

**CITY OF COLONIAL HEIGHTS, VIRGINIA
Regular Meeting of City Council
Tuesday, December 14, 2021**

1. Call to Order

The Regular Meeting of City Council was called to order by Vice Mayor Luck 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 Kenneth B. Frenier
Councilman John E. Piotrowski
Councilwoman Dr. Laura F. Poe
Councilman Robert W. Wade
Councilman John T. Wood
Vice Mayor Elizabeth G. Luck

Absent: Mayor T. Gregory Kochuba

Also Present: Mr. Hugh P. Fisher, III, City Attorney (via telephone)
Mrs. Pamela B. Wallace, Clerk
Mr. Douglas E. Smith (via telephone)

3. Devotion

A devotional prayer was led by Mr. Wood.

4. Pledge of Allegiance

The Pledge of Allegiance was led by Vice Mayor Luck.

5. Adoption of Agenda

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

Vote: 6-0
Yes: Frenier
Piotrowski
Poe
Wade
Wood

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Luck
No: None
Absent: Kochuba
Abstained: None

Motion: UNANIMOUS PASS

6. Declarations of Personal Interest

A declaration and disqualification statement were read by Dr. Poe and filed with the Clerk.

Before moving forward, Vice Mayor Luck recognized Mrs. Lia Tremblay from the School Board.

7. Commendations and Presentations

There were none.

8. Reading of Manner of Addressing Council.

In the absence of Mr. Fisher, the Clerk read the Manner of Addressing Council.

9. Written Petitions and Communications

There were none.

10. Advertised Public Hearing

A. AN ORDINANCE NO 21-23

(First Reading) To grant a special use permit to Christian Life Center located at 505 Lakeview Avenue, also known as parcel identification number 1900010Y001, and Swearingen Realty Company, allowing for an addition to the existing religious assembly, on a consolidated parcel.

A motion was made by Dr. Poe, seconded by Mr. Piotrowski, to adopt Ordinance No. 21-23.

Mrs. Brown, Acting Planning Director, provided background information relative to the applicant's request for a special use permit and also advised of the Planning Commission's approval of the request.

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Speaking on behalf of the applicant, attorney Kerry Huchison, provided brief comments relative to the proposed project.

Council Comments:

Mr. Charlie Pavie of Christian Life Center came forward to address Mrs. Luck's question relative to improvements to the existing building. Mr. Pavie advised that the existing building would be tied into the proposed new structure with improvements to the outside being made to match that of the new building.

Dr. Poe stated she had no objections to the request with Mr. Wade adding he also had no objections. Mr. Wade continued by stating there would be no issues relative to parking.

Addressing Mr. Wood's question, Mr. Pavie explained the layout and proposed use of the existing and new building once complete.

There were no comments from the public.

Vote: 6-0
Yes: Cherry
Piotrowski
Poe
Wade
Wood
Luck
No: Kochuba
Absent: None
Abstained: None

Motion: UNANIMOUS PASS

- B. AN ORDINANCE NO 22-3**
(First Reading) Approving a Deed of Easement granting Dunlop Station, LLC a variable width driveway maintenance easement across parcel identification number 6702000001A, consisting of approximately 2,684 ± square feet, to allow for vehicles to make a right turn from Ellerslie Avenue into the Dunlop Village Shopping Center and a right turn onto Ellerslie Avenue from the Dunlop Village Shopping Center.

A motion was made by Mr. Frenier, seconded by Mr. Wade, to adopt Ordinance No. 22-3.

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Mr. Fisher advised that once Council approved upon second reading, bids would need to be solicited.

Council comments:

Clarifying for Mr. Frenier, Mr. Flippen described the location of the proposed entrance.

There were no comments from the public.

Vote: 6-0
Yes: Cherry
Piotrowski
Poe
Wade
Wood
Luck
No: Kochuba
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 21-21
(Second Reading) To grant a non-exclusive franchise to Verizon Virginia LLC to operate a telecommunications system in the City of Colonial Heights, Virginia and to approve a Telecommunications Franchise Agreement.

B. AN ORDINANCE NO 21-25
(First Reading) Amending § 30-3 of Chapter 30, Finance, of the Colonial Heights City Code, by imposing a maximum convenience fee of 2% of the amount paid whenever a person uses, for any transaction with the City, except for a transaction with the Department of Recreation and Parks, a credit or debit card the City accepts; and further amending § 30-3 by allowing

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the imposition of a convenience fee whenever an accepted credit or debit card is used to pay a City utility bill.

**C. AN ORDINANCE NO 21-27
(First Reading) Awarding a \$500 bonus to each full-time sworn employee in the Police Department and awarding to certain police officers signing bonuses of \$1,500 and referral bonuses of \$1,000.**

**D. AN ORDINANCE NO 21-FIN-16
(First Reading) To amend the General Fund Budget for the fiscal year beginning July 1, 2021 and ending June 30, 2022, by appropriating \$128,542, consisting of 1) \$4,000 in Virginia Risk Sharing Association Grant funds to the Police Department; 2) \$3,700 in e-citation funds to the Police Department; 3) \$3,371 in Byrne Justice Assistance Grant Funds to the Police Department; 4) \$55,000 in assigned fund balance to reimburse the Contingency Fund for the purchase of a fire truck; 5) \$21,200 in Library of Virginia ARPA Grants to the Library; 6) \$2,961 in current and prior year litter control funds; 7) \$36,310 in prior year DCJS Grant funds to the Police Department; and 8) \$2,000 donation from Asset Protection Group, Inc. to the Sheriff's Department.**

E. December 14, 2021 Regular Meeting Minutes

F. December 14, 2021 Special Meeting Minutes

G. June 8, 2021 Regular Meeting Minutes

H. November 17, 2020 Special Meeting Minutes

I. November 10, 2020 Regular Meeting Minutes

J. October 20, 2020 Special Meeting Minutes

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

**Vote: 5-0
Yes: Frenier
Piotrowski
Wade
Wood**

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Luck
No: None
Absent: Kochuba
Abstained: Poe*

Dr. Poe voted to approve all items on the Consent Agenda except Ordinance No. 21-27

Motion: UNANIMOUS PASS

13. Introduction and Consideration of Ordinances and Resolutions

A. AN ORDINANCE NO. 22-FIN-1

To amend the General Fund Budget for the fiscal year beginning July 1, 2021 and ending June 30, 2022, by appropriating \$131,038, consisting of 1) \$6,000 in donations to the Police Department, 2) \$15,500 in assigned fund balance for the TMDL Placeholder Project 3) \$85,000 in assigned fund balance for the North Elementary Sidewalks Phase I Project, 4) \$2,587 in COVID ES DCJS Grant to the Police Department, 5) \$16,463 in Byrne JAG Grant Program FY22 Training and Equipment for the Police Department, and 6) \$5,488 in assigned fund balance to the Police Department from asset forfeiture funds, which is the local match requirement for the Byrne JAG Grant Program.

To amend the Emergency Response Budget for the fiscal year beginning July 1, 2021 and ending June 30, 2022, by appropriating \$479,646, consisting of 1) \$375,492 in American Rescue Plan Act State and Local Fiscal Recovery Funds (SLFRF) for utility lines on Lakeview Avenue associated with the Lakeview Avenue Modernization Project and 2) \$104,154 in ARPA SLFRF Municipal Utility Assistance Program funds to be applied to Residential Utility Customer Accounts.

To amend the Capital Projects Budget for the fiscal year beginning July 1, 2021 and ending June 30, 2022, by appropriating \$2,618,499, consisting of 1) \$2,142,507 of state and federal highway construction funds to the Lakeview Avenue Widening Project, 2) \$375,492 of SLFRF funds for utility lines on Lakeview Avenue associated with the Lakeview Avenue Modernization Project transferred from the Emergency Response Fund, 3) \$85,000 in transfer of assigned fund balance from the General Fund for the North Elementary Sidewalks

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Phase I Project, and 4) \$15,500 in transfer of assigned fund balance from the General Fund for TMDL Placeholder Project. Also, to amend the Capital Projects Budget for the fiscal year beginning July 1, 2021 and ending June 30, 2022, by transferring \$375,000 from the Lakeview Avenue Utilities Project to the Lakeview Avenue Modernization Project.

A motion was made by Dr. Poe, seconded by Mr. Wade, to adopt Ordinance No. 22-FIN-1.

Mr. Smith stated the ordinance was pretty much straight forward; however, provided additional information relative to each appropriation as noted.

Vote: 6-0
Yes: Cherry
Piotrowski
Poe
Wade
Wood
Luck
No: Kochuba
Absent: None
Abstained: None

Motion: UNANIMOUS PASS

B. A RESOLUTION NO 22-1
Specifying the regular meeting dates of the Colonial Heights City Council.

A motion was made by Mr. Frenier, seconded by Dr. Poe, to adopt Resolution 22-1.

Vote: 6-0
Yes: Cherry
Piotrowski
Poe
Wade
Wood
Luck
No: Kochuba
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. General Activity Report

Mr. Smith provided information on the city-wide impacts due to COVID advising that the current numbers and impact from the virus were much greater than those a year ago this time. Additionally, Mr. Smith stated that with the most recent changes from the CDC were positively impacting staff recovery and quarantine times as there had been 13 positive staff cases between December 30 and January 4.

Mr. Smith stated staff would continue to work to provide community services; however, departments would begin to allow as-needed teleworking opportunities. This option will help with limiting exposures.

Addressing Dr. Poe's question relative to the closure of Billing and Collections, Mr. Smith advised it was a temporary closure and the office was scheduled to reopen Thursday, January 13. Mrs. Sadler, Acting Finance Director, advised staff felt it was best to close the office in an effort to risk additional exposures to office staff and citizens visiting the office.

B. City Attorney

Mr. Fisher advised of the Planning Commission's recent appointment of Mitch Hartson, Chair and Rita Schiff, Vice Chair, for the upcoming year. Additionally, Mr. Fisher advised of the Planning Commission's unanimous approval of the request for a special use permit for the proposed apartment project for the old Sears building at Southpark Mall.

Mr. Wade, speaking as Council's representative on the Planning Commission, advised that the applicant had removed all previous requested incentives and would not pursue financing from HUD or Virginia House Authority; however, was uncertain of the position of incentives regarding tap fees. Speaking to the bankruptcy position of the mall, Mr. Wade advised mall personnel advised they had restructured their loan; however rental income

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from tenants was decreasing. Mr. Wade also advised that the mall would have 20% ownership in the apartments.

Mr. Piotrowski expressed his concern relative to the possible resale of the property after several years; with Mr. Wade advising that was discussed and the applicant stated they had no intent of selling the property; however, there would be a property manager on site. Mr. Piotrowski asked that information relative to the impact to affected schools be provided at the February meeting.

C. Director of Planning and Community Development

Mr. Smith recalled the actions of the Planning Commission and appointments and further advised the next scheduled meeting was February 1, 2022.

16. Adjournment

There being no further business, a motion was made by Mr. Wade, seconded by Dr. Poe, and carried unanimously on voice vote to adjourn the meeting. The meeting was adjourned at 8:01 P.M.

APPROVED:

T. Gregory Kochuba, Mayor

ATTEST:

Pamela B. Wallace, City Clerk