

The special regular meeting of the Petersburg City Council was held on Tuesday, April 20, 2021, live streamed. Mayor Parham called the meeting to order at 12:20p.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:

Interim City Manager Kenneth Miller  
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 except Council Member Hart.

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

a. A proclamation to proclaim April 30, 2021 as Arbor Day in the City of Petersburg.

Mayor Parham read the proclamation out loud.

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

Folakemi Osoba, Public Relations Officer, stated, "For the previous public information questions we had an inquiry in to the CARES funding update. There is a full PowerPoint presentation that is now online. It is available at [petersburgva.gov](http://petersburgva.gov). It is under the government tab and then you will see City Council meeting presentations. There is also a search function on the website if you just want to search CARES funding update. That should get you to the link as well. And we also had an issue from Ms. Hill. She was explaining her utility billing issue. And I have connected with her offline and she and I have gotten that resolved. Thank you."

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

\*Audio available upon request.

- a. City Council Minutes of April 6, 2021, Closed Session Meeting; April 6, 2021, City Council Work Session, April 6, 2021, Special City Council Afternoon Meeting; and April 12, 2021 Closed Session Meeting.

Council Member Myers made a motion to approve the consent agenda as read by the Mayor. 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

**8. OFFICIAL PUBLIC HEARINGS:**

- a. A public hearing and consideration of adoption of an ordinance to amend and re-adopt Chapter 2 Sections 2-1 through 2-571 of the Petersburg City Code in furtherance of the City's Comprehensive Code update.

**BACKGROUND:** The City of Petersburg publishes its Code of Ordinances ("City Code") through a company known as "Municode." According to Municode, the last comprehensive review of the City Code was conducted in year 2001.

A number of the provisions of the City Code have been found to be outdated or otherwise contain errors. City Council has requested that the City Attorney conduct a comprehensive review of the City Code in order to update and correct deficiencies in the City Code.

The City Attorney has reviewed Chapter 2 Sections 2-1 through 2-571 of the City Code and recommends that City Council amend and readopt Chapter 2 Sections 2-1 through 2-571 as reflected in (Exhibit A) of the proposed Ordinance.

**RECOMMENDATION:** Adopt Ordinance.

Anthony Williams, City Attorney, gave an overview on the public hearing and consideration of an ordinance to amend and re-adopt Chapter 2 Sections 2-1 through 2-571 of the Petersburg City Code in furtherance of the City's Comprehensive Code update.

Mayor Parham opened the floor for public comments.

Seeing no hands, Mayor Parham closed the public hearing.

There was discussion among City Council Members and staff.

Council Member Cuthbert made a motion to adopt the ordinance to amend and re-adopt Chapter 1 Sections 2-1 through 2-571 of the Petersburg City Code in furtherance of the City's Comprehensive Code update. The motion was seconded by Council Member Hill. 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-20 AN ORDINANCE TO AMEND AND RE-ADOPT CHAPTER 1 SECTIONS 2-1 THROUGH 2-571 OF THE PETERSBURG CITY CODE IN FURTHERANCE OF THE CITY'S COMPREHENSIVE CODE UPDATE.**

- b. A public hearing and consideration of adoption of an ordinance to request that the General Assembly approve amendment of Section 2-7 of the City Charter pertaining to Council Salaries.

\*Audio available upon request.

**BACKGROUND:** In performing the Comprehensive Code Review, it was discovered that while City Council has properly adopted an ordinance setting the salary of Members of Council and the Mayor and Vice Mayor (Section 2-31 of the City Code), Section 2-7 of the City Charter was found to include requirements far in excess of that required under Section 15.2-1414.6 of the Code of Virginia, which applies “notwithstanding any contrary provision of law, general or special...”

**RECOMMENDATION:** Adopt ordinance.

Anthony Williams, City Attorney, gave an overview on the request and consideration of an ordinance to request that the General Assembly approve amendment of Section 2-7 of the City Charter pertaining to Council Salaries.

Mayor Parham opened the floor for public comment.

Patrick Ingram, 836 South Gillfield Drive, stated, “One of my biggest concerns is the lack of citizens engaging in on the matter. I am under the impression that the creation of the charter was created with collaboration of the citizens and not just public information sessions. To my knowledge, in my ward of Ward 6 we have not had an opportunity with our council person to discuss this proposed change. And so, I am curious on what other changes can be made onto the charter comprehensively. Such as ridding the ward system or evening having a strong mayor. As a tax paying citizen, I question if that can take place with citizens and us moving forward with a more comprehensive change to the charter as it relates to the salaries as it may be changed with reflecting the election of a strong mayor system or even an open voice system. Thank you.”

Barbara Rudolph, 1675 Mt. Vernon Street, stated, “It is interesting the way that this is being presented as a technical issue where the City Charter conflicts with the Code of Virginia. It would take too long to get into it. But the prior year session of 2020, there was a bill that was being considered that had to do with raising the incremental increases that are shown on this chart. And it was introduced by a delegate from Charlottesville. At that point, I talked with her about Petersburg’s unique Charter provisions which is what Mr. Williams introduced. And she, I am sure, consulted with the Department of Legislative Services and nothing came out at that time about not withstanding and our Charter being superseded by the State Code. In fact, it seemed like that opposite. But what I suggest if you all are interested in making sure that this conforms, I would ask you to coordinate with the Department of Legislative Services of the General Assembly to make sure that what you are trying to do is going to accomplish what you want. I thought maybe the approach would be that because so many other localities are relying solely on this Code of Virginia Provision to set salaries that you were seeking to make Petersburg be consistent with other localities, which in my opinion is a stronger argument in favor of getting rid of what is in our charter. If you all want to have salaries that can increase without the process of the court and the citizens panel, I would end with saying that the people that came up with the Charter and originally and wanted participation of the judicial system and citizens who were interested in contributing it did not preclude City Council getting raises but it did allow for greater participation and consideration of things. And I think that it still has value, and I would like to think that you all would think that you would get a fair share from citizens if we were to continue doing it that way. Thank you.”

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

Council Member Hill made a motion to approve the consideration of an ordinance to request that the General Assembly approve amendment of Section 2-7 of the City Charter pertaining to Council Salaries. The motion was seconded by Council Member Myers. The motion was approved on roll call. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Myers, Hart, Hill, Smith-Lee, and Parham

**21-ORD-21 AN ORDINANCE TO REQUEST THAT THE GENERAL ASSEMBLY APPROVE AMENDMENT OF SECTION 2-7 OF THE CITY CHARTER PERTAINING TO COUNCIL**

\*Audio available upon request.

**SALARIES.**

- c. A public hearing and consideration of a Supplemental Appropriation for Petersburg Public Schools in the amount of \$2,514,841 (2<sup>nd</sup> Reading)

**BACKGROUND:** Once we determined the amounts that would need to be carried over in our grants, and as we received grant awards for the exact totals, the School Board approved those amendments to the FY2021 appropriation. Petersburg City Council formally approves and appropriates these budget amendments in accordance with State Code when we receive additional funds.

**RECOMMENDATION:** Recommend that City Council approve Petersburg's Public Schools supplemental appropriation #2 for Petersburg Public Schools in the amount of \$2,514,841.

Robert Floyd, Director of Budget and Procurement, gave an overview on the request and consideration of a Supplemental Appropriation for Petersburg Public Schools in the amount of \$2,514,841.

Mayor Parham opened the floor for public comment.

Seeing no hands, Mayor Parham closed the public hearing.

Council Member Hart made a motion to approve the ordinance of a supplemental appropriation for Petersburg Public Schools in the amount of \$2,514,841. 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

**21-ORD-22 AN ORDINANCE, AS AMENDED, SAID ORDINANCE MAKING APPROPRIATIONS FOR THE FISCAL YEAR COMMENCING JULY 1, 2020, AND ENDING JUNE 30, 2021 FOR PETERSBURG PUBLIC SCHOOLS IN THE AMOUNT OF \$2,514,841.**

- 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.

JaVonni Brustow, 118 Crater Woods Court, stated, "First I wanted to mention, as I understand how the meetings work, questions are to be asked during one meeting and they are answered during the following. And I am certain that I asked a few questions, I believe about three during the last meeting and some other people asked questions as well that were not answered. So, I am not exactly sure how you all intend on moving forward with that. But regarding a search for a new City Manager, in 2017 when the City did the last search a panel was put together and they were supposed to include citizens. But as I recall there were no citizens included. I believe that it was stated that there were no City residents were interested in giving input which I kind of find hard to believe. I think that there are about ten people who would be interested and half of them which would probably be speaking to council today. So, moving forward from there I am wondering for this new process in finding a next City Manager are we going to make an effort to reach out to the citizens again or are we going to pretend that about 30,000 people do not care. Also, Virginia recently received a failing grade on

\*Audio available upon request.

public corruption and transparency from the State Integrity Investigation Project. And the way that I think that our locality can address this would be if we have our City Council meetings to be archived online as other City's do. Which leads me to the next topic. I believe that the previous City Manager said that she had intentions on having the council meetings to be streamed from the City website with a target date of December 2020. I know that we are a couple of months have that and I know that things happen. I just wanted to know if that was still on or have you made any alternate plans. And 2015 renovations began on the Southside Depot Project with an anticipated 40,000 annual tourist coming to the City and about \$700,000 in state grants coming in. The Robert Bobb Group also suggested about a million in City funds for this as well. I do not think any updates have occurred on this since 2017 and I believe that the City received grant money, but I am not exactly sure. So, I am wondering where that project is. When the last City Manager started the school, board suggested that they wanted three elementary schools, a middle school classroom and a multipurpose room and a high school fieldhouse. The City Manager said in the 2018 Capital Improvement Plan and I quote, 'The City's ability to fund capital projects is directly related to it's ability to borrow money.' And she also said that the City must have an investment grade credit rating. So, as I recall I believe that is where we are now. So, I am wondering if the school board will have a chance to have the items that they requested. That is all that I have for now. Thank you."

Cory Harris, 2316 Anderson Street, stated, "Imagine being at a bus stop going to work when it is below freezing, or the temperature is above 90 degrees. Imagine being a parent that is eager to teach their child and study with their child and they are unable to do it because they are too tired because of the job that they have. Imagine citizens who are afraid to come out of their home because they hear gun shots. That is the reality of so many citizens in the City of Petersburg. But we do not talk about that. Unfortunately, the conversation when it comes to these citizens is not really a focus and that is troubling. Everybody wants a better Petersburg. And I believe that. But to get a better Petersburg we must focus on our priorities. And a poverty rate that is over 20% that should be a priority because I believe that the poverty rate has been over 20% for some time. But we overlook it. We cannot fix this issue with hope. We must fix it with actions. And I do not see us doing that. Petersburg politics have become self-promotion while most of our citizens suffer. That is not a good image and that is not how we rebuild a City. For years I have seen this and not just in the past five years. These issues have been going on for decades. Who is going to have the courage to step up and fight for these citizens? Who is going to step up and do the right thing? Take care."

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

Council Member Cuthbert stated, "Thank you Mr. Mayor. I do not have any reports to make."

Council Member Wilson-Smith stated, "Thank you so much. I want to bring our attention to some time ago when we would talk about our water issues, I would always ask the question of the Water Department talking to the Department of Social Services. And we found out that they were not. Or when Senator Morrissey came to talk to us about COVID Vaccines and I had asked the question of whether he had spoken with the Health Department and he had not. So, it brings us too today. It is in reference to events on the news about the elderly citizen with sewage leaking in her house. I found out that this event was first reported in February. I knew nothing about it until it came on the news. But I wondered at that point were we talking to one another. Because here we are in April and I still do not know or understand why adult protective services were not involved and she is still living in that condition. I do not understand why it is that this was reported in February and we sit back and rest on an ordinance that was written in 1981 and no one brings it to our attention that something is wrong with our ordinance. We need to act and do something. And I want to ask us when things like this come to our attention can we establish some type of protocol where there is an action meeting that takes place between department heads. For instance, once this was brought about Social Services, the Health Department, Code Compliance, perhaps the City Attorney and everybody should have been involved so that we are not in the month of April. And an 88-year-old citizen is still living in that condition. I think that is really bad and sad on our part and it just makes it look like we do not care. So, a process in place would help that.

\*Audio available upon request.

Also, I also wanted to piggyback on our last meeting where it was discussed, and it is in our minutes that we just voted on that there is a lot of money still owed. It is on page 19 and it says that it is \$402,140 is still in the rear for water bills. So, what are we doing? I asked a question about the money at Pathways. They had close to \$90,000. And the money that the Mayor and Council Member Myers had raised which is \$17,000. I still do not have an answer. What are we doing with that money and where is it? Where is it on our current budget where we can see where that money went and what was done with it. And speaking of monies, we still have collection agencies I am hoping. I do not know if we do or not. But if we do are they getting the reports from our system? If they are getting the reports from our system, how is it? Is it on a quarterly basis? Is it twice a year? And can these collection agencies please come to us at the next council meeting and give us a report about what they have received and how often they are receiving it and how much they have collected. And are we making a space in our upcoming budget for any projected amounts that the collection agencies will get us in the next budget cycle. I do not see or understand where it is on the budget of where the FOIA money goes. What line item do I look for to see it? How much have we collected in FOIA? Where it goes to and what is the anticipated amount that we might get from FOIA? And everything that it relates to FOIA. I do know that I did ask about money coming from the movies that take place in Petersburg. I have not looked at the new budget but that is supposed to be in a particular line item as well. So, I would like to see that. I would like to ask the Mayor, please at our next meeting where we do recognitions, if we could recognize our Sheriff as she was selected by Channel 8 to be recognized as an outstanding woman of the year. I do not know how to pull the video from Channel 8, but I know that it is out there. But if we can show that and give her the recognition for an outstanding woman in our City, I think that would be good in that section of our agenda. And lastly, when people are out on sick leave, who is paying the insurance. I know a certain amount of their check is going towards health insurance, but if they have no more sick leave or they are not earning anymore money if the City can pick up their tab. If someone can come back and answer that for me, I would appreciate that. And is that projected in the budget on how much the City would pick up or not pick up. How is that handled when people can not earn and remain employees with us. I think that is all that I have. There may be something else. I apologize if it was too much, but I think that is it. Thank you.”

Council Member Hart stated, “One thing that I want to bring up is that within the last month I received several calls regarding trash services not being picked up on the days that they are supposed to be. And maybe we need to talk to them again about how their scheduling these pickups. That is all I have.”

Council Member Myers stated, “I do not have anything at this time Mr. Mayor.”

Council Member Hill stated, “First of all I would like for the Interim City Manager when you get to your report that you address the water billing issue that all of us had been getting calls that the water bills have been not right. Also, I want to thank the residents of Ward 2 who came out for our Ward 2 meeting. And I thank all of the staff as well who participated in it as well. Thank Dr. Pitre-Martin as well. I had a lot of great conversations. Also, as you know this is the time for grass cutting season. And I know last year we had mentioned that we would incorporate Mr. Jamie Fagan in the weed treatment. I would like to see some type of proposal done with that. Because I know that a lot of our areas like coming up Crater Road and past the cemetery and things like that and our beautification areas. We have a lot of weeds and not a lot of grass. So, if we can get a control of the weeds somehow then the grass will grow straight up. Because I just see a whole bunch of weeds everywhere. So, if we can have something on that. I am pretty sure Mr. Fagan can probably address some of that with the right weed control. Also, I think that would be for the Commissioner of Revenue. But it is the summertime we have a lot of people popping up serving food on the side of the streets and things like that. I just want to make sure that the property is licensed to do so. They are serving hotdogs and things like that nature. It is COVID and we would not want anybody who is not licensed and just because you have a grill and a tent you can just pop and serve food. And not saying that they are not but make sure that they have the proper credentials to do so. And I am for the public after we get down to the two or three to be involved in the search for the City Manager. As far as questioning or soliciting questions where they do in other localities where the council can ask questions that the citizens have submitted once we get down to the final pool of

\*Audio available upon request.

individuals. I think that is far. I think a lot of localities have moved to that as well. So, I am in favor of that. And finally, I hear that some individuals were doing interviews for the economic developer. And that I know it was not sanctioned by this City Council and I do not know about the City Manager. I do not want to get involved in that right now but if that is something that is going on behind the scenes, I think we need to stop that. Because we are not hiring any head of directors until we get a City Manager. Those are my comments Mr. Mayor. Thank you.”

Vice Mayor Smith-Lee stated, “First, I want to say congratulations to Sheriff Crawford for being recognized for an outstanding woman in the City of Petersburg. Congratulations Sheriff Crawford, you have done an excellent job. TRIAD, you have formulated something out of this world. And maybe the blueprint for what you have done can help us in other areas. Thank you so much. First, I want to thank everyone who participated in the Ward 6 cleanup on Saturday. It was a big success. I had quite a few people to come out. First, I want to thank the Fort Lee Petroleum and Water Division. The Masonic Temple, they came out and also public works, and Mount Olivet Baptist Church, Pastor Lewis, Col. Singleton, resident Cynthia Jones, Deputy City Manager Ms. Tyus, Director of Public Works Tangela Innis, Parks and Recreation Tami Yerby, Ryan Massenburg and Ms. Bland. And all who came out to help. And the boy scouts from Chester Pack 2815 and the cub scouts came out. I want to say thank you. And this is on a serious note. As a member of council, I am saddened by what happened to the young girl in Ward 6. Also, the accidental shooting on Talley Avenue. I am not only concerned about the young lady and the young man that lost his life, but I am concerned about all the children and the citizens in the City of Petersburg. I know that gun violence and violent times cannot and will not be reduced by legislations and policies. But I do want to use my voice to say that I believe in our police department. And know that they will do what they need to do to make the City of Petersburg safe and do the right thing. So, if you see something please say something. But I also connect with the police department. And I just want to share some things with you from the comparison of 2020 to 2021. First, I want to thank the police department and all the citizens and all who partnered with the City of Petersburg. There has been a reduction in murder in the murder rates of 62% because in 2020 there were 8 and as of today, we have 3. Two of them were domestic and one was an accidental shooting. Also, as in the assault there were 14 and as of today there have been 7. So, there is an overall low, but we still have a lot of work to do. But like I said if we see something say something. Also, I want to let you know to please join us in our Joint Ward Meeting that will be held on April 22, 2021 at 6pm in the back of Cool Springs Elementary School. Please come out. There is going to be our key people like the Deputy City Manager, Interim City Manager, Police Chief, someone from utilities and the fire department. Please come out and join us. That completes and concludes my report Mayor.”

Mayor Parham stated, “I just want to also applaud Sheriff Vanessa Crawford for being nominated with the Remarkable Woman of the Year Award. And that was over 200 applicants in what they reviewed. We are just so excited to have our sheriff who does a phenomenal job here in Petersburg with servicing the citizens of Petersburg. I just want everyone to know. I know Council Member Wilson-Smith mentioned it. But it is running on Channel 15, our local access channel. So, I encourage everyone to check it out because we have her complete interview and I happened to catch it with my daughter on Sunday. It was just wonderful to see her. Because I had heard about it but had not seen it. So, please check it out on Channel 15. And also, with that channel I want to thank Kemi for what she has done for Petersburg Area Regional Tourism. And she has really done a lot with that channel to upgrade it from just being a channel with some words of information. So, I thank Mrs. Kemi for that. Also, we just brought in our six firemen who just completed the academy. So, everyone please welcome our new firemen. I had a pleasure in meeting them and their family members. They are excited to work here in the City of Petersburg. And we are thankful for their service here as well. And last but not least, CFS, I know trash pickup has been behind. I just want to let everyone know that they are having the same problem in Colonial Heights, Hopewell, as well with trash service being behind. I know that they have a shortage of drivers and workers. So, anyone who is interested in working for CFS collecting our disposal we encourage everyone to come out there. They are hiring and they are really short right now. Like many other businesses that are hurting because of the lack of workers to fill positions. So, if there is anything anyone can

\*Audio available upon request.

do to help increase their workforce. And also, if everyone would bear with them and continue to work overtime with the staff that they have in picking up our refuse. That is all the items that I have.”

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

\*No items for this portion of the agenda.

**12. UNFINISHED BUSINESS:**

- a. 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 be able to promote industry and develop trade by inducting manufacturing, industrial, government 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 Council make an appointment to the Economic Development Authority.

Council Member Myers made a motion to appoint Joel K. Erb to the Economic Development Authority for a term expiring September 30, 2024. The motion was seconded by Council Member Hill. There was discussion on the motion among City Council and staff. The motion was approved on roll call. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Myers, Hill, Smith-Lee, and Parham; Absent: Hart

**21-R-34 A RESOLUTION APPOINTING JOEL K. ERB WITH A TERM ENDING SEPTEMBER 30, 2024 TO THE ECONOMIC DEVELOPMENT AUTHORITY.**

**13. NEW BUSINESS:**

- a. Consideration of an appropriation for the Sheriff’s TRIAD Crime Prevention Grant in the amount of \$899.46. (2<sup>nd</sup> Reading)

**BACKGROUND:** On February 3, 2021, the Petersburg Sheriff’s Office was awarded a grant which was solicited by Office of the Attorney General. This funding was made available to assist the Sheriff’s Office in their efforts to promote safety and crime prevention for TRIAD members.

**RECOMMENDATION:** It is recommended that this appropriation be approved as it will allow the Sheriff’s Office to purchase the safety equipment for the senior’s participating in TRIAD.

Council Member Hill made a motion to approve the appropriation that will allow the Sheriff’s Office to purchase the safety equipment for the senior’s participating in TRIAD. 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; Absent: Hart

**21-ORD-23 AN ORDINANCE, AS AMENDED, SAID ORDINANCE MAKING APPROPRIATIONS FOR THE FISCAL YEAR COMMENCING JULY 1, 2020, AND ENDING JUNE 30, 2021 FOR THE GENERAL FUND.**

- b. Consideration of a resolution approving a Development Agreement for the property at 627 N

\*Audio available upon request.

South Street.

**BACKGROUND:** The City Council approved a purchase agreement for the sale of City-owned property at 627 N South Street.

This is a Development Agreement referenced in the Purchase Agreement and it is required prior to closing on the sale of the property.

The Purchaser, Hanso SSI, LP owns adjacent property and plans to construct a mixed-use development that includes commercial and residential uses. The purchase of the City-owned property would be added to the adjacent parcel owned by the purchase and it will allow development to include adequate off-street parking.

**RECOMMENDATION:** It is recommended that the City Council approves the resolution approving the Development Agreement and authorizing the City Manager to execute the agreement.

Council Member Myers made a motion to approve the resolution approving the Development Agreement and authorizing the City Manager to execute the agreement. The motion was seconded by Council Member Hill. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Myers, Hill, Smith-Lee, and Parham; Voting No: Wilson-Smith; Absent: Hart

**21-R-35 A RESOLUTION APPROVING THE DEVELOPMENT AGREEMENT AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT.**

- c. Consideration of an appropriation for Federal Grant 2019-014 for Transit Operating Budget for \$186,023.

**BACKGROUND:** Petersburg Area Transit is seeking permission to utilize this older operating grant. These funds were applied for in 2019 and were not fully expended. This grant requires a match. The funding for the match was appropriated in the FY21 budget. The appropriation of this grant does not affect the City's General Fund allocation to PAT.

**RECOMMENDATION:** Recommend City Council approve the attached appropriation for \$186,023 after the 2<sup>nd</sup> reading.

Council Member Hill made a motion to approve the attached appropriation for \$186,023. 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, Hill, Smith-Lee, and Parham; Absent: Hart

**21-ORD-24 AN ORDINANCE, AS AMENDED, SAID ORDINANCE MAKING APPROPRIATIONS FOR THE FISCAL YEAR COMMENCING JULY 1, 2020, AND ENDING JUNE 30, 2021 IN THE MASS TRANSIT FUND.**

- d. Consideration of an appropriation for Federal Grant 2019-014 for Transit Preventative Maintenance Budget for \$256,000.

**BACKGROUND:** Petersburg Area Transit is seeking permission to utilize this older operating grant. These funds were applied for in 2019 and were not fully expended. This grant requires a 20% match. The funding for the match was appropriated in the FY21 budget. The appropriation of this grant does not affect the City's General Fund allocation to PAT.

\*Audio available upon request.

**RECOMMENDATION:** Recommend City Council approve the attached appropriation for \$256,000 after the second reading.

Council Member Myers made a motion to approve the appropriation ordinance in the amount of \$256,000. The motion was seconded by Council Member Hill. 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

**21-ORD-25 AN ORDINANCE, AS AMENDED, SAID ORDINANCE MAKING APPROPRIATIONS FOR THE FISCAL YEAR COMMENCING JULY 1, 2020, AND ENDING JUNE 30, 2021 IN THE MASS TRANSIT FUND.**

- e. Consideration of an appropriation for an additional \$14,703 for FY 2021 state aid to Petersburg Public Library. (2<sup>nd</sup> Reading)

**BACKGROUND:** The Virginia General Assembly approved an additional \$1,000,000 of state aid for Virginia Public Libraries. The revised FY 2021 state aid total for the Petersburg Public Library is \$171,136 which is an increase of \$14,703 over the FY21 adopted and approved operating budget amount of \$156,433.

**RECOMMENDATION:** Recommend that City Council approve the increase of state aid in the amount of \$14,703 to the Petersburg Public Library.

Council Member Hill made a motion to approve the increase of state aid in the amount of \$14,703 to the Petersburg Public Library. The motion was seconded by Council Member Smith-Lee. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Myers, Hill, Smith-Lee, and Parham; Absent: Hart

**21-ORD-26 AN ORDINANCE, AS AMENDED, SAID ORDINANCE MAKING APPROPRIATION FOR THE FISCAL YEAR COMMENCING ON JULY 1, 2020 & ENDING ON JUNE 30, 2021 IN THE GENERAL FUND IN THE AMOUNT OF \$14,703.**

- f. A request to consider a resolution of the City Council of the City of Petersburg, Virginia for governing body approval of the issuance by the Petersburg Housing and Redevelopment Authority of its multi-family residential rental affordable housing facility revenue bonds for the benefit for Petersburg East Housing Partners, LP, and its Petersburg East I and II Apartments rehabilitation project located in the City of Petersburg, Virginia

**BACKGROUND:** The PRHA held a public hearing in connection with the request by Petersburg East Housing Partners, LP, a Virginia limited partnership and its affiliates, for the issuance by the Authority of its multifamily affordable residential housing facility revenue bonds in an amount not to exceed \$15,540,000 on March 22, 2021.

The purpose of the request is to provide financing for the acquisition, renovation, rehabilitation, equipping and improvement of a 168 unit multifamily affordable residential housing facility comprised of nineteen (19) two-story garden apartment buildings, surface parking areas, auxiliary buildings and a playground located on approximately 10.60 acres of land, the funding of debt service and other reserve funds, and the payment of the costs of issuance with respect to the Bonds and other transaction expenses.

Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), provides that the applicable elected representatives of the governmental unit having jurisdiction over the issuer of private activity bonds and over the area in which any facility financed with the proceeds of private activity bonds is located must approve

\*Audio available upon request.

the issuance of such bonds, and the PRHA issues its bonds on behalf of the City of Petersburg, Virginia (the "City") and the Project is located in the City.

The PRHA, as the issuing governmental unit with respect to the Bonds, has no applicable elected representative, and the City constitutes the next highest governmental unit with such a representative, and the members of the City Council of the City (the "Council") constitute the applicable elected representatives of the City.

The PRHA has recommended that the Council approve the issuance of the Bonds and a copy of the Authority's resolution approving the issuance of the Bonds, a certificate of the Public Hearing, a summary of the statements expressed at the Public Hearing and the fiscal impact statement concerning the Plan of Finance are attached to this item.

This action would resulting in the following:

The City Council approving the issuance of the Bonds by the Authority for the benefit of the Borrower, as required by Section 147(f) of the Code, Section 15.2-4906, as applicable to housing authorities, of the Code of Virginia of 1950, as amended (the "Virginia Code") and Section 36-19(9) of the Virginia Code to permit the Authority to assist in the financing of the Plan of Finance.

The approval of the issuance of the Bonds does not constitute an endorsement to a prospective purchaser of the Bonds of the creditworthiness of the Plan of Finance or the Borrower.

The Bonds shall provide that neither the City nor the Authority shall be obligated to pay the Bonds or the interest thereon or other costs incident thereto except from the revenues and monies pledged thereto and that neither the faith and credit nor the taxing power of the City or the Authority is pledged to the payment of the principal of the Bonds or the interest thereon or other costs incident thereto.

In adopting this resolution, the City, including its elected representatives, officers, employees and agents, shall not be liable for, and hereby disclaim all liability for, any damages to any person, direct or consequential, resulting from the Authority's failure to issue the Bonds for any reason.

**RECOMMENDATION:** It is recommended that the City Council adopts the attached resolution.

Reginald Tabor, Interim Director of Planning and Community Development, gave an overview of the request. Douglas Sbertoli, Attorney for Williams Mullen and Brooke Shorett, Director of Development Management at Vitus Group, gave additional information on the request.

There was discussion among City Council, staff, and representatives on the request.

Council Member Cuthbert made a motion to deny the request of approval. The motion was seconded by Council Member Myers.

There was discussion among City Council Members and staff.

Council Member Wilson-Smith made a substitute motion to approve support and approve the 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, and Smith-Lee; Voting No: Parham

**21-R-36 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PETERSBURG, VIRGINIA FOR GOVERNING BODY APPROVAL OF THE ISSUANCE BY THE PETERSBURG**

\*Audio available upon request.

**REDEVELOPMENT AND HOUSING AUTHORITY OF ITS MULTI-FAMILY RESIDENTIAL RENTAL AFFORDABLE HOUSING FACILITY REVENUE BONDS FOR THE BENEFIT OF PETERSBURG EAST HOUSING PARTNERS, LP, AND ITS PETERSBURG EAST I AND II APARTMENTS REHABILITATION PROJECT LOCATED IN THE CITY OF PETERSBURG, VIRGINIA.**

- g. A request to adopt a resolution granting Bon Secours Southside Medical Center and Virginia Commonwealth University/Med-Trans to establish a base of operations in the City of Petersburg.

**BACKGROUND:** The City of Petersburg has received a joint notice from Bon Secours Southside Medical Center located at 200 Medical Park Blvd., Petersburg, VA 23805 and Virginia Commonwealth University / LifeEvac, of a change of vendors for their aircraft from the current provider to Med-Trans. LifeEvac supplies fixed wing rotary aircraft providing airborne advanced life support treatment and transportation for interfacility transfers and from emergency scenes to appropriate treatment facilities around the Commonwealth. Additionally, along with the change in vendors, the aircraft and flight crew will be relocated from the Dinwiddie Airport to the campus helipad at Southside Medical Center.

Pursuant to the *Code of Virginia* 12VAC 5-31-420, the Virginia Department of Health requires agency applicants for Emergency Medical Services (EMS) licensure to obtain a Resolution from the governing body of the locality where the agency maintains an office or establishes a base of operation for an EMS vehicle, within the locality. Moving of the aircraft into the City and the selection of a new vendor requires an update of the current LifeEvac EMS license issued by the Virginia Department of Health. This requested resolution indicates that the Petersburg City Council authorizes and grants approval for the applicant agency to establish their base of operation within the City of Petersburg.

**RECOMMENDATION:** Recommend City Council approve the resolution.

Council Member Myers made a motion to approve the resolution. The motion was seconded by Council Member Wilson-Smith. 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-37 A RESOLUTION GRANTING APPROVAL FOR BON SECOURS SOUTHSIDE MEDICAL CENTER AND VIRGINIA COMMONWEALTH UNIVERSITY/MED-TRANS. TO ESTABLISH A BASE OF OPERATIONS IN THE CITY OF PETERSBURG, VIRGINIA.**

- h. Consideration of appointment/s to the Petersburg Redevelopment and Housing Authority.

**BACKGROUND:** The Petersburg Redevelopment and Housing Authority (PRHA) Board consists of seven (7) members who are appointed by City Council to serve four-year, staggered terms. PRHA was created to study blighted areas within the City and to recommend programs for the improvement of such area; to provide quality housing for low-income families at rents within their ability to pay; and to serve as the duly designated agent of the City to contract with federal agencies for financial assistance in order to undertake urban redevelopment and low-rent housing programs approved by City Council.

**RECOMMENDATION:** Recommend that City Council make an appointment/s to the Petersburg Redevelopment and Housing Authority.

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

\*Audio available upon request.

**21-R-38 A RESOLUTION APPOINTING DIANNE JOHNSON TO THE PETERSBURG REDEVELOPMENT AND HOUSING AUTHORITY WITH A TERM ENDING SEPTEMBER 30, 2024.**

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

Mr. Miller stated, "Mr. Mayor, I just have two things really quick. You have my report. I would like to allow Stacy Jordan to answer Council Member Hill's question on billing and collections and then Ms. Tyus to give a very brief report on the COVID update."

Ms. Jordan stated, "In regard to Council Member Hill question about the incorrect water billing. The largest issue that we are having is in reference to the lockbox. The drop box payments are being dropped off at the drop box of billing and collections. And then they are being forwarded to the lockbox in North Carolina which delays the payment process. Say for instance, if someone drops it off on a Monday and they do not send it until Friday you are still looking at about two weeks to complete the process. So, what we need to do is we are going to restructure the department so we can address the foot traffic, the drop box collections, email, and phone. This is what we are trying to do now. The only thing that we should be using the lockbox for is the mortgage company and people who pay their bills through bill pay. I hope that addresses your concerns Council Member."

Council Member Myers stated, "We now going to North Carolina. At first it was Maryland and now we are in North Carolina."

Ms. Jordan stated, "Yes, sir. With the changes of the new banks, we switched from SunTrust to Atlantic Union."

Council Member Myers stated, "When you go to the bank and they run a check through the machine and it makes a deposit into the correct account, why is it that our tellers don't have that same form of system downstairs? That way they can go ahead and process the people checks as they come in."

Ms. Jordan stated, "With the new bank we actually have that now. We have to develop a structure within the department of billing and collections. It just has to be restructured at this point. We have to structure this department so that we are able to assist the residents, council and everybody within the City of Petersburg. We cannot continue to bag everything and push it on through to North Carolina. We have to process the payments inhouse to move forward. And that is going to alleviate the issue when people receive incorrect bills. The bills are printed out. We are not making sure that the payments are posted prior to the bills being put out. If all of the payments are posted to everyone's account through the lockbox and everything is posted the way that it is supposed to be then you should not see a previous balance, balance forward or a delinquent tax."

Council Member Myers, "What can council do to assist in the process? Because I think part of the issue is, I am sure it is the lockbox thing, it's just the volume of payments that come in at one time?"

Ms. Jordan stated, "Yes, sir. That is truly what it is. We have a large volume of payments coming through. Now Mr. Mayor if you recall, we used to do this every other month, do you think we need to reverse this back to every other month rather than once a month so that it would reduce the bulk of payments coming in. So, that the process can be met by the employees. What are your thoughts on that?"

Mayor Parham stated, "No, I don't think so."

\*Audio available upon request.

Mr. Miller stated, "She is working with a new staff. I think we have to get the staff the opportunity to learn. She is a true teacher, and she is working with a new staff. We have to give her an opportunity to grow and to learn. So, I think that we should revisit this in about two months. I think that will be a good time Mr. Myers to ask that question. I think it is a bit early since she is just getting into that role. Thank you."

Council Member Hill stated, "Thank you Ms. Jordan. I appreciate your input on that. So, basically when someone drops off something in the drop box, we are still sending it somewhere else. But right now, are you saying that we do have the capabilities to input the data in Petersburg or at the office?"

Ms. Jordan stated, "Yes, sir Councilman Hill. Once we backfill the positions that are open, we will be able to process the payments inhouse."

Council Member Hill stated, "Thank you I appreciate it. Try to keep us up to date on that. I guess the City Manager said to maybe give you about two months. So, if anything come up because all of us be getting calls recently about the same thing. Thank you."

Ms. Jordan stated, "If any council member has an issue or their resident has an issue, please let them know to reach out to me."

Council Member Cuthbert stated, "Mr. Mayor, I want to use this as an opportunity to pat ourselves on our collective heads for reanimating the City Collector position. We would not be having this conversation if we had not done so. And the reason that we would not be having this conversation is that the solution would be beyond our grasp. So, we did the right thing and that does not mean that we solved the problems, but it does mean that we have the means to solve the problems. We all recognize the importance of this. And thanks to the fact that we got a city collector that reports to City Council we are going to solve this problem. Thank you, Mr. Mayor, and council, for letting me get on my soap box. I think that it is really important that we keep in mind the progress that we have made, the strides that we have made, the opportunities that lie before us and those opportunities are now within council's control to achieve and pursue. Thank you, Mr. Mayor."

Ms. Tyus gave an update on COVID-19.

Key points:

- Petersburg is now at a case load of 3,703 and they are not escalating any faster than any other part of the jurisdictions.
- The death toll is now at 81.
- Testing is still done at Pathways and you can call the Health Department to set up scheduling for testing.
- The call center is still taking calls to put people on the waitlist.
- Petersburg has vaccinated 6,317 people.

Vice Mayor Smith-Lee stated, "I want to know how we can get people who are homebound vaccinated. Especially those elderly people who are not mobile."

Ms. Tyus stated, "A premature flyer went out somewhere that suggested that we were able to do that. They are working on that as we speak, and they are working on the process for how you sign people up to do that. That is the conversation going on right now. And as soon as they work that out, I will make sure that those people are at the top of the list. But they are working that out as we speak."

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

Mayor Parham stated, "I think at this time Ms. Jackson we need to let everyone know about May 4<sup>th</sup>."

\*Audio available upon request.

Ms. Jackson stated, "Yes, about moving the council meeting to May 3<sup>rd</sup>, that Monday. Because we have the grand opening event that will be at the same time as our council meeting. And if possible, can I get a vote or a consensus of moving to the prior date of May 3<sup>rd</sup> that Monday."

Council Member Hill made a motion to move the meeting of May 4<sup>th</sup> to May 3<sup>rd</sup>, 2021. 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; Absent: Hart

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

Council Member Wilson-Smith stated, "I would like to ask a question to the City Attorney. The first question has to do with when we are going to discuss the redistricting. Can you come back to us with it? I thought that it was in April or something should be done by April 30<sup>th</sup>. I asked about this once before, so I am asking about this again. Can you come back to us with information on when we entertain redistricting?"

Mr. Williams stated, "I can tell you now. My office does not do redistricting. That is something that would be done through planning. But the planning department would need to receive information from the 2020 Census which has been delayed as a result of COVID. And so, they need to receive that information in order to process the redistricting. That is what the hold up is. Ordinarily it would come out in the beginning of April. That is when they are supposed to do it. But the COVID has caused an issue with that."

Council Member Wilson-Smith stated, "So, when planning brings whatever, they bring to us, council would make some decisions and vote on it right?"

Mr. Williams stated, "Right. What they will do is that they will get a program that is available through an entity that they loan to localities. And they will use it to model several different scenarios saying based on the Census status here are three or four options that council can consider in redistricting. And then council would vote on those options. Council can even use, that software moves the lines a little bit and see where the adjustments are made and how that impacts the population in those particular districts. We did that when I was in Winchester and that is how it was presented. It was presented in a graphic format."

Council Member Wilson-Smith stated, "My next question to you is would council have the authority or be the body which would speak on the operation downtown in the town square. If we used COVID money through the CARES Act for that operation, does that mean that council makes the deciding decision about keeping it or not?"

Mr. Williams stated, "I am not sure what you are talking about."

Council Member Wilson-Smith stated, "I am talking about the square downtown. The street that has been cut off where we have the tables and chairs. If there is a decision to be made about that whether or not we keep that open or close it, would that decision be made by council?"

Mr. Williams stated, "My recommendation was to not open it in the fashion that it was opened. Because there is a state code provision that pertains to the closing of rights-of-way and having it closed in the manner it is, I think exposes potential liability. So, yes, I do not think that it was open through council and I think that it should have been. And I think that council should vote to close it at some point when council is prepared. Because my recommendation was to not have created it in the manner that it was."

Council Member Wilson-Smith stated, "The final decision should be made by council is the question that I am trying to figure out."

\*Audio available upon request.

Mr. Williams stated, "Yes. It should have been done through council to begin with. I do not believe it was. But closing of streets there is a specific process that involves City Council."

Council Member Wilson-Smith stated, "Thank you. Mayor Parham I have one other question, but it does not go to the City Attorney. I guess I wait until the City Attorney part is over with."

Mr. Williams stated, "I have no report."

Council Member Wilson-Smith stated, "And maybe it can go to the City Attorney. Because we just had a vote about the committee. And there were two names being presented. But according to our yellow sheet there were two vacancies and we voted on one. Should we have voted on both vacancies?"

Mr. Williams stated, "I do not get a yellow sheet, so I am not sure what you are talking about. I think council fills the vacancy at its discretion. If you had it on the agenda and there was a vacancy council can decide not to fill it."

Council Member Wilson-Smith stated, "That is what I am trying to find out. According to the yellow sheet there are two vacancies and there were two names to be voted on. Should we have voted on both names or not?"

Ms. Jackson stated, "That would be up to you guys to pick somebody. There was a term that was expired and that was Mr. Dickens that expired in 2018. And there was a vacant seat. There are two members that applied, and it would have been up to council on whether or not you would want to fill those two seats or not with those two applicants or one. So, it was at the discretion of council."

Council Member Wilson-Smith stated, "When we voted I thought that we voting to fill one position. I did not realize that we were voting to fill both positions. So, I do not know if everyone's understanding was the way that mines was. But I would really like for us to go back and take a vote to fill the second position as well. Is that permissible Mr. Mayor?"

Mayor Parham stated, "That next seat was for Mr. Dickens from Ward 3. So, I am letting you know that I have not talked to Mr. Dickens to find out if he did not want to serve anymore. So, he has been a main stay of that board. I am not going to support replacing his seat being that they have a lot of development going on in the housing authority with redoing the Pin Oaks and Pecan Acres. I am not going to replace him with someone with no institutional knowledge. I just want you to know that if you want to take a vote, we can but I am going to vote no."

Council Member Wilson-Smith stated, "It was simply going by what the facts stated. The fact stated that his term has expired. And based on that and based on the information we had two applications and we voted on one."

Council Member Wilson-Smith made a motion to accept the application from Patrick Ingram to be on the Petersburg Redevelopment and Housing Authority.

Council Member Myers stated, "Mr. Mayor did Mr. Dickens resign?"

Mayor Parham stated, "No, he did not."

Council Member Myers stated, "Then how are we going to replace him when we have not given him the courtesy."

\*Audio available upon request.

Council Member Wilson-Smith stated, "Didn't Mr. Dickens write a letter to all of us supporting Mr. Ingram?"

Council Member Myers stated, "It is not a letter of resignation."

Ms. Jackson stated, "I can say that usually when someone term is expired there is a letter sent out letting the person know that their term has expired. And if they wish to continue on the board to submit a letter stating that they would like to remain on the board and also submit a new application as a new applicant as well. I just wanted to throw that out there."

Council Member Myers stated, "And you have not received that am I correct?"

Ms. Jackson stated, "No."

Mayor Parham stated, "Alright, Council Member Wilson-Smith do you still want to put that motion on the floor?"

Council Member Wilson-Smith stated, "I do for the record."

Mayor Parham stated, "Motion is on the floor to replace Mr. Dickens with Mr. Patrick Ingram. Hearing no second. The lack of a second the motion dies."

**17. ADJOURNMENT:**

City Council adjourned at 3:07 p.m.

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

APPROVED:

\_\_\_\_\_  
Mayor