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The Emergency City Council Meeting of the Petersburg City Council was held on Tuesday, March 31, 2020, at Petersburg Area Transit in the Conference Room. Mayor Parham called the Emergency City Council Meeting to order at 12:00p.m.

**1. CALL TO ORDER**

**2. ROLL CALL:**

Present:

Council Member Charles H. Cuthbert, Jr  
Council Member Treska Wilson-Smith  
Council Member Annette Smith-Lee  
Council Member Darrin Hill  
Council Member W. Howard Myers (left at 12:30pm)  
Mayor Samuel Parham

Absent: Vice Mayor John A. Hart

Present from City Administration:

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

Mayor Parham stated that Council Member Hill will lead the meeting in prayer.

Council Member Hill led the meeting into prayer.

**3. Consideration of a motion to suspend the Rules of Council.**

Council Member Myers made a motion to suspend the Rules of Council. The motion was seconded by Council Member Hill. The motion was approved on a unanimous vote. On voice vote, voting yes: Cuthbert, Wilson-Smith, Myers, Smith-Lee, Hill and Parham; Absent: Hart

**4. Consideration of a resolution confirming and ratifying the City Manager/Director of Emergency Management Declaration of a Local Emergency.**

**BACKGROUND:** On March 12, 2020, the Governor of Virginia and State Health Commissioner issued Executive Order Fifty-One declaring a state of emergency for the Commonwealth of Virginia arising from the novel coronavirus (COVID-19) pandemic. On March 14, 2020, the City Manager in her capacity as Director of Emergency Management formally issued a Declaration of Local Emergency for the City of Petersburg. Section 44-146.21 of the Code of Virginia requires that the governing body concur in the declaration or otherwise confirm/ratify the Declaration of Local Emergency at its next regularly scheduled meeting or within 45 days of the Emergency Manager's declaration, whichever shall come first.

**RECOMMENDATION:** Adopt the resolution.

Anthony Williams, City Attorney, stated, "This is a statutory requirement. The Director of Emergency Management has the authority to make a declaration, but it doesn't become official or enable use to access the disaster relief funds should the federal government issue them unless this step has been taken. So, all this is an effort to satisfy the statutory requirement. The form of this document actually comes from FEMA. This is a form document that all localities are adopting."

\*Audio available upon request.

Council Member Cuthbert made a motion to adopt the resolution confirming and ratifying the City Manager/Director of Emergency Management's Declaration of a Local Emergency as a result of the COVID-19 Crisis. The motion was seconded by Council Member Hill.

Mayor Parham stated, "We will open the floor for public comment. Anyone that is watching Facebook Live, now is the time to call us here for public comment at transit. The number is 804-733-2450 ext. 2512.

Mayor Parham opened the floor for public comments.

Stacey Shaw, 526 West South Boulevard, stated, "Along with some other residents here, we are very concerned about the possibility of people's water being turned off if they are unable to pay. And some of us as citizens are willing to help and step in. If there is a message that the City can put forward for us to do so. The health hazard is that being are not being able to wash their hands and have access to water. I wondered if perhaps there was a way and I know that this is not an immediate solution, but I pay my utilities online which works very well. But I wondered if perhaps there could be a payment added in the tab where citizens have the option to pay extra on their utility bills. Thank you."

Mrs. Benavides stated, "Mayor, can you ask Ms. Shaw to send her comments to [city.manager@petersburg-va.org](mailto:city.manager@petersburg-va.org)."

Mayor Parham asked the public information officer is she can get that information out to Ms. Shaw.

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

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

**20-R-12 A RESOLUTION CONFIRMING AND RATIFYING THE CITY MANAGER/DIRECTOR OF EMERGENCY MANAGEMENT'S DECLARATION OF A LOCAL EMERGENCY.**

5. Consideration of an ordinance to effectuate temporary changes in certain deadlines and to modify public meeting and public hearing practices and procedures to address continuity of operations associated with pandemic disaster.

**BACKGROUND:** On March 12, 2020, the Governor of Virginia and State Health Commissioner issued Executive Order Fifty-One declaring a state of emergency for the Commonwealth of Virginia arising from the novel coronavirus (COVID-19) pandemic. Part of EO-51 and its progeny EO-53 prelude, with certain limited exceptions private and public gatherings of more than ten persons in furtherance of minimizing the spread of the contagion. Compliance with the intent of these Orders precludes the ability of the governing body to conduct public meetings and other public business. To that end, §15.2-1413 of the Code of Virginia authorizes localities under these circumstances to adopt "continuity of government" ordinance which allows variance from these statutory requirements during the disaster for a period not to exceed six (6) months. Upon adoption of this ordinance, Council will be permitted to:

1. Continue all agenda items scheduled for Council and public bodies appointed by Council for the duration of the emergency without negative impacts associated with the failure to act as otherwise required by statute.
2. Conduct meetings remotely without a physical quorum of Council present (so long as the combination of those participating in person and remotely equate to a quorum).
3. Limit physical attendance at meetings (but still providing access as reasonably practicable) as

\*Audio available upon request.

reasonably deemed necessary in furtherance public health, safety, and welfare.

4. Conduct public hearing and public comment remotely by “write in” by continuing matters for a minimum of six days to receive public input.

As this is an Emergency Ordinance that has been adopted in accordance with §15.2-1427 of the Code of Virginia without publication per §15.2-1427(f) it must be readopted after such publication within sixty (60) days in order to remain effective for the full six (6) month duration.

**RECOMMENDATION:** Adopt the ordinance.

Council Member Hill made a motion to approve the ordinance to effectuate temporary changes in certain deadlines and to modify public meeting and public hearing practices and procedures to address continuity of operations associated with pandemic disaster. The motion was seconded by Council Member Smith-Lee.

Mr. Williams stated, “Can I offer a little explanation so that the public and council can be comfortable? Today’s meeting is a regular public meeting. Even though the governor has issued his order and he have an exception in that order for the operation of government and that exception in view of many local government attorney’s is the view of enabling local governments to adopt an ordinance like this. It allows you to continue to conduct business while relaxing some of the requirements such as having yourselves physically or the public physically present. Today if someone wanted to show up for public comment they could. It would not be advisable, but it is something in furtherance of their health, safety and welfare but they certainly have the right to. Once this is adopted council can restrict it and conduct business in a similar fashion as the Mayor is doing concurrently today by receiving phone calls and remote communication. So, this just enables you to continue operating as a government. It is very limited, and you can only do it for a period of six months. Because the clerk has not had the opportunity to publish this in the newspaper within 60 days you will have to readopt it for that six-month period.”

Mayor Parham stated, “Any questions for Mr. Williams?”

No questions from City Council.

Mayor Parham opened the floor for public comments.

Mayor Parham stated, “Anyone that would like to dial in for this meeting for public comments. You have three minutes. State your name and address. The number is 804-733-2450 ext. 2512. If you would like to dial in. We will give a few minutes for public comments.”

Sara Melissa Witiak, 22 Centre Hill Court, stated, “I was just wondering if you can explain what the process is for getting public comments and where will that be published. And how will we submit a letter and what is the timeframe? The public hearing, we just had on the emergency ordinance was very short over the phone. So, I would like to know if we can make that more specific and a formalized process for the time for public hearings. Perhaps extending that to give people time to call in as well as making it very clear on the 60-day continuance. I just don’t know what that means for a public hearing. So, if that can be posted on the website and made very clear so that everybody does have a chance to not only submit concerns but also to see any response from council. Thank you.”

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

There was discussion among City Council and staff.

\*Audio available upon request.

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

**20-ORD-12 AN EMERGENCY ORDINANCE TO EFFECTUATE TEMPORARY CHANGES IN CERTAIN DEADLINES AND TO MODIFY PUBLIC MEETING AND PUBLIC HEARING PRACTICES AND PROCEDURES TO ADDRESS CONTINUITY OF OPERATIONS ASSOCIATED WITH PANDEMIC DISASTER.**

**6. Delivery of Budget Documents – No discussion just delivery of documents only.**

Mrs. Benavides stated, "Mayor and Council state law requires that City Manager or the County Manager deliver to City Council by April 1<sup>st</sup>, 2020, a copy of the budget. What we were planning to do today was give each of you a drive with the budget on it. What we have had to do based on some of the issues that are occurring today is that we had to look at our budget and make some changes and a number of reductions. And in doing the budget I need to make a few more changes. By close of business today each of you will have copy delivered to you. Part of the limitations in giving you a drive is that everyone may not have access to the type of software that is necessary in order to get a drive. So, we will go back, and we will have a printed copy and the drive for those who want it electronically in your box by close of business today. We will also deliver to the clerk, which is required by law, a copy of the budget. What I would like for you to keep in mind that we are anticipating a very tight budget this year. And part of that is part of the pandemic and the other is the economic downturn. As we talk to some of our neighbor's drastic measures are being taken now as well as in the future budget. And so, we have been fortunate enough to go through and revenue our budget and make substantial cuts. And some of those cuts are going to be tough on all of us but those are the things that you will see. A part of that included in this document is a budget calendar. And as we start to talk about public meetings and public hearings this gets into that discussion and we will look for the appropriate needs to make those meetings public via online methods and some of the other technologies that are available so that we can continue this process. But we also recognize that we have not yet to feel the true impact of what this economic crisis will have on the City of Petersburg. Our proposal is that we will subject a budget for council's approval during the allotted time. We also are recommending that in December of this year that we present a budget amendment to demonstrate what we see are realities are. Because we will not see the impact of where we are not only as a business community but as a community as a whole. And we are being diligent and patient with our community in working with them on some of the issues that arise as a result. Which includes many individuals now is that Chesterfield County has begun furloughs with their staff. Some of them folks may reside in our City. We are trying to maintain our staff. But we also understand that we have got to act versus to delay because this can have an impact on our future."

There was discussion among City Council and staff.

Mrs. Benavides stated, "It is actually under our City's website and you can do online bill pay. We will maintain very limited staff. Part of our desire is that we are trying to avoid community spread. Having our employees to come in from different places everyday creates that. So, what we will be moving to is a two-week full quarantine with limited on-call staff. We will discontinue all transit service as of today. And we will do on call emergencies only. Also, Billing and Collection Office will no longer be open at the window. However, you can use drop box or online payment on our City's website. And we will make sure that that information gets out. We encourage people to continue to pay. If you have a water situation that has been shut off we will have a hotline for you to call and we will have someone to talk to you and work with you on a payment plan to ensure that you reconnection of your water. There are individuals who are concerned about water being cutoff. We are in bit of a backlog when it comes to cutoffs. And presently we are cutting off people's water bills who are at a minimum of one to two years past due. And so, therefore, individuals we do have a lot of 30-day notices. But we do need, in order for our City to survive, individuals who are able to pay we need to pay. If they are not able to we will have a line available for them to call and make payment plans where the City Manager is authorized to

\*Audio available upon request.

make those payment plans. And so, our hope in this organization is to make sure that we continue to operate at minimal level. You will see some delays in check processing. We want the citizens to recognize and understand that we are working on a very limited staff. We will receive in some weeks 10,000 pieces of mail of some payments. And so, with two or three people processing it may take some time but do understand that after the two-week quarantine we will go back to normal operation and continue to do the processing. And so we do encourage you to use the drop box and online payment as through our City's website."

There was discussion among City Council and staff.

**7. ADJOURNMENT:**

City Council adjourned at 12:38pm

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Clerk of City Council

APPROVED:

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Mayor