

**CITY OF COLONIAL HEIGHTS, VIRGINIA  
Regular Meeting of City Council  
Tuesday, May 10, 2022**

**1. Call to Order**

**The Regular Meeting of City Council was called to order by Mayor Kochuba at 7:0 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  
Mayor T. Gregory Kochuba

**Absent:** Vice Mayor Elizabeth G. Luck

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

**3. Devotion**

**A devotional prayer was led by Mr. Piotrowski.**

**4. Pledge of Allegiance**

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

**5. Adoption of Agenda**

**A motion was made by Mr. Piotrowski, seconded by Mr. Wade, to approve the agenda.**

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

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

**Motion: UNANIMOUS PASS**

**6. Declarations of Personal Interest**

A declaration was read by Dr. Poe and Mr. Wade then filed with the Clerk.

**7. Commendations and Presentations**

- A. Presentation regarding a Regional Industrial Facilities Authority (RIFA) by Keith Boswell, President and CEO of Virginia's Gateway Region**
- B. A PROCLAMATION  
Recognizing Tucker Reid Booth upon his attaining rank of Eagle Scout**
- C. Proclaiming May 11 through May 17, 2022 as *NATIONAL LAW ENFORCEMENT OFFICERS' MEMORIAL WEEK* in the City of Colonial Heights, Virginia**
- D. A PROCLAMATION  
Proclaiming May 2022 as "Business Appreciation Month" in the City of Colonial Heights, Virginia**
- E. New City Employee Introduction  
New Employee hired by the Fire and EMS Department**
- F. Presentation of the City Manager's FY2022-2023 Proposed Annual Operating Budget**

Mr. Smith advised that the items presented were a brief overview of the items to be discussed and considered at the upcoming work session. Mr. Smith stated staff was still developing the budget; however, it would be posted to the City website in the next couple of days and hard copies would be provided to Council and staff. At the conclusion of Mr. Smith's comments, he presented the following information relative to the proposed budget:

- **Top six revenue sources with a proposed 2023 budget of \$47+M**
- **Proposed Budget Highlights including:**

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- o Additional department personnel
- o Employee compensation which will be presented at the May 17 work session
- o Increase in Operating Services
- o Equipment capital
- o Expansion of Fund Balance usage

**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 RESOLUTION NO 22-16  
Approving and adopting the City of Colonial Heights Fiscal  
Years 2023-2027 Capital Improvement Plan**

**A motion was made by Mr. Frenier, seconded by Mr. Piotrowski, to adopt Resolution No. 22-16.**

**Mr. Smith advised of a revision to the Lakeview Modernization funding allocation; however, there were no other changes.**

**Public Comments: None**

**Council Comments:**

**Mr. Wood commended staff relative to the improvements to the entrance to the animal shelter.**

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

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**Motion: UNANIMOUS PASS**

**B. AN ORDINANCE NO 22-5**

**(First Reading) To amend §§ 273-37 and 273-41 of Chapter 273, Vehicles and Traffic of the Colonial Heights City Code to increase the minimum citation amount and minimum fine for illegally parking in a handicapped parking space from \$100 to \$250.**

**A motion was made by Mr. Wade, seconded by Mr. Piotrowski, to adopt Ordinance No. 22-5.**

**Mr. Wade recalled Council's discussion at the Retreat relative to the desire to make fines more consistent.**

**Public Comments: None**

**Council Comments:**

**Mr. Wade stated he requested the change be discussed at the Retreat and further advised his request was that the fine be raised to \$500. Mr. Wade again requested that Council reconsider the amount proposed in the ordinance.**

**Mr. Wood stated he felt \$250 was a steep fee for a parking violation.**

**At the request of Mr. Smith, Major Rob Ruxer provided clarifying information and statistics relative to the issuance of citations and summonses from 2019 to 2021.**

**After further discussion, it was the consensus of Council to remain with the proposed fine of \$250.**

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

**Motion: UNANIMOUS PASS**

- C. AN ORDINANCE NO 22-6**  
**(First Reading) To amend §§ 286-200, 286-530.20, and 286-602 of Chapter 286, Zoning, of the Colonial Heights City Code to add definitions of decorative, lattice, and picket fences; to amend the type of fence prohibited beyond the front plane of a building; and to allow the Zoning Administrator to modify the requirements for fences, walls, and hedges on commercial property, as she deems appropriate.**

**A motion was made by Mr. Piotrowski, seconded by Dr. Poe, to adopt Ordinance No. 22-6.**

**Mrs. Maxie Brown, Interim Planning Director, provided background information relative to Council's decision to amend the fence ordinance noting the following three clarifications:**

- Add definitions for decorative, lattice, and picket fences.**
- Amend the type of fence prohibited beyond the front plane of the building.**
- Allow the Zoning Administrator to modify requirements for fences, walls, and hedges in commercial districts, as appropriate.**

**Mr. Wade questioned the allowance of solid fencing in the front yard parallel to the street; specifically noting he was concerned that the solid fence would hide tall grass. Before opening the floor for public comment, there was continued discussion among Council members with Mayor Kochuba stating there seemed to be confusion relative to the intent of the placement of solid fencing in the front of the home.**

**Public Comment:**

**Bonnie Davis, 3242 Jersey Court – Ms. Davis spoke in opposition of solid fencing in the front of the structure parallel to the street.**

**Council Comment:**

**Addressing Mr. Wood's concerns relative to authorizing the Planning Director in certain circumstances; Mrs. Brown recalled Council's previous discussion and the subject which initiated the action stating she would only be authorized to make such judgements on commercial properties.**

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There was continued discussion by Council members relative to fencing parallel to the street; however, there was no consensus among Council members and Mr. Fisher suggested the item be moved to a work session.

At the request of Mayor Kochuba, Mr. Wade withdrew his motion and Mr. Piotrowski his second.

**D. AN ORDINANCE NO 22-7**

**(First Reading) Amending § 286-506.04 of Chapter 286, Zoning, of the Colonial Heights City Code, to eliminate a conflict in the fee listed for preliminary site plans and clarify that such fee is \$500.**

A motion was made by Mayor Kochuba, seconded by Mr. Piotrowski, to adopt Ordinance No. 22-7.

Mr. Smith provided additional clarifying comments regarding the fee amount; however, there was no further discussion.

**Vote: 6-0**  
**Yes: Frenier**  
**Piotrowski**  
**Poe**  
**Wade**  
**Wood**  
**Kochuba**  
**No: None**  
**Absent: Luck**  
**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 22-FIN-5**

**(Second Reading) Appropriating and providing funds for financing the City of Colonial Heights Public School Budget for the fiscal year beginning July 1, 2022 and ending June 30, 2023, and approving such budget.**

- B. AN ORDINANCE NO 22-FIN-7**  
**(Second Reading) To amend the General Fund Budget for the fiscal year beginning July 1, 2021 and ending June 30, 2022, by appropriating \$144,073, consisting of 1) \$2,043 in Asset Forfeiture funds to the Commonwealth's Attorney; 2) \$2,322 in donations to the Animal Shelter; 3) \$3,708 in Byrne Justice Grant funds for the Police Department; and 4) \$136,000 in Restricted Fund Balance for Street Maintenance Pavement Projects.**

**A motion was made by Mr. Frenier, seconded by Mr. Piotrowski, to adopt the Consent Agenda as presented.**

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

**Motion: UNANIMOUS PASS**

**13. Introduction and Consideration of Ordinances and Resolutions**

- A. A RESOLUTION NO 22-18**  
**Approving a Project Service Agreement for Municipal Solid Waste (MSW) Collection and Disposal Services with the Central Virginia Waste Management Authority**

**A motion was made by Mayor Kochuba, seconded by Mr. Wood, to adopt Resolution No. 22-18.**

**Mr. Smith provided comments relative to the proposed amendment to the service agreement stating CVWMA agrees not to use the Petersburg landfill.**

**Addressing Mr. Piotrowski's question relative to what was being done to address the issues at Brandywine Townhomes, Mr. Flippen advised staff was meeting with the homeowner's association to discuss a resolution. Additionally, Mr. Flippen addressed Mr. Piotrowski's other concern stating**

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that CVWMA was working to coordinate the length of contracts for each locality in an effort to eventually make the all the same.

Some Council members expressed their concerns relative to the size of the trash receptacles and the inconsistent phone service and customer service received when contacting CVWMA. Mrs. Hynes advised CVWMA was implementing a new phone service and customer service department to address customer concerns in an attempt to adhere to the 2 P.M. call time for bulk pick-up.

Mrs. Hynes continued to address Council's questions relative to bulky waste pickup; specifically noting the \$125 fee for bulky waste over the limit and including brush and limbs in bulky waste. Additionally, Mrs. Hynes addressed questions relative to additional containers and the procurement process for selecting the new provider as well as providing comments relative to the utilization of the Petersburg landfill should it reopen.

**Vote: 5-1**  
**Yes: Frenier**  
**Poe**  
**Wade**  
**Wood**  
**Kochuba**  
**No: Piotrowski**  
**Absent: Luck**  
**Abstained: None**

**Motion: 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 Personal Property Tax Due Date.**

Mr. Smith recalled his discussion with Mr. Feasenmyer relative to extending the personal property tax due date to July 29, 2022 and requested Council's approval of such change at the May 17, 2022 Work Session.



There were no comments or discussion by Council members as they agreed with the recommendation by Mr. Smith.

**2. General Activity Report**

Mr. Smith provided Council meeting updates and thanked staff from Recreation and Parks for their timely, organized cancelation and rescheduling of the Fort Clifton Festival due to the rain the weekend of the event. Additionally, Mr. Smith provided information relative to the opening schedule for the Tri-City Chili Peppers.

Before continuing, Mr. Fisher questioned the approval of the personal property tax due date and was it necessary that the modifications to the rate and notification of the date extension be on the May 17, 2022 work session agenda. Addressing Mr. Fisher's comments, Mr. Feasenmyer stated if Council was agreeable, the approval could be at the May 24, 2022 work session.

**B. City Attorney**

Mr. Fisher had nothing to report.

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

Mrs. Brown, Interim Planning Director, stated she was happy to address any questions from Council relative to the Planning Report provided in the agenda packet. Additionally, she advised of a tentative meeting of the Wetlands Board scheduled for June 1, 2022 to discuss one case at 1600 Clifton Drive.

**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 9:55 P.M.

**APPROVED:**

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**T. Gregory Kochuba, Mayor**

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**ATTEST:**

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**Pamela B. Wallace, City Clerk**