

The work session meeting of the Petersburg City Council was held on Tuesday, January 3, 2023, at the Petersburg Public Library. Mayor Parham called the meeting to order at 5:16 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. APPROVAL OF CONSENT AGENDA (TO INCLUDE MINUTES OF PREVIOUS MEETING/S):

- a. A request to hold a public hearing on January 17, 2023, for the consideration of an ordinance authorizing the City Manager to extend the Technology Zone Capital Investment Grant for AMPAC Fine Chemicals Virginia, LLC for a period of three years, beginning January 1, 2023, and ending December 31, 2026, in the amount to be approximately \$570,000, including taxes due for year 2021 and 2022 as stipulated in the Virginia Economic Development Partnership Commonwealth Opportunity Fund Performance Agreement executed in August 2021.
- b. A request to hold a public hearing on January 17, 2023, for the consideration of an ordinance authorizing the City Manager to execute a purchase agreement between the City of Petersburg and Joel Erb towards the sale of City-owned property at 469 Byrne Street, parcel 031-050039.
- c. A request to hold a public hearing on January 17, 2023, on an ordinance to add Section 2-241 to the City Code reserving the right of council to remove appointed members of boards, commissions, and authorities.
- d. Consideration of a resolution authorizing the City Manager to execute the addendum to the Virginia Department of Housing and Community Development Industrial Revitalization Fund Contract #22-IRF-04. – 1st Reading

- e. A request to schedule a public hearing for January 17, 2023, for the consideration of an ordinance authorizing the city manager to execute a lease agreement between the City of Petersburg and the Commonwealth of Virginia, Department of Motor Vehicles for city-owned property located at 1004 Commerce Street.
- f. Consideration of an appropriation ordinance for DCJS ARPA – Law Enforcement Equipment and Technology – 1st Reading
- g. Minutes:
 - Minutes of December 13, 2022 – Closed Session
 - Minutes of December 13, 2022 – Regular City Council Meeting

Brian Moore, Director of Economic Development, asked about moving item “5d” so that action can be taken at tonight’s meeting.

Mayor Parham stated, “We would need a motion to suspend the Rules of Council to move forward with action on this item.”

Council Member Myers made a motion to suspend the Rules of Council. Vice Mayor Hill 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 Myers made a motion to approve a resolution authorizing the City Manager to execute the addendum to the Virginia Department of Housing and Community Development Industrial Revitalization Fund Contract #22-IRF-04. Vice Mayor Hill 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

23-R-3 A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE THE ADDENDUM TO THE VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT INDUSTRIAL REVITALIZATION FUND CONTRACT #22-IRF-04.

Council Member Myers made a motion to approve the consent agenda with the removal of item “5d”. Vice Mayor Hill 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 Smith-Lee made a motion to suspend the Rules of Council. 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

Council Member Smith-Lee made a motion to move forward with the consideration of applicants for boards and commissions. Council Member Myers 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

6. SPECIAL REPORTS:

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

7. MONTHLY REPORTS:

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

8. FINANCE AND BUDGET REPORT:

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

9. CAPITAL PROJECTS UPDATE:

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

10. UTILITIES:

Mr. Altman thanked Mr. Paul Johnson, Director of Public Works for his service to the City of Petersburg and wished him well on his future endeavors.

Michael P. Luning, Vice President from JMT, gave an overview with regard to the water and wastewater and Poor Creek.

There was discussion among City Council, staff, and Mr. Luning

Council Member Cuthbert stated, "Mr. Altman, can you send all of council an email letting us know when the RFP for design services has been posted. This is just such an important project. One third of the city has choked with wastewater. We cannot expand. In the best of future possibilities, it will not be until June of 2026."

Mr. Altman stated, "That is the deadline that we have to meet. It does not mean that we can do it earlier. We have to meet it because of the ARPA money. What we have done thus far is that we have already done the discussion of shrinking timeframes and shrinking the amount of time provided for the design. We need to get the design done in an expeditious manner so we can bid it earlier so we can finish earlier. We have a lot of things that are coming online that need to come online and we do not need to just work until a deadline. We need to work to meet the deadline earlier. That is my push. And he can tell you that I have been vocal about getting things moving and getting things done sooner rather than later because we need to be finished not in June of 2026 but earlier than that. We need to be finished at the end of 2025 if we can. So, understand that when we get there, we are tearing up Crater Road. So, we are going down the median of Crater Road. So, I have been pushing them and everybody involved to get it done."

Council Member Cuthbert stated, "That is great and good to hear, and I am looking forward to that and seeing it happen. Now, when the RFP goes out it is going to ask that the engineering design service companies submit their proposal by the middle of March. Is that the case?"

Mr. Luning stated, "It should be by the end of January."

Mr. Johnson stated, "And then the city and its team will review the bids for the best responses and the lowest bidder."

Council Member Cuthbert stated, "I think there is no one on City Council who would disagree that sooner is a lot better than later. Thank you."

Council Member Jones stated, "So, I am looking at the submission dates in the presentation and I am noticing that on the approval and apply dates it is almost a month before we get anything back. Can you explain that?"

Mr. Luning stated, "Well you are getting state agencies and cumbersome bureaucracies and you make a submission and then you have to get to back from them to approve it. And sometimes in between they have questions that we have to respond to and answer. So, that is really simplistic at the top of the list and the cultural. When that is very quick when in October and came back in November. Petersburg Battlefield got the exact same submission and took an extra month to get it done. You are just dealing with bureaucracies. Everyone is cooperative. The agencies, DEQ, and VDH are very cooperative in these things. They are trying to

push things through faster also.”

Mayor Parham stated, “We are looking forward to it. It is the biggest development project in Petersburg in quite some time dealing with Poor Creek. And I want everyone to know that we have to get this done and the court complex about the same time. So, there is a lot of construction coming up. Again, Mr. Johnson thank you for all that you have done here in Petersburg. You will be missed and Godspeed on the next part of your journey. Next, I want to circle back to finance and budget report. I know Councilman Jones had a question for the city manager.”

Council Member Jones stated, “I think that it is not good taste but when we get to the finance and budget report, we say that there is nothing to report. We need to make sure that somebody is counting all the time. We need to know how much money we got and how much we spent and how much we owe. I think at the next one, city manager, we can at least have some kind of report of where we are. We want to count those pennies.”

Mr. Altman stated, “One of the things that we do is that you get a weekly report that has information from finance as the standing on a weekly basis. I sent one out today which you were included on that one. That goes out on a weekly basis. We are working towards a presentation to council. That report will be by the financial advisor who does our debit service for us to talk about the overall financial well-being of the city. We are looking at targeting that later this month into February to have that done. We are building towards that. Financially we are very strong. Our 21 audits came back with \$25 million of available fund balance. That is cash on hand. It is a total of \$46 million which is cash on hand and assets that are available to the city. When we talked about that the last couple of meetings ago, that is a turnaround of where we were in 2016 and 2017 of a negative \$19 million. The city is very healthy at this point in time. But we do provide you all with updates and you will get those every week. We are working on bringing a fiscal stability report.”

Council Member Jones stated, “We may get it but we have some counters out there too. I think that it is important that someone is counting behind us. Thank you.”

11. STREETS:

Vice Mayor Hill stated, “I think that we are behind on our leave collection. I think that my area was supposed to be done at the beginning part of December. I would like for public works to make sure that you come through the East Walnut Hill area and Oakhurst. I have a lot of constituents with bags and leaves already pushed to the curb. And if we get any snow then it is going to be chaotic. I can give you some street names. IT seems like I ride through a lot of streets, and I see that the leaves are pushed to the curb. Also, we already spoke about the liter. It seems like that last two weeks the liter has been out of control, and no one is picking it up. Can we make sure that we get people to focus on the main streets and the streets that are going into the neighborhood and things like that. At one time we were doing really good. No, it seems like we are reverting back.”

Mr. Altman stated, “I will let you know where we are with leave pickup and get back on schedule. You and I have talked, and I have written out some of those areas. We just have to get back on schedule.”

Vice Mayor Hill stated, “Thank you.”

12. FACILITIES:

Mr. Altman stated, “As council is aware, we are under court order for a new court. Also, we are under still an existing order for maintenance of the existing building. We have had our staff go over to talk to the judges. I have met with the clerks and the district court judge. We are putting together a plan to maintain the existing courthouse maintenance. The big thing is heat. We are looking at solving the problem of regulating heat within the building. So, we may be bringing something back to council to address that. I do not know if it will be on the 17th but as soon as we have that information and we know which direction we are going to go into then we will bring it back.”

13. ECONOMIC DEVELOPMENT:

*No items for this portion of the agenda.

14. CITY MANAGER'S AGENDA:

Mr. Altman stated, "At the last meeting, Councilman Cuthbert asked for an update on the Solomon's porch issue. And we can report that a field inspection was made, and photos were provided to Mr. Williams on the sign violation. And we are working through that process to get that taken back to court."

Mr. Williams stated, "Just a follow-up on that. We filed a motion for rule of show cause. We are just waiting on the judge to review it and see if he will issue it. If he does, we will bring the owner in front of the court, and it will be a criminal penalty for failure to properly comply with the courts order."

Council Member Cuthbert stated, "Mr. Williams, when will that be before the judge?"

Mr. Williams stated, "I called the judges secretary and she said that because of the holiday it will probably be delayed in viewing it. But I would hope to see something in the coming weeks on that."

Council Member Cuthbert stated, "The procedure is to send it to the judge for his review or is the procedure to schedule a hearing?"

Mr. Williams stated, "No, the judges review it and then determines if he is going to have a hearing because it is alleging a violation of the court order. So, the judge would have to review it and if he agrees he will issue a show cause which will cause the person to come before the court and explain why they haven't complied with his order."

Council Member Cuthbert stated, "Good. Mr. Altman, would you bring us up-to-date at our January 17th meeting on whether how the judge ruled or if the judge is ruling at that point?"

Mr. Altman stated, "I think between the two of us we can handle that. The other item that I have is that we have our recreation director here this evening to give us an overview on some of his success with the parade and some of the things that he would like to do moving forward. I hope you all enjoyed it. I think that we had a lot of good reviews on the route."

Marquis Allen, Director of Parks and Recreation, gave a review of the recreation department and the Christmas parade.

Key notes:

- The City of Petersburg holds an annual weekend of holiday festivities the first weekend in December.
- The goal is to provide citizens and visitors the opportunity to come out and celebrate, laugh, and have fun as a community together.
- The objective is to provide expose to business owners, to sustain and to increase parade entrants and boost attendance.
- Parade route changed to Sycamore Street to Olde Towne.
- New Partnership with Poplar Lawn Association.

Mayor Parham stated, "Thank you Mr. Allen for all the hard work that you all put in that whole week. My question that I have is, is there anyway, because you all put on an excellent grand illumination ceremony, to tie all that together with the parade instead of breaking it into two days. Is that possible?"

Mr. Allen stated, "Absolutely. It is possible. I spoke with the city manager and deputy city manager about that. I think that it is something that we can discuss with Poplar Lawn to adjust to what they are doing. Because that will put them out there a little bit later. I do agree with seeing if everything is possible in doing it in one day."

Vice Mayor Hill stated, "I was ready to ask you the same thing. I think it would be awesome to do it all in one day. Great job and we appreciate all the work."

Mr. Allen stated, "Absolutely. That has already been addressed so, that should not happen again. We are just looking to collab with other departments to see if we can pull it off on the same day."

Council Member Smith-Lee stated, "Many years ago, we used to have the Christmas Parade about 6pm. And we do have tree lighting during that time. If you can manage that I think it will get so much more participation. And I think that it will be a good asset for us."

Mr. Allen stated, stated, "Absolutely, we can look at pushing it back potentially. One of the challenges that we had in the past was that the holiday parade or Christmas parade is the same day as Richmond. So, I do not know with some of the entries that we have would it be an opportunity for them to come down. That is a long day for some of our younger groups and bands. And that would be a 12–14-hour day. That is something that we can definitely explore."

Council Member Smith-Lee stated, "Do you think we can work it like on a Friday evening? Do you think that would be too much?"

Mr. Allen stated, "It may. It just depends. With the 61 entries that we had; I do not know if we will be able to sustain that with Richmond being the next day logistically. But that is something that we can definitely look at."

Council Member Cuthbert stated, "Mr. Allen, congratulations on a job well-done. I know that you felt like that you were reinventing the wheel because of the new location. I think you did absolutely superb handling lots of logistically issues caused by the switch. But I think that it is a great switch and I am delighted that it turned out well. I love seeing those photographs of everyone having a great time. Did no firearms signs get put up along the route?"

Mr. Allen stated, "Yes we had plenty. Public Works provided that throughout the route and as we ended."

Council Member Cuthbert stated, "Great. That is important. And one last comment, I would encourage you not to go light on the prize money. I think that we will have a fabulous Christmas parade this year on the new route. I think that if we put some more sugar plums as you might say for everybody, I bet we will have even more participation and even more vibrant event. Thank you for all of that."

Mayor Parham stated, "Thank you again Mr. Allen for all that you do."

15. BUSINESS OR REPORTS FROM THE CLERK:

Mrs. Lucas stated, "I have no items but Happy New Year everyone."

16. BUSINESS OR REPORTS FROM THE CITY ATTORNEY:

*No items for this portion of the agenda.

17. PUBLIC COMMENTS:

Barbara Rudolph, 1675 Mt. Vernon Street, stated, "Good evening. First of all, welcome Councilor

Jones. It is so good to see you up there and I also want to congratulate Mayor Parham and Vice Mayor Hill on their election. I definitely wanted to come to the meeting for those reasons. You all had to compete with something going on in the US House of Representatives that is actually a little more dynamic and crazier than you all have ever done up there. I probably be gone back in a few minutes to watch that. Being that it is New Year's let me suggest a resolution for council and city administration. And that is based on, you all know that I am kind of picky, but I really often don't go out of my way to look for things. I am just studying materials of the city and sometimes I come upon these things that are not right. Several months ago, I brought a presentation up about the real estate tax to you and that was an accidental discovery of mines. Also, last year the newsletter had an area relating to the responsibilities of the neighborhoods in different wards. There have been a few different items over time. The resolution would be to pull all those things together. We can strive for perfection knowing that we will not get there but try hard to review the things that require an extra set of eyes to make sure that stuff is right. I think in the long run it saves a lot for city administration, citizens, and all of us. One thing tonight that brought up a lot of questions, I was looking tonight at the organizational meeting agenda on the council rules. I noticed that you all have on there the part about discussion of ordinance and resolutions. I think in the past the resolutions have gotten knocked out, but it looks like they are back on their again. What I am referring to is the fact that the citizens have an opportunity to comment on it after a motion and a second have been made. That is just a reminder because sometimes that has been something over the years that has been consistently observed. Most of the time it gets done but sometimes the opportunity does not get put out there. It just came to mind when we talked about the suspension of the rules to talk about this one item on the industrial revitalization fund and Hotel Petersburg. Which would have been a public hearing item, but you all put it on there and voted on it. I would have thought maybe not part of the suspension of rules would have been to say it's a resolution and we have a motion in a second and does anybody on the floor want to say anything. Probably with the group here tonight none of us did. It is just a reminder. Those are some things to think about in 2023. Again, congratulations to new member and new officers. Good to see you in the seat Vice Mayor Hill. Thank you."

Mayor Parham stated, "I would like to welcome our new council member Marlow Jones, my fellow classmate of PHS Class of 1993. Look forward to working with you. And I just want to give you a few moments to address the crowd."

Council Member Jones stated, "Thank you Mr. Mayor and thank you city council. I want to say thank you to the people in Ward 1 and all of you that voted me here. Thank you, I am forever in your debt. I am going to make sure that we be a team like you wanted us to be and you are going to see something nice and new and fresh from this body up here. Thank you."

Mayor Parham stated, "Thank you."

Council Member Smith-Lee stated, "I just wanted to say thank you for allowing me to be Vice Mayor for the last two years. It has been engaging and very wonderful. I thank Mr. Myers for nominating me and everyone who voted for me. But I believe and I know within my heart that Mayor Parham is doing a superb job and he will continue to do that. And Mr. Darrin Hill, Vice Mayor, will follow suite too. And I just wanted to say thank you for that beautiful opportunity."

Vice Mayor Hill stated, "I want to thank all who came out tonight. I want to thank the council for nominating me and electing me to this position. It is something that I do not take lightly. I just want to thank everyone and look forward to working with everyone. I am so excited that Marlow Jones is here with us. Especially that I ran against him, and he is a worthy opponent. Our ideas are in line with one another, and he and I have been talking more over these last couple of months. I look forward to great things with the City of Petersburg. And I also want to acknowledge all of you all who have been hanging in with the city these last past years. I know that it has been rocky. Certain places that you go and mention the city, you are embarrassed because of the things that you have read. But now we have turned the corner and better days are ahead of us. So, I look forward to this coming year and look forward to working with the citizens and council. Thank you, Mr. Mayor."

Council Member Jones stated, "I cannot leave out the fire department. I just want to say that I see you

here and tell you stay strong, stay the course, and stay focused. Help is on the way.”

18. ADJOURNMENT:

City Council adjourned at 7:00 p.m.

Clerk of City Council

APPROVED:

Mayor