



**City of Petersburg
Virginia**

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City Council

W. Howard Myers, Mayor – Ward 5
Samuel Parham, Vice-Mayor – Ward 3
Treska Wilson-Smith, Councilor – Ward 1
Darrin Hill, Councilor – Ward 2
Brian A. Moore, Councilor – Ward 4
David Ray Coleman, Councilor – Ward 6
John A. Hart, Sr., Councilor – Ward 7

City Manager

William E. Johnson III

Agenda

February 16, 2016

**Union Train Station
103 River Street**

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- 1. Regularly-Scheduled Meeting — 6:30 p.m.**
 - 2. Roll Call**
 - 3. Moment of Silence**
 - 4. Pledge of Allegiance**
 - 5. Presentations / Proclamations / Recognitions: (Each presentation will be limited to 10 minutes.):**
 - a. Six month Financial Update for Fiscal Year 2016
 - 6. Consent Agenda:**
 - a. Minutes February 2, 2016
 - b. Consideration to hold one City Council Meeting in March
 - c. Schedule a public hearing to approve the application to Vacate Right-of-Way of Property Adjacent to E. Washington Street.
 - d. Schedule a public hearing on the proposed disposition of publicly-owned property addressed as 380 E. Washington Street and 400 E. Washington Street.
 - e. Schedule a public hearing to amend City Code Section 50-131 to remove term from “cash escrow.”
 - 7. Public Hearing: (In accordance with the Rules of Council, public comment will be heard before discussion by Council. Once discussion has started, no further input from the public will be accepted. Each speaker will be limited to three (3) minutes.)**
 - a. Hold a public hearing for the proposed disposition of publicly-owned property located at 808 Halifax Street.

- b. Hold a public hearing for the proposed disposition of publicly-owned property located at 811 Halifax Street.

8. Public Information Period – The Public Information Period is established by the Rules of Council to hear input from City residents or owners of businesses in the City. It will last for a maximum of 30 minutes. Speakers will be called in the order that they have signed up to speak. If there are ten (10) or fewer speakers, each shall speak for a maximum of 3 minutes. If there are more than ten (10) people desiring to speak, the time allotted to each person may be adjusted or the number of speakers limited to meet the time limitation. A speaker may speak on items except those that are listed on tonight’s Council agenda. Any matter brought before the attention of the City Council during this public information period will not be acted upon by the City Council at this meeting.

9. Business or reports for / from the Mayor or other Members of City Council:

- a. Discussion on the proposed disposition of 16 parcels of publicly-owned property in the Halifax Triangle
- b. Consideration to amend the special fund budget for the proposed disposition of 16 parcels of publicly-owned property in the Halifax Triangle.
- c. Consideration to authorize the City Treasurer to publish Delinquent Taxpayers List.
- d. Consideration to approve the purchase of 125 W. Washington Street
- e. Consideration of reappointment to the Virginia Gateway Region Board

10. City Manager’s Agenda

- a. City Manager’s Report.

11. Clerk of City Council’s Agenda

12. City Attorney’s Agenda

13. Closed Session (if necessary)

14. Adjournment



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: February 10, 2016

TO: The Honorable Mayor and Members of City Council

THROUGH: William E. Johnson III, City Manager

FROM: Irvin Carter, Deputy City Manager/Director of Finance

RE: **Presentation of Six month Financial Update – FY2016**

PURPOSE: Give a Six Month update of the City of Petersburg Finances.

REASON: This is an opportunity for Administration to give an update of the financial position through the first six months of the Fiscal Year.

RECOMMENDATION: Informational purposes only

BACKGROUND: This presentation will give a snapshot of the financial position of the various funds of the city to include General Fund, Special Funds, Utility Fund and other enterprise funds.

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: N/A

CITY COUNCIL HEARING DATE: February 16, 2016

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: All City Agencies

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS: Information will be available on Friday, February 12, 2016

STAFF: Irvin Carter, Deputy City Manager/Director of Finance

The regular meeting of the Petersburg City Council was held on Tuesday, February 2, 2016, at the Union Train Station. Mayor Myers called the closed session meeting to order at 5:00p.m.

1. **CLOSED SESSION MEETING – 5:00 P.M.**

2. **ROLL CALL:**

Present:

Council Member David R. Coleman
Council Member John A. Hart, Sr.
Council Member Treska Wilson-Smith
Vice Mayor Samuel Parham
Mayor W. Howard Myers

Absent: Council Member Darrin L. Hill (arrived at 5:10pm)
Council Member Brian A. Moore (arrived at 6:25pm)

Present from City Administration:

City Manager William E. Johnson, III
City Attorney Brian K. Telfair
Clerk of Council Nykesha D. Jackson, CMC

3. **CLOSED SESSION:**

City Attorney Brian Telfair, stated that it was City Council's desire to enter into a closed session under Section 2.2-3711.A (1) of the Code of Virginia under Subsection 1 to discuss or consider issues relating to public officers or appointees of the City; un Subsection 3 to discuss the acquisitions of real property for a public purpose or the disposition of publicly held real property where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the City; and under Subsection 7 to consult with legal counsel and be briefed by legal staff pertaining to actual or probably litigation, where such briefing and consultation in an open meeting would adversely affect the litigating posture of the City.

Vice Mayor Parham moved that the City Council go into closed session for the purposes noted by the City Attorney. The motion was seconded by Council Member Hart. There was no discussion on the motion, which was approved on roll call vote.

On roll call vote, voting yes: Coleman, Hart, Wilson-Smith, Parham and Myers; Absent: Hill, Moore

City Council entered closed session at 5:05 p.m.

CERTIFICATION:

Council Member Hart made a motion to return City Council into open session and certify the purposes of the closed session. The motion was seconded by Council Member Coleman. There was no discussion on the motion, which was approved on roll call vote.

On roll call vote, voting yes: Coleman, Hart, Hill, Wilson-Smith, Parham and Myers; Abstain: Moore

16-R-4

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.

1. **REGULARLY-SCHEDULED MEETING – 6:50 P.M.**

2. **ROLL CALL:**

Present:

Council Member David R. Coleman
Council Member John Hart, Sr.
Council Member Darrin L. Hill
Council Member Brian A. Moore
Council Member Samuel Parham
Council Member Treska Wilson-Smith
Mayor W. Howard Myers

Absent:

Present from City Administration:

City Manager William E. Johnson, III
City Attorney Brian K. Telfair
Clerk of Council Nykesha D. Jackson, CMC

3. **MOMENT OF SILENCE:**

a. Clerk of Council, Nykesha D. Jackson, led council and the audience in a moment of silence.

4. **PLEDGE OF ALLEGIANCE:**

a. Clerk of Council, Nykesha D. Jackson, led council and the audience in the Pledge of Allegiance.

5. **PRESENTATION/PROCLAMATIONS/RECOGNITIONS: (Each presentation will be limited to 10 minutes.)**

a. Comprehensive Annual Financial Report (CAFR) Fiscal Year 2015.

BACKGROUND: The Auditing Firm of Robinson, Farmer and Cox performs the annual audit of the City of Petersburg and is required to present it to City per State Code. Mr. David Hughes of Robinson, Farmer & Cox Associates, will fulfill this obligation.

RECOMMENDATION: Recommend Council receive the report. No action is required.

David Hughes, Robinson, Farmer & Cox Associates, gave a brief overview of the Com Comprehensive Annual Financial Report.

b. Proclamation recognizing Harold A. Deane, Sr.

BACKGROUND: Harold A. Deane, Sr. has worked many years of service as a faculty member and as a former basketball coach, who led VSU to their last conference championship.

RECOMMENDATION: Recommend Mayor Myers read proclamation.

Mr. Deane thanked the Mayor and City Council for the proclamation.

c. Proclamation recognizing Black History Month

BACKGROUND: The month of February is designated as Black History Month. In this month we honor the history and accomplishments of African Americans throughout the Month and observe this commemoration by attending various programs, ceremonies, and activities across the City as we commemorate this year's theme, "**Hallowed Grounds: Sites of African American Memories**" as selected by The Association for the Study of African American Life & History which brings attention to the centennial celebration of the National Park Service.

RECOMMENDATION: Recommend Mayor Myers read proclamation.

Brian Little and Lewis Rogers accepted the proclamation and thanked City Council Members.

Chief John Dixon introduced the new Deputy Police Chief Clay Hamilton.

Deputy Police Chief Clay Hamilton gave a brief summary of his background and thanked City Council the pleasure of working with the City.

6. CONSENT AGENDA:

- a. Minutes of January 11, 2016 & January 19, 2016
- b. Schedule a public hearing for the disposition of publicly-owned property located at 808 Halifax Street.
- c. Schedule a public hearing for the disposition of publicly-owned property located at 811 Halifax Street.

Council Member Coleman made a motion to accept the Consent Agenda that schedules two public hearings for February 16, 2016. The motion was seconded by Council Member Moore. The motion was approved on roll call. On roll call vote, voting yes: Coleman, Hart, Hill, Moore, Wilson-Smith, Parham, and Myers

7. OFFICIAL PUBLIC HEARINGS: (In accordance with the Rules of Council, public comment will be heard before discussion by Council. Once discussion has started, no further input from the public will be accepted. Each speaker will be limited to three (3) minutes.)

- a. A public hearing on the proposed disposition of 16 parcels of publicly-owned property in the Halifax Triangle.

BACKGROUND: Petersburg City Council previously approved a letter of intent from the Woda Group to purchase properties in the Halifax Triangle. The Woda Group responded to a request for proposals from the City of Petersburg for redevelopment of the Halifax Triangle.

RECOMMENDATION: Staff recommends City Council permit the disposition of 16 parcels of property addressed as 106,119,121,123,127,140,147,151,153,155 and 116-122 Halifax Street; 110,112,114 and 116 South Avenue and 137 South Market Street known as the Halifax Triangle.

Dr. Landis Faulcon, Director of Economic Development, introduced the petitioner Bruce Watts from the WODA Group.

Bruce Watts, representative from WODA Group, gave a brief presentation on the proposal for the Halifax Triangle.

Ms. Jackson opened the floor for public comment.

Willie Noise, 1508 Circle Drive, stated that he disagree with the entire project. He stated that he is not

in favor at all.

Vernel Gannaway, 652 Old Wagner Road, stated that he believes that this is a very beautiful presentation. He asked Mr. Watts whether the funeral home would stay in that area with the proposed development.

Mr. Watts stated that they are proposing to buy City owned property. He stated that it does not show it on the mapping on the projector but that he believes that the funeral home is located to the south east. He stated that they would not be acquiring any land there. He stated that there is a parcel of land that the Rialto Theater was on and that they are looking to purchase that as well. He stated that they have not gone into discussion of this but they would be interested in purchasing that as well. He stated that they have put on the table to purchase the land of an assessment of \$335,000.

Mr. Gannaway stated that the property needs looking at. He stated that this was an area of one of his paper routes back in the day. He stated that he is looking at the revitalization of the City. He stated that the City is bringing in this type of structure. He stated that they are all moving towards historic. He stated that it is killing anything historic for the black community. He stated that the project is a modern building and that it is a beautiful building. He stated that they need something else to implement the Rialto. He stated that the Rialto was a very exclusive place back in the day. He stated that giving it a name is one thing but it's not giving it what Rialto was all about. He stated that the City's need businesses as well. He stated that all he sees is another loft coming in and another rejection. He stated that he thinks that it is time for them to switch horses. He stated that he knows that it will bring revenue but that it would be a penny compared to millions.

Fenton Bland, 1840 South Westchester Drive, stated that he knows Mr. Watts very well. He stated that no one has made any efforts to talk to any of the property owners in the area, former Delegate Joe Preston, The Wilkerson Family, The Bland Family or Tony Givens. He stated that preparation is everything. He stated that they have not had any dialogue with Mr. Watts and his staff pertaining to this. He stated that he hopes that they all reject this proposal.

Charlie Cuthbert, 132 South Adams Street, stated that he is opposed to this project. He stated that he wants to pick on Mr. Bland's comments. He stated that preparation is everything. He stated that he first wants to talk about procedure and then the substance of what is being proposed. He stated that the public was not given any meaningful notice on what is being proposed. He stated that there was a notice in the Progress-Index on January 20, 2016, that stated that a public was being held tonight on the proposed dispositions of 16 parcels. He stated that it stated that information can be obtained from the office of the Clerk of city Council. He stated that he phoned Ms. Jackson and asked if he can have the information in regards to the public hearing. He stated that Ms. Jackson stated that there was not any information and that the information would be in the packet. He stated that he looked online and saw three pages of information in which none of it contained the important information that has been shared with the public for the first time tonight. He stated that this project is for a low-income housing of 36 apartments. He stated that this is for people that make \$43,000 or less. He stated to not be bamboozled by the \$43,000. He stated asked where they are going to sell the 1,500 square feet. He stated that it is 100x150 feet. He asked whether they are going to see anything there but beer and lottery tickets. He stated that this is an invitation for new slum in Petersburg. He stated that this is all that it is. He stated that sometimes the cure is worse than the disease. He stated that the disease is that the City does not have enough tax revenue. He stated that the cure is that it is being proposed to create a new slum. He stated that this is the price that we cannot pay as a community. He stated that he ask City Council to vote against this.

Janelle Sinclair, 1644 South Sycamore Street, stated she thinks that the presentation was well put together. She stated that she thinks that in an ideal world it may work. She stated that because of Petersburg's demographics and population and all of the other deals that we have in the community. She stated that the City is known as a bedroom community. She stated that the City has so many LIHTC units that it out numbers the housing and home owners. She stated they increase this in an area that used to be known for high crime and that it can be vulnerable to do this again. She stated that the City may be putting them vulnerable to bring this behavior to come back. She stated that they may be at a different time in which they

can put economic development in the area like coffee houses or businesses. She stated that this may not be in the City's best interest. She stated that this is something that they may want to put on the shelves until a later date. She stated that today may not be the right time.

Seeing no further hands, Ms. Jackson closed the public hearing.

There was discussion among City Council and the petitioner.

Council Member Wilson-Smith made a motion to table action on the public hearing until the surrounding areas have had the opportunity to know what is going there and tabled until the next regular City Council Meeting. The motion was seconded by Council Member Coleman. The motion was approved on roll call. On roll call vote, voting yes: Coleman, Hart, Hill, Wilson-Smith and Parham; Voting No: Moore, Myers

b. A public hearing to establish a Tourism Zone

BACKGROUND: Virginia Code authorizes Virginia localities to establish, by ordinance, one or more tourism zones for the purpose of granting tax incentives and providing regulatory flexibility to qualified businesses. A Downtown Petersburg tourism zone creates new opportunities for attracting capital investment and jobs, enhancing tourism, and producing other economic benefits.

RECOMMENDATION: Staff recommends City Council approve a Tourism Zone.

Dr. Landis Faulcon, Director of Economic, gave a brief overview of public hearing regarding the Tourism Zone.

Ms. Jackson opened the floor for public comment.

Brandon Martin, 1516 Berkeley Avenue, stated that there are some other sites downtown that have potentially a tourism factor. He stated that one is Fort Coggin which is the northern of Coggin Road. He stated that there used to be a sign there. He stated that a sign used to be there years ago and that he has not seen the sign come back. He stated that he suggest that the City needs to enlarge this. He stated that these are things that need to be taken into consideration. He advised the City to be careful.

Seeing no further hands, Ms. Jackson closed the public hearing.

Council Member Moore made a motion accept the Tourism Zone as presented by staff. The motion was seconded by Council Member Hart. The motion was approved on roll call. On roll call vote, voting yes: Coleman, Hart, Hill, Moore, Wilson-Smith, Parham and Myers

16-ORD-6 AN ORDINANCE TO ADD SECTION 38-110 TO CHAPTER 38 OF THE 2000 CODE OF THE CITY OF PETERSBURG, VIRGINIA AS AMENDED BY ESTABLISHING A TOURISM ZONE PURSUANT TO VIRGINIA CODE §58.1-3851.

8. **PUBLIC INFORMATION PERIOD:** The Public Information Period is established by the Rules of Council to hear input from City residents or owners of businesses in the City. It will last for a maximum of 30 minutes. Speakers will be called in the order that they have signed up to speak. If there are ten or fewer speakers, each shall speak for a maximum of 3 minutes. If there are more than six (6) people desiring to speak, the time allotted to each person may be adjusted or the number of speakers limited to meet the time limitation. A speaker may speak on items **except those that are listed on tonight's Council agenda**. Any matter brought before the attention of the City Council during the public information period will not be acted upon by the City Council at this meeting.

Reverend James Quickly, 1044 South Park Drive, stated that he has some issues about the water bills. He stated that they have not been circulating or there has not been any type of correspondence in the City of Petersburg to the residence. He stated that it is a matter that seems to be a perplexing matter. He stated that

no one is really notified and that he feels that it is causing a lot of confusion. He stated that it should be publicized or they should be receiving some type of correspondence. He stated that with any type of bills you are usually notified by your bill collector with some type of correspondence. He stated that if a person does not have the internet they are lost in the sauce. He stated that they do not have any means about knowing the water bills. He stated that this is an issue that needs to be addressed and one that needs to be looked at closely.

Willie Noise, 1508 Circle Drive, stated that he would like City Council to give him a public apology from the Mayor and Linwood Christian for their conduct and attitude at the last City Council meeting. He stated that he would like the City Attorney to referee it. He stated that if Linwood Christian does not come back or whatever he will accept an apology from a family member. He stated no weapons at the City Council meeting. He stated that a lot is said some is questions and some are instructions. He stated that the questions are answered but there is little action on instructions. He stated that they have to treat this from worse down to good and not from good to worse. He stated that at the last agenda meeting they talked about purchasing some property. He stated that the purchasers did not have any idea of what they were doing with the property. He asked how this fit in with the City's vision and where they are going in the City. He stated that if they have a vision and know where they are going then they have to stop people from sticking things anywhere. He stated that he would like to know the snow removal and procedures schedule. He asked that he would like to know what priority is Youngs Road. He stated that he would like it to be put on the priority list. He stated that after the public information period and before the next meeting he would like them to get together and discuss some of the issues of that meeting.

Mitchell Pradia, 517 High Street, stated that he would like to briefly speak to City Council regarding the City ordinance Chapter 18, Section 18-7, which speaks on keeping the architectural animals near residence. He stated that he received a letter from the Mayor last year on December 30, 2015. He stated that the letter states that the City will not pursue the removal of farm animals adjacent to his residence and place of business. He stated that the letter suggest that he consider suing his neighbor in order to enforce the City's ordinance. He stated that he believes that the letter he received is based on the last circuit court ruling which determines that his neighbor's property can be used as agriculture. He stated that he feels that this ruling would not have been made if the City had legal counsel present during these preceding's. He stated that he would like City Council to ask the City Attorney do the City have legal counsel present and why the ruling cannot be appealed. He stated that his neighborhood is zoned residential. He stated that according to the City Code the zoning is the City's responsibility. He stated that under Ordinance 18-7 and under the Freedom of Information Act the City was able to remove a rooster and other small animals for a citizen but cannot remove a large donkey and four sheep in his residential neighborhood. He stated that this is one of the biggest violators of the ordinance. He stated that the judge's ruling should be argued in a court appeal. He stated that there are 300 citizens in support of the ordinance. He stated that many have signed a petition. He stated that they are in shock that their elected officials are not in support with them. He stated that they do not feel that "I AM PETERSBURG." He stated that City Council should fully enforce this ordinance. He stated that he thinks that the judge ruled because there was no legal counsel present from the City. He stated that City Council has failed these people.

Perita Pradia, 517 High Street, stated that she agrees to everything that her husband has stated. She stated that she would like to use her few brief moments to share some photos. She stated that it has been stated that a picture is more than 10,000 words. She stated that she has chosen pictures to illustrate her argument. She stated that pictures are a prime example of why she thinks that agriculture properties should not be allowed in residential settings. She stated that this issue has been up before on numerous occasions. She stated that as they can see from the photo in front of them there is animal manure that lies out front in the open. She stated that this is still happening. She stated that the picture has snow in it and that this is a recent photo. She stated that it is directly behind her business and her home. She stated that this happens on a regular basis. She stated that on a cold day you can smell the odor before you reach the parking lot. She stated that this is her parking lot that she is talking about. She stated that she will ask City Council how this can be healthy for a City and a resident in a community that they said they would like to clean up. She stated that she does not know if they can imagine how this makes her feel as a business owner. She stated that she has visitors from around the world to come to her business establishment. She stated that she has a bed and

breakfast. She stated that she cannot put them in the garden in the spring because the stench is so bad. She stated that she strongly feel that the decision that was made by the circuit court judge was not a good decision. She stated that it was an arbitral decision. She stated that it was also without regard with over 300 of the City's constituents who collectively feel that farm animals are not what they want in their communities. She stated that like her husband she is appalled that during the meeting when the circuit court judge determined that her neighborhood can be used to board animals such as this. She stated that there was no representation from the City Attorney and none from City Council to her knowledge. She stated that she believes that this was a crucial factor in their being able to enforce the City's own ordinance that they have changed numerous times to try and clean up Petersburg. She stated that since it was very important and the meeting was dismissed and since there was no argument made against the judge's decision to allow agriculture animals in her background they are asking the City to seek an appeal. She stated that she fully understands that the legal process can be protractive; however, the City has been charged with the responsibility to represent the best interest of the people of Petersburg. She stated that she ask that they consider an appeal for this judgment.

Talibah Majeed, 1847 Brandon Avenue, stated that it has been her attention to have a very positive outlook for 2016. She stated that it is becoming more challenging to be positive about Petersburg future. She stated that the serious issues keep multiplying but the solution seems to be absent. She stated that the water meter issue which has been mentioned is still lingering. She stated that it took media exposure to get focused on it. She stated that it still is not solved as far as she is concerned. She stated that she got a bill that reflected a \$20 increase for each month. She stated that she knows that her water habits have not changed. She stated that she is still concerned about this. She stated that she said that early on when the big discussion on the meters came up she stated that she did not trust the meters. She stated that this was based on different information that she received from across the country from different people. She stated that now the City has a budget gap of over \$3 million dollars. She stated that someone has to do something about this. She stated the agencies in the City have to have a budget cut because of the \$3 million dollars including the school system. She stated that the school system is already hurting. She stated that they all want to know how did this happen. She stated that she read in an article which the City Manager stated that the blame is on the Petersburg residents for not paying their taxes. She stated that at a previous council meeting the City Manager stated that City residence were discouraging potential investors by making negative comments about the City. She stated that her opinion is that if investors are that easily discouraged then they probably were not serious in the first place. She stated that a \$3 million dollar gap because the residence didn't pay their taxes. She stated that taxes are paid to a City agency. She stated that someone is in charge of that agency. She stated that rather than blaming City residents how about managers employed by the City accountable. She stated that if the economic development efforts were more effective than and as effective as Colonial Heights and Hopewell then perhaps Petersburg residents would have enough money to pay their taxes. She stated that the City would receive more revenue from businesses. She stated that if the City of Petersburg were a private sector company then some pink slips would have been handed out a while ago. She stated that its management accountable that it is lacking. She stated that she is disturbed by City administration getting paid six figure salaries when the City is in such bad shape. She asked how they earn a six figure salary when the City is in such bad shape. She stated that she is asking them to put the accountability where it belongs and not on the citizens.

Rasheedah Farid, 18 Jarratt Court, stated that this is part two from the last meeting. She stated that today on the steps today of City Hall Mayor W. Howard Myers and members of Petersburg City Council officially launched its "I AM HEALTHY PETERSBURG" campaign. She stated that City Council together with the other key community members has joined forces to raise awareness and turn Petersburg into a healthier place. She stated that she is calling out a S.O.S., 9-1-1 and a Code Blue. She stated that the last time she was presented the problems and her observations. She stated that all she asks is that City Council promotes health, fitness, wellness and community engagement in the City of Petersburg. She stated that the method would be to invite community health partners to provide health, wellness, and fitness information to the citizens at City Council meetings and ward meetings. She stated that it will not cost anything perhaps maybe just a phone call. She stated that the vision is everyone healthy in Petersburg. She stated that the mission and goal is everybody everywhere is healthy, fit and well in Petersburg. She stated that this is from the womb to the tomb and in duration. She stated that they have to understand that everything is connected in Petersburg. She stated that if they want people to go to work they have to be healthy. She stated that if they are not healthy

then they are getting sick and calling in and then they lose their jobs. She stated that when they lose jobs then they cannot pay bills and they are losing everything. She stated that health is so important. She stated that she is talking about physical, social, and emotional health. She stated that they have to lay a blanket over the City. She stated that she is on her soap box for a healthy Petersburg. She stated that when they talk about financial health it's on the way. She stated that a financial opportunity center will be coming to Petersburg in March 2016.

Brandon Martin, 1516 Berkeley Avenue, stated that wouldn't it be nice if this time next year for Black History to recognize the opening of the restored and stabilized Jarratt House. She stated that he would like to talk about snow and leadership. He stated that one of the principles of leadership is setting the example. He stated that if you own and rent property you have a job to clear the snow of the sidewalk. He stated that the city code states it so it should be done. He stated that this applies both to residence and the City. He stated that he specifically site Corling's Corner. He stated that last Monday, Tuesday and Wednesday a person took their life in their hands to walk across the sidewalk and ended up walking in the street. He stated that it is not right and that it discourages the business activity period. He stated that there was an update inquiring about the sign ordinance in the City. He asked where the City in regards to this is. He stated that he took a ride in the Crater Road area and around the shopping centers. He stated that there are Popsicle signs in the area. He stated that it is an epidemic. He stated that last week with the traffic flow it appears to be some change of direction. He stated that he has been here 40 years and that he has seen street changes umpteen times. He stated that they should be left the way they are. He stated that a person would probably sit at the light for about 10 minutes with no traffic. He stated that it can be done and that it is called a smart cycle. He stated that when the light box near the post office got blown out by the motorist they had stop signs. He stated that when the new light box got put in things worked on a nice sequence. He stated that now the lights are back the way it used to be and that it is not right.

Vernel Gannaway, 652 Old Wagner Road, stated that last week he sent a "Notify Me" to the City about two road trucks that were just sitting in front of his home. He stated that he thought that they were doing some work but that they were just in the vehicle having a conversation. He stated that he has been reading that the City has a lack of money. He stated that it seems like there is a lot of money in diesel and gas that is wasted from sitting there. He stated that when he comes out there is no sand and that he did his own driveway. He stated that in another area it was cleared out. He stated that he thinks that it should not be the citizen's fault to be blamed about the expenditure or shortage when there are vehicles that are just riding and work not being done. He stated that he gets a response that they will get to them as soon as they can. He stated that he heard the gentleman talking about the traffic light. He stated that the same light is having problems on Crater Road. He stated that he is still doing U-turns. He stated that this is on Crater and Wagner Road. He stated that there are two words that a lot of people get confused. He stated that this is service and job. He stated that the people that hold positions as leaders should act accordingly. He stated that there is a professional way of doing things. He stated that he thinks that this City is known for being kind to a lot of people. He stated that sometimes it calls you to be unkind. He stated that he has tried to be fair with many people as possible. He stated that he likes to give people the benefit of the doubt. He stated that he is not going to tolerate it. He asked why they are not putting things in the paper that the children are doing. He asked why they are not speaking on good things. He stated that they have to do things together to get things done. He stated that before building anything that City needs to fix the infrastructure of the City.

9. BUSINESS OR REPORTS FOR/FROM THE MAYOR OR OTHER MEMBERS OF CITY COUNCIL:

- a. Consideration to permit the agreement between the City of Petersburg and the Cameron Foundation to construct and maintain a community gateway located at East Washington Street.

BACKGROUND: The Cameron Foundation plans to make a grant to the City equal to 50% of the fixed cost amount of the Gateway to include contract administration and 50% of all change orders approved by the City and Foundation to construct and maintain a community gateway located at East Washington Street and Crossing Interstate 95.

RECOMMENDATION: Staff recommends City Council permit the agreement between the City of

Petersburg and the Cameron Foundation.

Council Member Hart made a motion to permit the agreement between the City of Petersburg and the Cameron Foundation to construct and maintain a community gateway located at East Washington Street. The motion was seconded by Council Member Wilson-Smith. The motion was approved on roll call. On roll call vote, voting yes: Coleman, Hart, Hill, Moore, Wilson-Smith, Parham and Myers

16-ORD-7 AN ORDINANCE PERMITTING THE AGREEMENT BETWEEN THE CITY OF PETERSBURG AND THE CAMERON FOUNDATION TO CONSTRUCT AND MAINTAIN A COMMUNITY GATEWAY LOCATED AT EAST WASHINGTON STREET.

- b. Consideration to amend the special fund budget for the proposed disposition of 16 parcels of publicly-owned property in the Halifax Triangle.

***Item removed because Item 7A was tabled.**

Council Member Hill stated that he would like to thank everyone for coming out today. He stated that he was out during the snow. He stated that he would like City administration to address the downtown area as far as the car being parked during snow time. He stated that he noticed that some of the problems were that the plows could not come straight down because so many cars were everywhere. He stated that if they can clear the streets for a parade or anything then they can clear it for a snow storm that they know will happen. He stated that a notice can be posted just like they do for parades. He stated that he had a few calls in regards to the neighborhoods. He stated that he called the City Manager and he called the departments and that they got over to those neighborhoods. He stated that he would commend them on the main roads like Sycamore Street, Wythe Street and Crater Road and Washington Street. He stated that on the second day they were trying to get to the secondary roads. He stated that a couple of his citizens called and he had to go out and help them with some things. He stated that if they looked at the news the entire nation was talking about some of the things that they were talking about. He stated that it did not just happen in Petersburg. He stated that people were speaking on secondary roads in other areas too. He stated that he would like the City administration to address these areas in the future.

Council Member Moore stated that on Thursday, February 25, 2016, at the Union Train Station, he will be having a Town Hall and Public Safety Meeting. He stated that guest speakers will be Police Chief John Dixon and Mr. Marlon Dance of Dance Sporting Goods. He stated that they will be speaking on community policing, second amendment and the current VA legislation and its effect on the community.

Council Member Moore made a motion to change resolution "12-R-42" from "Russell L. Bland Pavilion" to "Russell L. Bland Clubhouse." The motion was seconded by Vice Mayor Parham. The motion was approved on roll call. On roll call vote, voting yes: Coleman, Hart, Hill, Moore, Wilson-Smith, Parham and Myers

Vice Mayor Parham stated that he will be having a Ward 3 Meeting on February 29, 2016, beginning at 6:00pm at Dogwood Trace Clubhouse. He stated that the speakers for that evening will be the Interim Superintendent Dr. Shifflett. He stated that from the City's side it will be Lieutenant Moore speaking about the new crime tracking system.

10. CITY MANAGER'S AGENDA:

- a. City Manager's Report
 1. Please increase the time of public information period to 3.5 minutes?
 - a. The three minute time limit is a policy and procedure that has to be voted on and decided by City Council.
 2. During the closing session of the council meeting, the adjournment should be done by the Mayor?

- a. This is a policy and procedure that has to be voted on and decided by City Council.
3. What is the City's process of distribution of vehicles on Pocahontas Island?
 - a. The City's vehicles are being outfitted for other departments to use and are being maintained by the City's fleet.
4. What are the topics of closed sessions held over the last year? How many have there been and are there any common themes between them?
 - a. Closed sessions are not public information.
5. The driveway that leads to skate factory needs to be paved.
 - a. The driveway that leads to the skate factory is private property and needs to be maintained by the owner.
6. Please report to City of legal expenses and the investigation of the Generals.
 - a. These requests must be submitted through the FOIA process.
7. Please provide a report of the Jarratt House with a timeline.
 - a. The City had a structural engineer report and a stabilization plan completed. Funding has been secured for the stabilization and a historic structures report. The historic structures report will be a crucial piece to help guide the rehabilitation of the property. Stabilization and the historic structures report should be completed within the year.
8. Please notify the public on the City elevator certificates of approval.
 - a. City elevators are inspected annually. Certificates are kept in the elevators.
9. Channel 15 has not been in operation since January 8.
 - a. We have a temporary fix in place now, but a work order has been submitted to the vendor to have equipment replaced.
10. Please give an update on the City water bill.
 - a. City of Petersburg utility customers will start to receive bills the week of February 1, 2016. For the bills being received on February 1, the due date will be February 25. This bill reflects water usage from October 23, 2015 through December 31, 2015. Some residents will receive bills that reflect a 3-month usage, dating back to September 17 because no payment was received during that timeframe. Moving forward, ALL due dates will fall on the 25th of each month.

Water usage for January 1 through February 29, bills will be mailed out by the beginning of March and will be due March 25. Beginning with March 1 water usage, the billing will start back on a 30 day cycle and the bills will be due April 25 (March 1 – March 31 usage).

Residents are able to view and pay their bills online at www.petersburg-va.com. Bills can also be paid in person at City Hall, any SunTrust bank location and the drop box located in front of City Hall. For issues with utility billing, please call (804) 733-2349 or email utilitybilling@petersburg-va.org.

11. Porterville has not been patched up since water main work, please advise on getting this area and Bolling and Shore Streets repaved as well.
 - b. Public Works crews have been directed to evaluate this area for repaving.
12. What is the status of Reggie Williams project?
 - a. This project is slated to break ground in the second quarter of 2016.

Mr. Johnson stated that at the last council meeting they held a public hearing on the acquisition of 125 West Washington Street. He stated that at that time the appraiser or the negotiation with the property owners had been completed. He stated that tonight he is asking City Council for the authority to acquire this piece of property for the price of \$100,000. He stated that the City had the property assessed at \$98,000 and they it appraised for \$94,000 and the owners were requesting \$150,000. He stated that throughout the negotiation they both agree on price of \$100,000.

Mr. Johnson stated that he would like to remove the requested noted.

11. CLERK OF CITY COUNCIL'S AGENDA:

No items for this portion of the agenda.

12. CITY ATTORNEY'S AGENDA:

No items for this portion of the agenda.

13. CLOSED SESSION (IF NECESSARY):

No closed is necessary.

14. ADJOURNMENT:

City Council adjourned at 8:30 p.m.

Clerk of City Council

APPROVED:

Mayor



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: February 9, 2016

TO: The Honorable Mayor and Members of City Council

FROM: William E. Johnson III, City Manager

RE: Consideration to hold one City Council Meeting in March

PURPOSE: Consideration to hold one Council Meeting in the month of March on 3/15/2016.

REASON: City Council must authorize the change of a City Council Meeting date.

RECOMMENDATION: Recommend City Council hold one Council Meeting in the month of March on 3/15/2016.

BACKGROUND: Currently there are two Council meetings scheduled in March on 3/1 and 3/15. The Presidential Preference Primary will be held at the Old Train Station on the March 1, 2016 and the Mayor and Council will be at the National League of Cities meeting on March 5, 2016 – March 9, 2016.

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: N/A

CITY COUNCIL HEARING DATE: February 16, 2016

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

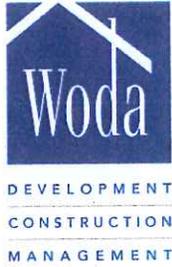
AFFECTED AGENCIES: N/A

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS: N/A

STAFF: William E. Johnson, III City Manager



THE WODA GROUP, INC

Bruce Watts, Development Director

530 South Main Street ♦ Norfolk, VA 23523 ♦ 757.650.0361
bwatts@wodagroup.com ♦ www.wodagroup.com

February 9, 2016

Mr. William Johnson III
City Manager
City of Petersburg
135 North Union Street
Petersburg, Virginia 23220

Dear Mr. Johnson:

The Woda Group, Inc. has continued interest in purchasing all parcels associated with the Halifax Triangle at 116 Halifax Street for the establishment of a mixed-use, affordable housing development that we call Rialto Place. The estimated value of the development is nearly \$6 million.

Since the public hearing on Tuesday, February 2, 2016, I have had an opportunity to conduct a walking tour and inventory of five blocks in the Halifax Triangle area. There are seven barber shops, one gift shop, one law office, one United Way office, one public health building, six churches and two funeral homes. I have also reached out to local business owners in the area. I talked with Mr. William Bland the night of the public hearing. I talked with Mr. Joseph Preston of Tony's Restaurant and Lounge and Mr. Roger Noggins, Sr. of Supreme Barber Shop. I have also left messages for Ms. Bettye Wilkerson of J. W. Wilkerson Funeral Establishment and Ms. Patricia Hines of the Petersburg Development Center; I have not received a return telephone call from either of them. Mr. Bland and Mr. Preston said they do not support the mixed-use development. Mr. Preston said he will only support a project that is market-rate. Mr. Norggins said that he supports the project.

I'd also like to take this opportunity to share additional information in response to public comments that were shared last week. The Woda group submitted plans for Rialto Place in response to a request-for-proposals that was issued by the City of Petersburg in 2014. Our proposal has not changed since our letter of intent was accepted by the City of Petersburg in August of 2015.

The Woda Group was a participant and a sponsor for the recent Halifax Triangle community forums and reception facilitated by the Urban Land Institute of Richmond. We had an opportunity to learn first-hand what community members would like to see in the Halifax Triangle, as well as hearing observations from visiting planners and community development specialists. Rialto Place would be an asset to the Halifax Triangle. The project supports many of the interests and needs communicated during the forums.



DEVELOPMENT
CONSTRUCTION
MANAGEMENT

THE WODA GROUP, INC

Bruce Watts, Development Director

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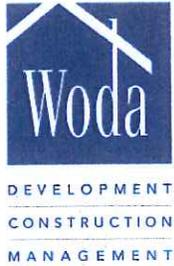
Working with diverse partners and localities, the Woda Group has earned a national reputation for creating economic opportunities that enable residents to access new housing, become good neighbors, and achieve financial stability. Sensitive to the interests and concerns of residents and business owners, the Woda group has contributed to the revitalization of urban communities for more than 20 years. We are committed to quality, healthy and sustainable housing.

The Woda Group is an active partner in developing affordable housing innovations and opportunities in several communities across the country. Our developments enable low to-moderate income residents to access new rental housing, contemporary amenities, and a better quality of life. We are proud that our work in expanding the number of newly constructed housing units that are available and affordable to families who may not otherwise qualify for market-rate housing.

We believe that the Rialto Place mixed-use development will be a catalyst for restoring the vibrancy of the Historic Halifax Triangle. We do not believe that a newly constructed housing development consisting of 36 units ranging from \$650 to \$900 in monthly rent is a slum. The rental rates will depend on the number of bedrooms in a unit. The rental rates are also consistent with many of the existing market-rate units in Petersburg. The difference is that the use of Low-Income Tax Credits (LITC) enables the Woda group to build quality new construction comparable in many instances to market-rate developments, but at affordable rates for residents in certain income categories. Since their inception, LITC credits have made it possible for citizens across the country to access new rental housing, home ownership and/or better neighborhoods. The use of LITC should not by any means imply a lower quality of housing or housing standards. Likewise, the people who qualify to live in LITC developments should not be considered lacking in stature or status.

As mentioned during the public hearing, residents earning \$43,000 or less would be eligible to live in Rialto Place. According to 2010 Census Data, the median household income for Petersburg residents was \$35,874. Yet, the 2010 median household income for Halifax Triangle residents was much lower at \$21,641. Certainly these residents could benefit from new and affordable housing, as well as new commercial development yielding new jobs and other opportunities where they live.

The Woda Group looks forward to being a partner in the restoration and revitalization of the Halifax community. We anticipate that Rialto Place will be the spark needed to re-energize the Historic Halifax Triangle. We also believe that Rialto Place is vital to economic development and the preservation of affordable housing for Petersburg residents. Our development process is sensitive to the community. Working in partnership with City staff, we will host meetings with residents, business owners and other stakeholders to hear their interests and concerns, as well as to share project updates.



THE WODA GROUP, INC

Bruce Watts, Development Director

530 South Main Street ♦ Norfolk, VA 23523 ♦ 757.650.0361

bwatts@wodagroup.com ♦ www.wodagroup.com

Thank you for the opportunity to follow up on concerns shared during the public hearing. The Woda Group welcomes the opportunity to build a second housing development in Petersburg.

Sincerely,

Bruce Watts

Bruce Watts



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: February 1, 2016

TO: The Honorable Mayor and Members of City Council

THROUGH: William E. Johnson III, City Manager

FROM: Daniel L. Harrison, Interim Director of Public Works

RE: **Schedule a Public Hearing to approve the application to Vacate Right-of-Way of Property Adjacent to E. Washington Street.**

PURPOSE: Travis Hill, property owner at 1024 E. Washington St., has applied for a right-of-way vacation so he can add a 30'x30' two story addition to his existing building, Jazz Barber & Hair Styling Academy.

REASON: To be accredited for student financial aid, the Academy is required to have additional space. This building addition will allow the Academy to continue to provide educational opportunities to the residents of the City and attract students to Petersburg from the surrounding areas, including soldiers from Fort Lee looking to change careers.

RECOMMENDATION: Schedule Public Hearing for Tuesday, March 15, 2016, to approve the request from Travis Hill, on behalf of Jazz Barber & Hairstyling Academy, that the following described property be vacated, and abandoned by the City Council of the City of Petersburg:

Property adjacent to 1024 E. Washington Street, an unimproved public right-of-way
Tax Parcel 013-01-0801, respectively.

BACKGROUND: The subject right-of-way application meets the requirements of the applicable City policy, and has been reviewed and approved by the appropriate City departments.

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: Consistent with increase in property value, business growth, and career growth potential for existing and future City residents.

CITY COUNCIL HEARING DATE: February 16, 2016

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: Application has been reviewed by the following City departments/divisions:

- Planning & Community Development
 - Zoning
- Fire, Rescue, & Emergency Services
 - Code Compliance
- Economic Development
- Public Works
 - Engineering
 - Stormwater Management
 - Public Utilities
 - Public Right-of-Way

AFFECTED AGENCIES: Planning & Community Development, Public Works

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS: Draft Ordinance, and Street, Parcel and Survey views of Jazz Academy

STAFF: Daniel L. Harrison, Interim Director of Public Works

**AN ORDINANCE TO VACATE AND ABANDON PROPERTY
ADJACENT TO 1024 E. WASHINGTON STREET, TAX
PARCEL 013-01-0801, AN UNIMPROVED PUBLIC RIGHT-
OF-WAY.**

WHEREAS, Travis Hill, on behalf of Jazz Barber & Hairstyling Academy, submitted an application seeking to have the City Council abandon property adjacent to 1024 E. Washington Street, tax parcel 013-01-0801, an unimproved public right-of-way, as shown on the attached Exhibits and made a part of this Ordinance; and

WHEREAS, following notice to the public pursuant to Section 15.2-2006 of the Code of Virginia (1950), as amended, a public hearing by the City Council was held March 1, 2016, and comments from the City Staff and the public were made and heard; and

WHEREAS, after consideration of the application, the recommendation set forth in the Ordinance, Resolution and Agenda Request dated March 1, 2016 Council finds and determines that the application should be granted;

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Petersburg, Virginia, by application from Travis Hill on behalf of Jazz Barber & Hairstyling Academy, that the following described property be vacated, and abandoned by the City:

Property adjacent to 1024 E. Washington Street, an unimproved public right-of-way Tax Parcel 013-01-0801.

BE IT FURTHER ORDAINED, by the City Council of the City of Petersburg, Virginia that the City hereby closes, vacates and discontinues use of property adjacent to 1024 E. Washington Street, tax parcel 013-01-0801, an unimproved public right-of-way, provided:

§1. That the City reserve all rights for any easements for City-maintained infrastructure and access for fire and emergency vehicles; and

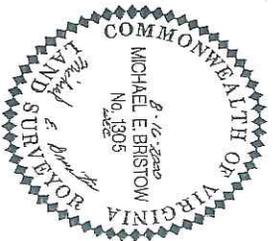
§2. Travis Hill provides easement plats for any existing public utilities that are required to remain active; and

§3. Travis Hill shall be responsible for all research, platting and recordation fees associated with the aforesaid easements.

§4. Upon recordation of this Ordinance, fee simple title to the abandoned public right-of-way shall vest in the Applicant.

§5. This ordinance shall take effect upon adoption.

DRAFT



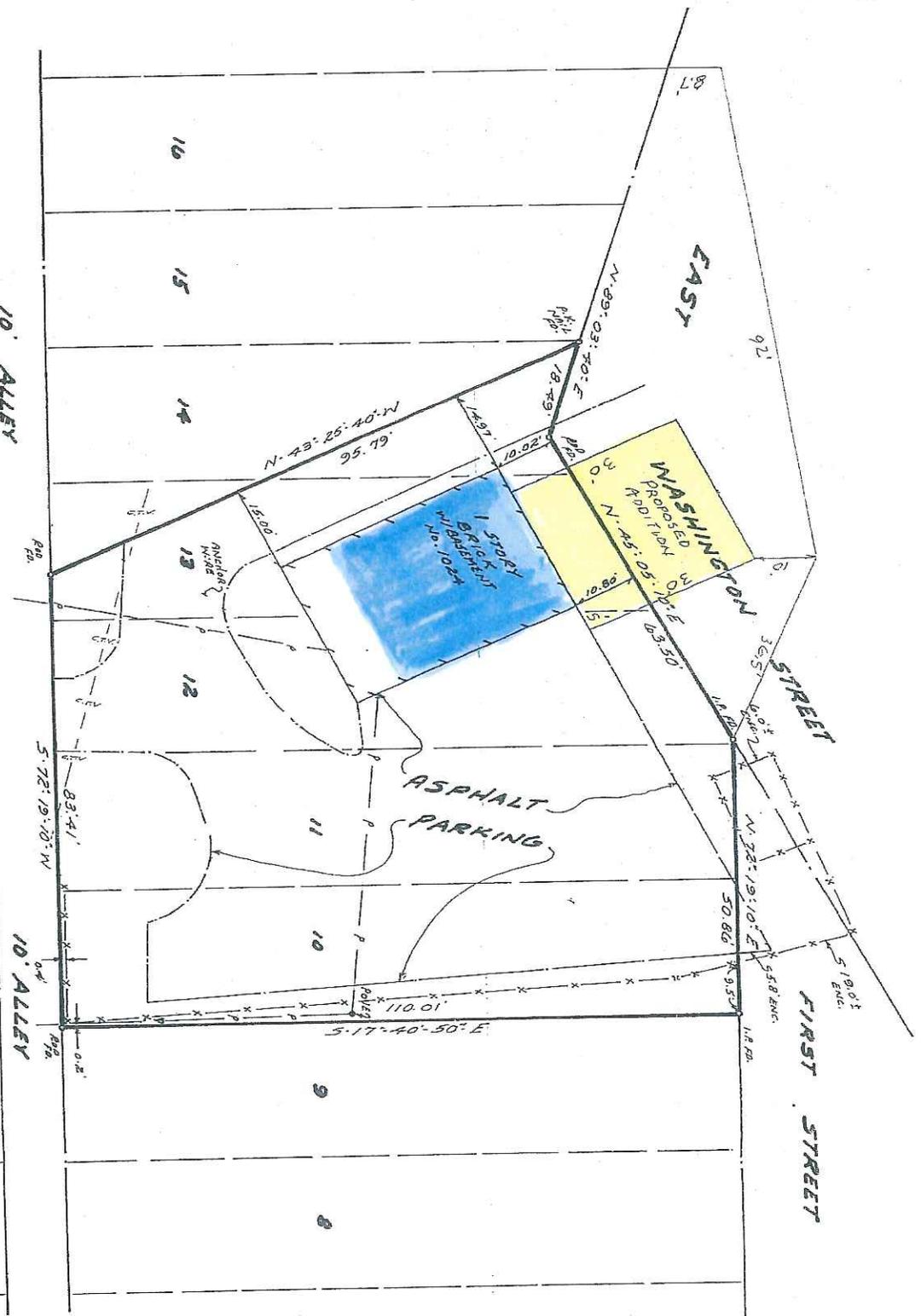
This is to certify that on 8-16-2000 I made an accurate survey of the premises shown hereon and that there are no encroachments or encroachments visible on the ground other than those shown hereon.

Michael E. Bristow 1050

I, Michael E. Bristow, do certify:

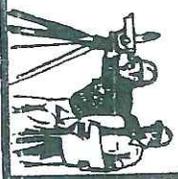
this property is not in a HUD defined flood hazard area. Michael E. Bristow, C.L.S. (Zone "C")

The Survey is subject to any easement of record and other pertinent facts which a title search might disclose.



PLAT OF LOTS 10 & 11 AND PART OF LOTS 12, 13, 14 AND 15, BLOCK-17, EAST PETERSBURG AND A RIGHT-OF-WAY OVER THE EASTERN 10' OF LOT-26 BLOCK-17, EAST PETERSBURG TO AMELIA STREET CITY OF PETERSBURG, VIRGINIA

PUR: MARK WILLIAMS



HARVEY L. PARKS, INC.
 LAND SURVEYORS
 4508 W. HUNDRED RD.
 CHESTER, VA.
 748-8641 748-0515

DATE: 8-16-2000 SCALE: 1" = 20'
 DRAWN BY: N.E.C.
 CHECKED BY: M.B.
 F.B.K. 198 PG. 42

Approximate outline of proposed 30'x30' building expansion of Jazz Barber and Hairstyling Academy beyond their property line and into right of way

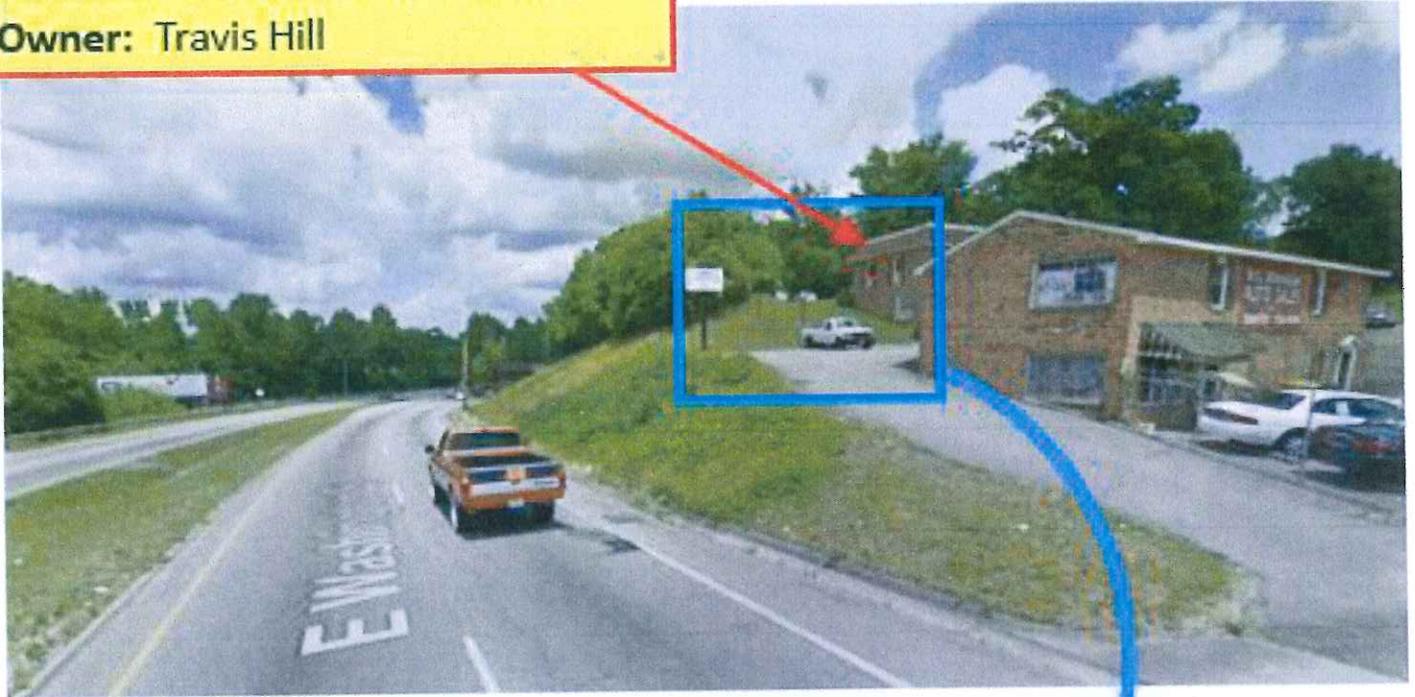


Request to Vacate Right-Of-Way:

Applicant: Jazz Barber and
Hairstyling Academy

Address: 1024 East Washington St.

Owner: Travis Hill



Approximate outline of proposed
30'x30' building expansion of Jazz
Academy into right of way



**AN ORDINANCE, AS AMENDED, SAID ORDINANCE
MAKING APPROPRIATIONS FOR THE FISCAL YEAR
COMMENCING JULY 1, 2015, AND ENDING JUNE 30, 2016
IN THE SPECIAL FUNDS FUND IN THE AMOUNT OF \$335,000
FOR ECONOMIC DEVELOPMENT INCENTIVE SPECIAL FUND.**

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

I. That appropriations for the fiscal year commencing July 1, 2015, in the Special Fund are made for the following resources and revenues of the city, for the fiscal year ending June 30, 2016.

Previously adopted	\$18,895,823
Economic Development	<u>335,000</u>
Total Expenses	<u>\$19,230,823</u>

II. That there shall be appropriated from the resources and revenues of the City of Petersburg for the fiscal year commencing July 1, 2015 and ending June 30, 2016, the following sums for the purposes mentioned:

Previously adopted	\$18,895,823
ADD: Miscellaneous Revenue:	
Sale of Property	<u>335,000</u>
Total Resources	<u>\$19,230,823</u>



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: February 5, 2016

TO: The Honorable Mayor and Members of City Council

THROUGH: William E. Johnson, III, City Manager

FROM: Landis Faulcon, Director of Economic Development

RE: **Schedule a public hearing on the proposed disposition of publicly-owned property located at 380 East Washington Street and 400 East Washington Street.**

PURPOSE: The City of Petersburg requests a public hearing for the disposition of publicly owned property located at 380 East Washington Street and 400 East Washington Street.

REASON: A public hearing must take place prior to the disposition of property.

RECOMMENDATION: Staff recommends City Council schedule a public hearing on March 15, 2016.

BACKGROUND: The former Fort Lee Regency Hotel located at 380 East Washington Street, has been vacant since 2010 the City of Petersburg acquired the property in 2014 and 400 East Washington Street is the current office for Economic Development. A letter of intent for purchase of the property was approved in August of 2015. In December, Developer C. A. Harrison Companies, LLC along with Commonwealth Architects announced the design of a new hotel and mixed-use development at 380 East Washington Street.

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: N/A

CITY COUNCIL HEARING DATE: February 16, 2016

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: N/A

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS: N/A

STAFF: Landis Faulcon, Director of Economic Development



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: February 8, 2016

TO: The Honorable Mayor and Members of City Council

THROUGH: William E. Johnson III, City Manager

FROM: Honorable Kevin A. Brown, City Treasurer

RE: Schedule a public hearing to amend City Code Section 50-131 to remove term from "cash escrow."

PURPOSE: To assist the City of Petersburg in receiving secured funds for performance bond projects.

REASON: Contractors provide checks for the City to hold for performance bond projects and the checks are not secured funds. Therefore, the City is not guaranteed the money in the future.

RECOMMENDATION: Recommend City Council permit the deletion of the term "cash escrow" from our City Code and therefore, all contractors will be obligated to provide the City with a performance bond or an irrevocable letter of credit. Both of these financial instruments will give the City of Petersburg the level of financial security it needs concerning these types of projects.

BACKGROUND: We have received checks and the City is not able to cash the check because the contractor does not have the funds available or the check has become stale dated and the City cannot submit the check for payment.

COST TO CITY: None

BUDGETED ITEM: N/A

REVENUE TO CITY: N/A

CITY COUNCIL HEARING DATE: February 16, 2016

CONSIDERATION BY OTHER GOVERNMENT ENTITIES:

AFFECTED AGENCIES: Department of Public Works

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: City Code Section 50-131

REQUIRED CHANGES TO WORK PROGRAMS:

ATTACHMENTS: Draft Ordinance

STAFF: The Honorable Kevin Brown, City Treasurer

**AN ORDINANCE TO AMEND CHAPTER 50,
ENVIRONMENT, ARTICLE V, SECTIONS 50-111, 50-
116 AND 50-131, REMOVING THE TERM CASH
ESCROW FROM EACH SECTION; OF THE 2000
CODE OF THE CITY OF PETERSBURG, AS
AMENDED.**

BE IT ORDAINED, by the City Council of the City of Petersburg as follows:

That Section 50-111, 50-116, and 50-131, of Article V, Chapter 50, of the Code of the City of Petersburg (2000) (as amended) is hereby amended and re-ordained, as follows:

Sec. 50-111. - Monitoring and inspections.

- a) The administrator or any duly authorized agent of the administrator (engineering technician/project inspector) shall inspect the land-disturbing activity during construction for:
 - (1) Compliance with the approved erosion and sediment control plan;
 - (2) Compliance with the approved stormwater management plan;
 - (3) Development, updating, and implementation of a pollution prevention plan; and
 - (4) Development and implementation of any additional control measures necessary to address a TMDL.
- (b) The administrator or any duly authorized agent of the administrator (engineering technician/project inspector) may, at reasonable times and under reasonable circumstances, enter any establishment or upon any property, public or private, for the purpose of obtaining information or conducting surveys or investigations necessary in the enforcement of the provisions of this article.
- (c) In accordance with a performance bond with surety, ~~cash-escrow~~, letter of credit, any combination thereof, or such other legal arrangement or instrument, the administrator may also enter any establishment or upon any property, public or private, for the purpose of initiating or maintaining appropriate actions which are required by the permit conditions associated with a land-disturbing activity when a permittee, after proper notice, has failed to take acceptable action within the time specified.
- (d) Pursuant to § 62.1-44.15:40 of the Code of Virginia, the administrator may require every VSMP authority permit applicant or permittee, or any such person subject to VSMP authority permit requirements under this article, to furnish when requested such application

materials, plans, specifications, and other pertinent information as may be necessary to determine the effect of his discharge on the quality of state waters, or such other information as may be necessary to accomplish the purposes of this article.

- (e) Post-construction inspections of stormwater management facilities required by the provisions of this article shall be conducted by the administrator or any duly authorized agent of the administrator (engineering technician/project inspector) pursuant to the locality's adopted and state board approved inspection program, and shall occur, at minimum, at least once every five years except as may otherwise be provided for in section 50-110.

(Ord. No. 14-67, 7-1-2014)

Similar Provision, State Law Reference 62.1-44.15:60, 62.1-44.15:57

Sec. 50-116. - Performance bond. (9VAC25-870-104.D and Code § 62.1-44.15:34(A))

Prior to issuance of any permit, the applicant shall be required to submit a reasonable performance bond with surety, ~~cash-escrow~~, letter of credit, any combination thereof, or such other legal arrangement acceptable to the city attorney, to ensure that measures could be taken by the City of Petersburg at the applicant's expense should he fail, after proper notice, within the time specified to initiate or maintain appropriate actions which may be required of him by the permit conditions as a result of his land disturbing activity. If the City of Petersburg takes such action upon such failure by the applicant, the city may collect from the applicant for the difference should the amount of the reasonable cost of such action exceed the amount of the security held, if any. Within 60 days of the completion of the requirements of the permit conditions, such bond, ~~cash-escrow~~, letter of credit or other legal arrangement, or the unexpended or unobligated portion thereof, shall be refunded to the applicant or terminated.

(Ord. No. 14-67, 7-1-2014)

Sec. 50-131. - Bond.

- (a) Bond required. All applicants for permits pursuant to section 50-130 of this article shall, at the time of permit application, provide to the city a performance bond, ~~cash-escrow~~, or an irrevocable letter of credit in a form acceptable to the city attorney, to support the cost of measures necessarily undertaken by the city as a result of the applicant's failure to initiate or maintain appropriate conservation measures required of him as a result of his land-disturbing activity. No land-disturbing permit shall be valid until an approved bond has been provided in accordance with this section.
- (b) Bond amount. The amount of the bond or other security for performance shall not exceed the total of (i) the estimated cost to initiate and maintain appropriate conservation action based on unit price for new public or private sector construction in the locality, and (ii) a reasonable allowance for estimated administrative costs and inflation, which shall not exceed 25 percent of the cost of the conservation action. Should it be necessary for the city to take such conservation action, the city may collect from the applicant any costs in excess of the amount of the surety held.

- (c) Refund or termination of bond. Within 60 days of adequate stabilization in any project or section of a project, as determined by the administrator, such bond, cash escrow or letter of credit, or the unexpended or unobligated portion thereof shall be either refunded to the applicant or terminated, based upon the percentage of stabilization accomplished in the project or project section. The owner or permittee shall provide written notice to the administrator of completion of any project.

(Ord. No. 08-103, § 1, 11-18-2008)

Similar Provision, State Law Reference 62.1-44.15:57

DRAFT



City of Petersburg

Ordinance, Resolution, and Agenda Request

7.a

DATE: January 21, 2016

TO: The Honorable Mayor and Members of City Council

FROM: William E. Johnson, III, City Manager

RE: **Hold a public hearing on the proposed disposition of publicly-owned property addressed as 808 Halifax Street.**

PURPOSE: To hold public hearing for the permit to dispose of a publicly-owned property.

REASON: In accordance with the Code of Virginia, as amended, a public hearing must be held prior to the disposition of publicly-owned property.

RECOMMENDATION: Recommend that City Council permit the disposition of publicly-owned property addressed as 808 Halifax Street.

BACKGROUND: The City is considering the disposition of publicly-owned property addressed as 808 Halifax Street. The developer plans to turn into rental properties, either single family or multifamily depending upon what is authorized by City code.

COST TO CITY: None

BUDGETED ITEM: N/A

REVENUE TO CITY: N/A

CITY COUNCIL HEARING DATE: February 16, 2016

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: N/A

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS: Tax Map

STAFF: William E. Johnson, III, City Manager



City of Petersburg

7.b

Ordinance, Resolution, and Agenda Request

DATE: January 21, 2016

TO: The Honorable Mayor and Members of City Council

FROM: William E. Johnson, III, City Manager

RE: **Hold a public hearing on the proposed disposition of publicly-owned property addressed as 811 Halifax Street.**

PURPOSE: To hold public hearing for the permit to dispose of a publicly-owned property.

REASON: In accordance with the Code of Virginia, as amended, a public hearing must be held prior to the disposition of publicly-owned property.

RECOMMENDATION: Recommend that City Council set a public hearing for the disposition of publicly-owned property addressed as 811 Halifax Street. The developer plans to turn it into rental properties, either single family or multifamily depending upon what is authorized by City code.

BACKGROUND: The City is considering the disposition of publicly-owned property addressed as 811 Halifax Street.

COST TO CITY: None

BUDGETED ITEM: N/A

REVENUE TO CITY: N/A

CITY COUNCIL HEARING DATE: February 16, 2016

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: N/A

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS: Tax Map

STAFF: William E. Johnson, III, City Manager



811 HALIFAX STREET 030-240007





City of Petersburg

9.a

Ordinance, Resolution, and Agenda Request

DATE: January 27, 2016

TO: The Honorable Mayor and Members of City Council

THROUGH: William E. Johnson, III, City Manager

FROM: Landis Faulcon, Director of Economic Development

RE: Consideration to amend the special fund budget by \$335,000 for the sale of 16 parcels of publicly-owned property in the Halifax Triangle.

PURPOSE: Increase the Economic Development Incentive Special Fund Budget by \$335,000 for the sale of various properties for redevelopment of the Halifax Triangle.

REASON: To authorize the City Manager to sell the properties for redevelopment of the Halifax Triangle.

RECOMMENDATION: Staff recommends City Council permit the disposition of 16 parcels of property addressed as 106, 119, 121, 123, 127, 140, 147, 151, 153, 155 and 116-122 Halifax Street; 110, 112, 114 and 116 South Avenue and 137 South Market Street known as the Halifax Triangle.

BACKGROUND: Petersburg City Council previously approved a letter of intent from the Woda Group to purchase properties in the Halifax Triangle. The Woda Group responded to a request for proposals from the City of Petersburg for redevelopment of the Halifax Triangle.

COST TO CITY: N/A

BUDGETED ITEM: No

REVENUE TO CITY: \$335,000

CITY COUNCIL HEARING DATE: February 16, 2016

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: N/A

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

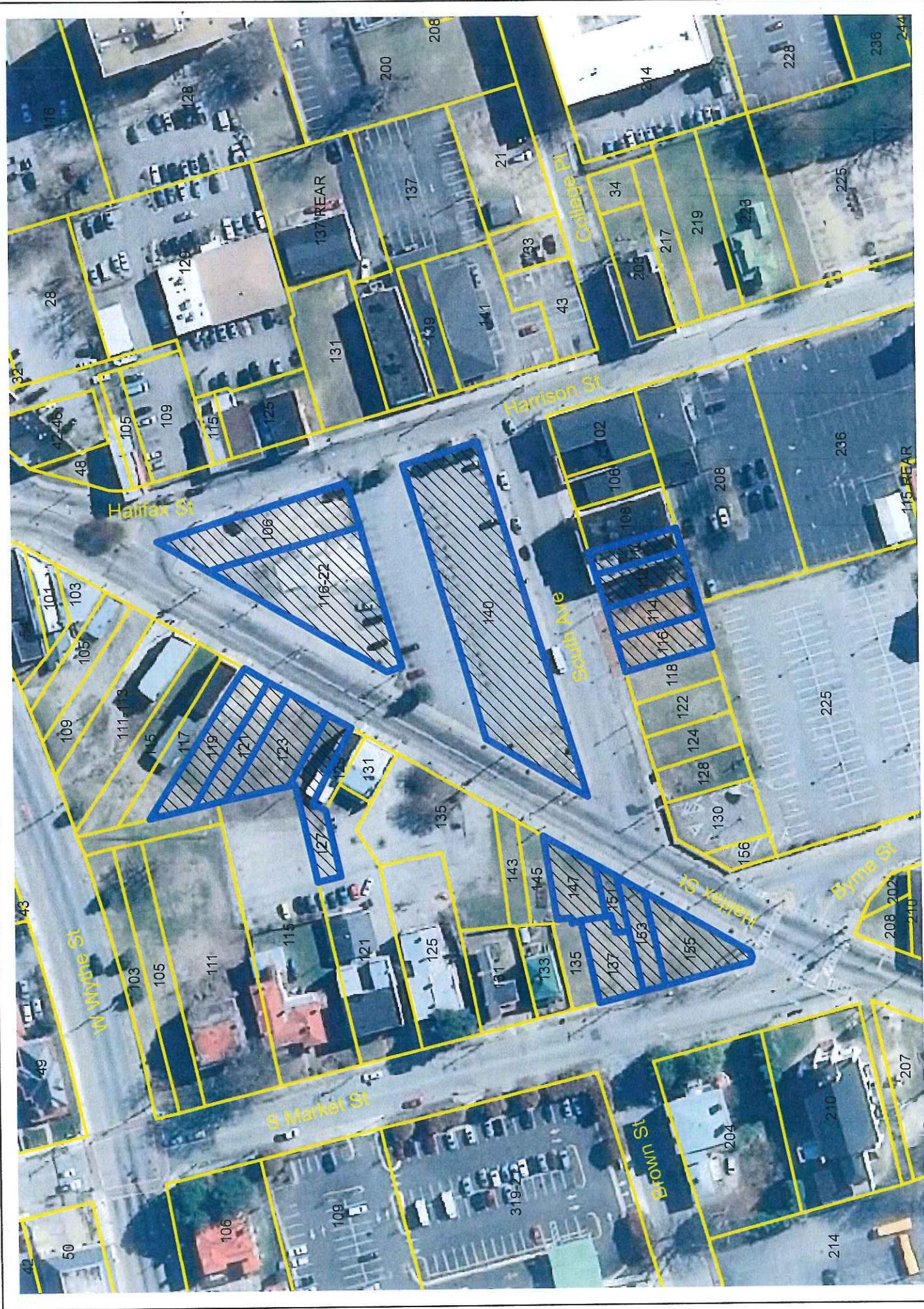
REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS: N/A

STAFF: Landis Faulcon, Director of Economic Development



HALIFAX STREET TRIANGLE PROPERTIES





City of Petersburg

9.b

Ordinance, Resolution, and Agenda Request

DATE: January 27, 2016

TO: The Honorable Mayor and Members of City Council

THROUGH: William E. Johnson, III, City Manager

FROM: Landis Faulcon, Director of Economic Development

RE: Consideration to amend the special fund budget by \$335,000 for the sale of 16 parcels of publicly-owned property in the Halifax Triangle.

PURPOSE: Increase the Economic Development Incentive Special Fund Budget by \$335,000 for the sale of various properties for redevelopment of the Halifax Triangle.

REASON: To authorize the City Manager to sell the properties for redevelopment of the Halifax Triangle.

RECOMMENDATION: Staff recommends City Council permit the disposition of 16 parcels of property addressed as 106, 119, 121, 123, 127, 140, 147, 151, 153, 155 and 116-122 Halifax Street; 110, 112, 114 and 116 South Avenue and 137 South Market Street known as the Halifax Triangle.

BACKGROUND: Petersburg City Council previously approved a letter of intent from the Woda Group to purchase properties in the Halifax Triangle. The Woda Group responded to a request for proposals from the City of Petersburg for redevelopment of the Halifax Triangle.

COST TO CITY: N/A

BUDGETED ITEM: No

REVENUE TO CITY: \$335,000

CITY COUNCIL HEARING DATE: February 16, 2016

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: N/A

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS: Letter from Bruce Watts

STAFF: Landis Faulcon, Director of Economic Development

**AN ORDINANCE, AS AMENDED, SAID ORDINANCE
MAKING APPROPRIATIONS FOR THE FISCAL YEAR
COMMENCING JULY 1, 2015, AND ENDING JUNE 30, 2016
IN THE SPECIAL FUNDS FUND IN THE AMOUNT OF \$335,000
FOR ECONOMIC DEVELOPMENT INCENTIVE SPECIAL FUND.**

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

I. That appropriations for the fiscal year commencing July 1, 2015, in the Special Fund are made for the following resources and revenues of the city, for the fiscal year ending June 30, 2016.

Previously adopted	\$18,895,823
Economic Development	<u>335,000</u>
Total Expenses	<u>\$19,230,823</u>

II. That there shall be appropriated from the resources and revenues of the City of Petersburg for the fiscal year commencing July 1, 2015 and ending June 30, 2016, the following sums for the purposes mentioned:

Previously adopted	\$18,895,823
ADD: Miscellaneous Revenue:	
Sale of Property	<u>335,000</u>
Total Resources	<u>\$19,230,823</u>



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: February 8, 2016

TO: The Honorable Mayor and Members of City Council

THROUGH: William E. Johnson III, City Manager

FROM: Honorable Kevin A. Brown, City Treasurer

RE: **Consideration to authorize the City Treasurer to publish a Delinquent Taxpayer list.**

PURPOSE: The publication by the City Treasurer's Office of the Delinquent Taxpayers List is an additional tax collection tool that will assist the City Treasurer's Office in collecting delinquent revenue.

REASON: City Council must give the City Treasurer authorization prior to publishing a delinquent taxpayer list.

RECOMMENDATION: The City Treasurer recommends that the City Council give the City Treasurer authorization to publish the delinquent taxpayers list in the local newspaper as soon as possible.

BACKGROUND: Virginia Code §§58.1-3921 – 58.1-3924 gives the City Treasurer the authority to create delinquent taxpayer lists and gives the local governing body authority to publish such lists, or parts of the list as deemed advisable by the Treasurer, in the local newspaper.

COST TO CITY: \$5,000.00

BUDGETED ITEM: No

REVENUE TO CITY: \$4 Million Dollars

CITY COUNCIL HEARING DATE: February 16, 2016

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: N/A

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS: None

STAFF: Honorable Kevin A. Brown, City Treasurer



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: February 5, 2016

TO: The Honorable Mayor and Members of City Council

FROM: William E. Johnson III, City Manager

RE: Consideration to approve the purchase of 125 W. Washington Street

PURPOSE: To give City Manager the authority to purchase 125 W. Washington Street

REASON: A public hearing was held and staff was requested to negotiate the purchase price and report back to Council.

RECOMMENDATION: Staff recommends City Council permit the purchase of 125 W. Washington Street

BACKGROUND: A hearing to permit the purchase of this property was held on January 19, 2016. City Council gave the City Manager the authorization to negotiate the selling price of 125 W. Washington Street and to report back for the permit to sell. The negotiated price of the property is \$100,000.

COST TO CITY: \$100,000

BUDGETED ITEM: N/A

REVENUE TO CITY: N/A

CITY COUNCIL HEARING DATE: February 16, 2016

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: N/A

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS: Tax Map

STAFF: William E. Johnson, III City Manager

125 W. WASHINGTON STREET 022-020005

90 Feet





City of Petersburg

9.e

Ordinance, Resolution, and Agenda Request

DATE: February 10, 2016

TO: The Honorable Mayor and Members of City Council

THROUGH: William E. Johnson III, City Manager

FROM: Nykesha D. Jackson, Clerk of City Council

RE: Consideration of reappointment to the Virginia Gateway Region Board

PURPOSE: To consider re/appointments to the Virginia Gateway Region Board.

REASON: The term of the two (2) members representing the City on the Board will expire on February 29, 2016.

RECOMMENDATION: Recommend Council reappoint Mayor W. Howard Myers and Winston T. Saunders, Director of Engineering and Facilities of Boars Head Provisions, to the Board

BACKGROUND: Virginia's Gateway Region is a private, nonprofit organization that is funded to facilitate new business opportunities, work with existing businesses, advance resources that will enhance the economic viability of the region, and foster regional cooperation among the public and private entities that are involved in economic development activities.

Virginia's Gateway Region includes the Cities of Colonial Heights, Hopewell and Petersburg, and the Counties of Chesterfield, Dinwiddie, Prince George, Surry and Sussex.

Each member jurisdiction appoints one (1) local elected official and one (1) local business representative to the Board of Directors. Both Mayor Myers and Winston Saunders have indicated their desire to represent the City on the Board.

COST TO CITY: None

BUDGETED ITEM: N/A

REVENUE TO CITY: N/A

CITY COUNCIL HEARING DATE: February 16, 2016

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: N/A

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS: Boards and Commission Excel Sheet

STAFF: Nykesha D. Jackson, Clerk of City Council

