

**CITY OF COLONIAL HEIGHTS, VIRGINIA**  
**Special Meeting of City Council**  
**Tuesday, September 10, 2019**

**1. Call to Order.**

**The Special Meeting of City Council was called to order by Mayor Kochuba at 5:30 P.M.**

**2. Roll Call.**

**Present:** Councilman Michael A. Cherry  
Councilman Kenneth B. Frenier  
Councilman John E. Piotrowski  
Vice Mayor Elizabeth G. Luck  
Mayor T. Gregory Kochuba

**Absent:** Councilman W. Joe Green, Jr.  
Councilman John T. Wood (arrived at 5:45 P.M.)

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

**3. Closed Meeting Pursuant to the Code of Virginia in accordance with the following provisions:**

- Paragraph A.1 of Section 2.2-3711, to discuss appointments to the Fire Prevention Board of Appeals.
- Paragraph A.5 of Section 2.2-3711, to discuss a prospective business or industry or the expansion of an existing business or industry at 401 Temple Avenue, owned by Kroger Limited Partnership I, where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community.

**A motion to convene in a closed meeting was made by Mayor Kochuba, seconded by Mr. Cherry.**

<b><u>Vote:</u></b>	<b>5-0</b>
<b>Yes:</b>	<b>Cherry</b>
	<b>Frenier</b>
	<b>Piotrowski</b>
	<b>Luck</b>
	<b>Kochuba</b>
<b>No:</b>	<b>None</b>
<b>Absent:</b>	<b>Green, Jr.</b>
	<b>Wood (arrived at 5:45 P.M.)</b>
<b>Abstained:</b>	<b>None</b>

**Motion UNANIMOUS PASS**

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

**A motion to reconvene in open session was made by Mayor Kochuba, seconded by Mr. Cherry, and carried unanimously on roll call vote at 7:06 P.M.**

<b><u>Vote:</u></b>	<b>6-0</b>
<b>Yes:</b>	<b>Cherry Frenier Piotrowski Wood Luck Kochuba</b>
<b>No:</b>	<b>None</b>
<b>Absent:</b>	<b>Green, Jr.</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.1 of Virginia Code Section 2.2-3711, to discuss appointments to the Fire Prevention Board of Appeals.**
- Paragraph A.5 of Section 2.2-3711, to discuss a prospective business or industry or the expansion of an existing business or industry at 401 Temple Avenue, owned by Kroger Limited Partnership I, where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community.**

**Consideration of the following certification:**

**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:**

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

**Motion UNANIMOUS PASS**

**5. Motions and Resolutions of Appointments.**

- A. RESOLUTION NO 19-47**  
**Appointing Paul Repak as a member of the Fire Prevention Board of Appeals for a three-year term beginning October 1, 2019; and appointing John V. Mazza, Jr., and Thomas L. Herman as members of the Fire Prevention Board of Appeals for a four-year term beginning October 1, 2019.**

**A motion was made by Mayor Kochuba, seconded by Mrs. Luck, to adopt Resolution No. 19-47.**

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

**Motion UNANIMOUS PASS**

**5. Adjournment**

**There being no further business, a motion was made by Mayor Kochuba, seconded by Mr. Frenier, to adjourn the Special Meeting. The meeting was adjourned at 6:52 P.M.**

**APPROVED:**

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**T. Gregory Kochuba, Mayor**

**ATTEST:**

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**Pamela B. Wallace, City Clerk**