

**CITY OF COLONIAL HEIGHTS, VIRGINIA
Special Meeting of City Council
Tuesday, September 17, 2019**

1. Call to Order.

The Special Meeting of City Council was called to order by Mayor Kochuba at 6:00 P.M.

2. Roll Call.

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. (arrived at 6:13 P.M.)

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

3. Declarations of Personal Interest

A declaration was read by Mr. Green and filed with the Clerk.

4. Closed Meeting Pursuant to the Code of Virginia in accordance with the following provision:

- **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.

Vote: 6-0
Yes: Cherry
Frenier
Piotrowski
Wood
Luck
Kochuba
No: None
Absent: Green, Jr. (arrived at 6:13 P.M.)

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Yes: Cherry
Frenier
Green, Jr.
Piotrowski
Wood
Luck
Kochuba

No: None

Absent: None

Abstained: None

Motion UNANIMOUS PASS

6. Work Session on the following items:

A. RESOLUTION NO 19-44

Authorizing the submission to the Virginia Department of Transportation (VDOT) for an application for federal FY 2020-21 Transportation Alternatives program funding; requesting financial assistance in an amount up to \$710,844 for Conduit Road sidewalks; and \$369,174 for Phase V of the Appomattox River Greenway Trail; committing to pay the 20% local match for each project; and providing for future maintenance and upkeep of the completed projects.

A motion was made by Mr. Frenier, seconded by Mr. Cherry, to adopt Resolution No. 19-44.

Mr. Smith advised that Mr. Henley, Director of Public Works, would provide comments and answer any questions from Council. Mr. Henley stated the initial submission of the VDOT application for Transportation Alternatives Program Funding had been denied and this was the second request; noting that Council's approval of the resolution was required as part of the application.

Addressing Mayor Kochuba's question relative to the Conduit Road sidewalk project, Mr. Henley stated construction would begin at School Avenue and continue north to Riveroaks Drive. Additionally, Mr. Henley addressed Mayor Kochuba's question relative to the increase in funding for Phase V of the river trail, stating that the increase was due to additional construction necessary to accommodate and cross wetlands.

Mrs. Luck thanked Mr. Henley for his efforts and persistence in obtaining funds for the sidewalks along the Conduit Road corridor. Mr. Green also thanked Mr. Henley and his staff for their efforts relative to the expansion of the river trail.

Mr. Wood stated that Mr. Henley and his staff should be congratulated by Council for the way they have preserved funding for the other portions of the river trail project. Mr. Wood elaborated on the funding distribution process and Mr. Henley's

collaboration with the Metropolitan Planning Organization to ensure action was taken so funding was not lost.

Vote:	7-0
Yes:	Cherry Frenier Green, Jr. Piotrowski Wood Luck Kochuba
No:	None
Absent:	None
Abstained:	None

Motion UNANIMOUS PASS

B. A RESOLUTION NO 19-45

Authorizing the submission of a revenue sharing program application to the Virginia Department of Transportation (VDOT) for Fiscal Year 2020-21; and requesting financial assistance from VDOT in the amount of up to \$330,353 for the reconstruction of Ridge Road.

A motion was made by Mr. Green, seconded by Mrs. Luck, to adopt Resolution No. 19-45.

Mayor Kochuba stated this was a 50/50 share cost for reconstruction of Ridge Road. Mr. Henley stated the current condition of Ridge Road made it the first choice for this program, which was the best VDOT program for locally funded projects.

Vote:	7-0
Yes:	Cherry Frenier Green, Jr. Piotrowski Wood Luck Kochuba
No:	None
Absent:	None
Abstained:	None

Motion UNANIMOUS PASS

**C. A RESOLUTION NO 19-46
Approving the use of design-build procurement for the Hrouda Pump
Station Replacement project.**

A motion was made by Mr. Cherry, seconded by Mr. Green, to adopt Resolution No. 19-46.

Mayor Kochuba recalled Council's prior discussion of this project in August. Mr. Henley added that Council had discussed and approved the design-build plans, but tonight's action was their formal approval. There was no further discussion.

Vote:	7-0
Yes:	Cherry Frenier Green, Jr. Piotrowski Wood Luck Kochuba
No:	None
Absent:	None
Abstained:	None

Motion UNANIMOUS PASS

D. Discussion of the Community Center Rental Policy Revisions

Mr. Skalak, Director of Recreation and Parks, stated he had provided staff-supported changes in the rental policy for the Community Center including part-time staffing to monitor rental times and increasing the fee from \$50 per day to two, six-hour blocks at \$100 per block. Additionally, activities will end at 9:00 P.M.; the current end time is 11:00 P.M.

Mr. Skalak stated there were two groups which rented the facility on a yearly basis; however, it was staff's recommendation to grandfather the two groups for one year and at the end of the year, abolish the long-term rental policy.

Mr. Skalak addressed questions relative to requiring a deposit stating currently there was no security deposit required and felt the additional presence of part-time staff during rental event would deter the possibility of damage to the facility. There was additional discussion relative to the requirement of a security deposit. Mr. Skalak suggested that Council move forward with the recommendations presented to them and allow staff to further research the possibility of the implementation of a required security deposit.

It was the consensus of Council for staff to move forward with implementation of the suggested rental policy changes to the Community Center. Mr. Smith advised a resolution would be drafted for Council's formal approval.

E. Discussion Regarding Deputy Chief of Police Position

Chief Faries stated it had been his goal for quite some time to reinstitute the position of Major, and feels the time is right as he has an individual in mind which he feels confident to fill the position. It was explained that the Captain and Deputy Chief positions were the same pay grade; however, the rank was higher for Deputy Chief.

Addressing Mayor Kochuba's concerns relative to the position not being advertised, Chief Faries stated this was an appointed position by him and the two additional Captains supported his decision.

Mr. Green stated he supported Chief Faries' decision, but hoped there would be a pay adjustment in the future.

There being no further discussion, it was the unanimous decision of Council for staff to move forward with the requested Deputy Chief of Police position. Mr. Smith stated with Council's approval, staff would prepare an ordinance for Council formal approval at the upcoming October meeting.

F. Discussion of Urban Housing of Backyard Chickens

Mrs. Hall, Director of Planning and Community Development, provided Council with the pros and cons and typical backyard chicken regulations. Additionally, Mrs. Hall provided Council with the allowed number of chickens for surrounding localities.

Mr. Piotrowski stated he was in support of allowing chickens, but felt the number should be limited.

Mr. Green expressed his opinion stating he did not support allowing livestock in the City.

Mr. Cherry provided comments relative to the attraction of millennials and sustainability in the City; and that Council needed to be more open-minded to these ideas.

Mr. Wood stated the inclusion of chickens would call for additional regulations relative to animal control and he was not in favor of the proposed request.

Mr. Frenier stated he would not support changing the current regulations governing chickens.

Mrs. Luck stated if this was allowed, there should be no more than five chickens.

There was continued discussion relative to the number of chickens which should be allowed after which time Mayor Kochuba took a poll vote with the following results;

**Mr. Cherry – Yes, but with restrictions
Mr. Frenier – No
Mr. Green – No
Mr. Piotrowski – Yes, but with restrictions
Mr. Wood – No
Mrs. Luck – Yes, with restrictions of no more than five
Mayor Kochuba – Yes, but with restrictions**

After further discussion and re-polling of Council members in favor of allowing chickens with restrictions, it was the consensus to allow three chickens per household.

G. Discussion of Motorized Scooter Regulations

Mr. Smith stated it was the opinion of staff to allow regulations within the Code should the City be approached by a vendor regarding the placement of scooters.

Mr. Fisher stated that the Virginia Municipal League (VML) recommended the City of Alexandria as a model for the use of scooters. It was the recommendation of Mr. Fisher that he draft a detailed ordinance or Memorandum of Understanding (MOU) as that of the City of Alexandria. Mr. Fisher stated the City of Colonial Heights was not a good candidate due to the lack of sidewalks. However, if Council was going to adopt an ordinance that included banning scooters from sidewalks, they must do so by January 1, 2020.

There was additional discussion relative to the requirements Council would wish to impose, with Mr. Fisher providing comments and regulations currently imposed by the City of Alexandria.

After much discussion, it was the recommendation of Mr. Fisher that he draft an ordinance possibly referencing a right-of-way agreement and MOU, with Council discussion of the draft at the October work session, first reading of the ordinance in November, and second reading in December.

5. Adjournment

There being no further business, a motion was made by Mr. Cherry, seconded by Mayor Kochuba, to adjourn the Special Meeting. The meeting was adjourned at 8:57 P.M.

APPROVED:

T. Gregory Kochuba, Mayor

ATTEST:

Pamela B. Wallace, City Clerk