



Colonial Heights

City Council Regular Meeting

March 14, 2023

Colonial Heights City Council Meeting

March 14, 2023



- 1. Call to Order**
- 2. Roll Call**
- 3. Devotion – The Honorable T. Gregory Kochuba**
- 4. Pledge of Allegiance**
- 5. Adoption of Agenda**
- 6. Declarations of Personal Interest**

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7. **Commendations And Presentations:**

A. A PROCLAMATION

Proclaiming the week of March 19 through 25, 2023, as Emergency Management Professional's Week in the City of Colonial Heights, Virginia.

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7. **Commendations And Presentations:**

B. Presentation Of The City's Annual Contribution To The Colonial Heights High School After Prom Committee

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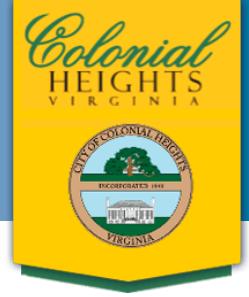
7. **Commendations And Presentations:**

C. New City Employee Introduction

Introduction Of New Employee Hired By The Police Department

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8. Reading of Manner Addressing Council

ANY MEMBER OF THE PUBLIC addressing the Council shall approach the lectern, give his name and address in an audible tone of voice for the record, **AND ADDRESS THE COUNCIL AS A BODY RATHER THAN SPEAK TO ANY MEMBER.** Unless further time is granted by the Council, **ANY MEMBER OF THE PUBLIC** shall address the Council for a maximum of five (5) minutes, regardless of the number of issues he desires to discuss. **PROVIDED** however, that the main proponent of any application, petition, or plan that is the subject of a public hearing shall be allowed to address the Council initially for a maximum of ten (10) minutes and later in rebuttal for a maximum of three (3) minutes.

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9. Written Petitions and Communications By Members of the Public and Council Members

None

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10. Advertised Public Hearings

A. **AN ORDINANCE NO 23-2**

(First Reading) Amending §§ 244-5.1, 244-6, 244-8, 244-9, 244-10, 244-11.1, and 244-12 of Chapter 244, Solid Waste, of the Colonial Heights City Code, to define “clutter”; to prohibit clutter; to change the method of giving real property owners written notice of violations regarding exterior storage of certain objects and tall grass, weeds, or other foreign growth; reducing from ten to seven days the time period to remedy such violations; providing for a \$100 administrative charge per violation and a \$100 civil penalty on property owners with two or more tall grass, weeds, or other foreign growth violations in a growing season; and establishing liens on real estate for charges that remain unpaid 20 or more days after notice of a violation is given. Also, deleting § 244-11 of Chapter 244, which has language that is duplicative of amended § 244-10.

Tall-Grass Violation details of select jurisdictions

City	Max height (inches)	Compliance Time (days)	Admin Fee	Civil Penalty (1st offense)	Civil Penalty (Subsequent Offenses)
Colonial Heights	12	10	\$30	-	-
Chesterfield	12	-	\$35	\$50	\$200
Petersburg	12	3	\$150	\$50	\$200
Hopewell	14	5	\$100	\$50	\$200
Richmond	12	2	\$150	\$50	\$200
Hampton	8	7	\$150	\$100	\$100
Newport News	10	-	\$150	-	-

- Not located in code

Colonial Heights does have criminal penalties in § 244-12 of Code (exterior storage)

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10. Advertised Public Hearings

B. AN ORDINANCE NO 23-4

(First Reading) To grant a special use permit to Christian Life Center Inc. for the property located at 505 Lakeview Avenue, also known as parcel identification number 1900010Y001, currently zoned RL – Low-Density Residential and RH - High Density Residential: 1) to allow a maximum lot coverage of 70% within the RL – Low Density Residential zoning district; 2) to allow a maximum building coverage of 40% within the RL – Low Density Residential zoning district; and 3) to reduce to ten feet the minimum width of the Buffer Type C, Option 1, required along the southern property line of the RH – High Density Residential zoning district.

10.B. Public Hearing Item SUP 23-01; ORD. NO. 23-4



The yellow rectangle generally depicts the location of the application. The proposed addition will add onto the west side of the building and enclose the northeastern corner of the existing building. The proposal will also expand the parking lot.

10.B. Public Hearing Item SUP 23-01; ORD. NO. 23-4

Existing vs. Proposed Facilities

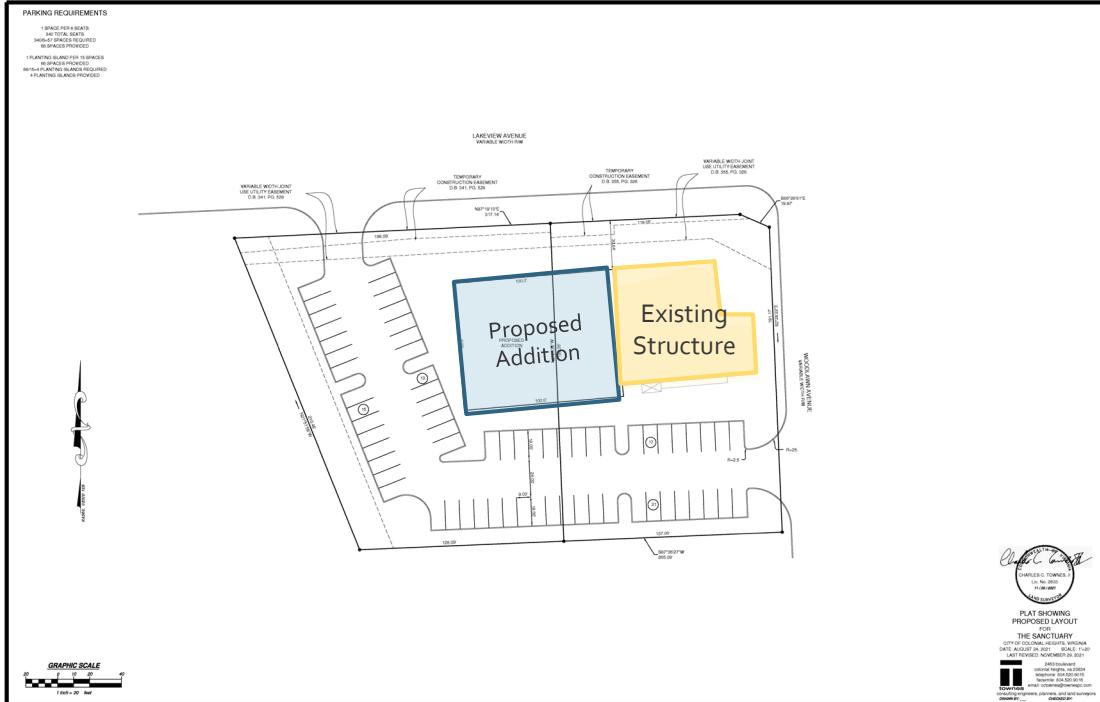


10.B. Public Hearing Item SUP 23-01; ORD. NO. 23-4 – continued

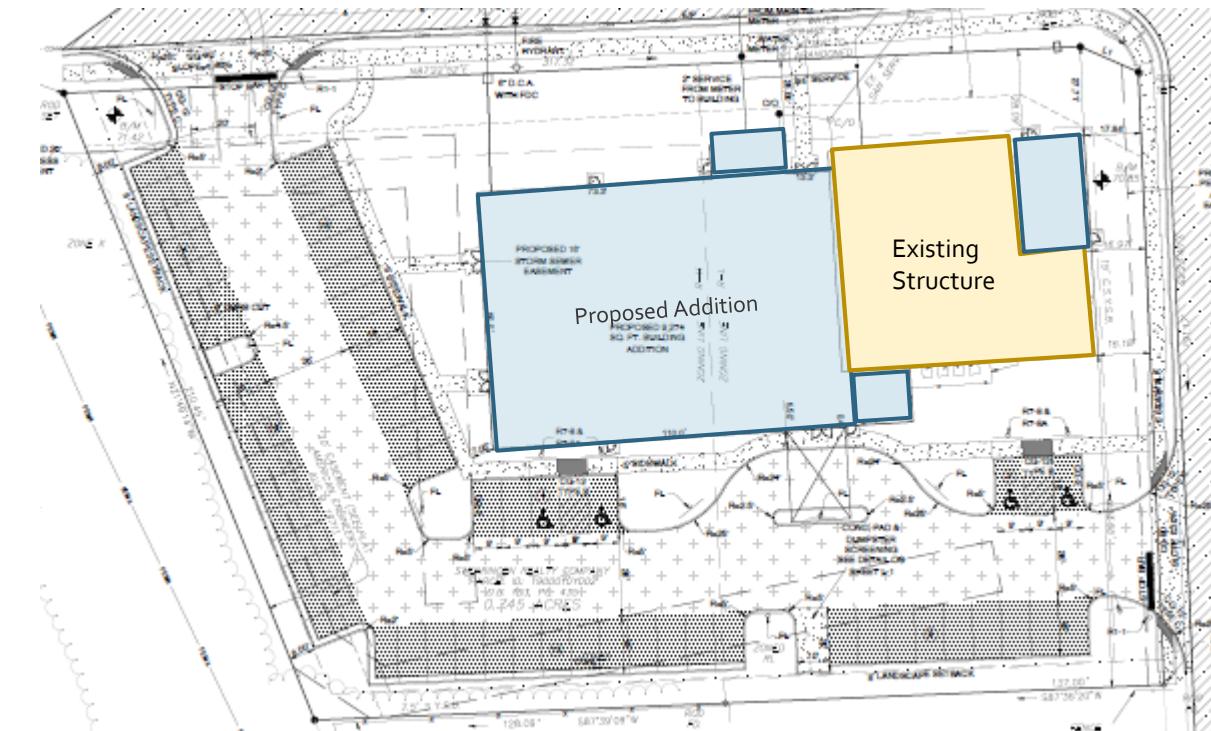
Background

- Site received exception to the minimum lot size of 2 acres (SUP 21-04)
- At plan of development, size of building increased from 8000 to 9874 s.f.

SUP 21-04



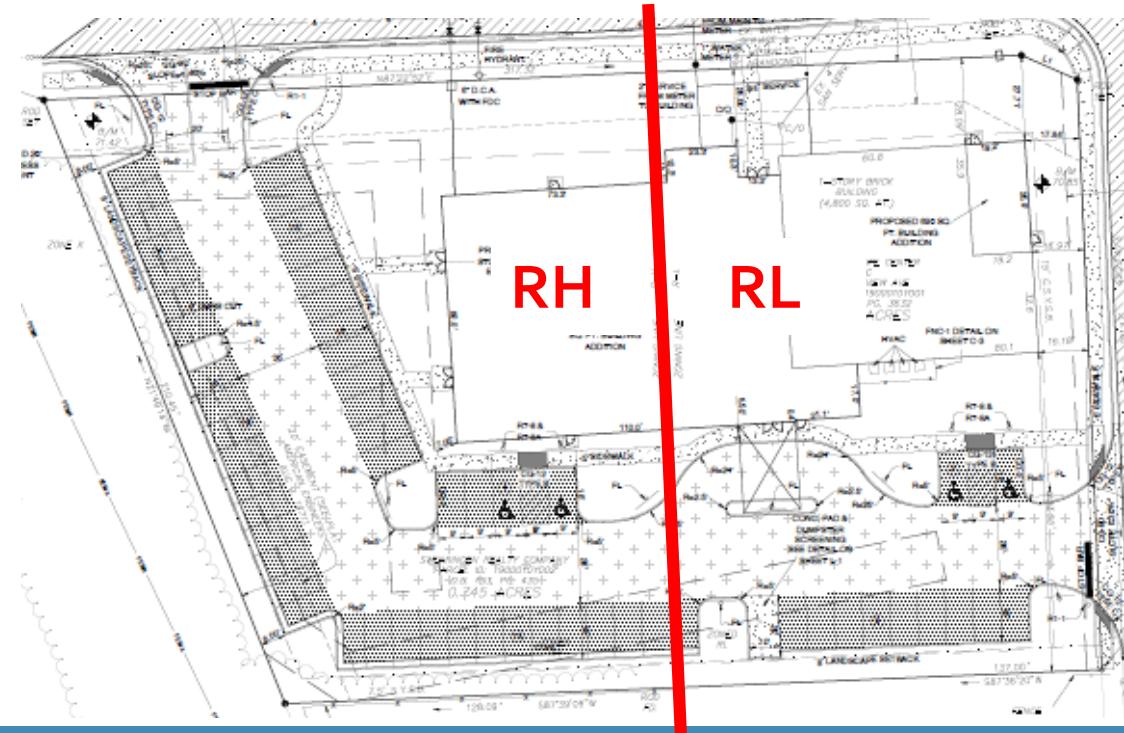
SUP 23-01



10.B. Public Hearing Item SUP 23-01; ORD. NO. 23-4 – continued

Background

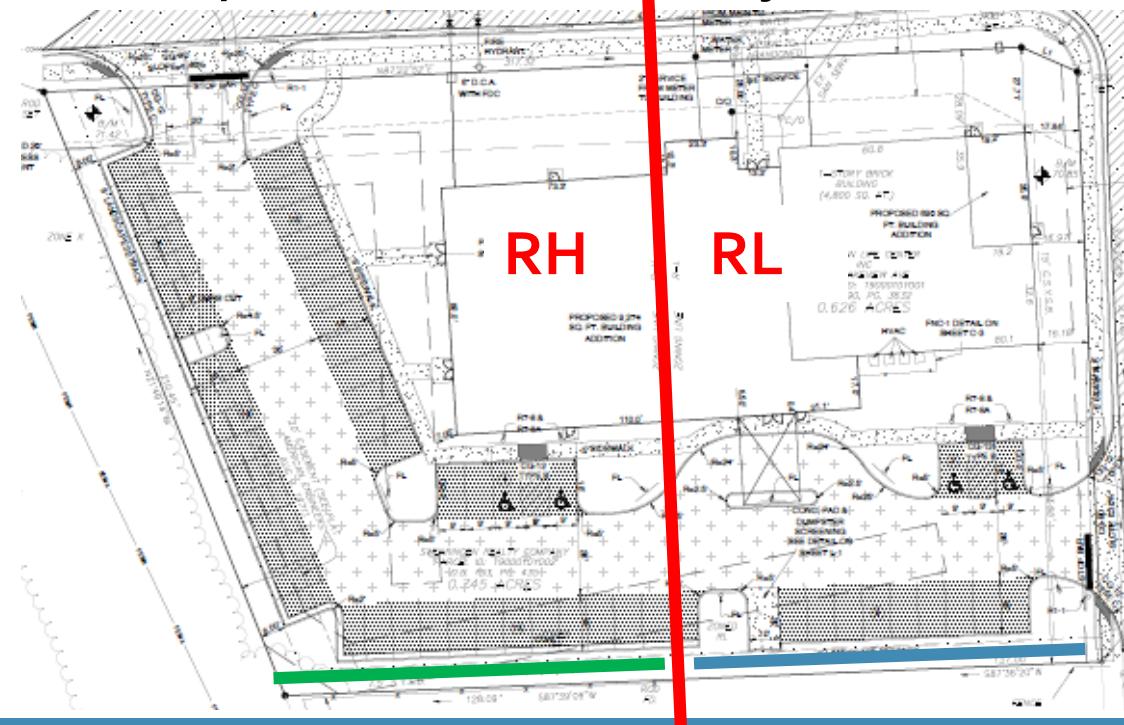
- The parcel is split zoned, so standards for each zoning district must be met:
 - RH and RL zoning districts have different maximum building coverage
 - RH and RL zoning districts have different maximum lot coverage



10.B. Public Hearing Item SUP 23-01; ORD. NO. 23-4 – continued

Background

- The parcel is split zoned, so standards for each zoning district must be met:
 - RH and RL zoning districts have different maximum building coverage
 - RH and RL zoning districts have different maximum lot coverage
 - RH district requires a buffer to adjacent RL district to the south



10.B. Public Hearing Item SUP 23-01; ORD. NO. 23-4 – continued

Background

- Site received exception to the minimum lot size of 2 acres (SUP 21-04)
- At plan of development, size of building increased from 8000 to 9874 s.f.
- The parcel is split zoned, so standards for each zoning district must be met:
 - RH and RL zoning districts have different maximum building coverage
 - RH and RL zoning districts have different maximum lot coverage
 - RH district requires a buffer to adjacent RL district to the south
- Site needs this approval to proceed with development as proposed
- The request and approval conditions allow for development beyond proposal to occur to a certain extent, if necessary.

10.B. Public Hearing Item SUP 23-01; ORD. NO. 23-4 – continued

Planning Commission Recommendation

Planning Commission approved Planning Commission Resolution 23-01, which recommends approval of Ordinance Number 23-4, with the following conditions:

[conditions of approval are on next slide]

10.B. Public Hearing Item SUP 23-01; ORD. NO. 23-4 – continued

PC Recommendation – Conditions of Approval

1. Development of the property shall be in substantial accord with the four-sheet concept/site plan, entitled “The Sanctuary Building Addition Plan of Development” prepared by Townes P.C., dated July 5, 2022 revised through January 30, 2023 and consisting of sheets C-1, C-11, L-1, and L-2.
2. The exterior elevations shall be in substantial accord with elevations prepared by Zion Church Building, Inc., sent to the City February 6, 2023.
3. The maximum building coverage within the RL – Low Density Residential zoning district shall be 40%.
4. The maximum lot coverage within the RL – Low Density Residential zoning district shall be 70%.
5. The minimum width of the Type C Buffer Option 1 required along the southern property line of the RH – High Density Residential zoning district shall be ten feet (10') and shall be landscaped at a minimum of what is depicted on Sheet L-1 and in accordance with Sheet L-2. Should Christian Life Center Inc., or its successors, purchase the adjacent property located to the south of parcel identification number 1900010Y001, then the requirement for this buffer shall no longer be required in the location shown on the conceptual plan to allow the religious assembly to expand in accordance with all other City regulations and ordinances.
6. A site plan will be required for the development of the property, which shall comply with all City standards and specifications.

10.B. Public Hearing Item SUP 23-01; ORD. NO. 23-4 – continued

Statement/Presentation from applicant

The application is being represented by Mr. Pavie (Christian Life Center, Inc.) and Mr. Townes (applicant's engineer).

Questions of staff/applicant

Open Public Hearing

10.B. Public Hearing Item SUP 23-01; ORD. NO. 23-4 – continued

Comments from the Public

Close Public Hearing

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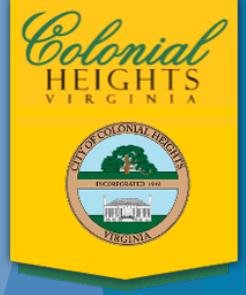
10. Advertised Public Hearings

C. AN ORDINANCE NO 23-5

(First Reading) To amend §§ 51-55, 51-55.1, and 51-56 of Chapter 51, Personnel Policies and Grievance Procedure, of the Colonial Heights City Code, to remove the prohibition on using annual leave during the first six months of employment; to adjust the leave time accrual rate of 24-hour employees; and to increase from \$8,000 to \$10,000 the amount of sick leave payable to certain employees upon retirement.

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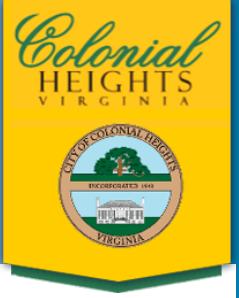
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11. Hearing of Citizens Generally on Non-Agenda Items

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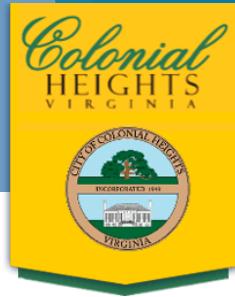
12. Consideration of Uncontested Minutes, Ordinances, Resolutions, and Motions in Accordance with the Consent Agenda

A. AN ORDINANCE NO 23-1

(Second Reading) Granting an easement to Verizon Virginia Inc. allowing Verizon Virginia Inc. to install communication system lines on utility poles across four parcels bordering the Boulevard or Dupuy Avenue that the City of Colonial Heights owns.

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

B. AN ORDINANCE NO 23-FIN-2

(Second Reading) To amend the General Fund Budget for the fiscal year beginning July 1, 2022 and ending June 30, 2023, by \$464,462 consisting of 1) \$716 from DMV Select Services to General and Financial Administration; 2) \$179 from DMV Select Services to Nondepartmental; 3) \$162,151 from assigned fund balance for the Lakeview Dam to Public Works; 4) \$1,236 in reimbursement for the diesel fuel spill to Public Safety; 5) \$240,080 from a FEMA grant to Public Safety; 6) \$100 to Judicial Administration for a donation to the Sheriff's Department; and 7) \$60,000 from assigned fund balance for implementation of Microsoft Office 365 to General and Financial Administration.

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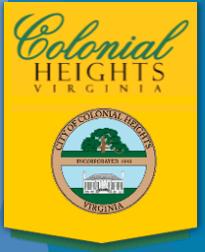
12. Consideration of Uncontested Minutes, Ordinances, Resolutions, and Motions in Accordance with the Consent Agenda

C. January 17, 2023 Special Meeting Minutes

D. February 14, 2023 Special Meeting Minutes

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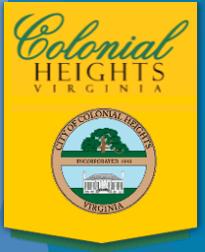
13. Introduction And Consideration Of Ordinances And Resolutions:

A. AN ORDINANCE NO 23-3

(First Reading) To amend § 51-54 of Chapter 51, Personnel Policies and Grievance Procedure, of the Colonial Heights City Code, to include Juneteenth as a City Holiday.

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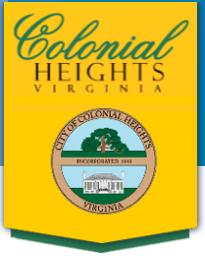
13. Introduction And Consideration Of Ordinances And Resolutions:

B. AN ORDINANCE NO 23-6

(First Reading) To amend § 258-16 of Chapter 258, Taxation, of the Colonial Heights City Code, to increase by 10% the income limits, and by \$20,000 the maximum net worth allowed, for elderly citizens and permanently and totally disabled persons to qualify for a real estate tax exemption.

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13. Introduction And Consideration Of Ordinances And Resolutions:

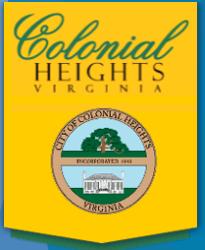
C. AN ORDINANCE NO 23-FIN-3

(First Reading) To amend the General Fund Budget for the fiscal year beginning July 1, 2022 and ending June 30, 2023, by \$94,475 consisting of 1) \$53,109 in bond funds for emergency sewer repairs; 2) \$8,000 in donations to the Police Department from the American Legion for a K-9 kennel and dog food; 3) \$19,225 in grant funds to the Fire Department for ballistic vests and accessories from Firehouse Subs; 4) \$10,000 from HEAT program to Public Safety for a surveillance camera system; 5) \$2,732 in State Asset Forfeiture to the Commonwealth Attorney for crime scene screens; 6) \$1,209 in remaining grants and donations from last year to the Office on Youth; and 7) \$200 in donations to the Sheriff's Office from the Colonial Heights Moose Lodge 1783. Also, to transfer \$2,250 from Nondepartmental to Human Services for the City's annual contribution to the Youth Advisory Council.

To amend the Capital Projects Budget for fiscal year beginning July 1, 2022 and ending June 30, 2023, by appropriating \$53,109 in transfer from the general fund for emergency sewer repairs.

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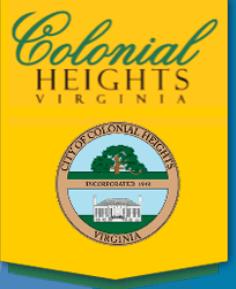
13. Introduction And Consideration Of Ordinances And Resolutions:

D. A RESOLUTION NO 23-7

Approving the City's participation in the proposed settlements of opioid-related claims against Teva, Allergan, Walmart, Walgreens, CVS, and their related corporate entities, and directing the City Manager to execute the documents necessary to effectuate the City's participation in the settlements.

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14. Unfinished Business, Contested Ordinances And Resolutions, And Items Removed From The Consent Agenda

None

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15. Reports of Officers and Documents Related Thereto:

A. City Manager

1. General Activity Report

Dates of Interest

March 2023	April 2023	May 2023
<u>March 21st (6:00 pm) - City Council Special Meeting - Council Chambers</u>	<u>April 4th (6:00 pm) - Planning Commission Meeting - Council Chambers</u>	<u>May 2nd (6:00 pm) - Planning Commission Meeting - Council Chambers (Tentative)</u>
	<u>April 11th (7:00 pm) - City Council Regular Meeting-Council Chambers</u>	<u>May 9th (7:00 pm) - City Council Regular Meeting-Council Chambers</u>
	<u>April 18th (6:00 pm) - City Council Special Meeting - Council Chambers</u>	<u>May 16th (6:00 pm) - City Council Special Meeting (Budget worksession) - Council Chambers</u>
		<u>May 23rd (6:00 pm) - City Council Special Meeting (Budget items) - Council Chambers</u>

CITY HOLIDAYS

- Friday, April 7th, 2023 – (Government Offices Closed)
- Monday, May 29th, 2023 – (Government Offices Closed)

CITY ACTIVITIES/EVENTS

- **Colonial Heights Police Department Drug Take-Back Event:** Saturday, April 22nd, 2023 from 10:00am-2:00pm in the Life Christian Academy Parking Lot (1221 Boulevard, CH)
- **17th Annual Arbor Day Celebration:** Friday, April 28th, 2023 at the Violet Bank Museum at 10:00AM
- **City Clean-Up/Adopt-A-Roadway Event:** Saturday, April 29th, 2023 from 8am-12pm.
- **2023 Fort Clifton Arts & Crafts Festival:** Saturday, May 13th and Sunday, May 14th from 10:30am-5:00pm both days.
- **Tri-City Chili Peppers 2023 Baseball Opening Weekend:** May 25-27th
- **Spring Fling Family Festival:** Saturday, June 10th from 4:00pm-7:00pm at White Bank Park

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15. Reports of Officers and Documents Related Thereto:

A. City Manager

2. *City of Colonial Heights Audit Statement*

In accordance with requirements in the Code of Virginia §15.2-2511, if a locality's audit is not completed as required by this statute, the locality must promptly post a statement on its website, if such website exists, with the following information:

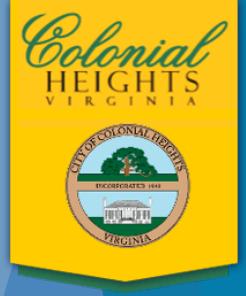
- That the required audit is pending,
- The reasons for the delay,
- And the estimated date of completion.

City of Colonial Heights Audit Statement

The City of Colonial Heights audit for the fiscal year ending June 30, 2022 is pending. The major factors for the delay of the audit are the implementation of a new financial system and vacancies in various important positions related to the audit: the Director of Finance (vacant for a significant portion of FY 21-22) and the Deputy Director of Finance. The City of Colonial Heights finance team and auditors are working diligently to complete the audit report. Our estimated date of completion for the audit report is March 14, 2023.

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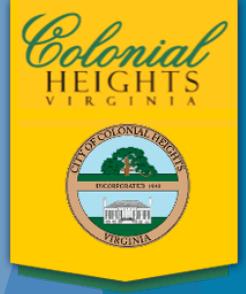


15. Reports of Officers and Documents Related Thereto cont.:

B. City Attorney

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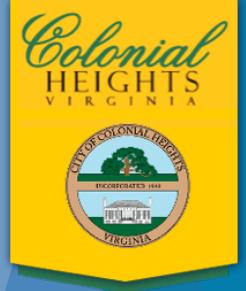
15. Reports of Officers and Documents Related Thereto cont.:

C. Director Of Planning And Community Development

1. Planning Boards And Commissions Summary

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16. Adjournment



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