

**CITY OF COLONIAL HEIGHTS, VIRGINIA
Regular Meeting of City Council
Tuesday, June 8, 2021**

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 John E. Piotrowski
Councilwoman Dr. Laura F. Poe
Councilman Robert W. Wade
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, Clerk

3. Devotion

A devotional prayer was led by Mr. Wood.

4. Pledge of Allegiance

The Pledge of Allegiance was led by Mayor Kochuba.

5. Adoption of Agenda

A motion was then made by Mayor Kochuba, seconded by Mrs. Luck, to amend the agenda by moving Item 13B to Item 7B.

**Vote: 7-0
Yes: Cherry
Piotrowski
Poe
Wade**

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

Motion: UNANIMOUS PASS

A motion was made by Mayor Kochuba, seconded by Mrs. Luck, to adopt the agenda as amended.

Vote: 7-0
Yes: Cherry
Piotrowski
Poe
Wade
Wood
Luck
Kochuba
No: None
Absent: None
Abstained: None

Motion: UNANIMOUS PASS

6. Declarations of Personal Interest

Declarations were read by Mr. Piotrowski and Dr. Poe and filed with the Clerk.

7. Commendations and Presentations

- A. Recognizing Major William Hl Anspach, III upon his retirement from the City of Colonial Heights Police Department**

Mayor Kochuba, Mr. Smith, and Chief Faries provided comments relative to CPT Anspach and his service and dedication to the City and citizens of Colonial Heights. Chief Faries also thanked Captain Anspach's family for their support during his career.

- B. A RESOLUTION NO 21-22**
A RESOLUTION EXPRESSING City Council's support for the continued operation of the Riverside Regional Jail

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Mr. Smith advised of an ongoing situation at Riverside Regional Jail (RRJ) further advising that the proposed resolution would offer Council's support of the continued operation of the jail. Mrs. Minor advised RRJ had been on a three-year probationary period as the result of three deaths at the facility. Since this time, Mrs. Minor advised RRJ had undergone yearly audits, of which they passed with no issues; however, RRJ received a recommendation for de-certification approximately one year ago. As described by Mrs. Minor, the facility has made changes to address medical protocol and increased staffing.

Sheriff Wilson, who also serves on the RRJ Board with Mrs. Minor, advised that although he recognizes the challenges, he did not feel the challenges warranted de-certification. Continuing, Sheriff Wilson advised that closure of the facility would create financial, housing, transportation, and safety issues; and decertification of the facility would most certainly present a major crisis for regional jails in the Commonwealth. Providing additional comments and information, Mrs. Minor advised the facility was in very good financial standing.

Addressing Mr. Cherry's comment, Sheriff Wilson suggested Council reach out to the current Chairman of the Board of Directors with their specific concerns and questions. Additionally, Mrs. Minor advised there were seven localities utilizing RRJ, six of which, were considering Resolutions of support.

Mayor Kochuba requested Mr. Smith to draft a letter of support from Colonial Heights.

Vote: 7-0
Yes: Cherry
Piotrowski
Poe
Wade
Wood
Luck
Kochuba
No: None
Absent: None
Abstained: None

Motion: UNANIMOUS PASS

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 21-10

(First Reading) To adopt a revised Comprehensive Plan for the City through 2044.

A motion was made by Mrs. Luck, seconded by Mr. Wade, to adopt Ordinance No. 21-10.

Ms. Hall provided a timeline of the adoption and review of the City's Comprehensive Plan beginning 2014 before providing minor revisions to the plan. Addressing Mr. Wood's comments relative to mixed use in the mall area, Ms. Hall advised there were no changes to this section of the current plan.

There were no comments from the public or Council.

Vote: 7-0
Yes: Cherry
Piotrowski
Poe
Wade
Wood
Luck
Kochuba
No: None
Absent: None
Abstained: None

Motion: UNANIMOUS PASS

B. AN ORDINANCE 21-12

(Second Reading) To adopt a revised General Pay Plan class and Salary Range that increases by 2% the range of each grade for full-time employees; adds a new Permit Technician position, along with the corresponding job description and class specification for the position revises the job description and class specification for the Staff Assistant; revises starting salary

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amounts for certain supervisory positions; and increases the pay range for certain part-time positions, including but not limited to those affected by the Virginia minimum wage increase.

Before Council's approval, Mr. Fisher noted language within the ordinance which would make the effective date immediately instead of June 23, 2021.

A motion was made by Mayor Kochuba, seconded by Dr. Poe, to adopt Ordinance No. 21-12.

Public Comment: None

Council Comment: None

Vote: 7-0
Yes: Cherry
Piotrowski
Poe
Wade
Wood
Luck
Kochuba
No: None
Absent: None
Abstained: None

Motion: UNANIMOUS PASS

C. AN ORDINANCE NO 21-13
(Second Reading) To amend and reordain § 277-9 of Chapter 277, Water, of the Colonial Heights City Code to increase charges for water usage.

A motion was made by Mrs. Luck, seconded by Mr. Cherry, to adopt Ordinance No. 21-13.

Mr. Smith expressed the importance of having sustainable, on-going funds to address maintenance of the City's water system. Mr. Smith advised staff had considered this action; however, due to COVID, it was delayed. Mr. Smith noted there are great needs which will exist for a long period of time; however, this action was one step to move forward to address the need.

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Public Comment: None

Council Comment:

Mr. Cherry stated that in general, he was opposed to raising fees; however, this being an enterprise fund and the fact that the City's costs were increasing, this action is necessary for balancing the budget for the enterprise fund.

Mrs. Luck stated it was important to note that this action was recommended in the rate study, which recommended that the increase be 11.6%; however, Council chose to increase it by half of the recommended amount. Mrs. Luck stated that although the increase was less than half of the recommended amount; unfortunately, there may be future increases.

Vote: 7-0
Yes: Cherry
Piotrowski
Poe
Wade
Wood
Luck
Kochuba
No: None
Absent: None
Abstained: None

Motion: UNANIMOUS PASS

D. ORDINANCE 21-14
(Second Reading) To amend and reordain § 238-8 of Chapter 238, Sewers and Sewage Disposal, of the Colonial Heights City Code to increase charges for sewer service.

A motion was made by Mayor Kochuba, seconded by Mr. Wood, to adopt Ordinance No. 21-14.

Mr. Smith advised there had been major infrastructure emergency repairs over the past year and anything staff could do to be proactive in looking to the future to address the unforeseen issues, is where the City wants to be moving forward.

Mr. Flippen, at the request of Mr. Smith, reported that some of the major repairs ranged from \$200K to \$300k. Additionally, some of the repairs were extensive with one break leading to repairs further down the line.

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Mrs. Minor reported that the average cost for the seven repairs to date was an average total estimated cost of \$182,000.

Public Comment: There were none.

Council Comment:

Mr. Wood stated he did not support the increase of fees; however, this proposal was an incremental approach to prevent a catastrophic problem and felt it was a wise to move forward.

Vote: 7-0
Yes: Cherry
Piotrowski
Poe
Wade
Wood
Luck
Kochuba
No: None
Absent: None
Abstained: None

Motion: UNANIMOUS PASS

11. Hearing of Citizens Generally on Non-Agenda Items

Gita Schinkel, 424 Knottingham Drive – Spoke to the situation surrounding the Sherwood Hills Pool.

Kim Cramer, 400 Norwood Drive – Spoke to the situation surrounding the Sherwood Hills Pool.

Brian Neery, 415 Norwood Drive – Spoke to the situation surrounding the Sherwood Hills Pool.

Seeing the concern of neighboring Sherwood Hills Pool citizens, it was the consensus of Council, with Mr. Wood dissenting, to bring the issue back to Council for further discussion at the June 15, 2021 Work Session. Mr. Piotrowski asked that all supporting documentation relative to the delinquent bills be available at the work session.

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

A. AN ORDINANCE NO 21-FIN-8

(Second Reading) To amend the General Fund Budget for the fiscal year beginning July 12, 2020 and ending June 30, 2021, by appropriating \$28,191 in proceeds from the sale of property to the Violet Bank Restoration Project for the cost of change orders; and a \$20,000 transfer from the Communications budget to the Capital Projects fund for the Next Generation 911/911 Phone System Refresh Project.

To amend the Capital Projects Budget for the fiscal year beginning July 1, 2020 and ending June 30, 2021, by appropriating \$48,191 in transfers from the General Fund consisting of 1) \$28,191 for the Violet Ban Restoration Project; and 2) \$20,000 for the Next Generation 9011/911 Phone System Hardware Refresh Project.

B. May 11, 2021 Special Meeting Minutes

C. May 18, 2021 Special Meeting Minutes

A motion was made by Mayor Kochuba, seconded by Mr. Piotrowski, to adopt the consent agenda as presented.

Vote: 7-0
Yes: Cherry
Piotrowski
Poe
Wade
Wood
Luck
Kochuba
No: None
Absent: None
Abstained: None

Motion: UNANIMOUS PASS

13. Introduction and Consideration of Ordinances and Resolutions

A. AN ORDINANCE NO 21-FIN-9

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(First Reading) To amend the General Fund Budget for the fiscal year beginning July 1, 2020 and ending June 30, 2021, by appropriating \$16,348 consisting of 1) a donation of \$300 from the American Legion to Human Services for the Chesterfield-Colonial Heights Families First Program; and 2) the balance of \$16,048 in grant funds from the Virginia Department of Criminal Justice Services to Public Safety for a School Resource Officer at the Technical Center; and transferring \$4,800 from the Finance Department to Debt Service.

To amend the Emergency Response Fund Budget for the fiscal year beginning July 1, 2020 and ending June 30, 2021, by appropriating \$152,273 consisting of 1) \$10,000 in funds from the state Coronavirus Relief Fund toward the emergency utility grant program, 2) \$47,696 from the Department of Criminal Justice Services for Coronavirus related expenditures of the Police Department, and 3) \$4,577 of Medicaid Coronavirus supplement for personal protective equipment.

A motion was made by Mr. Cherry, seconded by Mr. Wade, to approve Ordinance No 21-FIN-9.

There was no discussion.

Vote: 7-0
Yes: Cherry
Piotrowski
Poe
Wade
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.

There was none.

15. Reports of Officers and Documents Related Thereto.

A. City Manager

1. Discussion regarding utilization of funds from the American Rescue Plan Act.

Mr. Smith advised the City had received \$3M as part of the American Rescue Plan Act further advising that it was staff's desire to focus on the areas of utility infrastructure. Continuing, Mr. Flippen provided information regarding the guidelines associated with the ARPA and noted several eligible projects.

Mr. Smith advised of serious issues in utilities and stated he had been in discussion with staff relative to proposed target areas to utilize cameras to locate areas of immediate need.

Mr. Wood stated it was his desire to focus on in-ground issues and not so much assessment.

2. General Activity Report

Mr. Smith reported that the opening night for the Tri-cities Chili Peppers was a huge success with over 1600 tickets sold opening night and 1400 sold the second night. Mr. Smith further advised there had been successful cooperation between Mr. Skalak and Mr. Martin of the Chili Peppers.

B. City Attorney

Mr. Fisher reported there was legislation approved during the 2021 General Assembly Legislative session which could possibly affect the City and its school board in that it may eliminate the option to award compensatory time instead of paying time-and-a-half for overtime over a 40-hour work week. Mr. Fisher advised there was confusion with this, as it conflicts with what is in the Federal Fair Labor Standards Act. Mr. Fisher stated that it is his position to move slowly on possibly changing City practice on this issue, and he would advise Council of any change.

Mr. Fisher advised that localities now have the right to engage in collective bargaining. He was not aware of any localities where this has taken effect.

Mr. Fisher addressed some concerns relative to the mandating of schools teaching Critical Race Theory (CRT), stating he addressed this issue with the Superintendent of Schools; and the Superintendent assured him there was no

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mandate from the Virginia Department of Education to teach CRT, at least within the next couple of years.

The School Board will be meeting June 14, 2021 and not on June 22, 2021.

C. Director of Planning and Community Development

Ms. Hall advised the Planning Commission held its regular May meeting and reported the following:

- **Planning Commission Met June 1, 2021 approving Ordinance 21-15.**
- **The Board of Zoning Appeals met on May 19, 2021 and awarded a variance for a vacant lot on Suffolk Avenue.**
- **Planning Commission will be meeting on July 6, 2021 to hear a special exception permit for 131 Temple Lake Avenue for a rehab facility.**
- **Ms. Hall thanked Council for approval of her request for a Permit Technician.**

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 9:07 P.M.

APPROVED:

T. Gregory Kochuba, Mayor

ATTEST:

Pamela B. Wallace, City Clerk