

The regular meeting of the Petersburg City Council was held on Tuesday, February 4, 2020, at the Union Train Station. Council Member Myers called the meeting to order at 6:30p.m.

Council Member Myers is sitting in to run the meeting until Mayor Parham arrives to the meeting.

1. ROLL CALL:

Present:

Council Member Charles H. Cuthbert, Jr.
Council Member Annette Smith-Lee
Council Member Treska Wilson-Smith
Council Member W. Howard Myers
Council Member Darrin Hill

Absent: Vice Mayor John A. Hart, Sr
Mayor Samuel Parham (arrived at 7:15pm)

Present from City Administration:

City Manager Aretha R. Ferrell-Benavides
City Attorney Anthony C. Williams
Clerk of Council Nykesha D. Jackson

2. PRAYER:

Council Member Myers stated, "Now we will have open prayer with Reverend Dr. Tillman of First Baptist Church."

Reverend Dr. Tillman led the council meeting in prayer.

3. CLOSED SESSION:

*No items for a closed session.

4. MOMENT OF SILENCE:

Council Member Myers led the meeting into the moment of silence.

5. PLEDGE OF ALLEGIANCE:

Council Member Myers led council and the citizens in the pledge of allegiance.

6. DETERMINATION OF THE PRESENCE OF A QUORUM:

A quorum was determined with the presence of all City Council Members except for Vice Mayor Hart and Mayor Parham.

Council Member Myers stated, "Tonight, at our First meeting during Black History Month, I would like to talk a little about First Baptist Church right here in Petersburg. At 246 years old, First Baptist Church, is one of the nation's oldest African American congregations. It traces its origins to 1756, when worshipers known as New Lights began meeting outside Petersburg. The congregation moved to the city in approximately 1820 and opened a sanctuary here in 1863. After the building burned in 1866 during a wave of arson targeting

*Audio available upon request.

Petersburg's black churches, the present sanctuary was built and dedicated in 1872. Peabody High School originated in the church in 1870. During the Civil Rights Movement, Dr. Martin Luther King Jr., spoke at First Baptist Church in 1962 at a regional meeting of the Southern Christian Leadership Conference. There will be an official historical marker unveiling THIS Saturday at First Baptist Church beginning at 11AM, I hope that you all can join us there as we honor this historical landmark in our community."

7. PROCLAMATIONS/RECOGNITIONS/PRESENTATION OF CEREMONIAL PROCLAMATIONS:

- a. Proclamation recognizing the week of February 9-15 as National FBLA-PBL Week.

Council Member Myers read the proclamation out loud.

Dr. Louis Dabney, Assistant Professor of Management and Marketing at Virginia State University, stated, "On behalf on all of our students and faculty we would like to thank you for the proclamation. Our students do a lot of community service and they work very hard in their business studies. And right now, we are in the process of preparing them for their statewide competition and then their national competitions of which I believe will take place this year in Utah. So, we all have a lot of hard work to do and thank you for your consideration and I know with the City and the university behind us the students will do great."

Council Member Myers stated, "Thank you for your service."

8. REPORTS/RESPONSES TO PREVIOUS PUBLIC INFORMATION PERIOD:

Folakemi Osoba, Public Information Period, read comments and responses from previous public information at the January 21, 2020, regular council meeting.

1. What are the next steps with the Legislative Agenda?
To provide more details on the Legislative Agenda, an update report will be given during tonight's meeting.
2. Can the verbiage be changed regarding utilities security deposits?
Staff is still reviewing the ordinance to determine possibility of restructuring the verbiage.

Mrs. Benavides, City Manager, gave follow-up responses to City Council from the January 21, 2020, council meeting.

1. **Q. Can we get a plan from the police department regarding crime within the City and how we plan to reduce crime? Councilmember Wilson-Smith**
 - a. During the meeting the City Manager pledged to work with Chief Miller to bring back a plan to City Council. Chief Miller will present a plan during the first meeting in March.
2. **Q. There are serious issues with water billing and collections. What steps are being taken to ensure bills are accurate and a plan of action moving forward to correct issue. Councilmember Wilson-Smith**
 - a. We have made great strides in reducing our error rates. Collection has been a challenge, but overall, we are seeing an increase in collection rates. During the meeting the City Manager introduced the new Billing & Collections Manager, Mr. Monte Evans and planned to bring back a plan of action for the department, including observations and recommendations for continuous improvement at the February 18th meeting.

3. Q. At some point we set aside \$250,000 for the public library contingent upon funding. When will we know if that is available? Councilmember Cuthbert

- a. At the August 12, 2019 Council meeting Mayor Parham made a motion that anything past \$1 million-dollar should go into our capital fund to support the library expansion of the auditorium up to \$250,000 (FY19/20 budget). The motion was seconded by Council Member Hill. There was discussion on the motion. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Smith-Lee, Wilson-Smith, Myers, Hill, Hart and Parham.

Based on the motion, the City Attorney interprets the motion to direct that such surplus funds be placed "in our capital fund" it does not direct a donation or "release of funds to the Foundation". If the funds are to be expended or donated to the Board (as indicated in the letter) rather than simply earmarked for prospective future use by the City (as the Motion reads), then it would require an Ordinance after public hearing per 15.2-2507 of the Code of Virginia and Article 7 Section 7 of the Virginia Constitution. This would occur after the \$1M reserve was confirmed after the completion of the FY19/20 CAFR.

4. Q. What are we going to do about our old historic buildings that we need to preserve. Can we get a list of these buildings and plan for what we need to do? Councilmember Wilson-Smith

- a. Staff from Capital Improvement and General Services are preparing a summary report of facilities for City Council's review by February 18th.

5. Q. What is the status of the Battlefield Park and dog park? I am waiting on feedback from Mr. Tabor on this item. Councilmember Wilson-Smith

- a. There are some concerns with the proposed location and staff is exploring alternative options for the location of the dog park.

6. Will the water at Wilcox Lake be turned back on in time for the Spring? Councilmember Wilson-Smith

- a. No water services will be provided without an active account.

There was discussion among City Council and staff.

Council Member Myers stated, "I would ask that the person who posted the sign on the wall, it is against one of our ordinances. You all have the ability to hold the sign, but you do not have the ability to post a sign. If you would please remove the sign from the wall. Thank you."

9. COMMUNICATIONS/SPECIAL REPORTS:

- a. City Treasurer Report – Kenneth Pritchett, City Treasurer

No report from the City Treasurer.

- b. City Assessor Report – Brian Gordineer, AAS, City Assessor

No report from the City Assessor.

- c. City Manager Report – Aretha R. Ferrell-Benavides, City Manager

Mrs. Benavides stated, "I gave a written report only because we have a number of items on the agenda."

*Audio available upon request.

d. Financial Report/Budget Update – Robert Floyd

Mr. Floyd provided a PowerPoint presentation on the 2nd Quarter budget report. He stated that next month they will be doing another presentation on the budget.

Mrs. Benavides stated that there will be a draft CAFR on the February 18th meeting.

Patrice Elliot, Finance Director, stated that there will be a report sometime around second meeting in March on billing and collections and that she is trying to make sure that the information can be validated.

e. Legislative Update – Reginald Tabor

Reginald Tabor, Project Manager of Economic Development, gave a presentation on the Legislative Agenda.

There was discussion among City Council and staff.

Council Member Myers made a motion to not support HB760.

Motion dies due to lack of second.

f. Water Quality Update – Andrew Barnes

Andrew Barnes, General Manager of Utilities/City Engineer, gave a PowerPoint presentation on utility operations.

There was discussion among City Council and staff.

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

- a. Minutes of the Regular City Council Meeting of January 21, 2020
- b. ABC Application for Sindhi Brothers Inc., located at 1500 East Washington Street
- c. Supplemental appropriations for Community Corrections - \$1,959 – 1st Reading
- d. Appropriation for Virginia Department of Emergency Management – Radiological Preparedness Grant - \$1,830 – 1st Reading
- e. Appropriation for Jarratt House project funding - \$20,000 – 1st Reading
- f. A request for a public hearing to consider an ordinance authorizing the sale of 1000 Diamond Street.
- g. A request for a public hearing to consider an ordinance authorizing the sale of 709 Ann St; 1200 Baylors Ln; 741,742 Blick St; 109 Burch St N; 436, 469 Byrne St; 1118 Chestnut St; 127 Dunlop St S; 1004 Farmer St; 708 Federal St; 735, 808, 811 Halifax St; 449, 615, 627, 716, 724, 723-25 Harding St; 334 Harrison St; 1022 High Pearl St; 516, 522 Hinton St; 706 Independence Ave; 115 Jolley Alley; 206, 215, 751, 803, 804, 808, 809, 829, 839-41 Jones St S; 126, 135, 202, 204 Kentucky Ave, 230 Kentucky Ave Rear, 716, 708-10, 712-14 Kirkham St; 650 Lawrence St; 205 Maple Ln; 340 Mistletoe St; 742, 746 Mount Airy St; 244 New St; 101 North Blvd; 52, 105, 249 North Carolina Ave; 612 Pegram St; 852 Rome St; 802 Rosemont St; 4, 6, 9, 12 Ross Ct; 322, 328, 408, 604 Shore St; 813 St. James St; 300, 500 St. John St; 246 St. Luke St; 151, 152, 521, 535 St. Mark St; 415, 517 St. Matthew St; 725 Sterling St; 980 Sycamore St; 151, 201 Virginia Ave; 539 Washington St W; 519 RE Washington St. W; 704, 706, 710 Wesley St; 323, 425, 715, 731 West St S; 919 Wythe St W.

*Audio available upon request.

Council Member Hill made a motion to approve the consent agenda and to accept the public hearings date for February 18, 2020. The motion was seconded by Council Member Myers. The motion was approved on roll call. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Myers, Smith-Lee, Hill and Parham; Absent: Hart

11. **OFFICIAL PUBLIC HEARINGS:**

- a. A public hearing request of Equity Plus, LLC to rezone the property from A (Agricultural) District to a PUD (Planned Unit Development) district to allow a residential subdivision of 168 single family dwellings. The property address is 2557 North Stedman Drive, T.P. 036-08-0001.

BACKGROUND: The Zoning Ordinance requires that City Council must take action once a recommendation is forwarded from the Planning Commission. The residential property is zoned Agricultural and must be rezoned to allow the residential development. The rezoning would facilitate the construction of 168 single family residential units for rent on separate lots. The applicant will apply to the Planning Commission for the subdivision review and ultimately approval. The developer has met with the community, neighbors and the schools to amend the proposal taking into account feedback provided during the two public hearings held by the Planning Commission.

RECOMMENDATION: Following a duly advertised public hearing, Council by majority of those members present and voting, the council may affirm, reverse or modify the decision of the Planning Commission. Staff recommends City Council to hold a public hearing on this matter for the February 4, 2020, regular Council meeting. The Planning Commission sends forth a recommendation of denial.

Michelle Peters, Director of Planning and Community Development, gave a briefing on the request of rezoning for property located at 2557 North Stedman Drive.

Mayor Parham opened the floor for public comments.

Jeffrey Fleming, 1819 Chuckatuck Avenue, stated, "This is one of the ones that I start off with a saying that my mom or dad gave me. They gave me a lot of knowledge through life. All money isn't good money. IT sounds great and me of all people love investors that are willing to come to our City. But what I am looking at is rent to own for a house. Anybody have a calculator? Do the average rent of \$1,100 a month and multiply that by 15 and multiply that times 166. That is \$32,868,000. That is just a small number of what they are going to make. They are pledging \$2.5 million for the school system. But at what cost. You are going to take advantage of people. Fifteen years they would have to stay there before they can buy a house. The house is paid for in 15 years. That is loan sharp. And to approve this. I mean I want this for our City and citizens, but this is not good for our citizens. You are taking advantage of people who cannot afford to be taken advantage of. And that is just my thought. Thank you."

Barb Rudolph, 1675 Mt. Vernon Street, stated, "Just make sure that you know that they are going to give \$2.5 million dollars to the schools. That sounds great. I have reservations similar to those expressed by Mr. Fleming and I think other citizens do to. But I am just going to touch on different things. First of all, in looking at the section that we just went through on the agenda there is two items on there that are purchases for a nominal amount by the same group that is putting together this deal. So, it seems to me that we should be looking at the entire picture. I realized that this current issue is rezoning but it is part of a bigger push by PB Petersburg Owners, LLC to do things all over the City. I think that the council should be looking at all of those things together and not in isolation. I recommend to you that you keep in mind that there are other things following and that somehow all of the this together are somewhat advantageous to this developer. And I question and I understand that they want to make money. All of us want to but something is going on here that the City is offering to basically give away for free the Virginia Avenue School, which is assessed at over \$5

*Audio available upon request.

million and 88 parcels in Ward 5 that is assessed at three quarters of a million dollars. And all of these things are going to be sold for \$10 dollars a property. Which is really just a symbolic way of saying they are free. So, that is what makes people wonder what is going on. Meanwhile, the issue at hand is that I have a concern too about the predatory practice of leased purchase. That is one of the things that this developer has put in this rezoning deal to try to make it more compatible to the City. But when you look at and compare what somebody on a 15-year fixed mortgage and no down payment, they can spend anywhere from the same amount to \$100 more in rent and they would own the property at the end of 15 years. I am saying \$150,000 house in this development. They would own it free and clear versus having to pay \$135,000 for it. To me there is no choice. I realize that some of the people that are going to rent here are not going to qualify for a mortgage. But the City I think should emphasizing is trying to connect these people and firefighters, teachers and so forth that are the target of this with ways that they can obtain mortgages. So, that they can actually find a way to home ownership without being ripped off. That's the key thing and I hope that you guys will look at that. Couple of other things that I want to mention is that the investor when putting together all these pieces and investing over \$60 million dollars in Petersburg, that includes \$2.6 million for the schools. They are getting something out of that. They are also proposing to buying other property on Stedman Road for half a million dollars. That needs to be public and transparent. That is a benefit to the City that is coming from this developer. They are saying they also would like to develop that property. In 2009, the City rejected a smaller development on this site of only seven houses. They said that it was only suitable for low density development. Now, we are talking about four times the area and about 24 times as many houses which is a higher density. And I don't think we can ask the City engineer, but I don't think that the sewer and water has been upgraded since 2009. In fact, it has been 11 years for it to age. So, I am not sure how it was not okay then but okay now and a higher density development works. Thank you."

Vernel Gannaway, 652 Old Wagner Road, stated, "I would for you to know that it is a beautiful plan. E are just kicking the can down the road. We are seeing things happen in our own neighborhood and people are just coming in and after a while you see a retract. We are destined for money in this City, but we do not have to pull everything that is glamorous. Just watch everything that is being said check every corner and turn in school. Because they know you are desperate so do not jump on everything. Thank you."

Michael Packer, 1245 Woodland Road, stated, "I speak in opposition of this rezoning. The Planning Commission overwhelmingly voted to recommend denial on this rezoning. Those members knew that the PUD was not appropriate because it includes one use, single family residential. This project does not have any other uses. PUD's are supposed to be designated to facilitate different uses. Those words are in your ordinances. The developer could have requested a single-family residential district, however, there are none in your ordinance that would allow small lots and the houses being so close together. And that is why you are looking at a PUD. The zoning ordinance states that PUD should be in accord with the Comprehensive Plan. You have a Comprehensive Plan that you passed, and you set out districts in that plan. This particular district you determined that it should be a low density residential. This is a cluster housing project as stated in that application by the applicant. Here you are looking at a district that is supposed to be low density and this is a medium density residential and it is not in performance with your plan. And the PUD ordinance specifically states that it should be in accord with the Comprehensive Plan. Let's talk about cost. The City pays about \$3,500 per child to educate them. This will generate about \$1,700 in real estate taxes for each child. The school board may be excited about getting \$2.6 or \$2.8 million dollars but eventually that money is going to run out long before the 15 years run out. They are going to be coming to you for \$3,500 per year to pay for these kids' education. Now that is the cost of operation that does not include any Capital Improvement. It is really hard to speak about decent housing. Petersburg has done more than their share. I know that some council members might want to postpone this until the council members can be here. I think that this is the 3rd time that this has been advertised for City Council. The majority of council recognizes that this is bad land use planning proposition that you should vote tonight to deny rezoning. Thank you."

Linwood Christian, 410 Mistletoe Street, stated, "One thing that many of you may know about me is that

*Audio available upon request.

I do not back down even when I am standing on opposite sides that my fellow friends and citizens may stand on. And what I am about to say may be new to some and may not be new to others. But I am asking this council to forgo what the Planning Commission has denied and to grant this project. Reason being is that I am going by my conversations I have had with the developers. Yes, I picked up the telephone when other people would not give me the telephone number. And if anybody knows me once I get my teeth into something and I draw blood. So, I drew the blood and found the phone numbers of the persons that are doing this. I hear every argument that has been put out. We have heard it all before. And I can say this. For every one we have had in projects that have come up on the Mistletoe Street area and nobody really cared, and things have gone on the way that they supposed to. Now, again I hear what you are saying but then I look at when they were building Lieutenant Run during the time that we thought that Fort Lee was going to be there. But instead of more kids being added to the school with the same issue we have had schools that have closed down. And things have not gotten better. Now one of the things when they talk about additional children, for some reason in the influx of children in our schools. But at the same I look at this, we may not like it but at least somebody is thinking about our schools. Because at times and on too many occasions I have had to come up here and almost beg and fight with this City Council to do what they are supposed to do for our children and it still has not been done yet. We are talking about our first responders. We are talking about our teachers. Again, programs and things that myself and others have fought for and talked about at this council and even when Mr. Cuthbert's father was on this council. And you have done nothing yet. I do so hope that you would allow this to go because again I know I am on the opposite side of my fellow citizens that is how I role. If I see the lights, I see the light. I also told the developers, yet while I am up here in support of them at the same time, I publicly support them. But when the first of something is wrong, I am publicly going to go against them. Thank you."

Ron Flock, 1708 Pender Avenue, stated, "I also have had a number of conversations with the gentleman that are putting this project together. There was a petition that went through my community and if I am not mistaken there were 73 signatures and there are 75 houses in my development. There were some concerns and the main concern was the through way being put through my neighborhood and to get access to Fort Lee. And that was the biggest issue that we had. My neighborhood watch, we have gotten together and discussed some of the issues and concerns that my neighbors who all signed this petition had. And at the end of the last meeting that we had I think there was one woman that wanted a 25-foot fence between that development and us. And I just wanted to come up here and say as far as the petition is concerned that there were a lot of things that were remediated by the developers for the people in my neighborhood. Thank you."

Willie Noise, 1508 Circle Drive, stated, "I have three things that I want to bring up. And I would like to have an answer to them one at a time. And the first one is protection. The biggest problem that we are having is close communities with no security. Now this development I would like to hear what they plan on doing because we need 24hr security service with anything going on like this. Okay the next thing is the supplies come from where? Now, I am looking at this house here and it is a nice house. And it is probably going to be identical, most of them but pretty close, roof material and everything. And we are getting ready to say goodbye to Southern States. Where is the flowers and hedge bushes and all of that stuff coming from? Where is the shingles and the boards and all that coming from? Home base, where is your home base at? Is it over in California somewhere? These are things that I am really concerned about. Thank you."

Lafayette Jefferson, 1746 Brandon Avenue, stated, "Mr. Christian, this is part an argument but there is actually a thing called the currency of confidence. And with the currency of confidence if people believe that they will do the things to maintain it and if they don't, they look for other places to move to and then they are not going to approve their properties. The reason I am saying this is that what we in need in Petersburg is our confidence. And what we are actually doing is selling our own self short by dealing with developers of this nature by selling buildings less than what they are actually worth that we actually own as a City. We are selling ourselves short on a City level of a lack of confidence and self-esteem. Because if you have that confidence and self-esteem you just are not going to let someone treat you down here when you know that you are up there. We are allowing these developers to come in and treat us like we are down here. We are giving them

*Audio available upon request.

incentives. I am part of the Economic Development and they came to us and we said no. Just like they went to planning but yet they are still here trying to push this same stuff on the City of Petersburg. No is the time for us to remediate our low self-esteem and to actually do the things in a way that we will build Petersburg back into the community that we want it to be. Thank you.”

Marcus Squires, 1701 Monticello Street, stated, “I support this development. There are a lot of military personnel that are in the City looking for places to live and reside here and they cannot find housing. I have houses in the City that I rent mostly to people in Fort Lee. And a lot of times they have to go outside the community to find housing. I think that this community would bring tax revenue to our City. So, I hope that City Council would approve it. Thank you.”

Richard Taylor, 828 Tuckahoe Street, stated, “I don’t think anyone building this project is ever going to move to Petersburg. But that is not what I want to let you know. I just received an article on the internet that deals with mobile homes. And that is essentially what this is regardless of what they say. Today, mobile homes can be classified as real estate property or personal property. Buyers can finance or purchase through a traditional mortgage if the property is classified as real estate. But the majority of manufactured homes are financed as personal property with a chattel loan. A chattel loans are easier for buyers because mortgages on smaller value are hard to secure. But chattel loans usually come with higher rates and shorter terms. I asked that if you do anything tonight, table this motion so that you can read this article and find out why this project is not good for Petersburg. Thank you.”

Fenton Bland, 1840 S. Westchester Drive, stated, “I concur with the Planning Commission. They voted it down as well, 6-1. I concur and hope that you all do the same. Thank you.”

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

There was discussion among City Council, staff and the developer.

Council Member Myers made a motion to table until the first meeting in March. The motion was seconded by Council Member Smith-Lee. The motion was approved on roll call. There was discussion on the motion. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Myers, Smith-Lee, Hill and Parham; Absent: Hart

- b. A public hearing upon request of John Ruffin (Clearfield MMG, Inc.) to construct and operate a Waste Disposal Solution Facility. The property is zoned M-2. The property address is 2851 Frontage Road, T.P. 064-03-0006. The property is being subdivided to create an 8-acre parcel for development.

BACKGROUND: The Zoning Ordinance requires that City Council must take action once a recommendation is forwarded from the Planning Commission. The current property is zoned M-2 but the zoning ordinance doesn’t specifically speak to this use. This is not considered a landfill and therefore Chapter 37 is not applicable, which permits these uses. This use was determined by the Planning staff to be an objectionable use and would require review by the Planning Commission and the City Council. The Planning Commission held a public hearing on the matter at its regular meeting held on January 8, 2020. The Planning Commission sends forth a recommendation of approval with conditions, and contingent upon an inspection of an existing facility in Chesapeake, VA operated by the same owner/company. This use is considered an industrial use and the proposed facility will be licensed by the Virginia Department of Environmental Quality (VDEQ).

On January 22, 2020, the Planning Commission visited the site in Chesapeake, Virginia which is the same operation to be constructed in the City of Petersburg. Five of the seven Planning Commissioners visited the site, the Planning staff (Director, Zoning Administrator and Zoning Technician) accompanied the

*Audio available upon request.

Commission.

RECOMMENDATION: Following a duly advertised public hearing, Council by majority of those members present and voting, the council may affirm, reverse or modify the decision of the Planning Commission. Staff recommends City Council to hold a public hearing on this matter for recommendation of approval.

Mrs. Peters and Jack Ruffin (petitioner) gave an overview on the request of constructing and operating a Waste Disposal Solution Facility.

Mayor Parham opened the floor for public comments.

Vernel Gannaway, 652 Old Wagner Road, stated, "That is adjacent to my neighborhood where I live. Everything effects our neighborhood. So, I would like to get more information on this. So, I decline until I get more information. Have they gotten with the rest of the neighbors in the neighborhood as well? Mr. Hill you might know from at our meetings. Thank you."

Ron Flock, 1708 Pender Avenue, stated, "I kind of have the same concern. I see in my ward where this dump is right on top of the school in a residential area. I hate to see 10 or 15 years down the road that this facility encroaches on people's residences like the landfill did. That is all that I have. Thank you."

Jeff Fleming, 1819 Chuckatuck Avenue, stated, "Most of the time people say Nimby. It is an acronym for 'not in my backyard.' In listening to what the gentleman from Clearfield was saying, he stated that there will be no hazardous materials and a low impact. They said 10 trucks are coming per day and I don't know how many trucks leaving the facility. Because we just paved Wagner Road. So, that is going to have a wear and tear on the road itself. And being that this is a Special Use Permit and voted on the use to do so, I think that it should be strict enforcement and the time that he is found not in compliance that permit should be immediately revoked. Wagner Road was rough, and we just got it paved. They are going right past that same area again. So, look on the impact of the roads and we are dealing with smells. If they cannot abide by all of those and you issue a Special Use Permit, I beg you that it should be revoked immediately. Thank you."

Richard Taylor, 828 W. Tuckahoe Street, stated, "I don't claim to be a tree hugger but once again it appears to me that somebody wants to bring their trash from somewhere else and put it in Petersburg. Whether they are recycling it or not. One of the items that I notice that they treat is sludge. You folks know what sludge is? It comes from the sewage treatment plant. And you are right, it is hard to get rid of. Farmers like to use it on their farmland to rich their soil but there are heavy metals in it that cause real problems. I hear what he says about hazardous waste and none of it being there. I don't know what guarantee he has that it won't be, but I guarantee that some of it is going to creep in there. Just like they were doing at the landfill with the medical waste. Still bringing it to Petersburg and transferring it somewhere else. I hope you will deny this permit. Thank you."

Linwood Christian, 410 Mistletoe Street, stated, "When we are talking about this waste disposal, the only thing I can go back and say is that I just have to look at the warning. Mr. Richard Stewart gave us some years ago when this facility when they were going through what they did. Every single time when someone said no that this wouldn't be look at what it has come to be. And as Mr. Taylor said it looks like everybody else's trash is coming to Petersburg. Whether they have been fired from the previous location they were or just it is the trash and we know it is trash. We have to deal with it. And also, when you look at how much money and how we complain about what road work is not being done. And road work being one of our thorough fairs it doesn't make any sense that the wear and tear on that road, there will be potholes larger than the crater on our moons. So, this is one time that I would say with the commission their request is to not do that. We are going to look at it. And even the question has to be asked after it rains. Homes checked for gases that are harmful to

*Audio available upon request.

people that may seep up. And then the question we have to ask too is that when you say don't be a harmful waste, what do you define as harmful waste. Because anything that comes from my body that I through in the trash can is considered fumes and toxic is harmful. Whether we notice it immediately or has some kind of long-term effect. Now this is the one time that I say that if we are really concerned about our citizens, especially our young people, this is something that I would ask council not to vote on and abide by the decision of the commission and say no. All I have to say is to talk to Mr. Stewart. Thank you."

Marcus Squires, 1701 Monticello Street, stated, "I will find out that this is in the industrial park and there is a large chemical plant right next door to it. It seems like they are trying to come here for logistical reasons. So, I hope that Petersburg will be open for business and we will not have this image of denying everything that comes to our City. Thank you."

Michael Packer, 1245 Woodland Road, stated, "In the close vicinity of this facility are three hospitals. There is also a facility that has hundreds and millions of dollars that is very close to this that makes pharmaceutical chemicals that go into our medicine. What message are you going to be sending to others who we wish to come in that area when we put a facility like this. We only have 24 square miles in Petersburg. It is a tremendous deterrent to our ability to attract industry. Once this is placed at this site it will never be available again for a high use like a hospital or a manufacturing facility. And we are not going to get anymore land. So, I think that I understand what Mr. Myers said previously that we constantly come up and speak against development. When you talk about development which is my opinion environmental discrimination where people won't take this in the eye point of the surrounding communities to come to Petersburg then I think it is time for you to say that we will wait until something better comes. Thank you."

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

There was discussion among Council and staff.

Council Member Hill made a motion to approve the request from John Ruffin (Clearfield MMG, Inc.) to construct and operate a Waste Disposal Solution Facility at 2851 Frontage Road. The motion was seconded by Council Member Wilson-Smith. There was discussion on the motion. The motion was approved on roll call. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Myers, Smith-Lee, Hill and Parham; Absent: Hart

20-ORD-6 AN ORDINANCE APPROVING THE CONSTRUCTION OF A WASTE DISPOSAL SOLUTION FACILITY AT A PORTION OF 2851 FRONTAGE ROAD 064-030006.

- c. A public hearing to amend the Commercial Property Assessed Clean Energy (C-PACE) ordinance.

BACKGROUND: On July 2, 2019 City Council adopted an ordinance creating a Commercial Property Assessed Clean Energy (C-PACE) program and draft guidelines. City Council also chose to acquire a third-party administrator to administer the program. As a result, language in the original ordinance must be amended to allow for third-party administration and include the updated eligible uses under the program.

RECOMMENDATION: Recommendation to schedule public hearing for February 4, 2020.

Council Member Myers made a motion to table the public hearing until the next City Council meeting. The motion was seconded by Council Member Hill. The motion was approved on roll call. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Myers, Smith-Lee, Hill and Parham; Absent: Hart

- d. A public hearing to endorse a proposed tourism development project, and to authorize other actions consistent with Virginia Tourism Gap Financing.

*Audio available upon request.

BACKGROUND: The City of Petersburg City Council established the Petersburg Tourism Zone pursuant to the Virginia Code Section 58.1-3851 by adopting 16-ORD-6 on February 2, 2016. This ordinance is in furtherance of the goals set forth in the City’s Comprehensive Plan, Vision 20/20. Compliance with the Virginia Code Section 58.1-3851 requires approval and certification by the Comptroller of the Commonwealth of Virginia, and the execution of a Performance agreement between the Developer and the City of Petersburg. A Tourism Development Financing Program, administered by the Virginia Tourism Corporation, is a two-tiered gap financing program for qualified tourism development projects in Virginia. The Tourism Development Financing Program provides gap financing to support tourism-related development in designated Tourism Zones through a partnership between a Project Developer, the Locality and the Commonwealth of Virginia. The program requires a Performance Agreement between Commonwealth of Virginia, the Locality and the Developer, as well as a Tourism Development Plan.

Once the Project is completed and generating income, the Locality with the Virginia Department of Taxation performs quarterly reviews of Sales and Use taxes collected from the Tourism Development Project. One percent of the quarterly Sales and Use tax revenue generated from the Development Project is the amount each of the three partners contributes toward the debt service of the project until the debt is fully paid.

The Hotel Development Project at 20 West Tabb Street is a qualified tourism development project seeking to participate in the Virginia Tourism Development Financing Program. The total cost for the project is approximately \$_____, and it will generate approximately _____ part-time and _____ full-time jobs. As a qualified Tourism Development Project, the Developer is eligible to apply for up to 30% of the total project costs for gap financing.

RECOMMENDATION: It is recommended that the City council adopts the ordinance.

Mayor Parham stated, “At the request of the developer, he would like to table this until it goes to EDA (Economic Development Authority). I need a motion for that.”

Council Member Hill made a motion to table until it goes to EDA (Economic Development Authority). The motion was seconded by Council Member Myers. There was discussion on the motion. The motion was approved on roll call. On roll call vote, voting yes: Wilson-Smith, Myers, Smith-Lee, Hill and Parham; Abstain: Cuthbert; Absent: Hart

- e. A request for a public hearing to consider an ordinance authorizing the sale of 602 Commerce Street.

BACKGROUND: The City has received a proposal from High Street Lofts, LLC to purchase the following City-owned property:

Parcel ID	Premise	Street	Proposed Use
23050800	602	Commerce Street	Parking

High Street Lofts, LLC proposes to use the property for parking, especially for tenants of the adjacent apartment development.

The parcel is one of three former sections of 400 Commerce Street, which was purchased from the City of Petersburg in 2010. The parcel was not separated when the deed was recorded and the description of the property purchased from the City by High Street Lofts, LLC includes one of the three sections. High Street Lofts, LLC would like to purchase only one of the remaining two portions, addressed as 602 Commerce Street.

*Audio available upon request.

The City Assessor has provided the assessed value of the .82-acre parcel at 602 Commerce Street, which totals \$30,300. According to the City Assessor, it is based on the proportional size of the property and the assessed value of the former combined parcel at 400 Commerce Street.

The offer price is \$10,000, which considers real estate taxes paid by High Street Lofts, LLC for the combined parcel at 400 Commerce Street, which included property owned by the City of Petersburg because the portion of the parcel purchased by High Street Lofts, LLC in 2010 was not separated from the City-owned parcel when the deed was recorded.

In accordance with applicable legal requirements, A public hearing is required prior to approving and authorizing the sale of City-owned property. The City Council scheduled the public hearing during their January 7, 2020 meeting.

RECOMMENDATION: It is recommended that the City Council holds a public hearing on February 4, 2020 and subsequently considers adoption of an ordinance approving and authorizing the City Manager to execute a purchase agreement and proceed with the sale of City-owned property in accordance with applicable legal requirements.

Mr. Tabor gave a briefing regarding the property on 602 Commerce Street.

Mayor Parham opened the floor for public comments.

Seeing no hands, Mayor Parham closed the public hearing.

Council Member Myers made a motion to give the City Manager the authority to sell the property at 602 Commerce Street and approve the ordinance. The motion was seconded by Council Member Smith-Lee. The motion was approved on roll call. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Myers, Smith-Lee, Hill and Parham; Absent: Hart

20-ORD-7 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE AGREEMENT TOWARDS THE SALE OF THE CITY-OWNED PROPERTY AT 602 COMMERCE STREET.

12. 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.

JaVonn Brustow, 118 Crater Woods Ct., stated, "I am one of the founding members of Petersburg Republican Committee. I want to address a few statements from our Mayor a couple of meetings ago. And it is in regard to how our 2nd Amendment Sanctuary City would not be beneficial to the City in regard to addressing crime. I just want to say that there is a difference between public safety and constitutional rights. In the sense that this is more so in addressing rights afforded to us by the constitution more specifically the second amendment. I am a part of the council campaign that was behind Hopewell becoming a sanctuary City. In looking at what is being proposed in a magazine claiming that you do not need more than 10 bullets to shoot

*Audio available upon request.

someone. If you have two or three or four people who are breaking into someone's house the last thing, they probably need to do is worry about the number of bullets that have. If you think the people would not need an assault rifle, then I suggest that you speak to people that actually had to use one to protect themselves in close waters. And for situations like that a person is most likely to be nervous. It will take a couple of extra bullets. Just last week someone saved an officer in I believe is Arizona, who had almost been shot trying to arrest someone. People actually help the police in emergencies like that if you are not aware. Guns do not kill people. For lobby day I had a VR60 AR12 on my table. Not only was no one shot or killed but people admired the gun and people actually entered a raffle to win one. And lastly any day of the week, people generally grieve that Petersburg, Baltimore and DC, places like that, generally the issue with crime tend to be the lack of economic opportunity. And that is more of the cause of crime in gun violence. So, why don't we deal with that. What I discovered is that the generally elected officials do not acknowledge the fact that they enacted a policy that could have contributed to the crime. And in situations like that at that point their people who are generally economically constrained and they turn to black market crime just out of being in survival mode. So, with that being said I am pretty sure that many of your constituents that agree with me that the cause of crime would likely to be more on the economic side and I would hope that this would be something that you would focus your attention on versus the guns themselves. And as I said I would like you to reconsider statements made in regard to the City not wanting to turn into a 2nd Amendment Sanctuary based on fear of guns themselves. Thank you."

Marcus Squires, 1701 Monticello Street, stated, "I was just coming up to speak to you all today about the current legislation about the gas tax regarding development. Petersburg is trying to be a place where we make it a large influx of people coming into our community who will be commuters on the train. So, I hope that the City will look into this. And that is all the time I will take from you all tonight. Thank you."

Brian Burklund, 2224 Squirrel Level Road, stated, "I am here also to discuss the 2nd Amendment Sanctuary City. My opinion is that maybe it should be renamed Common Sense Sanctuary City. Our lawmakers are trying to convince us that we have a problem that they refer to as gun violence. I have seen a whole of guns in my life, but I have never met a gun that was violent. The people are violent. The problems rely within the people. And that is where we need to focus our attention. Lawmakers are looking at the guns and the problem is with the people. The problem will never be solved if we are looking in the wrong direction. We need to get to the root cause of the problem. And that is within the people. And that is a violence problem. Mr. Mayor, if you and I have a disagreement on something I think you and I are both men enough to sit down and iron out our differences. But not everyone is like you and me. They want to resort to violence instead. We need figure out why people are like they are otherwise we are not going to solve this problem. And the lawmakers have pretty, and much sent a message that this is the problem. And guns are the problem, and this is the direction that we are heading to solve the problem. Then they are sending the wrong message. I think that if they are going to be sending a message of a false sense of security to people when in reality because they are looking in the wrong direction it is not going to help. I would really like to see Petersburg become a sanctuary City to send the message back to these lawmaker's saying hey we are not buying this. This is not going to solve the problem and please go back to the table and start looking at people and society. And find that root because as a lot of people are like they are violent and start focusing on that and find a solution. It is not the guns it is the people. There is no such thing as gun violence. People are violent. So, you all have a choice with this sanctuary City that they call it on whether or not we want to become one. You are going to send a message one way or another. Send a message to the people of Petersburg saying we are going to go back to the lawmakers and say come up with a solution. Thank you."

Jay McDaniel, 3160 Forest Hill Road, stated, "I am not much of a public speaker and I do not like doing it. But I have realized that the last few years if I am not willing to stand up for my rights, I cannot ask anyone else to do it for me. So, I am going to start off with a few statements. George Santayana is the one that stated that those who fail to remember history are doomed to repeat it. This country started out over gun control. The first two battles over the American Revolutionary War, Lexington and Concord, occurred in 1775. Just over a

*Audio available upon request.

year before we declared independence. Those two battles occurred because the British marched on Lexington and Concord to seize the colonist firearms. What we have proposed right now in Richmond is the government seizing the citizens arms. We fought a war over this before. This isn't somewhere we want to go. The purpose of a two-way sanctuary is to tell the lawmakers in Richmond that are not paying any attention that their proposed solution doesn't work. I can stand here for the rest of this week and you main the gun control proposal and I can shoot it down with facts every single time. Bans don't work. Every single state that has increased gun control in the last decade, violence has gone up. Baltimore is currently the murder capital of this country and this is after they passed assault weapons bans and this ban and that ban and something else. And guess what if somebody is hell bent on killing you do you really think that they are going to look at a little sign that says I am not supposed to use a gun to do this. That is just Ludacris. The bottom line here is that you as elected legislators are here to do a job. And I have been saying this a lot lately. But that job is very simple. That job is to protect my rights and not keep me save. It is my job to keep me save. It is my job to look out for how I want to live my life. It is your job to protect my rights. And according to the Declaration of Independence, if you refuse to do your job and to protect my rights then it is my authority to get rid of you and start over."

Willie Nosie, 1508 Circle Drive, stated, "This disturbs me, and I would like to have an answer before I move on. This young man that just left this podium, is he a police officer or not? Somebody or the police give me an answer. Well there is a rule that if I cannot wear my gun in here how somebody can if I am not a police officer. It is a violation. Alright. Tonight, Freedom Support Center, I have heard a lot in here tonight about the veterans. I have asked I don't know how many times where we are on the totem poles. Ain't nobody said nothing yet. You all did the whole thing about the financial support. All those names that was on here don't have no numbers saying the position that they are in. So, how can we place value on something and not the others if we do not have some kind of rating system. The police, 24 more officers are needed in Petersburg. We have 32,000 people and we need 24 more officers. Somebody does the history. Code compliance, we need five more code compliance people. Business on a hold in Petersburg. Somebody is making some money. So, let's do some calculation because we are not putting back into the City from what they are receiving and taking away. They do not keep up the property itself. They are getting over and making some money. And we are not getting any of it. The dirt in the curbs. Let's pick a street and go down there and scoop up all the dirt and go put it in some kind of pothole or something where the ends of the road where the concrete has diminished. And then sweep it up and take a look and see what it looks like. I mean there is a lot of dirt out their man that you can fill holes or something even on the same street. And the chain of command. The last and then I am leaving. Get ready to vote. I heard Airds and Morrisey. What is our chain of command? Let's unify you all. Let's get together and go up the road and shake Trumps hand man. Something."

Linwood Christian, 410 Mistletoe Street, stated, "First and foremost. There are two things I would like to say to you Mr. Mayor. I already said one because I just realized that by then you had come in. Number one, from conversations that you and I had about Petersburg becoming a sanctuary City, I am just going to say this. I want you to continue to stand fast where you are and what you stated. Because I again am a citizen who tries to stay true to my word. As long as you are right, I am going to stand by you. Because what I think people are failing to understand is that nobody wants to take anybody guns way or anyone's rights. Because if there was an issue about anybody's rights how come felons lose their right to carry a gun, thus they cannot protect their family. And also, we are looking at the people that have not been diagnosed with mental problems who are doing all the killings. Because for instance when I look at the young man who shot up that black church in South Carolina I do not recall anybody saying that he had a mental diagnosis. So, let's understand that it is not about taking away anybody's rights or guns. Because if that was the case felons shouldn't lose their rights to hold a gun especially those who were not convicted of a violent crime. Also Mr. Mayor I would have to say to you after looking at your vision, and I am so glad that you have vision, because the bible says where there is no vision there is no perish. But I want you to understand one thing Mr. Mayor, please remember to include the citizens in your vision. Although my son is no longer in public schools and I am proud to say that he is a graduate of my Alma Mater VSU, I want you to understand that some of the things that you said as far as consolidating the schools. Do not make the mistake that our former Senator then Delegate made in making

*Audio available upon request.

decisions and not talking to the parents first. This is why I have to agree with Councilwoman Treska Wilson-Smith. You all have to have a meeting with the school board every so often throughout the year. Because when we see things like that in the paper, through all of that I want to say Mr. Mayor, heavy is the crown upon the head where it lies. I do know having chaired many things that you have a hard job. But again, I want to tell you stand where you are. Because if you are not going to stand and you are going to be a weak leader then we do not need you at all. Finally, whatever your vision is make sure the entire community can see where you are going because we want to help you get to where you need to be. Thank you.”

Barb Rudolph, 1675 Mt. Vernon Street, stated, “I want to thank Council Member Hill in doing the practical thing and asking how many people were going to speak so that people are not limited to one minute. But I will try to keep mine brief. I did have something that I was going to talk about, but it can be postponed. But I wanted to bring this up. I didn’t really catch what Council Member Myers was saying about this poster on the wall. But he told me to take it down and that it was a violation of something. Looking through the Rules of Council, which is what speaks to this. There is a section eight called ‘Decorum of members of the public.’ And under ‘G’ it says that no attention seeking devices of any kind or nature shall be carried or placed within council hearing or meeting rooms with the following exceptions: 1) articles of clothing and items attached thereto (such as buttons); 2) Signs, placards, posters, and the like, provided that they are not attached to sticks. In other words, this is not a violation to put this on the wall without a stick. It is interesting as others have commented that somebody can come in here with a gun and that is not threatening but a poster on a wall which is specifically accepted from being a violation in your rules is considered to be threatening by somebody. I will leave it at that. But this poster will be back and if you all have some reason that it is a violation, I hope that the City Attorney will contact me and let me know. Thank you.”

Thelma Blackwell, Representative of Habitat for Humanity, stated, “Habitat for Humanity has been around since 1976. And there are offices in all 50 states. We build affordable housing through volunteers and fund much of the cost through the sale of donated building material at the store on Commerce Street. Many of our homeowners qualify for zero % interest loans to reduce the monthly payment with no interest and it also reduces the amount of total mortgage balance because the entire payment is applied to the principal. On top of that a portion of the loan is a forgivable grant. The average grant is \$20,000. If the owners live in the house for 10 years, the portion does not need to be paid back. That portion does not need to be paid back. The way that we structure the mortgage and the grant, most payments are under \$500 per month. And the owner is finishing their payment in 10 years. That means instead of paying on a house for 30 years owns the home free and clear in only 10 years. No interest. This is a habitat program to help families own homes instead of renting. We also have another lady that is with me.”

Rebecca Davis, Representative of Habitat for Humanity Tri-Cities, stated, “We would like to let Petersburg know that habitat extended our mission to support residents that already own their homes but cannot afford the necessary renovations to make their home safe or the costly repairs for code violations. As you all know the cost of home repairs can be extensive and out of reach to many homeowners as indicated by the amount of property in need of renovations. Through the sale of donated materials from Lowe’s, Home Depot, furniture stores and other retail suppliers, we are able to raise money to offset these costs. We are also blessed with skilled laborers that volunteer or assist by operating for substantial reduced pricing. These two factors enable Tri-Cities Habitat to offer programs that both benefit homeowners and the City’s fight against blight. Tri-Cities Habitat would like to partner with Petersburg to bring this important service to our community. As a partner, we ask the City to support us by including the link on the City’s website and to work to Code Enforcement. Lastly, we are making an application through the project manager to rent 835 Commerce Street, which is a vacant building owned by the City. Renting the property helps to have ground to sell furniture and inventory. And so, we hope to further discussion to support our mission to help the people in the City.”

Ron Flock, 1708 Pender Avenue, stated, “Please before you leave here today pass something. Because if you will have this up to protect you and I cannot have a poster with a stick on it you should not allow

*Audio available upon request.

anybody in here with a side arm. If you are afraid of a stick you should be afraid of a side arm. Also, on that issue. They are wearing these signs that say guns saves lives. And the same time they are telling you guns don't take lives. Guns cannot save lives either. I said something to you at the last meeting. You all need to do something about the billing. And I have come before you and this the third time asking you to do something in regard to the security deposit and for somebody that is living the City within a year. As long as they are in good standing, they should be able to get it back. I have not seen anything done yet. I would like to see that on the agenda and read and voted on and passed. I would appreciate that. Thank you."

Vernel Gannaway, 652 Old Wagner Road, stated, "Proud to be a part of Petersburg. I would like to ask a question about did anyone check on cable before they moved. Because I don't know if there is a code or not for the cable to be moving. It is convenient because years ago we had a certain code that they had to stay in the City. I just wanted to know. Because it is an inconvenience now where they are at now. Will you check on that please? Because the citizens, they started here in Petersburg and they are in Richmond now. No one has talked about that cable company. We have many customers here and now you have to travel to Richmond. But their tower is here as well. First of all, I would like to thank our Sheriff and those in Berkeley Manor in the 2nd Ward on the meeting we had about the incident that happened. And we got some results from that. I would like to thank the Chief and the Assistant Chief and those of you all that came. We appreciate it very much. I would also like to say about the support of our citizens. Would you please look into the lady that was denied or had not gotten her jury fee? It is a volunteer fee but as citizens we are forced to do that. And we do not mind doing that for the protection of our citizens. And I just want to congratulate our police officers and the courts and what they do. We have citizens that take their time and go to the court and sit on different cases. They should be deserving to pay them. It is embarrassing to get on the news because every time it is on the newspaper or news it is one point against us. No matter what we build, and it can be the Taj Mahal or anything else another point is going against us. Just pay the bill. Also, we need to assist in getting more officers back. Before you get anything built or any more raises deny your own raise. If you really love Petersburg deny your own raises. Until we get the people that we need back here. We lost a lot of people for mismanagement of funds. We lost good employees in Petersburg that were living here and paying taxes. Now we are getting borrowed people that are living here. That is what I had to say. Thank you."

13. BUSINESS OR REPORTS FOR/FROM THE MAYOR OR COUNCIL MEMBERS:

Mayor Parham stated, "First, I would like Mr. Tony Williams to address the whole sign issue here, please."

Mr. Williams stated, "I more than anyone appreciates when Mrs. Rudolph, Mr. Flock and everyone that shows up for the public comment period do when they come. I think that you have an absolute right to create that beautiful sign as you did. You have as much right as the individuals in the back wear the stickers and the shirts. It is not the substance of what you put up in the council chambers, it is where you place it. This is a beautifully historic restored building. And you simple can't start affixing things to the wall and attaching it to sign property without asking permission. So, I encourage you to bring the sign back and carry it around and wave it. But unless you have permission from the City to attach it to City property, you cannot attach it to City property."

Council Member Cuthbert stated, "To follow up on what Mr. Williams just said. Mr. Williams would it be helpful if we clarify our Rules of Council to add a prohibition and explications prohibition for the reasons that you have said about affixing signs to City property."

Mr. Williams stated, "You certainly could for purpose of clarity. I think that the fact that it is City owned property, unless you have permission. Yes, it would not be a bad idea for council to take that action."

Council Member Cuthbert stated, "Would you please draft such a clarification to our rules and include it in the packet for council's consideration at our next meeting."

*Audio available upon request.

Mr. Williams stated, "Yes, sir."

Council Member Cuthbert stated, "Thank you. And I want to through a bouquet to my fellow Councilman Mr. Howard Myers. And thank him for his initiative in pushing House Bill 755 in order to help get the City additional options in fighting the light that plagues our City. Councilman Myers I very much appreciate. I told someone that my only regret about that bill is that I did not think of it myself. Mr. Mayor, I don't have any other comments. Thank you."

Council Member Wilson-Smith stated, "I basically have nothing tonight. I would like to say to Mr. Williams that I think that there is already an ordinance about affixing signs and things to public properties. Perhaps, before creating something you might want to look at that."

Mr. Williams stated, "Yes, I will check before bringing it to council."

Council Member Myers stated, "I have nothing at this time."

Council Member Hill stated, "Well I have something. I would like us to continue to pray for our Vice Mayor in your prayers. Can you spread that it is important for us to register and sign up for the 2020 Census? You see the signs up in the back. So, that is very important when it comes to the federal dollars to our community. As you all know we have not had a lot of snow or anything and you notice that the grass is starting to grow. So, I want us to get on the grass early and go ahead and do one quick cut and clean up as soon as we can. Because the grass is starting to grow now. Spring is coming fast. To our public works please do so. There is a plaque. The Buffalo Soldiers called me on yesterday and said that there is a plaque in People's Cemetery and that the stone had been knocked over or damaged. Can we get someone to take a look at that and get someone to repair that? I hate to pick on any particular business. But we have particular businesses, and I am glad that the Marshal is sitting in front of me, that as far as Code Compliance, we need to look at some of the businesses that have a lot of trash that is being blown around on Crater Road. I just noticed that it is one on Halifax Street. There is one on Washington Street. It seems like these particular businesses, because people frequent them a lot, they do not have the necessary bins for trash. If we can get someone to write them a kind letter to let them know that they are responsible for trash that is coming in and out their business. We would appreciate that. Some of this is because we do not have adequate bins going in and coming out. So, if we can get someone to get on that. I want to thank the Petersburg Police for apprehending the someone in Berkeley Manor with the issue there. I have been working with sense the issue came and someone with the administration and chief and City Manager and others. I want to thank them for their sting operation. We knew of it, but we could not say anything about it. So, that was something that was going on for a while and I am glad the investigation has gone the way that it has gone. Kudos to our police department. We do not want to offend anybody 2nd Amendment Rights. But Mr. City Attorney, if we have something stating code or anything. I know that we cannot supersede the federal government or the state government about people bringing weapons in the galley. We need to try to enforce that. But if it is legal then so be it. And that is pretty much it. Thank you."

Mr. Williams stated, "And Mr. Mayor on that issue just for a point of clarification, currently the state code does not authorize localities to regulate the open carry of firearms in local government owned buildings. There may be some legislation at the General Assembly. But current time there is no authority in the locality to do that. So, even if council wanted to create an ordinance to restrict that they could not."

Council Member Hill asked, "What is the difference in a courthouse and coming here?"

Mr. Williams stated, "There is a specific statutory for courthouses that allow them to regulate technically state facilities that are City operated."

*Audio available upon request.

Council Member Hill stated, "Okay. Thank you."

Mayor Parham stated, "First, I want to piggyback on Council Member Hill on our Petersburg Police Department because you guys are amazing. You apprehended that suspect out there in Berkeley Manor and I am so proud and thankful for the efforts that you all make each and every day. You all go above and beyond. And that was some excellent work to apprehend that guy and to keep our neighborhood safe. I want to also start the conversation to look in the possibility of upgrading our lighting in a lot of our areas. I know Berkeley Manor is an area that has lights that are pretty. If we can get someone to work on the cost of upgrading the light throughout the City to LED. It would help all throughout the City. We need to look at finding somewhere and looking at the cost factor. And get together as a council to decide which locations we need to make that investment in. I seen those numbers of LED significantly drop our energy cost that we pay to Dominion. And also, it gives us better lighting. Coming up on this Saturday, I ask everyone to join us at 11AM at First Baptist Church for the Unveiling of the Marker. It is Black History Month in the City and that is one of the cornerstones of the African American community in Petersburg and throughout the country. Also, Councilwoman Smith-Lee had to leave out. I just want to plug her ward meeting that she is having next Tuesday. That is going to be at Cool Springs Elementary at 6PM. And it was a joint meeting with her and Ward 7, Vice Mayor John Hart, who is still recuperating. I plan on being there with Councilwoman Smith-Lee along with Councilman Hill. We look at having a productive ward meeting. And ask all those who can to come out and attend. I have no other items so we will move on to '13A'."

- a. Consideration of reappointment / appointment to the Planning Commission.

BACKGROUND: The Planning Commission consists of 4 at-large members and 7 members appointed by City Council.

The duties of the Board include, but are not limited to, the following: Promote the orderly development of the City and its environs; serves primarily in an advisory capacity to the City Council in matters pertaining to land use, future development and capital improvements.

RECOMMENDATION: Recommend Council make re/appointments to the Planning Commission.

Council Member Cuthbert made a motion to appoint James Norman (at-large) to the Planning Commission. The motion was seconded by Council Member Hill. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Myers, Hill and Parham; Absent: Hart and Smith-Lee

Council Member Myers made a motion to reappoint William Irvin (at-large) and appoint Thomas Hairston to the Planning Commission. The motion was seconded by Council Member Hill. There was discussion on the motion.

Council Member Cuthbert made a substitute motion to table anymore appointments until the next meeting. The motion was seconded by Council Member Wilson-Smith. The motion was not approved on roll call vote. On roll call vote, voting yes: Cuthbert and Wilson-Smith; Voting No: Myers, Hill, and Parham; Absent: Hart and Smith-Lee

Original motion goes back on the floor made by Council Member Myers.

The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Myers, Hill and Parham; Absent: Hart and Smith-Lee

20-R-8 A RESOLUTION REAPPOINTING WILLIAM IRVING AND APPOINTING THOMAS S.

*Audio available upon request.

HAIRSTON AND JAMES NORMAN TO THE PLANNING COMMISSION FOR A TERM EXPIRING SEPTEMBER 30, 2024.

14. ITEMS REMOVED FROM CONSENT AGENDA:

*No items for this portion of the agenda.

15. UNFINISHED BUSINESS:

*No items for this portion of the agenda.

16. NEW BUSINESS:

a. Proposed amendments to the Rules of Council.

BACKGROUND: Rule III, Section 3 of the Rules of Council currently requires that “No ordinance or resolution appropriating money exceeding the sum of \$1,000; imposing taxes or authorizing borrowing of money shall pass on the date of introduction.” The proposal would amend that language to “No ordinance or resolution appropriating money exceeding the sum of \$1000 imposing taxes or authorizing borrowing of money shall pass on the date of introduction.”

RECOMMENDATION: Requested by Mayor.

Mr. Williams and Mrs. Benavides gave a briefing on the recommendation of an amendment to the Rules of Council.

Council Member Hill made a motion to approve recommendation of amendments to the Rules of Council by resolution. The motion was seconded by Council Member Myers.

Mayor Parham opened the floor for public comment.

Ron Flock, 1708 Pender Avenue, stated, “Thank you Mr. Cuthbert. Yes, \$1,000 is Ludacris. It is just way too much work. But I think \$100,000 might be a little bit too much. Maybe you might consider somewhere in the middle. Thank you.”

Willie Noise, 1508 Circle Drive, stated, “You guys have to tell me if I am in line or not. I need clarity on the gun. And I am confused. I was told in the middle of last year to not bring a side arm in here. And now with what the attorney said I am really confused. Can you? I have to go back to my neighborhood and tell these people.”

Mayor Parham stated, “Mr. Noise, we will get clarity on that. Right now, this is comments on the code change.”

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

The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Myers, Hill and Parham; Voting No: Wilson-Smith; Absent: Hart and Smith-Lee

20-R-9 A RESOLUTION TO AMEND RULE III, SECTION 3 OF THE RULES OF COUNCIL PERTAINING TO APPROPRIATIONS TO ALLOW ADOPTION OF SUCH LEGISLATION ON THE SAME DAY THEY ARE FIRST PRESENTED TO COUNCIL.

*Audio available upon request.

17. CITY MANAGER’S AGENDA:

Mrs. Benavides stated, “I think the clerk may mention this but also on March 3rd, there is a conflict for our regular council meeting. Because this is the site for polling and so council needs to make a decision on that as we start to plan for that day.”

Mayor Parham stated, “At this time, we will get with the clerk to get some other options for the meeting on the 3rd.”

There was discussion on polling at the train station.

18. BUSINESS OR REPORTS FROM THE CLERK:

*No items for this portion of the agenda.

19. BUSINESS OR REPORTS FROM CITY ATTORNEY:

*No items for this portion of the agenda.

20. ADJOURNMENT:

City Council adjourned at 10:59p.m.

Clerk of City Council

APPROVED:

Mayor