

**CITY OF COLONIAL HEIGHTS, VIRGINIA  
Regular Meeting of City Council  
Tuesday, April 11, 2023**

**1. Call to Order**

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

**Absent:** None

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

**3. Devotion**

**A devotional prayer was led by the Honorable Kenneth B. Frenier.**

**4. Pledge of Allegiance**

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

**5. Adoption of Agenda**

**A motion was made by Dr. Poe, seconded by Mrs. Luck, to approve the agenda as presented.**

**Vote: 7-0  
Yes: Frenier  
Luck  
Piotrowski  
Poe**

**Regular Meeting Minutes**

**April 11, 2023**

**Page 2**

**Wade**  
**Wood**  
**Kochuba**  
**No: None**  
**Absent: None**  
**Abstained: None**

**Motion: UNANIMOUS PASS**

**6. Declarations of Personal Interest**

**Declarations were read by Dr. Poe, Mr. Frenier, Vice-Mayor Wade, and Mayor Kochuba, then filed with the Clerk.**

**7. Commendations and Presentations**

- A. Presentation by Virginia State University Recreation Management Class – Colonial Heights Recreation and Parks Survey.**
- B. Presentation by Mr. Warren Hammonds, Executive Director, Colonial Heights Food Pantry.**
- C. Recognizing the Administrator of the Office on Youth and Human Services**  
**Recognizing Rebecca Lynch as the 2023 Recipient of the *Patricia M. Cullen Keeping our Promise by Keeping our Children Safe Award* presented by the Chesterfield/Colonial Heights Positive Parenting Coalition.**
- D. A PROCLAMATION**  
**Designating the Month of April as “*Child Abuse Awareness and Prevention Month*” in the City of Colonial Heights, Virginia.**
- E. A PROCLAMATION**  
**Recognizing the Month of April 2023 as the “Month of the Military Child” in the City of Colonial Heights, Virginia.**
- F. Presentation of the Proposed FY24-28 Capital Improvement Plan.**

**Mr. Smith provided the following information relative to the total funding the proposed CIP:**

**Regular Meeting Minutes**

**April 11, 2023**

**Page 3**

- **A total of \$213.67M in funded and unfunded project costs**
- **Projects totaling \$22.26M are proposed for FY24-FY28**
- **\$18.6M in debt required for proposed projects with \$16.4M in new debt**
- **\$191.4M projects remain unfunded**

**Continuing, Mr. Smith listed the FY24 projects and the proposed cost of each project which included the Colonial Heights High School Fine Arts Wing and front entrance/administrative area renovations. Additionally, Mr. Smith provided the funding sources for the above-mentioned projects.**

**At the conclusion of the presentation, Mr. Smith presented the CIP budget calendar to begin with the Planning Commission approval on April 4, review and discussion of the CIP by Council at the April 18, 2023 work session, and final adoption of the program by Council at the May 9, 2023 regular Council meeting.**

**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 ORDINANCE NO 22-12  
(First Reading) Amending § 286-322.10 of Chapter 286, Zoning, of the Colonial Heights City Code by providing that the application fee for the development of a wetland is \$350.**

**A motion was made by Mr. Frenier, seconded by Dr. Poe, to adopt Ordinance No., 22-12.**

**Mr. Smith stated this was a follow-up after a previous Planning Commission action requesting the City Code be consistent with the fee schedule. Mr. Fisher provided additional comments relative to the request for such change.**

**There were no comments from the Public.**

**Council Comments:**

**Regular Meeting Minutes**

**April 11, 2023**

**Page 4**

Addressing Mr. Wood's comment, Mr. Fisher advised that the fee was designed to cover administrative costs and staff time. Mr. Fisher and Mr. Carter provided additional clarification for Mr. Wood relative to the specific requests requiring an application.

There being no further discussion, Mayor Kochuba called for the vote.

**Vote: 7-0**  
**Yes: Frenier**  
**Luck**  
**Piotrowski**  
**Poe**  
**Wade**  
**Wood**  
**Kochuba**  
**No: None**  
**Absent: None**  
**Abstained: None**

**Motion: UNANIMOUS PASS**

- B. AN ORDINANCE NO 23-FIN-4**  
**(First Reading) To amend the General Fund Budget for the fiscal year beginning July 1, 2023, and ending June 30, 2024, to appropriate \$1,496,638 to transfer to the School Board per the Memorandum of Understanding between the City Council and the School Board.**

A motion was made by Mr. Piotrowski, seconded by Mrs. Luck, to approve Ordinance No 23-FIN-4.

Mr. Smith advised this request was for a year-end transfer to the schools; specifically noting this was a larger amount from last year which indicated the increase in City revenue.

There were no comments from the public or Council.

**Vote: 7-0**  
**Yes: Frenier**  
**Luck**  
**Piotrowski**  
**Poe**  
**Wade**  
**Wood**

**Regular Meeting Minutes**

**April 11, 2023**

**Page 5**

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

**Motion: UNANIMOUS PASS**

- C. AN ORDINANCE NO 23-FIN-5  
(First Reading) Appropriating and providing funds for financing the City of Colonial Heights Public School Budget for the fiscal year beginning July 1, 2023, and ending June 30, 2024, and approving such budget.**

**A motion was made by Dr. Poe, seconded by Mrs. Luck, to approve Ordinance No. 23-FIN-5.**

**Mr. Smith provided brief comments and recommended approval of the ordinance.**

**There were no comments from the public or Council.**

**Vote: 7-0**  
**Yes:** Frenier  
Luck  
Piotrowski  
Poe  
Wade  
Wood  
Kochuba  
**No:** None  
**Absent:** None  
**Abstained:** None

**Motion: UNANIMOUS PASS**

**11. Hearing of Citizens Generally on Non-Agenda Items**

**Brenda Martin, 1006 Colonial Avenue – Spoke to the condition of streets in the southern end of the City.**

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

- A. AN ORDINANCE NO 23-2**

**(Second Reading) Amending §§ 244-5.1, 244-6, 244-8, 244-9, 244-10, 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 change 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 current § 244-11 of Chapter 244, which has language that is duplicative of amended § 244-10; and changing current §244-11.1 to new § 244-11.**

**B. AN ORDINANCE NO 23-3**

**(Second 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.**

**C. AN ORDINANCE NO 23-5**

**(Second 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.**

**D. AN ORDINANCE NO 23-FIN-3**

**(Second 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**

**Regular Meeting Minutes**

**April 11, 2023**

**Page 7**

**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.**

**E. February 3-4, 2023 Annual City Council Retreat Minutes**

**F. March 21, 2023 Special Meeting Minutes**

**A motion was made by Dr. Poe, seconded by Vice Mayor Wade, to approve the Consent Agenda as presented.**

**Vote: 7-0**  
**Yes: Frenier**  
**Luck**  
**Piotrowski**  
**Poe**  
**Wade**  
**Wood**  
**Kochuba**  
**No: None**  
**Absent: None**  
**Abstained: None**

**Motion: UNANIMOUS PASS**

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

**A. AN ORDINANCE NO 23-7**  
**(First Reading) Awarding a \$2,000 bonus to all full-time employees employed on or before April 25, 2023, who are not participating in the Public Safety Step Plan.**

**A motion was made by Mr. Piotrowski, seconded by Vice-Mayor Wade, to approve Ordinance No. 23-6.**

**Mr. Smith recalled Council's discussion of the concept at the retreat with further discussion at the March 21, 2023 work session including the proposal for a \$2,000 bonus for full-time employees not in the Public Safety Pay Plan. At that time, there was no discussion of an implementation date; however,**

**Regular Meeting Minutes**

**April 11, 2023**

**Page 8**

since that time, Mr. Smith has notified employees advising of Council's approval of the bonus, noting a specific cut-off date for eligibility.

Mr. Smith advised of his proposal which would treat all employees the same as full-time employees who have been hired within the past year. Mr. Smith is aware this could be viewed differently if a later cut-off date was being considered; however, it is his recommendation of April 25, 2023 as the cut-off date. Mr. Smith added that Council could consider employees who receive the bonus, must return the bonus should they terminate their employment before completing one full year.

Addressing Mr. Piotrowski's request that part-time employees be considered for a bonus, Mr. Smith advised this could be considered as an additional option; however, staff would ensure implementation would include "year-round" part-time employees and advertised separately since it was not advertised with the current agenda. Mr. Smith the action could take place at the next meeting should Council wish to follow the same procedures as before. Mr. Smith advised he had no concerns relative to the ability to cover the cost of the recommended bonus for year-round part-time employees.

Mr. Wade stated he felt employees must have at least one year of employment to be eligible for the bonus. However, he did agree with the staff's recommendation of a payback should an employee leave before one full year of employment. Vice-Mayor Wade expressed the need to reward part-time employees and give an incentive to full-time employees.

Dr. Poe concurred with previous comments concerning part-time employees; however, she feels both full and part-time employees should be required to have been employed at least one year.

Mrs. Luck also concurred with Mr. Smith's recommendations and said it should be conveyed to employees that this will not be an ongoing occurrence.

Mr. Fisher cautioned that it would be advisable to execute a contract with each employee who separates from the City before the completion of one full year of employment.

Mr. Wood stated the City was able to provide the proposed bonuses because of additional revenue due to additional unexpected taxes collected. Mr. Wood stated it was the taxpayers who were funding the proposal; however, they were not receiving a bonus. There was additional discussion as to the funding sources.



**Regular Meeting Minutes**

**April 11, 2023**

**Page 9**

**After additional discussion, a motion was made by Vice-Mayor Wade, seconded by Mr. Wood, to amend Ordinance No. 23-7 to include that all full-time employees must be employed by the City for at least a year on April 11, 2023 to be eligible for the proposed bonus.**

**Vote: 3-4**  
**Yes: Poe**  
**Wade**  
**Wood**  
**No: Frenier**  
**Pitrowski**  
**Luck**  
**Kochuba**  
**Absent: None**  
**Abstained: None**

**Motion: FAIL**

**A motion was made by Mrs. Luck, seconded by Dr. Poe, to amend the proposed ordinance by adding clarifying language stating if employees, not already employed a full year as of April 25, 2023, would need to repay the bonus to the City if they leave prior to completing one full year.**

**Mr. Fisher clarified this was a separate provision to the existing draft.**

**Vote: 5-2**  
**Yes: Piotrowski**  
**Poe**  
**Wade**  
**Luck**  
**Kochuba**  
**No: Frenier**  
**Wood**  
**Absent: None**  
**Abstained: None**

**Motion: PASS**

**A motion was made by Mayor Kochuba, seconded by Dr. Poe, to approve Ordinance No. 23-7 as amended.**

**Vote: 6-1**  
**Yes: Frenier**  
**Piotrowski**

**Regular Meeting Minutes**

**April 11, 2023**

**Page 10**

**Poe**  
**Wade**  
**Luck**  
**Kochuba**  
**No: Wood**  
**Absent: None**  
**Abstained: None**

**Motion: PASS**

- B. AN ORDINANCE NO 23-8**  
**(First Reading) Establishing a tax rate pursuant to Chapter 35.1 of Title 58.1 of the Code of Virginia (“Personal Property Tax Relief”) on all qualifying vehicles under the Chapter.**

**A motion was made by Mayor Kochuba, seconded by Mr. Piotrowski, to approve Ordinance No. 23-8.**

**Mayor Kochuba clarified that the proposed action is setting the tax relief calculated each year to determine relief to be provided on vehicles housed in the City. Confirming Mayor Kochuba’s comments, Mr. Smith advised that the rate in the proposed ordinance is 38%; however, the rate allows for an increase which will provide additional benefit to City residents. Staff also recommend that the second reading and public hearing for the proposed ordinance occur at the April 18 City Council special meeting to align with the Personal Property tax bills.**

**Vote: 7-0**  
**Yes: Frenier**  
**Piotrowski**  
**Poe**  
**Wade**  
**Wood**  
**Luck**  
**Kochuba**  
**No: None**  
**Absent: None**  
**Abstained: None**

**Motion: UNANIMOUS PASS**

- C. AN ORDINANCE NO 23-FIN-6**  
**(First Reading) To amend the General Fund Budget for the year beginning July 1, 2022 and ending June 30, 2023, by \$3,350**

**Regular Meeting Minutes**

**April 11, 2023**

**Page 11**

consisting of 1) a \$300 donation to the Sheriff's Department from the American Legion; and 2) \$3,050 in State Asset Forfeiture Funds to the commonwealth Attorney's Office for a Cellebrite subscription to extract and collect digital data.

A motion was made by Mr. Frenier, seconded by Dr. Poe, to approve Resolution No. 23-13.

Mr. Smith provided brief comments relative to the proposed ordinance with Chief Anspach, at the request of Mr. Wood, providing additional comments relative to the need for the Cellebrite Subscription. Chief Anspach advised that the software converts data from cell phones and tables to readable data for evidence purposes.

**Vote: 7-0**  
**Yes: Frenier**  
**Piotrowski**  
**Poe**  
**Wade**  
**Wood**  
**Luck**  
**Kochuba**  
**No: None**  
**Absent: None**  
**Abstained: None**

**Motion: UNANIMOUS PASS**

**D. A RESOLUTION NO 23-9**  
**Approving \$39,313 in local share funding for the boulevard at Westover Intersection Improvement project.**

A motion was made by Vice-Mayor Wade, seconded by Dr. Poe, to approve Resolution No. 23-9.

There was no discussion from Council.

**Vote: 6-1**  
**Yes: Frenier**  
**Poe**  
**Wade**  
**Wood**  
**Luck**  
**Kochuba**

**Regular Meeting Minutes**

**April 11, 2023**

**Page 12**

**No: Piotrowski**  
**Absent: None**  
**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. Lakeview Dam and Utilities Infrastructure Funding Update**

Mr. Smith provided information relative to City ARPA funding and advising currently, the City received \$6M+ in ARPA funds after which time he provided the following recommendations from the City's auditors as how to best maximize the use of such funds:

- Take the revenue loss allowance for ARPA funds to apply to payroll expenses.
- Proceed with unappropriated expenditures of \$4.5M for utility infrastructure projects.
- Proceed with unappropriated expenditures up to \$800,000 for the Lakeview Dam Project.
- Prepare and bring back budget amendments appropriating funds for the above items from non-ARPA funds.

Mr. Smith advised that the project with the greatest time sensitivity was the Lakeview Dam project.

There was brief discussion after which time, Mayor Kochuba called for a Roll Call Vote granting the City Manager to proceed with the above-noted recommendations.

**Vote: 7-0**  
**Yes: Frenier**  
**Piotrowski**  
**Poe**  
**Wade**

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

**Motion: UNANIMOUS PASS**

**2. General Activity Report**

**Mr. Smith noted the Dates of Interest included in the presentation as well as notification from Chesterfield County to develop a regional application for additional Opioid Abatement Funds. Mr. Smith advised staff to provide Chesterfield County with feedback to be shared with their Board. Once Mr. Smith has received feedback from this meeting, he advised he will share the draft plan moving forward.**

**B. City Attorney**

**Mr. Fisher had nothing to report.**

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

**Mr. Carter had nothing to report.**

**16. Adjournment**

**There being no further business, a motion was made by Vice-Mayor Wade, seconded by Dr. Poe, and carried unanimously on voice vote to adjourn the meeting. The meeting was adjourned at 9:35 P.M.**

**APPROVED:**

---

**T. Gregory Kochuba, Mayor**

**ATTEST:**

---

**Pamela B. Wallace, City Clerk**