

The regular meeting of the Petersburg City Council was held on Tuesday, March 15, 2022, at the Petersburg Public Library. Mayor Parham called the meeting to order at 7:00 p.m.

1. ROLL CALL:

Present:

Council Member Charles Cuthbert, Jr.
Council Member Treska Wilson-Smith
Council Member W. Howard Myers
Council Member Arnold Westbrook, Jr.
Council Member Darrin Hill
Vice Mayor Annette Smith-Lee
Mayor Samuel Parham

Absent: None

Present from City Council Administration:

Clerk of Council Nykesha D. Jackson
City Manager Stuart Turille
City Attorney Anthony C. Williams
City Assessor Brian Gordineer

2. PRAYER:

Mayor Parham stated, "Council Member 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.

5. PROCLAMATIONS/RECOGNITIONS/PRESENTATION OF CEREMONIAL PROCLAMATIONS:

Mayor Parham stated, "Earlier we recognized our resolution for Petersburg High School Basketball Team 2021 Region Champions and also State Runner. So, congratulations to those guys."

6. RESPONSES TO PREVIOUS PUBLIC INFORMATION PERIOD:

Mayor Parham stated, "Those are under council communications that are online. Thank you, Ms. Williams."

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

- a. City Council Minutes:
 - February 22, 2022 – Closed Session
 - February 22, 2022 – Regular City Council Meeting
 - March 1, 2022- Special City Council Meeting

*Audio available upon request.

- b. Consideration of an appropriation ordinance of the Middle Atlantic Section Joint Player Development and Junior Golf Committees Grant in the amount of \$3,000 – 1st Reading
- c. A request to schedule a public hearing and consideration of naming a private street Civica Way at the request of Phlow Corporation.
- d. Consideration to appropriate \$9,760.88 received from the Virginia Department of Environmental Quality (DEQ) for the City of Petersburg’s Litter Prevention and Recycling Program activities for the period of July 1, 2021, to June 30, 2022 – 1st Reading

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

8. OFFICIAL PUBLIC HEARINGS:

- a. A request to amend Sec. 106-14. – Permanent Board of Equalization

BACKGROUND: Given the importance of each member’s attendance on a three-member board, it would be beneficial to have a substitute member for situations where one of the three regular members may be unable to attend.

RECOMMENDATION: Recommend City Council amend the ordinance that provides for a permanent board of equalization, found in Sec. 106-14 of the Municipal Code.

Brian Gordineer, City Assessor, gave a briefing on the request for the amendment to Sec. 106-14.

Mayor Parham opened the floor for public comments.

Seeing no hands, Mayor Parham closed the public hearing.

Council Member Myers made a motion to approve the ordinance amendment to Sec. 106-14. Council Member Hill seconded the motion. The motion was approved on roll call. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Myers, Westbrook, Hill, Smith-Lee, and Parham

22-ORD-12 AN ORDINANCE TO AMEND AND RE-ADOPT SECTION 106-14 OF THE PETERSBURG CITY CODE TO ADD A SUBSTITUTE MEMBER OF THE BOARD OF EQUALIZATION IN ACCORDANCE WITH THE VIRGINIA CODE §58.1-3373.

- b. A public hearing and consideration of an ordinance amending the zoning of the property addressed as 801 S. Adams Street, TP #031300002; from R-B, Office-Apartment District to MXD-3, Mixed Use District.

BACKGROUND: The Planning Staff under the direction of the City Council, has worked to identify a zoning designation appropriate for the purpose of attracting new business development within the new Pharmaceutical Industrial Cluster. The new MXD-3 zoning district was approved to enhance the ability of the city to address the land-use needs of the community and to assist in marketing the available sites to potential developers.

The subject property at 801 S Adams Street has remained vacant since the former Medical Center was acquired in 2013. The goal of the City’s rezoning of the subject property is to facilitate future development for the best potential use, but not conflict with adjacent uses and the existing character of the surrounding

*Audio available upon request.

properties. The MXD-3 district permits a mixture of diverse land uses on large tracts of land where previous uses on such tracts of land have been discontinued and the uses listed in this article would not adversely impact neighboring parcels. The former hospital site is an opportunity for positive redevelopment efforts to take place along this portion of South Sycamore Street which could promote new jobs within the community. The zoning designation of the MXD-3, Mixed Use District states that parcels shall contain a minimum of ten (10) contiguous acres.

(l) Any uses permitted in the "MXD-3, Mixed Use District, are intended to:

- a. Encourage appropriate commercial and industrial activity.
- b. Encourage compatibility of existing and future land uses.

Section 2. Use Regulations.

(a) Offices.

(b) Clinics.

(c) Colleges and schools, public or private, having a curriculum and conditions under which teaching is conducted equivalent to a public school and institutions of higher learning.

(d) Any use other than any residential use or any objectionable use as defined by Article 18, Section 3 of this Ordinance, but only as allowed by a special use permit.

II. Surrounding Conditions

The subject property is currently zoned R-B, Office-Apartment District and all properties located along the North, East, and South side of the subject property, to Cameron Field and I-85 are zoned R-3, Two-Family Residence District and on the West side along Sycamore Street from the Southwest side of Shore Street the zoning classification is B-2, General Commercial District. The subject site is adjacent to the Poplar Lawn Historic District, but not located in the district. Current uses located within the area of the subject property include business, medical and specialty offices, attorney offices, funeral establishments, mental health and day support services, auto repair shop, former Canton Chinese restaurant, insurance, and tax preparation offices etc. See attached Map.

III. Findings

A. The 2014 Comprehensive Plan designates the subject property for Community Facilities usage and surrounding property for business/professional, general commercial and low intensity residential purposes.

B. The property is currently designated as "R-B," Office-Apartment District which permits residential, medical and specialty facilities, business offices etc. as by-right uses and with parking located in the rear yard and that portion of a side yard not adjacent to a street, if a corner lot.

C. The uses mentioned under the newly proposed zoning district will encourage appropriate and compatible commercial and industrial activities and remain in keeping with the existing and future land uses. If need be, conditions will be imposed on a potential developer by the City prior to the issuance of a building permit and as per the City's Development Review Team standards to protect the residents and neighboring communities/businesses. Screening will be required per Section 8 of the MXD-3 regulations.

D. It is not believed that the proposed location will pose a burden to the existing neighborhood or property owners as the existing property owners and businesses have been operating in this capacity for more than 30 years.

*Audio available upon request.

E. The noise of any potential business use permitted, is expected to be low, and no change in the current noise level is expected at the property boundaries.

F. The City of Petersburg is proposing to reuse vacant property and make it marketable for suitable development which would provide tax revenue to the city, in addition, to cleaning up a predominantly vacant parcel of land and will encourage other owners to reinvest in their properties and the community.

G. As of the preparation of this report, our office had not received any public input or concerns about the request.

H. The subject parcel of land is located within the Enterprise Zone, which offers tax benefits. The Department of Economic Development Office maintains a listing of potential sites, and facilities for potential employers and developers looking to expand or relocate operations. They also manage the Enterprise Zones located within the city which allows the city to offer state and local incentives to industries which locate new operations to designated areas. The Industrial Development Authority (IDA) is part of the office.

IV. Statement of Law

Zoning is a legislative process by which a local government classifies land within the community into areas and districts referred to as zones. Zoning regulates building and structure dimensions, design, placement, and use. Zoning follows the land use designations set forth in a comprehensive land use plan. (The Comprehensive Plan)

The City Council of the City of Petersburg, Virginia on 12-14-2021, approved and adopted an Ordinance amending the City's Zoning Ordinance to create and add a Mixed Use MXD-3 District.

The Planning Commission conducted a Public Hearing during the February 3, 2022, meeting and voted to recommend approval of the rezoning.

The Economic Development Authority has provided a letter of support for the rezoning.

RECOMMENDATION: It is recommended that the City Council conducts a public hearing and adopts an ordinance rezoning the property addressed as 801 S. Adams Street, TP# 031300002; from R-B, Office -Apartment District to MXD-3, Mixed Use District.

Reginald Tabor, Director of Planning and Community Development, gave an overview of the public hearing regarding rezoning for property at 801 S. Adams Street.

Mayor Parham opened the floor for public comments.

Seeing no hands, Mayor Parham closed the public hearing.

Council Member Cuthbert made a motion to adopt an ordinance to rezone property at 801 St. Adams Street. The motion was seconded by Council Member Wilson-Smith. The motion was approved on roll call. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Myers, Westbrook, Hill, Smith-Lee, and Parham

22-ORD-13 AN ORDINANCE APPROVING THE REZONING OF THE PROPERTY LOCATED AT 801 SOUTH ADAMS STREET, PARCEL 031300002 FROM RB DISTRICT TO MXD-3 DISTRICT.

- c. A public hearing on the consideration of appropriating \$3,672,454.51 in Federal, State and Local Fiscal Recovery Funds through the American Recovery Plan Act (ARPA) for the COVID-19 Municipal Utility Assistance Program.

BACKGROUND: The utility shutoff moratorium enacted by Governor Northam ended on August 31, 2021, 60 days after the Virginia State of Emergency ended on June 30, 2021. Special Session II of the 2021 Acts of Assembly appropriated \$120 million from distributions of the Federal State & Local Recovery Fund (SLFRF) pursuant to the American Rescue Plan Act of 2021 to provide direct assistance to residential customers with accounts over 60 days in arrears. In October 2021, the City of Petersburg submitted its intent to apply for the ARPA SLFRF Municipal Utility Relief Program. After submitting its intent, the city received an award letter dated October 29, 2021, stating that the award (\$3,672,454.51) shall be used to directly assist residential municipal utility customers of the City of Petersburg with arrearages greater than 60 days for the time period between March 12, 2020, and August 31, 2020. Due to the current BAI system constraints, the city used the date of March 31, 2020, instead of March 12, 2020. This relief was only for the water and sewer components of the utility bill. It should be noted that any funds not used are to be returned back to the state by March 31, 2022.

RECOMMENDATION: Staff recommends that the \$3,672,454.51 in Federal, State and Local Fiscal Recovery Funds through the American Recovery Plan Act (ARPA) for the COVID-19 Municipal Utility Assistance Program be approved.

Randall Williams, Assistant Director of Public Works and Utilities, gave an overview of the public hearing regarding appropriation of funds in the amount of \$3,672,454.51.

Mayor Parham opened the floor for public comments.

Jeffrey Fleming, 1819 Chuckatuck Avenue, stated, "Just had a couple of questions for the Municipal Utility Relief. What are the guidelines? Are we really going to be able to assist people with this money? Some people are 90 days to 6 months behind. Is the city going to reach out to these people being that this is give to us from the federal government for that purpose? Perhaps we can start just pulling the most needy people right off the list and pay it out right. I would like to really see this money being used for what it is meant for. Thank you."

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

There was discussion among city council and staff.

Council Member Cuthbert made a motion to adopt an ordinance for the appropriation in the amount of \$3,672,454.51 in Federal, State and Local Fiscal Recovery Funds through the American Recovery Plan Act (ARPA) for the COVID-19 Municipal Utility Assistance Program. Council Member Myers seconded the motion. The motion was approved on roll call. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Myers, Westbrook, Hill, and Parham; Absent: Smith-Lee

22-ORD-14 AN ORDINANCE, AS AMENDED, SAID ORDINANCE MAKING APPROPRIATIONS FOR THE FISCAL YEAR COMMENCING JULY 1, 2021, AND ENDING JUNE 30, 2022, FOR THE GRANTS FUND IN THE AMOUNT OF \$3,672,454.51.

- d. A public hearing and consideration of an ordinance approving amendments to the Comprehensive Plan to Comply with the Chesapeake Bay Preservation Act.

BACKGROUND: The Virginia Department of Environmental Quality (DEQ) regulates compliance with the Chesapeake Bay Preservation Act. The Act requires that jurisdiction Comprehensive Plans include provisions regarding the Chesapeake Bay Preservation Act. The city has been working the DEQ to develop amendments to the City's Comprehensive Plan to comply with the Chesapeake Bay Preservation Act.

The proposed amendments as provided to the City Council have been reviewed and approved by DEQ

RECOMMENDATION: It is recommended that the City Council holds a public hearing and approves an amendment to the City's Comprehensive Plan to comply with Chesapeake Bay Act requirements.

Reginald Tabor, Director of Planning and Community Development, stated, "We are working with the Virginia Department of Environmental Quality on this matter. And they have requested that this item be tabled so that they have another opportunity to provide additional comments.

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

- e. A public hearing and consideration of an ordinance approving a petition to rezone property addressed as 3605 Halifax Road, Parcel: 096010003, 3625 Halifax Road, Parcel: 096010004, and 3607 Halifax Road, Parcel: 107020017, from R-1, Single Family Residence and A-Agricultural Districts to M-2, Heavy Industrial District.

BACKGROUND: The City of Petersburg received a petition from Timothy and Jane Banks, owners/lessee, or agent to rezone property from R-1, Single Family Residence and A-Agricultural Districts to M-2, Heavy Industrial District to be permitted to construct and operate a crematorium at property addressed as 3605, 3625 and 3607 Halifax Road, Petersburg, VA. The property is further identified as Tax Parcel ID's: 096010003, 096010004 and 107020017, containing approximately a total of 37.53 acres.

The subject property is currently vacant, and with the exception of the parcel that includes the Full Gospel Holy Temple, Inc. all adjacent properties are also vacant. The subject property is located south of the Petersburg Interstate Industrial Park and immediately adjacent to Industrial Galvanizers, a metal finisher, Boar's Head Provisions, Inc., which are zoned M-2, Heavy Industrial District. The parcels to the east, including the parcel that includes the Full Gospel Holy Temple, Inc, are zoned R-1, Single-Family Residential District. The Comprehensive Plan designates the property as Light Industrial use. The proposed use, Crematorium, is identified in the Zoning Ordinance as an Objectionable Use, that is permitted within the M-2, Heavy Industrial District with a Special Use Permit.

Pursuant to the requirements of Title 15.2-2204 of the Code of Virginia, as amended, a public hearing was held by the Planning Commission and subsequently by the City Council prior to consideration of the rezoning proposal and the public hearings were advertised, in accordance with applicable laws.

The petition was considered by the Planning Commission, and the Planning Commission voted to recommend approval of the petition.

RECOMMENDATION: It is recommended that the City Council holds a public hearing and approves an ordinance to rezone property addressed as 3605, 3615, and 3607 Halifax Road from R-1, Single Family Residence and A-Agricultural Districts to M-2, Heavy Industrial District.

Reginald Tabor, Director of Planning and Community Development, gave a brief overview of the request.

*Audio available upon request.

Timothy Banks, petitioner, stated, "Good evening Mr. Mayor, Vice Mayor, and Council Members. Just would like to get this rezoned so that we can start the project out on Halifax Road and move forward. I appreciate it. Thank you."

Mayor Parham opened the floor for public comments.

Marcus Omar Squires, 1701 Monticello Street, stated, "My question for council and staff this evening is have the neighbors been informed that this is going to be coming next door to them. It is currently a residential area. I work in the community over there and a lot of members of that area or community were upset when the Dollar General or Family Dollar was put in over there. So, I was wondering if they are aware. Thank you."

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

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

22-ORD-15 AN ORDINANCE APPROVING THE REZONING OF THE PROPERTIES LOCATED AT 3605, 3607, AND 3625 HALIFAX ROAD FROM R-1, SINGLE FAMILY RESIDENCE DISTRICT, AND A-AGRICULTURAL DISTRICT TO M-2, HEAVY INDUSTRIAL DISTRICT TO PERMIT A CREMATORIUM WITH A SPECIAL USE PERMIT.

- f. A public hearing and consideration of an ordinance approving a petition for a Special Use Permit to allow for the construction of an office and operation of a crematorium business along a portion of the property addressed as 3605 Halifax Road, Parcel: 096010003, 3625 Halifax Road, Parcel: 096010004, and 3607 Halifax Road, Parcel: 107020017.

BACKGROUND: The City of Petersburg received a petition from Timothy and Jane Banks, owners/lessee, or agent for a Special Use Permit to construct and operate a crematorium at property addressed as 3605, 3625 and 3607 Halifax Road, Petersburg, VA. The property is further identified as Tax Parcel ID's: 096010003, 096010004 and 107020017, containing approximately a total of 37.53 acres.

The proposed SUP will allow the applicant to construct a Crematorium with a Special Use Permit. The subject property is currently vacant. The subject property is located near the Petersburg Interstate Industrial Park and immediately adjacent to Industrial Galvanizers, a metal finisher, Boar's Head Provisions, Inc., and Full Gospel Holy Temple, Inc. The Comprehensive Plan designates the property as Light Industrial use. The proposed use, Crematorium is identified in the Zoning Ordinance as an Objectionable Use, that is permitted within the M-2, Heavy Industrial District with a Special Use Permit.

Pursuant to the requirements of Title 15.2-2204 of the Code of Virginia, as amended, a public hearing was held by the Planning Commission and subsequently by the City Council prior to consideration of the rezoning proposal and the public hearings were advertised, in accordance with applicable laws.

The Planning Commission voted to recommend approval of the petition for a Special Use Permit for the property located at 3605, 3607 and 3625 Halifax Road to permit the construction and operation of a crematorium.

RECOMMENDATION: It is recommended that the City Council schedules a public hearing and adopts an ordinance approving a Special Use Permit for the property addressed as 3605, 3615, and 3607 Halifax Road.

*Audio available upon request.

Reginald Tabor, Director of Planning and Community Development, gave a brief overview of the request.

Mayor Parham opened the floor for public comments.

Seeing no hands, Mayor Parham closed the public hearing.

Council Member Westbrook made a motion to approve the ordinance for a Special Use Permit. Council Member Westbrook seconded the motion. The motion was approved on roll call. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Myers, Westbrook, Hill, Smith-Lee and Parham

22-ORD-16 AN ORDINANCE APPROVING THE SPECIAL USE PERMIT (SUP) FOR THE PROPERTIES LOCATED AT 3605, 3607, AND 3625 HALIFAX ROAD TO PERMIT A CREMATORIUM WHICH IS A PERMITTED USE IN THE M-2, HEAVY INDUSTRIAL DISTRICT WITH A SPECIAL USE PERMIT.

- g. A public hearing and consideration of an ordinance approving a petition for a Special Use Permit (SUP) to establish and operate a stand-alone used vehicle sales business not associated with a new vehicle dealership at 2306 East Washington Street, parcel: 003030002.

BACKGROUND: The City of Petersburg received a petition from Eldrika Whitaker, owner/operator of Barely Used Cars and Trucks, for a Special Use Permit to establish and operate a stand-alone used vehicle sales business not associated with a new vehicle dealership or not located upon the same parcel as such new vehicle-dealership, if located upon parcels of less than one acre in area, such to be permitted within the B-2 and M-1, zoning districts only, as provided under Article 23 of the Zoning Ordinance, Section 4. Special Uses Enumerated, (22). The proposed location is 2306 East Washington Street, Petersburg, VA., further identified as Tax Parcel 003030002. The subject property is within the B-2, General Commercial District.

The petition was considered by the Planning Commission, and the Planning Commission voted to approve a resolution recommending approval of the petition.

RECOMMENDATION: It is recommended that the City Council schedules a public hearing and considers an ordinance approving a petition for a Special Use Permit to establish and operate a stand-alone used vehicle sales business not associated with a new vehicle dealership at 2306 East Washington Street, Parcel: 003030002.

Reginald Tabor, Director of Planning and Community Development, gave a brief overview of the request.

Mayor Parham opened the floor for public comments.

Jeffrey Fleming, 1819 Chuckatuck Avenue, stated, "I am all about businesses coming into our city. But if you look around at some of these used car lots, and I inspect a bunch in the city, they look atrocious. I do not mind, and I don't have a problem with granting the Special Use Permit, but I think attached to that Special Use Permit there needs to be provisions for the appearance of the lot, inoperable vehicles will not be kept outside, tires not stacked on the side of the building. I know that you have seen it. And if you ride around, you will see it. I think that there should be some stipulations attached to that Special Use Permit before it is freely granted. That is just my opinion. Thank you."

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

*Audio available upon request.

There was discussion among City Council and staff.

Council Member Wilson-Smith made a motion to approve the ordinance for a Special Use Permit for property at 2306 East Washington Street. Council Member Hill seconded the motion. There was discussion among city council. The motion was approved on roll call. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Myers, Westbrook, Hill, Smith-Lee and Parham

22-ORD-17 AN ORDINANCE APPROVING THE SPECIAL USE PERMIT FOR A STAND-ALONE USED VEHICLE SALES BUSINESS AT 2306 EAST WASHINGTON STREET.

- h. A public hearing and consideration of an ordinance approving an amendment to the City Code, Chapter 50. Environment, Article II. Noise.

BACKGROUND: The City Council of the City of Petersburg has requested that the Planning Commission consider and provide a recommendation regarding an amendment to the City Code Noise section.

The request follows complaints and concerns regarding noise from restaurant uses especially in the City's downtown area.

Regulations of noise are defined in the City Code Chapter 50. Environment, Article II. Noise and not the City's Zoning Ordinance, however the City Code does specify permitted noise levels by zoning district.

Previously the Planning Commission adopted a resolution recommending adding indoor and outdoor decibel levels. The Planning Commission also adopted a resolution recommending amendments to the Code.

Current City Code

Sec. 50-31. - Declaration of policy. (Why)

It is hereby declared to be the public policy of the city to protect its citizens against excessive noise which is detrimental to life, health, and enjoyment of property. In order to promote the public health, safety, welfare, and the peace and quiet of the inhabitants of the city, the standards in this article relating to noise are hereby adopted.

(Code 1981, § 19-1; Ord. No. 14-100, 10-21-2014)

Sec. 50-32. - Definitions. (What)

For purposes of this chapter, the following words shall have the meanings respectively ascribed to them by this section:

Noise means any steady-rate or impulsive sound occurring on either a continuous or intermittent basis that disturbs persons or that causes or tends to cause an adverse effect on humans.

Sec. 50-32. - Definitions. (When)

For purposes of this chapter, the following words shall have the meanings respectively ascribed to them by this section:

Daytime means the local time of day between the hours of 7:00 a.m. and 10:00 p.m. weekdays and from 9:00 a.m. to 10:00 p.m. on Saturdays, Sundays and legal holidays observed by city government unless otherwise specified.

Nighttime means those times excluded from the definition of daytime

Sec. 50-36. - Maximum permissible sound levels. (How – Measurement)

- (a) In addition to, and not in limitation of the specific prohibitions of sections 50-33, 50-34, and 50-35, any

*Audio available upon request.

noise which emanates from any operation, activity or source and which exceeds the maximum permissible sound levels established in this section is hereby prohibited.

When noise emanates from private property, such levels shall be measured at the property boundary of the sound source, at any point on public property, or at any point within any other property affected by the noise.

When noise emanates from public property including street rights-of-way, such levels shall be measured at any point on public property or at any point within any other property affected by the noise.

When a noise source can be identified and its noise measured in more than one zoning district classification, the limits of the most restrictive classification shall apply.

Sec. 50-37. - Penalty and enforcement. (How – Enforcement)

(a) If it is determined that a noise in violation of this chapter exists at a fixed location, the following procedures shall be followed:

(1) A written or verbal warning shall be issued by the chief of police, or his or her designee to the person(s), corporation, firm or association, responsible for the event causing the noise disturbance.

(2) If the noise disturbance persists for more than five minutes following the issuance of a written or verbal warning, the chief of police, or his or her designee, shall proceed to charge the person responsible for the event causing the noise disturbance.

(b) No person shall be charged with a violation of the provisions of this section unless a violation is committed in the presence of the chief of police, or his or her designee.

(c) The person operating or controlling a noise source shall be guilty of any violation caused by that source. If that cannot be determined, any owner, tenant or resident physically present on the property where the violation is occurring is rebuttably presumed to responsible for the noise violation.

(d) Any person who violates any provision of this article shall be deemed to be guilty of a class 4 misdemeanor for a first offense and a class 3 misdemeanor for each subsequent offense.

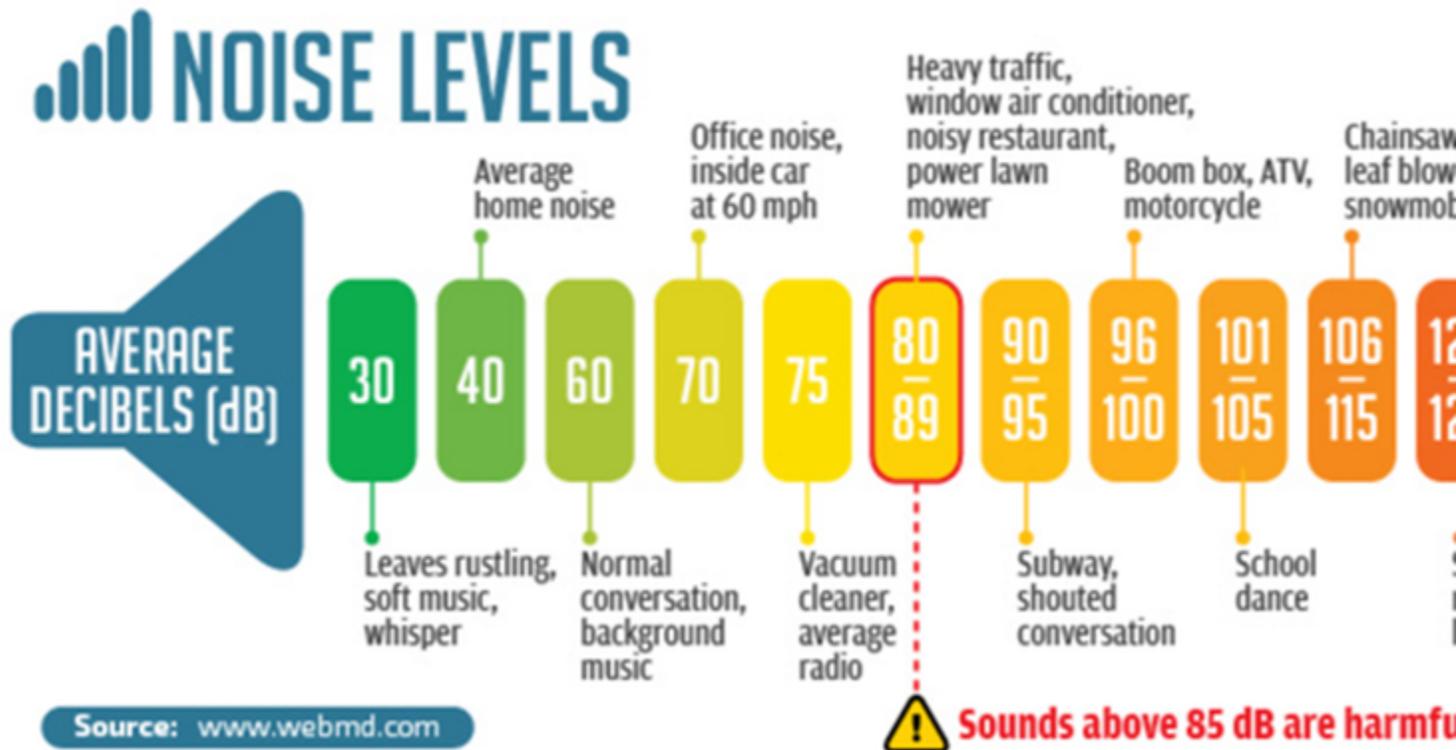
(Ord. No. 14-100, 10-21-2014)

Sec. 50-36. - Maximum permissible sound levels. (Where and How Much)

ZONING DISTRICT CLASSIFICATION	MAXIMUM DBA INSIDE	
	Daytime 7 a.m. – 10 p.m.	Night 10 p.m.
AGRICULTURAL	65	55
RESIDENTIAL	65	55
R/B	70	60
PLANNED UNIT DEVELOPMENT	70	60
MIXED USE DISTRICT	75	65
BUSINESS	75	65
INDUSTRIAL	79	70

*Audio available upon request.

Noise Level Comparisons



Planning Commission Committee

During the February 3, 2022 Planning Commission meeting, the Planning Commission established a committee to review the ordinance and develop recommendations for the Planning Commission to consider.

The Committee met on February 28, 2022 with the City Manager, the Chief of Police, the Zoning Administrator and the Director of Planning and Community Development to discuss the City Code section regarding Noise.

1. The Committee considered the Noise Ordinance in Staunton, Virginia.
<https://www.stauntondowntown.org/noise-ordinance-q-a/>

Staunton Ordinance Summary

- It establishes an Entertainment Area that includes exceptions to the permitted noise decibel levels.
- It establishes 80 dBA as measured at any point 50 feet perpendicular to the apparent property boundary as a limit.
- It prohibits noise beyond the interior of businesses in the entertainment area during the period beginning 11:30 p.m. local time and ending 9:00 a.m.
- It defines the boundaries of the entertainment area.
- It defines musical entertainment.

*Audio available upon request.

2. The Committee reviewed the decibel levels in other jurisdictions, as provided by Commissioner Hairston:

Orlando		Washington		Staunton		Wi
Day	Night	Day	Night	Day	Night	Da
75	70	80	75	80	75	75

Planning Commission Committee Recommendations

During the Committee Meeting, the following recommendations were identified:

1. Police Department Officers should use calibrated Sound Meters to determine sound levels prior to issuing code violation notices related to noise.
2. Noise levels in the City Code should be enforced.
3. Definition of an Entertainment District with appropriate sound levels should be part of the Downtown Master Plan process.

Other Considerations

1. Noise should be measured 50 Feet (30 or 35 would be across the street) from the property line of the Noise Source.
2. A City-wide maximum noise level could be considered such as 75 dBA daytime and 65 dBA night.
3. Amendments to the daytime and nighttime hours could be considered:
 From 7:00 a.m. to 10:00 p.m. daytime (current)
 To 7:00 a.m. to 10:00 p.m. daytime Monday through Friday
 9:00 a.m. to 11:00 p.m. daytime on Saturday and Sunday
 9:00 a.m. to 11:00 p.m. daytime Friday through Sunday
 9:00 a.m. to 11:00 p.m. daytime Thursday through Sunday
4. Sec. 50-33. - Specific prohibitions.

It shall be unlawful to produce noise that exceeds the maximum permissible sound levels defined in Sec. 50-36. - Maximum permissible sound levels. Provided however, that the prohibitions of this section shall not apply to emergency work to provide public facilities or utilities, or to remove debris, when necessary to protect the public health or safety.

Planning Commission Recommendations

During the March 3, 2022 Planning Commission Meeting, the Commission considered the information and recommendations provided by the Commission Committee.

Members of the Planning Commission expressed concern about the complexity of the current ordinance with different hours for different sources of noise.

Members of the Planning Commission expressed concern that enforcement may be hampered if the Enforcement Officer is not aware of the zone in which the noise is being created or heard, or what the specified maximum dBA level for the zones may be.

Members of the Planning Commission expressed concern that noise levels City-wide may not be appropriate for the downtown area.

The Planning Commission voted to recommend the following to the City Manager:

*Audio available upon request.

1. Amend the definition of Daytime Hours from 7:00 a.m. - 10:00 p.m. to 7:00 a.m. - 11:00 p.m.
2. Amend the Maximum dBA levels from levels based on zone to 75 dBA daytime and 65 dBA nighttime City-wide for all Zoning Districts. Exemptions would remain as defined in the current ordinance.
3. Creation of a downtown Entertainment District Overlay with appropriate noise levels during the Downtown Master Plan process.
4. Amend the Code in conformance with (Attachment A).

RECOMMENDATION: It is recommended that the City Council holds a public hearing and considers adoption of an ordinance amending the City Code section regarding noises.

Reginald Tabor, Director of Planning and Community Development, gave a brief overview of the request.

Mayor Parham opened the floor for public comments.

Jeffrey Fleming, 1819 Chuckatuck Avenue, stated, "I see that we finally got somewhere with this noise ordinance. But I do not really think that it is very fair for the simple fact there is a downtown overlay for just downtown. What about other businesses that want to sprout out to other parts of the town. We are just concentrating on downtown. Petersburg is made of more than just downtown. I see we are trying to address it, but I think that it needs to be addressed fairly. Downtown does not make Petersburg. Someone may want to open something on South Crater Road. Applebee's may want to come in. But how does this help or prevent them from coming. I think that needs to be looked at. Not just singling out downtown. We are Petersburg, a whole city. Thank you."

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

There was discussion among City Council and staff.

Council Member Cuthbert made a motion to table action on the approval of the ordinance. Council Member Myers seconded the motion. There was discussion among city council. The motion was approved on roll call. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Myers, Westbrook, Hill, Smith-Lee and Parham

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.

Richard Stewart, 129 Rolfe Street, stated, "I talked to Mr. Williams today and he has a very interesting background in his life. He needs to come to the museum and tell his story. And you all should listen to it sometime. But anyway, I am here today from Pocohontas. One way in and one way out. Pocohontas has become so popular with Joyce doing that little documentary on TV. People are coming in and out all throughout the state. In 2022 when they built the new bridge, they did not put a traffic light back out when you come out. Now when you try to come out of Pocohontas, and you go up 5th Street and they have the S.S. Tire place up there it is terrible. With their business during the day the traffic is terrible. My question is can you have someone in traffic to take a look at that with putting a traffic light there because it is in terrible shape. Right

*Audio available upon request.

now, at certain times you have to go all the way to Colonial Heights and turn around and come back because we do not have a traffic light. It is terrible. And I am not trying to go against AeroTek, because they have to do what they have to do. On 5th Street it is so dangerous, and someone is going to get killed up there trying to get out of there. So, please take a look at the traffic light coming off Pocohontas. Thank you.”

Michelle Murrills, 131 S. Market Street, stated, “I want to say how happy I am that St. Andrews Street Bridge is opening on Thursday. Unfortunately, it has taken the city 15 plus years to get it finally done. But that is not what I came to talk to you about. I want to discuss the view that everyone who is going to the ribbon cutting, including all of you, is going to see down St. Andrews Street. Once you turn off of Jefferson Street, I want you to look at the buildings as you drive past. There are 22 houses on that street. There are eight of those houses that would be considered blighted and vacant homes. That is 35% of those homes. But I want you to really look at those houses. I want you to see them the way that the rest of us do. My friend, Marcus Squires, takes beautiful photographs of blighted buildings, and post them all around the world for people to see. Unfortunately, they are just that, art. They do not show how those blighted houses really are, broken and ugly. Several of these houses are owned by the same person. I do not understand why the city cannot follow the laws that are on books and fine him. And the other owners who are allowing their houses to decay and bring down the neighborhood. As you drive pass them just imagine that you are one of the homeowners that have to look at this every day. You get the joy of knowing that your property value is lower than it needs to be because your neighbor cannot be held with the same standard that everyone in the neighborhood is being held too. A house on the corner of Webster and St. Andrews Street just recently sold for \$250,000, a very nice Victorian Historic Home. Imagine being the new owner and now you get to drive past and look at these blighted buildings. Or imagine that you were the seller of that house knowing that you could have got more money for it, but your neighbor is not forced to keep his house up and you are screwed. Or better yet imagine as a representative of the city that you are that the city, and the citizens of Petersburg are being screwed out of the taxes that are coming from higher tax values that would happen if everyone on that street would be held to the same standards that you hold parts of Petersburg to. And to be clear, these houses are not owned by people that are living in them or have nowhere else to live nor the money to keep them up. These houses are owned by people who do not live in them or do not live in Petersburg. They do have the ability to fix or sell them to someone who. In conclusion, I just want everyone to think of these things as they are heading to this ribbon cutting ceremony as they are passing these houses. This used to be a beautiful neighborhood and it can be again but only if the city holds everyone accountable. Thank you.”

Marcus Omar Squires, 1701 Monticello Street, stated, “I was just reading the council comments and I saw where staff was stating that they only have around 300 blighted homes in the City of Petersburg. I have well over 300 pictures of blighted homes. If staff were to look at the data that was compiled by the United States Census, Petersburg has over 2,900 vacant properties. This is from the 2020 Federal Census. This isn't the Progress-Index saying this. So, for staff to come to tell council that the number was low, it is shocking. Please do your own research. Don't trust me, don't trust the Progress-Index, and don't even trust your staff. Do your own research. This is something that is impacting our city. I have millions of views online. People all over the world see what is becoming of Petersburg and they want more from our leaders. Thank you for your time.”

Jeffrey Fleming, 1819 Chuckatuck Avenue, stated, “Tonight, I made a point to come and for this purpose only. A couple of weeks ago, myself and a lot of others were surprised by a rise in their taxes. I looked and I said that they have lost their mind. They have lost their mind for the assessment that they put on his home. So, I called the assessor's office and there was a young lady, Shannon Griffin, and another young lady Mary Burchett. They said okay and calm down Mr. Fleming we can get through this. They set up for a reassessment because I appealed before the appeal date on what I my property was assessed for. These two young ladies showed up cheerful and knowledgeable. They actually calmed me down so that I can better understand what is happening. They did a reassessment and it lower some. It lowered their assessment because it is things that they couldn't see. They cannot see the inside of your house and they cannot see the roof and other things that they don't see. So, I just want to give a shoutout to Shannon Griffin and Mary

*Audio available upon request.

Burchett. They made my day. They made a painful process less painful. Everyone is down in the city but sometimes there are city employees that care. And that is a sign of good leadership. I do not if Mr. Gordineer is still here but I give my hands up. He has done well with them. Thank you.”

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

Council Member Cuthbert stated, “I am very glad that we are back live. I think that we all are. I hope that it will be a long time before we have to resume a zoom life. I had a good meeting last night with residents of Pocohontas. They brought a number of concerns to me, and I have written three emails to the city manager asking him to address those concerns. One was potholes and a second was LED lights. Pocohontas has not gotten LED lights. And the third was a common theme, property maintenance code enforcement. I know that this has been a busy day for the city manager, but I am sure that he will have chance to look at those three emails and forward them on. And I trust will follow up to see that the citizens complaints or concerns are addressed. Next, I think Ms. Murrills for reminding those in the audience that there is going to be a ribbon cutting to celebrate the opening of that bridge at the foot of St. Andrews Street this Thursday at 11am. And I am looking forward to and I know that all of council is looking forward to it. And I know that many members of city staff are looking forward to it. And it would not be happening if it were not for a group effort and support by City Council in coordination with city staff. I want also to thank Ms. Murrills for her comments on St. Andrews Street. Trust me Ms. Murrills, I trust your frustration. I will leave it at that. I am doing everything I can to address that situation. The city attorney is as well and city staff. It is a slow process. And I wish it were not otherwise. Sorry, I wish it were otherwise. But we are dealing with the property rights of private citizens, and we are pushing hard as we can as we strive to be fair. And one last thing, I ask everybody to pray for freedom of the people of Ukraine. None of us has seen anything like this in our lives. And it is very grievous. We take our freedom for granted. They have to pay for it with their blood. Thank you, Mr. Mayor.”

Council Member Wilson-Smith stated, “I would like to start off by thanking this council and the administration as well as citizens for your very many acts of kindness. The flowers the plants, the prayers, the calls, cards, and anything that I might have forgotten. Thank you so much. It is a very tough thing to lose your mother. And you all reached out me and I am very grateful to you for being with me. Special thank you to Councilman Cuthbert and City Manager Turille for coming out to my mother’s wake that Thursday night. It was indeed a pleasure to see them. So, thank you all for your kindness. I really do appreciate it. So, now to business. I had asked and I may not need to go over this tonight. I had asked about us planning another retreat. And I found some meeting notes and what I will do. I will ask Ms. Nykesha to print it off for us. Because we had our last retreat in 2019. And because of COVID we could not follow through. But the plan that we had really helps to outline where we need to start again. Because it was a well laid out plan. I will wait on the mayor’s guidance on when we are going to have this retreat and get this information to all of council by way of email. Thank you.”

Council Member Westbrook stated, “Good evening, everyone and thank you for this time. I would like to come today and say Happy Women’s History Month, the month of March. Giving celebration to all women especially as council member goes through the death of her mother, we would like to celebrate mothers in our lives and all women. But my words today I would like to theme them, ‘Don’t worry we got this.’ And really what I mean by that is a public buy in. I did some research about what it takes a city to be great. And I would like to pose that question to everyone hearing me. What do you love about Petersburg? And once you have that answer in your head then go on to the next question of how we can make this city great. A lot of us are already feeling that this is a great city, and we have a pride in it. But there are still levels that we want to achieve that it is going to take a lot of work and a public buy-in. And Alex Garvin, laid out four things that a city needs to be great. And one of the first ones is for it to be attractive. And last month, I did call out littering in which some of my council members echoed. But it is also just having pride in your property of residence. I know we hear a lot about these blighted homes but if everyone just took a little more pride as this spring come in and the grass is starting to grow. We see it in certain areas, but I would like to see it all over the city, a little bit more pride in

*Audio available upon request.

your residence and be able to show it off. So, that we can make the city a little bit more attractive and of course stop the littering. We can speak until our voices go. I have been working with Ms. Mitchner and some of the other city officials about how we can change the culture from a young level starting with our K-3. Because if we can reach out to the youth maybe they can push us to be great. And on our level as city officials, please believe that we are doing the best that we can, and we are buying to the greatness of this city. Things are happening with Ramada. I know that is a big issue for a lot of people. But as you see a bus station that is growing and the parking deck. It looks good and it makes the city more attractive. And even in our last council meetings, the murals that are coming to area city streets. I would like to see more of that. Because we are really going to make this city look like stellar and top-notch city. Another thing that he said is about successfulness. A city has to be successful. We already honored our PHS Basketball Team tonight. But I would like to honor our principals as well for doing the best that they can as they prepare for a successful SOL season. I want to speak that into existence. The schools are going to be accredited and you are going to see the school system continue to get better in Petersburg. Be something proud of. And at the very least we can celebrate the YMCA programs around the city and the grass programs. Whether it is by fraternities or social organizations that are really helping the city be successful. The city has to be sustainable. Great places are designed for people taking into account human needs. That means that they have like fresh air, lack of noise and trash. Which you heard about the noise ordinance coming for the whole city Mr. Fleming, and plenty of shade. Even though I would like to see a lot of great things happening in 7th Ward in Petersburg I want to make sure that we keep up the beauty of the city with trees. Plant trees and vegetation and things of that sort so that we can really see the greenery of the city as well and not just be a concrete jungle one day in the future. And finally, a city has to be thriving. We cannot wait and throw all of our lot in on an entertainment and resort idea that might be coming to a city. Support things like the Metro Business League. I was privy to go they are with Council Member Myers to the awards dinner a few weeks ago. It was very inspiring to see so many great small businesses and entrepreneurs doing things that are not celebrated in our newspapers and always on the internet. But they make a difference in our community. It is a thriving thing. If you have an idea, and a lot of people started their small business during the COVID over the last two years. Continue to step out on faith and put your ideas out there. And if we do all four things of attractiveness, successfulness, sustainable and thriving, we can make Petersburg even greater. Not to get caught in the old slogan of our former president, I want to see Petersburg great period.”

Council Member Myers stated, “Mr. Mayor, I would like to set aside the Rules of Council for a motion please.”

Council Member Myers made a motion to suspend the Rules of Council. The motion was seconded by Council Member Hill.

Council Member Cuthbert stated, “May I ask what we are about to consider?”

Council Member Myers stated, “Littering.”

Council Member Cuthbert stated, “Okay. Thank you.”

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

Council Member Myers stated, “Thank you Mr. Mayor and Members of Council for allowing this. Ladies and gentlemen, Council Member Westbrook brought it to our attention at the last meeting that we had followed up with him, and I believe that it is quite important for us to keep our city clean. And in doing so, there needs to be some ramifications for not doing so. And I live on Washington Street, and I am going to tell you that down Perry Street and Brown Street, is the most horrible mess that I have ever seen in my life as if a trash can was not around. So, therefore I would like to have council to support a motion to fine anyone caught littering and

*Audio available upon request.

throwing trash out of their car at the exit. And really basically in the entire City of Petersburg, a \$500 fine for littering. I do not care if you are walking down the street. Also, for having your dog to curb on the sidewalk and in your right-of-way area onto your car. So, a \$500 fine for not curbing your dog and throwing trash out your car and littering on the street.”

Council Member Myers made a motion to impose a \$500 fine for throwing trash out of a moving vehicle, parked vehicle, trash on the street and curbing your dog in the right-of-way of individuals. Council Member Hill seconded the motion.

Mr. Williams stated, “And assuming council pass this, we are going to have to come back with an ordinance to solidify the penalties so that we can enforce it. We will bring it back if we do pass this motion.”

Council Member Wilson-Smith stated, “So, the ordinance will spell out how it is to be enforced?”

Mr. Williams stated, “Yes, I will check the minutes. And also, I will confer with Council Member Myers after you vote assuming that you support the motion.”

Council Member Wilson-Smith stated, “I support the motion. I support exactly what he is saying. But I am asking for process on do we wait for the motion and then we support the motion by way of the ordinance.”

Mr. Williams stated, “I think the motion would be just direction for me to draft that for you. So, if you pass the motion, I will draft that in accordance with what Council Member Myers has stated and bring it back for adoption and incorporation into our Code of Ordinances.”

Council Member Myers stated, “Would you like me to amend it and direct the city attorney to draft a motion with respect to it.”

Council Member Myers made a motion to amend his original most to direct the city attorney to draft a motion with respect to it. Council Member Hill seconded the motion. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Myers, Westbrook Hill, Smith-Lee, and Parham

Council Member Hill stated, “We thank everyone for being here today. First of all, again I want to congratulate Petersburg High School on their victory and their season. It is like one of those rivalries when the Cowboys go against Washington. So, it is like with Hopewell, we beat them four times in a row. I was happy with that in itself. I congratulate them on a great season, a bunch of fine young men. Also, I want to congratulate the fiscal management team down at city hall. I went in there a couple of weeks ago to take care of some business and they were running very efficient during that process. They were answering questions and any discrepancies that anyone had they had a good system going. So, I want to give accolades to Stacey Jordan and her crew. They were really on the ball and the line was moving fast. And this was on February 28th. So, I appreciate all of the work that they do. Also, Ward 2, we are going to try and find a place to have a meeting. I was going to do it outside but with everything opening back up we will try to find a facility to have a meeting on the inside very soon. One of the things that I wanted to address, Mr. Williams, you can look this up. See if we have an ordinance for loitering when you come off the exit. A lot of our trash and things of that nature come from people that are compassionate and they give food to people and then they just take the food and discard it. So, that is one of the things that I think that we need to get a hold on. I like what Councilman Myers said with his motion. We have to stick some teeth behind it. Of course, you all know that we are policy and procedure makers and that is a policy and procedure ordinance that we will be putting in place. So, anyone being caught littering we can do a little bit more with that. I would like for us as a city to focus on the good and not so much on the bad. We know that the bad is always with us, but we have come a long way. And other localities see. Our neighboring localities see it all the time and they are always giving the city it is props

*Audio available upon request.

considering where we were in 2015 and 2016. So, I just want to tell everybody to stay staff and stay encouraged. Thank you, Mr. Mayor.”

Vice Mayor Smith-Lee stated, “Treska my heart goes out to you on the loss of your mom. A mother’s love is just unbelievable. I loss my mom seven years ago and not a day goes by that I do not think about her. You got to remember something. The legacy that she left behind and you are a true legacy. Another thing I want to again congratulate Petersburg High Basketball Team on a job well-done. They were first runner up in the state and regional district champions and also central district champions. Go Crimson Wave! Thank you, Mr. Westbrook, for being an open eye in my ward. When there was a fire last week and Mr. Westbrook actually went into the house to help the mother of the young man whose house that it belonged to get out. And I appreciate that. He even had some burns on his hair, but he has enough hair to camouflage the little burn. But I truly appreciate what you did. And that is what it is all about. All of us on council working together for the good of the citizens of Petersburg. I received some calls, emails, and letters from several business owners in the area on a great job that the fire marshal office is doing. I want to do kudos to assistant fire marshal, Lemar Johnson, better known as Mockinbird. And thank you for your hard work. Do not think I am not going to say anything to you sir, Mr. Fleming’s. I will never forget you. Because you are a part of that office. But I have received telephone calls, text, and letters of the outstanding job that the fire marshal’s is doing. And the community truly love Mr. Johnson. Thank you. Like Charlie said we need to pray for the kids in Ukraine. Those babies did not ask for that. There are elderly people that are walking miles. There was one lady on TV and her mother who is 83 walked 50 miles so that she could get some type of relieve of freedom. You all it could be us and we would want someone to be there for us also. Also, thanks to Habitat for Humanity. Kelly, the young man whose house burnt down, the Red Cross was able to come out and assist them. But also, Habitat for Humanity is on it. And they are in the process of making sure that this young man can get his house redone. He did not have homeowners’ insurance. He brought the house, but he said that it was a little too much. We have to educate our citizens. No matter how much it is we have to sacrifice. It cost so much when something like this happens. So, let’s all be mindful and help everyone out in the City of Petersburg. Thank you.”

Mayor Parham stated, “I just want to start off by letting everyone know that we have another celebrity in the house. You know we hear about the sheriff and all of her big accomplishments. Tonight 8 News recognized Council Member Treska Wilson-Smith as the Remarkable Woman of the Community Award. So, let’s give her a round of applause. Thank you all for the great things that you do. People do not understand that Council Member Wilson-Smith has been a part of my life since grad school when she was coming up to the school to check on her sons and us trying to figure out what we were doing. So, thank you for your commitment in being a wonderful mother and wife, sister, and friend. Keep the legacy going because your mom is smiling down on you. I just want to touch on a few other things. Again, we recognized the Petersburg High School Basketball Team. We just cannot thank enough the family members and coaches. Because those are young black men that we are keeping off the street and keeping them busy and giving them the opportunity. All of those guys played lights out basketball and we look forward to them moving on to the next level and to continue coming and giving back to the City of Petersburg. That is why it is important to recognize these guys for all of their accomplishments. The lessons of basketball in sports in general are some lifelong lessons that you can take and will guide you through life. I want to thank City Council for their support of directing the school board to use those funds for the turf field. I am happy to report that the turf field will be in by July. So, we will have a nice field at Petersburg High School. Sports definitely save a lot of lives. We did not talk about it tonight, but we have not had a meeting since Quinton Spain was in the Super Bowl. And he played out there on that field. And he comes back every year to do his camp for hundreds of kids here in the City of Petersburg. And I am happy that we are able to give them a nice new field for more sports activities. I wanted to thank Mr. Joel Erb and Council Member Cuthbert at the Poplar Lawn Community Meeting. We had a good time out there. Just a wonderful example on how a neighborhood and a community come together to solve problems in their community from within. It was a great program to talk about the things that there were into to improve the community. This is the time of the year to get more of our neighborhood associations together to bring our residents together and our neighbors together that have been in for so long. We cannot do it without you. On

*Audio available upon request.

Friday, March 18th, I want to welcome everybody to the exchange building at 4pm. We will open up the civil rights exhibit at the Exchange Building. I want to keep everyone prayerfully on, the General Assembly had dispersed a lot of good things in there for the City of Petersburg. And we hope that the budget is approved because it has been a good year for Petersburg. A lot of budget amendments have been put in to help a lot of our issues in the City of Petersburg. And it is good to have the ear of our state officials. Also, Senator Warner is coming into town soon to have a discussion to talk about the pharmaceutical cluster here in Petersburg and the collaboration between medicine for all and VCU, Virginia State, Ampac, Phlow, and Civica. The federal government can help more to lead our efforts into becoming the pharmaceutical hub here in the nation. It is a big undertake and I am happy to have all of our state and federal officials take a note on it of what we can do to help Petersburg. So, again everyone has a great evening, and it is great seeing everyone back and it is good to be back. Still continue to be safe and if you are not vaccinated then get vaccinated and we are going to keep pushing through COVID and hope to keep the City of Petersburg rolling alive. I would like to thank our public safety officials here, Jeff Fleming, Petersburg Fire, is in the house. We have Chief Christian, Chief Chambliss and also the officer in the back. Thank you for your service as well. I know you all are on the front lines, and we cannot thank you enough for what you do to keep us safe. Because you all never shut down 24/7. I mean that you all are operating, and we thank you for that. So, at this time we are going to move on.”

11. ITEMS REMOVED FROM CONSENT AGENDA:

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

12. FINANCE AND BUDGET REPORT:

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

13. UNFINISHED BUSINESS:

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

14. NEW BUSINESS:

- a. Consideration of re/appointments to the Planning Commission

BACKGROUND: The Planning Commission consists of a four at-large members and seven members appointed by City Council.

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

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

Mayor Parham stated, “At this time we have an applicant for the Planning Commission, Ms. Chioma Adaku. Councilwoman Wilson-Smith we have a Ward 1 representative for the Planning Commission. So, will you please make the motion for Ms. Chioma Aduka.”

Council Member Wilson-Smith made a motion to appoint Chioma Aduka to the Planning Commission. Council Member Myers seconded the motion. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Myers, Westbrook, Hill, and Parham; Absent: Smith-Lee

22-R-13 A RESOLUTION APPOINTING CHIOMA ADUKA TO THE PLANNING COMMISSION FOR A

*Audio available upon request.

TERM EXPIRING SEPTEMBER 30, 2026.

- b. Consideration of a motion to authorize and direct that the humanities bill proposal be forwarded to the Virginia General Assembly for Consideration.

BACKGROUND: At the March 1, 2022, Work Session, Councilwoman Treska Wilson-Smith presented a Humanities Bill proposal to City Council in an effort to address concerns regarding the homeless and those in need of public assistance. This motion would authorize that the Humanities Bill requesting certain revisions to the Code of Virginia be sent to the Virginia General Assembly on behalf of City Council for consideration.

RECOMMENDATION: Approve motion.

Mr. Williams gave a briefing of the request regarding the motion.

There was discussion among City Council and staff.

Council Member Wilson-Smith made a motion to send the humanities bill to our delegate for consideration at the next Virginia General Assembly.

Motion dies due to lack of second.

Council Member Myers made a substitute motion to table action on this until next meeting so that they can thoroughly read through it. Council Member Hill seconded the motion. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Myers, Westbrook, Hill, and Parham; Absent: Smith-Lee

- c. Consideration of a resolution to approve revisions to Article V, Vii, and VII of the City's Personnel Policy.

BACKGROUND: The attached Personnel Policy Revisions are proposed in an effort to address issues with the City's current disciplinary and grievance processes.

RECOMMENDATION: Adopt resolution.

Mr. Williams gave a briefing on the resolution for revisions to the personnel policy.

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

15. CITY MANAGER'S AGENDA:

- a. City Manager's Report

Mr. Turille gave a briefing of his report.

Key points:

- Made a recommendation to restart delinquent water cutoffs on May 1, 2022. Shut-offs have been stopped for about two years.
- The operating budget will be presented on March 24, 2022, and a school budget presentation.

*Audio available upon request.

- Announcement was made about the ribbon cutting for St. Andrew Street Bridge.
- Citywide Cleanup is scheduled for May 14, 2022. There will be cleanups every weekend in conjunction with public works, Fort Lee soldiers and volunteers with the trash czar.

Mr. Randall Williams with the Department of Public Works gave a briefing on the neighborhood cleanup.

16. BUSINESS OR REPORTS FROM THE CLERK:

*No items for this portion of the agenda.

17. BUSINESS OR REPORTS FROM CITY ATTORNEY:

*No items for this portion of the agenda.

18. ADJOURNMENT:

City Council adjourned at 8:34 p.m.

Clerk of City Council

APPROVED:

Mayor