

The special regular meeting of the Petersburg City Council was held on Tuesday, February 16, 2021, live streamed. Mayor Parham called the meeting to order at 12:25p.m.

**1. ROLL CALL:**

Present:

Council Member Charles H. Cuthbert, Jr.  
Council Member Treska Wilson-Smith  
Council Member W. Howard Myers  
Council Member John A. Hart, Sr.  
Council Member Darrin Hill  
Vice Mayor Annette Smith-Lee  
Mayor Samuel Parham

Absent: None

Present from City Administration:

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

**2. PRAYER:**

Mayor Parham stated, "Councilman Hill will lead us in our opening prayer."

Council Member Hill led the council meeting in prayer.

**3. PLEDGE OF ALLEGIANCE:**

Mayor Parham led council and the citizens in the pledge of allegiance.

**4. DETERMINATION OF THE PRESENCE OF A QUORUM:**

A quorum was determined with the presence of all City Council Members.

Mayor Parham stated, "Today, I just want to highlight our City Manager and staff, finance team, budget team and everyone who helped to make this 2020 CAFR a success. We thank everyone for their support and dedication on giving us that phenomenal news of there being a \$12.9 million dollar fund balance. That is out of this world for the City of Petersburg. And we thank each and everyone of you all for what you have done to get us there. Also, dealing with this ice storm, I cannot thank the City Manager and the EOC Team, from everyone to the Fire Chief, Police Chief, Kenneth Miller, Tangela Innis, Ronnell to Richard. Everyone out there in public works and street facilities. I know that they cut down over 50 plus trees in just a couple days. We thank them for keeping our City safe and clear and I ask everyone to be patient. Dominion is still working to get the last of our people without power their electricity back on."

**5. PROCLAMATIONS/RECOGNITIONS/PRESENTATION OF CEREMONIAL PROCLAMATIONS:**

- a. Proclamation in recognition of the Delta Omega Chapter of Alpha Kappa Alpha Sorority, Incorporated.

Mayor Parham read the proclamation out loud.

\*Audio available upon request.

Dr. Renee Escoffery-Torres, Chapter President gave thanks and gave a brief description on Alpha Kappa Alpha Sorority Incorporated.

- b. Recognition for outstanding public service by City Manager, Aretha R. Ferrell-Benavides

Mrs. Benavides gave thanks for her recognition as an outstanding public service member for the City of Petersburg.

**6. RESPONSES TO PREVIOUS PUBLIC INFORMATION PERIOD:**

Folakemi Osoba, Public Information Officer, stated, "Good afternoon Mayor I do not have a report for today.

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

- a. Minutes of Closed Session of January 11, 2021, Special City Council Meeting; January 19, 2021, Closed Session; January 19, 2021 Special City Council Meeting.
- b. Request for the City Council to hold a public hearing March 16, 2021 regarding a proposal to purchase and develop thirty-six (36) parcels of City-owned property and, consideration of an ordinance authorizing the City Manager to execute a Purchase Agreement toward the Sale of the City-owned property.
- c. A request to schedule a public hearing and consideration of an amendment to the text of the City of Petersburg Zoning Ordinance regarding Small Box Discount Stores and Alternative Financial Institutions.

Council Member Hill made a motion to approve the consent agenda as read by the Mayor. The motion was seconded by Vice Mayor Smith-Lee. The motion was approved on roll call. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Myers, Hart, Hill, Smith-Lee, and Parham

**8. OFFICIAL PUBLIC HEARINGS:**

- a. A public hearing for an amendment to the Permit Fee Schedule.

**BACKGROUND:** The City of Petersburg previously amended the building permit fee schedule in 2007.

**RECOMMENDATION:** It is recommended that the City Council approves the public hearing to amend.

Jeremy Tennant, Assistant to the City Manager, gave an overview on the amendment to the Permit Fee Schedule.

Mayor Parham opened the floor for public comments.

Seeing no hands, Mayor Parham closed the public hearing.

Vice Mayor Smith-Lee made a motion to approve the amendment to the Permit Fee Schedule. The motion was seconded by Council Member Hill. The motion was approved on roll call. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Myers, Hart, Hill, Smith-Lee, and Parham

\*Audio available upon request.

**21-R-14 A RESOLUTION FOR THE ADOPTION OF NEW AND UPDATED POLICIES AND PROCEDURES FOR BUILDING PERMITS IN THE CITY OF PETERSBURG.**

- b. A public hearing and consideration for adoption of the Continuity of Government Ordinance previously adopted by Council. This ordinance replaces the prior ordinance expiring on March 14, 2021 and will extend the emergency operation provisions through August 16, 2021.

**BACKGROUND:** The current Continuity of Government Ordinance expires on March 14, 2021. This Ordinance will enable extension of these provision through August 16, 2021. Council may, at any time after adoption of this Ordinance, discontinue the Continuity provisions if it determines that public health and safety are no longer at risk and the modified meeting provisions are therefore no longer necessary.

**RECOMMENDATION:** Adopt ordinance.

Mr. Williams gave an overview on the adoption of the Continuity of Government Ordinance previously adopted by Council. This ordinance replaces the prior ordinance expiring on March 14, 2021 and will extend the emergency operation provisions through August 16, 2021.

Mayor Parham opened the floor for public comment.

Barbara Rudolph, 1675 Mt. Vernon Street, stated, "Thank you Mayor Parham and good afternoon council and City administration. I do not believe that it is actually written in this ordinance but in terms of your practice I hope that as you continue to have these virtual meetings in the near future if you would consider holding them in the afternoon so more citizens can participate. I do not think that based on so many different things going on that everywhere that are in cyberspace, I do not think one time seems to be better than another in terms of the traffic. But for the interest of citizens who wish to participate I am pretty sure that some evening meetings would be well received. Thank you."

Patrick Ingram, 836 South Gillfield Drive, stated, "You know my biggest concern such as Barb Rudolph's said, Barb Rudolph is about the continuity of civic engagement. So, I am curious if council members can go back into their wards and get feedback to ascertain at the time if currently the noon times work. And can we leverage times that are friendlier to working families. I am thankful that we have individuals on social media who record these meetings. As myself and others are blessed to be able to work from home. In a hybrid capacity a lot of times it is difficult to being engaged with full civic engagement due to the times of the meetings. They are at 12noon and most people take their lunches around that time. And again, as long as City Council meetings are it does not allow time to be fully engaged and knowledgeable about things that are happening within our City. Thank you."

Marcus Omar Squires, 1701 Monticello Street, stated, "Thank you for allowing me to take some time for me to address you all today. Is there any way that we could look at moving these meetings back to their traditional times? These meetings during the daytime really prevents a lot of citizens from attending these meetings. I know that the excuse was that a lot of data is going through the network at later times. But that is not the case. Our infrastructure here can handle another meeting being held at a later time. Thank you so much for your consideration and I hope that you will look at holding your meetings at a later time during the day. Thank you."

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

There was discussion among City Council and staff.

Council Member Hill made a motion to approve the Continuity of Government Ordinance previously

\*Audio available upon request.

adopted by Council. This ordinance replaces the prior ordinance expiring on March 14, 2021 and will extend the emergency operation provisions through August 16, 2021. The motion was seconded by Vice Mayor Smith-Lee. The motion was approved on roll call. On roll call vote, voting yes: Cuthbert, Myers, Hart, Hill, Smith-Lee, and Parham; Voting No: Wilson-Smith

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

9. **PUBLIC INFORMATION PERIOD:** A public information period, limited in time to 30 minutes, shall be part of an Order of Business at each regular council meeting. Each speaker shall be a resident or business owner of the City and shall be limited to three minutes. No speaker will be permitted to speak on any item scheduled for consideration on the regular docket of the meeting at which the speaker is to speak. The order of speakers, limited by the 30-minute time period, shall be determined as follows:
- a) First, in chronological order of the notice, persons who have notified the Clerk no later than 12:00 noon of the day of the meeting,
  - b) Second, in chronological order of their sign up, persons who have signed a sign-up sheet placed by the Clerk in the rear of the meeting room prior to the meeting.

Patrick Ingram, 836 South Gillfield Drive, stated, "A \$12.9 million dollar fund balance. You are right that sacrifices were made. Sacrifices and tough decisions where citizens and businesses paid the City its dream team and top-heavy organizational structure equal to or greater than 41 million dollars in unnecessary salaries, fringe benefits, new technology in the City Manager's Office, travel, and other perc's at what cost. No community centers, parks & recreation, unreliable IT Systems are running our billing and collections, no community engagement or visible leadership outside of photo ops and news articles. The balance of \$12.9 million dollars is off the backs of residents."

Marcus Omar Squires, 1701 Monticello Street, stated, "I want to thank you for allowing me to speak today. First, I would like to thank the City for going out and boarding up the blighted structures in our community. I was very pleased to see that the City is finally boarded up the front part of the Titmus Optical Complex. There is still a lot of work that needs to be done on the complex, but it is a start. I would also like to thank the City for what they are doing at Legends Park. More should be done regarding the historic bath house and the cottage. They are both unsecure at this time and my next question is what is going on with the historical blight survey. I know that there has been a transition in the City. So, is the City still taking the historical blight survey seriously? I know that we had a lot of citizens volunteer their time, energy, and effort towards this initiative. And I thank the City so much for going out and cleaning up the devastation which occurred here on Mt. Vernon Street. A very large historical tree fell during the ice storm. The City cleaned it up within a day. You guys are doing a great job but there is a lot more that we can be doing in the City of Petersburg. And again, I thank you for your time and consideration."

Barbara Rudolph, 1675 Mt. Vernon Street, stated, "I also wanted to add that I felt like the City's response to the recent bad weather has been great and we cannot thank you enough. And even with the few snows that we had people plowed the street and everything got opened up. This has been for a trying time and it could have been a lot less trying than it could have been based on past experiences. Also, I want to congratulate the City for the large balance and the continued growth in the unassigned balance. It is wonderful and it is a great and good send off for you City Manager Ferrell-Benavides. I wish you the best and safe travels to Texas. I do want to say one thing related to your departure. Several weeks ago, someone mentioned that we were not going to spend \$25,000 to do an executive search for a new city manager because we were so great that we were going to rely on Virginia Municipal League who as far as I can tell does not even have a

\*Audio available upon request.

particular service to assist localities with this. So, since we have such a healthy balance, and our financial situation has improved so much I really think the City can afford to hire an executive search firm and make sure that we get quality individuals to come here to continue building upon the success of the team that we have now. One comment in addition to the public hearing that we just finished. I realize that there are a number of people on these online meetings. Mayor Parham mentioned 77 and I think that is pretty common to have that many. I know that more than half of the people on that list are members of City Council and other people in City government and people in the administration. I do not believe that the number of citizens participating is as great or greater than it was when we had meetings at night. And thank you for asking about it Councilor Treska Wilson-Smith. Thank you.”

#### **10. BUSINESS OR REPORTS FROM THE MAYOR OR OTHER MEMBERS OF CITY COUNCIL:**

Council Member Cuthbert stated, “Thank you Mr. Mayor. A couple of things on my mind. One is that this is our City Manager’s last meeting with us I believe, and I certainly want to add my thanks to everyone else. For the great contributions that she has made to improving our municipal government. I wish her well and I am distressed that she is leaving but I understand, and we will adjust to the new reality and carry on. But Aretha I certainly thank you for all that you have done. You have been a huge help in so many ways to this City. And two things that I found important especially our situation and our fight against blight. You made the resources available for us to reanimate our property maintenance code enforcement effort. And that investment in our staff is beginning to pay off and we are very grateful to you. I want to turn to the financial improvement of the City. I think that an unsung hero in all of this is council’s very bold decision to reanimate our position to City Collector. As you remember there was some controversy to that and even some close votes that were involved along the way. But clearly that was the decision to make. I hope that no future City Council ever circles back and hand those City Collector functions to the City Treasurer. We had to fight like a dog to get those functions reassigned to the City Collector. And I think that the significant part of the financial success of the City under the leadership of Aretha has been council’s decision to reanimate that position of City Collector. Last things, there is ongoing a project in the planning stages of Pocahontas that is going to benefit Pocahontas big time. There will be a meeting tonight at the Historic Pocahontas Chapel on Witten Street at 6pm. We are limited to the Governor’s order by 10 people in attendance. But I believe that meeting is being made available by zoom. The idea is to extend Pocahontas Street through the gates that now close it off and take Pocahontas Street through the Roper Brother’s Property and then link up with Magazine Road thereby bypassing Rolfe Street and Spony. Which are the streets that the big trucks go down to the Wastewater Treatment Plant. I went to Pocahontas within the last ten days and headed out flyers at every house informing the public of the meeting tonight and of a meeting that we held last week. Which is a repeat of the meeting that we are having tonight. And then there is another meeting tomorrow afternoon at 3pm. And those meetings were to make sure that the community was informed and in the loop. But it is a win-win situation and there is no way that this is not going to benefit the Pocahontas residential community hugely. It would take the 18 wheelers off Spony and Rolfe and take them behind the residential community. While I was walking the streets in Pocahontas, just to give an example, two times the 18 wheelers came down Rolfe Street. One going towards the wastewater treatment plant and one coming back. And this is on Rolfe Street which is relatively a narrow residential street. I can see exactly why those trucks has been a nemesis to the residents. I am delighted that the wastewater treatment plant is going to finance the rerouting of those trucks. The timetable is to start in the summer of 2022 and be finished about two months later. In any event I thank the wastewater treatment plan for making this opportunity available to better the lives of the residents of Pocahontas. If anyone is interested in following this more closely, I invite them to attend our meeting either tonight at 6pm or tomorrow afternoon at 3pm either live or through zoom. Thank you.”

Council Member Wilson-Smith stated, “I have a couple of things. Gerrit did you get my PowerPoint?”

Mr. VanVoorhees stated, “Yes ma’am. Ready when you are.”

\*Audio available upon request.

Council Member Wilson-Smith stated, "Okay. I am going to do two things first. One is that I want to talk a little bit about the property on Flank Road. According to Mr. Lyons, we are looking at an MOU or the attorney should be looking at a MOU for that property. And I am wondering should we go into looking at an MOU if council has not discussed it yet. Mr. Williams? This is 1555 Flank Road that the Governor wants to use that property according to the school board minutes that the City was going to give them the property to use. I brought it up several times before and I asked Mr. Lyons last week or week before last where we were because it is not listed on the list of properties. His response said that Mr. Williams had to look at the MOU first. But my question is do we do an MOU prior to council agreeing that we are going to do anything at all."

Mr. Williams stated, "So, the answer Councilwoman Wilson-Smith is yes. Typically, I would review it before they present it to you so that way when they make the presentation, they can say that the City Attorney has reviewed this and then council can consider it. If there are additional revisions, then council would ask that they be incorporated. But no one is signing it. They are just getting it in a form that they can present it to you so that they can say if council votes this up then it is ready to go. But they did present me with a draft to review and I have responded to that already I believe. It should be coming up at the next council work session I would guess."

Council Member Wilson-Smith stated, "During the last fiscal year up until now, were any raises given to administration at all."

Mrs. Ferrell-Benavides stated, "Yes."

Council Member Wilson-Smith stated, "Would we have to go into closed session to say how many or who?"

Mrs. Ferrell-Benavides stated, "I would have to come back with that information. I do not have it in front of me now."

Council Member Wilson-Smith stated, "The last thing I had on my agenda is that last time we had a council meeting we talked a little bit about African American History in Petersburg and that we are not celebrating it. I have a PowerPoint that I wanted to share. You can slowly go through it Gerrit. But I wanted to share with everybody about some people within our community. And what I tried to do in this PowerPoint is to spell out Petersburg. So, you can see the contributions of the African American population within our City. We have public servants, educators, trailblazers, entertainers, religious leaders, sports standouts, business ventures, unsung heroes, reformers, and groundbreakers. And you can keep going Gerrit. With such a PowerPoint and information, I think that it would be advantageous of us as a council to establish some type of board to study the African American experience in this City with plans to promote it. Promotion of the African American experience in this City would have a great bearing on our revenue in this City. Our history is rich, and we cannot continue to call ourselves a rich historical City, but we do not do much for the African American experience. If you look through this PowerPoint, you will see that we have a great deal of history. And we have history worth sharing with others. So, based on the information and the people that you see on the slides I would appreciate it very much if we would consider doing some type of African American study and forming a group or commission so that we can establish and promote the African American experience in the City of Petersburg. At the end of this PowerPoint that will be all that I have."

Mayor Parham stated, "Council Member Wilson-Smith this is the first time that I seen this presentation that you have. I wish I would have known because I would have put you earlier in the meeting under presentations so that you could elaborate a little more. Because I am pretty sure that everyone has questions and maybe we can go back and review this at another meeting."

\*Audio available upon request.

Council Member Wilson-Smith stated, "It is really a draft. Because it is African American history month, I did think that we should do something as a council. I will send this to you, and I will continue to work on it further and I will come back and ask by way of a motion for us to establish some type of African American Commission or however we can word it."

Mayor Parham stated, "Can we bring it back Council Member Wilson-Smith so that you can elaborate on it more."

Council Member Wilson-Smith stated, "Yes."

Mayor Parham stated, "Thank you. So, we will get together and have that discussion."

Council Member Myers stated, "I just wanted to take the time to say thank you to the City Manager. Sorry to see her go. I want to say thank you to City Council and you particularly Mayor Parham. When you were my vice mayor, and I was mayor and all that you did and stood by me and stood by us and the City of Petersburg to launch this project with the Robert Bobb Group. And then bringing on the City Manager Aretha Ferrell-Benavides with City Council's support. And I would like to say thank you to all of you all for getting us to the level in which we are today. There is much more to do but to be at the level that we are today is a magnanimous opportunity for all of us. I say again thank you City Manager Benavides and sorry to see you go. And to all of your staff who has worked and supported on this particular project as well to help us to get to where we are to see a brighter Petersburg ahead of us. I do want to say to Councilwoman Treska Wilson-Smith wonderful job on your presentation and I say pick up the phone and give our librarian a call, Wayne Crocker. They are building a foundation to support the African American Museum hopefully at the McKenney Library. And that can certainly be nice tool as far as working with them to help bring along more interested historic facts to that project. Other than that, I hope that everyone is safe and thank you very much."

Council Member Hill stated, "Good evening everyone. Again, I would like to echo the sentiments of our council to thank the City Manager for her work here in the City of Petersburg and all that she has done. And the staff as well in which I echoed at our previous meeting on the \$12.9 million dollar surplus that we received. Hopefully, we would get a bond rating increase on that. We are going to miss you. You still have a home here and this will always be home for you. I wish you well and Godspeed. Also, with public works and working in the storm I want to give a shoutout. A lot of times we talk about our first responders. But they were our first responders in the storm. You can see that they were the first to arrive around getting trees. I think that the last count was that we got up about 75 trees and things of that nature. I have talked to the deputy city manager about the branches that have fallen into people yards and things of that nature. So maybe we can come up with some type of system whereas we can clean that debris up. I think Ward 2 and Ward 3 got hit really hard. We have a lot of vegetation and trees and all you see is trees snapping. I just got a text from a family member saying that my lights just came back on. We have been in the dark for a while, but I am glad about that. God is good. I pray that no harm or danger comes to anyone during this storm. We have to be creative in the way that we do things. There are more people on this call than it normally be in the meeting. People seem to be more in tune and alert than the 6pm to 9:30pm time or 11pm at night. We just living in a different time. And I am not saying to compare to what we used to do to know but that is the only thing that we have to go by for now. So, I am not saying that I am voting to keep the meetings like this all the time, but I want everyone to have an open mind before we start digging in sand. I just think that we need to be flexible in what we are doing. I have talked to a lot of my constituents. I just came off a rough election and not once did I have anyone to say to me that we need to go back to having our meetings at 6pm. A lot of people say that they are glad that they can see it online. That was the main thing that they can zoom in to that meeting. But what I think that may happen is that if we go back to 5pm then you are not going to have a room full of people. You are going to have the same people on zoom. People are still fearful as far as what is going on with this pandemic and things of that nature. Our planning has to be for the citizens and also for our workers and staff that leave out late at night in the parking lot traveling home. Most do live here, and some do not live in the City. So, we have to think about the

\*Audio available upon request.

totality of that. They get paid to work here but a good employee always looks out for the employer. So, that is part of what we deal with when it comes to planning these meetings. We have had a lot of people online. I think that Barb Rudolph said that some of them may have been City staff that may be true. But we have had a lot of residents online too. They will come back and tell me that they heard what I said. But at night I have never got that response. I do agree with Councilman Cuthbert when he made statement of when we got the collector. That is the reason for our increase. There are two things that we have done. We have increased our collection and the next thing is that we have not spent a whole lot in which we used to. That is the science that I have seen. We have been very conservative on our spending. It takes a team effort. I would like to be one that go back to the old model that we had with a city manager and no deputy directors or a director being a city manager as well. But maybe that is not the model that we need to go with right now. We see the results in which we are getting. I do not think, and I know we couldn't have got the results without the employees that we have right now. We have to be sensitive, and we have to be helpful, and we have to be creative. So, thank you Mr. Mayor and City Council. Kudos to our City Manager and staff, City Council, and residents. Thank you."

Council Member Hart stated, "Yes, good evening. I just want to say the same sentiments that some others have said here today to our city manager as she is about to take a trip back to her hometown. I will be available as soon as you call me and say that there is something for me to do. So, we all wish you well. Before you came here people would say that we would never come out of this hole."

Vice Mayor Smith-Lee stated, "First I want to say thank you City Manager for your team. They got us through this storm. You all put it down and I appreciate that. I commend the team on this. There is no I in team. If we can get this through the team will hear it in the City of Petersburg. We are not perfect but there is no I in team. And when we put our heads together it is for the good of everybody. Not one person but everybody. Things will work out. If you are negative, you are going to get negative but if you are positive you can see your work. Thank you. Thank you for your leadership. For the leadership of giving us a RAN and for the leadership of getting us out \$19 million in the shortfall and bringing in the biggest economic growth since 1986. I am talking about people who lived here in 1986 when everything moved out of here. When you walk it you can talk it? I thank you. I thank you for your leadership and for what you have done and did not turn your back on us. Not one time. We are here standing tall, and we are going to prevail. When we call you, we are going to let you know all the other good things that you started that we are going to finish. Treska that was an awesome presentation. Now let me tell you about the history of Petersburg. It is taught by Dr. Savin at Virginia State University. If you ever want to know about anything in Petersburg, he was the guru of letting everyone know about the underground railroad and all those people that Treska had on her presentation. Those are icons. Those were my mentors. Treska a job well done. Happy Black History Month to the City of Petersburg."

Mayor Parham stated, "Yes. I just want to commend again that we have our team here in place, Ms. Tyus, Mr. Lyons and at the top of the pyramid Aretha Ferrell-Benavides. It has definitely been a phenomenal experience working with all of you. I thank you for everything that you have brought to the table. I have learned so much from each of you. And we are sad that we are losing Aretha. We have to come together as a team and figure out how to duplicate what Aretha has always done. Whenever things get trying, she come in with that smile and turn it on. And even at a meeting with all our critics at the table everyone leaves happy and say that was a great meeting. So, Aretha you have that 'It' effect. And Duncanville is going to realize that you have that 'It' effect too even though they are going through an even more trying time with their ice storm in Texas than what we have in Petersburg. So, the definitely made the right decision to have Aretha Ferrell-Benavides coming to get them out of the mess that they are in and you would do a phenomenal job and we are going to definitely miss. We are going to come together as a team and continue moving this City forward. That is what we are going to keep doing. Something else that you all do not know is that Aretha did not have electricity like most of us but yet her along with Ms. Tyus and Mr. Lyons came down here at transit and before the storm hit, we were coming up with all the worst-case scenarios to make sure that we were overly prepared. Not just prepared but overly prepared for anything that happened. You worked right until the very end. And I know that his is your last meeting with us and we are going to miss having you. Also thank everybody for our virtual going

\*Audio available upon request.



away celebration that we had. It was phenomenal. I thank Ms. Tyus and Mrs. Kemi and India Adams-Jacobs for helping to pull that off. It was a great celebration. Because I know Councilwoman Wilson-Smith talked about Black History Month, but we have Black History Making right here in this room in Petersburg. And Aretha Ferrell -Benavides is the first African American female City Manager of Duncanville Texas. You will keep moving and meeting your expectations and the bars will keep moving. Just want you to remember Petersburg because we will always be here for you and we definitely be with you. Because you are a big part of all of our families. I did not get a chance during the virtual zoom. I had my daughter with me and she kind of wanted to say something to you. But she says that she is going to miss you Aretha. We are going to see you all to the very end and my family will be with you and cheer you on and give you that love. So, we are always just a phone call away. Keep on doing your thing Aretha and it has been a phenomenal ride.”

Mayor Parham stated, “Next we are going to take a quick five-minute break and then we will get right back to the agenda.”

Meeting went into recess at 1:33pm

City Council came back from break at 1:45pm.

**11. ITEMS REMOVED FROM CONSENT AGENDA:**

\*No items for this portion of the agenda.

**12. UNFINISHED BUSINESS:**

\*No items for this portion of the agenda.

**13. NEW BUSINESS:**

a. Consideration of the FY2020-2021 General Fund Budget Amendment.

**BACKGROUND:** Staff was tasked with analyzing the General Fund revenues and expenditures throughout the fiscal year. Upon staff completing their analysis, it was determined that the revenues for the General Fund were trending higher than what was budget. The City Manager requested a Budget Amendment for the General Fund based on the analysis.

**RECOMMENDATION:** Recommend City Council approve the FY2020-21 General Fund Budget Amendment.

Robert Floyd, Director of Budget and Procurement, gave an overview of the FY2020-21 General Fund Budget Amendment.

There was discussion among City Council and staff.

Council Member Cuthbert asked could this be put on the March 2<sup>nd</sup> agenda for discussion in closed session.

Mayor Parham stated that was fine.

Council Member Hill made a motion to approve the amended budget. The motion was seconded by Council Member Myers. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Myers, Hart, Hill, Smith-Lee, and Parham; Voting No: Wilson-Smith

\*Audio available upon request.

---

**21-ORD-13 AN ORDINANCE MAKING AMENDMENTS IN THE GENERAL FUND FOR THE FISCAL YEAR COMMENCING ON JULY 1, 2020, AND ENDING JUNE 30, 2021.**

- b. To consider the adoption of a resolution approving the development agreement between the City of Petersburg and Robert Davis for the adaptive re-use and development of the property at 115 Harrison Street and authorizing the City Manager and City Attorney to take action to facilitate the sale of the City-owned property.

**BACKGROUND:** The City of Petersburg City Council approved 20-ORD-66 an Ordinance authorizing the City Manager to execute documents related to the sale of city-owned property located at 115 Harrison Street on December 8, 2020. Following a due diligence period, a Development Agreement has been drafted that requires, in consideration of the City's conveyance of the Property to Robert Davis. Robert Davis shall perform the redevelopment of the Property strictly in compliance with the project summary documents and in accordance with terms defined in the Agreement. The Development Agreement shall be referenced as if set forth fully in the deed of conveyance of the Property from the City to Cigar Dispatch. The deed shall include provisions for the reverter described in the Development Agreement.

**RECOMMENDATION:** It is recommended that the City Council considers adoption of a resolution approving the Development Agreement and authorizing the City Manager and the City Attorney to execute all documents to facilitate the sale of City-owned property in accordance with applicable legal requirements.

Lionel Lyons, Deputy City Manager and Clay Mansell, gave a briefing on the request for adoption of a resolution approving the development agreement.

There was discussion among City Council and the developer.

Mr. Davis stated that the development will be a bakery and ice cream shop.

Council Member Hart made a motion to approve the resolution approving the Development Agreement and authorizing the City Manager and the City Attorney to execute all documents to facilitate the sale of City-owned property in accordance with applicable legal requirements. The motion was seconded by Council Member Hill. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Hart, Hill, and Parham; Absent: Myers and Smith-Lee

**21-R-15 A RESOLUTION APPROVING THE DEVELOPMENT AGREEMENT FOR ADAPTIVE RE-USE AND DEVELOPMENT OF 115 HARRISON STREET, PETERSBURG, VIRGINIA, BETWEEN THE CITY OF PETERSBURG AND ROBERT DAVIS.**

- c. An ordinance authorizing the City Manager to execute the Extension of Lease Agreement between P & P Associates, LLC and the City of Petersburg for the property located at 3811 Corporate Road Petersburg, VA.

**BACKGROUND:** The City approved the initial lease between the City and P & P Associates, LLC for the purposes to lease the property located at 3811 Corporate Road. The initial term of the agreement was June 1, 2019 through May 31, 2021, in the amount of \$384,000 per year. This space is currently being utilized as the Department of Social Services and the Human Resources Department.

**RECOMMENDATION:** City Council review and approve the attached ordinance.

Ms. Tyus stated, "The original agreement was a two-year agreement with two one-year options. This

\*Audio available upon request.

represents the first of the two one-year options.”

There was discussion among City Council and staff.

Council Member Hill made a motion to approve the ordinance to allow the City Manager to execute the Extension of Lease Agreement between P & P Associates, LLC and the City of Petersburg for the property located at 3811 Corporate Road Petersburg, VA. The motion was seconded by Council Member Myers. There was discussion among City Council and staff. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Myers, Hart, Hill, Smith-Lee, and Parham; Voting No: Wilson-Smith

**21-ORD-14 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE THE EXTENSION OF LEASE AGREEMENT FOR LEASED PROPERTY LOCATED AT 3811 CORPORATE ROAD.**

- d. Consideration of a motion to authorize the execution of an employment agreement with the Kenneth A. Miller to serve as Interim City Manager.

**BACKGROUND:** The current City Manager announced her resignation on January 5, 2021 with an anticipated last day of employment of February 19, 2021. Interim City Manager services are desired by Council to fulfill the City Manager job responsibilities during the pendency of their selection of a permanent replacement City Manager and have identified retired Petersburg Director of Public Safety “Chief” Kenneth A. Miller as a desirable candidate for this portion. This employment agreement was prepared based upon discussions with Chief Miller regarding his desired terms.

**RECOMMENDATION:** Approve the motion to authorize the execution of the agreement.

Council Member Hill made a motion to approve authorizing the execution of an employment agreement with the Kenneth A. Miller to serve as Interim City Manager. The motion was seconded by Council Member Myers. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Myers, Hill, Smith-Lee, and Parham; Abstain: Hart

- e. Consideration of a resolution to amend Rule 1 Section 1 of the Rules of Council to clarify material permitted for presentation and consideration at council work sessions.

**BACKGROUND:** At its first annual Business Meeting in year 2021 Council adopted amendments to its Rules of Council. Among those amendments was the incorporation of Work Sessions as defined in Rule 1 Section 1. It was the intent of Council to utilize Council Work Sessions for the primary purpose of receiving information matters of City business including but not limited to those anticipated for "formal action" by Council at future Business Meetings. It was the intent of Council that the definition of "formal action" not include ministerial actions such as First Readings and Requests to schedule Public Hearings so that such matters may be received at Council work Sessions for later adoption by Council at its Business Meetings. This amendment to the Rules of Council clarifies this intent by incorporating a definition of "formal action."

**RECOMMENDATION:** Adopt resolution.

Mr. Williams stated, “Yes, sir Mr. Mayor. And that about sums it up. It simply clarifies what council original intent was. And that was that you be able to have your first readings and scheduling of public hearings, items that are not typically considered formal action of City Council done at your work sessions. So, that you can continue the workflow in the same manner that it currently is. Otherwise, you end of delaying items and they end up getting adopted substantially later than they ordinarily would. And so, that is really all that it does. That was council’s intent as I understood it from the beginning, but this just makes it more clear for the future generations who may follow the same practice.”

\*Audio available upon request.

There was discussion among City Council and staff.

Council Member Myers made a motion to approve the resolution to amend and re-adopt Rule 1 Section 1 of the Rules of City Council to clarify material permitted for presentation and consideration at council work sessions. The motion was seconded by Council Member Hill. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Myers, Hart, Hill, Smith-Lee, and Parham

**21-R-16 A RESOLUTION TO AMEND AND RE-ADOPT RULE 1 SECTION 1 OF THE RULES OF COUNCIL TO CLARIFY MATERIAL PERMITTED FOR PRESENTATION AND CONSIDERATION AT COUNCIL WORK SESSIONS.**

f. Consideration of process and rules for Boards and Commissions.

**BACKGROUND:** No information.

**RECOMMENDATION:** Recommend that City Council approve the process and rules for boards and commission.

Council Member Wilson-Smith stated, "We talked about this at our last council meeting. Ms. Nykesha Jackson and myself have been working on this. We have been trying to fine tune the process so that we can move forward with accepting people on the boards and commissions, and all be on the same page with doing so. If you can recall at the last meeting, we gave you all a list of boards and commissions as we know it. And Mr. Parham was gracious enough to add some that we had left off. we have divided that list into two separate groups. One group is what we call 'Group A'. That is the group where council determines who will from the citizenry be on each board or commission. And 'Group B' is not really left up to citizens. The Mayor serves on certain boards and that is automatic. So, we divided it up accordingly. There are some groups that we had where these groups are currently not meeting. The CCRA is on the books but they are not meeting. Youth Services Citizen Board is not meeting. These are things that council will have to vote on. What Ms. Jackson and I did was and what we are submitting to you is the process that we would like to go by and the rules and then we will still have to vote on the appropriate items for the appropriate number of boards and commissions. We also have decided that we are going to make a booklet for all council members which will include the rules and regulations. It will have every board listed within the booklet. And copies of the application for every board and commission. You will always have it at your fingertips. And each time someone puts in an application then each of you will get a copy. So, for today if we can at least agree on the process and rules and we ask that you please let us know how you feel about the groups that are in yellow and whether or not we will reinstate them or not. And you can let us know at the next meeting."

There was discussion among City Council and staff.

Council Member Hill made a motion to table until the March 2<sup>nd</sup> meeting. The motion was seconded by Council Member Cuthbert. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Myers, Hart, Hill, Smith-Lee, and Parham

Council Hill made a motion to table item "13G" until the March regular meeting. The motion was seconded by Council Member Cuthbert. There was discussion on the motion. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Myers, Hart, Hill, Smith-Lee, and Parham

g. Consideration of re/appointment to the Economic Development Authority.

**BACKGROUND:** The Economic Development Authority consists of 7 members appointed by City Council. The duties of the board include but are not limited to the following: the Authority shall have the powers to acquire, own, lease, and dispose of properties. Such authority may not be able to promote industry and develop trade by inducing manufacturing, industrial, governmental, and commercial enterprises to locate in or remain in the Commonwealth and further the use of its agricultural products and natural resources; to issue its bonds for the purpose of carrying out any of its power.

**RECOMMENDATION:** Recommend City Council make an appointment to the Economic Development Authority.

\*Tabled until the regular March City Council meeting.

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

Mrs. Benavides stated, "Yes, one of the things that Mrs. Wilson-Smith has asked for a couple of times is an update on the CARES and COVID funding. Mr. Floyd did have this presentation and sent it to me. If I have not sent it to you, I will send it to you today. And from a discussion standpoint, you can have Mr. Floyd go through it and give you an update on that at your next work session. The last item is that Delegate Aird has been working on, for a couple of weeks now, a major event for us in the City, a mass vaccination. On Friday, at Petersburg High School, 2,000 seniors in the tri-city will receive their COVID vaccination. This has been a joint effort between the health department and the State. We had hoped to have done this earlier but unfortunately the weather has not been our friend. But I do want to thank Delegate Aird for her assistance in getting these vaccines to the City of Petersburg. Now as for residents, many people will say who is going to get it. They have already made the call. If you are on the waiting list, you will have received the call. Now this is in addition to what is going to the health department. So, this is a special event that will happen on Friday. What will continue to happen is that vaccinations will come into the health department and they will look to do additional events so that we will continue to vaccinate our seniors. I believe that from an opportunity standpoint our team is working very closely with the Delegate and we may be looking for a couple of volunteers here and there to help with this process. But they will let us know what they will need. I want to thank Dr. Avula. He actually met with us and was just interested in helping us to catch. And all I can do is say thank you. Ms. Tyus do you have anything else on the vaccinations to add?"

Ms. Tyus stated, "I sure do. I hope you can hear me because I am not seeing myself either. I do. Please, when the manager talks about what they need, they have now communicated to me what they need. I need 40 volunteers to help with registration. The State has moved to its new registration center. It is electronic and they have asked us to provide a registration for each vaccination. We have 40 vaccinators on Friday. Please, email me. I am pending an email to our internal team but for those of you who are on the phone. My email address is [dtysus@petersburg-va.org](mailto:dtysus@petersburg-va.org). Please email me if you are available on Friday. There are two shifts. One we are asking you to be at 7:45am so that we can get you trained on the system from 7:45am to noon. Then we are looking for another shift to start at 11:35am. Guys this is the opportunity to be a part of figuring out how to pull off a major vaccination event and the State is looking to make this a protocol for how you do it. The strategy is to do all of the 2,000 vaccinations on Friday. If we can do this then we have a model for mass vaccinations in Petersburg going forward. Please send me a note to my email address. Those of you internally look for an email from me for your assistance within the next ten minutes."

Mrs. Benavides stated, "And I can tell you that this, you have seen the big events happening up in Richmond and 2,000 vaccines is large. And of that at least 600 Petersburg residents will get vaccinated. And that is not including the school teachers and other activities that are going on. I know that we are concerned about the speed in which some of this is happening but for us this is a big deal. It is an effort that I think that we can prove to be very successful. And as we start to move forward, you are going to see more of those activities. I want to thank Ms. Tyus, Mr. Lyons, and the entire team. Sheriff Crawford as been along with us in

\*Audio available upon request.

this process and Chief Travis and Chief Liebold. They have all been helping with this effort. I just cannot say to you all how much we appreciate the state saying we deserve and that we are focusing on the tri-city region. So, that is that portion and you will be getting the update on CARES funding. The last thing is that we talked about this weekend and how remarkable it was with staff coming together. I can tell you that there is no better opportunity to see what happens when in a crisis and see our folks come together. I will give an example. We knew we needed backup generators. There were none in Petersburg. Chief Liebold, Interim Fire Chief, said there are some in Hampton. And guess what he jumped in the truck and picked them up from Hampton Roads and drove up here with 19 large generators. Mr. Koonce and his team, a lot of folks think about the folks who shovel the snow but remember there is a command center. Not only folks who are cleaning up but who are making sure that anybody is getting from point 'a' to point 'b', Mr. Koonce and his team were here. They were making things happen. Ms. Tyus and Mr. Richard, she led the calls and kept us going and I appreciate it. Mr. Lyons, Mrs. Innis, and Mr. Ronnell, you do not hear about them. That is a good thing. Look what happened in Hopewell. They made sure that the backup generators and water systems kept pumping and we did not have any water boil notices. But these are the folks that kept things going. Kemi, with communications, I cannot say enough about how she has managed and kept managing. Most folks did not sleep during this time. Because this was an ongoing event. And so, I say all of this under my agenda because I also have to do a special thanks to our Interim City Manager, Mr. Miller. Mr. Miller came in Thursday and I said we need your help. We need you to get on this and he was on the call and he was helping. The next thing that he is going to lead is that after action report. Because there are some lessons to be learned and some more things that we have to do. And there are some exercises and recommendations that I have before going away. We talked about it but now is the time to do an emergency management exercise. To talk about how that communication center works from a community affair to the EOC with the emergency operations to police to fire. They were quite funny and exciting to be around together with Chief Travis and Chief Reid. And I found that everybody was a chief there but me. I can honestly tell you thank you for calling me big chief, but this is what made this weekend work. One thing that I can tell you from this weekend is that we are ready. Despite the cold we are ready. I just cannot say thank you enough to you guys. We re a dream team. The dream team had part 'a' and part 'b'. Do not doubt the City of Petersburg. Resilience is one thing, but we are a powerful place. Thank you."

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

\*No items for this portion of the agenda.

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

Mayor Parham stated, "I think you did have one item of a closed session."

Mr. Williams stated, "Actually, I was going to mention the addition of the council' ratification of the declaration of the local emergency. As council may recall on the 12<sup>th</sup>, the City Manager did a local declaration of emergency with regard to the winter storm. And the code section under which that is adopted is 44-146.21, that requires the time of declaration, the emergency manager have consent of the governing body. But if she is unable to get it at that time, then it authorizes a subsequent consent by ratification by the governing body. But that consent has to occur at the next business meeting or at a special meeting within 45 days of the declaration, whichever occurs first according to the statue. We are in an unusual situation here because, are regular meetings are special meetings because of the COVID pandemic. With that being said, my recommendation since we are convening, and I think the legislation is to have this ratified as soon as the governing body meets following declaration. I would recommend that you add this to your agenda today, suspend your local Rules of Council add this to the agenda and adopt it. And I know Councilman Cuthbert would have the question of adding an item to a special meeting, but I think that if you got unanimous consent of all of the members of council you will satisfy the statue anyway. But even if you did not have all members present in this particular case, I think the requirements of 44-146.21 would trump the procedural concern as well. That is my recommendation. I emailed the Mayor the language if council chooses that. Mayor if you have

\*Audio available upon request.

that available, if not I can read it.”

Mayor Parham stated, “Alright, this is the declaration for local emergency.”

Mrs. Benavides stated, “While you guys are looking that up, the most important part about this declaration because the Governor declared a state of emergency this allows for us for any nontraditional expenditures associated with it to be eligible constant with funding to support the efforts for this emergency.”

Mayor Parham stated, “Okay. So, first of all we need a motion to add.”

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

Council Member Hill made a motion to add the Declaration of Local Emergency to the agenda. The motion was seconded by Council Member Myers. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Myers, Hart, Hill, Smith-Lee, and Parham

Council Member Hill made a motion to approve the Declaration of Local Emergency resolution. The motion was seconded by Council Member Myers. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Myers, Hart, Hill, Smith-Lee, and Parham

**21-R-17 A RESOLUTION CONFIRMING AND RATIFYING LOCAL EMERGENCY.**

Mr. Williams stated, “The only other item I have is that the Mayor wanted to see if council would be willing to add a closed session to the agenda today for the purpose of discussing a contract for service provider for media and other services to council. And so, I prepared that motion if council is inclined to suspend the rules to add that item as well.”

Council Member Myers made a motion to add a closed session to the agenda. The motion was seconded by Council Member Hart. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Myers, Hart, Hill, Smith-Lee, and Parham

Mayor Parham stated, “I will entertain The purpose of this meeting is to convene in the closed session pursuant to §2.2-3711(A)(29) of the Code of Virginia for the purpose of discussions pertaining to the award of public contract involving the expenditure of public funds including interviews of bidders or offers and discussion of terms or scope of such contract when discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body specifically the discussion of a contract for the service provider to provide media and other services to City Council.

Council Member Myers made a motion that the City Council go into closed session for the purposes noted. The motion was seconded by Council Member Hill. There was no discussion on the motion, which was approved on roll call vote.

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

City Council entered closed session at 3:11p.m.

**CERTIFICATION:**

\*Audio available upon request.

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 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."

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 Vice Mayor Smith-Lee. There was no discussion on the motion.

The motion was approved on roll call vote.

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

**21-R-18 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 opened session at 3:24 p.m.

**17. ADJOURNMENT:**

City Council adjourned at 3:25 p.m.

\_\_\_\_\_  
Clerk of City Council

APPROVED:

\_\_\_\_\_  
Mayor

\*Audio available upon request.