

The work session meeting of the Petersburg City Council was held on Tuesday, April 5, 2022, in a virtual meeting. Mayor Parham called the meeting to order at 5:02 p.m.

**1. ROLL CALL:**

Present:

Council Member Charles H. Cuthbert, Jr.  
Council Member Treska Wilson-Smith  
Vice Mayor Annette Smith-Lee  
Mayor Samuel Parham

Absent:

Council Member W. Howard Myers  
Council Member Darrin Hill  
Council Member Arnold Westbrook, Jr. (arrived after roll call)

Present from City Council Administration:

Clerk of City Council Nykesha D. Jackson  
Interim City Manager Kenneth Miller  
City Attorney Anthony C. Williams  
City Assessor Brian Gordineer

**2. PRAYER:**

Mayor Parham stated, "At this time Council Member Wilson-Smith will led us in our opening prayer."

Council Member Wilson-Smith 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. Council Member Hill and Council Member Myers were absent.

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

a. Minutes:

- March 1, 2022 – City Council Work Session
- March 1, 2022 – Special City Council Meeting
- March 15, 2022 – Closed Session
- March 15, 2022 – Regular City Council Meeting
- March 24, 2022 – Closed Session
- March 24, 2022 – Budget Workshop

b. A request to schedule a public hearing on April 19, 2022, for the consideration of an ordinance by the City Council authorizing the City Manager to allow the City of Petersburg to be a member of the Virginia's Gateway Region Industrial Facilities Authority in collaboration and cooperation with the City of Colonial Heights, the County of Dinwiddie, the City of Hopewell, the County of Prince George, the County of Surry, and the County of Sussex, to foster economic growth and development of the City of Petersburg and the region pursuant to section 15.2-6400 et seq. of the Code of Virginia (the "Act").

\*Audio available upon request.

- c. A request to schedule a public hearing on April 19, 2022, for the consideration of a resolution by the City Council approving the issuance by the Petersburg Redevelopment and Housing Authority of its multifamily housing revenue bonds for the acquisition, construction, renovation, rehabilitation and equipping of the 98-unit Dorsey Flats Apartments multifamily housing facility located in the City of Petersburg, Virginia.
- d. A request to schedule a public hearing on April 19, 2022, for the consideration of an ordinance authorizing the City Manager to adopt the amendment to the Real Estate Tax Abatement Program for Commercial and Industrial Businesses located with the Enterprise Zone that will allow them to qualify for Real Estate Tax Abatement for a period of Six (6) Years.
- e. A request to schedule a public hearing on April 19, 2022, for the consideration of an ordinance to amend and re-adopt Section 94-2 of the City Code pertaining to littering.
- f. A request to schedule a public hearing on April 19, 2022, for the purpose of consideration of a resolution to authorize the City Attorney to proceed with condemnation of a portion of parcel 065-110004, 2793 Soth Crater Road.
- g. A request to schedule a public hearing on April 19, 2022, for the consideration of adoption of an ordinance to amend and readopt Section 2-31 of the Petersburg City Code pertaining to salaries of City Council and the Mayor.
- h. A request to schedule a public hearing on April 19, 2022, for the consideration of an ordinance of conveyance of easements to Dominion Energy Virginia in furtherance of the Park & Ride Project.
- i. A request to schedule a public hearing on April 19, 2022, for the consideration of the FY2021-2022 #2 Proposed Schools Operating Budget in the amount of \$1,611,079.77.
- j. A request to schedule a public hearing on April 19, 2022, for the consideration of an ordinance to authorize the city to enter into a lease agreement of City-owned conserved property at 24909 Ferndale Road, Petersburg, VA 23803, to the Friends of the Lower Appomattox River (FOLAR).
- k. A request to schedule a public hearing on April 19, 2022, for the consideration of the FY2022-2023 City of Petersburg Proposed All Funds Budget.
- l. A request to schedule a public hearing on April 19, 2022, for the consideration of City Council to advertise a maximum tax rate of \$1.27 per \$100 of assessed value.
- m. A request to schedule a public hearing on April 19, 2022, for the consideration of an ordinance to amend and re-adopt 106-65 of the City Code pertaining to the collection of delinquent real property taxes on properties where abatement expenses have been incurred.
- n. A request to schedule a public hearing on April 19, 2022, for the consideration of an ordinance authorizing the installation of a street mural at the intersection of W. Washington & Market Street (corner of the Petersburg Public Library).
- o. A request to schedule a public hearing on April 19, 2022, for the consideration of an ordinance approving Community Development Block Grant (CDBG) funding for FY21/FY22.
- p. A request to schedule a public hearing on June 214rfgtt5, 2022, for the consideration of an ordinance approving amendments to the proffered conditions associated with the zoning of the properties located at 1200 Harrison Creek Boulevard, TP #040030805, 1225 Harrison Creek Blvd, TP# 040030806, and 1255 Harrison Creek Boulevard, TP# 040030807 from PUD, B-2 General Commercial District with conditions to PUD, with amended conditions.

Council Member Cuthbert stated, "Mr. Mayor, I have a question about two of the items and I realize that there is no slot for discussion of items removed from the consent agenda. So, I am a little uncertain on how to handle this. I look to you for guidance. But the items on the consent agenda that I have a question about are '5f' and '5j' and different questions for each one. For item '5f' it talks about scheduling a public hearing for April 19<sup>th</sup> for the purpose of considering a resolution to authorize condemnation of a portion of a piece of property on South Crater Road. And I really wonder whether we have to condemn, or we can reach an agreement that will be more of a better use of city funds and city time then going through a condemnation which is pretty elaborate and expensive proposition."

\*Audio available upon request.

Mr. Miller stated, "Mr. Barnes is out sick today. Can we table that please and we will get back to you Mr. Cuthbert? You are on to something."

Council Member Cuthbert stated, "Sure. So, that means that we will not schedule a public hearing tonight for item 'f'? Is that correct Mr. Miller?"

Mr. Miller stated, "Yes. That is correct sir."

Council Member Cuthbert stated, "Okay. Great. It may be that as we discuss further at some other time that we put this back on the consent agenda for a public hearing on another day. Thank you, Mr. Miller, and thank you Mr. Mayor. Let us go to item 'j.' It talks about a lease with FOLAR. And I did not see a proposed lease agreement in the packet. And I really wonder how we can have a public hearing on a lease without having the terms of the lease in front of us. So, I think that the order of things logically from our side of the table is that FOLAR needs to be forthcoming with a lease and then we schedule a public hearing on the lease. So, that the public knows what we are scheduling a public hearing about, and council can be thinking about the terms of the proposed lease. It is premature to schedule a public hearing on the lease until we see the lease. I like the concept, but the devil is in the details and there is an awfully a lot of details here. I just don't have a clue what the details are. Liability, who is responsible for the money change in hands, and all kinds of things."

Mayor Parham stated, "Council Member Cuthbert at this time I have Heather and Wendy both here from FOLAR. Can you come up and speak on behalf of this item?"

Wendy Austin, Executive Director of FOLAR, gave some information on the request of the public hearing.

There was some discussion among City Council and representatives from FOLAR.

Council Member Cuthbert stated, "I would suggest that we not schedule a public hearing on item '5j' at this time."

There was discussion among City Council and staff on the public hearing request for item "5g"?

Vice Mayor Smith-Lee made a motion to approve the consent agenda with the removal of items "5f" and "5j". Council Member Westbrook seconded the motion. The motion was approved on roll call. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Westbrook, Smith-Lee, and Parham; Absent: Hill and Myers

## **6. SPECIAL REPORTS:**

- a. Presentation and announcement of the Black History Essay Contest Winners.

Marquis Allen, Director of Parks and Recreation, stated, "Today is a good day. We are going to announce our Black History winners. The Black History Theme was black health. That was the theme for that. I wanted to invite the Black History Committee up and Dr. Pitre-Martin as we present the awards."

The winners were Cara Tolbert (Runner Up-\$75 gift card), Kaniya Burgess (1<sup>st</sup> Place-\$100 gift card), and Albert Farley, III (Elementary School Winner-\$50 gift card).

- b. ARPA Municipal Utility Relief Update

\*Audio available upon request.

Tangela Innis, Deputy City Manager, gave an overview of the Municipal Utility Relief.

Key points:

- On October 29, 2021, the City of Petersburg was awarded \$3.67 million for utility relief for residential customers after applying for the relief to provide relief to residential customers experiencing economic hardships from the pandemic.
- On February 4, 2022, the City of Petersburg received \$3.67 million for utility relief for residential customers.
- After applying the guidelines of the program, it was determined that \$1.83 million would be applied to approximately 2,700 residential accounts.
- Letters including award amounts were mailed to those that qualified for utility relief on March 24, 2022.
- Per the program instructions of the remaining \$1.84 million was returned to the state by the March 31, 2022, deadline.

c. Presentation on housing in the City of Petersburg.

Taylor Ryan, Youth Homelessness Program Coordinator, and Ara Mendoza, Balance of State CoC Program Manager, gave an overview of the PowerPoint presentation.

Key points:

- Housing First is an approach to connect individuals and families experiencing homelessness quickly and successfully to permanent housing without preconditions and barriers to entry, such as sobriety, treatment, or services participation requirements.
- Supportive services are offered to maximize housing stability and prevent returns to homelessness as opposed to addressing predetermined treatment goals prior to exit to permanent housing.
- Recognized by Federal and State government as a best practice and it is evidence-based.
- Goals are to work with the City of Petersburg.

Council Member Wilson-Smith stated, "I do not have any questions. I get it first-hand. But thank you for coming and thank you for what you can do."

Mayor Parham stated, "Thank you all very much. We appreciate all your work."

**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:**

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

\*Audio available upon request.

**11. STREETS:**

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

**12. FACILITIES:**

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

**13. ECONOMIC DEVELOPMENT:**

a. To provide the City Council an update on current Economic Development Projects.

Mayor Parham stated, "This is tabled until the April 19<sup>th</sup> meeting."

**14. CITY MANAGER'S AGENDA:**

a. Update from Police Department on Traffic.

Mr. Miller stated, "Mr. Mayor, Chief Christian would have been here, but he is in training right now. If I can, while Chief Chambliss comes up, council has some information from me with respect to a question that was asked from Mr. Cuthbert concerning the properties that were taken in tax sale. You have a copy in front of you. Mr. Mayor, we will give a shout out to all of our staff. In my week or two weeks of sitting in this chair I have gotten some responses. Trash has been a big issue with us, and 8.6 tons of trash has been removed off our streets. There is more to go. There have been 1,094 potholes have been filled. We have a budget workshop for the community on next week, the 13<sup>th</sup> and 14<sup>th</sup>. Ms. Joanne Williams will be putting that out on social media as well as on the website. You also have some interesting things in front of you. Mr. Mayor, you have a document I gave you with respect to the City of Chesapeake and what they are doing working with traffic and school zones. And working in collaboration with the Redflex camera system that we have. And on that note and I am going to let the wonder Chief Chambliss take it away."

Chief Emmanuel Chambliss, Petersburg Police Department, gave an update and overview on traffic in the City of Petersburg.

Key points:

- On Sycamore Street there were 135 traffic summonses written. The recommendation is that there be continued traffic enforcement, placement of stop signs on Sycamore Street and Fillmore creating a 4-way stop at this intersection.
- On West Washington Street there were 68 traffic summonses written. The recommendation is that continued traffic enforcement take place, place traffic signal at the intersection of Washington Street and Perry Street.
- On Grove Avenue there were 16 traffic summonses written in that area. The recommendation is that there be continued traffic enforcement.
- On South Park Drive there were 12 traffic summonses written. The recommendation is continued traffic enforcement.
- On Jefferson Street there were 4 traffic summonses written. The recommendation is continued traffic enforcement.
- For McKeever and St. Andrew Street it is recommended that signs be placed at Mingea Street and McKeever Street advising no large trucks. There is also a rumble strip that has been placed on St. Andrew Street.

\*Audio available upon request.

- There is a recommendation for a four-way stop signs on Liberty Street. There have not been any tickets for Liberty Street. There were units placed on that street and there were no speeders during that time.

There was discussion among City Council and staff.

Mr. Miller stated, "On the summary sheet it states that I will get back with 5 & 6. But I will be working with the city attorney to get some proper guidance with respect to this and answers to both of those questions."

Council Member Cuthbert stated, "To be determined is what it amounts to and that is fine."

Mr. Miller stated, "Expediently. We do not have to wait on that stuff. The city attorney and I will meet, and I will get back to council."

Council Member Cuthbert stated, "Do you think you can get back to us at our April 19<sup>th</sup> meeting?"

Mr. Miller stated, "I think that we will have to look at it from an ordinance perspective. It might be a bit early. I will send an email out to council requesting time slots."

Council Member Cuthbert stated, "It is an awful lot of reverberation in these mics. But do you think that you can bring back a recommendation on 5 & 6 at our May work session then?"

Mr. Miller stated, "Yes, sir."

Council Member Cuthbert stated, "That will be great. It is an interesting idea. This reducing of the speed limit from 25 to 20. I certainly do not think that it will be done on a wholesale basis. But stop signs have not solved the problem for the residence on High Street and it was a residence on High Street that pointed out this ordinance to me that authorizes the reduction of the speed limit all the way down to 15. That is a little extreme. But reducing the speed limit would be a help. And may a rumble strip in conjunction with a stop sign on High Street might be worthwhile. I am not sure how we can conclude this. Your team, Mr. Miller, is doing a great job going through this but I think that we have got some issues yet to be resolved. So, how do you propose to go from here Mr. Miller? Do we vote on anything, does the police department just go ahead and do it, do we wait for every issue to be addressed before decisions are made? How do you think we ought to proceed?"

Mr. Miller stated, "Staff is prepared to proceed as council directs us. So, I know items 5 & 6 we will get back to you on but the other items that Chief Chambliss has already gone over, I think that council can make some decisions their and we are ready to execute."

Council Member Cuthbert stated, "So, I think what that boils down to is we have a public hearing on April 19<sup>th</sup> on the recommendation that the police department has made and then council will vote at that time. Does that make sense Mr. Mayor as the way to proceed?"

Mayor Parham stated, "That makes sense."

Council Member Cuthbert stated, "Okay. Well, why don't we do that and then we will leave 5 & 6 unresolved and get a report at our May work session. and then if it is the will of council at that May work session, we can schedule a public hearing for our May business meeting to adopt or consider the recommendations of the police department as to 5 & 6. Make sense as a way to proceed?"

Mayor Parham stated, "Makes sense."

\*Audio available upon request.

Council Member Cuthbert stated, "Well thank you. I know an awfully lot of work is going into this, and I am certainly impressed and all of us are impressed with the seriousness that the police department has considered in addressing this issue. It really is along with picking up garbage. The most complaints I get from constituents has to do with speeding. So, it may not seem important, but I think that the police department realizes how important that it really is. I for one is very grateful to you. Thank you."

**15. BUSINESS OR REPORTS FROM THE CLERK:**

\*No items for this portion of the agenda.

**16. BUSINESS OR REPORTS FROM THE CITY ATTORNEY:**

Mayor Parham stated, "We have closed session that we need to do. At this time would enter a motion to add a closed session for consultation with legal counsel to tonight's meeting at the city attorney's request."

Council Member Cuthbert made a motion to add closed session for consultation with legal counsel to the agenda on April 5, 2022. Vice Mayor Smith-Lee seconded the motion. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Westbrook, Smith-Lee, and Parham: Absent: Myers and Hill

Mayor Parham stated, "I would entertain a motion to convene in closed session pursuant to §2.2-3711(A)(7) AND (8) of the Code of Virginia for the purpose of receiving legal advice and status update from the City Attorney and legal consultation regarding the subject of specific legal matters requiring the provision of legal advice by the City Attorney and matters of actual litigation, specifically including but not limited to discussion regarding Petersburg Circuit Court Case No.: CL21000495-00.

**CLOSED SESSION:**

- a. The purpose of this meeting is to convene in the closed session pursuant to §2.2-3711(A)(7) AND (8) of the Code of Virginia for the purpose of receiving legal advice and status update from the City Attorney and legal consultation regarding the subject of specific legal matters requiring the provision of legal advice by the City Attorney and matters of actual litigation, specifically including but not limited to discussion regarding Petersburg Circuit Court Case No.: CL21000495-00.

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

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

City Council entered closed session at 6:10 p.m.

**CERTIFICATION:**

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

\*Audio available upon request.

from the foregoing requirements should so state prior to the vote indicating the substance for departure that in his or her judgment has taken place. This requires a roll call vote Mr. Mayor.”

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

The motion was approved on roll call vote.

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

**22-R-16 A RESOLUTION CERTIFYING, AS REQUIRED BY THE CODE OF VIRGINIA, SECTION 2.2-3712, THAT TO THE BEST OF EACH MEMBER’S KNOWLEDGE, ONLY PUBLIC BUSINESS MATTERS LAWFULLY EXEMPTED FROM OPEN MEETING REQUIREMENTS OF VIRGINIA LAW WERE DISCUSSED IN THE CLOSED SESSION, AND ONLY SUCH PUBLIC BUSINESS MATTERS AS WERE IDENTIFIED IN THE MOTION CONVENING THE CLOSED SESSION WERE HEARD, DISCUSSED, OR CONSIDERED.**

City Council returned to open session at 6:23 p.m.

Mayor Parham stated, “In open session, I would like to entertain a motion from council to suspend the Rules of Council and add a resolution of committing support and fund match requirements for the Locks Water Main Replacement and the Citywide Public Safety Mission Critical Communication System support of all Petersburg citizens and businesses to tonight’s agenda.”

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

Mayor Parham stated, “At this time can Ms. Joanne Williams come up front please. We have possibly a few questions on the resolution. Can you just give us a quick background?”

Joanne Williams, Director of Communications, Marketing and Government Relations, stated, “This is for earmark funds for the Senate and House. And they highly recommended a resolution. And these are the projects that we will submit. It does require, if we are so fortunate to get them, a 20% match.”

Mayor Parham stated, “Council Member Cuthbert, do you have any questions?”

Council Member Cuthbert stated, “I have no questions. It is a great idea. We all thank Ms. Williams for making this opportunity available to us.”

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

**22-R-17 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PETERSBURG, VIRGINIA COMMITTING SUPPORT AND FUND MATCH REQUIREMENTS FOR LOCKS WATER MAIN REPLACEMENT AND THE CITYWIDE PUBLIC SAFETY MISSION CRITICAL COMMUNICATION SYSTEM SUPPORT OF ALL PETERSBURG CITIZENS AND BUSINESSES.**

\*Audio available upon request.

**17. PUBLIC COMMENTS:**

Marcus Omar Squires, 1701 Monticello Street, stated, "I am here tonight to ask the city if they have looked into naming numerous alleyways throughout the city. As I am working on starting to renovate some abandoned properties that I have brought here in the City of Petersburg, I have noticed that multiple alleyways don't have names. So, when I try to report the names to city staff members, they are unaware of these alleys. And my second question is that I see that you are responsible for the maintenance of these alleyways, I also like to bring up the issue of the Titmus Optical facility and Peabody. And I hope that the city is currently looking at doing something with these facilities as they are falling apart. Thank you for your time and consideration."

**18. ADJOURNMENT:**

City Council adjourned at 6:28 p.m.

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Clerk of City Council

APPROVED:

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Mayor