



City of Petersburg Virginia

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April 4, 2023 - Petersburg City Council Work Session

April 4, 2023
Petersburg Public Library
201 West Washington Street
Petersburg, VA 23803
5:00 PM

City Council

Samuel Parham, Mayor – Ward 3
Darrin Hill, Vice Mayor – Ward 2
Marlow Jones, Councilor – Ward 1
Charlie Cuthbert, Councilor – Ward 4
W. Howard Myers, Councilor – Ward 5
Annette Smith-Lee, Councilor – Ward 6
Arnold Westbrook, Jr., Councilor – Ward 7

City Manager

John March Altman, Jr.

-
1. **Roll Call**
 2. **Prayer**
 3. **Pledge of Allegiance**
 4. **Determination of the Presence of a Quorum**
 5. **Public Comments**
 6. **Approval of Consent Agenda (to include minutes of previous meetings):**
 - a. **Minutes: (Page 3)**
 - March 7, 2023 - Work Session
 - March 8, 2023 - Special City Council Meeting
 - March 21, 2023 - Closed Session
 - March 21, 2023 - Regular City Council Meeting
 - b. A request to schedule a Public Hearing and consideration of an ordinance approving a petition to rezone the property located at 113 W Bank Street from M-1 to PUD for April 18, 2023. **(Page 54)**
 - c. A request to schedule a Public Hearing and consideration of an ordinance approving the petition to rezone the property located at 221 Bollingbrook Street from M-1, Light Manufacturing District to PUD, Planned Unit Development for April 18, 2023. **(Page 67)**
 - d. Consideration of an appropriation ordinance for the Commonwealth of Virginia, Department of Fire Programs Fund - Aid to Localities, Funding Carryover -1st Reading **(Page 81)**
 7. **Special Reports**
 - a. Presentation on the recommendations on vacant City Buildings with respect to which buildings are viable, cost, timeline, & staff moves. **(Page 87)**
 8. **Monthly Reports**
 9. **Finance and Budget Report**
 - a. Update of FY24 Budget Development Process and calendar. **(Page 97)**
 10. **Capital Projects Update**

11. Utilities

- a. Presentation and Update on Poor Creek

12. Streets

13. Facilities

14. Economic Development

15. City Manager's Agenda

16. Business or reports from the Clerk

17. Business or reports from the City Attorney

18. Adjournment



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: April 4, 2023

TO: The Honorable Mayor and Members of City Council

THROUGH:

FROM:

RE: Minutes: (Page 3)
-March 7, 2023 - Work Session
-March 8, 2023 - Special City Council Meeting
-March 21, 2023 - Closed Session
-March 21, 2023 - Regular City Council Meeting

PURPOSE:

REASON:

RECOMMENDATION:

BACKGROUND:

COST TO CITY:

BUDGETED ITEM:

REVENUE TO CITY:

CITY COUNCIL HEARING DATE:

CONSIDERATION BY OTHER GOVERNMENT ENTITIES:

AFFECTED AGENCIES:

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:

REQUIRED CHANGES TO WORK PROGRAMS:

ATTACHMENTS:

1. March 7, 2023 - Work Session city council minutes
2. March 8, 2023 - Special City Council Meeting
3. March 21, 2023 Closed Session Meeting Minutes

4. March 21, 2023- regular city council minutes

The work session meeting of the Petersburg City Council was held on Tuesday, March 7, 2023, at the Petersburg Public Library. Mayor Parham called the meeting to order at 5:56 p.m.

1. ROLL CALL:

Present:

Council Member Charles H. Cuthbert, Jr.
Council Member Marlow Jones
Council Member Annette Smith-Lee
Council Member W. Howard Myers
Council Member Arnold Westbrook, Jr.
Vice Mayor Darrin Hill
Mayor Samuel Parham

Absent: None

Present from City Council Administration:

Clerk of City Council Nykesha D. Lucas
City Manager John March Altman, Jr.
City Attorney Anthony C. Williams

2. PRAYER:

Mayor Parham stated, "Vice Mayor Hill will lead us in our opening prayer."

Vice Mayor Hill led the council meeting in prayer.

3. PLEDGE OF ALLEGIANCE:

Mayor Parham led council and the citizens in the pledge of allegiance.

4. DETERMINATION OF THE PRESENCE OF A QUORUM:

A quorum is present.

5. PUBLIC COMMENTS:

Richard Stewart, 129 Rolfe Street, stated, "I am still concerned about speeding on the Martin Luther King Bridge. The police department is doing a good job. Also, I find that the police department is doing a good job with patrolling Pocahontas. We feel safe. What I really want to say is that something happening in Pocahontas today and I still cannot understand it, but I do understand it. The young lady that came over there is going to build a house and there was a get together. There were some very distinguished guests that were there. Even some people from City Council like Westbrook, Myers and Smith-Lee and Jones. They were over there. Is the future of Pocahontas? Are we getting ready to develop Pocahontas? Because this lady Ms. Greene is talking about paving streets and updating. She talked about the former Roper Brothers and what is going to happen to that. I just wonder. It even made national news. One of the channels someone called and told them. But I was wondering is this going to unify the city or is it going to divide it. Because I did not see the mayor come and the Vice Mayor or Mr. Cuthbert, the councilman of the ward. So, what is happening? When you opened the St. Andrews Street Bridge, I saw everybody there. Why didn't I see everybody there today? I am concerned about is this the future of Pocahontas or is this downfall of Pocahontas? Is city council dividing? Why everybody was not at the meeting on Pocahontas? Thank you."

Vice Mayor Hill stated, "Mr. Stewart, I had an appointment. If you knew I voted for the young lady to have that property open and I think the mayor did as well. So, it is no division with us. We cannot be everywhere at all times. So, to just clear the air since you mentioned my position. I was not there because I

had an appointment. I cannot speak for anyone else, but I can speak for me. But I do support her, and I am glad my other counterparts were there. There will be many times that you will see some of us at some places but that does not mean that there is any division. But thank you for your concerns. I appreciate it.”

Council Member Cuthbert stated, “Mr. Mayor, if I may follow-up since I my name was mentioned also. I had a prior commitment, and I am sorry that is the case. But we all lead some pretty busy lives, and I am afraid that interfered with my ability to attend today. So, thank you Mr. Mayor.”

6. APPROVAL OF CONSENT AGENDA (TO INCLUDE MINUTES OF PREVIOUS MEETING/S):

- a. A request to schedule a public hearing and consideration of an ordinance amending the City of Petersburg Code of Ordinances, Appendix B. Zoning, to add definitions of Group Home and Assisted Living Facility.
- b. A request to hold a public hearing on March 21, 2023, for the consideration of an ordinance authorizing the City Manager to execute a purchase agreement between the City of Petersburg and Elvin Snead towards the sale of City-owned property at 137 Market Street, parcel ID 022-180011.
- c. Consideration of approval of a Commonwealth of Virginia Department of Environmental Quality Grant Contract and authorization for the City Manager to execute the Agreement.

Mayor Parham stated, “Do we need this on the consent agenda or move this to old business?”

Mr. Williams stated, “It can be either. We do not need a public hearing.”

Mayor Parham stated, “So, I am going to ask that we move item ‘C’ to old business so that the City Manager can sign it and we do not have to advertise an extra public hearing.”

- d. A request to hold a public hearing on March 21, 2023, for the consideration of an ordinance authorizing the City Manager to execute a purchase agreement between the City of Petersburg and Anthony Cotton towards the sale of City-owned property at 33 Crater Road South, parcel ID 012-260022.
- e. A request to hold a public hearing on March 21, 2023, for consideration of an ordinance authorizing the City Manager to execute a purchase agreement between the City of Petersburg and 123 Halifax, LLC towards the sale of City-owned property at 123 Halifax Street, parcel ID 022-180025.
- f. A request to hold a public hearing on March 21, 2023, for the consideration of an ordinance authorizing the City Manager and City Attorney to take all necessary action to facilitate the conveyance of an easement to Dominion Energy at 125 N. Union Street, parcel ID 011-250041.
- g. A request to hold a public hearing on March 21, 2023, for the consideration of an ordinance authorizing the City Manager and City Attorney to take all necessary action to facilitate the conveyance of an easement to Dominion Energy at 920 E. Wythe Street, parcel ID 012-340006
- h. A request to schedule a public hearing and consideration of an ordinance amending the City Code Appendix B. Zoning Text – To amend Article 4-A. “A” Agricultural District Regulations, Section 9. Special requirements, to permit a subdivision that creates one parcel that meets the dimension requirements of lots/parcels in the R-1A District.
- i. A request to schedule a public hearing amending the FY23 Budget to appropriate additional

local match funding to Petersburg Public Schools in the amount of \$1,665,419 as well as additional State aid received for the Petersburg Library in the amount of \$43,178 for March 21, 2023.

- j. A request to schedule a public hearing and appropriate the allocation of the 2nd Tranche of the ARPA funding provided to the city.
- k. A request for the consideration of an appropriation for a High Hazard Potential Dam (HHPD) Grant awarded by the Federal Emergency Management Agency (FEMA) and allocated by the VA Department of Conservation and Recreation in the amount of \$92,137.50 to be used for design costs associated with the ultimate improvements to bring the Wilcox Lake Dam into compliance with the VA DAM Safety Regulations – 1st Reading.
- l. A request to schedule a public hearing and consideration of an ordinance approving the expansion of the Local Historic District regulations to individual properties listed on the attached list that are also listed on the National Register of Historic Places, therefore requiring a Certificate of Appropriateness (COA) before any exterior changes are made.

Mayor Parham stated, “We are moving ‘Item C’ to the March 21st agenda under unfinished business. So, that is the consent agenda with the amendment of ‘Item C’.”

Vice Mayor Hill made a motion to approve the consent agenda as presented with the amendment. Council Member Smith-Lee seconded the motion.

Council Member Cuthbert stated, “On ‘6a’, I take it that the hearing is to be scheduled for March 21, 2023? It does not state that. Is that the case?”

Mayor Parham stated, “Yes, March 21, 2023.”

Council Member Cuthbert stated, “Good. It would be helpful if in the future our agenda stated that and did not just say schedule a public hearing. I am going to abstain because of a conflict of interest that I have on two items. And I just want to put it on the record why I am doing this. The item ‘6f’ deals with my brother hotel rehab and I do not technically in the eyes of the State Code, I do not have a conflict. Because immediate family is defined in Virginia Code 2.2-3101 as a spouse or any other person who resides in the same household as the officer or employee. And who is a dependent of the officer or employee. And I understand that under our new Conflict of Rules that we made a part of our Rules of Council we have to explain why we are abstaining and we cannot just abstain. So, I am not trying to drag this out or anything else but I think that I am obligated to do that. The other one that I have a conflict of interest on is ‘6l’, the local historic district issue. One of the properties I have an ownership interest in. So, in any event, I abstain.”

The motion was approved on roll call. On roll call vote, voting yes: Jones, Smith-Lee, Myers, Westbrook, Hill, and Parham; Abstain: Cuthbert

7. SPECIAL REPORTS:

- a. Discussion and consideration of an ordinance approving a Zoning Ordinance Text Amendment – to amend Article 15. – “B-2” General Commercial District Regulations, Section 2. Use Regulations, by changing permitted uses from those in the “B-1” Shopping Center District to those permitted in the “R-3” Two-Family Residence District and requiring a Special Use Permit for Multi Dwelling in B-2 and B-3 districts.

Reginald Tabor, Program Manager for Planning Department, gave an overview of the consideration of a Zoning Ordinance Text Amendment – to amend Article 15. – “B-2” General Commercial District Regulations, Section 2. Use Regulations, by changing permitted uses from those in the “B-1” Shopping Center District to those permitted in the “R-3” Two-Family Residence District and requiring a Special Use Permit for Multi

Dwelling in B-2 and B-3 districts. He also showed some pictures relating to the zoning.

Key notes:

- The proposed amendment would continue to permit single-family and two-family uses by-right in B-2 and B-3 districts, including new construction.

Council Member Jones stated, "How are you doing Mr. Tabor? Can you let the people know what is a 'B-2' and a 'B-3'?"

Mr. Tabor stated, "Within the City of Petersburg, we have zoning districts. And each property within the city is located within a zoning district. Our code specifies that each of these zoning districts, permit specific uses. So, B-2 is General Commercial, and B-3 is also a commercial district. 'B' stands for business, and it promotes the development of business uses within those districts."

Council Member Jones stated, "Can you also let them know what is a 'R-1' and 'R-2'?"

Mr. Tabor stated, "Certainly. 'R-1' and 'R-2' are single family districts and they permit single family homes within those districts."

Council Member Jones stated, "So, I think what I am asking now is, is this proposed ordinance saying that a 'R-1' and 'R-2' cannot reside in a 'B-1' and 'B-2' district. Is that correct?"

Mr. Tabor stated, "It can."

Council Member Jones stated, "So, are we trying to change it to where it cannot?"

Mr. Tabor stated, "I apologize for the confusion. This would permit it. Currently, the ordinance allows 'R-5' which is multi-family as a by right use from 'R-4' and 'R-5'. This would remove that from the ordinance and require a Special Use Permit and approval of the Planning Commission and City Council for multi-family development within the 'B-2' and 'B-3' district."

Council Member Jones stated, "Isn't downtown Sycamore Street a 'B-1' and 'B-2' district?"

Mr. Tabor stated, "It is actually a 'B-3'."

Council Member Jones stated, "And with the apartments upstairs that is 'R-1' and 'R-2' or is that multi family use? What is that?"

Mr. Tabor stated, "The use is multi-family residential but the district is 'B-3'. All of the downtown area is 'B-3' district."

Council Member Jones stated, "We are trying to make sure that people can do that elsewhere. Is that what you are saying?"

Mr. Tabor stated, "So, again this would require if anyone wanted to do multi-family, they would have to get a Special Use Permit and get permission from the council to be able to do that."

Mr. Jones stated, "Thank you Mr. Tabor."

Council Member Cuthbert stated, "Mr. Tabor, help me to understand. If council were to adopt this proposed ordinance, would it prohibit apartments in 'B-2' and 'B-3'?"

Mr. Tabor stated, "Absolutely not. It would only require them to get a Special Use Permit in order to be constructed."

Council Member Cuthbert stated, "So, if council did adopt this proposal, council can still allow the development of apartments in 'B-2' and 'B-3' in council's view that was in the best interest of the city. Is that correct?"

Mr. Tabor stated, "Yes."

Council Member Cuthbert stated, "And when is this going to come to council for a vote?"

Mr. Tabor stated, "It is on the consent agenda tonight so it will be on the 21st."

Council Member Cuthbert stated, "Let's just take an example of a shabby motel in the Blandford area in the 4th Ward. Right now, as things stand, if the owner wanted to convert that shabby hotel into a shabby housing apartment complex, is there anything to keep them from doing that?"

Mr. Tabor stated, "Currently, multi-family is a by right use of 'B-2' and 'B-3'. So, they can do it without the approval of city council."

Council Member Cuthbert stated, "Without any further review it would be by right. Is that correct?"

Mr. Tabor stated, "Correct."

Council Member Cuthbert stated, "Let's move forward a step and let's go to March 21. And let's assume that council adopts this proposed amendment. In the same property owner of the same shabby motel comes to council and wants to convert to shabby apartments. At that point, he would have to seek a Special Use Permit. Is that correct?"

Mr. Tabor stated, "Yes."

Council Member Cuthbert stated, "And then he would have to come before city council and say that 'I want to convert my shabby motel in a series of shabby apartments, and would you allow that?' And I would hope that city council would say no. In any event, that would be council's decision at that point. Is that correct?"

Mr. Tabor stated, "Yes."

Council Member Cuthbert stated, "Okay. I think that I understand how it works. Thank you."

Mayor Parham stated, "Also, Council Member Cuthbert, just for the record, we had the public hearing at the last meeting so we can move this to unfinished business as well and not have a public hearing and just vote on it at the next meeting."

Council Member Cuthbert stated, "Vote on it on March 21st without a public hearing. Okay. Got it and thank you Mr. Mayor and Mr. Tabor."

Council Member Myers stated, "My question was from the last meeting that we had. If you can take your slide back to where it says Washington and Wythe Street. How far does that travel down Washington Street? At what length is that on Washington and Wythe Street?"

Mr. Tabor stated, "So, those properties in red are zoned 'B'."

Council Member Myers stated, "I said at what length on Washington Street does that exist?"

Mr. Tabor stated, "Previously, you can pretty much see to the left which would be the west boundary of the city. And it also goes to the eastern boundary as well. I think that I may have cut off a few properties to the east."

Council Member Myers stated, "If it starts at Adams Street, where does it end going west? What side street to what side street does it exist?"

Mr. Altman stated, "I think what you have is the entirety of Washington Street has some amount of 'B Zoned' property along it. It just is not consistent like it is in the downtown area between here at the library, Market Street, to the other of Crater Road, I-95. But as you go further out, there are still pockets of business zoned properties along Washington. It is just not a solid district all the way out. Because you do have single family housing interspersed with that. And most of those, if I am correct Mr. Tabor, has a residential designation attached to them."

Mr. Tabor stated, "Correct. Many of them do."

Council Member Myers stated, "So, it is for the reason I asked the last time is that if someone moves to Petersburg and they buy a big house and they would like to supplement their mortgage. So, by right if it is within the 'B-2' and 'B-3' area they are able to do so without paying an additional \$1,500 to the City of Petersburg."

Mr. Altman stated, "If the property is zoned business. If the property is zoned residential then this does not apply. It is only for property that is zoned business that would convert from a business use to a residential use."

Council Member Myers stated, "Right. So, Mr. Tabor, even 'R-1' to 'R-3', are you still able to have a duplex or a tri-plex without having a Special Use Permit?"

Mr. Tabor stated, "The 'R-3' zone would be two-family. And as long as you are referencing new construction, as long as the property is 60 feet wide and 100 feet deep and 6,000 square feet total, that two-family use is permitted. And as long as it is 50 feet wide and 100 feet deep the single-family use is permitted by right."

Council Member Cuthbert stated, "Mr. Mayor, let me try and put a point on this. Is it true Mr. Tabor that this proposed ordinance would require a Special Use Permit only if the property is located in a 'B-2' or 'B-3' area?"

Mr. Tabor stated, "Yes."

Council Member Cuthbert stated, "Thank you."

- b. A public hearing and consideration of an ordinance amending the City Code Appendix B. Zoning Text – To amend Article 4-A. "A" Agricultural District Regulations, Section 9. Special requirements, to permit a subdivision that creates one parcel that meets the dimension requirements of lots/parcel in the R-1A District.

Reginald Tabor, Program Manager for Planning Department, gave an overview of the consideration amending the City Code Appendix B. Zoning Text – To amend Article 4-A. "A" Agricultural District Regulations, Section 9. Special requirements, to permit a subdivision that creates one parcel that meets the dimension requirements of lots/parcel in the R-1A District.

Key Notes:

- Per the ordinance, to create the new parcel, it would have to be rezoned to R-Residential Spot Zoning with surrounding parcels zoned A.
- If the ordinance is adopted, it would allow the new parcel to be created without having to change the zoning. The Residential use is permitted in the A District.

Mayor Parham stated, "Let's start off Mr. Tabor by just giving an example of how this will work. Because I see you dealing with agriculture. I see in Councilman Westbrook area where Camelot is and I know

that they were initially meant to be more homes built over there. And I see that they have been agriculture for more than 30 plus years. That land is for sale so if someone buys it how does this effect the use of that agriculture that is right beside that subdivision?"

Mr. Tabor stated, "If a person purchases that property or the current property wanted to create a lot that meets these specifications then they would be able to create one parcel from that existing parcel. They could not create a subdivision or multiple lots. Just one additional parcel from the existing parcel."

Council Member Jones stated, "Mr. Tabor, what if a lot of agriculture was big enough to divide. What if a family had two siblings and wanted to divide it among the two siblings, you are saying that we cannot divide it into two lots even if it meets this."

Mr. Tabor stated, "They would create one new parcel and then they would have the original parcel. So, they would have the two but if they wanted three they would not be able to do three."

Council Member Jones stated, "And what is the reason why? Because you have families that have a lot of farm land and agriculture and we run into this a lot where when someone passes away and we have to divide it up to the families. And you may have people that want to create at least three homes that meet this requirement. Three homes plus would still have agriculture space. But you are saying that we would not be allowed to do that right?"

Mr. Tabor stated, "Right. So, if they did that then they would significantly change the use and it would be more residential. So, we would resort back to the ordinance which would require them to rezone that property that they are creating for residential to be rezoned residential."

Council Member Jones stated, "So, we are not telling them that they just cannot do anything with them."

Mr. Tabor stated, "They would have to rezone the property."

Council Member Jones stated, "Thank you."

Council Member Cuthbert stated, "Mr. Tabor is this property right across the street from International Paper?"

Mr. Tabor stated, "Yes."

Council Member Cuthbert stated, "So, it is in an area that we are trying to develop for industrial uses. Is that correct?"

Mr. Tabor stated, "The Comprehensive Plan Future Land Use Map does show industrial use for this area. But the uses of the property are agriculture."

Council Member Cuthbert stated, "So, if we were to pass this ordinance on March 21st, we would be doing something inconsistent with our Comprehensive Plan which says that it should be industrial use. Is that correct?"

Mr. Tabor stated, "The State Code states that the Comprehensive Plan Future Land Use Map should be considered when making zoning decisions. But it is not required that it be adhered to."

Council Member Cuthbert stated, "But my question was whether we adopted this proposal we would be acting inconsistently with our Comprehensive Plan."

Mr. Tabor stated, "Consistent with current land use and inconsistent with the Comprehensive Plan."

Mr. Altman stated, "Mr. Tabor is right. State Code and state law would suggest that the Comp Plan is a

guide and not law. So, we make decisions on future land use and the decision is based on what the guide shows us. In this case though, I do not know that. Correct me if I am wrong but we are dealing with the existing land use and not necessarily the future land use. I would agree that this is a great opportunity for some light industrial use in this area. You have water and sewer already and International Paper close to 85 and the railroad tracks. I think that what we are dealing with is a specific situation. Part of the concern that you would have is typically you do not want to amend the zoning ordinance for a single instance. If this issue came up more than once than you would look to amend it. This is the first time that this has come across our desk and the fact that we have a family that is interested in selling a piece of property. There are two homes and there is a home on the property that they want to sale. But in order to subdivide it off to keep it they would have to go through a rezoning of the entire parcel which would then make it residential. Which certainly when we go look at the land use map you would say it is inconsistent with the future land use map. However, this is what I would say and the city attorney can tell me differ, the current land use is agricultural. And as long as that land use continues without any break in usage for two years it is a nonconforming use and they can continue to farm the land. Even though it was rezoned residential. We are kind of in a Catch 22. You have a family that is looking for some relief. I am thinking through my mind how can something be accomplished without having to rezone it. I have a little bit of time for me to work and try to figure that out. But we are in an interesting situation where I would say Mr. Cuthbert, if the recommendation and issue at hand was the rezoning of the property then we would certainly look that the future land use map and say that it is inconsistent of what we project in the future. Right now, the existing use is not consistent with the map, however it is the current condition. And it is by right because of the zoning of the property."

Mr. Williams stated, "So, I was going to comment that when I first saw the proposal I had mixed feelings about it. It is quite typical for localities to have an ordinance like the City of Petersburg have. The intent of that ordinance is to require whenever you subdivide a piece of agricultural property, which is taxed at the lowest tax break, that it elevated to a more intensive use. City's, particularly small ones with limited land space, will do that. Because the idea is to get it in to more intensive use where possible. However, it is likewise not uncommon to have an exception. I believe when I worked in Suffolk, they had the rule of three where you could have three permitted subdivisions and that is essentially what Mr. Tabor is proposing is that an exception be created to our existing ordinance. Likewise, I think that you can go either way with this proposal but I think he has an issue that he is trying to address by presenting this to you."

Mayor Parham stated, "This will be on our March 21st regular scheduled council meeting for the public hearing. Next, we will more on to item 8."

8. MONTHLY REPORTS:

*There are no items for this portion of the agenda.

9. FINANCE AND BUDGET REPORT:

a. FY22 ACFR Presentation

Stacey Jordan, Chief Financial Officer, stated, "I want to apologize. We had planned on doing to FY22 CAFR presentation, however, we are still waiting on some documentation to come back. So, I would like to present the year-to-date budget to actuals as of February 28, 2023."

Ms. Jordan showed a PowerPoint presentation of the budget numbers and information.

Council Member Cuthbert stated, "Ms. Jordan, I am not sure which page it is because it does not have a number but it is the budget actual as of 2-28-23 continue, the top line is revenues, general property tax of \$37 million dollars. What are the components of that \$37 million dollars?"

Ms. Jordan stated, "That is real estate, personal property, PSC, tangible property, and meals tax. They all are funded under general."

Council Member Cuthbert stated, "How much is the real estate component of the general property tax?"

Ms. Jordan stated, "It is over \$25 million. You have \$3 million for public service and personal property is anywhere from \$5 to \$10 million."

Council Member Cuthbert stated, "Alright. But real estate is in round figures of \$25 million?"

Ms. Jordan stated, "About \$25 million."

Council Member Cuthbert stated, "Thank you. And thank you Mr. Mayor."

Council Member Jones stated, "I am just looking at the numbers and I can remember when the fire department budget was almost triple what it is now and the police department also. I would like to ask council and you, why is it so low given the status of the fire department and police department."

Mr. Altman stated, "So, I would say that we dialed back to when it was really rough and there was 10% cuts across the board to departments throughout the city. And you have to work overtime to recover that. So, we are in a much better financial position then we were then. I think when we had the 2021 Audit Report, I think we talked about the negative \$16 or \$19 million dollar fund balance. Today we are \$25 million to the good and \$46 million with assets. So, we are much better in financial shape. To rebuild that over time it is going to take time. And you do not want to rush out and spend it all. You are going to have the reoccurring revenue to sustain that. Our number one expense is going to be personal. You have to make sure that you have that reoccurring revenue every year to sustain that. We are looking to rebuild and rebuild that back up. Because certainly we need to be in a better spot. But also I think that we are trying to be conservative to make sure that we do not rush to far and over extend ourselves and have a bad year and find out that we have a bad year and find out that we have to go to the fund balance. Because the one thing that you do not do from my world and Ms. Jordan's world is that you do not balance a budget with one time money using fund balance. Because then you go into your savings account and then you have to go into the next year and year after that. This will be my first budget with you all and I think the staff that has worked on the budget previously has done a great job. And there is a commitment certainly among council and the staff to work towards restoring those numbers in departments."

Council Member Jones stated, "I appreciate your answer. I just want to make it clear for the record that we got to remember the sacrifices that the firemen made and any of the other city employees made when we took that 10% and was never given back. And we do not want to take too long to when those guys retire, and we did not give them anything back. We got to make sure that our public service gets what they need to get the job done. We cannot forget when we took that money from them."

Ms. Jordan stated, "So, I just want to let you know that last year we actually did give fire an 8% increase as well as public safety and the police department as far as salary goes. As well as public works got 8%. The rest of the city got 5%. So, we are well on our way in making them whole again."

Council Member Jones stated, "Thank you."

Council Member Cuthbert stated, "Thank you Mr. Mayor. Help me with this Ms. Jordan. I thought that we had restored and lifted the salaries back to where they were before I got on council. Didn't at some point the old council or the current council bring those pay levels back up?"

Ms. Jordan stated, "No sir. Not that I remember since I have been here. I do know last year the council decided to give public works as well as fire department 8% and the police department got over 10%. But the rest of the staff only got 5%. Leaving another 5% to bring them back whole."

Council Member Cuthbert stated, "Now hold on just a minute. Mr. Mayor can you weigh in on this."

Mayor Parham stated, "I think what Council Cuthbert is saying about when we took the 10%, it was

restored that following budget year. But what Councilman Jones is saying is that with the fire department can we go back and compensate those that stayed. Right? Because some left."

Council Member Jones stated, "I just want to make sure that we do not forget what we took from them. And you explained it and I appreciate it Ms. Jordan."

Ms. Jordan stated, "You are welcome."

Mr. Altman stated, "And I will say that one of the things that we will have in the upcoming budget proposal is a class and compensation study. Because we do have compression issues within the city. And we do need to look at where we are with market. We do need to look at the overall salaries. And one of the things that is always the topic of conversation on having a specific public safety pay plan versus general pay plan. But we do that study, and it will help us look at where we need to go and where we are based on market."

Council Member Jones stated, "Is Social Services included in that too because they are not getting their money either?"

Ms. Jordan stated, "Social Services gets a 5% increase every year from the state."

Council Member Jones stated, "Some of them did not get it."

Ms. Jordan stated, "They should all get it across the board. Unless they have a personnel issue."

Council Member Jones stated, "I will send you information."

Ms. Jordan stated, "Thank you. Because it should be across the board."

Vice Mayor Hill stated, "I was on council when the 10% was taken. Councilman Jones, I think you were working for the city at that time. When we reinstated it a lot of people left, and we understand that. I think that our major challenge coming up now and I believe the City Manager knows about this, is our insurance. So, I think that is the thing that we need to work on and focus on. I know that we are looking way better than we were back in 2016 to now. I think the insurance is what drives everything up. Because insurance rates are high everywhere. Mr. March, City Manager, I think that will be our major challenge. If we can show some relief there for our employees."

Mr. Altman stated, "Not only is it something to look at for our current employees but it is also something to look at as we recruit employees. Our cost of insurance for what our employees pay compared to surrounding areas is awfully high. It is something that we are looking at with our upcoming renewal but also moving forward on what we need to do."

10. CAPITAL PROJECTS UPDATE:

*There are no items for this portion of the agenda.

11. UTILITIES:

Mr. Altman stated, "At two meetings ago, we had an update from JMT with regard to the overall Poor Creek Project and where we were with the process. And we were committed to shortening that timeframe and get that project done quicker. This week the team has interviewed the contractors on the water side and will be interviewing the contractors on the design side for wastewater. We will be looking to make decisions on the contract next week. And then at our April meeting JMT will be here to provide an overall update. Because at that point in time we will have timelines for the design time that we can incorporate in our overall timeline with more specific items to give you more details. So, the April meeting JMT will be here. They will come back to each work session to provide updates to council on our progress. That project is moving along, and we are committed to getting that down earlier rather than later."

Mayor Parham stated, "Perfect. I just want to thank Mr. Richard Harris and Ronnell Johnson for being here. I know that we had a break this week. And I saw you out there fixing that break. And thank you guys for what you all do to keep our utility system going. People do not understand that we have an old system. But it is good because the men and women that we have in public works and utilities make things happen for us. Thank you all for coming out tonight."

12. STREETS:

a. Neighborhood Traffic Management Program.

Reggie Lantz, General Manager of Street Operations in Public Works, gave a PowerPoint presentation on the Neighborhood Traffic Management Program.

Key Notes:

- On February 6, 2023, an inquiry was submitted to the City of Richmond's Transportation regarding speed bumps and humps and where they are located as well as advantages of them.
- Speed tables are a proven and documented traffic calming measure and are very effective when properly designed and installed. They are generally self-enforcing and help reinforce safe driving behavior. They can be very cost effective due to their high efficiency.
- The disadvantages are that they must meet site specific design criteria. Speed tables may impact emergency response times. They can have unintended consequences such as causing drivers to speed up between devices, and can increase noise or physical vibration, especially when traversed by heavy vehicles such as trucks and buses.
- The City of Richmond utilizes a comprehensive speed management approach to address citizen traffic calming concerns.
- The comprehensive approach is defined in Richmond's Neighborhood Traffic Management Program.
- The City of Richmond receives more than 1,000 requests every year. Since 2004, the city has addressed 350 traffic calming locations with the deployment of horizontal and vertical treatments including traffic circles, curb extensions, medians, and speed tables.
- Asphalt Speed Tables cost \$14,000 - \$24,000 each. Rubberized Speed Tables cost \$12,500 - \$15,500 each.

Council Member Jones stated, "Those figures that you had on there, did you happen to look on Amazon? Because I am looking on it right now and I see a three-pack of two channel 11,000 pounds per axle capacity for speed bumps. They are just like the ones that you have here for \$57. The average weight of a vehicle is 4,000 pounds. I think we need to start looking and shopping. My mother said that I should shop around. We do not have time to wait. We can get these things right now. We own them in the city already on Amherst. They have been there for years since I was in high school. Once they were put down they did not have to be maintained and they are still there. We can do this everybody. We just need to act on it. Fifty-seven dollars, we have that, we can take it out of council pay if we have too. We got it. Thank you."

Council Member Cuthbert stated, "Mr. Lantz, my head is spinning. I could have sworn that you told us the last time that you appeared before us that these things should not be installed on active roadways. And yet, I just saw a picture of one on the corner of Amherst and Oakhill. My colleague says that it has been there for years. You should us what is commercially available. I had photographs at the last meeting of speed bumps in Richmond at a couple of different locations. The Richmond Neighborhood Traffic Management Program acknowledges the use of these things. I am really kind of confused. But in any event, Mr. Altman would you ask staff to come up with a Petersburg Neighborhood Traffic Management Program."

Mr. Altman stated, "Certainly, if that is what council would like to do. We can have staff develop a program and bring back a draft. I think we can have it done by the summer. Is that what we talked about Mr. Lantz?"

Mr. Lantz stated, "I believe it is going to take about three months for the rough draft and then take another three months to go through the full vetted review. Because council should review it too. My goal is to come up with a Neighborhood Traffic Management Group that is going to work for the city. Currently, we have an undefined process for determining how we are going to approach traffic calming in the city. My recommendation back on February 14th was to develop a Neighborhood Traffic Management Program. And I communicated this. And I would very much like to come up with a document that works internally for the Department of Public Works, City Manager's Office, City Council and most importantly for the neighborhoods that it would serve."

Council Member Cuthbert stated, "Mr. Mayor, I do not want to leave this thing hanging. The City Manager said if it is the will of council. Do we need a motion directing the City Manager to come up with a Petersburg Neighborhood Transit Management Program or do we need not to be that formal and kind of belligerent about it. I am happy to just say please, and it gets done."

Mayor Parham stated, "Let's say please and get it done. And we will get the City Manager to bring it back to us at the meeting on the 21st."

Mr. Altman stated, "In May. I believe we talked about in May. We think we can get it to the June work session."

Council Member Cuthbert stated, "That is great. Thank you Mr. Mayor and thank you Mr. City Manager. In that Petersburg Neighborhood Traffic Management Program, would you address what can be done to reduce the speed between the old hospital site at the top of South Sycamore Street and Church's Fried Chicken. It is an absolute speedway. I walk along there and I see cars and I know that they are going 45mph. I suspect that plenty go faster than that. But can that be addressed. I think that it is a difficult problem and I do not know or have the answers. But I think that we need some answers."

Mr. Lantz stated, "The short answer to your question would be that the Neighborhood Traffic Management Program is going to be a multi-layer approach. There is not going to be one single answer to fix all of these problems with speeding. We need to look at for that corridor changing the paving markings. There are some other things that we can consider to implement as far as placing some type of structure that will actually provide a visual means encouraging traffic to slow down. Because we all tend to drive the same methods. We look at where we are headed, and we adjust our speed accordingly. So, if you have a very open corridor a lot of drivers are going to naturally go faster than they should. And without having law enforcement there to control those people that misbehave then we are kind of limited on what we can do. Unfortunately, that corridor would be one major route that is considered for emergency vehicles. So, it would not be open for speed bumps or speed tables or those type of devices."

Council Member Cuthbert stated, "Thank you Mr. Lantz. I certainly think that we have come a long way towards solving some of these problems that have troubled the constituents of all of us. I do not care where our constituents come from, speeding is a problem in this city. And I think that we have come a long way from where we started. So, I look forward to that draft of the Petersburg Neighborhood Traffic Management Program at our June work session. Thank you, Mr. Lantz, Mr. Altman, and Mr. Mayor."

Vice Mayor Hill stated, "I think that we need to put that in a motion. Because what particularly happens is that you may have one or two that ask for a request of such magnitude. And for record keeping purposes, I would like to have that particular one in the form of a motion. Council Member Cuthbert if you will."

Council Member Cuthbert made a motion to direct staff to present to council at our June work session a Petersburg Neighborhood Traffic Management Program to address problems throughout the city including Sycamore Street between Cameron Field and Church's Fried Chicken. Council Member Jones seconded the motion. There was discussion on the motion. The motion was approved on roll call. On roll call vote, voting yes: Cuthbert, Jones, Smith-Lee, Myers, Westbrook, Hill, and Parham

13. **FACILITIES:**

- a. Assessment of Vacant & Partially Vacant City Buildings for City Staff.

Randall Williams gave a briefing with a PowerPoint presentation.

Key Notes:

- At 135 North Union Street- Roof Replacement (\$65,000), Interior Plaster Walls (\$40,000-\$50,000), Task order initiated to update the restrooms included in FY23 Capital Budget - \$300,000. (Building is occupied)
- At 103 W. Tabb Street – It is partially vacant and currently occupied by police staff and fire marshal staff. Task order initiated to update the restrooms included in the FY23 capital budget - \$300,000.
- AT 142 North Union Street – Exterior stucco/painting & interior plaster/painting (\$26,000), Waterproofing basement (\$26,000), and Awnings surrounding the building to prevent water damage to exterior (\$8,000). (Building is vacant)
- 106 West Tabb Street – Waterproofing basement (\$26,000), Ice blasting in basement and on main floor to remove mold spores from wood, stripping down to studs (\$175,000), and Rebuild interior, painting, flooring, etc. (\$100,000). Demolition Costs (\$100,000-\$125,000) (Building is vacant)
- 400 East Washington Street – Flooring and painting (\$15,000), HVAC system replacement (\$25,000), Carpentry/wood replacement of porch ceiling, columns, and shutters (\$5,000), Roof repair (\$3,000) (Building is vacant)
- 1898 Midway Avenue – General cleaning, painting, and flooring (Building is vacant.
- 400 Farmer Street – Phase 1 – Exterior envelope (\$1.2 million), Phase 2 – HVAC replacement and mold remediation (TBD), and Phase 3 – Interior design and construction (TBD) (Building is vacant)

Council Member Jones stated, “Since we have Social Services up there, do we plan on Social Services moving back into that building once it is fixed. Or is this something that the Police Department is going to occupy?”

Mr. Williams stated, “I have been told that it will be the new police department.”

Council Member Jones stated, “Didn’t we mention earlier about building a new Police Station?”

Mayor Parham stated, “I think what you are talking about is the resolution.”

Mr. Altman stated, “The resolution, they are confusing with the Police Department and the Courthouse. They need to flip the two. We are looking at renovation of the old Social Services building for the Police Department (PD). We are basically moving PD into one of our areas where we have a higher level of activity. So, that is what we are looking at.”

Council Member Jones stated, “I just do not understand why we are not renovating the Social Services Building for Social Services. We renting for Social Services now from someone clean out the way. This is right here where people are used to coming too. I do not need an answer for that right now. I just want to get through my questions so we can move on. Do you have enough people to do preventive maintenance on city buildings?”

Mr. Williams stated, “No.”

Council Member Jones stated, “I did not think so and you need that. We need to make sure that you get

that. My other question is on fire inspections. Have any of these properties been inspected by the fire marshal?"

Mr. Williams stated, "Some have."

Council Member Jones stated, "We need to make sure that they inspect them too. Last question and I am going to ask you something. Does any of these properties that are on that list up for sale? And does it have any ties with anyone up here trying to buy it?"

Mr. Williams stated, "No they are not for sale. In the capital budget for FY23, there were some funds that were set aside for some of these buildings. It is not for all of them. Every fiscal year we put \$500,000 aside in the capital reserve. So, that is something that we currently utilize. That is what we are utilizing now for the bathrooms in city hall, city hall annex, and for the roof on city hall."

Council Member Jones stated, "I would like to ask council to make sure that we get this department what they need to do preventive maintenance on all of our city buildings. Because if not we are going to go through this over and over again. This list will be doubled next year and then tripled the next year after that if we do not give him the people that he need to do preventive maintenance."

Mr. Williams stated, "Since we have invested in city assets our balance sheets look better and our financial position also looks better. It also helps us there too."

Council Member Cuthbert stated, "Mr. Altman, to kind of bring this discussion into the realm of or close to an action plan, what do we ask for and when can you give it to use? Mr. Williams has given us a lot of good information. But I do not want to walk away and say thank you for the presentation. What use are we going to make of this information. I am wondering for example at our meeting on March 21, could you come back to us with a recommendation as to the future use or disposition of each of these buildings? A budget where you propose to retain the building for city use and a timetable for carrying out that budget. Is that something that you can do?"

Mr. Altman stated, "We can certainly bring back recommendations. I do not know if the 21st will give us time to get all of the cost estimates that we would need on the buildings. But we can target the April Work Session to have additional information with regard to some of the additional cost that were quantified today with recommendations on future use. And we will put that in the context of where we are going and what we see from staff growth and what that may be. We can do that and bring that back in April."

Council Member Cuthbert stated, "That would be great. I am not trying to cram it into a timetable that we cannot achieve. I think the April work session would be great but to include a proposed use by the city or a disposition by the city, and if we are going to retain it then a budget and timetable for making the necessary improvements. That would be a big help to us all. Thank you."

Council Member Smith-Lee stated, "I just want to make a statement in reference to the Social Service Department. If I am not mistaken, we renovated the Social Services building a few years ago. Because the employees stated that there was mold and we renovated it. We put everyone back in there. Some of the employees were getting sick and they still were not satisfied with that building. They did not want to stay in that building. Am I right?"

Mrs. Innis stated, "You are correct."

Council Member Smith-Lee stated, "And that is the reason why we had to get a place where they were comfortable and was not about to sue us. Because of the employees had some health issues."

Mrs. Innis stated, "You are correct."

Council Member Smith-Lee stated, "So, I just wanted to make sure that I explained the reason why the

employees and Social Services is off of Rives Road. The State came in and evaluated it and they wanted them to be placed somewhere else. Am I right?"

Mrs. Innis stated, "You are correct. They also stated that they were not going to contribute anymore funding for the building."

Council Member Smith-Lee stated, "And the State is paying a majority of the rent."

Mrs. Innis stated, "You are correct."

Council Member Jones stated, "I know the police department wears bulletproof vest but I know that they are not mold proof. So, if it is not good for Social Services then it is not good for them. The Fire Department has mold all in their stations and I do not see anyone saying let's get them a new station. So, we cannot go on that logic of what the employees don't want. We have to do preventive maintenance in this city. We have to give you what you need. We have been ignoring it for too long. I do not care what the State says. It is our responsibility to take care of the employees. Thank you."

Mayor Parham stated, "Thank you Mrs. Innis and Mr. Williams."

14. ECONOMIC DEVELOPMENT:

a. A presentation from Cava Companies.

Brian Moore, Director of Economic Development, gave an overview and introduction of the Downtown Master Plan.

West Hopeland, Vice President of Acquisitions of Cava Company, and J.B. Samuel, Acquisitions Manager of Cava Company, gave a PowerPoint presentation on the plan.

Key Notes:

- Cava Companies was established in 2007 by Frank Cava. The company is based out of Richmond, VA.
- Built and renovated thousands of homes. Own and manage nearly 500 homes in Richmond.
- 80% of rental portfolio is affordable housing.
- >1,250 hours of community service annually.
- Largest real estate investment firm in Central Virginia.
- New construction benefits are a brand-new affordable energy efficient housing. All building materials meet or exceed current energy efficient standards.
- Benefit to the community is that the product encourages the growth of healthier, safer neighborhoods for residents to line in. It is increased statistical likelihood of higher individual earnings, thus greater possibility of elevated tax revenues through personal spending and reinvestment in property.

Mayor Parham stated, "I hate to interrupt you but this has been going on for quite some time. We have seen dozens of these types of presentations. And I understand the entire thing about affordable housing. But you said something about deconcentrating the poverty. And here in Petersburg we have the highest poverty rate in the Commonwealth. Our people need the ability to buy homes in the areas of the Commonwealth where they are not wanted. Where you need more affordable housing in Henrico, Chesterfield, and Prince George where they have nice accredited schools, shiny new restaurants, hotels and water parks. We have 20,000 people here on public assistance because we have ton of affordable housing. And what we are trying to do here now is build a community so that we can get some of the amenities of what the Short Pumps have. So, we need that higher income level to balance off the 20,000 that we have out of 33,000. So, at this point in time thank you for the presentation. Council Member Cuthbert do you have anything to add?"

Council Member Cuthbert stated, "No. I thank you Mr. Mayor. I think you said it well. I do not have any questions."

Council Member Jones stated, "I want to thank you for your presentation. I share the same thoughts as the mayor. And this is for you guys and our economic developer. The top three major roles of economic development are income, jobs, and quality of life. A majority black, that is what we are. But let's not get it twisted. Black people in the city are not the only ones suffering and struggling. White people are struggling, and Chinese people are struggling, and Arabs are struggling. I am tired of hearing the same thing that are targeting out black suffering. It is not just us suffering. You in Petersburg you are struggling in some state, form or fashion. And I hope we give this economic developer a budget to travel farther than Richmond to get those top three of quality of life, income and jobs. This right here, no offense, Mr. Economic Developer, we need you to travel. We need something from outside of Richmond. We do not want to be like Richmond. No offense to Richmond. Richmond needs to start trying to be like us. You need to advertise us, not as a poverty city, but as a city on a rise with a melting pot of people. That is what we are. We are Petersburg. That is what we are."

There was discussion among City Council and Cava Companies.

15. CITY MANAGER'S AGENDA:

Mr. Altman stated, "Just wanted to inform council of one thing. We were informed that we were fortunate enough to received \$3.5 million dollars in the congressional appropriation to replace the Locke's Water Maine. So, we want to thank Congressman McEachin for his work on securing those funds for us. It has been a little time coming with this passing and getting the information. But we did receive confirmation that we are going to receive \$3.5 million dollars to replace the Locke Box. So, we are making progress on all of our utility issues."

16. BUSINESS OR REPORTS FROM THE CLERK:

*No items for this portion of the agenda.

17. BUSINESS OR REPORTS FROM THE CITY ATTORNEY:

*No items for this portion of the agenda.

18. ADJOURNMENT:

City Council adjourned at 7:46 p.m.

Clerk of City Council

APPROVED:

Mayor

The Special Meeting of the Petersburg City Council was held on Wednesday, March 8, 2023, at the Petersburg Public Library. Mayor Parham called the Closed Session Meeting to order at 12:02 p.m.

1. ROLL CALL:

Present:

Council Member Charles H. Cuthbert, Jr.
Council Member Annette Smith-Lee
Council Member W. Howard Myers
Council Member Arnold Westbrook, Jr.
Vice Mayor Darrin Hill
Mayor Samuel Parham

Absent: Council Member Marlow Jones (present on phone)

Present from City Administration:

Clerk of Council Nykesha D. Lucas
City Manager John March Altman, Jr.
City Attorney Anthony Williams

2. OFFICIAL PUBLIC HEARINGS:

- a. A public hearing and consideration of an ordinance approving an amendment to proffers previously adopted with the zoning for the properties located at 1200, 1220, 1225, and 1255 Harrison Creek Boulevard.

BACKGROUND: The City of Petersburg received a request from PBFL, LLC represented by C. Burton Cutright, to amend the proffers previously adopted with the rezoning for the properties located at 1200, 1220, 1225 and 1255 Harrison Creek Blvd, Tax Parcels # 040030805, TP# 040030806, and TP# 04003080. The purpose is to permit the construction of five (5) structures with a total of 120 units of housing, designed like the existing Aqua Luxury Apartment multi-family development on the parcels addressed as 1220, 1225 and 1255 Harrison Creek Boulevard.

History

The City Council adopted 08-Ord-20, February 19, 2008, which approved the rezoning of the Harrison Creek Boulevard properties to PUD with proffered conditions. The subject property was rezoned from M-1, Light Industrial District, with conditions, to Planned Unit Development (PUD) with proffered conditions. The purpose was to permit a PUD to be known as Harrison Creek, on a 36.216+/- acre parcel of land addressed as 2470 County Drive, further identified as Tax Parcel 040-03-0801. The Harrison Creek development proposal included "upscale office, commercial and lifestyle residential apartments in a mixed-use community. The proposal included Office/Retail (3.97+/- acres); a Commercial Mini-Storage site (2.02+/- acres); Community Center/Pool, Multi-Family residential complex, containing 336 dwelling units within fifteen (15) structures on 28.47+/- acres.

In 2021, the petitioners proposed an amendment to the proffered conditions that would allow the construction of up to 65 single-family detached rental homes on 6.26+/- acres of land located along Harrison Creek Blvd between Route 460 and Acqua Luxury Apartments.

The Planning Commission considered the petition to amend the proffered conditions previously approved with the rezoning of the property and voted unanimously on November 4, 2021, to recommend approval of the

*Audio available upon request.

proposed proffer amendments.

The City Council subsequently considered the petition and referred it back to the Planning Commission.

The Planning Commission considered the petition during the January 20, 2022 meeting. During deliberations, the Commission asked about the impact of the proposed change to the proffered conditions on the City's sewer system capacity.

The Interim Director of Public Works at the time stated that while the current water/sewer system could support this development, the new development would limit future development in the area.

The Commission expressed concerns regarding a lack of home ownership, aging infrastructure, the capacity of the Poor Creek system, and the potential impact of the proposed change on the pharmaceutical cluster development.

A representative of the Developer stated that the developers originally invested \$228,000 in a pump station to create capacity. This capacity was then thought to be more than enough for the apartments and the retail space. They further stated that in the past 11 years, there has been active promotion in trying to bring in a grocery store, office establishments, and other commercial development, but there has not been any interest from any retail or grocery store in the location. There is, however, demand for off-base housing from Fort Lee. They stated that they believe that they have developed the capacity for the sewer on this site through the previous investment.

The Interim Director of Public Works stated that Petersburg has plenty of drinking water capacity, but not sewer capacity.

The Commission voted to recommend denial of the petition.

The Developer requested that the item be presented to the City Council for consideration on December 13, 2022.

Request

The Developer submitted an amended development plan that replaces the proposed cottage-style residential units with structures like those in the existing development. The proposed new development would include the construction of five (5) structures with a total of 120 new units including 60 1-bedroom units and 60 2-bedroom units. Residents will have access to the amenities and facilities of the existing Aqua apartment community.

The City Council referred the item to the Planning Commission for review. The Planning Commission considered the item during the January 5, 2023 Planning Commission meeting. During the Public Hearing, the representative of the Developer spoke. Also, during the Public Hearing, the Acting Director of Public Works spoke and he provided correspondence that includes a recommendation on the item. Following the Public Hearing, the Commission voted to recommend denial of the request.

RECOMMENDATION: It is recommended that the City Council holds a Public Hearing and considers an amendment to the zoning designation of the Harrison Creek Properties and related proffered conditions.

Mayor Parham opened the floor for public comments.

Chip Dicks, representative for petitioner PBFL, LLC, stated, "For the record, I would ask for the record of February 21, 2023, be put into the record of this meeting."

*Audio available upon request.

Mr. Dicks gave a brief summary of the request.

Seeing no further hands, Mayor Parham closed the public hearing.

Council Member Cuthbert stated, "Mr. Mayor, I would like to incorporate by reference the letter dated February 21, 2023, that I read at our meeting on February 21, 2023. If anyone wants to see that letter it is on file with the Clerk of the City Council. And the just of it is that I have no conflict under the Virginia Conflict of Interest Laws and I explained that in the letter. And I do go on to say that even though I own an undeveloped lot that is two miles away I feel that I can vote on this proposal objectively, fairly, and in the public interest. With that said, in order to make sure that everyone knows that I am feeling fairly with the public interest I am going to abstain from this vote."

Vice Mayor Hill made a motion to approve the ordinance approving the amendment of zoning designation of the Harrison Creek Properties and related proffered conditions. Council Member Myers seconded the motion. There was discussion among the City Council. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Smith-Lee, Myers, Westbrook, Hill, and Parham; Absent: Jones

23-ORD-12 AN ORDINANCE AMENDING THE PROFFERED CONDITIONS PREVIOUSLY ADOPTED WITH THE REZONING OF THE PROPERTIES LOCATED AT 1220 HARRISON CREEK BLVD, TP# 040030805, 1225 HARRISON CREEK BLVD, TP# 040030806, AND 1255 HARRISON CREEK BLVD, TP# 040030807.

Council Member Cuthbert stated, "Mr. Mayor, point of order. Are we counting Mr. Jones vote or not?"

Mayor Parham stated, "Right now he is on the phone and I think the emergency order is over. So, we cannot tally his vote so he is just on listening."

Council Member Cuthbert stated, "Understand. That is what I thought the law was but I did not want us to get in the habit of voting by telephone. At some future date, people will say that you let Councilman Jones vote on March 8th by telephone. And I just wanted to make it clear that we are not setting a precedence that we can vote that way. Because we cannot make that law. It is a state law."

Mayor Parham stated, "Exactly."

Council Member Cuthbert stated, "Thank you."

There was further discussion among council and staff regarding voting via phone.

- b. A public hearing and consideration of an ordinance authorizing the vacation of Right of Way along River Street between 3rd Street and 5th Street.

BACKGROUND: The City Council of the City of Petersburg adopted an ordinance authorizing the sale of property along River Street and the Appomattox River to establish green space and a location for outdoor events. The sale of the property has been closed, and the property was transferred to the new owner.

The vacation would result in closure of the roadway along River Street between 3rd Street and 5th Street. The property owner owns property located at 240 River Street to the South of River Street, and 277 River Street to the North of River Street.

*Audio available upon request.

The owner is requesting the vacation of City Right of Way on River Street, between 3rd Street and 5th Street, to facilitate use of the recently acquired property along River Street and the planned event space use.

RECOMMENDATION: It is recommended that the City Council schedules a Public Hearing and considers an ordinance authorizing the vacation of Right of Way.

Dave McCormack, petitioner, gave an overview of his request.

Mayor Parham opened the floor for public comments.

Seeing no hands, Mayor Parham closed the public hearing.

Council Member Myers made a motion to approve the ordinance and request.

Motion dies due to lack of second.

There was discussion on closing off the streets among the city council, staff, and the petitioner.

3. DISCUSSION AND/ CONSIDERATION:

- a. Consideration of a resolution for Congressional Directed Spending for FY24 Grant.

BACKGROUND: The City of Petersburg is submitting two Congressional Directed Spending grant applications to Senators Warner and Kaine. A resolution is required from the city for a commitment of match funding up to 20% (if required) on the total amount of the awarded grants.

RECOMMENDATION: It is recommended that the City Council adopts the resolution authorizing the City Manager to execute the Warranty Deed.

Joanne Williams, Director of Communications, Tourism, Marketing and Government Relations, gave an update on the request.

Council Member Smith-Lee made a motion to approve the resolution. Vice Mayor Hill seconded the motion. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Smith-Lee, Myers, Westbrook, Hill, and Parham; Absent: Jones

23-R-23 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PETERSBURG, VIRGINIA COMMITTING SUPPORT AND FUND MATCH REQUIREMENTS FOR POOR CREEK COLLECTION SYSTEM REHABILITATION AND POOR CREEK FORCE MAIN CAPACITY IMPROVEMENTS IN SUPPORT OF ALL PETERSBURG CITIZENS AND BUSINESS.

4. ADJOURNMENT:

The City Council adjourned at 12:26 p.m.

Clerk of City Council

APPROVED:

*Audio available upon request.

Mayor

DRAFT

*Audio available upon request.

The Closed Session Meeting of the Petersburg City Council was held on Tuesday, March 21, 2023, at the Petersburg Public Library. Mayor Parham called the Closed Session Meeting to order at 4:00 p.m.

1. ROLL CALL:

Present:

Council Member Charles H. Cuthbert, Jr.
Council Member Annette Smith-Lee
Council Member W. Howard Myers
Council Member Arnold Westbrook, Jr.
Vice Mayor Darrin Hill
Mayor Samuel Parham

Absent: Council Member Marlow Jones (absent during roll call)

Present from City Administration:

Clerk of Council Nykesha D. Lucas
City Manager John March Altman, Jr.
City Attorney Anthony Williams

2. CLOSED SESSION:

- a. The purpose of this meeting is to convene in the closed session pursuant to §2.2-3711(A)(1) for the purpose of discussion pertaining to performance, assignment, and appointment of specific public employees of the City of Petersburg, specifically including but not limited to discussion of the performance, assignment and appointment of a specific public officer of the City of Petersburg; and under §2.2-3711(A)(5) of the Code of Virginia for the purpose of discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community; and under §2.2-3711(A)(29) of the Code of Virginia for the purpose of discussion regarding the subject matter of a public contract involving the expenditure of funds and terms or scope of such contract where discussion in an open session would adversely affect the bargaining or negotiating strategy of the public body, specifically including but not limited to the discussion of the award and terms of public contract.

Vice Mayor Hill made a motion that the City Council go into closed session for the purposes noted. Council Member Smith-Lee seconded the motion. There was no discussion on the motion, which was approved on roll call vote.

On roll call vote, voting yes: Cuthbert, Smith-Lee, Myers, Westbrook, Hill, and Parham; Absent: Jones

City Council entered closed session at 4:02 p.m.

CERTIFICATION:

Mr. Williams stated, "The Mayor would entertain a motion to conclude the closed session called today to certify in accordance with §2.2-3712 that the Code of Virginia that to the best of each members knowledge that only public business matter lawfully exempted from the opening meeting requirements were discussed and that only such public business matters were identified in the motion by which the closed meeting was convened, heard, discussed, or considered. If any member believes that there was a departure from the foregoing requirements should so state prior to the vote indicating the substance for departure in which he

*Audio available upon request.

believes has occurred. This requires a roll call vote Mayor.”

Vice Mayor Hill made a motion to return City Council into open session and certify the purposes of the closed session. Council Member Jones seconded the motion. There was no discussion on the motion.

The motion was approved on roll call vote.

On roll call vote, voting yes: Cuthbert, Jones, Smith-Lee, Myers, Westbrook, Hill, and Parham

23-R-24 A RESOLUTION CERTIFYING, AS REQUIRED BY THE CODE OF VIRGINIA, SECTION 2.2-3712, THAT TO THE BEST OF EACH MEMBER’S KNOWLEDGE, ONLY PUBLIC BUSINESS MATTERS LAWFULLY EXEMPTED FROM OPEN MEETING REQUIREMENTS OF VIRGINIA LAW WERE DISCUSSED IN THE CLOSED SESSION, AND ONLY SUCH PUBLIC BUSINESS MATTERS AS WERE IDENTIFIED IN THE MOTION CONVENING THE CLOSED SESSION WERE HEARD, DISCUSSED, OR CONSIDERED.

City Council returned to open session at 5:35 p.m.

Mayor Parham stated, “Now at this time I will entertain a motion to add an MOU regarding funding and construction of a sports complex facility at Petersburg High School to tonight’s agenda.”

Vice Mayor Hill made a motion to add an MOU regarding funding and construction of a sport’s complex facility at Petersburg High School to tonight’s agenda. Council Member Smith-Lee seconded the motion. There was no discussion on the motion. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Jones, Smith-Lee, Myers, Westbrook, Hill, and Parham

Mayor Parham stated, “Next, I will entertain a motion to authorize the City Manager and City Attorney to execute the MOU for the sports training facility at Petersburg High School.”

Vice Mayor Hill made a motion to authorize the City Manager and City Attorney to execute the MOU for the sports training facility at Petersburg High School. Council Member Smith-Lee seconded the motion. There was no discussion on the motion. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Jones, Smith-Lee, Myers, Westbrook, Hill, and Parham

Mayor Parham stated, “Next, I will entertain a motion to add a resolution between City of Petersburg Public Schools and the City of Petersburg to work in furtherance of securing broadband internet providers for the city and the school board.”

Council Member Myers made a motion to add a resolution between City of Petersburg Public Schools and the City of Petersburg to work in furtherance of securing broadband internet providers for the city and the school board. Vice Mayor Hill seconded the motion. There was no discussion on the motion. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Jones, Smith-Lee, Myers, Westbrook, Hill, and Parham

Mayor Parham stated, “Next, I will entertain a motion for the City Manager and City Attorney to work together and to approve the resolution to execute the broadband internet providers for the city and school board.”

Vice Mayor Hill made a motion for the City Manager and City Attorney to work together to approve the resolution to execute the broadband internet providers for the city and school board. Council Member Smith-Lee seconded the motion. There was no discussion on the motion. The motion was approved on roll call vote.

*Audio available upon request.

On roll call vote, voting yes: Cuthbert, Jones, Smith-Lee, Myers, Westbrook, Hill, and Parham

23-R-25 A JOINT RESOLUTION BETWEEN THE CITY OF PETERSBURG AND PETERSBURG CITY SCHOOL BOARD TO WORK TOGETHER IN FURTHERANCE OF SECURING A HIGH-SPEED BROADBAND INTERNET PROVIDER FOR THE CITY AND SCHOOL BOARD.

3. ADJOURNMENT:

City Council adjourned at 5:38 p.m.

Clerk of City Council

APPROVED:

Mayor

DRAFT

The regular meeting of the Petersburg City Council was held on Tuesday, March 21, 2023, at the Petersburg Public Library. Mayor Parham called the meeting to order at 5:38 p.m.

1. ROLL CALL:

Present:

Council Member Charles Cuthbert, Jr.
Council Member Marlow Jones
Council Member Annette Smith-Lee
Council Member W. Howard Myers
Council Member Arnold Westbrook, Jr.
Vice Mayor Darrin Hill
Mayor Samuel Parham

Absent: None

Present from City Council Administration:

Clerk of Council Nykesha D. Lucas
City Manager John March Altman, Jr.
City Attorney Anthony C. Williams

2. PRAYER:

Mayor Parham stated, "Vice Mayor Hill will lead us in our opening prayer."

Vice Mayor Hill led the council meeting in prayer.

3. PLEDGE OF ALLEGIANCE:

Mayor Parham led council and the citizens in the pledge of allegiance.

4. DETERMINATION OF THE PRESENCE OF A QUORUM:

A quorum was determined with the presence of all city council members.

5. PROCLAMATIONS/RECOGNITIONS/PRESENTATION OF CEREMONIAL PROCLAMATIONS:

a. A proclamation designating March 2023 as Procurement Month.

Mayor Parham read the proclamation out loud and presented it to Lisa Scott and Eunita Wade.

b. A proclamation designating March 2023 as American Red Cross Month.

Mayor Parham read the proclamation out loud and presented it to Christy Carneal.

6. RESPONSES TO PREVIOUS PUBLIC INFORMATION PERIOD:

Mayor Parham stated, "Responses to previous public information period is under council communicates."

7. APPROVAL OF CONSENT AGENDA (to include minutes of previous meeting/s)

a. Minutes:

-February 21, 2023 – Closed Session
-February 21, Regular Council Meeting
-March 7, 2023 – Closed Session

Vice Mayor Hill made a motion to approve the consent agenda. Council Member Westbrook seconded the motion. The motion was approved on roll call. On roll call vote, voting yes: Cuthbert, Jones, Smith-Lee, Myers, Westbrook, Hill, and Parham

8. OFFICIAL PUBLIC HEARINGS:

- a. A public hearing on the consideration of an ordinance authorizing the City Manager to execute a purchase agreement between the City of Petersburg and Elvin Snead towards the sale of City-owned property at 137 Market Street, parcel ID 022-180011.

BACKGROUND: The Department of Economic Development received an application from Elvin Snead on October 31, 2022, to participate in the auction on GovDeals to purchase City-owned property located at 137 Market Street which is currently a vacant residential lot. On November 8, 2022, at the conclusion of the auction, it was determined that Elvin Snead was the highest bidder. He has submitted to staff the required documentation to prove they have the wherewithal to purchase and develop the property. The proposed use of the property is to develop, 1350 square feet single family residential dwelling with three bedrooms and two bathrooms for sale at market rate.

The proposed purchase price for 137 Market Street is \$7,050, which is 75% of the assessed value, \$9,400. The purchaser will also pay all applicable closing costs.

This proposal is in compliance with the Guidelines for the City's Disposition of City Real Estate Property, Zoning, and the City's Comprehensive Land Use Plan

Property Information

The zoning of the parcel at 137 Market Street is zoned B-3, Business District.

Address: 137 Market Street

Tax Map ID: 022-180011

Zoning: B-3

RECOMMENDATION: Staff recommend City Council makes a motion to approve the sale by ordinance.

Brian Moore, Director of Economic Development, gave a brief overview on the request.

Mr. Moore stated, "This morning it was brought to our attention that under Article 25 Section 3 of the Zoning Ordinance, that there is a concern of the lot size in building this particular property. And there may be a way of doing this with the purchase of additional lots. We asked for your consideration, and we did consult with the attorney and city manager. We asked to go ahead and do the public hearing and then table it to try to resolve this issue. Mr. Snead has been working well with us."

Mayor Parham opened the floor for public comments.

Seeing no hands, Mayor Parham closed the public hearing.

There was discussion among city council members and staff.

Vice Mayor Hill made a motion to table action until the April 18th meeting. Council Member Myers seconded the motion. The motion was not approved on roll call. On roll call vote, voting yes: Cuthbert, Jones, Smith-Lee, Myers, Westbrook, Hill, and Parham

- b. A public hearing for the consideration of an ordinance authorizing the City Manager to execute a

purchase agreement between the City of Petersburg and 123 Halifax, LLC towards the sale of City-owned property at 123 Halifax Street, parcel ID 022-180025.

BACKGROUND: The Department of Economic Development received an application from Edwin Jones on behalf of 123 Halifax, LLC on November 9, 2022, to participate in the auction on GovDeals to purchase City-owned property located at 123 Halifax Street which is currently a vacant residential lot. On November 8, 2022, at the conclusion of the auction, it was determined that Edwin Jones was the highest bidder. He has submitted to staff the required documentation to prove they have the wherewithal to purchase and develop the property. The proposed use of the property is to develop two 320 square foot convertible rental spaces using shipping containers that would be dedicated for local entrepreneurs to include a fresh market and restaurant.

The proposed purchase price for 123 Halifax Street is \$10,450, which is 50% of the assessed value, \$20,900. The purchaser will also pay all applicable closing costs.

This proposal is in compliance with the Guidelines for the City's Disposition of City Real Estate Property, Zoning, and the City's Comprehensive Land Use Plan

Property Information

The zoning of the parcel at 123 Halifax Street is zoned B-3, Business District

Address: 123 Halifax Street

Tax Map ID: 012-260022

Zoning: B-3

RECOMMENDATION: Staff recommend City Council makes a motion to approve the sale by ordinance.

Brian Moore, Director of Economic Development, and the petitioner gave a brief overview.

Mayor Parham opened the floor for public comments.

Julian Greene, 1625 Blair Road, stated, "Ladies and gentlemen, you know about The Avenue in Petersburg. Wilkerson Funeral Home and Bland adjacent to it. The Avenue where various members of various community farmers came and sold their wares. That was the feature site in Petersburg, particular where soldiers and the entertainment for African Americans. That is where the Rialto was located. That is where the Chatterbox was located. You want to put a shipping container there. It is historic. There is an institution here in Petersburg that has asked me to do the due diligence because they want the recognition for historic sites. We are talking to the Virginia Department of Historic Resources on that site as well. At this particular point in time, do not want to call on the name of the foundation, but you guys have some eyes. Do not approve of putting a shipping container there on that historic site in the Afro American community where doctors, lawyers, shops, drug stores all was located. Let's not disseminate that site by doing what is being proposed. Thank you."

Roland Stokes, 6100 Dorius Drive (Chesterfield, VA), stated, "I was raised in Petersburg."

Mayor Parham stated, "Mr. Stokes we have to have a Petersburg resident to be able to speak at the meeting."

Mr. Stokes stated, "I see that on the agenda but it does not come up yet requiring that."

Mr. Williams stated, "That is recorrect that the residency applies to the public comment period. But the public hearing is open to any citizen with an interest."

Mayor Parham stated, "Please proceed Mr. Stokes."

Mr. Stokes stated, "I was not born in Petersburg but I was raised in Petersburg. I attended all of the public schools in Petersburg and worked in Petersburg. And I agree with the gentleman. The Avenue is a historic site and we do not need anything there to desecrate the historical site. City Council needs to get together and decide what we can do to maintain that property and what it is. Thank you."

There was discussion among City Council and staff.

Seeing no further hands, Mayor Parham closed the public hearing.

Vice Mayor Hill made a motion to table until the April 18th meeting. Council Member Myers seconded the motion. There was discussion on the motion.

Council Member Cuthbert made a substitute motion to deny approval. Council Member Jones seconded the motion. The motion was approved on roll call. On roll call vote, voting yes: Cuthbert, Jones, Smith-Lee, Myers, Westbrook, Hill, and Parham

Council Member Jones stated, "I just want to add again that we all know that is historic and I do not see shipping containers anywhere in the city used for B-3 or anything else. As important as that property is we are still selling stuff for cheap. That is \$10,000 for something in an historic area. We would not do Old Towne like that or anywhere else. So, we got to entertain what we talk about in bringing this stuff up for sale at a marketable price. We do not want The Avenue looking like that at all with shipping containers. If we come back with something else that is one thing but we do not want that period."

Mr. Moore stated, "We will work with the applicant and reapply. Also, we do have a shipping container that was put in a B-3 area. That is down where Saucy's started. They started out of a shipping container and the shipping container is still there. So, we will try and bring something back for The Avenue. The biggest thing is getting the protection for that historic district. So, we will make sure that we do that. We are going to bring forward to you changing the procedures as far as the sale of properties. We can up that percentage. Because that is usually driven by the auction. So, when the auction open at a certain point that is acceptable to your current standards of 50%, we can change that to 80% or 85%" if that is desired."

Council Member Jones stated, "That is great. One last thing, we cannot operate on facts if the presentation is messed up. I seen the same picture for two different sales. We cannot come up here with those minor mistakes. That was the same picture from the last sale and it is the same picture from this sale. That is why no one knew what we were talking about. It is the same picture. We have to do better than that. I operate on facts. We operate on facts. That messed me up. We have got to do better. We are paying a lot of money in salaries. You all seen it. We can do better than putting the same picture up twice. Thank you."

Council Member Cuthbert stated, "I would like to follow up on that. I agree 100%. I am looking at page 62 of our agenda and I do not think that is the lot that we are talking about. We really need staff to step up its game and give us accurate information. Mr. Altman, I will direct this comment to you if I may, I think we really need the administration to serve as a gate keeper to what comes before council. The idea that the city staff would recommend the city council approve putting a shipping container facing the historic Halifax Triangle stones me. I cannot see how that can possibly be recommended by a knowing staff that we are paying the big bucks to. So, I would ask you, Mr. Altman, to encourage staff to serve more as a gatekeeper or maybe you need to step forward as a gatekeeper. But this should never have gotten before city council. Now, keep in mind that this is the historic triangle that I believe is part of the subject of the Downtown Master Plan. Is that right Mr. Altman?"

Mr. Altman stated, "I believe that part of the plan goes over to the Halifax Triangle."

Council Member Cuthbert stated, "Now Mr. VanVoorhees, do you have an image that was sent to you in connection with this agenda item '8b'? It was a three- or four-story artist rendering of what could be. Now, I came across this picture and this is certainly one idea of what the area facing the triangle could look like. It would absolutely revolutionize our appreciation of the historic triangle. This is one approach. I haven't

discussed it with any members of council and obviously the idea would have to be vetted and refined and perhaps discarded. But can you imagine what the triangle would look like if it had beautiful modern construction facing the triangle and the triangle was greenspace. Certainly, the potential is tremendous. And to get back to the point, the idea of limiting our future by putting a spell on the Halifax Triangle and setting a standard that shipping containers are acceptable around the triangle. That is way over the edge in my assessment. So, I thank you Mr. VanVoorhees and Mr. Mayor."

- c. A public hearing and consideration of an ordinance amending the City of Petersburg Code of Ordinance, Appendix B. Zoning, to add definitions of Group Home and Assisted Living Facility.

BACKGROUND: The City of Petersburg Code of Ordinances Appendix B. Zoning includes Article 3. – Definitions, Section 2. – Definitions. The purpose of this section is to define certain terms and words in the City Code Appendix B. Zoning.

Assisted Living Facilities in Single-Family Residences and Group Homes have been established as land uses in the City of Petersburg. However, currently there are no definitions for these uses or related regulations. This is a proposal to amend the Code Appendix B. Zoning in accordance with the attached Exhibit A to include those definitions.

On March 2, 2023, The Planning Commission voted to recommend approval of the Code Amendment, with an amendment to the proposed language to remove the clause "Except where expressly permitted by right in this Zoning Ordinance".

RECOMMENDATION: It is recommended that the City Council amend the City of Petersburg Code of Ordinances, Appendix B. Zoning, to add definitions of Group Home and Assisted Living Facility.

Reginald Tabor, Program Manager of Planning and Community Development, gave an overview of the request.

Mayor Parham opened the floor for public comments.

Richard Stewart, 129 Rolfe Street, stated, "I heard a young man speak about a group home. Years ago, this same issue was brought up and I think they were building group homes in certain areas in the city. But they said that if the State authorized them to do it the city cannot stop it. Is that still in effect?"

Mr. Tabor stated, "With regard to group homes, my understanding is that as long as they comply with the use that is associated with the residential zoning they are legally allowed. Perhaps, the city attorney has additional information."

Mr. Williams stated, "That is correct. The Zoning Ordinance would apply under the definition that is described. The group home does place a by right under federal law of fewer than eight individuals. And that is contained in the definition. I think it was in the original definition where it said whether licensed or not, it does not change the actual ordinance but it was included for clarification purposes."

Roland Stokes, 6100 Dorius Drive (Chesterfield, VA), stated, "Is the changing of the ordinance so that more group homes assisted living can be added? That is my question."

Diane Curling, 116 Liberty Street, stated, "Many years ago I worked for the New York State Department of Mental Health. So, my husband and I very much support group homes for the elderly, handicapped, and people who need mental health and drug treatment. And I would just like to say that we were dismayed with the situation on Fillmore Place. And we think that this ordinance amending the Petersburg City Code might help prevent tragedies like that. Thank you."

Freda Greenhow, 1814 Varina Avenue, stated, "I have a question. I have, I think, a group home directly across the street from me. The lady that owns it called it a sponsor home. And I wanted to know if that is the

same thing. Because I have one behind me on Chuckatuck as well. Having these houses in the neighborhood, they become to me personally a problem. The one that is on Chuckatuck, employees smoke pot constantly. The person that they are watching, I have seen them pull them out of the street a couple of times as I was coming past. And when they are on the phone they are very loud, cursing and being belligerent. And I do not know if the owner of that house, if it is a group home or assisted living. I do not know what it is but I know that it is a sponsored home. The one that is across the street from me has been there for about a month. And 7:15am, every morning faithfully, instead of alerting the people that there transportation is there they would rather blow the horn. I get up at 7:15am and they still haven't gotten it because he still comes and blows the horn. And now semi-trucks are parking there and it is narrowing the street. So, I do not know if it is a sponsored home or if there is a difference between a group home or an assisted living home. And if there is any type of regulation. I heard earlier that you said that they can be licensed or not. But with these homes in a residential area, is there any type of regulation that can go on with these homes."

Celeste Wynn, 319 East Fillmore Street, stated "I was trying to hold my tongue. There were three group homes on my street on East Fillmore Street. And now I believe there are two. I am in a residential area of course. The Fillmore Group Home closed down and it was kind of like the commercial end of my street. So, it was not primarily residential. I am trying not to take it there but you all or residents would not allow it on High Street. You would not allow it on Marshall Street. You would not allow it anywhere in Walnut Hill. So, what are the regulations for commercial areas. Because I have seen and heard myself of the same issues that she spoke about. People picking up and blowing the horn, outside smoking and outside yelling at the residents in residential areas."

Seeing no further hands, Mayor Parham closed the public hearing.

There was discussion among City Council and staff.

Council Member Cuthbert made a motion to approve and adopt the ordinance recommended by the Planning Commission with the deletion of the phrase in the last sentence, "except where expressly permitted by right in this zoning ordinance." Vice Mayor Hill seconded the motion. There was discussion on the motion. The motion was approved on roll call. On roll call vote, voting yes: Cuthbert, Jones, Smith-Lee, Myers, Westbrook, Hill, and Parham

23-ORD-13 AN ORDINANCE APPROVING A CITY CODE APPENDIX B. ZONING TEXT AMENDMENT – AMENDING ARTICLE 3. – DEFINITIONS, SECTION 2. – DEFINITIONS TO ADD DEFINITIONS FOR ASSISTED LIVING FACILITY, SINGLE – FAMILY RESIDENCE AND GROUP HOME, WITH THE DELETION OF THE PHRASE.

- d. A public hearing and consideration of an ordinance amending the City Code Appendix B. Zoning Text – To amend Article 4-A. "A" Agricultural District Regulations, Section 9. Special requirements, to permit a subdivision that creates one parcel that meets the dimension requirements of lots/parcel in the R-1A District.

BACKGROUND: The City of Petersburg Code of Ordinances Appendix B. Zoning includes Article 4-A. "A" Agricultural District Regulations. The purpose of this district is to provide for the orderly growth and development of relatively large parcels of undeveloped land, and the protection of activities generally considered rural in nature, i.e., crop, dairy or tree farming, the raising of cattle and poultry, and other activities normally compatible with rural or agricultural surroundings.

Article 4-A, Section 2. Use regulations, provides that any building to be erected or land to be used shall be for (1) Single-family dwellings and other uses. Article 4-A, Section 9. Special requirements, provides that (1) No subdivision development shall be permitted in areas zoned agricultural, and any area sought to be subdivided, that is presently zoned agricultural, shall first be rezoned to a residential classification.

The City has received a proposal to create single family lot/parcel from a property zoned A-Agricultural District. The proposed single-family residential use is a permitted use in the Zoning District. However, the current Code

requires that the zoning be changed if there is a subdivision of property Zoned A-Agricultural District. The surrounding uses are agricultural and single family.

Pursuant to the requirements of Title 15.2-2204 of the Code of Virginia, as amended, the Planning Commission held a public hearing and considered a resolution recommending approval of the amendment to the City Code Appendix B. Zoning on January 5, 2023, and the public hearing was advertised, in accordance with applicable laws. The Planning Commission voted to recommend approval of the Text Amendment.

This is a proposed amendment to the City Code Appendix B. Zoning to permit the subdivision of a parcel to create not more than one new parcel without having to rezone the property to a Residential District.

RECOMMENDATION: It is recommended that the City Council approve an amendment to the City Code, Appendix B. Zoning regarding the Agricultural District Regulations.

Reginald Tabor, Program Manager of Planning and Community Development, gave an overview of the request.

Melissa Wilkins, property owner, gave a briefing of the request with regards to her property at 2344 Wells Road.

Mayor Parham opened the floor for public comments.

Richard Steward, 129 Rolfe Street, stated, "Some of this land looks like land in Pocohontas. The question that I want to ask, when you say agriculture versus residential can you have pigs, animals, cows, and different things and barns. How does that affect residential areas when you have residential and agricultural? How does those two correspond and don't affect each other?"

Mr. Tabor stated, "Within the agricultural district, single family residence use is permitted. Within residential districts, agricultural use is not permitted. So, properties that are zoned R-1, R-1A, R-2, and R-3 do not permit the agricultural uses that are permitted with animals and farmland with the agricultural district. Properties in Pocahontas for example are zoned residential and not agricultural. So, no agricultural uses would be permitted."

Seeing no further hands, Mayor Parham closed the public hearing.

There was discussion among City Council and staff.

Council Member Cuthbert made a motion to deny approval of ordinance. Council Member Westbrook seconded the motion. There was discussion on the motion.

Council Member Jones made a substitute motion to approve the ordinance as proposed. Council Member Myers seconded the motion. The motion was approved on roll call. On roll call vote, voting yes: Jones, Smith-Lee, Myers, Hill, and Parham; Voting No: Cuthbert and Westbrook

23-ORD-14 AN ORDINANCE APPROVING A CITY CODE APPENDIX B. ZONING TEXT AMENDMENT – AMENDING ARTICLE 4-A. "AGRICULTURAL DISTRICT REGULATIONS TO PERMIT A SUBDIVISION THAT CREATES ONE LOT/PARCEL.

- e. A public hearing and consideration of an ordinance approving the expansion of the Local Historic District regulations to individual properties listed on the attached list that are also listed on the National Register of Historic Places, therefore requiring a Certificate of Appropriateness (COA) before any exterior changes are made.

BACKGROUND: During the November 1, 2022, City Council Meeting the City Council considered an item that would expand the Local Historic District regulations to individual properties listed on a list of

properties in the City of Petersburg that are listed on the National Register of Historic Places, therefore requiring a Certificate of Appropriateness (COA) before any exterior changes are made.

The item was referred to the Planning Commission for a recommendation. The Planning Commission considered the item and approved a resolution recommending approval of the item with an amended list that includes only the properties on the list provided that have structures.

RECOMMENDATION: It is recommended that City Council approves the amended list of properties by an ordinance.

Reginald Tabor, Program Manager of Planning and Community Development, gave an overview of the request.

Mayor Parham opened the floor for public comments.

Julian Greene, 1625 Blair Road, stated, "I am the Co-Chairman of PALDC, which stands for Peabody Academic Learning and Development Center. The two groups came together and gave birth to PALDC. PALDC has over 25 HBCU's associated and affiliated with them. To include Virginia State university and the Algebra Project that caused the scores to go up tremendously. We are here to say that the oldest African American School in the nation. Just check the dates. At the same time when the buildings were built they were called twin buildings connected by an arch. Only later to be separated because of a fire. The complex is historic in nature and structure. It is already on the national registry. But how is it recognized? It is recognized as the Peabody. The whole complex is Peabody. Our proposal to the Planning Commission and to everyone in Petersburg, and the citizens can attest to this, is that we have some historic districts in the city but none exceed over Peabody. Why? Education for African Americans in this nation was against the law. We were forbidden to be taught how to read and write. The oldest church in North America, First Baptist Church, started educating the children. When it started it became so large and the capacity could not hold it as large as First Baptist was, they had to find another site in order to do it. I am not going to go through all of the history, but I can. But it came down to Peabody, it said that if we are going to change or modify the ordinance, we propose, the two organizations, that you include the complex of Peabody and have it known as a historic district. The Peabody School Historic District is surrounded by Halifax Street, Wesley Street, Jones Street, and Lee Avenue. Coming from that school is the Chief Judge of the Supreme Court of Virginia, Judge Gregory. One of the most prolific athlete coming out of Petersburg and played basketball, Moses Malone. Football players, Mr. Bolding, artist we have them now some of the young ones. Ms. T and I may not registry with them but we have Trey Songz. We are here and they are there and we cannot do the TikTok thing. But we are saying some significant things. We have some significant things coming out of Petersburg that came out of Peabody. Let's not dwell on chasing the golden goose. Because we have been disappointed chasing after the golden goose. I am going to leave that right where it is. Peabody will be able to train the teachers. We have a deficient in teachers and teachers are leaving. Teachers can get firsthand training right there at Peabody. We are not competing with the school system we are collaborating with them all in the area. Peabody was a school only for blacks which meant that students came from Hopewell, Prince George, Colonial Heights, Ettrick, Chesterfield, and Dinwiddie. So, let's give it what it is due. It should be called the Peabody School Historic District. Let's recognize it for what it is in Petersburg. If we are 70 or 80% African American, then we have to toot our own horn. Let's allow Dr. Jefferson to make a few statements please."

Thelma Jefferson, Co-Chair of PALDC and Executive Director of the Peabody High School National Alumni Association, stated, "The Peabody High School building embodies pride to the highest extent. And for its graduates in the community, it is a tangible monument to the black history of Petersburg. Through those walls, and Mr. Green has already said walked doctors, judges, professional athletics, politicians, scientist to just name a few. But not only those who went on to have great careers, we had the local Joe and Jane who graduated and found jobs and enjoyed the life right here in Petersburg. The school was a beacon in our community and we want that again. How do we achieve that? By turning it into a haven of opportunities for the community. It can be an educational center offering space for tutoring, computer labs, and the gym can be used by AAU basketball teams. The auditorium could house varies productions and concerts. There are rooms for various civic organizations. There is a full cafeteria. And that space can be an event vendor. Because they

closed the building the Peabody High School National Alumni Association had a clothes closet which was very successful and wanted by the community. We can open up a museum showcasing the schools rich heritage and the illustrious alumni. We have a teenage crime problem in Petersburg. One reason is that the people do not have a plan and productive agenda. Keeping all of these things in mind for the space and the buildings, I wholeheartedly support our proposition to include the entire complex on the local listing and name the district the Peabody School Historic District. Thank you."

Richard Stewart, 129 Rolfe Street, stated, "Be careful what you ask for because you might get it. Why I am saying that is that we have been through this. Pocahontas is on the historic registry not the historical district. We denied it and we did not want a historic district. We wanted a historic registry. Jarratt House is alright for \$200,000. Whatever you do to your house once you put it in that historic district it has to be approved by somebody else. You have to have some money and no mouth. When you start to deal with historic property you have to have some money. Right now this young lady is building this house in Pocahontas. If that would have been a historic district, I do not think she can afford it. She is building a new house over there. She is trying to help preserve Pocahontas. So, when you start talking you have to get an understanding of the difference between historic district and historic register. Because it can cost you money. There was \$200,000 spent on the Jarratt House and not another dime spent on the island. Where is our money? They are getting ready to carry a road through Pocahontas. Money is being provided, so where is our money. You know why. Because we will not let anyone tell us what to do with our property over there. We have three different properties. The Jarratt House was built around 1810 and we had Native Americans living there. The Scott House was built in 1833. The William Walthrow House was built in 1833 and the Stephens House in 1831. Those are historical houses but if they were in the historic district we could not afford to do the work on them. So, be careful of what you ask for. Get a full understanding between historic district and historical registry and who is in charge of the renovation. Thank you."

Yvette Wilson, 234 High Street, stated, "I hail to you from a historical community down south in North Charleston, South Carolina. My homeboy Mr. Greene and his family and my family all resided in that community called Liberty Hill. I speak to you tonight to take warning to preserve your historical communities. Right now, Liberty Hill is being encroached on by all the northerners and people who don't share that rich history that Liberty Hill provides its residents. The historic school was torn down. Now they have a school where the Native Community can attend. So, those are the type of things that will happen if we do not preserve our history. We are fighting until this day trying to preserve our heritage. We are one of the first communities after the reconstruction period to own our own homes and businesses within. So, I am asking this council to think big and preserve the history that Petersburg celebrates through the Peabody project. Thank you."

Bobby Beverly, Chesterfield resident and works at Cool Springs Elementary School, stated, "I first must say this. Being from Petersburg, Virginia and graduating from the Class of 1978, Virginia State Alumni with my bachelors and master's both in history. So, I have to say this before I get to that. There is only, in my lifetime, four people that are still living that should be talking about anything concerning the history of Petersburg, Mr. Shaw (deceased), Luscious Edwards, Emmanuel Dabney, Mr. Stewart and myself. That is, it in the City of Petersburg. Everyone else, you are being insulting. So, now let me move on. There are a lot of issues with this. I just received it today. As a historian I am looking at it and there are a lot of things wrong with it. I am just going to go over two. Geographically and historically speaking there has never been anyone calling African Africans. There is no such thing. Number two let's go over some things that are not on the list. You do not have Poplar Grove National Cemetery. Why is that important? Because after those men, the United States Colored Troops, were genocide and murdered at that Crater, they were taken out a little bit pass the Millennium Studios. You go past there about two and a half or three miles on the left hand side you will find a small marker, Poplar Grove. That is where they are buried to this day. The United States Colored Troops were murdered, 219 of them. They were buried with confederate soldiers to this very day. I do not see that on this list. There is more that is wrong with this. But we have to first make sure that when you have someone writing history make sure you get the people that are from the area so we can tell you correctly about our history. Thank you."

Roland Stokes, Chesterfield resident, stated, "First of all, I am familiar with the condition of the Peabody High School building. And the city council is responsible for the security of all properties located on the

Peabody High School property. That building needs to be secure and protected. I am a retired assistant fire marshal for Chesterfield County. Most of the people that live in Petersburg now are seniors and retirees. To increase the tax revenue of Petersburg the city council needs to get creative and develop ways and means to attract young people and their families back into the city area. Formed in 2017, you already heard from the Peabody High School National Alumni Association, which is made up of approximately 600 graduates of Peabody High School. And I am one of them. I am very proud of that school, and I do not want to see it torn down. It is part of the history of this city. Not only is it part of the history of the city but of the United States. Thank you."

Joe Battiston, 1 South Sycamore Street, stated, "I am wearing two hats up here right now. I am a member of the ARB (Architectural Review Board), which we discussed this. I find this a little cumbersome because of the different types of properties that have come before us. But mainly I came up because of point of address which happens to be a property that I owned for 33 years. It is 255,000 square feet. That would be extremely cumbersome for someone to come before the ARB and have to abide by. The ARB has two groups. We have guidelines that give us some flexibility to help people improve their homes within reason. Then there are other things that we would absolutely say no to because of the rules by DHR National Park of Interior. Some of those we do not like what we have to do with them. But because there are rules, we have to follow them. If I had to abide by those rules when I owned that property, then it would have been extremely cumbersome, and I probably would not have had it for 33 years. I actually got to the point where the windows cost me so much money with over 700 windows in that building. It would have just broken me if I had to go out and buy new windows every time that the windows were rotting. I got to the point that I was starting to build my own windows to preserve that building. No one has noticed it but it fits right in. And that was also cumbersome. I am afraid that if we put some of these structures that are not respected some of the ways that these other structures are such as Blandford Church, they are going to get neglected down the road. When I sold the property, I thought that it was going to be converted into an apartment. It is back on the market, so someone is flipping it. They have the right to do that. The only problem is that I do not think that anyone is going to be putting the big dollars into those buildings until they get sold for apartments or another use. And if we turn around and start telling people that they have to put back the exact same windows that were there, which is required by DHR, I am afraid that some of these properties are going to fall into total disrepair. Because it is expensive to follow the rules but if they are going to turn them into apartments or a good use that have tax credits then those are the advantages to it. I spent my own money to have a historic designation on that property. We went for a 'C-Class' and they updated us to an 'A-Class'. It would be good to have something to say to a new developer on the property. But I don't think you want to put this burden on somebody that has to maintain it for the upcoming years until it is resold. They are going to have to come before us and spend all this extra money just to maintain it. That is pretty much what I have to say. Any questions?"

Eric Williams, 606 Harding Street, stated, "My personal residence is on this list. I do appreciate what you are trying to do here in protecting me in the overall longevity in Petersburg with architectural relevancy and what not. My frustration is that in the evenings after work and on the weekends my hands have calluses from working in the yard and working on this house. I heard that there is an implication to change the way I am able to maintain this house moving forward. No one has reached out to me or knocked on the door or anything. The gentleman here, I do not know what the implications are. May be in the future I can meet with you or perhaps we can have this conversation ahead of time and then reconvene and make a final decision. That's all."

Bruce Richardson, 844 Miller Street, stated, "I listened to some of the comments and I heard the comments regarding understanding the differentiation between being on the national historic registry. I will tell you as a real estate broker that we find many instances that properties are designated as historic are sometimes more troublesome and challenging to sell. I am telling you. I took this information from the National Association of Realtors. And I would only ask that you all be cognizant of that. Because the intrinsic concerns from looking at an exterior of a historic is not the same as a typical parcel. And there are many times that State Historic Preservation requirements that shall be adhere to and that can be local ARB requirements that should be adhere to. A community where we have challenges with resale, real estate taxes, and things of that nature, one may see this as an additional layer of challenges. And so, I just ask that you be cognizant of that. Thank you for your time this evening."

Seeing no hands, Mayor Parham closed the public hearing.

There was discussion among the City Council, staff, and Mr. Battiston.

Council Member Myers made a motion to table until a future date. Vice Mayor Hill seconded the motion.

Council Member Cuthbert made a motion to table until the second meeting in May in order to allow time for council to consider this carefully and to give notice to the effected property owners. Council Member Jones seconded the motion. The motion was approved on roll call. On roll call vote, voting yes: Cuthbert, Jones, Smith-Lee, Westbrook, and Parham; Voting No: Myers and Hill

- f. A public hearing on the consideration of an ordinance authorizing the City Manager and City Attorney to take all necessary action to facilitate the conveyance of an easement to Dominion Energy at 125 N. Union St. parcel ID 011-250041.

BACKGROUND: This easement is needed to construct, maintain, and operate equipment necessary for the provision of services for the Petersburg Hotel project.

RECOMMENDATION: To approve the conveyance of an easement at 125 North Union Street, parcel ID 011-250041.

Randall Williams, Department of Public Works and Utilities, gave a brief overview of the request to adopt the ordinance authorizing the City Manager and City Attorney to take all necessary action to facilitate the conveyance of an easement to Dominion Energy at 125 N. Union St. parcel ID 011-250041.

Mayor Parham opened the floor for public comments.

Seeing no hands, Mayor Parham closed the public hearing.

There was discussion among the council and staff.

Council Member Myers made a motion to approve the request and ordinance. Council Member Westbrook seconded the motion. The motion was approved on roll call. On roll call vote, voting yes: Jones, Smith-Lee, Myers, Westbrook, Hill, and Parham; Abstain: Cuthbert

Council Member Cuthbert stated, "I abstain and the city attorney tells me that I have to say why. And the reason is, this is my brother's hotel project. Technically it is not a conflict of interest but I do not think it looks right for me to vote on it, so I am abstaining."

23-ORD-15 AN ORDINANCE TO AUTHORIZE CONVEYANCE OF AN EASEMENT TO DOMINION ENERGY VIRGINIA IN FURTHERANCE OF THE HOTEL PETERSBURG PROJECT.

- g. A public hearing on the consideration of an ordinance authorizing the City Manager and City Attorney to take all necessary action to facilitate the conveyance of an easement to Dominion Energy at 920 E. Wythe St., parcel ID 012-340006.

BACKGROUND: This easement is needed to construct, maintain, and operate equipment necessary for the provision of services for the City of Petersburg Public Schools.

RECOMMENDATION: To approve the conveyance of an easement at 920 E. Wythe Street, parcel ID 012-340006.

Randall Williams, Department of Public Works and Utilities, gave a brief overview of the request to adopt the ordinance authorizing the City Manager and City Attorney to take all necessary action to facilitate the conveyance of an easement to Dominion Energy at 920 E. Wythe St., parcel ID 012-340006.

Mayor Parham opened the floor for public comments.

Seeing no hands, Mayor Parham closed the public hearing.

Vice Mayor Hill made a motion to approve the ordinance as proposed. Council Member Myers seconded the motion. The motion was approved on roll call. On roll call vote, voting yes: Cuthbert, Jones, Smith-Lee, Myers, Westbrook, Hill, and Parham

23-ORD-16 AN ORDINANCE TO AUTHORIZE CONVEYANCE OF AN EASEMENT TO DOMINION ENERGY VIRGINIA IN FURTHERANCE OF THE CITY OF PETERSBURG PUBLIC SCHOOLS.

- h. A public hearing amending the FY23 budget to appropriate additional local match funding to Petersburg Public Schools in the amount of \$,665,419 as well as additional State aid received for the Petersburg Library in the amount of \$43,178 for March 21, 2023.

BACKGROUND: The total budget for Petersburg City Public Schools is \$91,050,600 which includes the following breakdown:

Local Fees: \$66,000
Erate: \$225,000
Sales Tax: \$5,420,137
State: \$42,278,401
Federal: \$55,000
City Transfer: \$10,000,000
Food Service: \$2,927,000
Grants: \$30,079,062

was approved and appropriated by Council on May 24, 2022. The local match requirement rose to \$11,665,419 for FY23.

Additional State aid received for the Petersburg Library in the amount of \$43,178.

RECOMMENDATION: For the council to approve the ordinance and appropriate additional funding for the schools.

Stacey Jordan, Chief Financial Officer, gave a brief overview of the request.

Jeff Ryder, Finance Director of Schools, gave a briefing on the request.

Mayor Parham opened the floor for public comments.

Yvette Wilson, 234 High Street, stated, "I am glad that this remedy was provided for the school system. I am hoping that future findings will be beneficial to our school system. I have been an elected official, so I know how hard the monies are hard to find but I know that through diligent efforts on the part of our council and our school board, money will be found. But it is more than money. It is an investment in Petersburg future. I heard you talk tonight about history. I heard you talk about buildings and construction and property. But your greatest asset is your youth. And if you do not begin investing in them now there will be no future. Because they deserve it. There is no blame for what has not been given or what has not been done. But you need to wake up and look in the mirror like I do. What am I doing to make a difference in where I am living and this world. And I thank you for this resource and I look forward to working with you in the future for funding the school system and all of its employees."

Richard Stewart, 129 Rolfe Street, stated, "It was very important that you all had the discussion last

Tuesday with a few of the members of the school board. I am not against it. I think that the schools should be getting everything that they can get and more. If I had some, I would give them some. What I am saying is that they explained that they had about a \$3 million surplus that had not been spent. But that they needed this, how does this add up with that other amount that you all spoke about last Tuesday.”

Seeing no further hands, Mayor Parham closed the public hearing.

There was discussion among city council and staff.

Council Member Cuthbert made a motion that council appropriate the \$43,178 for the Petersburg Library and table the issue of the appropriation of the \$1,665,419 until council's business meeting on April 18, 2023, to allow council to explore a Memorandum of Understanding with the school board. Council Member Westbrook seconded the motion. The motion was approved on roll call. On roll call vote, voting yes: Cuthbert, Jones, Smith-Lee, Myers, Westbrook, Hill, and Parham

23-ORD-17 AN ORDINANCE MAKING APPROPRIATIONS FOR THE FISCAL YEAR COMMENCING ON JULY 1, 2022, AND ENDING ON JUNE 30, 2023 IN THE AMOUNT OF \$43,178 FOR THE PETERSBURG LIBRARY.

- i. A public hearing and consideration of appropriation ordinance for the allocation of the 2nd Tranche of the ARPA funding provided to the city.

BACKGROUND: On March 11, 2021, the President of the United States signed into law the American Rescue Plan Act (ARPA) to provide continued relief from the impact of the Covid-19 pandemic. Approximately \$350 billion of The ARPA funding was allotted to assist state, local, tribal, and territory governments in responding to the coronavirus pandemic. The City of Petersburg is due to receive a total of \$20,961,839 which will be delivered in two tranches.

RECOMMENDATION: Staff recommends City Council appropriate the funds as presented.

Stacey Jordan, Chief Financial Officer, gave a brief overview of the request to adopt the appropriation ordinance.

Mayor Parham opened the floor for public comments.

Seeing no hands, Mayor Parham closed the public hearing.

Vice Mayor Hill made a motion to approve the ordinance as proposed. Council Member Myers seconded the motion. There was discussion after the motion. The motion was approved on roll call. On roll call vote, voting yes: Cuthbert, Smith-Lee, Myers, Westbrook, Hill, and Parham; Abstain: Jones

23-ORD-18 AN ORDINANCE MAKING APPROPRIATIONS FOR THE FISCAL YEAR COMMENCING ON JULY 1, 2022, AND ENDING ON JUNE 30, 2023, IN THE AMOUNT OF \$20,961,839.

- j. A public hearing and consideration of an ordinance to amend and re-adopt the Petersburg City Code to add Chapter 21 to create an “Arts Council.”

BACKGROUND: To prepare throughout the city a plan to reestablish an art scenery and platform for sculptures and fine work germane to the period and modern day. As well as serve as the committee for holiday events and decorative sidewalks and buildings.

RECOMMENDATION: Recommend City Council to approve the ordinance to add Chapter 21 to create an “Art Council.”

Council Member Myers stated, “This is to create an Arts Council to help us to make decision with

respect to how the arts would empower our citizens and create community awareness for the arts in downtown and throughout the City of Petersburg.

Mayor Parham opened the floor for public comments.

Seeing no hands, Mayor Parham closed the public hearing.

Council Member Westbrook made a motion to approve the ordinance to create an Arts Council. Council Member Smith-Lee seconded the motion. The motion was approved on roll call. On roll call vote, voting yes: Cuthbert, Jones, Smith-Lee, Myers, Westbrook, Hill, and Parham

23-ORD-19 AN ORDINANCE TO AMEND AND RE-ADOPT THE PETERSBURG CITY CODE TO ADD CHAPTER 21 TO CREATE AN "ARTS COUNCIL."

9. **PUBLIC INFORMATION PERIOD:** A public information period, limited in time to 30 minutes, shall be part of an Order of Business at each regular council meeting. Each speaker shall be a resident or business owner of the City and shall be limited to three minutes. No speaker will be permitted to speak on any item scheduled for consideration on the regular docket of the meeting at which the speaker is to speak. The order of speakers, limited by the 30-minute time period, shall be determined as follows:
- a) First, in chronological order of the notice, persons who have notified the Clerk no later than 12:00 noon of the day of the meeting,
 - b) Second, in chronological order of their sign up, persons who have signed a sign-up sheet placed by the Clerk in the rear of the meeting room prior to the meeting.

Richard Stewart, 129 Rolfe Street, stated, "Last time I was here and I heard City Council and I heard the school board talk, I was very excited. But I look in the Progress-Index and I see all of these main events and things happening with the businesses downtown and grocery store downtown. I was asking if the public knew this. When you look at the federal government you have what you call a State of the Union address. Can we have a State of the City address that could invite the citizens, school board and city council to answer questions from them and to explain to them the many things that you all have achieved. Can you do that? Something like a State of the City. The mayor may have to do it and all of city council be there. I think that it would be the perfect thing because you all are on the right track. The other thing that I am concerned about is the speed in Petersburg and violence. Mr. Marlow the other night took my tears because he cried about someone in his organization of which some child got killed. Is there anything being done to improve upon the safety of Petersburg in this area. Because it bothers me, and I hope that something can be done. That speeding on Crater Road and South Crater Road and Sycamore Street and other places, I know that the State Troopers and the Police are doing the best that they can. Is there anything else that can happen to help to improve and stop the speeding down the streets. Because someone is going to get killed. Thank you."

Pete Stith, 4-H Club, stated, "I am not from Petersburg, but I eat enough at Church's and the Croaker Spot. I think you should just make me an honorary citizen and give me a key to this place so I can come anytime I want to. I am here because I want to introduce to someone of you and present to others the new director of the 4-H Center. I would like you to give her the whole three minutes. Ms. Dorothy Freeman wants me to tell you, Mr. Mayor, how much we appreciate you being on our board and we look for you to come back. We also brought you some nice peanuts. They are not North Carolina Peanuts; these are Virginia peanuts. And after you eat them put that empty pack on the refrigerator with the magnet so that you can see and remind yourself of the 4-H Center and come see us sometime. And before I introduce Dr. Guindon from Florida, I want to tell you I wish you good luck on the casino."

Kathy Guindon, Director of 4-H Camp, stated, "I am Kathy Guindon, the new director at the Airfield 4-H Center. I moved here and I spent 27 years in the Tampa Bay area of Florida. So, this is quite different, but I miss the seasons and I absolutely love being here. I serve you and your citizens of the Petersburg area. So, again I want to thank you Mayor. I have learned that you used to be on our board of directors and I definitely want to introduce our 4-H Extension Agent, Ms. Rosella Humbles, who just started recently. I am going to

make a plea that all of us in this room tonight and everybody that you all know go home and help me meet the goals and futures for Airfield. And a lot of that is getting in touch with Ms. Humbles over here in regard to our 4-H Center. My big vision is that 4-H Center is a camp. It is first and foremost a residential summer camp for kids. Tonight, I am sitting here and I learned that someone in this room said that the greatest asset in Petersburg is our youth. 4-H is to take our youth and help create tomorrow's leaders. They are the people that will be sitting in your chair someday. I have heard that teenage crime is a problem in Petersburg. Guess what let's get them involved in 4-H. We can get those hands busy with good things and helping to serve and give back to the community. And the best way to do that is to expose them to 4-H. I just learned as my new role here that about 50% of the youth are exposed to 4-H by coming to summer camp. Our camp has not been filled for a very long time. Ms. Humbles, as we got 176 bunks to fill for the week that Petersburg youth are at the center. I am willing to work with you in any way, shape, or form to try and get you here. I do not believe that there is a shortage of children in the 16 jurisdictions that the Airfield Center serve. And I am super excited to be here. I come to Petersburg on some Friday evenings. Some of my new friends that I met live here, and they are trying to recruit me to some of these good neighborhoods that I have been hearing about. Second, we will continue to do our excellent customer service for our conference and retreat center. You can come out and visit. Actually, one of you has come out and visited already to help us out with trying to improve our center. And moving forward I really want to make Airfield a destination. A destination for you, our local businesses, regional businesses, tourists, citizens, to come out and we are trying to create new and engaging environmental education programs for all ages. We have got 200 acres of wood and 100 acres of water. I firmly believe that it is a really beautiful place that a lot of people do not know exists not very far from here. It takes a team, and I am now part of your team. I look forward to working with you in trying to get some more folks out to Airfield and serving you in any way that we can. If you are in the area please stop by and visit. We will give you a tour and we will give you lunch. We will do whatever we can. I am thankful to be part of the neighborhood. Thank you."

Mayor Parham stated, "Thank you so much Kathy. We finally have an extension agent. That changes things in Petersburg. Welcome aboard. 4-H Camp was special to me. I went every year in Petersburg. I went when I was a kid and participated in the water Olympics and won the team spirit stick. So, it's things like that I love to get our kids back outside and away from TV and social media and all that stuff. Thank you all for your commitment to serving our community. Mr. Stith, make sure that they get my information so that we can connect them with our Parks and Recreation Director, Marquis Allen. He is not here tonight. But I want to connect that because he is working with our youth along with incorporating schools. Thank you again."

Otis Hill, 2306 N. Whitehill Drive, stated, "Good evening. I am deaf and my name is Otis Hill. I noticed that there are some people that are deaf that live in houses and they have alarm systems for safety. They have carbon monoxide, carbon dioxide and gas alarms for safety. They are very important. I contacted the Virginia Department for the Deaf and Hard of Hearing to see if they have any of those alarms for the deaf in this area and the fire department as well. And neither of them has those to provide for the deaf. So, I am trying to find out where we can get them. The people that have homes in Petersburg can have flashing alarms for the carbon monoxide safety alarm. It is very important for deaf people to have visual alarms. So, I wanted to ask about that and also for HUD houses. And for Section 8 houses as well. There are programs that provide those. Secondly, according to the census in this area if there is a hurricane or something happens, how many deaf people live in Petersburg. Has there been a count of how many deaf people live in Petersburg? Because if a hurricane came for safety purposes, how would they be contacted to be able to know that there is a hurricane or an emergency. So, does the City of Petersburg know where the deaf people live to be able to be contacted if something happens? I would really like to make sure that our police department, who are around highways and streets, know how to communicate with the deaf when they pull them over to find out that something has happened. How do police officers communicate with people that are deaf. Police officers do have visor cards. And I was going to bring some to show to you, but I can bring that in April to see how the police officer or first responder can communicate with deaf people. Those are the three things that I wanted to bring up. So, thank you for hearing me out tonight."

Bruce Richardson, 844 Miller Street, stated, "I am going to lead in by saying that 35.9% of Petersburg residents are own occupant based on the US Census Bureau. That is a little bit over a third. Why is that important? On Saturday, April 1st from 10am to 4:30pm, we will be offering a homebuyer education course right here at the library on the second floor. It is so important because you have many residents who are wage

earners who have not learned the steps nor the process of homeownership. They have been built into a society of believing that rental is the only option. And it is time for that to come to an end. Not only was I born and raised on The Heights in Petersburg, but I also contributed a lot to my community and a lot to the youth. But I think that one of our greatest attributes to our families is the opportunity for homeownership. It is the American dream. It provides a sense of building equity and legacy for your family. So, once again this course is free. There is no cost. Your Mayor has blessed us in the past by giving open comments in the past. Hopefully, he can attend this Saturday, April 1st. But this class or course is to encourage city employees, healthcare workers at South Regional Medical Center, law enforcement and firefighters to look at homeownership. There are many in our community that earn a great wage but have yet to pursue homeownership. And I say really the importance of this class is really to learn the process. There are so many that believe I cannot buy a house because I have bad credit. There is nothing further from the truth. There is a second notion of I cannot buy a house because I do not have a prerequisite downpayment assistance. Well come to this course. We are offering \$12,500 in downpayment to those who meet lender eligibility requirements and credit worthiness. And we will give each participant in this course a certificate that is valid for two years. I am not new to doing these courses in Petersburg. We have done them throughout the state. I take a particular interest in doing these courses and giving opportunities to those in the community that reared me and that led to my success. So, it is important. Tell your city employees city manager that this is a free class. I hope that we will see a great attendance. And I will tell you that there are several ways that you can register but there are forms that accompany me tonight. And it is as simple as clicking on a QR Code. And it will tap you right into our registration. I would like to leave several of my forms on the back table. Thank you all again for your time this evening."

Mayor Parham stated, "Thank you so much Mr. Richardson. We always appreciate all that you do for the City of Petersburg. We were together last summer for the baseball team that you sponsored and we thank you for your commitment. You see Ms. Joanne Williams in the back. If you can, take that to her and we can put it up on the website for you. And I am going to turn it over to Mrs. Lucas right now, our esteem clerk for a comment."

Mrs. Lucas stated, "I would like to speak on Mr. Richardson comments. Actually, five years ago on April 1st, I attending his homebuyers class at the Petersburg Area Transit. And two months later, I purchased my home. The classes are very informative. It was very easy. There were a lot of questions asked by the participants as well as myself. And you get a book that actually explains everything and has all the answers to it. It was a very informational class and it helped me to purchase my first month."

Mayor Parham stated, "That is a great testimonial. Thank you, Mr. Richardson. Also, we have Ms. Mary Howard of our housing authority right here. You can give her one as well to pass around to anybody."

10. BUSINESS OR REPORTS FROM THE MAYOR OR OTHER MEMBERS OF CITY COUNCIL:

Council Member Cuthbert stated, "First, I want to tell council and the public that Councilman Marlow Jones and I will host joint ward meeting at Bethany Missionary Baptist Church, a week from tonight. So, it will be Tuesday, March 28th at 5:30pm. Bethany Missionary Baptist Church is at 613 East Wythe Street. The meeting will take place at the Norma Freeman Hall. Those attending should enter the church door on the west side of the church. All citizens of Petersburg are invited to attend regardless of their ward. The focus of the meeting is going to be on blighted buildings and efforts by the city to eliminate that blight. As well as anything else dealing with local government that the public cares to bring forward. And representatives of the City Manager's Office, the Petersburg Police Department, Department of Public Works, and Neighborhood Services will be present. There was an ad in the newspaper and I appreciate the Clerk of Council placing that in the paper this morning. I think there will be another one next Sunday. So, please pass the word. We would love to see you in attendance with questions and issues. And Councilman Jones and I will do our best to address them. The second thing, if you know of any streetlights in Petersburg that are out, take a photograph of them with your cellphone and email me the photograph. And I will forward it on to the city administration. I found ten street lights within a block of the old trailways bus station that were not burning. I took a photograph of each and forwarded them on to the city administration. So, we can brighten our city and I think address crime in our city in that fashion. The last thing that I want to talk about is blight. And I would ask Mr. VanVoorhees if he

would put up on the screen 132 South Little Church Street. I want to put up six buildings here and just let the public see the condition of them. This is the east side of 321 Grove Avenue. Show the public and council the other views. This is the backside. That is the front. The windows are wide open in the front. And then we have got the west side and those windows on the second floor are wide open. This is a remarkable structure. When you stand in the backyard and you can look past all the junk that has accumulated you can see the Appomattox River. Let's go to 132 Little Church Street in Blandford. Let's go to 29 Liberty Street. Now this is the back of 29 Liberty Street. Now we have moved into Ward 5. So, this is the back of 29 Liberty Street if you can believe it. Now, let's go to the front. Perhaps you can recognize the front. Now, let's go to 430 South Sycamore Street. Again, in 5th Ward. This is the back of 430 South Sycamore Street. Let's go to the front. You see many of the windowpanes knocked out. But you do not realize how bad it is until you go around and walk around the back. Let's go to Ward 6 and talk about 503-505 Halifax Street. You got that here in front of you. Now, let's go to 1491 Halifax Street. The blight that you have seen did not develop overnight. And yet over the many years the blight that you just seen did develop the city administration has not asked the court to order the owner to fix up the properties that I have just shown you. Have not brought a single one of them to court. Now, the bottom line is that throughout Petersburg, and it is not just in Ward 4, but as you saw it's in the Blandford area, Ward 5 and Ward 6 and it could well be in other areas of the city. I can probably bring forward photographs of 100 buildings that are in pretty bad shape if I had the time to do it. But I just want to make the point. The bottom line is that throughout our city, our city administration needs to address blight much more aggressively by taking property owners to court. Doing so will make our neighborhoods safer. It will make our neighborhoods more attractive. It will increase property values within our neighborhoods. It will increase our real estate revenues received by the city. And it will preserve Petersburg's unique and historic streetscape. The administration just has to do. We have got to take the buildings to court or bring the property owners to court. Or otherwise we will just have more of the same and we will lose what I just showed you pictures of. Mr. Mayor, thank you very much. I do not have anything more."

Council Member Jones stated, "Thank everyone for sitting here this long with us. I want to start off with an apology to you guys for our closed session time. Sometimes it goes long because we have to iron stuff out. There are things that if we were to rush it would be a discredit and disservice to you. I used to be one of the ones that used to sit out there and say that they are back there so long. And I realize that there are some points and some truths and facts before we come out here. We do not wish to keep you guys over the time period that we plan. So, please work with us as we get better. But we do not want to rush important issues back there. There are a lot of questions. So, I apologize on behalf of me and everybody else up here. I know that they feel the same way. I also want to piggyback off Council Member Cuthbert with the blight. I will be introducing a form to the council at the next work session on how to empower citizens to help us to identify and report blight. Not just regular blight but blight that we own as well. And that form will be given to you guys if it is approved by us. Another thing that I want to address is crime in the city. From December 2nd up until this month, we went that long without a homicide. And I would like to thank the citizens for exercising common sense and peace to go that long. And I would like to thank the police department for doing a lot with a little. We got to get that eight million dollar budget back to twenty. Same thing with the fire department. We are working on it. The next thing is, I want to thank Judge Martin, Bill Lawson, Circuit Court Clerk, Ex Circuit Court Clerk Benjamin Scott, Coach Michael Scott, Coach Winfield, and Marquis Allen for facilitating middle school football. It was mentioned earlier when that program came back a lot of the crime went down. I would like to also add that I did purchase helmets and shoulder pads and donated it to that program out of my own funds. I was tagged on social media about this young group and I want to apologize to the lady if she is in here. We have an eight year old football team that went to Florida and won the championship. And they deserve to be recognized like everybody else and we skipped over them. So, hopefully we can get them in here and honor those little guys. Because it is important that we show them that we care and that we see them. I will contact her and make sure we can get her in here. But the team is called 'The Burg Boyz'. The age group is eight and under. Lastly, we are putting together a Mother's Day Concert the Sunday before Mother's Day. Other than that, I want to say thank you to my comrades up here who have been assisting me and making this a smooth transition. A lot of people thought I was going to come here and be a rebel and I am. But I am also a team player. I just want the truth. I want the facts and I am going to ask the facts. And I want to speak on the salaries that I saw in the newspaper. I am not going to go into detail about it but I feel that if you are making that much money as a supervisor you should be here. This City Manager cannot get the word out from all of us fast enough. Faster than it could be if those department heads were here. See the employees that do not make

that money, it is a benefit to them to be able to go home at 5pm and not have to come to a council meeting. You are not making the money. But when you are here, help leadership out so that you can get the sense of direction out to your employees. And that is probably something that I could have said to you back there, but I am going to say it right here because that is the rebel in me coming out. If they are making that money we want to see them here. They owe that to you guys. You may have questions for them before it even gets to use. It is called responsibility and accountability. Right now, we are on it with employee accountability. That is why I abstained from these numbers right here. Because I see the numbers, but I do not see the results. I do have to give a special shoutout to the Mayor and Vice Mayor and the City Attorney. The City Attorney reached out to me first when I won the election to give me an orientation. The Mayor and Vice Mayor has been what you think they should be which is a mentor. I am learning this stuff quickly. And not just those two, then I got my buddy here beside me. I almost knocked him out in court one day. But we ironed that out. And then I have everybody down here, Myers, Westbrook and Mrs. Annette. Regardless of what anyone may think on social media and in this room, I think that I was the missing piece to this team. And it is my duty, job, and aim to make sure we get a lead on truth. Thank you."

Council Member Westbrook stated, "Thank everybody for coming out. Council Member Myers I am going to make my first shoutout. I appreciate you starting the Arts Council. Council Member Jones I am all for definitely for highlighting our youth. That is what I try to do every time that I have this microphone once a month at these meetings. So, I do understand that there is a lot of attention always given to basketball and football. But I am going to keep hollering for the arts and the sport of speech and debate. And I say that because this Saturday, as I mentioned last month, the Petersburg High Forensic Team are going to compete in the state tournament under the direction of Ms. Terri Smith. So, I hope that we can continue to support all the sports and activities of Petersburg youth so that they all can feel inclusive instead of just the main two breadwinners. I do wish those five young ladies all the support in the world and hopefully they bring back some state championships. So, when we honor that football team, we can honor them as well. On the HBCU level we did host the 5th Annual HBCU Speech and National Debate Tournament that has not been held in person since 2019. I do want to thank the city administration. I do not want to single anyone out and miss anybody, but I do have to call one. And that is Ms. Joanne Williams. She helped the administration team of the tournament. She was the one person I could call on. And even while she was in the General Assembly she helped get a lot of logistics to make sure that Petersburg was represented at that tournament. There are still a lot of negative stereotypes about Petersburg. I am sorry, Ms. Ella too. I hope that we will continue to shine that light over Petersburg. Overall with that tournament, Howard University did win the national championship. Morehouse, my alma mate, did win the debate portion of it. But Virginia State did win first place in speech in the sweepstakes. Which means that we did accumulate the most points and we won third place in the debate. Next up is just back to the city. I am complementing a lot of what my other council members have said. Spring people just started yesterday. It is time to start worrying about cutting your grass. Hopefully we will not have to put so much strain on public works and neighborhood services to get out there and stake yards. But hopefully as Council Member Jones said, we have to be a community. Call out your neighbors and say 'hey, its time to cut that grass before it gets too tall.' We want to make this city a more appealing and attractive place on the eyes. I know that the police are doing the best that they can. But I am seeing a lot of speeding on the Defense Road and Baylors Lane area. And that is a double line that you are not supposed to cross. And people will literally go around you on that S-curve and that back to Defense Road. I am like where are you going and what is the rush. We have to continue to make sure that we are hollering to the hills to slow down. To the youth, good luck. Probably by the next time we talk to you, you will be completing your first round of SOLs. I am not one that feels like we should be engaging our youths intelligence by a test. It can sometimes be outdated and not all inclusive to everybody. But then again it is a measuring rod. So, I do wish them good luck and hope they get great test scores. So, when the school board comes up here we can be a little less reluctant to say hey we need some measurables and return on investment on what the city is inputting into our youth. I do know everybody wants the youth to be properly educated. But we have to make sure that we have good stewards of this money. We cannot just be giving out money and there is no return on our investment in how our youth are being measured on SOLs. That is one of the first benchmarks."

Council Member Myers stated, "I do not have much Mr. Mayor. But I do want to defend Ward 5 as Mr. Cuthbert has pointed out that there are several houses in Ward 5 that are in a dilapidated state. Yes, because they were moved over to Ward 5 from Ward 4. However, I have to say that I appreciate most of my members

on council who served with me when we took down over 100 houses in Ward 5. And if you ride through Ward 5, I could not even find trash on the ground. And they are over there renovating and revitalizing Ward 5. So, I am very proud of what my tenure has done while I am there. Mary Howard, thank you very much for always being there with me and Mr. Mayor and everyone on council. So, let's not put a lot of emphasis on Ward 5 at this point because we are moving forward."

Council Member Smith-Lee stated, "And so is Ward 6. I have a house that is being built on Washington Street and it is nice across from Golden Skillet. I have two on Halifax Street. Those blighted properties that Mr. Cuthbert showed on the screen, believe me I have been doing my work to try to rectify and get those properties in tack. Ward 6 will have a ward meeting on May 6th at 6pm at Cool Springs Elementary School. And can all the department heads please stand. Lead by example, thank you and good job. The kids are going on spring break and I am so excited for them. And I will be going on spring break with them. But just be safe when you go. I want to give a shoutout to Blandford 6th grade. I was there and they are going to have a pep rally. Because when I went into the school it was kind of slow. And I was like they need something pumped up. And so, they are going to do a pep rally. If anyone wants to come there, it is going to be the Friday when their last day before they go on spring break. Thank you."

Vice Mayor Hill stated, "Thank everyone for being out today. Something just kind of shocked me today. During our Rules of Council, when we allow individuals to speak. I may have to see something in writing Mr. City Attorney allowing individuals to speak who do not have a business here and who is not on the agenda to present and who is not a resident. I have been on council for eight years. Even in our agenda it reads that you must be a resident or have a business here. But still this is the first time I have seen individuals come to the mic and we allow them to speak. Because I do not think that I can go to Richmond City Council and speak. I do not think that I can go to Chesterfield and speak. So, I am going to need something in writing so that we can be inline. Because if that is the case, we will have everyone in here speaking. This is Petersburg. If you have a business or are a resident, you should be able to speak. I may be wrong, and it may be something dealing with the state. But I have been on council for eight years and that is the first time. I even checked with the clerk and she said that was the first time. She has been here longer than all of us on council. Mr. Williams I would like to see something in writing with that. And I am pretty sure you will provide that information. I am not questioning you. Also, Ward 2 will be having a meeting coming up soon. I am just trying to secure a place. Because the place that I normally have they are not open to large crowds. So, I will come back to that. I guess we will have our Retreat in August at some time. I just have some questions on things to discuss during that time. And I do understand the blight situation. I understand Council Member Cuthbert and Jones with blight. I understand Council Member Jones being his code is basically code enforcement. He has been that missing piece when it comes to that. We really appreciate his words of encouragement and what have you. We work well together. All of us do. I am excited about the houses that are being built in the city. I am excited about the renovation that is being done in the city as well. But we still have some challenges that we must take care of. I never knew some of the houses look the way they looked on the back end. I was very enlightened. But I am excited about some of the things that are taking place in some of the wards including mines as well. Let's just keep up the good work."

Mr. Williams stated, "I did send during the meeting an email to all of council identifying the distinction of the public hearing and public comments. So, you should have that."

Vice Mayor Hill stated, "I appreciate that and thank you."

Mayor Parham stated, "At this time, I would like to recognize our Petersburg Police, Officer Cuba, and Officer Hall. Can you all just come up front for me? Because you all just have a lot of good things going. Chief Christian is not here but his guys are here representing for PD today. I want them to come forward because they have a lot of good things that are going on. Starting out this weekend, Petersburg Police is having what is called a Teen Town Hall right here at Petersburg Public Library. And it is a great event that Petersburg Police is putting on to get those comments from our young people. And building those relationships is keeping our community safe. So, I want to thank you all for that one. Also, while you are standing, they are also having the Petersburg Athletic League that is having before and after care during spring break. During that time, the Housing Authority will be providing transportation. The partnership will continue with a basketball camp with the

Kiwanis Club. It is a sunup to sundown program. Thank you, guys, for all you do. You do an excellent job around here. There is a lot going on starting with the Teen Town Hall and then we are coming back the following weekend with the Donamatrix Weekend of Events. We have Petersburg's own celebrity fitness trainer, Don Brooks, leaving Melrose, California to come to Petersburg to do his Donamatrix Festival. This year he is doing something special. He is doing a gala here at the library. It will be a black tie gala. All of the proceeds go to our youth with the Petersburg Parks and Recreation. All come out and support Don as he comes home to give back to his city that he loves. Then it is followed by the Donamatrix Training event at the high school the following day on April 1st. Spring is coming so it is time to get out and get active. It will be a great weekend to kick-off what is going to be a ton of events going on. Also, leading into April will be Petersburg Marathon and 5k. You all can get in shape now and run the marathon or 5k or walk it. You can register right now and there are discounted tickets. Now, I will give the rest of my time to Council Member Jones to do a follow up to Mr. Otis Hill and those smoke detectors."

Council Member Jones stated, "Mr. Hill, there are some photo electric sensor smoke detectors and combination detectors that you can get from Lowe's or you can order them from Amazon. They were pretty expensive, and they were around \$60 to \$100. They flash and vibrate."

Mayor Parham stated, "And also I am going to look to the City Manager on how many of our residents are deaf so may be we can provide them with those special smoke detectors to take the burden off of them."

Mr. Altman stated, "During Mr. Hill's comments, I wrote down the questions. So, we are going to look and see if we can do it through Social Services to see if we can identify the number of individuals that we have that are deaf. And Council Member Jones knows as far as the fire department that they have access to give out smoke detectors. We are going to look into that and I will check with Chief Magann. We will work on that and see what we can do to help."

Mayor Parham stated, "I know we do a smoke detector blitz. But we can work on getting those special detectors for the deaf. We are checking with the Red Cross as well. But we will come up with a way to provide those. Thank you so much for those comments, Mr. Hill."

11. ITEMS REMOVED FROM CONSENT AGENDA:

*There are no items for this portion of the agenda.

12. FINANCE AND BUDGET REPORT:

*There are no items for this portion of the agenda.

13. UNFINISHED BUSINESS:

- a. Consideration of an ordinance to amend and re-adopt the City Code to include Section 98-25-Bollards for Historic Properties.

BACKGROUND: N/A

RECOMMENDATION: To approve the ordinance to amend and re-adopt the City Code to include Section 98-25 Bollards for Historic Properties.

Reginald Tabor, Department of Planning and Community Development, stated, "During the February 21, 2023, City Council meeting, City Council requested that an ordinance and an item be brought back for your consideration. Since that time, we have done a little bit of research and looked at bollards and specifications and preliminary cost information. Unfortunately, we have not been able to compile as much information as we would like you to have as you consider this time. And we respectfully request that you table this item until your April meeting. So, we will have enough time to provide additional information."

Vice Mayor Hill made a motion to table the item until the April City Council Meeting. Council Member Myers seconded the motion. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Jones, Smith-Lee, Myers, Westbrook, Hill, and Parham

- b. Consideration of a resolution authorizing the City Manager to extend the development agreement between the City of Petersburg and Griffin Cigar, LLC for the property at 108 East Washington Street.

BACKGROUND: On July 2, 2019, the City of Petersburg entered into a development agreement with Griffin Cigar, LLC for the development of property located at 108 East Washington Street. The construction timeline was for a period not to exceed three years except by the written consent of the City as approved by Petersburg City Council (letter F). The development schedule calls for the project to be completed within three phases over a three-year period from closing on the building. Closing occurred on August 12, 2019, and as of November 15, 2022, a Certificate of Occupancy has not been obtained.

On December 13, 2022, The City Council approved an extension of one year with an automatic reversion back to the city if the project is not completed by December 13, 2023.

RECOMMENDATION: Staff recommends City Council adopt the resolution based on previous action taken December 13, 2022.

Brian Moore, Director of Economic Development, gave a brief update on the request.

There was discussion among city council and staff.

Council Member Myers made a motion to approve the resolution. Vice Mayor Hill seconded the motion. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Jones, Smith-Lee, Myers, Westbrook, Hill, and Parham

23-R-26 A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXERCISE THE RIGHT OF REVERSION AND AMEND THE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF PETERSBURG AND GRIFFIN CIGAR, LLC FOR THE PROPERTY AT 108 EAST WASHINGTON STREET.

- c. Consideration of an ordinance approving a Zoning Ordinance Text Amendment – To amend Article 15. – “B-2” General Commercial District Regulations, Section 2. Use Regulations, by changing permitted uses from those in the “B-1” Shopping Center District to those permitted in the “R-3” Two Family Residence District and requiring a Special Use Permit for Multi Dwelling in B-2 and B-3 districts.

BACKGROUND: The City of Petersburg Code of Ordinances Appendix B. Zoning includes Article 15. “B-2” General Commercial District Regulations. The purpose of this district is to provide sufficient space in appropriate locations for all types of commercial and miscellaneous service activities, particularly along certain existing major streets where a general mixture of commercial and service activity now exists, but which uses are not characterized by extensive warehousing, frequent heavy trucking activity, open storage of material, or the nuisance factors of dust, odor and noise associated with manufacturing.

Currently, within the regulations, Section 2. Use regulations. State that “A building or premises shall be used only for the following purposes: (1) Any use permitted in the “B-1” Shopping Center District and “RB” Office-Apartment District.” The RB District permits (1) Any use permitted in the “R-5” Multiple Dwelling District. Currently there are 805 parcels in the City of Petersburg zoned B-2 General Commercial District. These parcels are generally located along commercial corridors, including Washington Street, Wythe Street, Halifax Street, S Crater Road, County Drive, Wagner Road and Rives Road. The 2014 Comprehensive Plan Future Land Use Plan designates properties zoned B-2 as Commercial, Development Corridors and other uses.

The RB district permits multi-family residential development by-right. This amendment would change the by-right residential use to Single-Family and Two-Family residence, and require a Special Use Permit for Multi-Family uses.

Pursuant to the requirements of Title 15.2-2204 of the Code of Virginia, as amended, the Planning Commission held a public hearing on January 5, 2023 and considered a resolution recommending approval of the amendment to the Code, and the public hearing was advertised, in accordance with applicable laws.

The Planning Commission voted to recommend approval of the Text Amendment.

RECOMMENDATION: It is recommended that the City Council schedules a Public Hearing and considers an amendment to the City Code Appendix B. Zoning by changing permitted uses from those in the "B-1" Shopping Center District to those permitted in the "R-3" Two-Family Residence District and requiring a Special Use Permit for Multi Dwelling in B-2 and B-3 districts.

Reginald Tabor, Department of Planning and Community Development, gave an overview of the request.

There was discussion among city council and staff.

Council Member Cuthbert made a motion to approve the ordinance. Council Member Jones seconded the motion. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Jones, Smith-Lee, Westbrook, Hill, and Parham; Abstain: Myers

23-ORD-20 AN ORDINANCE APPROVING A ZONING ORDINANCE TEXT AMENDMENT – B-2 ZONING DISTRICT TO AMEND PERMITTED USES FROM RB TO R-3 AND REQUIRING A SPECIAL USE PERMIT FOR USES PERMITTED IN THE R-5 ZONING DISTRICT, INCLUDING MULTI-FAMILY RESIDENTIAL USES.

- d. Consideration of approval of a Commonwealth of Virginia Department of Environmental Quality Grant Contract and authorization for the City Manager to execute the Agreement.

BACKGROUND: The City of Petersburg is completing the update of the Comprehensive Plan, which includes as required by State Law, Chesapeake Bay Preservation Act water quality protection provisions.

The Bay Act provides a comprehensive, regulatory approach to addressing nonpoint source pollution that includes sound land use management, water quality protection, the protection of wetlands and other environmentally sensitive lands, preserving riparian buffers, maintaining septic systems, and improving development designs. Local governments are responsible for implementation and funding of the program.

This grant provides funding assistance focused on the City of Petersburg Comprehensive Plan Natural Resources/Environmental Stewardship chapter update to comply with the Chesapeake Bay Preservation Act.

RECOMMENDATION: It is recommended that the City Council approves the Commonwealth of Virginia Department of Environmental Quality Grant Contract and authorization for the City Manager to execute the Agreement.

Council Member Myers made a motion to approve the Commonwealth of Virginia Department of Environmental Quality Grant Contract and authorization for the City Manager to execute the Agreement. Vice Mayor Hill seconded the motion. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Jones, Smith-Lee, Myers, Westbrook, Hill, and Parham

14. NEW BUSINESS:

- a. Consideration of a resolution authorizing the City Manager to execute a Special Warranty Deed between the City of Petersburg and the Petersburg Redevelopment and Housing for property designated as Lot 4 on the property addressed as 1400 Farmer Street, the location of the Pecan Acres Housing Development.

BACKGROUND: The Petersburg Redevelopment and Housing Authority is proposing to deed the parcel identified as Lot 4 at 1400 Farmer Street, Parcel Identification Number: 046040014 to the City of Petersburg. The property was originally deeded to the Petersburg Redevelopment and Housing Authority by The Vector Company, Inc. in 1973. The property became the location of the Pecan Acres Housing Development.

The Petersburg Redevelopment and Housing Authority is replacing many of the units and funding does not permit property on the redevelopment project site to be located within a floodway. Lot 4 has been identified as being partially located within a floodway. This deed would remove the parcel from the project site.

RECOMMENDATION: It is recommended that the City Council adopts the resolution authorizing the City Manager to execute the Warranty Deed.

Vice Mayor Hill made a motion to approve the resolution. Council Member Myers seconded the motion. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Jones, Smith-Lee, Myers, Westbrook, Hill, and Parham

23-R-27 A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A SPECIAL WARRANTY DEED BETWEEN THE CITY OF PETERSBURG AND THE PETERSBURG REDEVELOPMENT AND HOUSING AUTHORITY FOR PROPERTY DESIGNATED AS LOT 4 ON THE PROPERTY ADDRESSED AS 1400 FARMER STREET, THE LOCATION OF THE PECAN ACRES HOUSING AUTHORITY.

- b. Consideration of an appropriation for a High Hazard Potential Dam (HHPD) Grant awarded by the Federal Emergency Management Agency (FEMA) and allocated by the VA Department of Conservation and Recreation in the amount of \$92,137.50 to be used for design costs associated with the ultimate improvements to bring the Wilcox Lake Dam into compliance with the VA Dam Safety Regulations – 2nd Reading

BACKGROUND: In 2021, FEMA awarded NDSP funding to DCR to protect American lives and their property from the risks associated with dams. The HHPD Grant Program provides assistance for technical, planning, design and other pre-construction activities as well as planning and outreach.

DCR recognized the need of the City of Petersburg to get funding assistance for Wilcox Dam, and in turn awarded \$92,137.50 for the estimated cost of the eligible activities mentioned above. There is a city match requirement of \$49,612.50 – the total amount of funding needed for the grant project is \$141,750.00. This grant allocated by DCR is a reimbursement grant requiring the funds be expended by the locality and then reimbursed quarterly.

RECOMMENDATION: Request council adopt the attached appropriation ordinance in the total amount of \$92,137.50.

Darryl Walker, Stormwater Program Manager, gave an overview of the request.

Council Member Westbrook made a motion to approve the ordinance. Vice Mayor Hill seconded the motion. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Jones, Smith-Lee, Myers, Westbrook, Hill, and Parham

23-ORD-21 AN ORDINANCE, AS AMENDED, SAID ORDINANCE MAKING APPROPRIATIONS FOR THE FISCAL YEAR COMMENCING JULY 1, 2022, AND ENDING JUNE 30, 2023, IN THE

GRANTS FUND IN THE AMOUNT OF \$92,137.50.

- c. Consideration of a resolution to approve National Opioid Settlement – Teva and Allergan – CVS, Walgreens and Walmart.

BACKGROUND: In year 2021, the City of Petersburg adopted resolutions 21-R-93 and 21-R-94 authorizing the City's participation in the National Opioid Settlement involving Johnson & Johnson/Janssen and Cardinal, AmerisourceBergen and McKesson. The Office of the Virginia Attorney General has tentatively reached additional settlements with Teva, Allergan, CVS, Walgreens, and Walmart.

The Settlements require the settling Manufacturers and Pharmacies to pay billions of dollars to abate the opioid epidemic. The Settlements total over \$20 billion. Of this amount, approximately \$17 billion will be used by participating states and subdivisions to remediate and abate the impacts of the opioid crisis. Depending on participation by states and subdivisions, the Settlements require:

- Teva to pay up to \$3.34 billion over 13 years and to provide either \$1.2 billion of its generic version of the drug Narcan over 10 years or an agreed upon cash equivalent over 13 years;
- Allergan to pay up to \$2.02 billion over 7 years;
- CVS to pay up to \$4.90 billion over 10 years;
- Walgreens to pay up to \$5.52 billion over 15 years; and
- Walmart to pay up to \$2.74 billion in 2023, and all payments to be made within 6 years.

As provided under the Agreements, these figures are net of amounts attributable to prior settlements between the Defendants and certain states/subdivisions, and include amounts for attorneys' fees and costs.

The Settlements also contain injunctive relief governing opioid marketing, sale, distribution, and/or dispensing practices.

The specific amount of funds that will be disbursed to the City as a participant will depend, among other things, upon the number of localities participating in the settlement. In order to participate in the settlement, the City must submit all required documentation (including adopting the attached Resolution on or before April 18, 2023).

RECOMMENDATION: Adopt the resolution.

Anthony Williams, City Attorney, gave an overview of the request.

Council Member Jones made a motion to approve the resolution. Vice Mayor Hill seconded the motion. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Jones, Smith-Lee, Myers, Westbrook, Hill, and Parham

23-R-28 A RESOLUTION OF THE PETERSBURG CITY COUNCIL APPROVING OF THE CITY'S PARTICIPATION IN THE PROPOSED SETTLEMENT OF OPIOID-RELATED CLAIMS AGAINST TEVA, ALLERGAN, WALMART, WALGREENS, CVS, AND THEIR RELATED CORPORATE ENTITIES, AND DIRECTING THE CITY ATTORNEY AND CITY MANAGER TO EXECUTE THE DOCUMENTS NECESSARY TO EFFECTUATE THE CITY'S PARTICIPATION IN THE SETTLEMENTS.

15. CITY MANAGER'S AGENDA:

- a. Presentation of TLC Renewal 2023-2024.

Lakishah White, Human Resource Director, gave an overview of the TLC Renewal.

Key notes:

- The decision for Local Choice is needed by April 5th.
- The Local Choice (TLC) renewal is calling for an 8.8% increase, or \$418,944 to current. It reflects a 1.0% one-time adjustment from TLC.
- LiveHealth Online will include dermatology visits.
- Expanded virtual care options – in-app medical text chat for on-demand 24/7 urgent care as well as scheduled follow-up visits for wellness, prevention, and chronic condition care.
- The recommendation is to choose Option C – Continue with TLC offering the two current plan options (Key Advantage 500)(Key Advantage 1000)
- The contribution would be to keep employees' contributions as is and the city absorbs the increase. This will allow the city to be positioned to retain and attract new talent.
- Future planning: Provide education on the high deductible health plan and Health Savings Accounts to provide a better understanding of this future option.
- Review the market for potential options outside of TLC.

There was a discussion among council and staff.

Council Member Cuthbert made a motion to table for discussion for the April 4th Closed Session. Vice Mayor Hill seconded the motion. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Jones, Smith-Lee, Myers, Westbrook, Hill, and Parham

16. BUSINESS OR REPORTS FROM THE CLERK:

Mrs. Lucas stated that she has no items.

17. BUSINESS OR REPORTS FROM CITY ATTORNEY:

Mr. Williams stated that he has no items.

18. ADJOURNMENT:

City Council adjourned at 9:19 p.m.

Clerk of City Council

APPROVED:

Mayor



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: April 4, 2023

TO: The Honorable Mayor and Members of City Council

THROUGH: March Altman, Jr., City Manager
Tangela Innis, Deputy City Manager
Brian Moore, Director of Economic Development

FROM: Reginald Tabor

RE: **A request to schedule a Public Hearing and consideration of an ordinance approving a petition to rezone the property located at 113 W Bank Street from M-1 to PUD for April 18, 2023. (Page 54)**

PURPOSE: To consider an ordinance approving the petition to rezone the property located at 113 West Bank Street from M-1 to PUD.

REASON: To comply with policies, procedures and laws regarding the rezoning of properties.

RECOMMENDATION: It is recommended that the City Council schedules a Public Hearing and considers an ordinance approving the petition to rezone the property located at 113 West Bank Street from M-1 District to Planned Unit Development (PUD).

BACKGROUND: The City of Petersburg received a Petition from Waukeshaw Development, Inc. to rezone the property located at 113 West Bank Street from M-1 to PUD.

The proposed use is mixed-use. Per the Petitioner, the current zoning of M-1 is obsolete and it is not viable for manufacturing. They believe the highest and best use of the property is mixed-use. The current zoning, M-1 District, does not permit residential use. Impacts would include removal of blight, and reinvestment in the neighborhood. The project will serve to protect and preserve the historic character of the neighborhood. The proposed development would add market rate residential units in the historic downtown.

The Planned Unit Development District, by offering developers the opportunity to overcome traditional zoning limitations, is intended to encourage innovative design approaches to large-scale subdivisions and commercial development. Planned Unit Development may be permitted on tracts of at least ten (10) acres which are under unified ownership or control.

The minimum number of acres required should be waived because a planned unit development is in the public interest and that one or more of the following conditions exist: (1) Because of unusual features of the property itself or of the neighborhood in which it is located, a substantial deviation from the regulations otherwise

applicable is necessary or appropriate in order to conserve a physical or topographic feature of importance to the city; (2)The property or its neighborhood possesses an historical character, that is of importance to the community, which will be preserved and protected by a planned unit development; or (3)The property is adjacent to or across the street from property which has been developed or redeveloped under the Planned Unit Development District, and a planned unit development will contribute to the maintenance of the amenities and values of the neighboring property. The acreage requirement could be waived because the property and the neighborhood possess an historical character, that is of importance to the community, which will be preserved and protected by a planned unit development.

The Planning Commission will consider a resolution recommending approval of the petition during the April 6, 2023 Planning Commission meeting.

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: Revenue from the redevelopment of the property.

CITY COUNCIL HEARING DATE: 4/18/2023

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: City Assessor, Economic Development, Planning and Community Development

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: City Code Appendix B: Zoning

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. 0404_2023OrdinanceRezoning113WBankSt
2. 0418_2023AgendaItemSummary113WBankSt
3. 0323_2023PetitionPUD113WBankSt
4. 0323_2023AerialPhoto113WBankSt

AN ORDINANCE APPROVING A PETITION TO REZONE PROPERTY IN THE CITY OF PETERSBURG, LOCATED AT 113 WEST BANK STREET, PIN 011130038, FROM LIGHT MANUFACTURING DISTRICT (M-1) TO PLANNED UNIT DEVELOPMENT DISTRICT (PUD)

WHEREAS, the City of Petersburg received a petition to rezone the property located at 113 West Bank Street, PIN 011130038, from Light Manufacturing District (M-1) to Planned Unit Development District (PUD); and

WHEREAS, the proposed use is mixed-use, and per the Petitioner, the current zoning of M-1 is obsolete, and it is not viable for manufacturing; and

WHEREAS, the Petitioner believes that the highest and best use of the property is mixed-use, however the current zoning, M-1 District does not permit residential use; and

WHEREAS, the impacts would include removal of blight, and reinvestment in the neighborhood; and

WHEREAS, the proposed use will serve to protect and preserve the historic character of the neighborhood, and it would add market rate residential units in the historic downtown; and

WHEREAS, the Planned Unit Development District is intended to encourage innovative design approaches to large-scale subdivisions and commercial development; and

WHEREAS, the Planned Unit Development may be permitted on tracts of at least ten (10) acres which are under unified ownership or control, however, the minimum number of acres required may be waived if the property and the neighborhood possess an historical character, that is of importance to the community, which will be preserved and protected by a planned unit development; and





WHEREAS, the Planning Commission will consider a resolution recommending approval of the petition during the April 6, 2023, Planning Commission meeting.

NOW THEREFORE BE IT ORDAINED that the City Council of the City of Petersburg hereby approves the petition to rezone the property located at 113 West Bank Street, PIN 011130038, from Light Manufacturing District (M-1) to Planned Unit Development District (PUD).



City of Petersburg Planning Commission Agenda Item

Case No: 2023-REZ-02
Public Hearing Date: April 18, 2023
Property Address: 113 W Bank Street
Parcel ID: 011130038
Agent: Mr. John McCormack

Request		Staff Recommendation	
Petition to rezone property from M-1 to PUD		TBD	
Summary of Proposal			
A Petition to rezone the property located at 113 W Bank Street from M-1 to PUD. The proposed use is mixed-use. Per the Petitioner, the current zoning of M-1 is obsolete, and manufacturing is not a viable use for the property. They believe the highest and best use of the property is mixed-use. The current zoning, M-1 District does not permit residential use. Impacts would include removal of blight, and reinvestment in the neighborhood. The project will serve to protect and preserve the historic character of the neighborhood. The proposed development would add market rate residential units in the historic downtown.			
Parcel ID		Acreage	Current Zoning Designation
011130038		.45 acres	M-1 Light Manufacturing District
			
Photo		Comprehensive Plan Designation	
		Commercial	
			

PETITION FOR REZONING OR SPECIAL USE PERMIT

RETURN TO: DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
(CITY HALL, THIRD FLOOR, ROOM 304)
FILING FEE: \$1,500 (CHECK OR MONEY ORDER) AT THE TIME OF SUBMITTAL

CASE NUMBER: _____

APPLICANT: _____

ADDRESS: _____

WAKESHAW Development INC
245 E. BANK ST
Petersburg VA 23803

I, JOAN McCOORMICK hereby petition to rezone the following described properties
from zoning district M-1 to zoning district PVD

A. DESCRIPTION OF PROPOSED USE: (ATTACH ADDITIONAL DOCUMENTS IF NECESSARY)

MIXED USE - Commercial AT Street Level;
Residential Elsewhere

B. PROPERTY INFORMATION

1. Tax Parcel Identification Number(s):

011130038

2. Current Street Address(es) if assigned:

113 W. BANK ST
Petersburg VA 23803

3. Approximate Area:

413,000

sq. ft.

.45

acres

4. Public Street Frontage:

73.1

ft.

5. A boundary plat of this property outlining the area to be rezoned must be attached to this petition.

6. The following deed restrictions may affect the use of this property:

7. Brief:

Said deed restrictions will expire on:

C. JUSTIFICATION FOR REZONING

1. The proposed change in zoning is necessary for the preservation and enjoyment of a substantial property right because: (Provide a detailed statement of reasons why the proposed rezoning should be granted).

M-1 IS OBSOLETE FOR THIS PROPERTY, IT IS NOT VIABLE FOR MANUFACTURING. HIGHEST & BEST USE IS MIXED USE RETAIL / COMMERCIAL

2. The material impact of the proposed rezoning will not be detrimental to the public welfare of the City nor to adjacent property owner(s) or properties located within the nearby vicinity because: (Specify reasons to substantiate this statement).

REMOVAL OF BLIGHT; REINVESTMENT IN NEIGHBORHOOD

3. The proposed rezoning will be advantageous to the City and benefit the welfare of the general public because: (Specify reasons to substantiate this statement).

BRINGS MORE RESIDENTS TO DOWNTOWN CORE.

4. The proposed rezoning is necessary because suitable property for the proposed use is not presently situated within required existing zoning districts. (Specify reasons for this determination).

M-1 DOES NOT ALLOW RESIDENTIAL

D. CERTIFICATION:

The undersigned applicant certifies that they:

 (a) are the owner, lessee or agent for (specified in writing)

 (b) possess a proprietary interest in (contract or option agreement)

the property(ies) identified within this PETITION FOR REZONING, and that the foregoing information and statements herein provided, and all other information herewith submitted, are in all respects true and correct to the best of their knowledge and belief.

Signed:

Mailing Address:**Phone Number:****Email Address:**

APPROVED

City Attorney

TO BE FILED IN THE DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

ACTION RECORD

Date Filed (with Planning Department):

Date of Planning Commission Public Hearing:

Planning Commission Action(s):

Date of City Council Hearing:

City Council Action(s):

PETITION FOR ZONING CHANGE

Property Owner(s): Adjacent to Affected Property

NAME(S)

Address(es)

DAVID WALWER
(415 MARKET ST)

203 WINSTON AVE
Colonial Heights VA
23834

Rafferty & Sons
~~225 High St~~
127 W. BANK

225 HIGH ST
Petersburg VA 23803

SPIRO GEORGIOHANNIS
121 W. BANK ST.
132 W. BANK ST.

101 W. BANK ST
Petersburg VA 23803

JOHN & MARILYN COYLE
124 W. BANK ST

124 W. BANK ST
Petersburg VA 23803

Rebecca Wilson
120 W. BANK ST.

1578 Brandon Ave
Petersburg VA 23805

Gloria LEAKE
118 W. BANK ST.

118 W. BANK ST
Petersburg VA 23803

PATRICK OLIVENYK
116 W. BANK

PO Box 114
CRESWELL ~~VA~~ NC 27928

CAO FLATS
110 W. BANK ST.

16001 LOST CROP RD
MOSELEY VA 23120

SYCAMORE ST. PROPERTIES LLC
20 OLD ST

220 N. SYCAMORE ST.
Petersburg VA 23803

AMMONS, Leahy & ANN
109 W. BANK ST.

109 W. BANK ST
Petersburg VA 23803

EC CARRIAGE HOUSE
ACQUISITION LLC
114 OLD ST. W
110 OLD ST W

2231 20TH AVE
SOUTH BIRMINGHAM, AL 35223

HISTORIC PETERSBURG FUND.
122 OLD ST W

PO Box 691
Petersburg VA 23804

CITY OF PETERSBURG
~~128~~ 421 MARKET ST. N

135 UNION ST
Petersburg VA 23803

City of Petersburg

Search Criteria

Search Results

Property Sheet

Map

Tools

Print

Bookmarks

Petersburg, Virginia

Parcel:

011130038

Summary

Owner Name	HAYNIE LESLIE S CYNTHIA D	National Historic District:	Old Towne
Owner Mailing Address	113 W BANK ST PETERSBURG, VA 23803	Enterprise Zone:	Yes
Property Use	485	Opportunity Zone:	51730811300
State Class:	4 Commercial and Industrial	VA Senate District:	16
Zoning:	M-1	Va House District:	63
Property Address	113 BANK ST Petersburg, VA	Congressional District:	4
Legal Acreage:	.45	City Ward:	4
Legal Description:	73.1 X 268	Polling Place:	Union Train Station
Subdivision:	Olde Town (Not Platted)	Primary Service Area:	W-S
Assessment Neighborhood Name:		Census Tract:	8102
Local Historic District:	Old Towne	Elementary School:	Pleasants Lane
		Middle School:	Vernon Johns Middle School
		High School:	Petersburg High School

Improvements

Finished (Above Grade):	43,000	Shed:	
Basement:		Total Rooms:	
Attached Garage:		Bedrooms:	
Detached Garage:		Full Baths:	2
Enclosed Porch:		Half Baths:	
Open Porch:		Foundation:	
Deck/Patio:		Central A/C:	0%

Ownership History

Previous Owner Name	Sale Date	Sale Price	Doc # or Deed Book/pg
	10/15/2002	\$150,000	2002/3971

Assessments

Valuation as of	01/01/2018	01/01/2019	01/01/2020	01/01/2021	01/01/2022
Effective for Billing:	07/01/2018	07/01/2019	07/01/2020	07/01/2021	07/01/2022
Reassessment					
Land Value	\$56,800	\$56,800	\$56,800	\$56,800	\$56,800
Improvement Value	\$285,100	\$285,100	\$437,700	\$437,700	\$588,200
Total Value	\$341,900	\$341,900	\$494,500	\$494,500	\$645,000

Property Tax (Coming Soon)

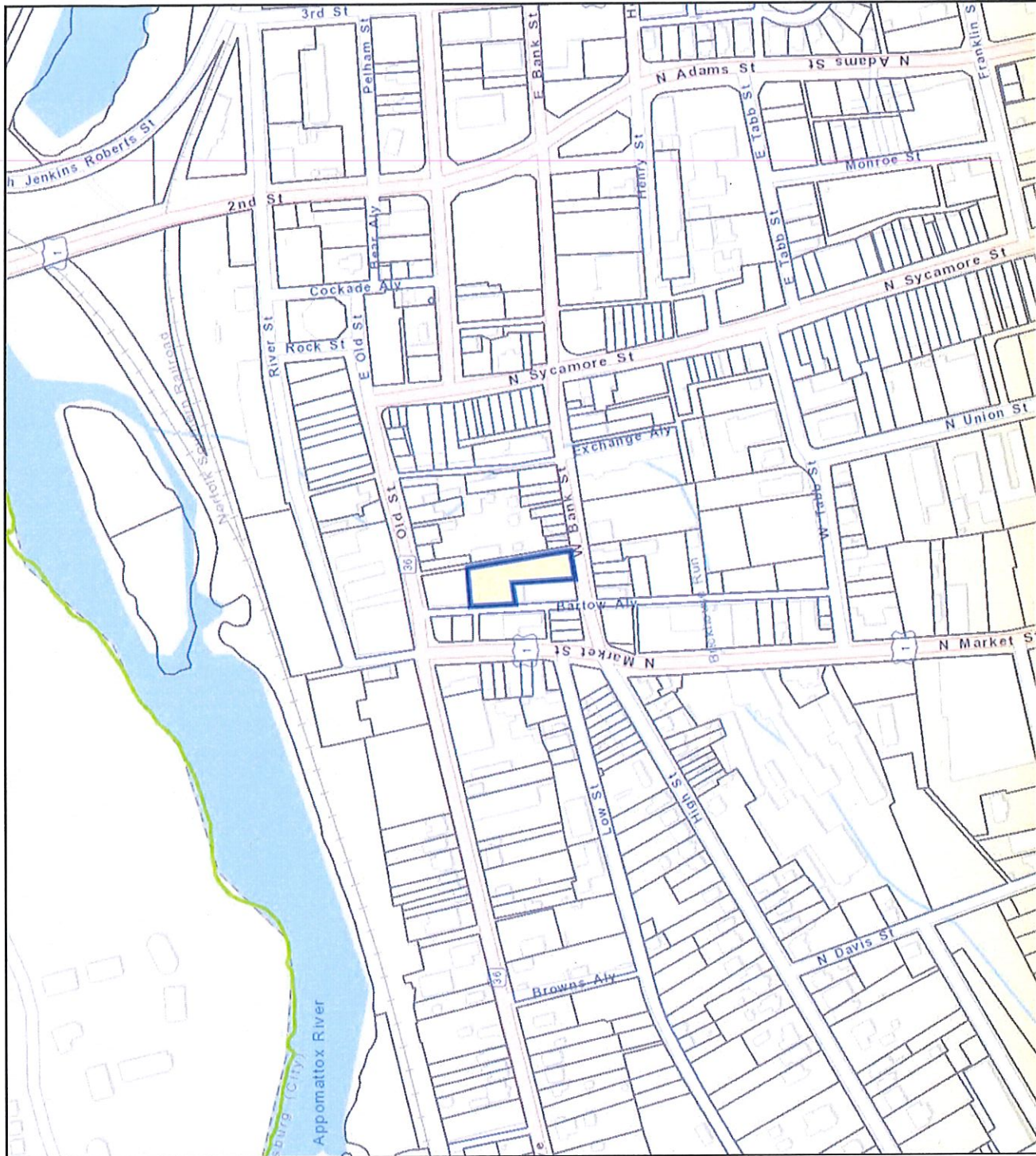
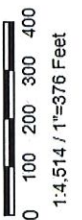
DISCLAIMER: This data is provided without warranty of any kind, either expressed or implied, including but not limited to, the implied warranties of merchantability and fitness for a particular purpose. Any person, firm or corporation which uses this map or any of the enclosed information assumes all risk for the inaccuracy thereof, as County of Petersburg expressly disclaims any liability for loss or damage arising from the use of said information by any third party.

Petersburg, Virginia

Legend

- County Boundaries
- Parcels

Feet



Parcel #: 011130038

Date: 3/3/2023

DISCLAIMER: This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. The information displayed is a compilation of records, information, and data obtained from various sources, and City of Petersburg is not responsible for its accuracy or how current it may be.

113 West Bank Street



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City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: April 4, 2023

TO: The Honorable Mayor and Members of City Council

THROUGH: March Altman, Jr., City Manager
Tangela Innis, Deputy City Manager
Brian Moore, Director of Economic Development

FROM: Reginald Tabor

RE: **A request to schedule a Public Hearing and consideration of an ordinance approving the petition to rezone the property located at 221 Bollingbrook Street from M-1, Light Manufacturing District to PUD, Planned Unit Development for April 18, 2023. (Page 67)**

PURPOSE: To consider an ordinance approving the petition to rezone the property located at 221 Bollingbrook Street from M-1 to PUD.

REASON: To comply with policies, procedures and laws regarding the rezoning of properties.

RECOMMENDATION: It is recommended that the City Council schedules a Public Hearing and considers an ordinance approving the petition to rezone the property located at 221 Bollingbrook Street from M-1 District to Planned Unit Development (PUD).

BACKGROUND: The City of Petersburg received a Petition from Waukeshaw Development, Inc. to rezone the property located at 201 Bollingbrook Street from M-1 to PUD.

The proposed use is residential. Per the Petitioner, the current zoning M-1 is obsolete and it is not viable for manufacturing. They believe the highest and best use of the property is residential. The current zoning, M-1 District does not permit residential use. Impacts would include removal of blight, reinvestment in the neighborhood and it will serve to protect and preserve the historic character of the neighborhood. The proposed development would add 70+ market rate residential units in the neighborhood. The project represents a major investment in a blighted historic structure.

The Planned Unit Development District, by offering developers the opportunity to overcome traditional zoning limitations, is intended to encourage innovative design approaches to large-scale subdivisions and commercial development. Planned Unit Development may be permitted on tracts of at least ten (10) acres which are under unified ownership or control. The minimum number of acres required should be waived because a planned unit development is in the public interest and that one or more of the following conditions exist:

(1) Because of unusual features of the property itself or of the neighborhood in which it is located, a substantial deviation from the regulations otherwise applicable is necessary or appropriate in order to conserve a physical

or topographic feature of importance to the city; (2)The property or its neighborhood possesses an historical character, that is of importance to the community, which will be preserved and protected by a planned unit development; or (3)The property is adjacent to or across the street from property which has been developed or redeveloped under the Planned Unit Development District, and a planned unit development will contribute to the maintenance of the amenities and values of the neighboring property. The acreage requirement could be waived because the property and the neighborhood possess an historical character, that is of importance to the community, which will be preserved and protected by a planned unit development.

The Planning Commission will consider a resolution recommending approval of the petition during the April 6, 2023 Planning Commission meeting.

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: Revenue from the redevelopment of the property.

CITY COUNCIL HEARING DATE: 4/18/2023

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: City Assessor, Economic Development, Planning and Community Development

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: City Code Appendix B: Zoning

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. 0404_2023OrdinanceRezoning221BollingbrookSt
2. 0418_2023AgendaItemSummary221BollingbrookSt
3. 0323_2023PetitionPUD221BollingbrookSt
4. 03_2023AerialPhoto221BollingbrookStreet

AN ORDINANCE APPROVING A PETITION TO REZONE PROPERTY IN THE CITY OF PETERSBURG, LOCATED AT 221 BOLLINGBROOK STREET, PIN 011040009, FROM LIGHT MANUFACTURING DISTRICT (M-1) TO PLANNED UNIT DEVELOPMENT DISTRICT (PUD)

WHEREAS, the City of Petersburg received a petition to rezone the property located at 221 Bollingbrook Street, PIN 011040009, from Light Manufacturing District (M-1) to Planned Unit Development District (PUD); and

WHEREAS, the proposed use is residential, as the Petitioner believes that the current zoning M-1 is obsolete, and it is not viable for manufacturing; and

WHEREAS, the Petitioner believes that the highest and best use of the property is residential, however the current zoning, M-1 District does not permit residential use; and

WHEREAS, the impacts would include removal of blight, and reinvestment in the neighborhood, and an additional 70+ market rate residential units in the neighborhood; and

WHEREAS, the proposed use will serve to protect and preserve the historic character of the neighborhood, and it would add market rate residential units in the historic downtown; and

WHEREAS, the Planned Unit Development District is intended to encourage innovative design approaches to large-scale subdivisions and commercial development; and

WHEREAS, the Planned Unit Development may be permitted on tracts of at least ten (10) acres which are under unified ownership or control, however, the minimum number of acres required may be waived if the property and the neighborhood possess an historical character, that is of importance to the community, which will be preserved and protected by a planned unit development; and

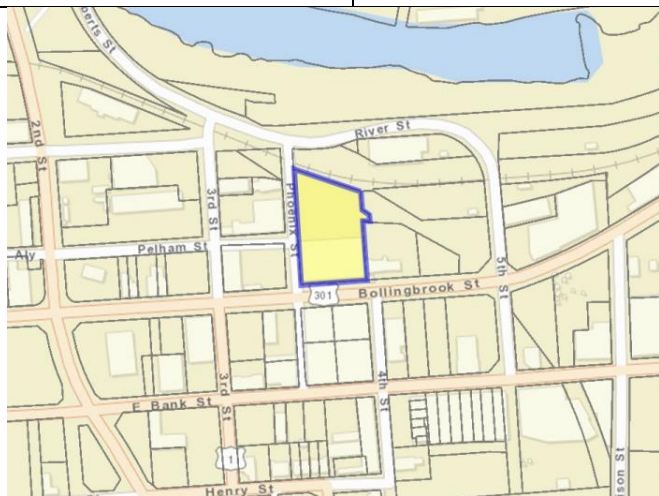



WHEREAS, the Planning Commission will consider a resolution recommending approval of the petition during the April 6, 2023, Planning Commission meeting.

NOW THEREFORE BE IT ORDAINED that the City Council of the City of Petersburg hereby approves the petition to rezone the property located at 221 Bollingbrook Street, PIN 011040009, from Light Manufacturing District (M-1) to Planned Unit Development District (PUD).



City of Petersburg Planning Commission Agenda Item

Case No: 2023-REZ-03
Public Hearing Date: April 18, 2023
Property Address: 221 Bollingbrook Street
Parcel ID: 011040009
Agent: Mr. John McCormack

Request		Staff Recommendation	
Petition to rezone property from M-1 to PUD		TBD	
Summary of Proposal			
A Petition to rezone the property located at 221 Bollingbrook Street from M-1 to PUD. The proposed use is residential. Per the Petitioner, the current zoning M-1 is obsolete, and manufacturing is not a viable use for the property. They believe the highest and best use of the property is residential. The current zoning, M-1 District does not permit residential use. Impacts would include removal of blight, reinvestment in the neighborhood and it will serve to protect and preserve the historic character of the neighborhood. The proposed development would add 70+ market rate residential units in the neighborhood. The project represents a major investment in a blighted historic structure.			
Parcel ID	Acreage	Current Zoning Designation	
011040009	1.183 acres	M-1	Light Manufacturing District
			
Photo		Comprehensive Plan Designation	
		Commercial 	

PETITION FOR REZONING OR SPECIAL USE PERMIT

RETURN TO: DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
(CITY HALL, THIRD FLOOR, ROOM 304)
FILING FEE: \$1,500 (CHECK OR MONEY ORDER) AT THE TIME OF SUBMITTAL

CASE NUMBER: _____

APPLICANT: WAUKESHA DEVELOPMENT, INC

ADDRESS: 245 E. BANK ST. PLEASANT

I, John McCormack hereby petition to rezone the following described properties
from zoning district M-1 to zoning district PUD

A. DESCRIPTION OF PROPOSED USE: (ATTACH ADDITIONAL DOCUMENTS IF NECESSARY)

From M-1 Light manufacturing to 70+
Residential Apartments. (pud?)

B. PROPERTY INFORMATION

1. Tax Parcel Identification Number(s):

011040009

2. Current Street Address(es) if assigned:

221 Bollingbrook

3. Approximate Area:

53,000

sq. ft.

+/-1.2

acres

4. Public Street Frontage:

180 LINEAL

ft.

5. A boundary plat of this property outlining the area to be rezoned must be attached to this petition.

6. The following deed restrictions may affect the use of this property:

NONE

7. Brief:

Said deed restrictions will expire on:

N/A

C. JUSTIFICATION FOR REZONING

1. The proposed change in zoning is necessary for the preservation and enjoyment of a substantial property right because: (Provide a detailed statement of reasons why the proposed rezoning should be granted).

This property is obsolete for manufacturing AND
The adaptive reuse as residential is the
HIGHEST & BEST use.

2. The material impact of the proposed rezoning will not be detrimental to the public welfare of the City nor to adjacent property owner(s) or properties located within the nearby vicinity because: (Specify reasons to substantiate this statement).

The adaptive reuse of this building to residential
will remove blight, add continuity & cohesiveness
to a building mixed-use area & create
more market rate housing in this up-and-coming
neighborhood.

3. The proposed rezoning will be advantageous to the City and benefit the welfare of the general public because: (Specify reasons to substantiate this statement).

This project represents a major investment in
downtown, brings more residents here, increases
tax rolls and brings new life to a blighted
historic structure.

4. The proposed rezoning is necessary because suitable property for the proposed use is not presently situated within required existing zoning districts. (Specify reasons for this determination).

M-1 does NOT allow for multi-family.

D. CERTIFICATION:

The undersigned applicant certifies that they:

- X (a) are the owner, lessee or agent for (specified in writing)
X (b) possess a proprietary interest in (contract or option agreement)

the property(ies) identified within this PETITION FOR REZONING, and that the foregoing information and statements herein provided, and all other information herewith submitted, are in all respects true and correct to the best of their knowledge and belief.

Signed:



Mailing Address:

245 E. BANK ST.

PETERSBURG VA 23803

Phone Number:

804 677 5728

Email Address:

DAVE @ WAKESHAW.COM

APPROVED

City Attorney

TO BE FILED IN THE DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

ACTION RECORD

Date Filed (with Planning Department):

2/28/2023

Date of Planning Commission Public Hearing:

4/6/2023

Planning Commission Action(s):

Date of City Council Hearing:

City Council Action(s):

PETITION FOR ZONING CHANGE

Property Owner(s): Adjacent to Affected Property

NAME(S)

Address(es)

The Wilds, LLC
(Harbor Property)

245 E. Bank St.
Petersburg VA 23803

Trapezium Brewing
423/429 Third St.

245 E Bank St
Petersburg VA 23803

The Busco/
219 EAST BANK LLC
219 E. BANK ST.

245 E. Bank St
Petersburg VA 23803

The Powell Manufacturing Company LLC
245 E. BANK ST.

245 E BANK ST
Petersburg VA 23803

Cindy SIMONS
241 Bollingbrook ST.

2345 Red Lane Rd
POWHEATAN VA 23139

Seaboard System RR
255 Bollingbrook ST.

500 WATER ST
JACKSONVILLE, FL 32202

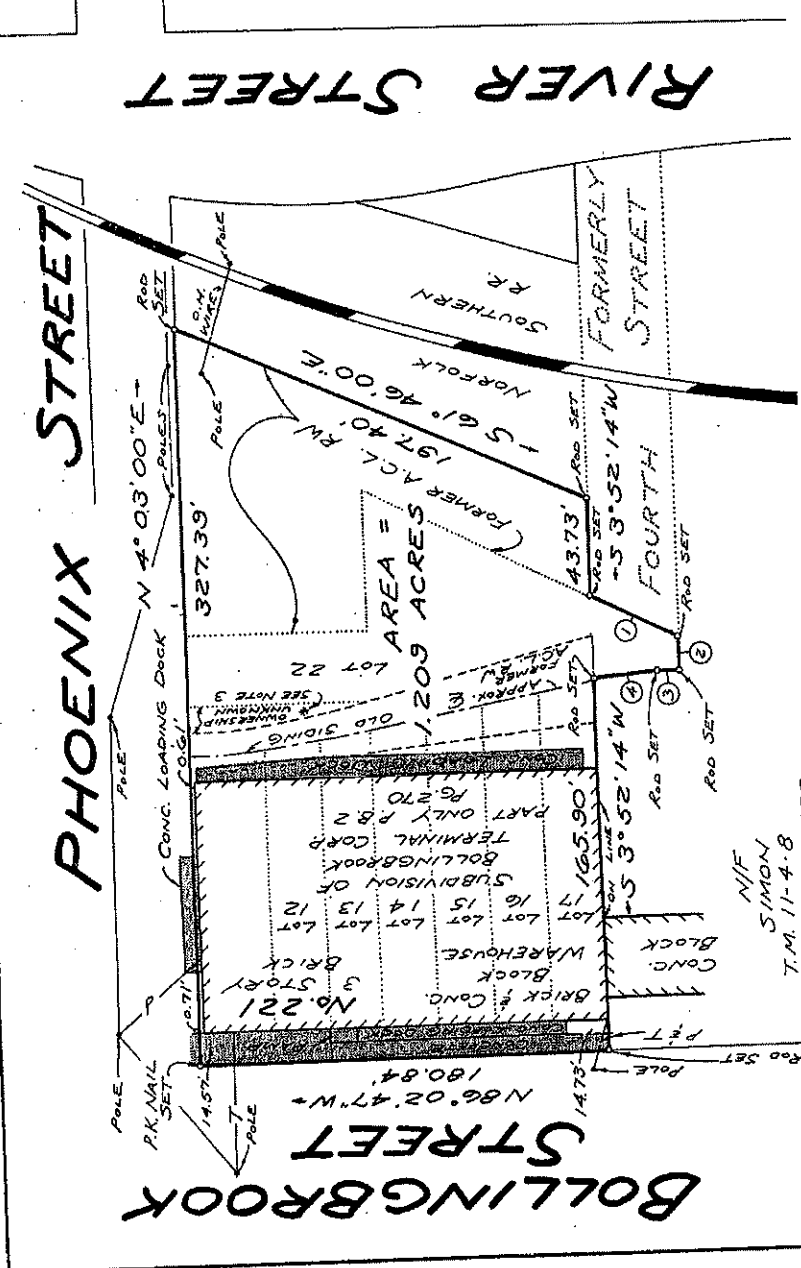
HERETICK, IRENE
201 Bollingbrook ST.

201 Bollingbrook ST
PETERSBURG VA 23803

ASA GUNNOE
214 Bollingbrook ST.

PO BOX 1120
COLONIAL HEIGHTS VA 23834

SEE PLAT file for original



PHOENIX STREET

BOLLINGBROOK STREET

RIVER STREET

No.	BEARING	DIST.
①	S 59° 09' 48" E	42.64
②	S 3° 52' 14" W	15.00
③	N 86° 07' 46" W	10.00
④	S 89° 15' 26" W	28.09

PROPERTY	REFERENCE	DEED BOOK	PAGE
TAX MAP	OTHER		
11-04-9	A.L. SHEFFIELD	432	716
11-04-10	A.L. SHEFFIELD	337	706
11-04-11	A.L. SHEFFIELD	337	706
11-04-12	A.L. SHEFFIELD	289	713

NOTE:
1. ALL RAILROAD TRACKS HAVE BEEN REMOVED FROM SITE.
2. SEE PLAT BK. 2, PAGES 201 AND 270.
3. PROPERTY OCCUPIED BY SHEFFIELD.

PLAT OF
1.209 ACRES OF LAND
SITUATED ON THE NORTHEAST
CORNER OF BOLLINGBROOK STREET
AND PHOENIX STREET
IN THE CITY OF
PETERSBURG, VIRGINIA.

N/JF
SIMON
T.M. 11-4-8
D.B. 471, PG. 455

This is to certify that on 3-27-95
I made an accurate survey of the
premises shown hereon and that there
are no easements or encroachments
visible on the ground other than
those shown by the plat.



HARVEY L. PARKS, INC.
4508 W. HUNDRED RD.
CHESTER, VA.
748-8641
DATE: MAR. 27, 1995 SCALE: 1" = 50'
DRAWN BY: C.T.
CHECKED BY: M.E.C.
F.B.K. 297 PG. 17



Petersburg, Virginia

Parcel:

011040009

Summary			
Owner Name	TANNER PROPERTIES LLC	National Historic District:	Old Towne
Owner Mailing Address	2250 CHARLES CITY RD RICHMOND, VA 23231	Enterprise Zone:	Yes
Property Use	485	Opportunity Zone:	51730811300
State Class:	4 Commercial and Industrial	VA Senate District:	16
Zoning:	M-1	Va House District:	63
Property Address	221 BOLLINGBROOK ST Petersburg, VA	Congressional District:	4
Legal Acreage:	1.183	City Ward:	4
Legal Description:	1.209 ACRE 180.84 X 285 AVG	Polling Place:	Union Train Station
Subdivision:	Seward Bolling Meadows	Primary Service Area:	W-S
Assessment Neighborhood Name:		Census Tract:	8102
Local Historic District:	Old Towne	Elementary School:	Lakemont
		Middle School:	Vernon Johns Middle School
		High School:	Petersburg High School

Improvements			
Finished (Above Grade):	59,070	Shed:	
Basement:		Total Rooms:	
Attached Garage:		Bedrooms:	
Detached Garage:		Full Baths:	1
Enclosed Porch:		Half Baths:	
Open Porch:		Foundation:	
Deck/Patio:		Central A/C:	0%

Ownership History			
Previous Owner Name	Sale Date	Sale Price	Doc # or Deed Book/pg
TANNER MOVING & STORAGE INC	7/23/2012	\$700,000	2012/1767

Assessments					
Valuation as of	01/01/2018	01/01/2019	01/01/2020	01/01/2021	01/01/2022
Effective for Billing:	07/01/2018	07/01/2019	07/01/2020	07/01/2021	07/01/2022
Reassessment					
Land Value	\$96,900	\$96,900	\$96,900	\$96,900	\$96,900
Improvement Value	\$398,800	\$398,800	\$582,400	\$582,400	\$789,100
Total Value	\$495,700	\$495,700	\$679,300	\$679,300	\$886,000

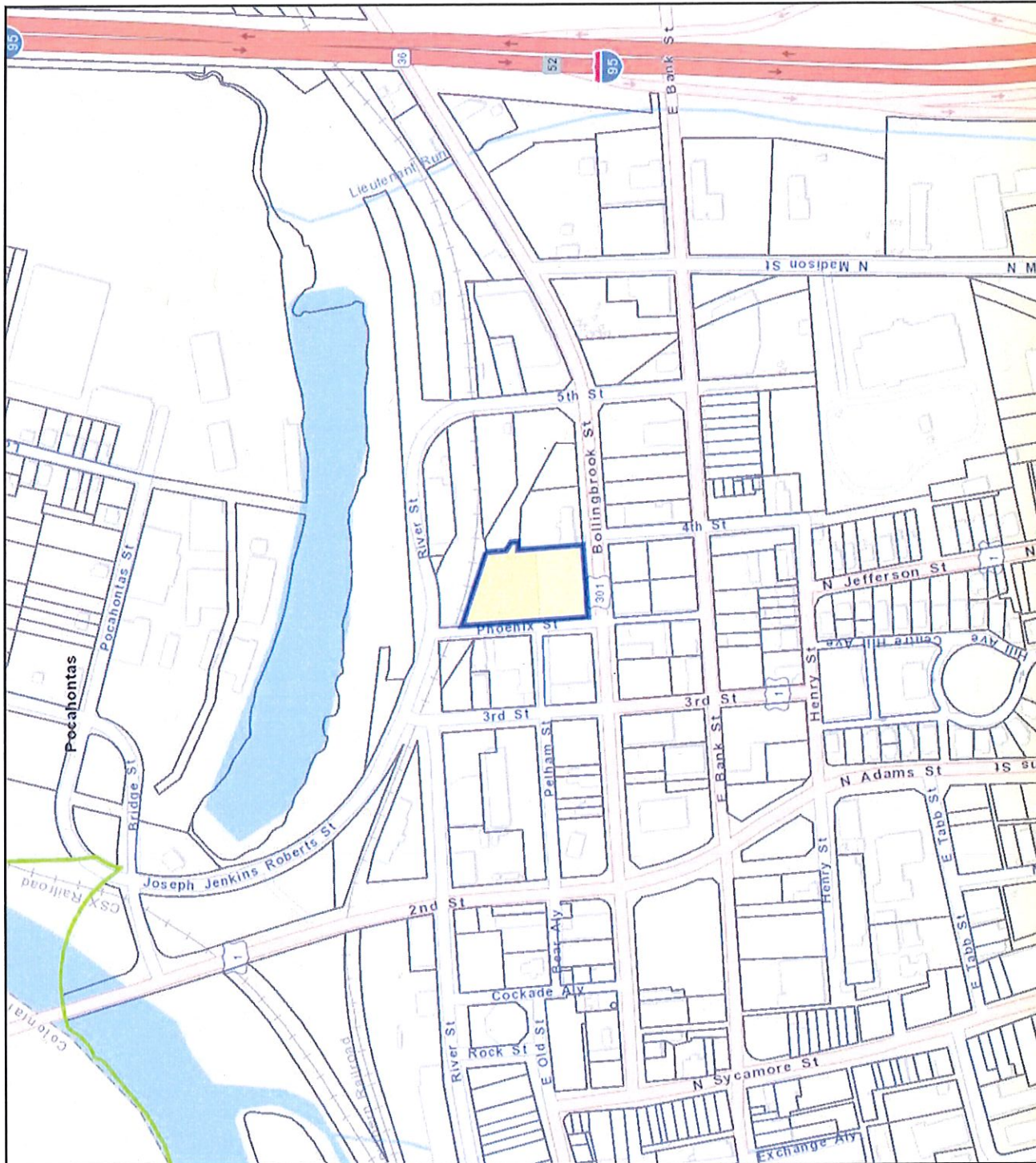
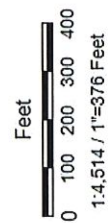
Property Tax (Coming Soon)

DISCLAIMER: This data is provided without warranty of any kind, either expressed or implied, including but not limited to, the implied warranties of merchantability and fitness for a particular purpose. Any person, firm or corporation which uses this map or any of the enclosed information assumes all risk for the inaccuracy thereof, as County of Petersburg expressly disclaims any liability for loss or damage arising from the use of said information by any third party.

Petersburg, Virginia

Legend

- County Boundaries
- Parcels



Parcel #: 011040009

Date: 3/3/2023

DISCLAIMER: This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. The information displayed is a compilation of records, information, and data obtained from various sources, and City of Petersburg is not responsible for its accuracy or how current it may be.

221 Bollingbrook Street



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City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: April 4, 2023

TO: The Honorable Mayor and Members of City Council

THROUGH: March Altman, Jr., City Manager

FROM: Christopher Magann

RE: **Consideration of an appropriation ordinance for the Commonwealth of Virginia, Department of Fire Programs Fund - Aid to Localities, Funding Carryover -1st Reading (Page 81)**

PURPOSE: To carryover unspent funding from Virginia Department of Fire Programs – Aid to Locality for FY 2019 (\$33,405.74) and FY 2020 (\$61,230.75) to the Department of Fire, Rescue and Emergency Services FY 2023 fiscal budget. The Commonwealth of Virginia established an Aid-to-Locality fund for fire departments under the Code of Virginia, Section §38.2-401.

REASON: Unspent funds shall remain available to the agency in accordance with Code of Virginia Title §38.2-401, Fire Programs Fund.

RECOMMENDATION: Recommend that Council carryover unspent funding from the Virginia Department of Fire Programs – “Aid-to-Localities” in the amount of \$94,636.49 and approve the appropriation ordinance.

BACKGROUND: The City of Petersburg receives the Virginia Department of Fire Programs Aid-to-Localities grant annually to assist with specific training and designated firefighting equipment. Any unspent funds provided shall not forfeit to the City or back to the Commonwealth of Virginia. Unspent funds shall remain available to the agency in accordance with Code of Virginia Title §38.2-401, Fire Programs Fund.

COST TO CITY: N/A

BUDGETED ITEM: GRANT

REVENUE TO CITY: \$94,636.49

CITY COUNCIL HEARING DATE: 4/18/2023

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: NONE

AFFECTED AGENCIES: Department of Fire, Rescue and Emergency Services.

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: NONE

REQUIRED CHANGES TO WORK PROGRAMS: NONE

ATTACHMENTS:

1. Agenda Request - Carryover of funds 2019 2020

**AN ORDINANCE, AS AMENDED, SAID ORDINANCE
MAKING APPROPRIATIONS FOR THE FISCAL YEAR
COMMENCING JULY 1, 2022, AND ENDING JUNE 30, 2023
FOR THE GRANTS FUND.**

BE IT ORDAINED by the City Council of the City of Petersburg, Virginia:

I. That appropriations for the fiscal year commencing July 1, 2022, in the Grants Fund are made for the following resources and revenues of the city, for the fiscal year ending June 30, 2023.

Previously adopted	\$0.00
ADD: Fire Programs – Aid to Localities (ATL) (3-200-024040-0615-0-207)	<u>\$94,636.49</u>
Total Revenues	<u>\$94,636.49</u>

II. That there shall be appropriated from the resources and revenues of the City of Petersburg for the fiscal year commencing July 1, 2021 and ending June 30, 2022, the following sums for the purposes mentioned:

Previously adopted	\$0.00
ADD: Fire Programs – Aid to Localities (ATL) (4-200-032101-3190-0-207)	<u>\$94,636.49</u>
Total Expenses	<u>\$94,636.49</u>

§ 38.2-401. Fire Programs Fund.

A. 1. There is hereby established in the state treasury a special nonreverting fund to be known as the Fire Programs Fund, hereinafter referred to as "the Fund." The Fund shall be administered by the Department of Fire Programs under policies and definitions established by the Virginia Fire Services Board. All moneys collected pursuant to the assessment made by the Commission pursuant to subdivision 2 of this subsection shall be paid into the state treasury and credited to the Fund. The Fund shall also consist of any moneys appropriated thereto by the General Assembly and any grants or other moneys received by the Virginia Fire Services Board or Department of Fire Programs for the purposes set forth in this section. Any moneys deposited to or remaining in such Fund during or at the end of each fiscal year or biennium, including interest thereon, shall not revert to the general fund but shall remain in the Fund. Interest earned on all moneys in the Fund and interest earned on moneys held by the Commission pursuant to subdivision 2 of this subsection prior to the deposit of such moneys into the Fund, including interest earned on such moneys during any period when the Commission is reconciling payments from insurers, shall remain in or be deposited into the Fund, as the case may be, and be credited to it. Such interest shall be set aside for fire service purposes in accordance with policies developed by the Virginia Fire Services Board. Notwithstanding any other provision of law to the contrary, policies established by the Virginia Fire Services Board for the administration of the Fund, and any grants provided from the Fund, that are not inconsistent with the purposes set out in this section shall be binding upon any locality that accepts such funds or related grants. The Commission shall be reimbursed from the Fund for all expenses necessary for the administration of this section. The balance of moneys in the Fund shall be allocated periodically as provided in this section. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by the Executive Director of the Department of Fire Programs (Director) or his designee.

2. The Commission shall annually assess against all licensed insurance companies doing business in the Commonwealth by writing any type of insurance as defined in §§ 38.2-110, 38.2-111, 38.2-126, 38.2-130 and 38.2-131 and those combination policies as defined in § 38.2-1921 that contain insurance as defined in §§ 38.2-110, 38.2-111 and 38.2-126, an assessment in the amount of one percent of the total direct gross premium income for such insurance. Such assessment shall be apportioned, assessed and paid as prescribed by § 38.2-403. In any year in which a company has no direct gross premium income or in which its direct gross premium income is insufficient to produce at the rate of assessment prescribed by law an amount equal to or in excess of \$100, there shall be so apportioned and assessed against such company a contribution of \$100.

B. After reserving funds for the Fire Services Grant Program and Dry Fire Hydrant Grant Program pursuant to subsection D, 75 percent of the remaining moneys available for allocation from the Fund shall be allocated to the several counties, cities, and towns of the Commonwealth providing fire service operations to be used for the improvement of volunteer and career fire services in each of the receiving localities. Funds allocated to the counties, cities, and towns pursuant to this subsection shall not be used directly or indirectly to supplant or replace any other funds appropriated by the counties, cities, and towns for fire service operations. Such funds shall be used solely for the purposes of (i) training volunteer or career firefighting personnel in each of

the receiving localities; (ii) funding fire prevention and public safety education programs; (iii) constructing, improving, and expanding regional or local fire service training facilities; (iv) purchasing emergency medical care and equipment for fire personnel; (v) payment of personnel costs related to fire and medical training for fire personnel; (vi) purchasing personal protective equipment, vehicles, equipment, and supplies for use in the receiving locality specifically for fire service purposes; or (vii) providing training and education and purchasing products, including personal protective equipment, diesel exhaust removal systems, decontamination equipment, and commercial extractors, that are designed to reduce the incidence of cancer among firefighters. Notwithstanding any other provision of the Code, when localities use such funds to construct, improve, or expand fire service training facilities, fire-related training provided at such training facilities shall be by instructors certified or approved according to policies developed by the Virginia Fire Services Board. Distribution of this 75 percent of the Fund shall be made on the basis of population as provided for in §§ 4.1-116 and 4.1-117; however, no county or city eligible for such funds shall receive less than \$10,000, nor eligible town less than \$4,000. The Virginia Fire Services Board shall be authorized to exceed allocations of \$10,000 for eligible counties and cities and \$4,000 for eligible towns, respectively. Allocations to counties, cities, and towns receiving such allocations shall be fair and equitable as set forth in Board policy. Any increases or decreases in such allocations shall be uniform for all localities. In order to remain eligible for such funds, each receiving locality shall report annually to the Department on the use of the funds allocated to it for the previous year and shall provide a completed Fire Programs Fund Disbursement Agreement form. Each receiving locality shall be responsible for certifying the proper use of the funds. If, at the end of any annual reporting period, a satisfactory report and a completed agreement form have not been submitted by a receiving locality, any funds due to that locality for the next year shall not be retained. Such funds shall be added to the 75 percent of the Fund allocated to the counties, cities, and towns of the Commonwealth for improvement of fire services in localities.

C. The remainder of the moneys available for allocation from the Fund shall be used for (i) the purposes of carrying out the powers and duties assigned to the Department of Fire Programs under Chapter 2 (§ 9.1-200) of Title 9.1, which shall include providing funded training and administrative support services for nonfunded training to localities and (ii) the payment of the compensation and costs of expenses of the members of the Fire Services Board in performing their official duties; however, the Fund shall not be used for salaries or operating expenses associated with the Office of the State Fire Marshal.

D. The Fire Services Grant Program is hereby established and will be used as grants to provide regional fire services training facilities, to finance the Virginia Fire Incident Reporting System and to build or repair live fire training structures as determined by the Virginia Fire Services Board. Beginning January 1, 1996, \$1 million from the assessments made pursuant to this section shall be distributed each year for the Fire Services Grant Program to be used as herein provided, and \$100,000 shall be distributed annually for continuing the statewide Dry Fire Hydrant Grant Program. Moneys allocated pursuant to this subsection shall be used for the purposes stated in this subsection, and for no other purpose. All grants provided from these programs shall be administered by the Department according to the policies established by the Virginia Fire Services Board.

E. Moneys in the Fund shall not be diverted or expended for any purpose not authorized by this section.

F. The Director shall establish written standards for determining the extent to which clients outside the Commonwealth shall be financially responsible for the cost of fire and emergency services training provided by the Department of Fire Programs. Revenues generated by such training shall be retained in the Fire Programs Fund and may be used solely for providing additional funded direct training to members of Virginia's fire and emergency services.

1985, c. 545, § 38.1-44.1; 1986, cc. 60, 562; 1988, c. 336; 1995, cc. 615, 637; 1997, c. 791; 1998, cc. 166, 877; 2000, c. 820; 2001, cc. 397, 413; 2002, c. 389; 2004, c. 164; 2006, cc. 58, 322; 2007, cc. 647, 741; 2018, c. 649; 2019, c. 509.

The chapters of the acts of assembly referenced in the historical citation at the end of this section may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: April 4, 2023

TO: The Honorable Mayor and Members of City Council

THROUGH: March Altman, Jr., City Manager

FROM: Randall Williams

RE: **Presentation on the recommendations on vacant City Buildings with respect to which buildings are viable, cost, timeline, & staff moves. (Page 87)**

PURPOSE: To make recommendations regarding City buildings with respect to the building viability, cost, timeline, & possible staff moves.

REASON: Provide recommendations to Council to reduce the City's leasing expenditures by relocating City staff to City-owned buildings and investing in City assets instead of paying landlords.

RECOMMENDATION: Included in the presentation.

BACKGROUND: At the request of City Council Public Works & Utilities presented a presentation assessing vacant & partially vacant City buildings on March 7, 2023. At that meeting, Council asked that recommendations be made with respect to which buildings are viable, cost, timeline, & staff moves.

COST TO CITY: NA

BUDGETED ITEM: NA

REVENUE TO CITY: NA

CITY COUNCIL HEARING DATE: 4/4/2023

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: Public Works & Utilities

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. Recommendations for Vacant & Partially Vacant City Buildings for Staff 4.4-23

The Department of Public Works and Utilities

City of Petersburg VIRGINIA

Recommendations for Vacant & Partially Vacant City Buildings for City Staff

April 4, 2023

Former IT Building – 142 N. Union Street



*Investing capital funds in current **INACTIVE** city asset*



Recommending this be a viable building
Repairs Needed:

- Exterior stucco/painting & interior plaster/painting ~ \$26k - \$28k
- Waterproofing basement - french drain, plastic, & sump pumps ~ \$26k - \$28k
- Awnings surrounding the building to prevent water damage to exterior – up to \$8k
- To be utilized by department **"X"** or leased by the City for revenue

Assessed value - \$54k

Budget - \$64k

Timeline – May 30, 2023

Former Economic Development Building – 400 E Washington St



*Investing capital funds in current **INACTIVE** city asset*



Recommending this be a viable building
Repairs Needed:

- Flooring & painting (int. & ext.) ~ \$15k
- HVAC system replacement ~ \$25k
- Carpentry/ wood replacement of porch ceiling, columns, & shutters (exterior) ~ \$5
- Roof repair – flashing & slate ~ \$3k
- Fencing around rear property line ~ \$3k

Assessed value - \$322k

Budget - \$51k

Timeline – June 15, 2023

- *- Roof replacement within 3 – 5 years with shingle roof vs. current slate roof.*

Former Facilities Maint. Building – 1898 Midway Ave



*No investment needed in current **INACTIVE** city asset*



Currently viable

Repairs Needed:

- General cleaning & painting (staff)
- Flooring (staff)

Assessed value - \$236k (building \$86k)

Budget – NA

Timeline – within a month of beginning

Former Code Compliance Building – 106 W Tabb St.



*Not investing capital funds in current **INACTIVE** city asset*



Recommending to demolish asset

Repair Costs ~ \$301k

- Waterproofing basement - french drain, plastic, & sump pumps ~ \$26k
- Ice blasting in basement & on main floor to remove mold spores from wood, stripping down to studs - \$175k
- Rebuild interior, painting, flooring, etc. ~ \$100k

Assessed value - \$171k

Budget - \$110k - \$135k (demolition)

Timeline - TBD

Former Social Services Building – 400 Farmer St.



*Investing capital funds in current **INACTIVE** city asset*



Recommending this be a viable building Renovation Planned:

- Interior contents removed (furniture, carpet, ceiling tiles, some drywall, etc.)
- Phase I – Exterior envelope - included in FY23 approved capital project; notice of intent to award posted

Repairs in FY24 & FY25

- Phase II - HVAC replacement & any mold remediation - \$ TBD
- Phase III – Interior design & construction – \$ TBD

Assessed value - \$2.5 mil.

Future home of police headquarters.

City Hall – 135 N. Union Street



*Investing capital funds in current **ACTIVE** city asset*



Proceeding with the following repairs:

- Roof replacement - \$65k (in-process for April 2023)
- Task order initiated to update the restrooms included in FY23 capital budget - \$300k*
- Interior plaster walls (multiple floors) repaired due to leaks - \$12k

Renovations/Repairs in FY24:

- Complete restrooms mentioned above
- Front exterior windows (repaired, scraped, & painted) ~ \$12k - \$15k

Assessed value - \$438k

* - This amount includes restrooms in City Hall & City Hall annex.

City Hall Annex – 103 W. Tabb Street



*Investing capital funds in current **ACTIVE** city asset*



Proceeding with the following repairs:

- Task order initiated to update the restrooms included in FY23 capital budget - \$300k*

Assessed value - \$445k

** - This amount includes restrooms in City Hall & City Hall annex.*

In FY20 \$300k expended in on roof, soffit, & masonry work on the building.



Questions?



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: April 4, 2023
TO: The Honorable Mayor and Members of City Council
THROUGH: March Altman, Jr., City Manager
FROM: Stacey Jordan
RE: Update of FY24 Budget Development Process and calendar. (Page 97)

PURPOSE: To update Council and the Community on the development process for the upcoming FY24 Budget and to provide a timeline for completion.

REASON: To update Council and the Community on the development process for the upcoming FY24 Budget and to provide a timeline for completion.

RECOMMENDATION: For information only.

BACKGROUND: See attached presentation.

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: N/A

CITY COUNCIL HEARING DATE: 4/4/2023

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: N/A

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. FY 2023-24 Budget Update



FY 2023-24 PROPOSED OPERATING BUDGET UPDATE

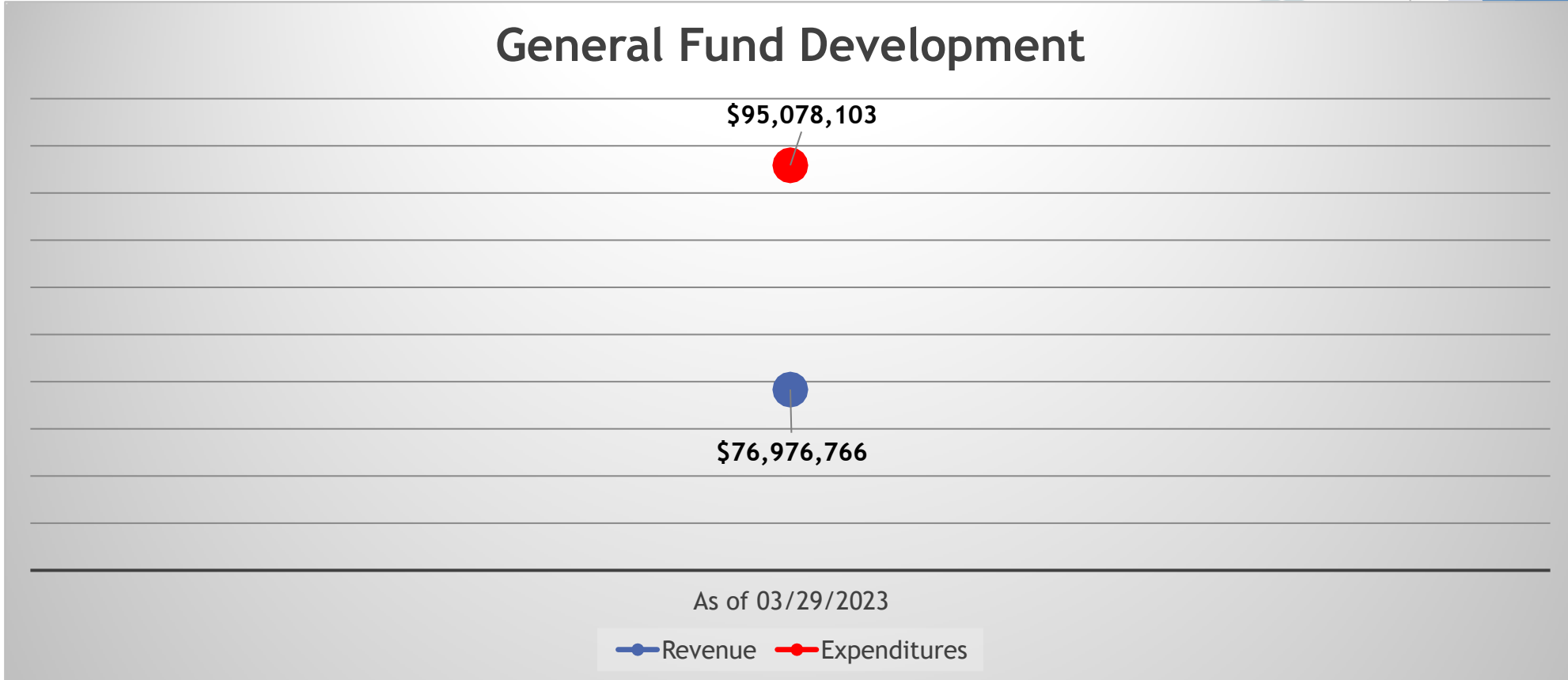
PETERSBURG PROUD

City of
VIRGINIA
Petersburg

Timeline of General Fund Budget Development

As of 03/29/2023
Revenues:
\$76,976,766
Expenditures:
\$95,078,103
Variance:
(\$18,101,337)

General Fund Development



FY 2023-24 PROPOSED OPERATING BUDGET HIGHLIGHTS

Management Approach -- Strategic:

1. Building up departments to meet current and future needs, with goals of improving public safety, creating jobs and developing business wealth in the community; enhancing tourism, improved code and building inspections, permitting; street cleaning and maintenance and engineering expertise to manage our significant infrastructure projects; more grounds facilities maintenance; parks and recreation program and field upgrades.
2. These are the areas that will produce the most immediate and long-term improvements to the quality of life of the community.

Funded Initiatives:

- Local Match increase to the Schools of \$2.3M
- Increased funding to: Public Safety, Parks & Recs and Marketing and Tourism, Code Compliance
- 5% Increase for Constitutional officers and Social Services

City Absorbed incremental costs for FY23-24:

- Increase of 8.8% in Health Care Cost



STRATEGIC PLAN GOALS



PROMOTE ECONOMIC
DEVELOPMENT TO
ATTRACT NEW
BUSINESSES AND
STRENGTHEN THE CITY'S
TAX BASE



SUPPORT COMMUNITY
DEVELOPMENT ACTIVITIES
TO ENHANCE
NEIGHBORHOODS AND
IMPROVE HOUSING



PROVIDE GOOD
GOVERNANCE FOR
EFFICIENT, EFFECTIVE,
AND EQUITABLE SERVICE
DELIVERY, PRODUCTIVE
CITIZEN ENGAGEMENT,
AND COMMUNITY
IMPROVEMENT



CELEBRATE
PETERSBURG'S HISTORY
AND CULTURE



FY 2023-2024 BUDGET “ABC”S



ACCOUNTING for structural changes within **ALL** governmental operations



BALANCING the continuity of operations with finite resources



CONTINUE to build the Fund Balance by a minimum of \$500 thousand annually.

FY 2023-24 Proposed Operating Budget Summary

	2019-2020 ACTUALS	2020-2021 AMENDED	2020-2021 ACTUALS	2021-2022 ADOPTED	2021-2022 ACTUALS	2022-2023 AMENDED	2023-2024 PROPOSED	Percentage Change	Requested Change
General Government	7,459,573	6,914,216	6,744,306	7,161,607	6,565,217	7,095,691	7,828,028	10.32%	\$ 732,336.48
Constitutional Offices	4,391,094	4,711,686	4,368,858	5,005,971	4,367,319	5,047,952	6,605,745	30.86%	\$ 1,557,793.13
Public Safety	16,946,262	17,333,653	16,474,983	17,404,204	17,316,804	18,592,333	26,402,492	42.01%	\$ 7,810,158.59
Courts & Other Public Safety	242,729	284,950	245,505	282,388	207,845	277,002	277,715	0.26%	\$ 713.80
General Services	4,557,146	4,708,508	5,319,340	4,703,594	4,873,322	5,757,494	6,792,769	17.98%	\$ 1,035,275.40
Social Services	13,150,551	15,381,596	12,032,961	14,653,957	11,164,955	14,530,590	15,016,029	3.34%	\$ 485,439.27
Leisure & Cultural Affairs	1,984,065	1,586,582	1,397,461	1,819,174	1,610,623	1,980,086	2,317,525	17.04%	\$ 337,438.86
Development Services	1,175,844	1,706,424	1,426,253	1,655,263	1,243,887	2,016,772	4,781,249	137.07%	\$ 2,764,476.82
Debt Service	4,010,086	3,531,889	4,669,051	3,127,269	3,257,952	3,127,269	3,002,126	-4.00%	\$ (125,143.00)
Schools	10,000,000	10,000,000	7,453,605	10,000,000	10,000,000	10,000,000	12,361,477	23.61%	\$ 2,361,477.00
Transfers	1,366,594	1,227,805	1,561,475	2,470,630	2,470,630	2,541,226	2,541,226	0.00%	\$ -
Non-Departmental	5,742,148	7,621,036	6,213,192	6,425,769	5,944,235	5,235,581	7,151,723	36.60%	\$ 1,916,142.00
	71,026,092	75,008,344	67,906,990	74,709,827	69,022,790	76,201,995	95,078,103	24.77%	\$ 18,876,108.35

- \$3.5M funding request received from Fire to include 3% salary increases
- \$3.8M funding request received from Police to include 5% salary Increases
- \$1M funding request received from Constitutional Officers includes state given 5% salary increases as well as additional 5% for Sheriffs Department
- \$1M funding request received from Public Works to include 3% salary increase
- \$1.4M funding increase is from the absorption of the Fire Marshal department and additional positions
- \$2.3M increase in Local match to schools
- \$1.9M funding request received from NP



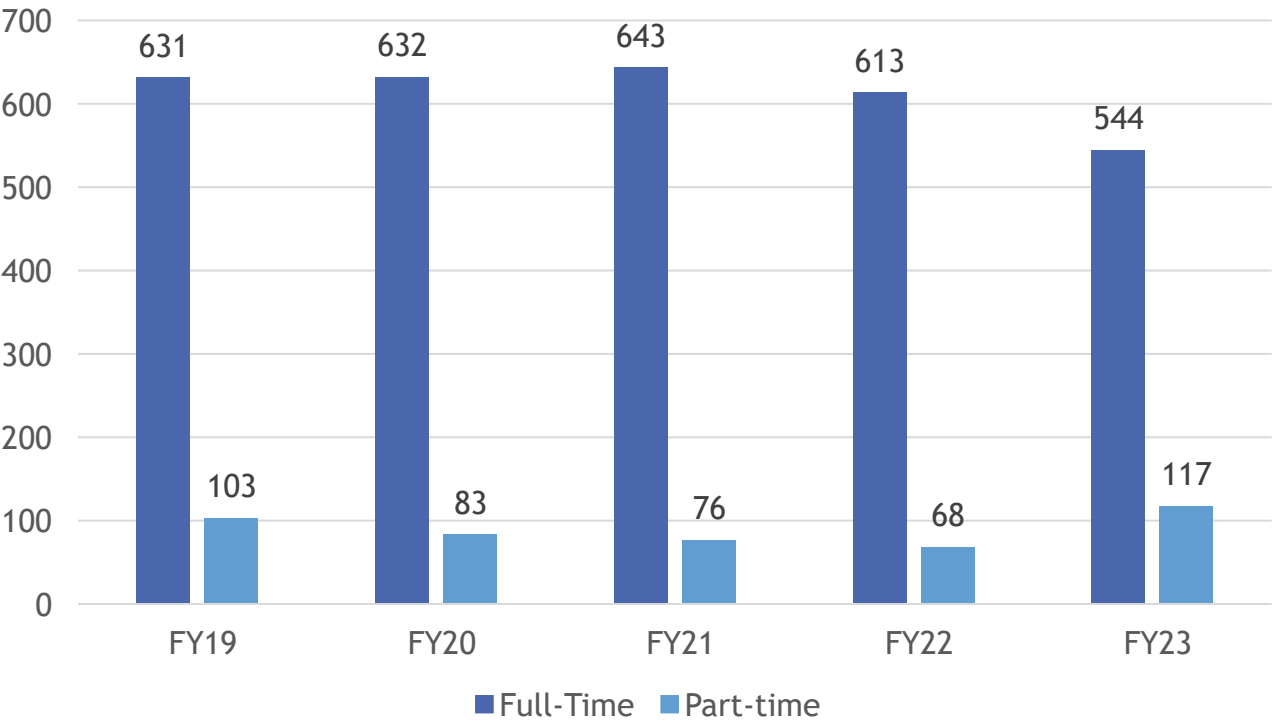
FY 2023-24 Proposed Revenue Budget Summary

FUND	2016-2017 ACTUALS	2017-2018 ACTUALS	2018-2019 ACTUALS	2019-2020 ACTUALS	2020-2021 ADOPTED	2020-2021 AMENDED	2021-2022 ADOPTED	2022-2023 AMENDED	2023-2024 PROPOSED
General Property Taxes	33,735,254	33,025,417	35,568,665	34,472,890	32,697,309	34,197,809	34,457,439	37,307,828	34,260,743
Other Local Taxes	13,486,416	14,573,067	14,967,892	12,798,820	13,496,877	13,603,680	13,554,136	13,617,400	16,263,400
Permits, Fees & Licenses	514,189	272,177	364,216	324,777	363,600	377,900	364,890	309,540	308,390
Fines & Forfeitures	765,982	931,690	832,195	930,750	858,643	593,230	687,079	605,000	522,000
Revenue From Use of Money/Property	133,102	125,481	168,551	102,583	122,000	99,000	97,500	110,000	80,000
Charges For Services	3,610,716	3,294,611	2,994,317	2,141,690	3,016,083	3,033,170	3,021,664	2,678,308	2,699,550
Miscellaneous Revenue	321,341	1,604,070	716,237	1,280,400	1,109,737	1,073,208	970,880	914,880	929,000
Recovered Costs	866,150	97,042	170,494	103,646	80,500	158,326	30,500	40,500	36,500
Revenue From the Commonwealth	15,222,229	14,933,725	15,184,234	15,124,553	16,428,528	16,415,233	16,336,591	15,008,845	15,297,183
Revenue From the Federal Government	4,414,465	4,552,865	5,200,750	4,822,082	4,931,163	5,030,676	5,003,944	6,141,435	6,200,000
Non-Revenue Receipts	-	861,551	-103,832	219,810	233,700	-	200,000	200,000	380,000
TOTAL	73,069,844	74,271,696	76,063,719	72,322,001	73,338,140	74,582,232	74,724,623	76,933,736	76,976,766

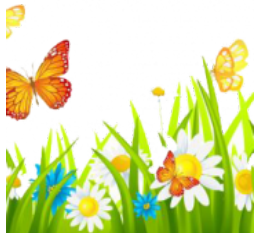
Revenues were provided to Budget by the Commissioner of the Revenue, the Treasurer and the City Assessor.



Current Full-time/Part-time Personnel Summary



Budget Calendar



April

April 14th *

- Finalize Budget

April 18th*

- Notice to Newspaper for Budget Community Meetings

April 26th-27th

- Community Meetings



May

May 2nd

- Notice to Newspaper for Budget Public Hearing

May 16th

- Budget Public Hearing for FY23-24 proposed Budget, Adopt FY23-24 Budget Resolution; Appropriate FY23-24 Budget



July

1st Beginning of new Fiscal Year



Thank you

We want to say a special thank you to the following:

- ◆ City Council for their support
- ◆ Mr. Altman and Mrs. Innis for their support during the budget development process
- ◆ Budget Team
 - ◆ Jeanette Johnson
- ◆ City of Petersburg staff for their cooperation and understanding during this process