrastructure was being replaced in conjunction with the Dupuy and Lakeview Projects. Mr. Frenier pointed out that the repairs which have been made are in the older sections of the City and have occurred only to address breakages and not maintenance replacement.

Mr. Wood provided comments referring to hidden infrastructure which is not seen and therefore often not address because out-of-site it is out-of-mind. After additional comments, Mr. Wood expressed his support for Option 1, which included a 5% increase.

There being no further discussion, Mayor Kochuba polled Council, which would move forward with Option 1 to include a 5% increase:

**Wood - Yes
Green – No
Frenier – Yes
Piotrowski – No
Luck – Yes
Cherry – Yes
Kochuba – No**

- B. AN ORDINANCE NO 20-FIN-8
(First Reading) Adopting the Water and Sewer Fund Budget for the fiscal year beginning July 1, 2020, and ending June 30, 2021, and appropriating the estimated revenues for the year for the operating expenses stated.**

There was no discussion on this item.

A motion was made by Mrs. Luck, seconded by Mr. Frenier, to adopt Ordinance No. 20-FIN-8.

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

Motion PASS

- C. A RESOLUTION NO 20-22
Requesting the Governor of the Commonwealth of Virginia to seriously consider modifying Executive Orders Fifty-One, Fifty-Three, and Fifty-Five so as to allow for the reopening of Virginia’s society and economy no later than May 25, 2020.**

Upon being recognized by the Mayor, Mr. Fisher directed Council’s attention to the amended resolution and provided comments relative to the Governor’s most recent Executive Order, advising Council that he had incorporated the changes in the Executive Order in the proposed resolution. Mr. Fisher advised Council to vote on the amended version of the resolution as presented.

After additional discussion by Council members relative to the amendments to the proposed resolution, a motion was made by Mr. Green, seconded by Mr. Wood, to adopt Resolution No. 20-22, as amended.

**Vote: 5-2
Yes: Cherry
Green, Jr.
Piotrowski
Wood
Kochuba
No: Frenier
Luck
Absent: None
Abstained: None**

Motion PASS

15. Reports of Officers and Documents Related Thereto.

A. City Manager

1. Financial Analysis Update

Mr. Smith recalled Mr. Green's recommendation to include a Financial Analysis in the budget document and advised he and his staff would address any questions by Council. Council members thanked both Mr. Smith and Mrs. Minor for their efforts in providing this information in the budget document.

2. General Activity Report

Mr. Smith provided congratulatory remarks on the recent retirement of Fire Chief A. G. Moore and the promotion of Acting Chief Wayne Hoover as Fire Chief, replacing Chief Moore. Continuing with updates, Mr. Smith provided information on the following:

- Central Virginia Waste Management Authority will resume bulk pick-up next week**
- Southpark Mall to open Friday, May 15 (limited opening)**
- Begin discussion to initiate the opening of City Hall**
- Registrar's Office to begin in-person absentee voting**
- Installation of doorbell at City Hall front door**
- Notification received from the Secretary of the Commonwealth advising of the CARES Act awarding the City of Colonial**

Heights with \$1.5 M to assist with economic shortfalls due to COVID-19 emergencies (specific spending guidelines apply)

Before providing information relative to COVID-19 updates, Chief Hoover thanked Mr. Smith and Council for the opportunity to lead Fire and EMS Departments. Continuing, Chief Hoover provided updates relative to the increased number of identified cases of COVID-19 and commended his staff for their efforts in addressing those increasing numbers.

Mr. Smith advised there would not be a Council Work Session on May 26, 2020.

B. City Attorney

Mr. Fisher advised for Council's information that the Governor's Emergency Declaration extended through June 10, as did the City's Emergency Declaration. Secondly, Mr. Fisher stated his office had been very busy reviewing contracts from Mrs. Minor.

C. Director of Planning and Community Development

Ms. Hall reported that the Planning Commission and Board of Zoning Appeals (BZA) met in May advising that the Planning Commission approved a site plan for drive-thru restaurant development in the Southpark Square Shopping Center. Continuing, Ms. Hall advised the BZA approved the vacant lot in the 700 block of James Avenue. Ms. Hall advised the BZA will be reviewing three additional variances at the upcoming meeting on May 20.

Mr. Cherry asked Ms. Hall if there had been any information or movement on the home involved in the house fire on Battery Place. Ms. Hall advised she would follow up with the building official and get back with him after she follows up with the property owner.

Addressing Mr. Piotrowski's inquiry as to the status of the house fire on Franklin Avenue, Ms. Hall advised she would have to get back to Mr. Piotrowski with that information.

Ms. Hall addressed Mr. Frenier's question relative to the drive-thru restaurant in the Southpark Square Shopping Center stating it was to be a Panera Bread.

Addressing Mrs. Luck's question relative to the additional variance for the property in the 700 block of James Avenue, Ms. Hall provided comments which clarified the reasoning behind such a substantial increase in variance.

Regular Meeting Minutes

May 12, 2020

Page 13

16. Adjournment

There being no further business, a motion was made by Mayor Kochuba, seconded by Mr. Cherry, and carried unanimously on voice vote to adjourn the meeting. The meeting was adjourned at 9:37 P.M.

APPROVED:

T. Gregory Kochuba, Mayor

ATTEST:

Pamela B. Wallace, City Clerk