

**CITY OF COLONIAL HEIGHTS, VIRGINIA
Regular Meeting of City Council
Tuesday, January 8, 2019**

1. Call to Order

The Regular Meeting of City Council was called to order by Mayor Kochuba at 7:00 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. Green.

4. Pledge of Allegiance

The Pledge of Allegiance was led by Mayor Kochuba.

5. Adoption of Agenda

A motion was made by Mayor Kochuba, seconded by Mr. Green, to amend the agenda by removing Item 12. A., Ordinance No. 18-34.

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

Regular Meeting Minutes

January 8, 2019

Page 2

Luck
Kochuba
No: None
Absent: None
Abstained: None

Motion: UNANIMOUS PASS

A motion was again made by Mayor Kochuba, seconded by Mr. Green, to adopt the agenda as amended.

Vote: 7-0
Yes: Cherry
Frenier
Green, Jr.
Piotrowski
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. Recognition of Police Captain William Anspach Upon Graduation from the 274th Session of the FBI National Academy**
- B. Presentation of Awards for the 2018 Annual Colonial Heights Christmas Parade Winners**
- C. Recognizing Brett Leonard Lewis upon his attaining Eagle Scout**

8. Reading of Manner of Addressing Council.

Regular Meeting Minutes

January 8, 2019

Page 3

Mr. Fisher read the Manner of Addressing Council.

9. Written Petitions and Communications

There were none.

10. Advertised Public Hearing

- A. AN ORDINANCE NO 19-2
(First Reading) Amending § 98-1 of Chapter 98, Animals, of the
Colonial Heights City Code to specify which birds shall be
considered a “Companion Animal”.**

**A motion was made by Mr. Cherry, seconded by Mr. Frenier, to adopt
Ordinance No. 19-2.**

**Mr. Fisher stated that the purpose of the ordinance was to further clarify the
definition of non-tropical birds to be considered as companion animals.**

There were no comments from the public.

**Mr. Wood asked for an example of a “non-tropical” bird. Addressing Mr.
Wood’s question, Mrs. Luck stated, a parakeet is an example of a non-
tropical bird which would not normally be kept outside.**

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

Motion: PASS

11. Hearing of Citizens Generally on Non-Agenda Items

**Kathy Harris Temple, 613 Hamilton Avenue – Spoke to the condition at Cal’s
on the Boulevard.**

Regular Meeting Minutes

January 8, 2019

Page 4

Mayor Kochuba thanked Mrs. Temple for her comments and willingness to come before Council and advised that City staff and the City Manager were working with Cal's to address her concerns.

Eric Haggerty, 1208 Hermitage Road – Mr. Haggerty thanked the City for their efforts in keeping the City's skateboard park open.

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

- A. AN ORDINANCE NO 18-FIN-18
(Second Reading) to amend the General Fund Budget for the fiscal year beginning July 1, 2018 and ending June 30, 2019, to appropriate a \$1,500 donation for public safety.**

A motion was made by Mr. Cherry, 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

UNANIMOUS PASS

13. Introduction and Consideration of Ordinances and Resolutions

- A. AN ORDINANCE NO 19-FIN-1
(First Reading) To amend the General Fund Budget for the fiscal year beginning July 1, 2018 and ending June 30, 2019, in the aggregate amount of \$9,642 to appropriate 1) \$5,872 of assigned fund balance for the Office on Youth program; 2) \$2,470 in donations to the Sheriff's Department; and 3) \$1,300 in prior year donations reserved for the police K9 program for K9 expenditures.**

There being no discussion, a motion was made by Mr. Cherry, seconded by Mr. Piotrowski, to adopt Ordinance No. 19-FIN-1.

Regular Meeting Minutes

January 8, 2019

Page 5

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

UNANIMOUS PASS

- B. A RESOLUTION NO 19-2**
Specifying the regular meeting dates of the Colonial Heights
City Council.

There being no discussion, a motion was made by Mr. Frenier, seconded by
Mr. Piotrowski, to adopt Resolution No. 19-2.

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

UNANIMOUS PASS

- C. A RESOLUTION NO 19-3**
Granting the City Manager signatory authority on behalf of the
Colonial Heights City Council to enter into the “Agreement
between the Virginia Department of Health and the Colonial
Heights City Council for Funding and Services of the Colonial
Heights, Health Department”.

A motion was made by Mrs. Luck, seconded by Mr. Piotrowski, to adopt
Resolution No. 19-3.

Regular Meeting Minutes

January 8, 2019

Page 6

Mr. Smith clarified the purpose of the agreement between the City Council and the Health Department, and that the agreement was giving signatory authority to the City Manager to execute such agreement.

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

UNANIMOUS PASS

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

- A. AN ORDINANCE NO 18-26**
(Second Reading) Amending §§ 286-202-10, 286-308.04 and 286-310.04 of Chapter 286, Zoning, of the Colonial Heights City Code by authorizing the operation of mobile food units in the BB Boulevard Business District and the GB General Business District; and further amending Chapter 286 by enacting a new § 286-410.62, which specifies general standards for mobile food unit operations and where they are allowed to operate.

A motion was made by Mr. Green, seconded by Mr. Cherry, to adopt Ordinance No. 18-26.

There were brief comments provided by Mr. Fisher relative to the specific districts which the Mobile Food Units (MFU) may operate.

Mrs. Luck asked for clarification as to which districts MFU's may not operate. Addressing Mrs. Luck's question, Mrs. Hall stated they were not allowed in Residential Office or allowed to operate publicly in a residential low, medium, and high areas.

Mr. Green stated he was in favor of the ordinance because it allows operation of the MFU at circumstantial special events with special permission.

Vote: 6-1

Regular Meeting Minutes

January 8, 2019

Page 7

**Yes: Cherry
Frenier
Green, Jr.
Piotrowski
Luck
Kochuba**

No: Wood

Absent: None

PASS

Mayor Kochuba thanked Mr. Fisher and Mrs. Hall for their efforts in preparing the ordinance.

15. Reports of Officers and Documents Related Thereto.

A. City Manager

1. General Activity Report

Mr. Smith provided Council with a copy of the upcoming calendar of events specifically noting there would be no Planning Commission in February. Mr. Smith noted the upcoming Council Retreat on January 18-19.

Mr. Smith stated he had been working with staff relative to the ongoing leaf removal with completion of the leaf removal program being the beginning of March, notwithstanding any additional weather delays.

Mr. Smith reported that he had submitted a letter of interest to the Cameron Foundation for assistance with funding for the Violet Bank Project. Mr. Smith advised he would provide further detailed update at the Council Retreat.

B. City Attorney

Mr. Fisher reported on the School Board's Organizational Meeting stating Angie Wood was elected Chair and Chris Kollman was elected Vice-Chair.

C. Director of Planning and Community Development

Mr. Hall advised the Planning Commission met in January to conduct its Organization Meeting at which time Mitch Hartson was elected Chair and Rita Schiff was elected Vice Chair. Additionally, Mrs. Hall advised there was a Public Meeting held at the January meeting for Planning Commission

Regular Meeting Minutes

January 8, 2019

Page 8

Resolution 19-1, a request for a special use permit to allow for off-site advertising on a property. Mrs. Hall advised this resolution would go before Council at their regular February meeting. Additionally, Mrs. Hall advised the Commission considered plans of development for Town Place Suites.

Addressing Mayor Kochuba's question, Mrs. Hall advised that the Planning Commissioners were advised by Mr. Fisher at the January meeting that they were now required, before re-appointment, to complete the Planning Commissioner's Certification Program.

16. Adjournment

There being no further business, a motion was made by Mr. Cherry, seconded by Mr. Frenier, and carried unanimously on voice vote to adjourn the meeting. The meeting was adjourned at 8:00 P.M.

APPROVED:

T. Gregory Kochuba, Mayor

ATTEST:

Pamela B. Wallace, City Clerk