

CITY OF COLONIAL HEIGHTS, VIRGINIA
Regular Meeting of City Council
Tuesday, June 9, 2020

1. Call to Order

The Regular Meeting of City Council was called to order by Mayor Kochuba at 7:19 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 John E. Piotrowski
Councilman John T. Wood
Vice Mayor Elizabeth G. Luck
Mayor T. Gregory Kochuba

Absent: Councilman W. Joe Green, Jr

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. Wood.

4. Pledge of Allegiance

The Pledge of Allegiance was led by Mayor Kochuba.

5. Adoption of Agenda

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

Vote: 6-0
Yes: Cherry
Frenier
Piotrowski
Wood
Luck

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No: Kochuba
Absent: Green, Jr.
Abstained: None

Motion: UNANIMOUS PASS

6. Declarations of Personal Interest

There were none.

7. Commendations and Presentations

A. Recognition of Jhovan Galberth and Tyqual Lewis for their Peaceful Community Protests

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

There was none.

11. Hearing of Citizens Generally on Non-Agenda Items

Mr. Wood provided comments thanking the City administration, on behalf of the citizens, for the fairness exemplified to those in the community by those in public safety.

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

**A. AN ORDINANCE NO 20-12
(Second 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 collecte3d from a convicted defendant for funding courthouse security personnel.**

B. AN ORDINANCE NO 20-19

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(Second 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.

C. AN ORDINANCE NO 20-FIN-10

(Second 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 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.

D. April 14, 2020 Regular Meeting Minutes

E. May. 12, 2020 Special Meeting Minutes

F. May 12, 2020 Regular Meeting Minutes

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

Vote:	6-0
Yes:	Cherry
	Frenier
	Piotrowski
	Wood
	Luck
	Kochuba
No:	None
Absent:	Green, Jr.
Abstained:	None

Motion UNANIMOUS PASS

13. Introduction and Consideration of Ordinances and Resolutions

A. AN EMERGENCY ORDINANCE NO 20-4

An uncodified ordinance allowing restaurants, given the current state of emergency, to temporarily provide for expanded dining on certain sidewalks and in their parking lots, notwithstanding parking and final site plan requirements in Chapter 286, Zoning, of the City Code.

A motion was made by Mrs. Luck, seconded by Mr. Piotrowski, to adopt Emergency Ordinance No 20-4.

Mr. Fisher explained that the ordinance allowed for the expansion of outdoor dining and the use of tents during the COVID-19 restrictions. Addressing Mrs. Luck's question as to limiting the ordinance's effectiveness to 60 days, Mr. Fisher stated the City Charter authorized a maximum of 60 days for an emergency ordinance's effect.

Addressing Mr. Wood's question, Mr. Smith advised Mrs. Epps recommended this temporary expansion.

<u>Vote:</u>	6-0
Yes:	Cherry
	Frenier
	Piotrowski
	Wood
	Luck
	Kochuba
No:	None
Absent:	Green, Jr.
Abstained:	None

Motion UNANIMOUS PASS

B. A RESOLUTION NO 20-26

Confirming the Director of Emergency Services' extension of the declaration of a local emergency due to the COVID-19 pandemic.

A motion was made by Mayor Kochuba, seconded by Mr. Frenier, to approve Resolution No. 20-26.

Mr. Fisher stated the proposed resolution mirrored Governor Northam's most recent declaration of local emergency with Mr. Smith providing

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additional comments; specifically noting how the declaration would benefit the citizens of the City.

Vote:	6-0
Yes:	Cherry Frenier Piotrowski Wood Luck Kochuba
No:	None
Absent:	Green, Jr.
Abstained:	None

Motion UNANIMOUS PASS

- C. AN ORDINANCE NO 20-FIN-11
(First Reading) to amend the General Fund Budget for the fiscal year beginning July 1, 2019 and ending June 30, 2020, to increase appropriations by \$73,000 to 1) appropriate \$40,000 in insurance recoveries to cover the City's expenses for accidental losses; 2) transfer \$32,500 in savings from incarceration expenses to debt service for the 2019 computer lease; and 3) appropriate \$33,000 in proceeds from the sale of the courthouse property to purchase property adjacent to Violet Bank.**

A motion was made by Mayor Kochuba, seconded by Mrs. Luck, to adopt Ordinance No 20-FIN-11.

Mrs. Minor further explained the details of the appropriations noted in the proposed ordinance.

Vote:	6-0
Yes:	Cherry Frenier Piotrowski Wood Luck Kochuba
No:	None
Absent:	Green, Jr.
Abstained:	None

Motion UNANIMOUS PASS

D. A RESOLUTION NO 20-18

Authorizing the City Manager to enter into a Real Estate Purchase Agreement on behalf of the City of Colonial Heights to purchase a 0.15 acre parcel on Royal Oak Avenue.

A motion was made by Mr. Frenier, seconded by Mr. Cherry, to adopt Resolution NO. 20-18.

There was no Council discussion.

Vote:	6-0
Yes:	Cherry
	Frenier
	Piotrowski
	Wood
	Luck
	Kochuba
No:	None
Absent:	Green, Jr.
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. Emergency Management Updates

Chief Hoover provided updates relative to the current recovery plan for the City as it related to COVID-19 further advising that the City is in Phase 1 of the Recovery Plan. Chief Hoover stated it was his hope that things move quickly to Phases 2, 3 and 4.

Continuing, Chief Hoover provided updates relative to the department's calls per day and thanked Mrs. Minor and Mr. Melvin for the diligence in assuring supplies and equipment were readily available to his staff. Chief Hoover

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reported there had been at least 300 contacts by his staff but no exposures to COVID. Additionally, Chief Hoover provided information on his department's relationship and cooperation with the Chesterfield Health Department and the Rite-Aid as a testing site.

At the conclusion of Chief Hoover's presentation, Mr. Smith advised of the Phase 2 plan as it related to City Hall operations advising that there would be limited house of operation with regular hours for City staff. Mr. Smith recommended a June 29th the limited opening and further explained safety measures to be implemented by staff and for those of the public entering the building.

2. Summary of COVID-19 Grant funding and Proposed Uses of Funds

Mrs. Minor provided information relative to the four COVID-19 funding sources for the City; those being:

- **Federal CARES Act Coronavirus Relief Fund**
- **US Health and Human Services Funding**
- **CBG Cares Supplemental Grant**
- **FEMA**

Mrs. Minor stated the Federal CARES Act Coronavirus Relief Fund allocation for the City was \$1,515,466, further stating the funds would be used to cover costs which were necessary due to the COVID-19 public health emergency. Mrs. Minor clarified the funds were not accounted for in the City's approved budget and costs must be incurred from March 1, 2020 through December 30, 2020.

Continuing, Mrs. Minor advised of the following proposed uses for the CARES Funds:

- **City facility cleaning - \$10,000**
- **Teleworking expenses - \$49,438**
- **Public Safety Salaries to include:**
 - **EMS first responders - \$547,200 (TBD)**
 - **Hazard Pay - \$238,000**
 - **SRO's now on patrol - \$87,360**
- **Public facility/Public meeting security - \$23,467**
- **Small Business Grants - \$500,000**
- **Families First Coronavirus Response Act Sick Leave - \$10,000**

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- **Credit Card Fees due to convenience fee lifted for online payments - \$25,000**
- **Schools Expenditures - \$25,000**

Moving to US Health and Human Services Funding, Mrs. Minor advised the City received an allocation of \$35,896 to be used for the following:

- **PPE - \$31,000**
- **Patient transport costs - \$4,860**

Additionally, Mrs. Minor reported the City received an allocation of \$62,237 in CDBG CARES Supplemental Grant funding. Mrs. Minor advised grantees may use CDBG-CV grant funds to cover or reimburse costs to prevent, prepare for, and respond to Coronavirus incurred by a state or locality. Mrs. Minor stated the proposed use was the establishment of a Utility Bill Relief Program in the amount of \$63,237. Mrs. Minor advised further information would be presented at the June 16, 2020 Council work session.

Concluding with the FEMA reimbursement, Mrs. Minor advised certain expenditures to respond to the COVID-19 pandemic was eligible for FEMA reimbursement. Ms. Minor continued by stating that the City's two proposed uses were:

- **PPE - \$25,000**
- **Cleaning/Disinfecting - \$31,000**

Mr. Smith provided additional information on the proposed Hazard Pay eligible for public safety; further defining the specific requirements for those receiving such pay. Mr. Smith advised the proposed program hazard pay of \$3.00 per hour for specific public safety positions from March 18 through June 9, with an initial estimate cost of \$238,000. Mr. Smith advised that CARES funds would be utilized based on duties performed by employees in response to COVID-19 and City funds would be utilized as needed for areas where use of CARES funds did not apply.

At the conclusion of the presentation, Mr. Smith asked for Council's approval for staff to move forward with the Hazardous Pay Program.

Mr. Cherry provided comments relative to his support of the program noting he initially brought this to City administration. Addressing Mr. Cherry's question relative to the time period of the program, Mr. Smith stated the funds must be utilized by December 30, 2020. Continuing, Mr. Cherry suggested staff consider continuing the program through the end of the declaration of local emergency.

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Mrs. Minor provided additional information relative to the possibility of a “second round” of funding distribution.

Mayor Kochuba polled Council with regard to staff moving forward with the Hazard Pay Program.

<u>Vote:</u>	6-0
Yes:	Cherry
	Frenier
	Piotrowski
	Wood
	Luck
	Kochuba
No:	None
Absent:	Green, Jr.
Abstained:	None

Motion UNANIMOUS PASS

3. Economic Development Authority Small Business Grants

Mr. Smith advised that staff, along with the Economic Development Authority, was recommending an allocation of \$500,000 of the CARES funding for an EDA Small Business Grant. Mr. Smith advised Mrs. Epps had presented this to the EDA and it was their recommendation to make the recommendation to Council.

Mr. Smith presented the eligibility criteria which were divided into two categories for businesses with 1 to 15 employees for a \$5,000 grant and those with 16 to 30 employees for a \$7,500 grant. Mr. Smith advised Mrs. Epps and a member of the EDA would be reviewing the applications from June 15 to July 15.

Mrs. Epps addressed Mr. Piotrowski’s concerns relative to businesses that had possibly applied for and/or already received COVID funding. Mrs. Epps advised that businesses that had not received prior COVID funding from other sources would receive priority over those that had already received such funding.

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A motion was made by Mayor Kochuba, seconded by Mrs. Luck, approving the funneling of up to \$500,000, through the EDA, to be distributed to small businesses as part of the EDA Small Business Grant.

<u>Vote:</u>	6-0
Yes:	Cherry
	Frenier
	Piotrowski
	Wood
	Luck
	Kochuba
No:	None
Absent:	Green, Jr.
Abstained:	None

Motion UNANIMOUS PASS

4. July 4th Fireworks Update

Mr. Smith advised Council that surrounding localities, with the exception of Chesterfield County, were not having firework displays at their upcoming holiday celebration events. At the recommendation of staff, Mr. Smith stated due to public safety concerns relative to the current restrictions placed on public gatherings, Mr. Smith advised against continuing with this year's firework display.

After several comments expressed by Council and a consensus to move forward, Mr. Smith agreed to move forward with the annual firework display on the Fourth of July.

5. Consideration of Water Service Connection Request for 207 and 211 Swift Creek Lane

Mr. Smith advised this had been part of the Closed Meeting agenda and it was staff's recommendation, upon Council's approval, to move forward with the water service connection request for 207 and 211 Swift Creek Lane.

<u>Vote:</u>	5-1
Yes:	Cherry
	Frenier
	Piotrowski
	Luck
	Kochuba
No:	Wood

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Absent: Green, Jr.
Abstained: None

Motion PASS

6. General Activity Report

Mr. Smith advised Council of the resignation of Andrew Blais, IT Director, who had taken a position in the private sector. Additionally, Mr. Smith advised of the announcement by the Chili Peppers, advising they would not be moving forward with the season for the upcoming year. Concluding his report, Mr. Smith advised of the upcoming Council Work Session agenda items.

Mr. Frenier noted the new traffic lights and completion of the paving along the Boulevard. Additionally, Mr. Smith advised of the completion of the paving portion of Phase 4 of the river trail.

Mr. Cherry advised he had been contacted by a constituent requesting a sidewalk feasibility study along Westover as this was a heavily traveled area for those to and from the mall to the Boulevard, as well as the addition of a Dog Park at the location of the current Skate Park.

Mr. Smith provided brief comments relative to the peaceful protest which took place over the weekend.

B. City Attorney

Mr. Fisher cautioned Council of recognizing those who protest just because protests were peaceful because any other organization could participate in a peaceful protest and Council might need to recognize the other organizations.

Mayor Kochuba stated that the intent of recognizing the protesters was for Chief Faries to thank them for opening up a relationship and communications with the Police Department.

Continuing, Mr. Fisher advised of his office's work relative to the renewal of the Verizon Franchise Agreement.

C. Director of Planning and Community Development

Ms. Hall reported on the following actions:

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- **The Board of Zoning Appeals met on Wednesday, May 20 to hear three variance requests. The following were approved:**
 - **311 James Avenue**
 - **100 block of Brijidan Lane**
 - **122 Swift Creek Lane**
- **The Planning Commission met on June 2 and approved a subdivision at 20-1 Riverside Park**
- **The Planning Commission will meet in July to review the following:**
 - **Donation bins**
 - **Special Use Permit**

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 9:46 P.M.

APPROVED:

T. Gregory Kochuba, Mayor

ATTEST:

Pamela B. Wallace, City Clerk