

**CITY OF COLONIAL HEIGHTS, VIRGINIA**  
**Regular Meeting of City Council**  
**Tuesday, July 13, 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. Cherry.**

**4. Pledge of Allegiance**

**The Pledge of Allegiance was led by Mayor Kochuba.**

**5. Adoption of Agenda**

**A motion was then made by Mr. Cherry, seconded by Mr. Piotrowski, to approve the agenda as presented.**

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

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

**Motion: UNANIMOUS PASS**

**6. Declarations of Personal Interest**

**A declaration was made by Dr. Poe and filed with the Clerk.**

**Before continuing, Mayor Kochuba recognized Lia Tremblay, School Board Member, and thanked her for coming.**

**7. Commendations and Presentations**

**A. Introduction of a New City Employee**

**Mrs. Minor introduced Christina Sadler, the new Assistant Director of Finance.**

**B. Presentation on the South Central Wastewater Authority Plant Upgrade Project by Executive Director Robert Wilson.**

**Mr. Wilson advised that the current estimated project cost was \$107M. Mr. Wilson noted that each incorporating subdivision had ownership of the set capacity in the plant, and with Colonial Heights owning 20% of the plant capacity, the cost responsibility would be \$21,540. Mr. Wilson advised the Authority applied for a Water Quality Improvement Fund (WQIF) Grant and had received the draft grant agreement from WQIF in the amount of \$81.9 M.**

**Addressing Mr. Cherry's question relative to surrounding locality participation, Mr. Wilson advised all other localities were agreeable to their proposed ownership percentage.**

**It was the recommendation of staff to move forward with the project update.**

**8. Reading of Manner of Addressing Council.**

**Mr. Fisher read the Manner of Addressing Council.**

**9. Written Petitions and Communications**

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- A. **Jason Leis, 5112 Conduit Road, spoke to Council concerning an on-going drainage issue at his residence.**

**10. Advertised Public Hearing**

- A. **AN ORDINANCE NO. 21-15  
(First Reading) To grant a special use permit, with conditions, to Lee S. Robertson to permit a mobile business unit, Quintessential Chiropractic, to conduct business at 1217 Boulevard, also known as parcel identification number 500001000G8, which is zoned GB – General Business District.**

**A motion was made by Mr. Cherry, seconded by Mr. Piotrowski, to approve Ordinance No. 21-15.**

**Ms. Payne, Assistant Director of Planning and Community Development, provided background information depicting the location of the property and the positioning of the chiropractic unit. Ms. Payne also noted the units schedule in the surrounding localities as well as providing staff recommended ordinance conditions.**

**At the conclusion of Ms. Payne’s presentation, Mr. Smith advised the Planning Commission did not recommend approval of the ordinance.**

**At this time, Mr. Randy Ahlgrim, owner of Southpark Carpet, where the unit will be located, spoke in support of Quintessential Chiropractic.**

**At the conclusion of Mr. Ahlgrim’s comments, both Dr. Kat Mayes and Dr. Tess Graff of Quintessential Chiropractic provided additional comments supporting their request to operate their mobile chiropractic business in Colonial Heights and further explained their reasoning for providing mobile services as opposed to a brick-and-mortar location.**

**Public Comment: None**

**Council Comments:**

**Mayor Kochuba requested that the ordinance be changed to state a specific day of the week for hours of operation.**

**Council members Kochuba, Luck, Poe, and Piotrowski provided comments in support of the mobile operation; with Messrs. Wade and Wood expressing**

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**their lack of support because they felt the mobile operation would affect other brick-and-mortar chiropractic operations.**

**At this time, Mr. Cherry withdrew his motion to approve Ordinance No. 21-15, and submitted a new motion to change Item 2 (i) of the ordinance to read “Quintessential Chiropractic is permitted to operate at 1217 Boulevard on Tuesdays between 9:00 a.m. and 6:00 P.M. Mr. Piotrowski withdrew his second to approve Ordinance 21-15.**

**Mr. Cherry made a new motion to amend Ordinance No. 21-15, seconded by Dr. Poe, by removing “only one day a week” and inserting “Tuesdays” in Item 2 (i).**

**Vote: 6-1**  
**Yes: Cherry**  
**Piotrowski**  
**Poe**  
**Wade**  
**Luck**  
**Kochuba**  
**No: Wood**  
**Absent: None**  
**Abstained: None**

**Motion: PASS**

**A motion was made by Mr. Cherry, seconded by Mr. Piotrowski, to approve Ordinance No. 21-15, as amended.**

**Vote: 5-2**  
**Yes: Cherry**  
**Piotrowski**  
**Poe**  
**Luck**  
**Kochuba**  
**No: Wade**  
**Wood**  
**Absent: None**  
**Abstained: None**

**Motion: PASS**

**B. AN ORDINANCE NO 21-16**

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**(Second Reading) To amend and reordain § 273-43 of Chapter 273, Vehicles and Traffic, of the Colonial Heights City Code, by granting the Director of Finance discretion in the collection of the vehicle tax or license fee.**

**A motion was made by Mr. Piotrowski, seconded by Mr. Cherry, to adopt Ordinance No. 21-16.**

**Mr. Smith provided brief comments further clarifying the ordinance.**

**There were no public comments or comments from Council.**

**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**

**There were none.**

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

- A. AN ORDINANCE NO. 21-10**  
**(Second Reading) To adopt a revised Comprehensive Plan for the City through 2044.**
- B. AN ORDINANCE NO 21-FIN-9**  
**(Second 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**

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**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) \$100,000 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 related expenditures of the Police Department, and 3) \$4,577 of Medicaid Coronavirus Supplement for personal protective equipment.**

**C. April 13, 2021 Regular Meeting Minutes**

**D. June 8, 2021 Special Meeting Minutes**

**A motion was made by Mr. Cherry, seconded by Mrs. Luck, to approve 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-10**  
**(First Reading) To amend the General Fund Budget for the fiscal year beginning July 1, 2021 and ending June 30, 2022, by appropriating \$137,801 consisting of: 1) \$29,724 in grant funds from the Department of Criminal Justice Services for the Police Department's Body Worn Camera Program; 2) \$51,470 in**

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grant funds from the Rescue Squad Assistance Fund for mobile data computers for the Fire & EMS Department; 3) \$8,600 in grant funds from the VA Department of Conservation and Recreation for the summer Youth Conservation Corps Program at Pocahontas State Park; 4) \$21,607 carried forward from FY2021 for an Economic Development website; and 5) \$26,400 in state reimbursement for a legislated increase in the Registrar's salary.

To amend the Capital Projects Budget for the fiscal year beginning July 1, 2021 and ending June 30, 2022, by appropriating \$156,200 in FEMA grant funds for the replacement of a generator at Colonial Heights Middle School and transferring \$63,800 from the Fire Station #2 insulation project to the Colonial Heights Middle School generator project for the required local match.

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

There were no comments or questions from Council specific to the ordinance.

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

**Motion: UNANIMOUS PASS**

**B. A RESOLUTION NO. 21-27**  
**Ending local states of emergency and disasters declared by the Director of Emergency Services on March 16, 2020, June 9, 2020, and February 12, 2021.**

A motion was made by Mr. Piotrowski, seconded by Mr. Wade, to adopt Resolution No. 21-27.

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**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 of Utility Billing Changes.**

Mrs. Minor advised that effective July 1, 2021, as previously approved by Council, the new utility rates will go into effect. Mrs. Minor also advised that effective September 1, disconnections for utility bills would resume; however, funding was still available through the COVID Utility Grant. Continuing, Mrs. Minor advised there had been delays in printing of utility bills; however, the issue had since been resolved.

**2. Discussion of the Virginia Overtime Wage Act**

Mr. Smith advised that the Virginia Overtime Wage Act which went into effect July 1, 2021, effected localities by not allowing compensatory time, which means employees must be paid overtime. Mr. Smith stated this change allows for less flexibility and higher costs to the City; specifically noting, this additional cost was not factored into the City's annual budget.

Mr. Cherry expressed his concern as the effects this would have on Police and Fire; however, Mr. Smith advised there were essentially no changes to for Police and Fire. Mr. Cherry supported forwarding a letter to the Governor expressing Council's frustration with the mandate.



**Addressing Mrs. Luck's concerns relative to school personnel, Mr. Fisher stated he advised the schools that teachers should be paid time and a half.**

**After further discussion, it was the consensus of Council to draft a letter to Governor Northam expressing Council's displeasure with the legislative mandate.**

### **3. Lakeview Dam Project Update**

**Mr. Flippen recalled the flooding in 2020 and the damage and erosion affecting the dam. Mr. Flippen advised he and his staff had been working with Kruger for plans to install a concrete retainage wall, which would route the water away from the dam downstream, with the work anticipated to begin in the late fall of 2021.**

**Mr. Smith added that staff had submitted expenses to the state in anticipation of reimbursement; however, as part of the process, it was important to have Chesterfield County submit their portion in an effort for a declaration of disaster. Mr. Smith advised at this point, he was not certain of Chesterfield's position and may have to return to Council with possible funding recommendation should Chesterfield not support.**

### **4. General Activity Report**

**Mr. Smith reviewed the upcoming meeting schedule.**

**Mayor Kochuba advised there was no July or August work session scheduled.**

#### **B. City Attorney**

- Mr. Fisher reported that his office was collaborating with Public Works in instituting three large construction projects requiring the acquisition of property from various property owners. These projects included the installation of sidewalks in the area around North Elementary School, the widening of a portion of Westover Avenue, and Phase 5 of the River Trail.**

#### **C. Director of Planning and Community Development**

**Mr. Smith advised a Planning Commission meeting would be held on Tuesday, August 2, 2021. Mr. Smith advised two planning staff members would be out for an extended period. Mr. Smith relayed his plan to engage a consulting firm for temporary planning services to cover these absences. Mr.**

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Smith offered comments relative to his plan to cover the expenses to be incurred by this type of service.

Mr. Piotrowski expressed his concern relative to the absence of department personnel and the effect it may have on Code Enforcement. Additionally, Mr. Piotrowski advised there were still donation bins located around the City.

Before adjournment, Mr. Fisher reminded Council of the Special Meeting scheduled for August 2, 2021 at 6:00 P.M.

**16. Adjournment**

There being no further business, a motion was made by Mr. Cherry, seconded by Mrs. Luck, and carried unanimously on voice vote to adjourn the meeting. The meeting was adjourned at 9:31 P.M.

**APPROVED:**

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**T. Gregory Kochuba, Mayor**

**ATTEST:**

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**Pamela B. Wallace, City Clerk**