

**CITY OF COLONIAL HEIGHTS, VIRGINIA**  
**Special Meeting of City Council**  
**Tuesday, March 15, 2022**

**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 Kenneth B. Frenier  
Councilman John E. Piotrowski  
Councilwoman Dr. Laura F. Poe  
Councilman Robert W. Wade  
Vice Mayor Elizabeth G. Luck  
Mayor T. Gregory Kochuba

**Absent:** Councilman John T. Wood (arrived late)

**Also Present:** Mr. Douglas E. Smith, City Manager  
Mr. Hugh P. Fisher, III, City Attorney  
Mrs. Pamela B. Wallace, City Clerk

**3. Declarations of Personal Interest**

**Mr. Wood was not present to read a Declaration at this time.**

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

- Paragraph A.3 of Section 2.2-3711, to discuss or consider the disposition of a 1.489-acre parcel of publicly held real property that is zoned BB Boulevard Business District, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.
- Paragraph A.8 of Section 2.2-3711, to consult with legal counsel employed by a public body regarding a specific legal matter – proposed amendments to a lease agreement concerning Shepherd Stadium – requiring the provision of legal advice by such counsel.

**A motion to convene in closed meeting was made by Mr. Wade, seconded by Mrs. Luck, at 6:01 P.M.**

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

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	<b>Luck</b>
	<b>Kochuba</b>
<b>No:</b>	<b>None</b>
<b>Absent:</b>	<b>Wood (arrived late)</b>
<b>Abstained:</b>	<b>None</b>

**Motion UNANIMOUS PASS**

**Before reconvening in open session, Mr. Wood read a Declaration of Personal Interest and filed with the Clerk.**

**5. Voice Vote – Come back into Open Session.**

**A motion to reconvene in open session was made by Dr. Poe, seconded by Mr. Piotrowski, and carried unanimously on roll call vote at 7:28 P.M.**

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

**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 provision:**

- Paragraph A.3 of Section 2.2-3711, to discuss or consider the disposition of a 1.489-acre parcel of publicly held real property that is zoned BB Boulevard Business District, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.**
- Paragraph A.8 of Section 2.2-3711, to consult with legal counsel employed by a public body regarding a specific legal matter – proposed amendments to a lease agreement concerning Shepherd Stadium – requiring the provision of legal advice by such counsel.**

**Consideration of the following certification:**

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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 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:

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

**Motion UNANIMOUS PASS**

**6. Work Session on the following items:**

- A. A RESOLUTION NO. 22-10**  
**Awarding the City Clerk a 2% pay increase.**

**A motion was made by Dr. Poe, seconded by Mr. Piotrowski, to approve Resolution No. 22-10.**

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

**Motion UNANIMOUS PASS**

**B. Discussion Regarding Real Estate Tax Rate Advertisement**

**Before his presentation Mr. Smith introduced Ms. Becky Griffin who is serving as Interim Finance Director and will be assisting staff.**

**Mr. Smith recalled Council and staff's discussion of the real estate tax rate at the Retreat. Mr. Smith noted the current rate of \$1.20 and the need for advertisement due to the rate change necessary to offset the increased assessments. Mr. Smith advised it was staff's recommendation that advertisement for maintaining \$1.20 real estate tax rate per \$100 of assessed value be for 30 days with a public hearing planned for the end of April.**

**Addressing Dr. Poe's concerns relative to the current tax rate and the impact from the increased assessments, Mr. Smith clarified that although it was perceived the rate was increasing, it was to satisfy the state requirements for advertisement; however, the City was maintaining the current tax rate.**

**Continuing, Mr. Smith addressed Mrs. Luck's question relative to consideration being given to an incremental increase stating he would prefer to delay until staff determines where the City stands with regard to the budget. Mr. Smith provided updated information from the City's Financial Advisory relative to the current interests rates affecting the bond issuance and the outcome those rates may have on the budget.**

**Mr. Frenier stated he felt the rates should remain the same.**

**For clarification, Mr. Wood stated he wanted to make sure that the record reflected that the City, like other localities, once there is an increase in the annual assessment, there is a requirement for this to be posted and the locality must make a decision, whether or not to keep the same rate. Mr. Wood noted the City was keeping the same rate; however, the same rate would collect greater revenue because of the increase in real estate values. Mr. Wood noted the increase in real estate values was for both residential and commercial.**

**After continued brief discussion, it was the consensus of Council for staff to move forward with advertisement of the \$1.20 real estate tax rate.**

**C. Personal Property Tax Update**

**Mr. Smith asked Mr. Bill Feasenmyer, Commissioner of Revenue, to provide information relative to the 2022 outlook effecting vehicle market values. Mr. Feasenmyer advised market values on all vehicles continued to rise to historic highs and provided current and upcoming year assessed values and the proposed tax increases associated with the vehicles.**

**Mr. Feasenmyer provided the following options to assist in addressing the issue:**

**1. Increase Personal Property Tax Relief (PPTR).**

**Mr. Feasenmyer advised this option would only benefit vehicles that qualify for PPTR; was not uniform; and would have to be funded by the City.**

**2. Change National Auto Dealers Association (NADA) valuation factor (currently clean trade-in).**

**Mr. Feasenmyer advised this would amount to only a moderate adjustment in value and was not enough to offset increases.**

**3. Implement assessment ratio which means to assess vehicles at something less than 100% of the value (this is allowable within the State Code).**

**Mr. Feasenmyer advised this option was cumbersome as the current tax software would not handle this very well and high mileage and other adjustments would have to be performed manually. Additionally, vehicles not found in NADA are typically assessed according to a depreciating percentage of original cost; therefore, values are not increasing. These particular vehicles would benefit even further because the new value would be a percentage of a percentage.**

**4. Lower tax rate**

**Mr. Feasenmyer advised that under the current law, the rate on most passenger vehicles cannot be lower than the general class of personal property; therefore, if it is lower the rate for one, it must be lowered for everything. However, recent proposed legislation would create a new class of tangible personal property for rate purposes for passenger cars, trucks and motorcycles.**

**At the conclusion of the presentation, Mr. Feasenmyer expressed this was a difficult situation which would affect all citizens who owned vehicles.**

**Addressing Mayor Kochuba's questions relative to using last year's rates, Mr. Feasenmyer advised that would require manual entry from his staff; however, he would check to see if it was feasible using the new system.**

**There was continued discussion by Council and staff relative to the previous options. Mr. Fisher stated he was skeptical whether the current financial system would allow this in any sort of user-friendly way due to ongoing problems with it, further questioning whether Mr. Feasenmyer would be able to make a change in any sort of cost-efficient way.**

**After additional discussion to adjust or reduce the 2022 Real Estate Tax rate, a motion was made by Mrs. Luck, seconded by Dr. Poe, to lower the Personal Property rate from \$3.50 to \$3.00 for the year 2022.**

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<b>Vote:</b>	<b>6-1</b>
<b>Yes:</b>	<b>Piotrowski</b>
	<b>Poe</b>
	<b>Wade</b>
	<b>Wood</b>
	<b>Luck</b>
	<b>Kochuba</b>
<b>No:</b>	<b>Frenier</b>
<b>Absent:</b>	<b>None</b>
<b>Abstained:</b>	<b>None</b>

**Motion PASS**

**D. Roundabout Area Enhancement Update and Discussion**

Mayor Kochuba advised that Councilman Wade and Mrs. Wallace, Clerk, had requested to serve on the Beautification Committee and in an effort to save time, Council would wait until Mr. Wade and Mrs. Wallace provide ideas and comments presented by the Beautification Committee.

**E. Discussion Regarding City Noise Ordinance**

At the request of Mr. Smith, MAJ Rob Ruxer, Colonial Heights Police Department, provided information relative to the number of calls and summons issued from 2017 to 2021 as well as a heat map showing those offenses. MAJ Ruxer advised of the procedures executed by officers for calls of noise violations; advising that the majority of offenders, once notified of the offence, were not repeat offenders.

There was discussion relative to Mr. Wade's suggestion to change the time of the current ordinance to include daytime hours. Although there was much discussion, there was no action taken.

**7. Adjournment.**

There being no further discussion, a motion to adjourn the Special Meeting was made by Mr. Wade, seconded by Dr. Poe, and carried unanimously on voice vote at 8:42 P.M.

**APPROVED:**

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**T. Gregory Kochuba, Mayor**

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**ATTEST:**

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**Pamela B. Wallace, City Clerk**